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Attorneys for Plaintiff Laura Herrera, individually and on behalf of others similarly situated and other aggrieved employees

[ADDITIONAL COUNSEL LISTED AFTER CAPTION]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

LAURA HERRERA, VALERIE  
CHAVEZ, individually and on behalf of  
others similarly situated and other  
aggrieved employees,

Plaintiffs,

v.

CASCADE LIVING GROUP  
MANAGEMENT, LLC, an active  
Washington Limited Liability Company;  
BPM SENIOR LIVING COMPANY, an  
active Delaware Corporation; and DOES  
1 through 10,

Defendants.

Case No.: 20STCV48606 (related to  
21STCV35724)

CLASS AND REPRESENTATIVE  
ACTION

*[Assigned to Hon. Stuart M. Rice  
in Dept. SS-1]*

**DECLARATION OF JAMES R.  
HAWKINS IN SUPPORT OF  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

[FILED CONCURRENTLY WITH  
NOTICE OF MOTION AND MOTION  
FOR PRELIMINARY APPROVAL;  
DECLARATION OF HAIK  
HACOPIAN WITH EXHIBITS;  
DECLARATION OF ZORIK  
MOORADIAN; DECLARATION OF  
LAURA HERRERA; DECLARATION  
OF VALERIE CHAVEZ; AND  
[PROPOSED] ORDER]

Date: August 14, 2023

Time: 10:30 a.m.

Dept.: SS-1

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([james@jameshawkinsapl.com](mailto:james@jameshawkinsapl.com))  
2 Isandra Fernandez, Esq. SBN 220482  
([isandra@jameshawkinsapl.com](mailto:isandra@jameshawkinsapl.com))  
3 JAMES HAWKINS APLC  
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4 Irvine, CA 92618  
Phone: (949) 387-7200  
5 Fax: (949) 387-6676  
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7 Attorneys for Plaintiff, VALERIE CHAVEZ  
on behalf of herself and all others similarly situated  
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1. I am an individual over the age of 18. I am a partner at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiff Valerie Chavez (hereinafter referred to as “Plaintiff”.) I submit this declaration in support of Plaintiff’s Motion for Approval of the PAGA Settlement. I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

3. Plaintiff's Counsel has represented, mediated and settled many other employee class actions in wage and hour litigation. In 2007, I incorporated my wage and hour class action practice as James Hawkins, APLC. Since its inception, this law firm has been exclusively involved in class actions and complex litigation. Our office is litigating at least 60 other class action and representative actions.

a. *Aguilar v. 7-Eleven, Inc., et. al.*, Orange County Superior Court- Case No.: 30-2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking premium wages for meal period and rest periods and resultant penalties. Class Notice pending.

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DECLARATION OF JAMES R. HAWKINS ISO MOTION TO APPROVE SETTLEMENT

1 classification of insurance claims adjusters employed by Gallagher Bassett, a third party  
2 administrator (TPA) in the State of California. Certification granted. Plaintiffs' counsel co-lead  
3 counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

4 c. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-  
5 04554. Wage and Hour Class Action case seeking past wages for "off the clock", overtime and meal  
6 and rest break violations for production workers in the State of California. Plaintiff's Counsel  
7 appointed as Lead Counsel. Case settled, Final Approval granted, no objections and funds fully  
8 distributed.

9 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638  
10 ODW. Wage and Hour Class Action case seeking past wages for meal and rest period violations for  
11 retail employees in the State of California. Plaintiff's counsel appointed co-lead counsel. Case  
12 settled, Final Approval granted, no objections and funds fully distributed.

13 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.  
14 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and rest period  
15 violations for retail employees in the State of California. Plaintiff's Counsel appointed as Lead  
16 Counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

17 f. *West v Iron Mountain Information Management, Inc, et. al.;* Los Angeles  
18 County Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past wages for  
19 overtime, meal and rest break violations for driver employees in the State of California. Settlement  
20 for "binding arbitration." Arbitration Award for Plaintiff Class. Arbitration Award confirmed.  
21 Plaintiff's counsel, lead trial counsel and class counsel.

22 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County  
23 Superior Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for  
24 overtime, meal and rest breaks violations for production employees in the State of California.  
25 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no objections  
26 and funds fully distributed.

27 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside  
28 County Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past wages for

1 overtime, meal and rest break violations for production employees in the State of California.

2 Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval granted, no objections  
3 and funds fully distributed.

4 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No.  
5 05CC00293. Wage and Hour Class Action seeking past wages for unlawful deductions, meal and  
6 rest break violations for restaurant employees in the State of California. Plaintiff's counsel  
7 appointed as lead counsel. Case settled, Final Approval granted and funds fully distributed.

