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

SHAUN GONZALES, individually, and on
behalf of other members of the general
public similarly situated and on behalf of
other aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiff,

vs.

CHAMPION FIRE SYSTEMS, INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: CIVSB2028336

Honorable David S. Cohn
Department S26

CLASS ACTION

**DECLARATION OF EDWIN AIWAZIAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES AND LITIGATION COSTS, AND
ENHANCEMENT PAYMENT**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees and Litigation Costs, and
Enhancement Payment; Declaration of Class
Representative (Shaun Gonzales); Declaration
of Settlement Administrator (Lindsay Kline of
Simpluris); and [Proposed] Final Approval
Order and Judgment filed concurrently herein]

Date: September 29, 2022
Time: 10:00 a.m.
Department: S26

Complaint Filed: December 28, 2020
FAC Filed: May 3, 2021
Trial Date: None Set

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 Shaun Gonzales (“Plaintiff”) and the Class. 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 as follows.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On June 2, 2022, in Department S26 of the above-entitled Court, the Honorable David S. Cohn preliminarily approved the Joint Stipulation of Class Action and PAGA Settlement (together, “Agreement,” or “Settlement Agreement”) entered into between Plaintiff and Defendant Champion Fire Systems Inc., (“Defendant”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Shaun Gonzales to represent the Class (“Class Representative”). The Court also preliminarily appointed and designated Lawyers *for* Justice, PC to represent the Class (“Class Counsel”). The Court approved and ordered the mailing of the Notice of Class Action Settlement (“Class Notice”), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Simpluris, Inc. (“Simpluris” or “Settlement Administrator”) to serve as the third-party settlement administrator and handle the notice and settlement administration process.

3. As of the date of filing the accompanying Motion for Final Approval, no Class Members have objected to the Settlement or the request for Attorneys’ Fees and Litigation Costs, Enhancement Payment, Administration Costs, or allocation for the penalties under the Private Attorneys General Act of 2004, California Labor Code section 2698, et seq. (“PAGA”).

WORK PERFORMED BY CLASS COUNSEL

4. I and several other attorneys at Lawyers *for* Justice, PC have been actively engaged in litigating the above-captioned action since prior to its commencement on December 28, 2020, as well as the separate action entitled *Shaun Gonzales v. Champion Fire Systems, Inc.*, San Bernardino County Superior Court, Case No. CIVSB2105666, which was commenced on

February 22, 2021 and dismissed on June 22, 2021.

5. Lawyers for Justice, PC has actively participated in all phases of the litigation process. Before initiating the cases, Class Counsel investigated and researched the facts and circumstances underlying the pertinent factual and legal issues and applicable law. This required thorough discussions and interviews between attorneys at our firm and Plaintiff, and research into the various legal issues involved in the cases, namely, the current state of the law as it applied to certification, off-the-clock theory, meal and rest periods, PAGA claims, wage-and-hour enforcement, Plaintiff's claims, and potential defenses. After conducting initial investigation, our firm determined that the claims of Plaintiff were well-suited for class-wide and representative adjudication owing to what appeared to be a common course of conduct affecting a similarly situated group of current and former non-exempt employees who worked for Defendant, who were not properly compensated for, *inter alia*, all hours worked, non-compliant meal and rest periods, and business expenses.

6. Prior to reaching the Settlement, the parties investigated the veracity, strength, and scope of the claims, and were preparing the matter for class certification and trial. Class Counsel had the opportunity to interview Plaintiff and other Class Members to gather facts and to identify potential witnesses. Class Counsel also met and conferred with Defendant's counsel on numerous occasions. Other work performed by Class Counsel included, and was not limited to, drafting pleadings; conducting informal discovery; and preparing and appearing for court proceedings; and engaging in claims evaluation and settlement negotiations, among other tasks.

7. The parties have conducted informal discovery and investigation during the course of litigating the cases, and Class Counsel analyzed documents and data obtained from Plaintiff, Defendant, and other sources. The documents, data, and information considered, provided an understanding of the nature of the work performed by the Class Members, as well as Defendant's operations and employment policies, practices, and procedures, and were used in analyzing liability, damages, and valuation issues in connection with all phases of the litigation, and ultimately in connection with settlement. Class Counsel also invested time researching and investigating the applicable law, which is constantly evolving as it relates to certification,

representative PAGA claims, off -the-clock theory, meal and rest periods, wage-and-hour law and enforcement, arbitration agreements, Plaintiff's claims and allegations, and Defendant's defenses thereto, as well as facts discovered.

