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Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

DEISY SALAS, KRISTAL CARMONA,
ISRAEL LINTHROP, ALICIA KRUEGER-
AGUIRRE, individually, and on behalf of other
members of the general public similarly situated
and on behalf of other aggrieved employees
pursuant to the California Private Attorneys
General Act;

Plaintiffs,

vs.

J & S RESTAURANTS, INC., a California
corporation; TOPP END ENTERPRISES, INC., a
California corporation; RED FLASH, INC., a
California corporation; VALENCIA TPP, a
general partnership; YEASTIE BOYS, a general
partnership; and DOES 1 through 100,
inclusive,

Defendants.

THEODORE CHRISTOPHER MILLER,
NOLAN MALONE, individually, and on behalf
of other members of the general public similarly
situated;

Plaintiffs,

Lead Case No.: 56-2019-00526959-CU-
OE-VTA (*Salas* Action)
(*Consolidated with 56-2020-00546726-
CU-OE-VTA*)

[Assigned to the Hon. Honorable
Henry J. Walsh, Dept. 42]

**DECLARATION OF JONATHAN A.
WEINMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

CLASS ACTION

Date: April 4, 2022
Time: 8:30 a.m.
Department: 42

Salas Complaint Filed: March 29, 2019
Salas FAC: August 2, 2019
Salas SAC: November 7, 2019
Salas TAC: October 29, 2020
Miller Complaint Filed: August 5, 2019
Miller FAC: September 29, 2019
Jury Trial Date: None Set

1 vs.

2 VENTURA COUNTY RESTAURANT
3 SERVICES INC. DBA TOPPERS PIZZA
4 PLACE, a California corporation; and DOES 1
through 100, inclusive,

5 Defendants.
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1. I am an attorney admitted to practice before the courts of the State of California. I am a partner and founding partner of Broslavsky & Weinman, LLP, one of the attorneys of record for the undersigned plaintiffs Theodore Christopher Miller and Nolan Malone (collectively, "Plaintiffs"), in the above-captioned consolidated action.

3. I graduated from Southwestern Law School's condensed SCALE Program in 2008, during which I interned at Bet Tzedek Legal Services and worked as a pro-bono mediator on the Los Angeles Superior Court Alternative Dispute Resolution Panel. My work was recognized by the State Bar of California with the Wiley W. Manuel Certificate for Pro Bono Legal Services in 2007.

5. My class action experience at Krieger & Krieger includes, but is not limited to, the following cases:

- a. *Aryeh v. Canon Business Solutions, Inc.* (2013) 55 Cal.4th 1185, which was successfully argued before the California Supreme Court and extended the continuing accrual doctrine of Unfair Competition Law (UCL) claims under Business and Professions Code Section 17200;
- b. *Iskanian v. CLS Transportation Los Angeles, LLC* (2014) 59 Cal.4th 348. As a result of my work on the *Aryeh* matter, I was retained as a consultant and provided assistance to Capstone Law in conjunction with their Supreme Court petition in *Iskanian*;
- c. *Washington v. Siemens Medical Solutions Diagnostics, et al.*, Los Angeles Superior Court Case No. BC387302, a wage and hour class in which Class Certification was granted prior to settlement of the case;
- d. *Smith v. CEVA Logistics U.S. Inc., et al.*, United States District Court, Central District, Western Division, Case No. CV 09-4957 CAS (SSx), a wage and hour class which

1 resulted in a substantial settlement for the class;

2 e. *De La Torre v. Mexi-Grill, LLC, et al.*, Orange County Superior Court Case No. 30-2009-
3 00314093-CU-OE-CXC, a wage and hour class that resulted in a substantial settlement
4 for the class;

5 f. *Saenz v. Side Bar & Associates*, Orange County Superior Court Case No. 07CC01266, a
6 wage and hour class that was certified;

7 g. *Luparello v. VIP Tours of California, Inc.*, Los Angeles Superior Court Case No.
8 BC538570, a medical benefit and improper wage deduction class that was certified, in
9 which I was retained by Krieger & Krieger after co-founding Broslavsky & Weinman,
10 LLP.

11 6. I left my employment with Krieger & Krieger in 2013 to co-found Broslavsky &
12 Weinman, LLP, handling plaintiff-side employment and consumer cases.

