

Edwin Aiwarzian (SBN 232943)
Arby Aiwarzian (SBN 269827)
Joanna Ghosh (SBN 272479)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE, RIVERSIDE HISTORIC COURTHOUSE

JOSE SALDANA, individually, and on behalf
of other members of the general public
similarly situated; THOMAS JOHNS,
individually, and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

vs.

INTERNATIONAL E-Z UP INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: RIC1902873

Honorable Craig G. Riemer
Department 1

CLASS ACTION

**DECLARATION OF EDWIN AIWAZIAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES, COSTS, AND ENHANCEMENT
AWARDS**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Enhancement
Awards; Declarations of Class Representatives
(Jose Saldana and Thomas Johns); Declaration
of Settlement Administrator (Norman
Alcantara); Declaration of Proposed *Cy Pres*
Recipient (Jose Padilla); and [Proposed] Final
Approval Order and Judgment filed
concurrently herein]

Date: November 16, 2021
Time: 8:30 a.m.
Department: 1

Complaint Filed: May 10, 2019
FAC Filed: March 25, 2021
Trial Date: None Set

DECLARATION OF EDWIN AIWAZIAN

I, Edwin Aiwarzian, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers *for* Justice, PC, attorneys of record for Plaintiffs Jose Saldana and Thomas Johns (“Plaintiffs”) and the Class. The facts set forth in this declaration are within my personal knowledge or based on information and belief, and, if called as a witness, I could and would competently testify as follows.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On August 10, 2021, in Department 1 of the above-entitled Court, the Honorable Craig G. Riemer entered an order preliminarily approving the First Amended Joint Stipulation of Class and PAGA Settlement and Release entered into between Plaintiffs and Defendant International E-Z Up Inc. (“Defendant”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiffs Jose Saldana and Thomas Johns as Class Representatives. The Court also preliminarily appointed and designated Edwin Aiwarzian, Esq., Arby Aiwarzian, Esq., and Joanna Ghosh, Esq. of Lawyers *for* Justice, PC as Class Counsel. The Court appointed Simpluris, Inc. (“Simpluris”) to serve as the Settlement Administrator for handling the notice and settlement administration process. The Court approved and ordered the mailing of the Notice of Class Action Settlement (“Class Notice”), Exclusion Form, and Objection Form (together, the “Notice Packet”), adopted the notice, opt-out, and objection procedures, and ordered their implementation.

3. On October 21, 2021, pursuant to the Court’s direction, the parties executed Amendment No. 1 to First Amended Joint Stipulation of Class and PAGA Settlement and Release, attached hereto as “**EXHIBIT 1**,” to change the *cy pres* recipient from CASA Riverside County (Voices for Children) to California Rural Legal Assistance, Inc. The First Amended Joint Stipulation of Class and PAGA Settlement and Release and Amendment No. 1 to First Amended Joint Stipulation of Class and PAGA Settlement and Release are together referred to as the “Settlement,” “Agreement,” or “Settlement Agreement.”

///

1 4. As of the date of filing the accompanying Motion for Final Approval, no Class
2 Members have objected to the Class Settlement or the request for Attorneys' Fees, Litigation
3 Costs, Enhancement Awards, Settlement Administration Costs, or the allocation for penalties
4 under the Private Attorneys General Act of 2004, California Labor Code section 2698, *et seq.*
5 ("PAGA").

6 **WORK PERFORMED BY CLASS COUNSEL**

7 5. I have been actively engaged in litigating this matter since prior to the
8 commencement of the action on May 10, 2019, as have several other attorneys and members in
9 our firm.

10 6. Before initiating the action, Lawyers for Justice, PC investigated and researched
11 the facts and circumstances underlying the pertinent factual and legal issues and applicable law.
12 This required thorough discussions and interviews between attorneys at our firm and Plaintiff
13 Jose Saldana and research into the various legal issues involved in the case, namely, the current
14 state of the law as it applied to certification, off-the-clock theory, meal and rest periods, wage-
15 and-hour enforcement, the claims of Plaintiff Jose Saldana, and potential defenses. After
16 conducting initial investigation, our firm determined that the claims of Plaintiff Jose Saldana
17 were well-suited for class-wide adjudication owing to what appeared to be a common course of
18 conduct affecting a similarly situated group of hourly-paid or non-exempt employees who
19 worked for Defendant, who were not properly compensated for, *inter alia*, all hours worked,
20 and non-compliant meal and rest periods, and business expenses.

21 7. Class Counsel used the pre-mediation time period to investigate the veracity,
22 strength, and scope of the claims, and also to prepare the matter for class certification and trial.
23 The parties conducted extensive informal discovery and investigation into the facts of the case,
24 and also informally exchanged information and data in preparation for mediation. Class Counsel
25 also interviewed and obtained information from Plaintiffs and other Class Members, including
26 and not limited to the names of potential witnesses, and reviewed and analyzed thousands of
27 pages of documents and data produced by Defendant and obtained through other sources. The
28 documents and data reviewed and analyzed by Class Counsel included, and were not limited to,

1 Plaintiffs' employment records, sampling of time and payroll records, Employee Handbook,
2 weekly Earning Schedule, forms (e.g., Meal Break Waiver and Time Clock Missed Punch
3 Request Form), internal memorandum (e.g., Buildings Hours and Card Access Areas and
4 Employee Parking), guidelines and policies (e.g., Evaluation Guideline, Property Inspection
5 Policy, and Prohibited Time Clock Actions), acknowledgements (e.g., Employee Payroll Swipe
6 Card), and Defendant's operations and employment practices and procedures, among other
7 documents and data. Class Counsel researched applicable law, developed damages/valuation
8 models in preparation for mediation, and met and conferred with Defendant's counsel on
9 numerous occasions, e.g., to discuss issues relating to the pleadings and the production of
10 various documents and data prior to the mediations. Other work performed by Class Counsel
11 included, and was not limited to, case strategy and analysis; drafting, reviewing, and revising
12 the pleadings and mediation materials; preparing and appearing for court proceedings; and
13 preparing for and attending two (2) mediation sessions and further settlement negotiations.

14 8. As outlined herein, the parties have conducted extensive informal discovery and
15 investigation during the course of litigating the case. Class Counsel analyzed thousands of pages
16 of documents and data obtained from Plaintiffs, Defendant, and other sources. These documents
17 and data provided a critical understanding of the nature of the work performed by the Class
18 Members, as well as Defendant's operations and employment policies, practices, and
19 procedures, and were used in analyzing liability, damages, penalties, and valuation issues in
20 connection with all phases of the litigation, and ultimately with the mediation and settlement
21 negotiation process. Class Counsel also performed significant research into the law concerning
22 Defendant's defenses.

23 9. After conducting significant investigation of the facts and law during the
24 prosecution of the case, counsel for the parties engaged in extensive settlement negotiations to
25 try to resolve the entire matter. These efforts included participating in two (2) formal mediation
26 sessions conducted by Jeffrey Krivis, Esq., a well-regarded mediator experienced in mediating
27 complex labor and employment matters. During all settlement discussions, the parties
28 conducted their negotiations at arm's length in an adversarial position. Prior to and during

1 mediation, the parties exchanged information and data, and discussed all aspects of the case,
2 including the risks and delays of further litigation, the risks to the parties of proceeding with
3 class certification and trial, the law relating to off-the-clock theory, meal and rest periods,
4 representative PAGA claims, and wage-and-hour enforcement, the evidence produced and
5 analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was
6 acceptable to the parties was not easy. Defendant also contended that individualized questions
7 of fact predominate over any common issues, and these issues would pose challenges to
8 certification and representative adjudication. Defendant and its counsel felt very strongly about
9 Defendant's ability to prevail on the merits and to obtain a denial of class certification, while
10 Plaintiffs and Class Counsel believed that class certification would be obtained and that they
11 would prevail at trial. With the aid of the mediator's evaluation, the parties agreed that the case
12 was well-suited for settlement given the legal issues relating to Plaintiffs' principal claims, as
13 well as the costs and risks to the parties that would attend further litigation. These risks of
14 further litigation include, and are not limited to, a determination that the claims are unsuitable
15 for class treatment and/or representative adjudication, failure to obtain certification, class de-
16 certification after certification of a class, allowing a jury to decide the claims asserted in the
17 case, and the real possibility of no recovery after years of litigation.

