

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
Telephone: (818) 265-1020
Facsimile: (818) 265-1021

Jean-Claude Lapuyade (SBN 248676)
JCL LAW FIRM, APC
5440 Morehouse Drive, Suite 3600
San Diego, California 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291

Shani O. Zakay (SBN 277924)
Jackland K. Hom (SBN 327243)
Julieann Alvarado (SBN 334727)
ZAKAY LAW GROUP, APLC
5440 Morehouse Drive, Suite 3600
San Diego, California 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203

Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

WAFa MWANES, individually, and on
behalf of other members of the general
public similarly situated,

Plaintiff,

vs.

ABOUT FOOD, INC., dba REDLANDS
RANCH MARKET; and DOES 1 through
100, inclusive,

Defendants.

Case No.: CIVDS2018742

Honorable Joseph T. Ortiz
Department S17

CLASS ACTION

**DECLARATION OF EDWIN AIWAZIAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Date: February 13, 2024
Hearing Time: 1:30 p.m.
Department: S17

Complaint Filed
in *Mwanes* Class
Action: September 16, 2020

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 Plaintiff Wafa Mwanes (“Plaintiffs”) and the Class in the above-captioned action. 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 thereto.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On August 14, 2023, in Department S17 of the above-entitled Court, the Honorable Joseph T. Ortiz preliminarily approved the Stipulation of Class and PAGA Action Claims and Release of Claims (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into by Plaintiff and Defendant About Food, Inc. (“Defendant”), and conditionally certified the Class for settlement purposes. The Court also preliminarily appointed Plaintiff to represent the Class (“Class Representative”) and preliminarily appointed and designated Lawyers *for* Justice, PC, JCL Law Firm, APC, and Zakay Law Group, APLC as counsel for the Class (collectively, “Class Counsel”). The Court approved and ordered the mailing of the Notice of Pendency of Class and Representative Action Settlement (“Notice Packet”), and approved the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Apex Class Action, LLC (“Settlement Administrator”) to serve as the third-party administrator and handle the notice and settlement administration process.

WORK PERFORMED BY CLASS COUNSEL

3. I and several other attorneys and staff members at Lawyers *for* Justice, PC have been actively engaged in the litigation of this matter from the inception of the above-captioned action, which was filed on September 16, 2020 (“*Mwanes* Class Action”), Plaintiff’s notice to the Labor and Workforce Development Agency which was submitted on November 2, 2020 and assigned LWDA Case No. LWDA-CM-811437-20, and Plaintiff’s Private Attorneys General Act representative case entitled *Wafa Mwanes v. About Food, Inc., dba Redlands Ranch Market*, San Bernardino Superior Court, Case No. CIVSB2102442 (“*Mwanes* PAGA Action”) which

1 was filed on January 11, 2021. On or about November 15, 2021, the *Mwanes* Class Action and
2 *Mwanes* PAGA Action were consolidated for all purposes, with the *Mwanes* Class Action
3 deemed the master file (collectively, the “Actions”).

4 4. Lawyers *for* Justice, PC joined forces with other plaintiff’s counsel, JCL Law
5 Firm, APC and Zakay Law Group, APLC, who were associated into the Actions. Lawyers *for*
6 Justice, PC fully and actively participated in the litigation of the Actions, including and not
7 limited to, preparing the pleadings, case strategy, undertaking investigation and formal and
8 informal discovery, performing legal research, and conducting claims evaluation and analysis.
9 Together, Lawyers *for* Justice, PC, JCL Law Firm, APC, and Zakay Law Group, APLC are
10 referred to herein as “Class Counsel.” Class Counsel has worked cooperatively to strategize and
11 prosecute the Actions. Ultimately, Class Counsel’s efforts and Plaintiff’s efforts have been
12 successful in reaching the Settlement.

13 5. Before initiating the Actions, Lawyers *for* Justice, PC conducted extensive
14 investigation and research into the facts and circumstances underlying the pertinent factual and
15 legal issues and applicable law for each case. This required thorough discussions and interviews
16 between attorneys at our firm and Plaintiff, and research into the various legal issues involved
17 in the cases, namely, the current state of the law as it applied to class certification, off-the-clock
18 theory, meal and rest periods, wage-and-hour enforcement, Private Attorneys General Act
19 (“PAGA”) claims, Plaintiff claims, and potential defenses. After conducting initial
20 investigation, our firm determined that Plaintiff’s claims were well-suited for class action and
21 representative adjudication owing to what appeared to be a common course of conduct affecting
22 a similarly situated group of current and former hourly-paid, non-exempt employees who
23 worked for Defendant within the State of California, who were not properly compensated for,
24 *inter alia*, all hours worked, non-compliant meal and rest periods, and unreimbursed business
25 expenses.

