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12 Attorneys for Plaintiff,

13 MARVIN MANN, and all others similarly situated

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF SANTA CLARA**
(UNLIMITED JURISDICTION)

16 MARVIN MANN, on behalf of himself, and
17 all others similarly situated,

18 *Plaintiff(s),*

19
20 vs.

21
22 WALNUT BREWERY, INC., a Colorado
23 corporation doing business as Rock Bottom
24 Brewery; SPB HOSPITALITY, LLC, a
25 Delaware limited liability company; and
DOES 1–50, inclusive,

26 *Defendants.*

Case No.: 21CV377897

**DECLARATION OF WALTER HAINES
IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Action filed: March 10, 2021

Dept: 3, The Honorable Patricia M.
Lucas

Date: June 22, 2022
Time 1:30 p.m.



SPIVAK LAW

Employee Rights Attorneys

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Sherman Oaks, CA 91403

DECLARATION OF WALTER HAINES IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF PAGA SETTLEMENT

I, WALTER HAINES, declare as follows:

1. I am counsel of record for Plaintiff Marvin Mann ("Plaintiff") in his lawsuit against Defendants Walnut Brewery, Inc. and SPB Hospitality, LLC ("Defendants") (collectively "the Parties"). I am a member in good standing of the State Bar of California. I make this Declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement. I make this Declaration based on my personal knowledge and if called to testify I could and would competently testify to the matters contained in this Declaration.

2. I am highly experienced in class and representative action litigation specializing in actions of this nature. I have been practicing law for over 40 years and I am highly experienced in actions of this nature. I am the most senior attorney in my firm, United Employees Law Group, and worked on the litigation of this matter. I formed United Employees Law Group in 2005, primarily to represent employees in their wage claims. I have represented over 1,500 clients in wage and hour disputes of which more than 300 cases were class actions with settlements totaling over \$400,000,000. These class action cases include Fortune 500 companies such as Pepsi, Intel, Home Depot, Kaiser, Wells Fargo, Bank of America, Cisco Systems, First American Title Co., Yahoo!, WellPoint, Inc., Sun Microsystems, and Kaiser Foundation Hospitals.

3. I have no conflicts of interest with the Plaintiff or with the Class Members. I am not related to any representative Plaintiff. I have not previously represented Defendant in any matter. I do not represent opposing factions within the Class Members in that all claims are predicated upon the same theories of liability and benefit all Class Members equally. In sum, I am well-suited to act as Plaintiff's counsel and will continue to vigorously represent the interests of the Class.

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1 I declare under the penalty of perjury of the laws of the State of California that the
2 foregoing is true and correct to the best of my knowledge.

3 Executed on May 27, 2022 at Los Angeles, California.

4 
5 WALTER HAINES,
6 Declarant



26 SPIVAK LAW

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1. I am a citizen of the United States and am employed in the County of Los Angeles, State of California. I am over the age of 18 years, and not a party to the within action. My business address is 15303 Ventura Bl, Ste 900, Sherman Oaks, CA 91403.

On Tuesday, May 31, 2022, I served the foregoing document described as **DECLARATION OF WALTER HAINES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on interested parties by placing a true and correct copy thereof enclosed in a sealed envelope, with postage fully prepaid, addressed as follows:

**Cory Miller, Esq.
Adam Miller, Esq.
Miller Miller Gerber LLP
18301 Von Karman Avenue, Suite 950
Irvine, CA 92612**

XXX (BY EMAIL) I caused the documents to be sent to the persons at the electronic service addresses listed above from my electronic service address stacy@spivaklaw.com.

XXXX (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

____ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

THE
SPIVAK
LAW FIRM