18 10. As set forth more fully in the accompanying Motion for Final Approval, Class
19 Counsel seeks attorneys' fees in the amount of \$332,500.00, which is thirty-five percent (35%)
20 of the Gross Settlement Fund of \$950,000.00, as set forth in the Settlement Agreement and the
21 Class Notice. Pursuant to the contingency-fee agreements entered into by and between Plaintiffs
22 and Class Counsel, Plaintiffs have each agreed to contingency fees of at least thirty-five percent
23 (35%) of the recovery. I am aware that the common and acceptable rate for contingency
24 representation in wage and hour class action litigation is normally 40% before trial, with the
25 range being from 33.3% up to 50%. The attorneys' fees sought are commensurate with: (1) the
26 risk that Class Counsel took in commencing the case; (2) the time, effort, and expense that Class
27 Counsel dedicated to the case; (3) the skill and determination that Class Counsel has shown; (4)
28 the results that Class Counsel has achieved throughout the litigation; (5) the value of the

1 settlement that Class Counsel has achieved for the Class Members; and (6) the other cases that
2 Class Counsel has turned down in order to devote its time and efforts to this matter.

3 11. Lawyers for Justice, PC has no fee-splitting agreement with any other attorney or
4 law firm.

5 12. While not necessarily required to be demonstrated because the percentage fee is
6 proper for this settlement, Class Counsel has performed many hours of work in connection with
7 prosecuting the case, such that the award of Attorneys' Fees is also justified under a simple
8 lodestar analysis. Class Counsel has spent a total of **514.90 hours** performing tasks to obtain
9 recovery on behalf of Plaintiffs and the Class Members. I have reviewed our firm's records, the
10 work performed by me, as well as the work performed by others at our firm. Attached hereto
11 as "**EXHIBIT 2**" is an Attorney Task and Time Chart that sets forth in detail the breakdown of
12 time for the tasks performed by attorneys at Lawyers for Justice, PC. The chart was prepared
13 through extensive review of detailed memoranda and notes prepared by attorneys who worked
14 on this case (including, and not limited to, memoranda and notes detailing the days and/or
15 number of hours spent on a certain task or assignment), correspondence to and from attorneys
16 who worked on this matter, court filings, and other documents maintained in the firm's case
17 management system and physical and electronic files for this matter. These hours include work
18 done by myself and several other attorneys at the firm. Additionally, we also had litigation
19 support personnel actively engaged in assisting with the prosecution of this case.

20 13. The attorneys identified below who have worked on this case, have performed
21 their work in this matter exclusively on a contingency basis. Each of their hourly rates of
22 compensation are commensurate with the individual background, training, and experience of
23 the attorneys that are listed below, as well as our firm, in litigating class action and complex
24 wage-and-hour matters.

25 ///

26 ///

27 ///

LAWYERS for JUSTICE, PC – Attorney Hours, Rates, and Lodestar						
Attorney	Title	CA Bar No.	Admit Year	Rate	Total Hours	Lodestar
Edwin Aiwazian	Managing Attorney	232943	2004	\$800	125.30	\$100,240
Arby Aiwazian	Shareholder	269827	2010	\$725	108.70	\$78,807.50
Joanna Ghosh	Attorney	272479; 5188149 (NY)	2010; 2013 (NY)	\$675	49.50	\$33,412.50
Elizabeth M. R-H Parker-Fawley	Attorney	301592	2014	\$575	14.20	\$8,165
Tiffany J. Hyun	Attorney	311743	2016	\$550	22.70	\$12,485
Melissa LeBlanc	Attorney	283080	2012	\$550	72.30	\$39,765
Stephanie S. Ponck	Attorney (former)	306205	2015	\$550	3.30	\$1,815
Danielle L. GruppChang	Attorney (former)	313881	2017	\$525	10.90	\$5,722.50
Daniel J. Kramer	Attorney	314625	2017	\$525	1.30	\$682.50
Brian J. St. John	Attorney	304112	2015	\$475	11.30	\$5,367.50
Melissa A. Huether	Attorney (former)	316604	2017	\$475	69.90	\$33,202.50
Margaux V. Roussel	Attorney	323398	2018	\$475	1.50	\$712.50
Arya Mansour	Attorney (former)	325363	2019	\$400	5.00	\$2,000
Yasmin Hosseini	Attorney	326399	2019	\$400	0.70	\$280
Alexandra Rose	Attorney	329407	2019	\$400	18.30	\$7,320
Total:					514.90	\$329,977.50

14. The billing rates for each of the attorneys who worked on this case, which range from \$400 to \$800 per hour, are reasonable. The California Supreme Court has held that the reasonable hourly rate used for the lodestar calculation is the “prevailing [rate] in the community for similar work.” *PLCM Group v. Drexler* (2000) 22 Cal.4th 1084, 1095; see also *Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132 (stating that “the lodestar is the basic fee for comparable legal services in the community”). Courts in California have approved comparable hourly rates for similar work performed by other attorneys in the community. See *Lopez v. Management and Training Corporation* (S.D. Cal. 2020) No. 17cv1624 JM(RBM), 2020 WL 1911471, at *8-9 (approving rates up to \$900 for a partner and a rate of \$500 for an associate as reasonable in a wage-and-hour class action filed in southern California); *Hartless v. Clorox Co.* (S.D. Cal. 2011) 273 F.R.D. 630, 643-44, aff’d in part, 473 Fed.Appx. 716 (9th Cir. 2012) (approving rates of \$675-\$795 for partners and up to \$410 for associates in complex litigation involving product

misrepresentation filed in San Diego County); see, e.g., *Campbell v. Best Buy Stores, L.P.* (C.D. Cal. 2016) No. LA CV12-07794 JAK (JEMx), 2016 WL 6662719, at *9 (finding that hourly rates between \$375 and \$875 for attorneys were reasonable in a wage-and-hour class action filed in Los Angeles County); see *Ibarra v. Wells Fargo, N.A.* (C.D. Cal. 2018) No. CV 17-4344 PA (ASX), 2018 WL 5276295, at *4 (approving an hourly rate of \$775 and \$725 for attorneys with experience in a wage-and-hour class action filed in Los Angeles County); see *Bradley Taylor, et al. v. TIC - The Indus. Co.* (C.D. Cal. 2018) No. EDCV16186VAPSPX, 2018 WL 6131198, at *10 (finding that hourly rates of \$695 to \$425 were reasonable in a wage-and-hour class action filed in San Bernardino County).

15. The work performed in this particular matter, the background of our firm, as well as the individual backgrounds, training, and experience of the attorneys who worked on this matter, in litigating complex wage-and-hour matters, and in particular, employment class actions, support a reasonable blended hourly rate of compensation at the rate of \$640 for work performed by Class Counsel. Lawyers for Justice, PC has been awarded attorneys' fees, compensating the firm at the blended rate of at least \$640 per hour for legal services performed, by courts granting final approval in other cases: final approval of the class action settlement in *Thereasa Carrozzella v. Basalite Concrete Products, LLC* (Sacramento County Superior Court Case No. 34-2017-00220214-CU-OE-GDS) was granted on February 21, 2020, and the award of attorneys' fees involved an effective hourly rate of \$766.05; final approval of the class and representative action settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County Superior Court Case No. RG16835813) was granted on June 11, 2019, and the award of attorneys' fees involved an effective hourly rate of \$764.82; final approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No. SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved an effective hourly rate of \$855.96; final approval of the class and representative action settlement in *Stanley Bland, et al. v. Telecare Corporation* (Alameda County Superior Court Case No. RG16811450) was granted on November 21, 2018, and the award of attorneys' fees involved an effective hourly rate of \$831.38; final approval of the class

1 and representative action settlement in *Maryjo Ungerbuhler Anderson v. Boyett Petroleum*
2 (Stanislaus County Superior Court Case No. 2020582) was granted on May 15, 2018, and the
3 award of attorney's fees involved an effective hourly rate of \$780.77; final approval of the class
4 and representative action settlement in *Demetrius Camarillo v. Blue Diamond Growers*
5 (Sacramento County Superior Court Case No. 34-2015-00175871) was granted on June 30,
6 2017, and the award of attorneys' fees involved an effective hourly rate of \$845.64.

7 **ADEQUACY OF LAWYERS for JUSTICE, PC**

8 **EDUCATION**

9 16. In May of 2004, I graduated from *Pepperdine University School of Law* with a
10 Juris Doctor degree. I have extensive formal training in dispute resolution and negotiation from
11 the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree
12 program. In addition, I have previously served as a *pro bono* mediator for the Los Angeles
13 County Superior Court. In October of 2000, I obtained a Litigation Paralegal Certificate from
14 the *UCLA Extension Program*. During the summer of 2000, I studied Legal Writing at *Harvard*
15 *University*. In April of 1999, I obtained a Bachelor of Arts degree in Communication with a
16 concentration in Natural Sciences from *Pepperdine University*.

17 **JUDICIAL EXTERNSHIPS**

18 17. From approximately September 2002 to approximately December 2002, I served
19 as a Judicial Extern to the Honorable Kim McLane Wardlaw of the *United States Court of*
20 *Appeals for the Ninth Circuit*. From approximately June 2002 to approximately August 2002, I
21 served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the *California Court of Appeal*
22 *for the Second Appellate District*.