8. After conducting investigations, informal discovery and exchange of information, and extensive settlement negotiations, the Parties have agreed that the matter is well-suited for settlement given the legal issues relating to Plaintiff's principal claims, as well as the costs and risks to both sides that would attend further litigation. During all settlement discussions, the Parties conducted their negotiations at arm's length in an adversarial position. The Parties meaningfully evaluated the cases and various aspects of the cases, including but not limited to, the risks and delays of further litigation, the risks to the Parties of proceeding with class certification and/or representative adjudication, the law relating to off-the-clock theory, meal and rest periods, PAGA representative actions, arbitration agreements, and wage-and-hour law and enforcement, as well as the evidence produced and analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was acceptable to all Parties was not easy. Defendant and its counsel felt strongly about their ability to enforce its arbitration agreements, prevail on the merits, and avoid class certification, and Plaintiff and Class Counsel believed that they would be able to obtain class certification and prevail at trial.

9. As set forth more fully in the accompanying Motion for Final Approval, Class Counsel seeks attorneys' fees in the amount of \$108,322.50, which is one-third (33.33%) of the Maximum Settlement Amount of \$325,000.00; this amount is less than the amount set forth in the Settlement Agreement and the Class Notice. Pursuant to the contingency-fee agreement entered into by and between Plaintiff and Class Counsel, Plaintiff has agreed to contingency fees of more than one-third of the recovery. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the cases; (2) the time, effort, and expense that Class Counsel dedicated to the cases; (3) the skill and determination that Class Counsel has shown; (4) the results that Class Counsel has achieved throughout the litigation; (5) the value of the settlement that Class Counsel has achieved in the cases; and (6) the other cases that Class Counsel has turned down in order to devote their time and efforts to this matter.

1 10. I am aware that the common and acceptable rate for contingency representation in
2 wage and hour class action litigation is normally 40% before trial, with the range being from
3 33.3% up to 50%.

4 11. While not necessarily required to be demonstrated because the contingent fee is
5 proper for this settlement, Class Counsel has incurred many hours of work in connection with
6 prosecuting the cases such that the award of attorneys' fees is also justified under a simple
7 lodestar analysis. Attorneys at Lawyers for Justice, PC have spent a total of **307.90 hours**
8 performing tasks and obtaining recovery on behalf of Plaintiffs, Class Members, the State of
9 California, and PAGA Group Members. Attached hereto as "**EXHIBIT A**" is an Attorney Task
10 and Time Chart that sets forth in detail the nature of the legal services provided by Lawyers for
11 Justice, PC and the time incurred in performing those services. These hours include work done
12 by myself and several other attorneys at the firm. Additionally, Lawyers for Justice, PC had
13 litigation support personnel actively engaged in assisting with the prosecution of this matter.

14 12. The work performed in this particular matter, the background of our firm, as well
15 as the individual backgrounds, training, and experience of the attorneys who worked on this
16 matter, in litigating complex wage-and-hour actions, and in particular, employment class
17 actions, support a reasonable hourly rate of compensation at the rate of at least \$600 for work
18 performed by Lawyers for Justice, PC. Lawyers for Justice, PC has been awarded attorneys'
19 fees, compensating the firm at the rate of at least \$600 per hour for legal services performed, by
20 courts granting approval of settlements in other wage and hour cases: final approval of the class
21 and representative action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles
22 Superior Court Case No. 19STCV01591) was granted on July 8, 2021, and the award of
23 attorneys' fees involved an hourly rate of \$936.47; final approval of the class and representative
24 action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court
25 Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved
26 an hourly rate of \$919.57; final approval of the class action settlement in *Thereasa Carrozzella*
27 *v. Basalite Concrete Products, LLC* (Sacramento County Superior Court Case No. 34-2017-
28 00220214-CU-OE-GDS) was granted on February 21, 2020, and the award of attorneys' fees