26 6. Collectively, Class Counsel investigated the veracity, strength, and scope of the
27 claims, evaluated class certification factors and successfully obtained class certification by way
28 of stipulation after a robust and meaningful meet and confer process with Defendant’s Counsel

(which obviated the need for contested motion practice on the subject of class certification), and were preparing for trial, prior to reaching the Settlement. This matter has involved extensive and ongoing investigations, research into legal and factual issues, and significant formal and informal discovery. Class Counsel reviewed and analyzed a volume of information, documents, and data obtained from Plaintiff, Defendant, and other sources, researched applicable law, and undertook analyses and calculations of the value of claims, damages, and penalties exposure. Class Counsel propounded multiple sets of written discovery requests in various forms, reviewed Defendant's objections and responses thereto, and obtained class contact information. Class Counsel also met and conferred with Defendant's counsel on numerous occasions, e.g., to discuss issues relating to the pleadings, case management, contemplated motion practice, class certification, discovery and production of various information, documents, and data in the course of litigation and mediation and settlement negotiations, and mediation and settlement negotiations. Specifically, Class Counsel engaged in extensive pre-certification discovery pertaining to the class and meet and confer efforts with Defendant, ultimately resulting in the parties reaching an agreement to certify a class in the *Mwanes* Class Action. On or about May 10, 2022, Plaintiff and Defendant entered into a stipulation certifying a class consisting of Defendant's non-exempt or hourly-paid employees working in California between September 16, 2016 and final judgment, and on or about May 31, 2022, the Court granted the parties' stipulation in its entirety and certified the class. Other work that Class Counsel performed included, and was not limited to, case strategy and analysis; drafting, reviewing, and revising the pleadings and motion-related papers; case management; claims assessment and evaluation; and preparing for and attending mediation and settlement negotiations.

7. As outlined herein, the parties have conducted significant investigations, litigation, and discovery in the Actions. The volume of information, documents, and data obtained from Plaintiff, Defendant, and other sources provided a critical understanding of the nature of the work performed by class members and aggrieved employees, as well as Defendant's operations and employment policies, practices, and procedures. The information, documents, and data were used in analyzing liability, damages, and penalties valuation issues in

connection with all phases of the litigation, and ultimately, in connection with the mediation and settlement negotiation process. Accordingly, sufficient investigation and review of information have taken place in order for the parties to be adequately informed of the nature and extent of the claims, and to enable all parties to fully evaluate the Settlement for its fairness, adequacy, and reasonableness.

8. Plaintiff moves for an award of attorneys' fees to Class Counsel in the amount of \$193,333.33, which is one-third (1/3) of the Gross Settlement Amount of \$580,000.00. Pursuant to the contingency-fee agreement entered into by and between Plaintiff and Lawyers for Justice, PC, Plaintiff has agreed to a contingency fee of at least one-third (1/3) of the recovery.

9. The attorneys' fees that are sought are commensurate with: (1) the risk that Class Counsel took in commencing the Actions; (2) the time, effort, and expense that Class Counsel dedicated to the Actions; (3) the skill and determination that Class Counsel have shown; (4) the results that Class Counsel have achieved throughout the litigation of the Actions; (5) the value of the settlement that Class Counsel have achieved; and (6) the other cases that Class Counsel have turned down in order to devote their time and efforts to the Actions.

10. I am aware that common and acceptable rates for contingency representation in wage and hour class and representative action litigation are normally in the range from 33.33% to 50%.

11. While not necessarily required to be demonstrated because the percentage fee is proper for this settlement, Class Counsel have incurred many hours of work in connection with prosecuting the Actions, such that the award of attorneys' fees is also justified under a lodestar analysis. Attorneys at Lawyers for Justice, PC have spent a total of **233.80 hours** performing tasks and obtaining recovery in the Actions. Attached hereto as "**EXHIBIT A**" is an Attorney Task and Time Chart for Lawyers for Justice, PC that sets forth in detail the nature of the legal services provided by attorneys at the firm, and the time incurred in performing those services. The hours attributable to Lawyers for Justice, PC include work done by several other attorneys at the firm and myself. Additionally, separate from the hours of work referenced herein and in the attached chart, Lawyers for Justice, PC had litigation support personnel actively engaged in

1 assisting with the prosecution of this matter.

2 12. The work performed in this matter, the background of our firm, as well as the
3 individual backgrounds, training, and experience of the attorneys who worked on this matter, in
4 litigating complex wage-and-hour cases, and in particular, employment class actions and
5 representative actions, support a reasonable blended hourly rate of compensation at the rate of
6 at least \$800 per hour for work performed by Lawyers for Justice, PC. Lawyers for Justice, PC
7 has been awarded attorneys' fees, compensating the firm at the rate of at least \$800 per hour for
8 legal services performed, by courts granting approval of settlements in other wage-and-hour
9 class action and/or representative action cases: final approval of the class and representative
10 action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court
11 Case No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved
12 compensation at the rate of \$936.47 per hour; final approval of the class and representative
13 action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court
14 Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved
15 compensation at the rate of \$919.57 per hour; final approval of the class and representative
16 action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No.
17 SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved
18 compensation at the rate of \$855.96 per hour; final approval of the class and representative
19 action settlement in *Stanley Bland, et al. v. Telecare Corporation* (Alameda County Superior
20 Court Case No. RG16811450) was granted on November 21, 2018, and the award of attorneys'
21 fees involved compensation at the rate of \$831.38 per hour; and final approval of the class and
22 representative action settlement in *Demetrius Camarillo v. Blue Diamond Growers* (Sacramento
23 County Superior Court Case No. 34-2015-00175871) was granted on June 30, 2017, and the
24 award of attorneys' fees involved compensation at the rate of \$845.64 per hour.