23 **LITIGATION AND CLASS ACTION EXPERIENCE**

24 18. In December of 2004, I obtained a license to practice law from the California State
25 Bar. From approximately December 2004 to approximately August 2008, I was employed by
26 *Girardi & Keese*.

27 ///

28 ///

1 19. At *Girardi & Keese*, my practice focused on class actions and other complex cases
2 involving toxic torts and products liability. In addition, I gained substantial experience on cases
3 involving insurance bad faith, premises liability, and medical negligence. While employed by
4 *Girardi & Keese*, I argued approximately 100 motions, took or defended approximately 150
5 depositions, and prepared dozens of expert witnesses for deposition or trial.

6 20. Since its inception, in or around October of 2008, our firm has almost exclusively
7 focused on the prosecution of consumer and employment class actions, involving wage-and-
8 hour claims, race discrimination, unfair business practices or consumer fraud. Currently, we are
9 the attorneys of record in over a dozen employment-related putative class actions in both state
10 and federal courts in the State of California. Our firm has successfully litigated cases involving
11 the executive, administrative, and other overtime exemptions to the State of California and
12 federal overtime compensation requirements. During this relatively short time, in association
13 with other law firms, we have obtained millions of dollars on behalf of thousands of individuals.

14 **EXAMPLES OF CLASS ACTION RESULTS**

15 21. What follows are just a few examples of the type of results we have achieved on
16 behalf of our clients:

17 a) Our firm, in association with co-counsel, represented the plaintiffs in a
18 wage-and-hour class and representative action against a major property management company
19 involving allegations of misclassification of various “manager” positions. On September 20,
20 2010, the court granted final approval of the class and representative action settlement. The Los
21 Angeles County Superior Court Case Number is BC400414.

22 b) Our firm, in association with co-counsel, represented the plaintiffs in a
23 wage-and-hour class action against a national retailer involving allegations of misclassification
24 of the “Assistant Store Manager” position. On October 28, 2010, the court granted final
25 approval of the class action settlement. The Los Angeles County Superior Court Case Number
26 is BC413498.

27 c) Our firm, in association with co-counsel, represented the plaintiffs in a
28 wage-and-hour class and representative action against a national property management company

1 involving allegations of misclassification of the “Property Manager” position. On May 23,
2 2012, the court granted final approval of the class and representative action settlement. The Los
3 Angeles County Superior Court Case Number is BC430918.

4 d) Our firm, in association with co-counsel, represented the plaintiffs in a
5 wage-and-hour class action against a national retailer involving allegations of misclassification
6 of the “Store Manager” position. On June 10, 2011, the court granted plaintiffs’ motion for class
7 certification. On August 26, 2013, the court granted final approval of the class action settlement.
8 The Los Angeles County Superior Court Case Number is BC424012.

9 e) Our firm, in association with co-counsel, represented the plaintiffs in a
10 wage-and-hour class and representative action against a bank, involving allegations of
11 misclassification of the “Assistant Branch Manager” position. On August 27, 2013, the court
12 granted final approval of the class and representative action settlement. The Kern County
13 Superior Court Case Number is S-1500-CV-273194-LHB.

14 f) Our firm, in association with co-counsel, represented the plaintiffs in a
15 wage-and-hour class and representative action against a national wholesale distributor of
16 plumbing and builder supplies, involving allegations of misclassification of multiple salaried
17 “manager” positions. On May 22, 2014, the court granted final approval of the class and
18 representative action settlement. The Sacramento County Superior Court Case Number is 34-
19 2012-00136285.

20 g) Our firm, in association with co-counsel, represented the plaintiffs in a
21 wage-and-hour class action involving allegations of misclassification of the “Operations
22 Manager” position. On September 16, 2014, the court granted plaintiffs’ motion for class
23 certification. The Los Angeles County Superior Court Case Number is BC478769.

24 h) Our firm, in association with co-counsel, represented the plaintiffs in a
25 wage-and-hour class and representative action against a national retailer of household items, on
26 behalf of hourly-paid or non-exempt employees. On May 27, 2015, the court granted final
27 approval of the class and representative action settlement. The San Francisco County Superior
28 Court Case Number is CGC-13-532344.

1 i) Our firm, in association with co-counsel, represented the plaintiffs in a
2 wage-and-hour class action involving allegations of misclassification of the salaried residential
3 “Property Manager” position. On September 17, 2015, the court granted plaintiffs’ motion for
4 class certification. The Los Angeles County Superior Court Case Number is BC474784.

5 j) Our firm, in association with co-counsel, represented the plaintiffs in a
6 wage-and-hour class and representative action against a national retailer of upscale hardware
7 and home furnishings, on behalf of non-exempt employees. On April 28, 2016, the court granted
8 final approval of the class and representative action settlement. The Los Angeles County
9 Superior Court Case Number is JCCP4794.

10 k) Our firm, in association with co-counsel, represented the plaintiffs in a
11 wage-and-hour class and representative action against a national retailer of apparel and fashion
12 accessories, on behalf of non-exempt employees. On August 5, 2016, the court granted final
13 approval of the class and representative action settlement. The Los Angeles County Superior
14 Court Case Number is BC488069.

15 l) Our firm, in association with co-counsel, represented the plaintiffs in a
16 wage-and-hour class action against a national retailer of apparel, accessories, and home
17 products, involving allegations of misclassification of the “Department Manager” position. On
18 August 12, 2016, the court granted plaintiffs’ motion for class certification in part and certified
19 a class. The Alameda County Superior Court Case Number is RG13680477.

20 m) Our firm represented the plaintiff in a representative action under the
21 Private Attorneys General Act, against a real estate and property management company, on
22 behalf of non-exempt employees. On November 4, 2016, the Court granted approval of the
23 settlement. The Orange County Superior Court Case Number is 30-2015-00775439-CU-OE-
24 CXC.

25 n) Our firm, in association with co-counsel, represented the plaintiffs in a
26 wage-and-hour class action against a full-service bank, on behalf of non-exempt employees. On
27 November 18, 2016, the court granted final approval of the class action settlement. The San
28 Francisco County Superior Court Case Number is CJC-13-004839.

o) Our firm represented the plaintiffs in a wage-and-hour class and representative action against a foodservice distributor, on behalf of non-exempt employees. On January 26, 2017, the court granted final approval of the class and representative action settlement. The San Bernardino County Superior Court Case Number is CIVDS1507260.

p) Our firm, on behalf of the plaintiff and respondent in a PAGA representative action, successfully opposed in the trial court, and briefed and argued an appeal with respect to the employer's motion to compel arbitration, which resulted in a published opinion by the California Court of Appeal in favor of employees. *Roberto Betancourt v. Prudential Overall Supply*, 9 Cal.App.5th 439 (Cal. App. 4th Dist., Mar. 7, 2017), review denied, cert. denied (U.S. Supreme Court Docket No. 17-254).

q) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-hour class and representative action against a consumer packaging company, on behalf of non-exempt employees. On March 10, 2017, the court granted final approval of the class and representative action settlement. The Los Angeles County Superior Court Case Number is BC590429.

r) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-hour class action and representative action against a manufacturer of food service industry supplies on behalf of non-exempt employees. On April 14, 2017, the court granted final approval of the class and representative action settlement. The Orange County Superior Court Case Number is 30-2015-00810013-CU-OE-CXC.

s) Our firm represented the plaintiff in a wage-and-hour class and representative action against a property management company, on behalf of non-exempt employees. On June 14, 2017, the court granted final approval of the class and representative action settlement. The Los Angeles County Superior Court Case Number is BC586234.

t) Our firm represented the plaintiffs in a wage-and-hour class action and representative action against a food company on behalf of non-exempt employees. On June 30, 2017, the court granted final approval of the class and representative action settlement. The Sacramento County Superior Court Case Number is 34-2015-00175871.

1 u) Our firm represented the plaintiffs in a wage-and-hour class action and
2 representative action against a chocolate company on behalf of non-exempt employees. On July
3 19, 2017, the court granted final approval of the class and representative action settlement. The
4 Alameda County Superior Court Case Number is RG15764300.

5 v) Our firm represented the plaintiffs in a wage-and-hour class action and
6 representative action against a manufacturer of plastic containers on behalf of non-exempt
7 employees. On October 31, 2017, the court granted final approval of the class and representative
8 action settlement. The Los Angeles County Superior Court Case Number is BC577233.

9 w) Our firm, in association with co-counsel, represented the plaintiffs in a
10 wage-and-hour class action and representative action against a property management company
11 on behalf of hourly-paid and non-exempt employees. On January 4, 2018, the court entered an
12 order granting final approval of the class and representative action settlement. The Los Angeles
13 County Superior Court Case Number is JCCP 4819.

14 x) Our firm, in association with co-counsel, represented the plaintiffs in a
15 wage-and-hour class action and representative action against a global provider of flexible office
16 space solutions. On February 15, 2018, the court entered an order granting final approval of the
17 class and representative action settlement. The Los Angeles County Superior Court Case
18 Number is BC498401.