involved an hourly rate of \$766.05; final approval of the class and representative action settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County Superior Court Case No. RG16835813) was granted on June 11, 2019, and the award of attorneys' fees involved an hourly rate of \$764.82; final approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No. SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved an hourly rate of \$855.96; final approval of the class and representative action settlement in *Stanley Bland, et al. v. Telecare Corporation* (Alameda County Superior Court Case No. RG16811450) was granted on November 21, 2018, and the award of attorneys' fees involved an hourly rate of \$831.38; final approval of the class and representative action settlement in *Maryjo Ungerbuhler Anderson v. Boyett Petroleum* (Stanislaus County Superior Court Case No. 2020582) was granted on May 15, 2018, and the award of attorney's fees involved an hourly rate of \$780.77; final approval of the class and representative action settlement in *Demetrius Camarillo v. Blue Diamond Growers* (Sacramento County Superior Court Case No. 34-2015-00175871) was granted on June 30, 2017, and the award of attorneys' fees involved an hourly rate of \$845.64; and final approval of the class and representative action settlement in *Kevin Coonce v. Ferguson Enterprises, Inc.* (Sacramento County Superior Court Case No. 34-2021-00136285) was granted on May 22, 2014, and the award of attorneys' fees involved an hourly rate of \$625.

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 EXPERIENCE

15. In December of 2004, I obtained a license to practice law from the California State Bar. From approximately December 2004 to approximately August 2008, I was employed by *Girardi & Keese*.

16. At *Girardi & Keese*, my practice focused on class actions and other complex cases involving toxic torts and products liability. In addition, I gained substantial experience on cases involving insurance bad faith, premises liability, and medical negligence. While employed by *Girardi & Keese*, I argued approximately 100 motions, took or defended approximately 150 depositions, and prepared dozens of expert witnesses for deposition or trial.

17. Since its inception, in or around October of 2008, *Lawyers for Justice, PC* has almost exclusively focused on the prosecution of consumer and employment class actions, involving wage-and-hour claims, race discrimination, unfair business practices or consumer fraud. Currently, we are the attorneys of record in over a dozen employment-related putative class actions in both state and federal courts in the State of California. Our firm has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. During this relatively short time, in association with other law firms, we have 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

18. What follows are just a few examples of the type of results *Lawyers for Justice, PC* has achieved on behalf of its clients:

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

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

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

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

21 e) LFJ, in association with co-counsel therein, represented the plaintiff in a
22 wage-and-hour class and PAGA representative action against a bank, involving allegations of
23 misclassification of the “Assistant Branch Manager” position. On August 27, 2013, the court
24 granted final approval of the class and PAGA representative action settlement. The Kern County
25 Superior Court Case Number is S-1500-CV-273194-LHB.

26 f) LFJ, in association with co-counsel therein, represented the plaintiff in a
27 wage-and-hour class and PAGA representative action against a national wholesale distributor
28 of plumbing and builder supplies, involving allegations of misclassification of multiple salaried

1 “manager” positions. On May 22, 2014, the court granted final approval of the class and PAGA
2 representative action settlement. The Sacramento County Superior Court Case Number is 34-
3 2012-00136285.

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

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

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

20 j) LFJ, in association with co-counsel therein, represented the plaintiffs in a
21 wage-and-hour class and PAGA representative action against a national retailer of upscale
22 hardware and home furnishings, on behalf of non-exempt employees. On April 28, 2016, the
23 court granted final approval of the class and PAGA representative action settlement. The Los
24 Angeles County Superior Court Case Numbers are BC516795 and JCCP4794, and the Judicial
25 Council Coordination Proceeding Number is 4794.

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

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

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

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

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

22 p) LFJ, on behalf of the plaintiff and respondent in a PAGA representative
23 action, successfully opposed in the trial court, and briefed and argued an appeal with respect to
24 the employer’s motion to compel arbitration, which resulted in a published opinion by the
25 California Court of Appeal in favor of employees. *Roberto Betancourt v. Prudential Overall*
26 *Supply* (Cal. App. 4th Dist., Mar. 7, 2017) 9 Cal.App.5th 439, review denied, cert. denied (U.S.
27 Supreme Court Docket No. 17-254). The Riverside County Superior Court Case Numbers are
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1 RIC1503952 and RICJCCP5046, and the Judicial Council Coordination Proceeding Number is
2 5046.

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

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

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

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

23 u) LFJ represented the plaintiff in a wage-and-hour class and PAGA
24 representative action against a food company on behalf of non-exempt employees. On June 30,
25 2017, the court granted final approval of the class and PAGA representative action settlement.
26 The Sacramento County Superior Court Case Number is 34-2015-00175871.