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ADEQUACY OF LAWYERS *for* JUSTICE, PC

EDUCATION

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

JUDICIAL EXTERNSHIPS

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

LITIGATION AND CLASS ACTION AND

REPRESENTATIVE ACTION EXPERIENCE

15. In December of 2004, I obtained a license to practice law from the California State Bar.

16. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the prosecution of consumer and employment class and representative actions, involving wage-and-hour claims, race discrimination, unfair business practices or consumer fraud. Currently, Lawyers *for* Justice, PC is the attorney of record in well over a dozen employment-related putative class actions in both state and federal courts in the State of California. Lawyers *for* Justice, PC has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. In association with other law firms, Lawyers *for* Justice, PC has recovered millions of dollars

on behalf of thousands of individuals in California.

***EXAMPLES OF RESULTS IN WAGE-AND-HOUR CLASS ACTION AND
REPRESENTATIVE ACTION CASES***

17. What follows are just a few examples of the type of results Lawyers *for* Justice, PC (“LFJ”) has achieved on behalf of its clients:

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

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

c) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-and-hour class action against a national property management company involving allegations of misclassification of the “Property Manager” position. On May 23, 2012, the court granted final approval of the class action settlement. The Los Angeles County Superior Court Case Number is BC430918.

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

e) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-and-hour class and PAGA representative action against a bank, involving allegations of misclassification of the “Assistant Branch Manager” position. On August 27, 2013, the court

1 granted final approval of the class and PAGA representative action settlement. The Kern County
2 Superior Court Case Number is S-1500-CV-273194-LHB.

3 f) LFJ, in association with co-counsel therein, represented the plaintiff in a
4 wage-and-hour class and PAGA representative action against a national wholesale distributor
5 of plumbing and builder supplies, involving allegations of misclassification of multiple salaried
6 “manager” positions. On May 22, 2014, the court granted final approval of the class and PAGA
7 representative action settlement. The Sacramento County Superior Court Case Number is 34-
8 2012-00136285.

9 g) LFJ, in association with co-counsel therein, represented the plaintiff in a
10 wage-and-hour class action against a multinational corporation that provides global workplace
11 solutions, involving allegations of misclassification of the “Operations Manager” position. On
12 September 16, 2014, the court granted plaintiff’s motion for class certification. The Los Angeles
13 County Superior Court Case Number is BC478769.

14 h) LFJ, in association with co-counsel therein, represented the plaintiff in a
15 wage-and-hour class and PAGA representative action against a national retailer of household
16 items, on behalf of hourly-paid or non-exempt employees. On May 27, 2015, the court granted
17 final approval of the class and PAGA representative action settlement. The San Francisco
18 County Superior Court Case Number is CGC-13-532344.

19 i) LFJ, in association with co-counsel therein, represented the plaintiff in a
20 wage-and-hour class and PAGA representative action involving allegations of misclassification
21 of the salaried residential “Property Manager” position. On September 17, 2015, the court
22 granted plaintiff’s motion for class certification. On October 20, 2017, the court granted final
23 approval of the class and PAGA representative action settlement. The Los Angeles County
24 Superior Court Case Number is BC474784.

25 j) LFJ, in association with co-counsel therein, represented the plaintiffs in a
26 wage-and-hour class and PAGA representative action against a national retailer of upscale
27 hardware and home furnishings, on behalf of non-exempt employees. On April 28, 2016, the
28 court granted final approval of the class and PAGA representative action settlement. The Los

1 Angeles County Superior Court Case Numbers are BC516795 and JCCP4794, and the Judicial
2 Council Coordination Proceeding Number is 4794.

3 k) LFJ, in association with co-counsel therein, represented the plaintiffs in a
4 wage-and-hour class action against a national retailer of apparel and fashion accessories, on
5 behalf of non-exempt employees. On August 5, 2016, the court granted final approval of the
6 class action settlement. The Los Angeles County Superior Court Case Number is BC488069.

7 l) LFJ, in association with co-counsel therein, represented the plaintiffs in a
8 wage-and-hour class action against a national retailer of apparel, accessories, and home
9 products, involving allegations of misclassification of the "Department Manager" position. On
10 August 12, 2016, the court granted the plaintiffs' motion for class certification in part and
11 certified a class. On August 6, 2019, the court granted final approval of the class action
12 settlement. The Alameda County Superior Court Case Number is RG13680477.

13 m) LFJ represented the plaintiff in a PAGA representative action against a
14 real estate and property management company, on behalf of non-exempt employees. On
15 November 4, 2016, the court granted approval of the PAGA representative action settlement.
16 The Orange County Superior Court Case Number is 30-2015-00775439-CU-OE-CXC.

17 n) LFJ, in association with co-counsel therein, represented the plaintiffs in a
18 wage-and-hour class and PAGA representative action against a full-service bank, on behalf of
19 non-exempt employees. On November 18, 2016, the court granted final approval of the class
20 and PAGA representative action settlement. The San Francisco County Superior Court Case
21 Number is CJC-13-004839 and the Judicial Council Coordination Proceeding Number is 4839.