19 y) Our firm, in association with co-counsel, represented the plaintiff in a
20 wage-and-hour class action against a container manufacturer, on behalf of non-exempt
21 employees. On October 15, 2018, the court granted the plaintiff's motion for class certification.
22 The Tulare County Superior Court Case Number is VCU264528.

23 z) Our firm represented the plaintiffs in a wage-and-hour class and
24 representative action against a behavioral health service provider on behalf of non-exempt
25 employees. On November 13, 2018, the court granted final approval of the class and
26 representative action settlement. The Alameda County Superior Court Case Number is
27 RG16811450.

28 ///

1 aa) Our firm, in association with co-counsel, represented the plaintiff in a
2 representative action under the Private Attorneys General Act, against a global provider of
3 products and services to the energy industry, on behalf of hourly-paid and non-exempt
4 employees. On November 19, 2018, the Court granted approval of the settlement. The Kern
5 County Superior Court Case Number is S-1500-CV-280215-SDC.

6 bb) Our firm represented the plaintiff in a wage-and-hour class action against
7 a parking company on behalf of non-exempt employees. On September 3, 2019, the court
8 granted the plaintiff's motion for class certification and certified a class. The Santa Clara
9 County Superior Court Case Number is 16CV292208 and the Judicial Council Coordination
10 Proceeding Number is JCCP 4886.

11 cc) Our firm, in association with other counsel, on behalf of the plaintiff and
12 respondent in a PAGA representative action, successfully opposed in the trial court, and briefed
13 and argued an appeal with respect to the employer's motion to compel arbitration, resulting in a
14 notable decision from the California Supreme Court clarifying the law and finding, in part, that
15 employer arbitration agreements are unenforceable where they block a PAGA claim from
16 proceeding, *ZB, N.A. v. Superior Court*, 8 Cal.5th175 (2019).

17 dd) Our firm represented the plaintiffs in a wage-and-hour class and
18 representative action against a bank on behalf of non-exempt employees. On September 27,
19 2019, the court granted the plaintiffs' motion for class certification in part and certified a class.
20 The Alameda County Superior Court Case Number is RG15757606 and the Judicial Council
21 Coordination Proceeding Number is JCCP 4921.

22 ee) Our firm represented the plaintiffs in a wage-and-hour class and
23 representative action against a national retailer of apparel and fashion accessories, on behalf of
24 non-exempt employees. On October 9, 2019, the court granted the plaintiffs' motion for class
25 certification in part and certified a class. The Sacramento County Superior Court Case Number
26 is 34-2015-00175330-CU-OE-GDS.

27 ff) Our firm represented the plaintiff in a wage-and-hour class and
28 representative action against a medical equipment supplier on behalf of non-exempt employees.

On February 13, 2020, the court granted the plaintiff's motion for class certification and certified a class. The San Bernardino County Superior Court Case Number is CIVDS1505744.

gg) Our firm, in association with other counsel, represented the plaintiff in a wage-and-hour class and PAGA representative action against a large national drug testing laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the plaintiff's motion for class certification and certified a class. The San Diego County Superior Court Case Number is 37-2018-00019611-CU-OE-CTL.

hh) Our firm represented the plaintiffs in a wage-and-hour class and representative action against a national retailer of sportswear, footwear, and camping equipment on behalf of non-exempt employees. On March 16, 2020, the court granted in part the plaintiff's motion for class certification and certified a class. The Riverside County Superior Court Case Number is RICJCCP4930.

ii) Our firm represented the plaintiffs in a wage-and-hour class and PAGA representative action against a plastic packaging company on behalf of non-exempt employees. On June 8, 2020, the court granted in part the plaintiffs' motion for class certification and certified a class. The San Bernardino County Superior Court Case Number is CIVDS1507361.

jj) Our firm, in association with other co-counsel, represented the plaintiffs in a wage-and-hour class action against manufacturer and supplier of power products and services on behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs' motion for class certification and certified a class. The San Diego County Superior Court Case Number is 37-2015-00025968-CU-OE-CTL.

LITIGATION COSTS AND EXPENSES INCURRED BY CLASS COUNSEL

22. To date, Class Counsel has borne all the risks and costs of litigation and will not receive any compensation until recovery is obtained by Plaintiffs and the Class Members. Lawyers for Justice, PC has incurred **\$28,131.51** in litigation costs and expenses as reflected in "EXHIBIT 3" attached hereto. These expenses were reasonable and necessary in the prosecution of this matter and to obtain the Settlement.

///

23. The travel reimbursement entry for Arya Mansour on July 23, 2019 was for the costs associated with traveling to and from the Case Management Conference Hearing held on July 23, 2019 at the Superior Court of California, County of Riverside, which included a seventy-five (75) mile drive from Arya Mansour's home, a fifty-nine (59) mile drive from the Superior Court of California, County of Riverside to the offices of Lawyers *for* Justice, PC, and a parking charge to attend the hearing.

24. The travel reimbursement entries for Melissa LeBlanc on December 11, 2019 and February 8, 2020 were for the costs associated with traveling to and from the mediation sessions conducted by Jeffrey Krivis, Esq. in Encino, California, as well as parking charges to attend the mediation sessions. On December 11, 2019, Melissa LeBlanc drove a total of approximately forty-seven (47) miles to and from the mediation session. On December 8, 2020, Melissa LeBlanc drove a total of approximately forty-seven (47) miles to and from the mediation session.

ENHANCEMENT AWARDS TO PLAINTIFFS

25. In recognition of their efforts and work serving as the Class Representatives, the Settlement provides for Enhancement Awards in the amount of \$7,500.00 to Plaintiff Jose Saldana and \$5,000.00 to Plaintiff Thomas Johns to compensate Plaintiffs for the time and effort that they expended in this matter. The requested Enhancement Awards are fair and appropriate. Plaintiffs spent a substantial amount of time and effort in producing relevant documents and past employment records and provided the facts and evidence necessary to attempt to prove the allegations. Plaintiffs were available whenever Class Counsel needed them and actively tried to obtain and provide information that would benefit the Class. Plaintiffs spent numerous hours speaking with Class Counsel about their claims, describing their work experience with Defendant, and gathering and reviewing documents. Accordingly, it is appropriate for Plaintiff Jose Saldana to receive \$7,5000.00 and Plaintiff Thomas Johns to receive \$5,000.00 as reasonable Enhancement Awards, in addition to their Individual Settlement Payments and Individual PAGA Payments (if applicable), for their services on behalf of the Class.

///

///

1 26. I submit that the Settlement is fair, reasonable, and adequate. In addition, the
2 Settlement is in the best interests of Plaintiffs, the Class Members, and the State of California.
3 Class Counsel also submits that the Settlement and accompanying moving papers satisfy the
4 requirements set forth in the Class Action Case Management Order #1 issued by the Court.

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

7 Executed this __ day of October 2021, at Glendale, California.

8
9
10 

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

Edwin Aiwasian

EXHIBIT 1

1 Edwin Aiwasian (SBN 232943)
2 Arby Aiwasian (SBN 269827)
3 Joanna Ghosh (SBN 272479)
4 Alexandra Rose (SBN 329407)
5 **LAWYERS for JUSTICE, PC**
6 410 West Arden Avenue, Suite 203
7 Glendale, California 91203
8 Tel: (818) 265-1020 / Fax: (818) 265-1021

9 *Attorneys for Plaintiffs*

10 Brent M. Giddens (SBN 133652)
11 Ashley A. Halberda (SBN 272762)
12 Brian E. Cole II (SBN 305830)
13 **CDF LABOR LAW LLP**
14 18300 Von Karman Avenue, Suite 800
15 Irvine, California 91203
16 Tel: (949) 622-1661 / Fax: (949) 622-1669

17 *Attorneys for Defendant*

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

19 **FOR THE COUNTY OF RIVERSIDE, RIVERSIDE HISTORIC COURTHOUSE**

20 JOSE SALDANA, individually, and on behalf
21 of other members of the general public
22 similarly situated; THOMAS JOHNS,
23 individually and on behalf of other aggrieved
24 employees pursuant to the California Private
25 Attorneys General Act;

26 Plaintiffs,

27 vs.

