

1 James R. Hawkins (SBN 192925)
Christina M. Lucio (SBN 253677)
2 **JAMES HAWKINS APLC**
9880 Research Drive, Suite 200
3 Irvine, California 92618
Telephone: (949) 387-7200
4 Facsimile: (949) 387-6676
James@Jameshawkinsaplc.com
5 Christina@Jameshawkinsaplc.com

6 Attorneys for Plaintiff SCOTT CAHN,
on behalf of himself and all others similarly situated
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SACRAMENTO**

10 SCOTT CAHN, individually and on
11 behalf of himself and all others similarly
12 situated,

13 Plaintiff,

14 v.

15 J.J.R. ENTERPRISES, INC., doing
16 business as CALTRONICS BUSINESS
SYSTEMS, a California Corporation; and
17 DOES 1-50, inclusive,

18 Defendants.
19
20
21
22

Case No. 34-2020-00284704

Assigned for All Purposes to:
Hon. Lauri A. Damrell

**DECLARATION OF PLAINTIFF SCOTT
CAHN IN SUPPORT OF PLAINTIFF'S
MOTION FOR ORDER GRANTING FINAL
APPROVAL OF STIPULATION OF
SETTLEMENT AND ENTERING JUDGMENT**

Date: January 26, 2024
Time: 9:00 a.m.
Dept.: 28

1 I, Scott Cahn, declare as follows:

2 1. I am one of the named plaintiffs in this action. I have personal knowledge of all
3 the facts in this declaration and, if asked, I would testify to these facts under oath in court.

4 2. I submit this declaration in support of the Motion for Order Granting Final
5 Approval of Stipulation of Settlement and Entering Judgment (“Motion”). This declaration
6 supplements my previous declaration in support of the Motion for Preliminary Approval of the
7 Settlement.

8 3. I am informed that the Settlement Administrator mailed the Notices to the Class on
9 October 20, 2023, including to myself. I understand that no Class Members have submitted an
10 objection to the Settlement. I also understand that one Class Member has requested exclusion. I
11 understand that as a result of our efforts in this lawsuit and the related lawsuit, 339 Class Members
12 will participate in the Settlement and receive an individual settlement payment, and 251 PAGA
13 Members will receive an individual PAGA payment.

14 4. I believe the fact that 99.7% of the Class elected to participate in the Settlement and
15 there were no objections to any aspect of the Settlement supports the position that the Settlement is
16 fair, adequate and reasonable.

17 5. I understand that the average settlement payment to each Class Member is
18 approximately \$697.62. I also understand that as a Class Member, I will receive an individual
19 settlement payment according to the same formula as all other Class Members.

20 6. I am requesting the Court approve a \$10,000 Enhancement Payment to myself in
21 connection with the settlement. I believe the amount of the Enhancement Payment is very
22 reasonable considering the financial and professional risks I took by bringing a class action lawsuit
23 against my former employer, including the potential of paying court-awarded litigation costs to
24 Defendants and the negative exposure to future employers. I further believe this amount is
25 reasonable considering the amount of work and time I spent with my attorneys to achieve this
26 excellent settlement. I spent numerous hours working with my attorneys on this case including
27 making myself available to answer questions during a full day of mediation. The time and service
28

1 I provided to the Class resulted in the parties agreeing to settle the case and a positive outcome for
2 the entire Class, and as a result each Class Member will receive a proportional share of the
3 settlement funds in this case.

4 7. In connection with the litigation of the two cases that I brought, I estimate that I
5 have spent over 65 hours assisting my attorneys and their staff, and advancing the interests of the
6 Class. I have spent hours on telephone calls discussing the facts of my case with the attorneys and
7 staff of James Hawkins APLC. Without waiving any attorney-client privilege, I spent several hours
8 discussing the facts related to my employment with J.J.R. Enterprises, Inc. ("J.J.R."), including
9 discussing my job duties and responsibilities, and the hours and days I worked. I also spent hours
10 working to identify witnesses, reaching out to potential witnesses, looking through files for all
11 documents related to my employment with J.J.R. and sending them to my attorneys, which included
12 wage statements and separation paperwork. I further spent several hours on telephone calls
13 discussing the documents I provided to my attorneys. I also spent a number of hours assisting my
14 attorneys with preparing for mediation and participating in mediation remotely, and remaining
15 available to answer questions as necessary. I have also spent additional time assisting with the
16 settlement, and negotiations, and reviewing of multiple versions of the settlement documents. I
17 also executed necessary declarations and settlement documents. In addition, I am entering into a
18 broad general release. I have also ensured that I was in constant communication with my attorneys
19 regarding the status of this case and the approval process.

20 8. In addition, I believe this award is justified as I am also required to give a broad
21 release of all claims against Defendants arising from my employment that other Class Members
22 (other than the other Class Representative) did not have to give in exchange for a settlement
23 payment.

24 9. As I have been since the beginning of this case in August 2020, I am committed to
25 this case and intend to continue to participate as needed until the conclusion of this matter for the
26 benefit of the Class.

1 I declare under penalty of perjury under the laws of the United States and the State of
2 California that the foregoing is true and correct.

3 Executed on January 3, 2024 in Stamping Ground, Kentucky.

4
5 Scott Cahn
Scott Cahn (Jan 3, 2024 12:14 EST)

6 Scott Cahn
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28