

**JAMES HAWKINS APLC**  
James R. Hawkins, Esq. (#192925)  
Gregory Mauro, Esq. (#222239)  
Michael Calvo, Esq. (#314986)  
9880 Research Drive, Suite 200  
Irvine, CA 92618  
Tel.: (949) 387-7200  
Fax: (949) 387-6676

David Mara, Esq. (SBN 230498)  
Carter Cordura, Esq. (SBN 359252)  
**MARA LAW FIRM, PC**  
3160 Camino Del Rio South, Suite 207  
San Diego, California 92108  
Telephone: (619) 234-2833  
Facsimile: (619) 234-4048

Attorneys for Plaintiff Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

RIBALDO OLVERA and IGNACIO GOMEZ  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

AMERICAN CORPORATE SECURITY, A  
California Corporation; AMERICAN  
CORPORATE SECURITY INC.; and DOES 1-  
50,

Defendants.

Case No. 21STCV16417

[Assigned for all purposes to the Honorable  
Carolyn B. Kuhl, Department SSC12]

**CLASS ACTION**

**DECLARATION OF JAMES HAWKINS  
IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION AND PAGA SETTLEMENT**

Date: May 28, 2026  
Time: 10:30 a.m.  
Dept.: SSC12

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. I am an individual over the age of 18. I am a partner at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiffs Ribaldo Olvera and Ignancio Gomez, (hereinafter referred to as “Plaintiffs” or “Class Representatives”) moves for Preliminary Approval of the Class Action and PAGA Settlement. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval of Class and PAGA Action Settlement, Approval of Class Notice, Setting of Final Approval Hearing Date, which Plaintiffs filed concurrently herewith, along with the supporting Memorandum of Points and Authorities. I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

25  
26  
27  
28

28

1 penalties, and UCL. On March 6, 2025, Notice of the Certified Class Action was sent out to Class  
2 Members via U.S. First Class Mail by the Class Action Administrator, Apex Class Action LLC.

3 4. Defendants filed a Motion for Summary Judgment/Adjudication on August 27,  
4 2025. The Plaintiff Class filed a Motion for Summary Adjudication on August 28, 2025. Hearing  
5 was set for these dueling motions on December 12, 2025. Both Parties filed corresponding  
6 oppositions and replies ahead of the hearing. On November 20, 2025, the Parties reached a  
7 settlement in principle, vacating the hearing for the motions for summary judgment and summary  
8 adjudication.

### 9 **MEDIATION EFFORTS**

10 5. The Parties attended three mediations. The Parties held two mediations with  
11 respected wage and hour mediator David Rotman on June 10, 2025 and August 15, 2025, neither  
12 of which were successful. On November 14, 2025 held their third mediation with respected wage  
13 and hour mediator Doug Leach. At these mediations, Defendants provided Class Counsel a  
14 robust production of financial documents that were reviewed by private third party accounting  
15 experts and demonstrated severe financial distress experienced by Defendants. Ultimately, a  
16 settlement in principle was reached on November 20, 2025.

### 17 **INVESTIGATION OF CLAIMS**

18 6. Plaintiffs' Counsel conducted a thorough investigation into the factual and legal  
19 issues implicated by Plaintiffs' claims, and were able to objectively assess the settlement's  
20 reasonableness. For example, prior to filing the action, Plaintiffs contacted Plaintiffs' Counsel to  
21 discuss the factual bases for pursuing their actions against Defendants for Labor Code violations.

22 7. Plaintiffs were intimately familiar with Defendants' labor policies and practices,  
23 and over the course of multiple interviews, knowledgeably summarized those policies and  
24 practices to Plaintiffs' Counsel. During those conversations, Plaintiffs' Counsel explained how  
25 the policies and practices were instituted and provided valuable insight into how they gave rise to  
26 the alleged Labor Code violations. Based on these interviews with Plaintiffs, Plaintiffs' Counsel  
27 determined that there were legally sufficient grounds for pursuing the Actions against Defendant.  
28 and in preparation for drafting the complaints, Plaintiffs' Counsel conducted their own

1 independent preliminary investigations into the factual bases for Plaintiff's claims, which  
2 entailed, *inter alia*, a careful examination of Plaintiffs' personnel files and associated records.