28 INTERNATIONAL E-Z UP INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: RIC1902873

Honorable Craig G. Riemer
Department 1

CLASS ACTION

**AMENDMENT NO. 1 TO FIRST
AMENDED JOINT STIPULATION OF
CLASS AND PAGA SETTLEMENT AND
RELEASE**

Complaint Filed: May 10, 2019
FAC Filed: March 25, 2021
Trial Date: None Set

1 Plaintiff Jose Saldana, on behalf of himself and other members of the general public, Plaintiff
2 Thomas Johns, on behalf of himself and other aggrieved employees pursuant to the California
3 Private Attorneys General Act (together, “Plaintiffs”), and Defendant International E-Z Up Inc.
4 (“Defendant”) pursuant to Section 6.01 of the First Amended Joint Stipulation of Class and PAGA
5 Settlement and Release entered into on or around June 22, 2021 (“Agreement”), hereby agree to
6 **amend and supplant** the Agreement as stated herein. The amendment stated herein is incorporated
7 in the Agreement by this reference:

8 **A. Section 3.06.e of the Agreement is hereby amended to state as follows:**

9 **Payment of Individual Settlement Payments to Settlement Class Members and**
10 **Individual PAGA Payments to Aggrieved Employees**

11 The Parties agree that the Net Settlement Amount shall be used to fund Individual Settlement
12 Payments. The Parties agree that the Net Settlement Amount shall be divided between all Settlement
13 Class Members based on the number of Workweeks allocated to each of them. The amount that
14 each Settlement Class Member is entitled to receive is determined by multiplying the Net Settlement
15 Amount by a ratio that is determined by dividing a Settlement Class Member’s Workweeks by the
16 Total Workweeks, as expressed in the following formula:

17

$$\begin{array}{ccccccc} \text{Individual} & & & \text{Net} & & & \text{Settlement Class Member's} \\ \text{Settlement} & & & \text{Settlement} & \text{X} & & \text{Workweeks} \\ \text{Payment} & = & & \text{Amount} & & & \hline & & & & & & \text{Total Workweeks} \end{array}$$

18
19

20 It is the intent of the Parties that the Net Settlement Amount shall be sufficient to pay
21 Settlement Class Members in accordance with the formula set forth above. Each Individual
22 Settlement Payment will be allocated as one-third (1/3) to wages and two-thirds (2/3) to penalties
23 and interest. The Settlement Administrator shall calculate, withhold, and remit to applicable
24 governmental agencies sufficient amounts as may be owed for employees’ share of taxes due on
25 the portion of the Individual Settlement Payment allocated to wages that will be reported on an
26 IRS Form W2. These amounts shall be paid from the Net Settlement Amount. The Settlement
27 Administrator shall also report those portions of the Individual Settlement Payments allocated to
28 interest and penalties on an IRS Form 1099 as required by law.

1 The Settlement Administrator shall also calculate, receive from Defendant, and remit to the
2 applicable government agencies such amount as may be owed by Defendant as an employer for
3 payroll taxes on a maximum wage allocation of each Individual Settlement Payment that will be
4 reported on an IRS Form W2. These employer payroll taxes allocated to the wage portion of the
5 Individual Settlement Payments shall be paid by Defendant in addition to the Gross Settlement
6 Fund.

7 The Parties agree that twenty-five percent of the PAGA Settlement Amount (“Net PAGA
8 Payment”) (i.e., \$18,750) shall be used to fund Individual PAGA Payments. The Parties agree that
9 the PAGA Payment shall be divided between all Aggrieved Employees based on the number of Pay
10 Periods allocated to each of them. The amount that each Aggrieved Employees is entitled to receive
11 is determined by multiplying the Net PAGA Payment by a ratio that is determined by dividing an
12 Aggrieved Employee’s Pay Periods by the Total Pay Periods, as expressed in the following formula:

$$\begin{array}{ccccc} \text{Individual} & & \text{Net PAGA} & & \text{Aggrieved Employee's} \\ \text{PAGA} & = & \text{Payment} & \times & \frac{\text{Pay Periods}}{\text{Total Pay Periods}} \\ \text{Payment} & & & & \end{array}$$

16
17 Each Individual PAGA Payment will be allocated as entirely as penalties and will be
18 reported on an IRS Form 1099 as required by law.

19 No later than ten (10) calendar days after the Court grants final approval of the Settlement,
20 Defendant will pay the Gross Settlement Fund to the Settlement Administrator, who shall
21 segregate and secure such funds in an interest-bearing account with all interest accruing for the
22 benefit of Defendant. No later than ten (10) calendar days after the Effective Date, the Settlement
23 Administrator shall prepare and mail the Individual Settlement Payment checks to Settlement
24 Class Members and Individual PAGA Payments to Aggrieved Employees, minus applicable
25 withholdings. For those Settlement Class Members who are also Aggrieved Employees, said
26 individuals’ applicable Individual Settlement Payment and Individual PAGA Payment may be
27 combined into one check.

1 To the extent that an Individual Settlement Payment check or Individual PAGA Payment
2 check is (1) undeliverable or (2) not cashed, deposited, or otherwise negotiated within 180 days
3 after the date listed on the check, the check will be cancelled and associated funds shall be
4 distributed to California Rural Legal Assistance, Inc., a *cy pres* recipient pursuant to *Code of Civil*
5 *Procedure* section 384. Parties represent that neither Plaintiffs, Defendant, Defense Counsel, nor
6 Class Counsel have any affiliation with the designated *cy pres* recipient.

8 **LAWYERS for JUSTICE, PC**

9
10 Dated: October 21, 2021



Edwin Aiwarzian
Attorneys for Plaintiffs

12 **CDF LABOR LAW LLP**

13
14 Dated: October 21, 2021



Brent M. Giddens
Ashley A. Halberda
Brian E. Cole II
Attorneys for Defendant

EXHIBIT 2

SALDANA V. INTERNATIONAL E-Z UP, INC.
(RIVERSIDE COUNTY SUPERIOR COURT CASE NO. RIC1902873)
ATTORNEY TASK AND TIME CHART

TASK	LAWYERS FOR JUSTICE, PC
Investigation and Research / Due Diligence	
Pre-Lawsuit Investigation of the Key Facts with a Focus on Class Certification Elements, Including Adequacy, Typicality, Superiority, and Commonality • Edwin Aiwazian (February – May 2019) – 8.70 hours • Arby Aiwazian (April – May 2019) – 4.10 hours	12.80
Pre-Lawsuit Investigation of the Merits of Plaintiff Jose Saldana’s (“Plaintiff Jose Saldana”) Claims and the Merits of the Claims of the Putative Class Members • Edwin Aiwazian (May 2019) – 5.50 hours • Elizabeth Parker-Fawley (May 2019) – 4.20 hours	9.70
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant International E-Z Up Inc. (“Defendant”) with Respect to the Damages Sustained by Plaintiff Jose Saldana and the Putative Class Members • Edwin Aiwazian (May 2019) – 2.80 hours • Arby Aiwazian (May 2019) – 4.10 hours	6.90
Pre-Lawsuit Legal Research & Analysis of Latest Off-the-Clock, Meal and Rest Break Law, and Certification Decisions in California, including all New Relevant DLSE Materials • Edwin Aiwazian (April 2019 – May 2019) – 4.60 hours	4.60

Investigation of Defendant, Defendant's Business Relationships, and the Industry in Which Defendant Operates Arby Aiwazian (May 2019) – 3.90 hours	3.90
Investigation of Defendant's Organizational and Corporate Structure, and Executive Reporting Structure as They Relate to the Employment and Management of the Putative Class Members Arby Aiwazian (May 2019) – 6.50 hours	6.50
Investigation of Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity Arby Aiwazian (May 2019) – 2.60 hours	2.60
Analysis of Competitors within Various Relevant Geographic Areas within which Defendant Operates, and Comparing and Contrasting Defendant's Policies, Practices, and Procedures with the Policies, Practices, and Procedures of Defendant's Competitors Arby Aiwazian (April – May 2019) – 5.50 hours	5.50
Research and Investigation Re: Location(s)/Division(s)/Department(s) Owned, Managed, Serviced and/or Operated by Defendant in California During the Class Period, Including Differences Between Location(s) /Division(s)/Department(s) to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues Arby Aiwazian (May 2019) – 4.30 hours	4.30
Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Defendant's Locations at which Putative Class Members Work Throughout California Edwin Aiwazian (April – May 2019) – 4.20 hours	4.20
Research and Investigation Re: Defendant's Policies, Practices, and Procedures Relating to Reporting Time, Bonuses/Commissions/Incentive/Shift Differential Pay, Timekeeping, Meal/Rest Breaks, On-	24.80

