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KHESRAWI, and ROXANA EDLYN GARCIA
NUNEZ, on behalf of themselves and all others similarly
situated and on behalf of the general public

Attorneys for Plaintiffs ALLONA FRAME, SARA KHESRAWI, and ROXANA EDLYN GARCIA
NUNEZ, on behalf of themselves and all others similarly situated and on behalf of the general public

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION**

ALLONA FRAME, SARA KHESRAWI, and
ROXANA EDLYN GARCIA NUNEZ, on
behalf of themselves and all others similarly
situated, and on behalf of the general public,

Plaintiffs,

v.

LUXOTTICA OF AMERICA, INC.,
LUXOTTICA RETAIL NORTH AMERICA,
INC.; and DOES 1-100,

Defendants.

Case No. 37-2020-00026895-CU-OE-CTL

**DECLARATION OF JUSTIN HEWGILL IN
SUPPORT OF MOTION FOR APPROVAL OF
PAGA SETTLEMENT**

[Notice of Motion and Motion, Memorandum,
Declarations of Ferraro and Travis, Proposed Order,
and Proof of Service filed concurrently herewith]

Date: June 30, 2023

Time: 9:30 a.m.

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I, JUSTIN HEWGILL, declare as follows:

1. I am an individual over the age of 18 years of age and am competent to make this Declaration. I have personal knowledge of the facts stated in this Declaration, or if I rely on business records, I will so personally state. I am one of the counsel for Plaintiffs in this action. I am a member in good standing of the State Bar of California. I submit this Declaration in support of Plaintiffs' Motion for Preliminary Approval.

BACKGROUND FACTS

2. In November 2020, Plaintiff Roxana Edlyn Garcia Nunez and a group of her former colleagues sought legal advice and counsel regarding employment and payroll issues she perceived was affecting her and her coworkers. They initially sought that legal advice from my colleague Ms. Sarah E. Gallagher. Ms. Gallagher then brought me into the process of analyzing potential claims. My office, and the office of Ms. Gallagher in conjunction with Plaintiff, conducted a thorough investigation regarding the putative claims, including interviewing Plaintiff and witnesses, reviewing policies and employment records, accessing publicly available information about Defendants, searching the LWDA website, Pacer, and state court dockets for any related cases, and conducting legal research and analysis.

3. On December 23, 2020, my office, on behalf of Plaintiff, electronically filed a Notice of Labor Code Violations with the LWDA and sent it by certified mail to Defendants.

4. On March 16, 2021, Plaintiff filed a PAGA action in San Diego County Superior Court.

QUALIFICATIONS OF COUNSEL

5. I am a partner at Hewgill Cobb & Lockard, APC, counsel for Plaintiffs and the putative class in this matter.

6. I graduated with a Juris Doctorate in May, of 2008 from the University of California Berkeley, School of Law (Boalt Hall). I have been barred in the State of California since December, 2008.

7. I have practiced wage and hour law since 2011. I have practiced wage and hour class-action and Private Attorney General Act litigation since 2015.