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

26 p) LFJ, on behalf of the plaintiff and respondent in a PAGA representative
27 action, successfully opposed in the trial court, and briefed and argued an appeal with respect to
28 the employer's motion to compel arbitration, which resulted in a published opinion by the

1 California Court of Appeal in favor of employees. *Roberto Betancourt v. Prudential Overall*
2 *Supply* (Cal. App. 4th Dist., Mar. 7, 2017) 9 Cal.App.5th 439, review denied, cert. denied (U.S.
3 Supreme Court Docket No. 17-254). The Riverside County Superior Court Case Numbers are
4 RIC1503952 and RICJCCP5046, and the Judicial Council Coordination Proceeding Number is
5 5046.

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

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

16 s) LFJ, in association with co-counsel therein, represented the plaintiffs in a
17 wage-and-hour class and PAGA representative action against a lumber and hardware company
18 on behalf of non-exempt employees. On April 26, 2017, the court granted final approval of the
19 class and PAGA representative action settlement. The Orange County Superior Court Case
20 Number is 30-2014-00747750-CU-OE-CXC.

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

26 u) LFJ represented the plaintiff in a wage-and-hour class and PAGA
27 representative action against a food company on behalf of non-exempt employees. On June 30,
28 2017, the court granted final approval of the class and PAGA representative action settlement.

1 The Sacramento County Superior Court Case Number is 34-2015-00175871.

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

6 w) LFJ represented the plaintiff in a PAGA representative action, against the
7 parent company of several restaurants, on behalf of hourly-paid, non-exempt employees. On
8 October 18, 2017, the court granted approval of the PAGA representative action settlement. The
9 Los Angeles County Superior Court Case Number is BC569664.

10 x) LFJ represented the plaintiffs in a wage-and-hour class and PAGA
11 representative action against a manufacturer of plastic containers on behalf of non-exempt
12 employees. On October 31, 2017, the court granted final approval of the class and PAGA
13 representative action settlement. The Los Angeles County Superior Court Case Number is
14 BC577233.

15 y) LFJ, in association with co-counsel therein, represented the plaintiffs in a
16 wage-and-hour class and PAGA representative action against a bank on behalf of non-exempt
17 employees. On December 11, 2017, the court granted final approval of the class and PAGA
18 representative action settlement. The Los Angeles County Superior Court Case Number is
19 BC569646.

20 z) LFJ, in association with co-counsel therein, represented the plaintiffs in a
21 wage-and-hour class and PAGA representative action against a property management company
22 on behalf of hourly-paid and non-exempt employees. On January 4, 2018, the court granted final
23 approval of the class and PAGA representative action settlement. The Los Angeles County
24 Superior Court Case Number is JCCP4819 and the Judicial Council Coordination Proceeding
25 Number is 4819.

26 aa) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class and PAGA representative action against a global provider of flexible office
28 space solutions. On February 15, 2018, the court granted final approval of the class and PAGA

1 representative action settlement. The Los Angeles County Superior Court Case Number is
2 BC498401.

3 bb) LFJ, in association with co-counsel therein, represents the plaintiff in a
4 wage-and-hour class action against a container manufacturer, on behalf of non-exempt
5 employees. On October 15, 2018, the court granted the plaintiff's motion for class certification.
6 The Tulare County Superior Court Case Number is VCU264528.

7 cc) LFJ represented the plaintiffs in a wage-and-hour class and PAGA
8 representative action against a behavioral health service provider on behalf of non-exempt
9 employees. On November 13, 2018, the court granted final approval of the class and PAGA
10 representative action settlement. The Alameda County Superior Court Case Number is
11 RG16811450.

12 dd) LFJ, in association with co-counsel therein, represented the plaintiff in a
13 PAGA representative action against a global provider of products and services to the energy
14 industry, on behalf of hourly-paid and non-exempt employees. On November 19, 2018, the
15 court granted approval of the PAGA representative action settlement. The Kern County
16 Superior Court Case Number is S-1500-CV-280215-SDC.

17 ee) LFJ, in association with co-counsel therein, represents the plaintiff in a
18 wage-and-hour class action against a parking company on behalf of non-exempt employees. On
19 September 3, 2019, the court granted the plaintiff's motion for class certification and certified a
20 class. The Santa Clara County Superior Court Case Number is 16CV292208 and the Judicial
21 Council Coordination Proceeding Number is 4886.

22 ff) LFJ, in association with co-counsel therein, represents the plaintiffs in a
23 wage-and-hour class and PAGA representative action against a bank on behalf of non-exempt
24 employees. On September 27, 2019, the court granted the plaintiffs' motion for class
25 certification in part and certified a class. The Alameda County Superior Court Case Number is
26 RG15757606 and the Judicial Council Coordination Proceeding Number is 4921.

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1 gg) LFJ, in association with co-counsel therein, represented the plaintiffs in a
2 wage-and-hour class and PAGA representative action against a national retailer of apparel and
3 fashion accessories, on behalf of non-exempt employees. On October 9, 2019, the court granted
4 the plaintiffs' motion for class certification in part and certified a class. On May 14, 2021, the
5 court granted final approval of the class and PAGA representative action settlement. The
6 Sacramento County Superior Court Case Number is 34-2015-00175330-CU-OE-GDS.