Premises Breaks, Overtime Compensation, Scheduling, Cell Phone Use, Personal Vehicle Use, Dress Code, Safety Gear, and Reimbursement of Business-Related Expenses • Edwin Aiwazian (April 2019 – December 2019) – 7.80 hours • Arby Aiwazian (April 2019 – February 2020) – 10.70 hours • Elizabeth Parker-Fawley (April – June 2019) – 6.30 hours	
Research and Investigation Re: Software Programs/Systems/Technologies Defendant Uses to Conduct Its Everyday Business, Including Timekeeping, Project Management, and Other Systems, with a Focus on What Documents (Both Paper and Electronic) Are Created in the Normal Course of Business Relating to Overtime Worked, Off-the-Clock Time Worked Pre/Post Shift, and During Meal Breaks • Edwin Aiwazian (December 2019) – 2.50 hours • Arby Aiwazian (December 2019) – 2.20 hours	4.70
Research and Analysis of Potential Defenses Defendant May Raise, Including De Minimis Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies • Edwin Aiwazian (June 2019) – 4.90 hours	4.90
Research and Investigation Re: <i>Post-Duran vs. U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose • Edwin Aiwazian (August 2019) – 6.10 hours	6.10
Research and Analysis of Defendant’s Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues • Arby Aiwazian (April 2019) – 2.10 hours	2.10
Prepare a Discovery Strategy Plan of Action, including Topics of Inquiry Important to Certification, Liability, and Damages/ Penalties • Edwin Aiwazian (May 2019) – 3.40 hours	3.40

Meet and Communicate with Plaintiff Jose Saldana Throughout the Pendency of the Case • Edwin Aiwazian (February 2019 – July 2020) – 7.20 hours • Arby Aiwazian (February – October 2019) – 6 hours • Joanna Ghosh (June 2021) – .80 hour • Elizabeth Parker-Fawley (February – May 2019) – 2.70 hours • Melissa A. LeBlanc (November 2019 – February 2020) – 7.80 hours • Melissa A. Huether (August– October 2020; February – March 2021) – 8.30 hours • Alexandra Rose (October 2021) – 0.50 hour	33.30
Meet and Communicate with Plaintiff Thomas Johns Throughout the Pendency of the Case • Edwin Aiwazian (November 2020 – February 2021) – 8.6 hours • Arby Aiwazian (November 2020) – 1.20 hours • Joanna Ghosh (June 2021) – .50 hour • Elizabeth Parker-Fawley (November 2020) – 1 hour • Melissa A. Huether (February – March 2021) – 8.20 hours • Alexandra Rose (October 2021) – 0.30 hour	19.80
Investigate Percipient Witnesses and Meet and Communicate with Putative Class Members • Edwin Aiwazian (April – December 2019; September 2020) – 8.10 hours • Arby Aiwazian (April – December 2019) – 5.60 hours	13.70
Pleadings and Court Filings	
Draft Plaintiff Jose Saldana’s Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on May 10, 2019) • Edwin Aiwazian (May 8, 2019 – May 10, 2019) – 8.80 hours	8.80
Review Court’s Notice of Assignment to Department and Case Management Conference (filed on May 10, 2019)	0.10

Edwin Aiwazian (May 21, 2019) – 0.10 hour	
Review Court’s Class Action Case Management Order #1 (filed on May 30, 2019) Edwin Aiwazian – (June 24, 2019) – 0.80 hour	0.80
Meet and Confer with Defendant’s Counsel, and Draft Stipulation to Continue Case Management Conference and Stay Proceedings Pending Mediation; [Proposed] Order (submitted on June 19, 2019) Edwin Aiwazian – (June 19, 2019) – 1 hour	1
Review Court’s Minute Order/Judgment; Notice of Re-Assignment to Department for All Purposes Including Trial; and Court’s Order re Stipulation to Continue Case Management Conference and Stay Proceedings Pending Mediation (filed on June 27, 2019) Arya Mansour – (June 27, 2019) – 0.30 hour	0.30
Review and Analyze Defendant’s Answer to Plaintiff Jose Saldana’s Class Action Complaint for Damages and Research Affirmative Defenses in Defendant’s Answer (served on July 1, 2019) Edwin Aiwazian (July 8, 2019) – 3.60 hours	3.60
Meet and Confer with Defendant’s Counsel, and Draft Joint Case Management Statement (filed on July 3, 2019) Edwin Aiwazian (July 1, 2019; July 3, 2019) – 1.10 hour	1.10
Review Court’s Minute Order (filed on July 9, 2019) Daniel J. Kramer (July 10, 2019) – 0.10 hour	0.10
Meet and Confer with Defendant’s Counsel, and Draft Stipulation to Continue Case Management Conference and Stay Proceedings Pending Mediation; [Proposed] Order (submitted on July 12, 2019) Daniel J. Kramer (July 12, 2019) – 0.90 hour	0.90

Review Court's Minute Order; and Court's Order re Stipulation to Continue Case Management Conference and Stay Proceedings Pending Mediation (filed on July 23, 2019) • Daniel J. Kramer (July 23, 2019) – 0.10 hour	0.10
Draft Plaintiff Jose Saldana's Notice of Posting Jury Fees (filed on September 24, 2019) • Edwin Aiwarzian (September 24, 2019) – 0.20 hour	0.20
Review Court's Minute Order/Judgment (filed on September 27, 2019) • Daniel J. Kramer (October 10, 2019) – 0.10 hour	0.10
Review Court's Minute Order (filed on October 25, 2019) • Daniel J. Kramer (October 25, 2019) – 0.10 hour	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation to Continue Case Management Conference; and [Proposed] Order (submitted on November 20, 2019) • Edwin Aiwarzian (November 18, 2019; November 20, 2019) – 1.40 hours	1.40
Review Court's Order on Joint Stipulation to Continue Case Management Conference (filed on November 27, 2019) • Edwin Aiwarzian (November 29, 2019) – 0.10 hour	0.10
Review Court's Minute Order (filed on December 6, 2019) • Edwin Aiwarzian (December 6, 2019) – 0.10 hour	0.10
Review Court's Minute Order/Judgment and Notice of Re-Assignment to Department for All Purposes (filed on December 16, 2019) • Edwin Aiwarzian (December 26, 2019) – 0.20 hour	0.20

Draft Plaintiff Jose Saldana's Notice of Entry of Judgment or Order (filed on December 30, 2019) Edwin Aiwarzian (December 27, 2019; December 30, 2019) – 0.10 hour	0.10
Review Court's Minute Order (filed on January 31, 2020) Edwin Aiwarzian (February 10, 2020) – 0.10 hour	0.10
Meet and Confer with Defendant's Counsel, and Draft Updated Joint Case Management Statement and Notice of Settlement (filed on February 26, 2020) Edwin Aiwarzian (February 26, 2020) – 1.10 hours	1.10
Review Court's Minute Order (filed on March 12, 2020) Edwin Aiwarzian (March 14, 2020) – 0.10 hour	0.10
Review Court's Notice of Telephonic Appearance (filed on May 19, 2020) Edwin Aiwarzian (May 19, 2020) – 0.10 hour	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Statement (filed on June 10, 2020) Danielle L. GruppChang (June 8, 2020; June 9, 2020; June 10, 2020) – 0.90 hour	0.90
Review Court's Minute Order (filed on June 11, 2020) Danielle L. GruppChang (June 11, 2020) – 0.10 hour	0.10
Review Court's Notice of Telephonic Appearance (filed on June 29, 2020) Danielle L. GruppChang (July 6, 2020) – 0.10 hour	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Status Report (filed on July 16, 2020)	0.70

• Margaux V. Roussel (July 15, 2020; July 16, 2020) – 0.70 hour	
Review Court’s Minute Order (filed on July 23, 2020) • Margaux V. Roussel (July 27, 2020) – 0.10 hour	0.10
Review Court’s Notice of Telephonic Appearance (filed on August 5, 2021) • Margaux V. Roussel (August 10, 2020) – 0.10 hour	0.10
Meet and Confer with Defendant’s Counsel, and Draft Joint Status Report (filed on August 17, 2020) • Melissa A. Huether (August 17, 2020) – 0.50 hour	0.50
Research and Draft Plaintiff’s First Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. and Legal Research and Analysis of All Claims Involved; and Meet and Confer with Defendant’s Counsel, and Draft Joint Stipulation Granting Plaintiff Leave to File First Amended Complaint; [Proposed] Order Thereon (submitted on August 21, 2020) • Edwin Aiwazian (August 21, 2020) – 2.50 hours • Melissa A. Huether (August 19, 2020; August 21, 2020) – 4.30 hours	6.80
Review Court’s Minute Order (filed on August 24, 2020) • Melissa A. Huether (September 4, 2020) – 0.10 hour	0.10
Review Court’s Order Granting Plaintiff Leave to File First Amended Complaint (filed on August 31, 2020) • Edwin Aiwazian (September 4, 2020) – 0.20 hour • Stephanie S. Ponak (September 4, 2020) – 0.20 hour	0.40
Review Court’s Minute Order (filed on October 20, 2020)	0.10