8 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court,  
9 Case No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal and rest  
10 break violations for security officers in the State of California. Plaintiff's counsel appointed as co-  
11 lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

12 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior  
13 Court, Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action seeking past  
14 wages for meal and rest break violations for security officers employed by defendant in the State of  
15 California. Plaintiff's counsel and co-counsel. Case settled, Final Approval granted and funds fully  
16 distributed.

17 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior  
18 Court, Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime, meal  
19 and rest break violations for housekeepers employed by defendant in the State of California.  
20 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no objections  
21 and funds fully distributed.

22 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL  
23 DISTRICT, Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and  
24 rest period violations for non-exempt employees employed by defendant in the state of California.  
25 Case settled. Awaiting Preliminary Approval hearing. Plaintiff has petitioned the Court for Lead  
26 Counsel.

27 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL  
28 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past wages for field and

1 branch employees of defendant in the State of California. Plaintiff's counsel appointed as lead  
2 counsel. Case settled and awaiting Final Approval.

3 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case  
4 No. 05CC00128. Wage and Hour Class Action seeking past wages for restaurant employees of  
5 defendant in the State of California. Plaintiff's counsel appointed as lead counsel. Case settled,  
6 Final Approval granted, no objections and funds fully distributed.

7 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case  
8 No. 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest break  
9 violations for security guards employed by defendant in the State of California. Plaintiff's counsel  
10 appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully  
11 distributed.

12 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles  
13 Superior Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and rest  
14 break violations for production employees employed by defendant in the State of California.  
15 Plaintiff counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and  
16 funds fully distributed.

17 r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court,  
18 Case No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest break  
19 violations for restaurant employees employed by defendant in the State of California. Plaintiff's  
20 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no objections and funds  
21 fully distributed.

22 s. *Osuna v. DFG Restaurants, Inc., et al.*, Los Angeles Superior Court, Case No.  
23 BC 330145. Wage and Hour Class Action seeking past wages of overtime for mis-classification of  
24 managers employed by Defendant, DBA Carl's Jrs. in the State of California. Plaintiff's counsel  
25 appointed as co-lead counsel. Case settled, Final Approval granted, no objections and funds fully  
26 distributed.

27 t. *Burns v. Gymboree Operations, Inc., et al.*, San Francisco Superior Court,  
28 Case No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest break

1 violations for retail employees employed by defendant in the State of California. Plaintiff's counsel  
2 appointed lead counsel. Case settled, Final Approval granted, no objections and funds fully  
3 distributed.

4 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case  
5 No. 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-  
6 classification of managers employed by Defendant in the State of California. Plaintiff's counsel  
7 appointed lead counsel. Case settled, Final Approval granted, no objections and funds fully  
8 distributed.

9 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court,  
10 Case No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal and rest  
11 break violations for production workers employed by defendant in the State of California. Plaintiff's  
12 counsel appointed lead counsel. Case settled; final approval granted; no objections and funds fully  
13 distributed.

14 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior  
15 Court, Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime, meal  
16 and rest period violations for production employees employed by defendant in the State of  
17 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval granted, no  
18 objections and funds fully distributed.

19 5. James Hawkins APLC is a boutique law firm that specializes in wage and hour class  
20 actions and is comprised of several seasoned attorneys and staff. The hourly rates for the attorneys  
21 who worked on this case, Isandra Fernandez, myself, are respectfully submitted as reasonable rates  
22 in line with comparable hourly rates charged by other firms that handle complex litigation in  
23 California. Numerous California firms provided their hourly billing rates in connection with a survey  
24 conducted by the National Law Journal. Of these California law firms, ten regularly charge hourly  
25 rates of \$660, \$795, \$850, and even \$980 per hour. (A true and correct copy of this National Law  
26 Journal 2011 survey is attached hereto as Exhibit 4.)

27 6. Ms. Fernandez, my co- counsel on this matter, has been a member of the Florida Bar  
28 since January 1996 and member of the California Bar since August 2002. Ms. Fernandez has

1 specialized in employment related litigation including complex wage and hour civil litigation since  
2 2003. Ms. Fernandez has been, and currently is, co-counsel in over 40 wage and hour class action  
3 litigations for our firm and has produced excellent results for this firm's clients in the wage and hour  
4 class actions.

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6 I declare under penalty of perjury under the laws of the state of California that the foregoing  
7 is true and correct. Executed on June 14, 2023 at Irvine, California.

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11 James R. Hawkins  
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