7 hh) LFJ, in association with co-counsel therein, represents the plaintiff in a
8 wage-and-hour class and PAGA representative action against a medical equipment supplier on
9 behalf of non-exempt employees. On February 13, 2020, the court granted the plaintiff's motion
10 for class certification and certified a class. The San Bernardino County Superior Court Case
11 Number is CIVDS1505744.

12 ii) LFJ, in association with co-counsel therein, on behalf of the plaintiff and
13 respondent in a PAGA representative action, successfully opposed in the trial court, and briefed
14 and argued an appeal with respect to the employer's motion to compel arbitration, resulting in a
15 notable decision from the California Supreme Court clarifying the law regarding PAGA claims,
16 *ZB, N.A. v. Superior Court* (2019) 8 Cal.5th 175. On February 21, 2020, the court granted
17 approval of the PAGA representative action settlement. The San Diego County Superior Court
18 Case Number is 34-2015-00175330.

19 jj) LFJ, in association with co-counsel therein, represented the plaintiff in a
20 wage-and-hour class and PAGA representative action against a large national drug testing
21 laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the
22 plaintiff's motion for class certification and certified a class. On October 28, 2022, the court
23 granted final approval of the class and PAGA representative action settlement. The San Diego
24 County Superior Court Case Number is 37-2018-00019611-CU-OE-CTL.

25 kk) LFJ, in association with co-counsel therein, represents the plaintiffs in a
26 wage-and-hour class and PAGA representative action against a national retailer of sportswear,
27 footwear, and camping equipment on behalf of non-exempt employees. On March 16, 2020,
28 the court granted in part the plaintiff's motion for class certification and certified a class. The

1 Riverside County Superior Court Case Numbers are RIC1507504 and RICJCCP4930, and the
2 Judicial Council Coordination Proceeding Number is 4930.

3 ll) LFJ, in association with co-counsel therein, represented the plaintiffs in a
4 wage-and-hour class action against manufacturer and supplier of power products and services
5 on behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs'
6 motion for class certification and certified a class. On August 27, 2021, the court granted final
7 approval of the class action settlement. The San Diego County Superior Court Case Number is
8 37-2015-00025968-CU-OE-CTL.

9 mm) LFJ represents the plaintiff in a wage-and-hour class action against a
10 nutritional products manufacturer on behalf of non-exempt production line employees. On
11 December 13, 2021, the court granted the plaintiff's motion for class certification in part and
12 certified a class. The Solano County Superior Court Case Number is FCS051001.

13 nn) LFJ represents the plaintiffs in a wage-and-hour class action against a
14 manufacturer and distributor of commercial dish and glass cleaning machines and supplies for
15 the restaurant and hospitality industries, on behalf of hourly-paid or non-exempt employees. On
16 July 13, 2023, the court granted the plaintiffs' motion for class certification and certified a
17 class. The Los Angeles County Superior Court Case Number is BC707670.

18 **LITIGATION COSTS AND EXPENSES INCURRED BY**

19 **LAWYERS *for* JUSTICE, PC**

20 18. To date, Class Counsel have borne all of the risks and costs of litigation and will
21 not receive any compensation until a recovery is obtained in this matter. Lawyers *for* Justice,
22 PC seeks reimbursement of **\$7,039.81** in litigation costs and expenses incurred in this matter, as
23 reflected in "**EXHIBIT B**" attached hereto. These expenses were reasonable and necessary in
24 the prosecution of the Actions and to obtain the Settlement.

25 **SERVICE AWARD TO PLAINTIFF**

26 19. In recognition of Plaintiff's effort and work expended in the Actions and for
27 serving as the Class Representative, the Settlement provides for a service award in the amount
28 of \$10,000.00 to Plaintiff. The requested service award is fair and appropriate. Plaintiff spent

1 a substantial amount of time and effort in providing relevant documents, past employment
2 records, and the facts and evidence necessary to attempt to prove the allegations in the Actions.
3 Plaintiff was available whenever Class Counsel needed her and actively tried to obtain and
4 provide information that would facilitate the pursuit of the class and PAGA claims. Plaintiff
5 spent numerous hours speaking with Class Counsel about Plaintiff's claims, describing her work
6 experiences with Defendant, and gathering, providing, and reviewing documents. Accordingly,
7 it is appropriate and just for Plaintiff to receive \$10,000.00 as a reasonable service award for
8 services provided in the Actions.

9 20. I submit that the settlement is fair, reasonable, and adequate. In addition, the
10 settlement is in the best interests of Plaintiff, the Class, PAGA Class Members, and the State of
11 California.