Stephanie S. Ponек (October 26, 2020) – 0.10 hour	
Review Court’s Notice of Telephonic Appearance (filed on October 23, 2020) Stephanie S. Ponек (November 23, 2020) – 0.10 hour	0.10
Review Court’s Minute Order (filed on November 3, 2020) Stephanie S. Ponек (November 4, 2020) – 0.10 hour	0.10
Meet and Confer with Defendant’s Counsel, and Draft Joint Stipulation to Continue Case Management Conference; [Proposed] Order thereon (submitted on November 4, 2020) - Melissa A. Huether (November 3, 2020; November 4, 2020) – 0.60 hour - Stephanie S. Ponек (November 3, 2020) – 0.20 hour	0.80
Review Court’s Minute Order (filed on November 6, 2020) Stephanie S. Ponек (November 8, 2020) – 0.10 hours	0.10
Review Court’s Order Denying Joint Stipulation to Continue Case Management Conference (filed on November 25, 2020) - Edwin Aiwazian (December 7, 2021) – 0.10 hour - Stephanie S. Ponек (December 7, 2020) – 0.20 hour	0.30
Meet and Confer with Defendant’s Counsel, and Draft Joint Status Report (filed on January 5, 2021) Melissa A. Huether (January 4, 2021; January 5, 2021) – 0.50 hour	0.50
Review Court’s Minute Order (filed on January 6, 2021) Melissa A. Huether (January 12, 2021) – 0.10 hour	0.10
Review Defendant’s Notice of Firm Name Change (served on February 17, 2021)	0.10

Joanna Ghosh (February 19, 2021) – 0.10 hour	
Review Court’s Minute Order (filed on February 17, 2021) Joanna Ghosh (February 19, 2021) – 0.10 hour	0.10
Review Court’s Notice of Telephonic Appearance (filed on March 10, 2021) Joanna Ghosh (March 19, 2021) – 0.10 hour	0.10
Review Court’s Notice of Telephonic Appearance (filed on March 15, 2021) Joanna Ghosh (March 19, 2021) – 0.10 hour	0.10
Review Court’s Minute Order (filed on March 22, 2021) Joanna Ghosh (March 26, 2021) – 0.10 hour	0.10
Review Court’s Minute Orders (filed on March 25, 2021) - Edwin Aiwarzian (March 25, 2021) – 0.10 hour - Joanna Ghosh (March 25, 2021) – 0.10 hour	0.20
Research and Draft Plaintiffs’ First Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on March 25, 2021) - Edwin Aiwarzian (March 3, 2021) – 0.30 hour - Melissa A. Huether (February 10, 2021; March 3, 2021; March 25, 2021) – 2.80 hours	3.10
Review Court’s Notice of Telephonic Appearance (filed on April 21, 2021) Joanna Ghosh (April 26, 2021) – 0.10 hour	0.10

Meet and Confer with Defendant's Counsel, and Draft Joint Report in Advance of Status Conference (filed on May 11, 2021) Yasmin Hosseini (May 04, 2021; May 10, 2021; May 11, 2021) – 0.70 hour	0.70
Review Court's Minute Order (filed on May 12, 2021) Joanna Ghosh (May 14, 2021) – 0.10 hour	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Report in Advance of Status Conference (filed on June 18, 2021) Joanna Ghosh (June 16, 2021; June 17, 2021; June 18, 2021) – 0.60 hour	0.60
Review Court's Minute Order (filed on June 22, 2021) Joanna Ghosh (June 25, 2021) – 0.10 hour	0.10
Review Court's Minute Orders (filed on August 4, 2021) Joanna Ghosh (August 4, 2021) – 0.10 hours	0.10
Review Court's Minute Order (filed on August 10, 2021) Joanna Ghosh (August 12, 2021) – 0.10 hours	0.10
Appearances	
Prepare for, Travel to/from, and Attend Case Management Conference (July 23, 2019) Arya Mansour (July 23, 2019) – 4.70 hours	4.70
Prepare for and Telephonically Attend Case Management Conference (March 12, 2020) Melissa A. LeBlanc (March 12, 2020) – 0.50 hour	0.50

Prepare for and Telephonically Attend Status Hearing (July 23, 2020) • Margaux V. Roussel (July 23, 2020) – 0.60 hour	0.60
Prepare for and Telephonically Attend Status Conference (August 24, 2020) • Melissa A. Huether (August 24, 2020) – 0.50 hour	0.50
Prepare for and Telephonically Attend Status Conference (November 6, 2020) • Melissa A. Huether (November 6, 2020) – 2.30 hours	2.30
Prepare for and Telephonically Attend Status Conference (January 6, 2021) • Brian J. St. John (January 6, 2021) – 0.60 hour	0.60
Prepare for and Telephonically Attend Status Conference (February 17, 2021) • Melissa A. Huether (February 17, 2021) – 1 hour	1
Prepare for and Telephonically Attend Hearing on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement (March 25, 2021) • Joanna Ghosh (March 25, 2021) – 2.80 hours	2.80
Prepare for and Telephonically Attend Status Conference (May 12, 2021) • Joanna Ghosh (May 12, 2021) – 0.80 hour	0.80
Prepare for and Telephonically Attend Status Conference (June 22, 2021) • Joanna Ghosh (June 22, 2021) – 0.50 hour	0.50
Prepare for and Telephonically Attend Hearing on Plaintiffs’ Renewed Motion for Preliminary Approval of Class Action Settlement (August 4, 2021)	4.50

Joanna Ghosh (August 4, 2021) – 4.50 hours	
Prepare for and Telephonically Attend Hearing on Plaintiffs’ Motion for Final Approval of Class Action Settlement, Attorneys’ Fees, Costs, and Enhancement Awards (November 16, 2021) (Anticipated) Joanna Ghosh (November 16, 2021 – Anticipated) – 2.50 hours	2.50
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Jose Saldana (served on February 20, 2019) Edwin Aiwazian (February 20, 2019) – 1.80 hour	1.80
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Jose Saldana (served on April 8, 2019) (E-Z UP 000001-000250) - Edwin Aiwazian – (April 10, 2019; April 18, 2019) – 4.60 hours - Arby Aiwazian – (April 17, 2019) – 3.40 hours	8
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Thomas Johns (served on December 9, 2019) - Edwin Aiwazian – (December 8, 2020) – 1.60 hours - Melissa A. Huether – (December 9, 2020; December 11, 2020; December 16, 2020; December 21, 2020) – 0.40 hour	2
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Thomas Johns (served on December 21, 2020) - Edwin Aiwazian (December 21, 2020) – 1.20 hours - Melissa A. Huether (December 21, 2020) – 2.90 hours	4.10

Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Jose Saldana for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on August 13, 2020) • Edwin Aiwarzian (August 13, 2020) – 0.90 hours • Melissa A. Huether (July 27, 2020; August 10, 2020; August 13, 2020) – 2.50 hours	3.40
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Thomas Johns for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on December 30, 2020) • Edwin Aiwarzian (December 30, 2020) – 0.50 hours • Melissa A. Huether (December 28, 2020; December 30, 2020) – 2 hours	2.50
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant’s Counsel • Edwin Aiwarzian (June 2019; July 2019; November 2019; December 2019; February 2020; August 2020; April 2020; December 2020) – 5.30 hours • Joanna Ghosh (May 2021; June 2021) – 3.10 hours • Melissa A. LeBlanc (December 2019 – February 2020) – 2.80 hours • Danielle L. GruppChang (June 2020; October 2020; December 2020) – 2.20 hours • Melissa A. Huether (August 2020; October 2020; November 2020; January 2021; February 2021) – 3.50 hours • Alexandra Rose (October 2021) – 0.50 hour	17.40
Mediation/Settlement	
Review and Analyze Mediation Data and Documents Produced by Defendant (Employee Handbooks and Policies, Sampling of Time Records, Sampling of Earnings Statements) (served on November 26, 2019) (E-Z UP 000251 – 002868) • Arby Aiwarzian (November 26, 2019 – December 5, 2021) – 8.90 hours • Tiffany J. Hyun (November 26, 2019 – Defendant 5, 2021) – 13.10 hours	34.80

• Melissa A. LeBlanc (November 26, 2019 – December 5, 2021) – 11.60 hours • Melissa A. Huether (March 3, 2021) – 1.20 hours	
Review and Analyze Additional Mediation Data and Documents Produced by Defendant (Sampling of Payroll Records) (served on January 21, 2020) (E-Z UP 002869 – 003541) • Arby Aiwazian (January 21, 2019 – February 10, 2021) – 3.80 hours • Melissa A. LeBlanc (January 21, 2019 – February 10, 2021) – 8.20 hours • Melissa A. Huether (March 3, 2021) – 0.60 hours	12.60
Review and Analyze Additional Mediation Data and Documents Produced by Defendant (Sampling of Time Records and Sampling of Payroll Records) (served on January 27, 2020) (E-Z UP 003542 – 004042) • Arby Aiwazian (January 27, 2020 – December 5, 2021) – 5.60 hours • Melissa A. LeBlanc (January 27, 2020 – December 5, 2021) – 12.10 hours • Melissa A. Huether (March 3, 2021) – 0.50 hours	18.20
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, Compiling the Mediation Exhibits in Support of Mediation Brief, and Performing Damages Analysis/Calculations (submitted on December 6, 2019) • Arby Aiwazian (December 6, 2019; December 10, 2019; February 4, 2020; February 7, 2020; February 8, 2020; February 10, 2020) – 7.50 hours • Tiffany J. Hyun (December 2, 2019 – December 6, 2019) – 9.60 hours • Melissa A. LeBlanc (December 2 – December 6, 2019; December 10, 2019; February 3, 2020; February 4, 2020; February 7, 2020; February 8, 2020; February 10, 2020) – 10.30 hours	27.40
Travel to/from and Attend Mediation Session (December 11, 2019; Encino, California) • Arby Aiwazian – 9.50 hours • Melissa A. LeBlanc – 9.50 hours	19
Travel to/from and Attend Mediation Session (February 11, 2020; Encino, California)	19