3 8. The Parties have engaged in significant discovery. These discovery efforts  
4 included Plaintiffs' Motions to Compel Responses to Demand for Production of Documents (Set  
5 One) and to Special Interrogatories (Set One), which were granted on August 2, 2023, and an  
6 Informal Discovery Conference on October 4, 2023. Both Parties propounded and responded to  
7 formal written discovery. Defendants produced hundreds of thousands of documents including  
8 time and activity records, wage records, collective bargaining agreements, employee handbooks,  
9 and wage and hour policies. Moreover, Defendants produced a class list after completing a  
10 Belaire West notice procedure. Plaintiffs engaged in substantial communications with class  
11 members after receiving this list. In addition, Plaintiffs' took the depositions of Defendant's  
12 Person Most Qualified witnesses, Timothy Lovette and Brittany Cychosz on April 12, 2023, and  
13 Niles Rose on February 2, 2024. Defendants took the Deposition of Plaintiff Ribaldo Olvera on  
14 April 23, 2024, and Plaintiff Ignacio Gomez on April 24, 2024.

15 9. Moreover, Defendants also produced financial documents which were reviewed by  
16 third party accounting experts which revealed the severe financial distress experienced by  
17 Defendants.

18 10. The discovery, investigation, and litigation process has been adequate to give  
19 Class Counsel a sound understanding of the value, strength, and vulnerabilities of the Class's  
20 claims. Specifically, Class Counsel has conducted discovery and an investigation into the claims  
21 during the prosecution of this action. This discovery, investigation, and prosecution has included,  
22 among other things, analyzing the legal positions taken by Defendants and the developments in  
23 the law related to various claims, analyzing potential damages before and throughout the  
24 settlement negotiation process, researching the applicable law with respect to the Class's claims  
25 and Defendant's potential defenses, and assessing the risk of further litigation.

26 11. In summary, Plaintiffs' Counsel performed a thorough investigation into the  
27 claims at issue, which included: (1) determining Plaintiffs' suitability as class representatives and  
28 private attorneys general through interviews, background investigations, and analyses of their

1 employment files and related records; (2) evaluating all of Plaintiffs' potential representative  
2 claims; (3) researching similar wage and hour class actions as to the claims brought, the nature of  
3 the positions, and the type of employer; (4) analyzing employees' time and wage records; (5)  
4 reviewing Defendants' employment policies and practices; (6) researching settlements in similar  
5 cases; (7) evaluating Plaintiffs' claims and estimating Defendants' liability for purposes of  
6 settlement; (8) drafting the mediation brief; and (9) participating in the mediation.

7 12. By engaging in such a thorough investigation and evaluation of Plaintiffs' claims,  
8 Plaintiffs' Counsel can opine that the Settlement, for the consideration and on the terms set forth  
9 in the Settlement Agreement, is fair, reasonable, an adequate, and is in the best interests of Class  
10 Members in light of all known facts and circumstances, including the risk of significant delay and  
11 uncertainty associated with litigation, and various defenses asserted by Defendants.

12 13. I believe that the consideration and terms set forth in the Settlement Agreement are  
13 fair, reasonable, and adequate and are in the best interests of the Settlement Class in light of all  
14 known facts and circumstances, including the various defenses asserted by Defendants, and  
15 numerous potential appellate issues.

16 **CLASS COUNSEL EXPERIENCE**

17 14. I have a great deal of experience in wage and hour class action litigation. I have  
18 obtained certification of several classes, I have been approved as class counsel in many other  
19 wage/hour class actions, and I am currently litigating numerous others. Although not an all  
20 inclusive list, over the years I have prosecuted the following class action matters as lead and/or  
21 co-lead counsel, all of which implicated similar law and facts to those associated with this action:

22 a. *Aguilar v. 7-Eleven, Inc.*, et. al., Orange County Superior Court- Case No.: 30-  
23 2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking  
24 premium wages for meal period and rest periods and resultant penalties. Class  
25 Notice pending.

26 b. *Carey, et. al. v. Arthur J. Gallagher*, et. al., USDC, SOUTHERN DISTRICT-  
27 Case No.: 09-cv-0168. Wage and Hour Class action seeking past wages of overtime  
28 for mis-classification of insurance claims adjusters employed by Gallagher Bassett, a

1 third party administrator (TPA) in the State of California. Certification granted.  
2 Plaintiffs' counsel co-lead counsel. Case settled, Final Approval granted, no  
3 objections and funds fully distributed.

4 c. *Dao v. 3M Company*, et al. USDC, CENTRAL DISTRICT, Case No. CV-08-  
5 04554. Wage and Hour Class Action case seeking past wages for "off the clock",  
6 overtime and meal and rest break violations for production workers in the State of  
7 California. Plaintiffs' Counsel appointed as Lead Counsel. Case settled, Final  
8 Approval granted, no objections and funds fully distributed.

9 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.  
10 Wage and Hour Class Action case seeking past wages for meal and rest period  
11 violations for retail employees in the State of California. Plaintiffs' counsel appointed  
12 co-lead counsel. Case settled, Final Approval granted, no objections and funds fully  
13 distributed.

14 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.  
15 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and  
16 rest period violations for retail employees in the State of California. Plaintiffs'  
17 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no  
18 objections and funds fully distributed.