8. I am currently or have previously successfully represented plaintiffs and plaintiff classes in wage and hour class matters in the following matters in the Superior Court for the County of San Diego (37-2016-00036639-CU-OE-CTL, GATES vs MISSION BAY SPORTS CENTER; 37-2017-00012951-CU-OE-CTL, BUCKHANNON V SOUTH BAY STONE INC.; 37-2019-00013863-CU-OE-CTL, ASPEYTIA ET AL. V. M.A. MORTENSON COMPANY. My office represented intervening plaintiffs, and successfully amended the settlement agreement in 3:16-cv-02162-JLS-NLS, NUNEZ v. BAE SYSTEMS SAN DIEGO SHIP REPAIR INC. My office currently represents plaintiffs in the wage and hour Class Action 37-2019-00011626-CU-OE-CTL, GUZMAN V ALLAN COMPANY; STK-CV-UOE-2023-0001882, COOPER v. SAFEWAY INC; 3:22-cv-01520-JLS-AHG, BAZABAL v. GREYHOUND LINES, INC; 3:22-cv-01214-AJB-DDL, PHILLIPS v. STERLING JEWELERS, INC; 3:23-cv-00380-AJB-MDD LOVEJOY v. TRANSDEV SERVICES, INC. Finally, my office also currently or previously represented plaintiffs in the following collective action, Private Attorney General Act (PAGA) matters: (37-2019-00013863-CU-OE-CTL, ASPEYTIA V MA MORTENSON COMPANY; 37-2018-00036850-CU-OE-CTL, BRENA ARBALLO vs VALLEY HO HOTELS INC; 37-2018-00037315-CU-OE-CTL, EBBA vs SHARP HEALTHCARE; 37-2018-00043367-CU-WT-CTL, HERNANDEZ vs CALIFORNIA GAS TRANSPORT INC; MCC1800266, HUERTA vs VIN HOSPITALITY; 37-2022-00015148-CU-OE-CTL, SANZ V STERLING JEWELERS, INC.; 37-2021-00032916-CU-OE-CTL PRADO V PROBUILD COMPANY; 37-2020-00022617-CU-OE-CTL MARTINEZ V OMNI MANAGEMENT ; 37-2021-00008373-CU-OE-CTL SALAAM V TRANSDEV); 37-2018-00043367-CU-WT-CTL, HERNANDEZ vs CALIFORNIA GAS TRANSPORT INC; 37-2019-00034623-CU-WT-CTL AGUIRRE vs 860 GARNET OPERATIONS; 37-2020-00033834-CU-OE-CTL, CARBAUGH vs HEALTH IQ; 37-2021-00008375-CU-OE-CTL; 20-CV-1241-AJB-WVG SCALICE vs SALES PARTNERSHIP, INC.; 37-2021-00032982-CU-OE-CTL ESPINOZA v. COLLINS; 34-2023-00332937, ALVARADO v. JB HUNT TRANSPORTATION INC; 34-2022-00322166, DETORE v. GRANITE BAY COUNTRYHOUSE LLC; 37-2023-00013385-CU-OE-CTL, ZAZUETA VS LA MICHOACANA NEVERIA LLC; 21STCV16066, FLORES v. AMWEST INC; 37-2022-00025576-CU-OE-CTL, VAHID v. LANDMARK WORLDWIDE LLC; 7-2023-00009121-CU-OE-CTL, BLANCHE VS GREYHOUND LINES INC.

1 9. I devoted 68.28 hours to this case. The following is a summary of my tasks and activities
2 performed in the litigation of this matter, which includes but is not limited to: conducted numerous
3 intakes to obtain class participants, engaged in communication with current and PAGA Group members
4 and potential plaintiffs to develop the factual basis of Plaintiffs' claims; conducted legal research prior
5 to deciding to bring action; conducted legal research and drafting of both the PAGA Notice (letter) as
6 well as civil Complaint; compiled and analyzed data through extensive discussions with class
7 participants and co-counsel, documented data such as time period and the frequency/type of workplace
8 violations, drafted and reviewed PAGA letter and complaint, compiled and analyzed informal discovery
9 during course of litigation, drafted and reviewed mediation, engaged in court appearances, negotiated
10 and drafted the settlement agreement, and collaborated with this matter's three (3) co-counsel members
11 throughout the litigation of this matter.

12 10. My hourly rate is \$650. Based on my hourly rate and the hours expended, 68.28, my fee
13 is \$44,382, which is reasonable and necessary to the successful litigation of this matter.

14 11. My staff member (Lead Paralegal) Katherine Rodriguez devoted 4 hours to this case, and
15 at her rate of \$150 an hour, our fee for her time is \$600.

16 12. My firm seeks reimbursement of litigation costs and expenses of \$2,097.03.

17 I declare under penalty of perjury under the laws of the State of California that the foregoing is
18 true and correct. Executed at San Diego, California, on June 29, 2023.

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Justin Hewgill, Esq.