• Arby Aiwazian – 9.50 hours • Melissa A. LeBlanc – 9.50 hours	
Draft, Review, Revise, Negotiate, and Finalize Joint Stipulation of Class and PAGA Settlement and Release (executed on March 3, 2021) and Exhibits • Edwin Aiwazian (January 11, 2021; March 3, 2021) – 3 hours • Stephanie S. Ponck (October 30, 2020) – 2.30 hours • Danielle L. GruppChang (October 30, 2020; December 30, 2020) – 7.60 hours • Melissa A. Huether (January 11, 2020; January 25, 2021; February 10, 2021; February 16, 2021) – 5.50 hours	18.40
Draft, Review, Revise, Negotiate, and Finalize First Amended Joint Stipulation of Class and PAGA Settlement and Release (executed on June 22, 2021) and Exhibits • Edwin Aiwazian (June 22, 2021) – 0.50 hour • Joanna Ghosh (May 31, 2021; June 4, 2021; June 8, 2021) – 7 hours	7.50
Meet and Confer with Defendant’s Counsel and Proposed Replacement Cy Pres Recipient; Draft, Review, Revise, Negotiate, and Finalize Amendment No. 1 to First Amended Joint Stipulation of Class and PAGA Settlement and Release (executed on October 21, 2021) • Edwin Aiwazian (October 19, 2021; October 21, 2021) – 0.20 hour • Brian J. St. John (October 19, 2021) – 0.30 hour • Alexandra Rose (October 19, 2021 – October 21, 2021) – 1.60 hours	2.10
Coordinate Settlement Administration with Settlement Administrator, Ongoing Monitoring of Settlement Administration, and Respond to Class Inquiries • Joanna Ghosh (July 2021 – September 2021) – 6.10 hours • Alexandra Rose (October 2021) – 1.20 hours	7.30
Law and Motion	

Review and Analyze Defendant’s Motion for Peremptory Challenge Under Code of Civil Procedure Section 170.6 to the Honorable Sunshine S. Sykes; Declaration of Ashley A. Halberda in Support Thereof (served on June 21, 2019) Edwin Aiwazian (July 1, 2019) – 1.10 hours	1.10
Review and Analyze Declaration of Jessica Munoz (Proposed <i>Cy Pres</i> Recipient) and Declaration of Michael Bui (Proposed Settlement Administrator); Research and Draft Plaintiff’s Notice of Motion and Motion for Preliminary Approval of Class Action Settlement; Declaration of Edwin Aiwazian in Support Thereof; Declaration of Jose Saldana in Support Thereof; Declaration of Thomas Johns in Support Thereof; and [Proposed] Order Thereon (filed on March 3, 2021) - Edwin Aiwazian (March 2, 2021; March 3, 2021) – 2.70 hours - Melissa A. Huether (February 3, 2021; February 10, 2021; February 12, 2021; March 2, 2021; March 3, 2021) – 21.60 hours	24.30
Review Defendant’s Non-Opposition to Plaintiff’s Motion for Preliminary Approval of Class Action Settlement (served on March 12, 2021) Edwin Aiwazian (March 13, 2021) – 0.10 hour	0.10
Review and Analyze Declaration of Jessica Munoz (Proposed <i>Cy Pres</i> Recipient), Declaration of Michael Bui (Proposed Settlement Administrator), Declaration of Katie Melzer (Defendant’s Chief Financial Officer), and Declaration of Brent M. Giddens (Defendant’s Counsel); Research and Draft Plaintiffs’ Notice of Motion and Renewed Motion for Preliminary Approval of Class Action Settlement; Declaration of Edwin Aiwazian in Support Thereof; Declaration of Jose Saldana in Support Thereof; Declaration of Thomas Johns in Support Thereof; Plaintiffs’ Compliance Chart in Support Thereof; and [Proposed] Order Thereon (filed on July 8, 2021) - Edwin Aiwazian (July 8, 2021) – 1.90 hours - Joanna Ghosh (May 12, 2021; June 8, 2021; June 22, 2021; July 7, 2021; July 8, 2021) – 14.80 hours	16.70

Review Defendant's Non-Opposition to Plaintiffs' Renewed Motion for Preliminary Approval of Class Action Settlement (served on July 22, 2021) Joanna Ghosh (July 23, 2021) – 0.10 hour	0.10
Review Court's Order Granting Preliminary Approval of Class Action Settlement (filed on August 10, 2021) Edwin Aiwazian (August 16, 2021) – 0.20 hour	0.20
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Research and Draft Plaintiffs' Notice of Motion and Motion for Final Approval of Class Settlement, Attorneys' Fees, Costs, and Enhancement Awards; Declaration of Edwin Aiwazian in Support Thereof; Declaration of Jose Saldana in Support Thereof; Declaration of Thomas Johns in Support Thereof; Declaration of Jose Padilla (Proposed Cy Pres Recipient); and [Proposed] Order Thereon (filed on October 22, 2021) (Anticipated) - Edwin Aiwazian (October 21, 2021; October 22, 2021) – 3.10 hours - Arby Aiwazian (October 14, 2021) – 1.70 hours - Joanna Ghosh (October 14, 2021; October 21, 2021; October 22, 2021) – 4.40 hours - Brian J. St. John (October 11, 2021; October 19 – October 22, 2021) – 10.40 hours - Alexandra Rose (October 11, 2021; October 14, 2021; October 18, 2021 – October 22, 2021) – 14.20 hours	33.80
Total Hours:	514.90

EXHIBIT 3

LAWYERS for JUSTICE PC CASE COST DETAIL
Saldana v. International E-Z Up, Inc.

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
5/13/2019	One Legal	Attorney Service	157.85
5/13/2019	Riverside Superior Court	Complex Fee	1,000.00
5/13/2019	Riverside Superior Court	Filing Fee	450.00
5/30/2019	Legal Document Server, Inc.	Attorney Service	110.00
6/12/2019	Legal Document Server, Inc.	Attorney Service	130.00
6/25/2019	Legal Document Server, Inc.	Attorney Service	130.00
7/3/2019	Legal Document Server, Inc.	Attorney Service	130.00
7/23/2019	Arya Mansour	Travel Reimbursement	81.00
9/24/2019	Legal Document Server, Inc.	Attorney Service	135.25
9/24/2019	Riverside Superior Court	Jury Fee	150.00
11/8/2019	First Mediation Corporation	Mediation Fee	7,000.00
11/20/2019	Legal Document Server, Inc.	Attorney Service	130.70
11/20/2019	Riverside Superior Court	Filing Fee	20.00
12/11/2019	Melissa LeBlanc	Travel Reimbursement	46.73
12/11/2019	Robert A. Parris	Expert	4,669.10
12/27/2019	Legal Document Server, Inc.	Attorney Service	130.00
12/30/2019	Legal Document Server, Inc.	Attorney Service	130.00
1/30/2020	Stats Company	Damages Consulting Expert	4,882.00
1/31/2020	First Mediation Corporation	Mediation Fee	7,500.00
2/8/2020	Melissa LeBlanc	Travel Reimbursement	47.63
3/22/2020	CourtCall, LLC	Attorney Service	94.00
6/9/2020	Legal Document Server, Inc.	Attorney Service	120.00
7/16/2020	Legal Document Server, Inc.	Attorney Service	120.00
8/13/2020	Labor & Workforce Development Agency	Filing Fee	75.00
8/21/2020	Legal Document Server, Inc.	Attorney Service	120.70
8/21/2020	Riverside Superior Court	Filing Fee	20.00
11/4/2020	Legal Document Server, Inc.	Attorney Service	120.70
11/4/2020	Riverside Superior Court	Filing Fee	20.00
1/5/2021	Legal Document Server, Inc.	Attorney Service	120.00
7/8/2021	Legal Document Server, Inc.	Attorney Service	229.85
7/8/2021	Riverside Superior Court	Filing Fee	60.00
8/4/2021	Riverside Superior Court	Document Download Fee	1.00
Total:			28,131.51