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

14 Executed this 17th day of January 2024, at Glendale, California.

15 
16 Edwin Aiwasian

EXHIBIT A

MWANES V. ABOUT FOOD, INC., D/B/A REDLANDS RANCH MARKET
San Bernardino County Superior Court Case No. CIVDS2018742 (“Mwanes Class Action”)

MWANES V. ABOUT FOOD, INC., D/B/A REDLANDS RANCH MARKET
San Bernardino County Superior Court, Case No. CIVSB2102442 (“Mwanes PAGA Action”)

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	8.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Wafa Mwanes’ (“Plaintiff”) Claims and the Merits of the Claims of the Putative Class Members	7.10
Pre-Lawsuit Investigation of the Merits of Plaintiff’s Private Attorneys General Act (“PAGA”) Claims on Behalf of the State of California with Respect to the Aggrieved Employees	6.50
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant About Food, Inc. d/b/a Redlands Ranch Market (“Defendant”) with Respect to the Damages Sustained by Plaintiff and the Putative Class Members	7.20
Pre-Lawsuit Investigation of Potential Civil Penalties Exposure of Defendant with Respect to Plaintiff and the Aggrieved Employees	5.10

Legal Research and Analysis of Latest Off-the-Clock, Meal and Rest Break, Representative PAGA Action, Manageability, and Class Certification Decisions in California, Including all New and Relevant DLSE Materials	7.10
Investigation of Defendant, Defendant's Business Relationships, and the Industry in Which Defendant Operates	3.20
Investigation of Defendant's Organizational, Corporate, and Executive Reporting Structures as They Relate to the Employment and Management of the Putative Class Members and Aggrieved Employees	2.90
Investigation, Research, and Analysis Regarding Defendant's Executives, Officers, and Leadership With a Focus on Involvement in Wage-and-Hour Issues and Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues, to Evaluate Willfulness and Uniformity; and Research and Analysis of Defendant's Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues	3.10
Analysis of Competitors in 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	3.30
Research and Investigation Re: Location(s), Division(s), and/or Department(s) Owned, Managed, Serviced, and/or Operated by Defendant in California During the Class Period, Including Layout, Configuration, and Differences Between Them to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	3.50
Comparative Analysis and Cross-Checking of All Available Job Postings, Job Reviews, and Other Reviews Regarding Defendant in Order to Determine Any Variation and Identify Job Duties and Responsibilities That Would be Susceptible to Being Performed Off-the-Clock or During Meal or Rest Breaks	3.10

Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Location(s) at Which Putative Class Members and Aggrieved Employees Worked Throughout California	3.60
Research and Investigation Re: Defendant's Written and Non-Written Policies, Practices, and Procedures Regarding Timekeeping, Rounding, Reporting Time Pay, Overtime Pay, Non-Discretionary Bonus/Shift Differential/Performance/Incentive Pay, Meal/Rest Breaks, On-Premises Rest Breaks, Unpaid Rest Breaks, Meal and Rest Premiums, Scheduling and Shifts, Uniforms/Dress Code, Use of Personal Cell Phones, and Reimbursement of Business-Related Expenses	12.50
Research and Investigation Re: Various Software Programs, Systems, and Other Technology Defendant Uses to Conduct Everyday Business, Including Timekeeping, Scheduling, Point of Sale, Inventory, Security/Surveillance, and Communications 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 Time Worked During Meal Breaks	2.10
Research and Analysis of Potential Defenses Defendant May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies.	6.50
Research and Investigation Re: Post- <i>Duran vs. U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose	4.80
Research and Investigation of Impact of COVID-19 Pandemic on Defendant, Its Operations, and Putative Class Members and Aggrieved Employees' Work	5.30
Meet and Communicate with Plaintiff Throughout the Pendency of the Case	9.50
Investigate, Meet, Communicate with, and/or Conduct Interviews of Putative Class Members, Aggrieved Employees, and/or Percipient Witnesses	13.50

Pleadings and Court Filings	
Draft Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on September 16, 2020) (<i>Mwanes</i> Class Action)	7.10
Review Court's Initial Case Management Conference Order (filed on October 8, 2020) (<i>Mwanes</i> Class Action)	0.10
Review Defendant's Notice of Unavailability of Counsel for About Food, Inc. dba Redlands Ranch Market (served on December 4, 2020) (<i>Mwanes</i> Class Action)	0.10
Review and Analyze Defendant's Answer to Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of Affirmative Defenses in Defendant's Answer (served on December 11, 2020) (<i>Mwanes</i> Class Action)	1.20
Draft Plaintiff's Notice of Posting Jury Fees (filed on January 5, 2021) (<i>Mwanes</i> Class Action)	0.10
Draft Plaintiff's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Allegations Involved (filed on January 11, 2021) (<i>Mwanes</i> PAGA Action)	5.20
Meet and Confer with Defendant's Counsel, and Draft, Review, and/or Revise Joint Report for Initial Case Management Conference (filed on January 13, 2021 in <i>Mwanes</i> Class Action)	1.10
Review and Analyze Defendant's Amended Answer to Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of Affirmative Defenses in Defendant's Answer (served on January 13, 2021) (<i>Mwanes</i> Class Action)	0.80
Review Court's Initial Case Management Conference Order (filed on February 24, 2021) (<i>Mwanes</i> PAGA Action)	0.10