13 7. Mr. Broslavsky and I were trial co-counsel in the matter of *Whitfield v. Broadspectrum*
14 *Downstream Services, Inc., et al.*, Los Angeles Sup. Ct. Case No. BC632479, where plaintiff was
15 awarded a total of \$826,877.83, including punitive damages. We were also trial co-counsel in the matter
16 of *Kukreja v. Dedication and Everlasting Love to Animals*, Los Angeles Sup. Ct. Case No. Case No.
17 BC532962, where plaintiff was awarded \$148,832.77. We have also reached equitable resolutions on
18 numerous other employment matters, including a substantial resolution in a six-plaintiff Complex sexual
19 harassment matter, entitled *Swanger v. Stater Bros. Markets, et al*, San Bernardino Sup. Ct. Case No.
20 CIVDS1707999. I was also recently certified as class counsel in *Smith, et al. v. HR Direct, Services. et*
21 *al.*, San Bernardino County Superior Court, Case No. CIVDS1901660.

22 8. I am an active member of the California Employment Lawyers Association, served as
23 Past President of the Employment Law committee of the Santa Monica Bar Association and have been
24 selected as a Southern California Super Lawyer, Rising Star, every year from 2012 through present. I
25 have also been selected several years in a row to the Super Lawyers Top 100 Rising Stars.

26 9. I have been actively involved in this litigation after our firm was first retained by Theodore
27 Christopher Miller. Based on my prior experience with counsel for Defendants on three separate matters,
28 including the aforementioned *Kukreja* trial, I was active in having our matter consolidated with the lead

1 case, and also having the matters consolidated for purposes of mediation. Specifically, I was the primary
2 point of contact from the firm in communications with Brier Miron Setlur of Light Gabler, LLP, counsel
3 for Defendants.

4 10. All sides have apprised the other of their respective factual contentions, legal theories and
5 defenses, and engaged in extensive arms' length negotiations. Based on their own independent
6 investigation and evaluation, the Parties and their counsel believe that the Settlement for the
7 consideration and on the terms set forth in the Class Action Settlement Agreement is fair, reasonable,
8 and adequate and the settlement is in the best interests of the Classes and Defendants in light of all
9 known facts and the expenses and risks inherent in litigation.

10 11. To date, I have incurred approximately 35.1 hours in connection with the litigation of this
11 lawsuit. Subject to and without waiving the attorney-client privilege and work-product doctrine, a
12 breakdown of these hours is reflected in the spreadsheet attached as Exhibit "A."

13 12. My current billing rate is six hundred dollars (\$600.00) per hour. Last year in *Smith, et*
14 *al. v. HR Direct, Services. et al.*, the Court approved attorney's fees based on lodestar, including my
15 requested rate of \$550.00. Moreover, the hourly rate of \$600.00 is in the mid-range of the rates for
16 attorneys in the area with similar levels of experience. As such, the total of my attorney's fees through
17 the approval hearing is expected to be \$21,060 (35.1 x 600.)

18 I declare under penalty of perjury under the laws of the State of California that the foregoing is
19 true and correct.

20 Executed on this March 9, 2022, at Los Angeles, California.

21 
22 Jonathan A. Weinman

Exhibit “A”

SALAS v. J&S RESTAURANTS (MILLER v. TOPPERS) – JONATHAN WEINMAN HOURS

Description of Task	Time
Review documents and analyze potential case and claims	1.3
Legal research re potential claims	0.6
Review and edit draft complaint	1.2
Research all corporate entities	0.7
Review and edit First Amended Complaint re. additional causes of action	0.6
Confer with opposing counsel B. Setlur re. consolidation for all purposes, stipulation and mediation	2.2
Further confer with B. Setlur re. change of venue and joinder v. consolidation	0.9
Telephonic conference with opposing counsel re. participation in mediation and potential resolution	1.2
Review and edit joint stipulation; confer with B. Setlur re. same	1.4
Review documents from clients	1.5
Review and edit mediation brief; confer with co-counsel re. same	2.2
Review documents produced by Defendants for damage calculation	2.1
Analyze mileage reimbursement claim based on document production, receipts and drive locations	4.7
Prepare for and attend mediation	9.8
Review settlement agreement and communications with B. Setlur re PPP loan provision	1.8
Follow up communication with B. Settler re PPP loans	0.5
Draft declaration ISO preliminary approval	1.1
Review and revise motion for final approval	0.4
Draft declaration ISO final approval	0.9
	35.1