19 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County  
20 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past  
21 wages for overtime, meal and rest break violations for driver employees in the State of  
22 California. Settlement for "binding arbitration." Arbitration Award for Plaintiff  
23 Class. Arbitration Award confirmed. Plaintiffs' counsel, lead trial counsel and class  
24 counsel.

25 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior  
26 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for  
27 overtime, meal and rest breaks violations for production employees in the State of  
28 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval

1 granted, no objections and funds fully distributed.

2 h. *Acosta v. Fleetwood Travel Trailers of California, Inc.*, et al., Riverside County  
3 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past  
4 wages for overtime, meal and rest break violations for production employees in the  
5 State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled,  
6 Final Approval granted, no objections and funds fully distributed.

7 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.  
8 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and  
9 rest break violations for restaurant employees in the State of California. Plaintiffs'  
10 counsel appointed as lead counsel. Case settled, Final Approval granted and funds  
11 fully distributed.

12 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court,  
13 Case No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime,  
14 meal and rest break violations for security officers in the State of California.  
15 Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final Approval granted,  
16 no objections and funds fully distributed.

17 k. *Martinez v. Securitas Security Services USA*, et al., Santa Clara Superior Court,  
18 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action  
19 seeking past wages for meal and rest break violations for security officers employed  
20 by defendant in the State of California. Plaintiffs' counsel and co-counsel. Case  
21 settled, Final Approval granted and funds fully distributed.

22 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc.* et al., Riverside Superior Court,  
23 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime,  
24 meal and rest break violations for housekeepers employed by defendant in the State of  
25 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval  
26 granted, no objections and funds fully distributed.

27 m. *Ruiz, et al. v. Unisourse Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,  
28 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal

1 and rest period violations for non-exempt employees employed by defendant in the  
2 state of California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff  
3 has petitioned the Court for Lead Counsel.

4 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL  
5 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past  
6 wages for field and branch employees of defendant in the State of California.  
7 Plaintiffs' counsel appointed as lead counsel. Case settled and awaiting Final  
8 Approval.

9 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.  
10 05CC00128. Wage and Hour Class Action seeking past wages for restaurant  
11 employees of defendant in the State of California. Plaintiffs' counsel appointed as  
12 lead counsel. Case settled, Final Approval granted, no objections and funds fully  
13 distributed.

14 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.  
15 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest  
16 break violations for security guards employed by defendant in the State of California.  
17 Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval granted, no  
18 objections and funds fully distributed.

19 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior  
20 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and  
21 rest break violations for production employees employed by defendant in the State of  
22 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval  
23 granted, no objections and funds fully distributed.

24 r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case  
25 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest  
26 break violations for restaurant employees employed by defendant in the State of  
27 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final  
28 Approval granted, no objections and funds fully distributed.

1 s. *Osuna v. DFG Restaurants, Inc.*, et al., Los Angeles Superior Court, Case No. BC  
2 330145. Wage and Hour Class Action seeking past wages of overtime for mis-  
3 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of  
4 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final  
5 Approval granted, no objections and funds fully distributed.

6 t. *Burns v. Gymboree Operations, Inc.*, et al., San Francisco Superior Court, Case  
7 No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and  
8 rest break violations for retail employees employed by defendant in the State of  
9 California. Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval  
10 granted, no objections and funds fully distributed.

11 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case No.  
12 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-  
13 classification of managers employed by Defendant in the State of California.  
14 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no  
15 objections and funds fully distributed.

16 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court, Case  
17 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal  
18 and rest break violations for production workers employed by defendant in the State of  
19 California. Plaintiffs' counsel appointed lead counsel. Case settled; final approval  
20 granted; no objections and funds fully distributed.

21 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court,  
22 Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime,  
23 meal and rest period violations for production employees employed by defendant in  
24 the State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final  
25 Approval granted, no objections and funds fully distributed.

26 15. Here, the Parties' agreement to pay Class Counsel Fees of 1/3 of the Gross  
27 Settlement Amount (i.e. \$232,434) is reasonable. Plaintiffs' counsel have borne the entire risk  
28 and cost of this litigation on a pure contingency fee basis. The legal issues raised drew

1 significantly upon my firms and co-counsel's experience and the extensive review and analysis of  
2 documents and information by me and others at my firm and our co-counsel. In a complex  
3 action such as this, the proposed attorneys' fees are, at the very least, on the low side of the  
4 market rate for contingency fees.

5 16. At this juncture, with the addition of more hours due to the administration of the  
6 Settlement by Class Counsel, administration of the Settlement, and preparation for final approval,  
7 counsel for plaintiff will provide a detailed analysis of its time in advance of the final approval  
8 hearing.

9 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
10 April 9, 2026 at Irvine, California.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

**JAMES HAWKINS**