Draft Plaintiff's Request for Continuance of Initial Case Management Conference For 45 Days To Allow Defendant Time to Appear (filed on May 10, 2021) (<i>Mwanes</i> PAGA Action)	0.20
Plaintiff's Notice of Posting Jury Fees (filed on May 11, 2021) (<i>Mwanes</i> PAGA Action)	0.10
Review Defendant's Notice of Appearance (served on June 10, 2021) (<i>Mwanes</i> PAGA Action)	0.10
Meet and Confer with Defendant's Counsel and Draft, Review, and/or Revise Joint Report for Initial Case Management Conference on July 2, 2021 (filed on June 28, 2021) (<i>Mwanes</i> PAGA Action)	1.10
Review Defendant's Case Management Conference Statement (served on June 30, 2021) (<i>Mwanes</i> Class Action)	0.20
Review Defendant's Case Management Statement (served on December 20, 2021) (<i>Mwanes</i> Class Action)	0.20
Draft Plaintiff's Further Case Management Conference (filed on January 11, 2022) (<i>Mwanes</i> Class Action)	0.20
Meet and Confer with Defendant's Counsel, and Draft, Review, and/or Revise Joint Stipulation and Order Certifying Class Action; Appointing Class Representative; and Appointing Class Counsel (filed on May 31, 2022) (<i>Mwanes</i> Class Action)	3.90
Prepare Notice of Entry of Judgment or Order Re: Joint Stipulation and Order Certifying Class Action; Appointing Class Representative; And Appointing Class Counsel (filed on June 9, 2022) (<i>Mwanes</i> Class Action)	0.10
Meet and Confer with Defendant's Counsel, and Draft, Review, and/or Revise Joint Case Management Conference Statement (filed on July 11, 2022) (<i>Mwanes</i> Class Action)	1.30
Drafted Notice of Association of Counsel (filed on July 22, 2022) (<i>Mwanes</i> Class Action)	0.10
Review and/or Revise Joint Stipulation and [Proposed] Order to Stay (Submitted on October 11, 2022; filed on October 19, 2022) (<i>Mwanes</i> Class Action)	0.10

Meet and Confer with Defendant's Counsel, and Review and/or Revise Joint Case Management Statement (filed on July 3, 2023) (<i>Mwanes</i> Class Action)	0.10
Appearances	
Prepare for and Telephonically Attend Complex Case Management Conference (January 19, 2021) (<i>Mwanes</i> Class Action)	1.20
Prepare for and Telephonically Attend Further Case Management Conference (July 2, 2021) (<i>Mwanes</i> PAGA Action)	0.90
Prepare for and Telephonically Attend Further Case Management Conference (July 20, 2021) (<i>Mwanes</i> Class Action)	0.90
Prepare for and Telephonically Attend Hearing on Motion to Consolidate Cases (November 15, 2021) (<i>Mwanes</i> Class Action)	1.90
Prepare for and Telephonically Attend Case Management Conference (January 18, 2022) (<i>Mwanes</i> Class Action)	0.60
Prepare for and Telephonically Attend Further Case Management Conference (July 18, 2022) (<i>Mwanes</i> Class Action)	1.20
Prepare for and Telephonically Attend Hearing on Further Status Conference and Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement (February 13, 2024) (Anticipated) (<i>Mwanes</i> Class Action)	1.50
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff (served on June 23, 2020)	1.90

Draft Plaintiff's Form Interrogatories-General (Set One), Requests for Production of Documents (Set One), and Special Interrogatories (Sets One and Two) (served on January 21, 2021) (<i>Mwanes</i> Class Action)	3.50
Review and Analyze Defendant's Responses to Form Interrogatories-General (Set One), Requests for Production of Documents (Set One), and Special Interrogatories (Sets One and Two) and Documents Produced in Response Thereto (approximately 5,445 pages) (February 22, 2021) (<i>Mwanes</i> Class Action)	12.30
Review and Analyze Supplemental Documents Produced by Defendant in Response to Formal Discovery (approximately 16,287 pages) (served on June 16, 2021) (<i>Mwanes</i> Class Action)	16.50
Draft Plaintiff's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) (served on December 6, 2021) (<i>Mwanes</i> Class Action)	2.10
Review Defendant's Requests for Production, Set One, Request for Admission, Set One, Form Interrogatories-General, Set One, and Form Interrogatories-Employment Law, Set One Propounded on Plaintiff (served on December 8, 2021) (<i>Mwanes</i> Class Action)	0.30
Review and Analyze Defendant's Responses to Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) (served on January 7, 2022) (<i>Mwanes</i> Class Action)	1.60
Meet and Confer with Defendant's Counsel and Third-Party Administrator, Monitor <i>Belaire-West</i> Notice Administration Process, and Review and Analyze Non-Opt Out Contact List (approximately 467 individuals; list received October 13, 2022)	1.50
Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on November 2, 2020)	4.50
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	7.50

Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiff, Defendant, and Other Sources, Perform Analysis, Calculations, and Evaluation of Claims Prior to Reaching Settlement	18.50
Draft, Review, Revise, Negotiate, and/or Finalize Stipulation of Settlement of Class and PAGA Action Claims and Release of Claims (executed on June 7, 2023) and Notice of Pendency of Class and Representative Action Settlement	0.50
Law and Motion	
Review and Analyze Defendant's Notice of Motion and Motion to Consolidate Cases; Memorandum of Points and Authorities; Declaration of Mandeep S. Rupal in Support of Defendant About Food Inc.'s Motion to Consolidate Cases (served on August 27, 2021) (<i>Mwanes</i> Class Action)	0.80
Research and Draft, Review and/or Revise Plaintiff's Opposition to Defendant's Motion to Consolidate Cases (filed on November 1, 2021) (<i>Mwanes</i> Class Action)	6.50
Review and Analyze Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Consolidate Cases (served on November 8, 2021) (<i>Mwanes</i> Class Action)	0.80
Review Notice of Ruling Regarding Defendant's Motion to Consolidate Cases (served on November 16, 2021) (<i>Mwanes</i> Class Action)	0.10
Research and Draft, Review, and/or Revise Notice of Motion and Motion for Preliminary Approval of Class Action and PAGA Settlement, Points and Authorities in Support Thereof, Declaration of Wafa Mwanes in Support Thereof; Declaration of Jean-Claude Lapuyade, Esq. in Support Thereof, Declaration of Shani O. Zakay, Esq. in Support Thereof; Declaration of Edwin Aiwasian in Support Thereof; Declaration of Sean Hartranft in Support Thereof; Proposed Order Granting Plaintiff's Motion for Preliminary Approval of Class and PAGA Action Settlement (filed on July 6, 2023) (<i>Mwanes</i> Class Action)	2.10

