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Attorneys for Plaintiff
JUAN ALCARAZ, an Individual, on behalf of
himself and all others similarly situated

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

JUAN ALCARAZ, an Individual, on behalf
of himself and all others similarly situated

Plaintiffs,

v.

IRHYTHM TECHNOLOGIES, INC., a
Delaware corporation; and DOES 1 through
100, Inclusive

Defendants.

CASE NO. 30-2021-01177810-CU-OE-CXC

[Assigned to the Honorable Randall J. Sherman in
Department CX105 for all purposes]

CLASS ACTION

**SUPPLEMENTAL DECLARATION OF BRUCE
KOKOZIAN, ESQ. IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND PAGA
SETTLEMENT AND AWARD FOR
ATTORNEYS' FEES, COSTS, AND CLASS
REPRESENTATIVE INCENTIVE AWARD**

Date: May 10, 2024

Time: 10:00 a.m.

Dept: CX105

Action Filed: January 8, 2021

Trial Date: June 05, 2023 [vacated]

I, Bruce Kokozyan, declare:

1. I am an attorney licensed to practice before all courts of the State of California. My
firm filed the present class action lawsuit against Defendants. I make this supplemental declaration in
support of Plaintiff's Motion for Final Approval, award of Attorney Fees, Costs and Class

Representative Incentive Award and in response to the Court’s Tentative Ruling posted on March 7, 2024. Except for those matters stated on information and belief, which I am informed and believe to be true and correct, I have personal knowledge of all matters set forth herein. If called as a witness, I could and would competently testify thereto under oath.

2. The parties have reviewed the Court’s ruling of March 8, 2024, and have complied with all of the Court’s orders.

3. On April 16, 2024, using the LWDA website and portal, I uploaded the moving papers to the LWDA. This declaration is my proof of service on the LWDA per the Court’s request. Attached as Exhibit “1” to this declaration is an email receipt from the LWDA.

3. As to the portion of the Court’s ruling which states, “Even though the escalator clause increased the Gross Settlement Amount, there is no explanation for the substantial increase in the number of class members, from 399 to 552.” The explanation is as follows: Per the settlement agreement the Class Period was defined as “January 08, 2017 through the date on which the Court enters an order for preliminarily approval of this settlement.” The class size increased even though Plaintiff promptly filed his motion for preliminary approval on May 11, 2022; however, the first hearing date available for preliminary approval of class action settlement was scheduled originally for October 13, 2022. Thereafter there were several continuances and ultimately the Court preliminarily approved the class action settlement on October 31, 2023. During the approximately 17 months between the filing of the motion of preliminary approval and when the Court ultimately preliminarily approved the class action settlement, the number of class members increased in concert with the increased length of the class period as the end of the class period was pegged to the entry of order for preliminary approval of settlement.

4. As to the portion of the Court’s ruling which states, “An invoice from the Administrator is required to support the \$9,771.86 Administrator fee request.” Attached as Exhibit 2 to this declaration is a true and correct copy of the declaration of Markus Bulthuis which includes as Exhibit “A”, the invoice from Simpluris, Inc. in support of the \$9,771.86 Administrator fee request.

1 5. As to the portion of the Court’s tentative ruling which states, “Plaintiff must submit an
2 amended Proposed Final Order and Judgment which provides how the parties will comply with CRC
3 Rule 3.771(b), which states: “Notice of the judgment must be given to the class in the manner specified
4 by the court.” The notice may be included with the checks that are mailed to the class members or
5 posted on the administrator’s website.” The parties have lodged an agreed upon an amended [Proposed]
6 Final Order and Judgment Following Granting of Plaintiff’s Motion for Final Approval of Class Action
7 Settlement with language stating that Notice of the judgment will be given to the class by posting the
8 Notice of the judgment on the administrator’s website.

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

11 Executed this 16th day of April , 2024 at Los Angeles, California

12 

13 _____
14 Bruce Kokozyan, Esq.