Reviewed Court's Tentative Ruling Re: Motion for Preliminary Approval of Class and PAGA Action Settlement (filed on August 17, 2023) (<i>Mwanes</i> Class Action)	0.10
Reviewed Court's Order Granting Plaintiff's Motion for Preliminary Approval of Class and PAGA Action Settlement (filed on August 21, 2023) (<i>Mwanes</i> Class Action)	0.10
Review and Analyze Claims Administrator's Declaration Regarding Settlement Notice Administration; and Research, Draft, Review, and/or Revise Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement and Declaration of Edwin Aiwarzian in Support Thereof (Anticipated) (<i>Mwanes</i> Class Action)	2.50
Total Hours:	233.80

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Mwanes v. About Food, Inc.

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
6/23/2020	U.S. Postmaster	Postage	\$7.00
9/16/2020	Legal Document Server, Inc.	Attorney Service	\$180.23
9/16/2020	San Bernardino Superior Court	Complex Filing Fee	\$1,000.00
9/16/2020	San Bernardino Superior Court	Complaint Filing Fee	\$435.00
11/1/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
11/20/2020	Legal Document Server, Inc.	Attorney Service	\$120.00
12/21/2020	Legal Document Server, Inc.	Attorney Service	\$130.70
12/21/2020	San Bernardino Superior Court	Stipulation & Order Fee	\$20.00
1/5/2021	Legal Document Server, Inc.	Attorney Service	\$135.25
1/5/2021	Legal Document Server, Inc.	Attorney Service	\$65.00
1/5/2021	San Bernardino Superior Court	Jury Fee	\$150.00
1/12/2021	Legal Document Server, Inc.	Attorney Service	\$65.00
1/12/2021	Legal Document Server, Inc.	Attorney Service	\$130.00
1/20/2021	CourtCall, LLC	Attorney Service	\$94.00
1/21/2021	General Logistics Systems US, Inc.	Courier Service	\$12.58
11/1/2021	General Logistics Systems US, Inc.	Courier Service	\$19.90
11/1/2021	Legal Document Server, Inc.	Attorney Service	\$130.00
11/16/2021	CourtCall, LLC	Attorney Service	\$94.00
12/6/2021	General Logistics Systems US, Inc.	Courier Service	\$13.62
1/11/2022	Legal Document Server, Inc.	Attorney Service	\$130.00
1/19/2022	CourtCall, LLC	Attorney Service	\$188.00
5/11/2022	Legal Document Server, Inc.	Attorney Service	\$146.35
5/11/2022	San Bernardino Superior Court	Stipulation & Order Fee	\$20.00
6/8/2022	San Bernardino Superior Court	Document Download Fee	\$5.50
6/9/2022	Legal Document Server, Inc.	Attorney Service	\$145.00
7/11/2022	Legal Document Server, Inc.	Attorney Service	\$150.00
7/19/2022	CourtCall, LLC	Attorney Service	\$94.00
7/22/2022	Legal Document Server, Inc.	Attorney Service	\$150.00
8/14/2023	CourtCall, LLC	Attorney Service	\$72.00
Total:			\$4,013.13

LAWYERS for JUSTICE PC CASE COST DETAIL
Mwanes v. About Food, Inc. (PAGA)

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
11/2/2020	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
11/2/2020	U.S. Postmaster	Postage	\$7.50
1/11/2021	Legal Document Server, Inc.	Attorney Service	\$255.23
1/11/2021	San Bernardino Superior Court	Complaint Filing Fee	\$435.00
1/11/2021	San Bernardino Superior Court	Complex Filing Fee	\$1,000.00
4/22/2021	Legal Document Server, Inc.	Attorney Service	\$220.00
5/5/2021	Legal Document Server, Inc.	Attorney Service	\$260.70
5/5/2021	San Bernardino Superior Court	Stipulation & Order Fee	\$20.00
5/11/2021	Legal Document Server, Inc.	Attorney Service	\$135.25
5/11/2021	San Bernardino Superior Court	Jury Fee	\$150.00
6/28/2021	Legal Document Server, Inc.	Attorney Service	\$130.00
7/2/2021	CourtCall, LLC	Attorney Service	\$94.00
7/6/2021	CourtCall, LLC	Attorney Service	\$94.00
7/22/2022	Legal Document Server, Inc.	Attorney Service	\$150.00
Total:			\$3,026.68