27 v) LFJ represented the plaintiffs in a wage-and-hour class and PAGA
28 representative action against a chocolate company on behalf of non-exempt employees. On July

1 19, 2017, the court granted final approval of the class and PAGA representative action
2 settlement. The Alameda County Superior Court Case Number is RG15764300.

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

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

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

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

23 aa) LFJ, in association with co-counsel therein, represented the plaintiffs in a
24 wage-and-hour class and PAGA representative action against a global provider of flexible office
25 space solutions. On February 15, 2018, the court entered an order granting final approval of the
26 class and PAGA representative action settlement. The Los Angeles County Superior Court Case
27 Number is BC498401.

28 bb) LFJ, in association with co-counsel therein, represents the plaintiff in a

1 wage-and-hour class action against a container manufacturer, on behalf of non-exempt
2 employees. On October 15, 2018, the court granted the plaintiff's motion for class certification.
3 The Tulare County Superior Court Case Number is VCU264528.

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

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

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

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

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

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

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

15 jj) LFJ, in association with co-counsel therein, represents the plaintiff in a
16 wage-and-hour class and PAGA representative action against a large national drug testing
17 laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the
18 plaintiff's motion for class certification and certified a class. The San Diego County Superior
19 Court Case Number is 37-2018-00019611-CU-OE-CTL.

20 kk) LFJ, in association with co-counsel therein, represents the plaintiffs in a
21 wage-and-hour class and PAGA representative action against a national retailer of sportswear,
22 footwear, and camping equipment on behalf of non-exempt employees. On March 16, 2020,
23 the court granted in part the plaintiff's motion for class certification and certified a class. The
24 Riverside County Superior Court Case Numbers are RIC1507504 and RICJCCP4930, and the
25 Judicial Council Coordination Proceeding Number is 4930.

26 ll) LFJ, in association with co-counsel therein, represents the plaintiffs in a
27 wage-and-hour class action against manufacturer and supplier of power products and services
28 on behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs'

1 motion for class certification and certified a class. The San Diego County Superior Court Case
2 Number is 37-2015-00025968-CU-OE-CTL.

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

7 **LITIGATION COSTS AND EXPENSES INCURRED BY CLASS COUNSEL**

8 19. To date, Class Counsel has borne all the risks and costs of litigation and will not
9 receive any compensation until recovery is obtained in this matter. Lawyers *for* Justice, PC has
10 incurred **\$5,626.55** in litigation costs and expenses as reflected in "**EXHIBIT B**" attached
11 hereto. These expenses were reasonable and necessary in the prosecution of the cases and to
12 obtain the Settlement.

13 **ENHANCEMENT PAYMENT TO PLAINTIFF**

14 20. In recognition of his efforts and work serving as the Class Representative, the
15 Settlement provides for Enhancement Payment in the amount of \$12,500.00 to Plaintiff Shaun
16 Gonzales to compensate Plaintiff for the time and effort that he expended in the cases. The
17 requested Enhancement Payment is fair and appropriate. Plaintiff spent a substantial amount of
18 time and effort in producing relevant documents and information and provided the facts and
19 evidence necessary to attempt to prove the allegations. Plaintiff was available whenever Class
20 Counsel needed him and actively tried to obtain information that would benefit the pursuit of
21 the class and PAGA claims. Plaintiff spent numerous hours speaking with Class Counsel about
22 his claims, describing his work experience with Defendant, and gathering and reviewing
23 documents. Accordingly, it is appropriate for Plaintiff Shaun Gonzales to receive \$12,500.00
24 as reasonable Enhancement Payment for his services in this matter, in addition to his Individual
25 Settlement Payment and Individual PAGA Payment.

26 21. I submit that the Settlement is fair, reasonable, and adequate. In addition, the
27 Settlement is in the best interests of Plaintiff, Class Members, PAGA Group Members, and the
28 State of California.

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

3 Executed this 6th day of September 2022, at Glendale, California.
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6 /s/ Edwin Aiwazian

7 Edwin Aiwazian
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EXHIBIT A

GONZALES V. CHAMPION FIRE SYSTEMS, INC.
(SAN BERNARDINO COUNTY SUPERIOR COURT CASE NO. CIVSB2028336) (“CLASS ACTION”)
GONZALES V. CHAMPION FIRE SYSTEMS, INC.
(SAN BERNARDINO COUNTY SUPERIOR COURT CASE NO. CIVSB2105666) (“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, and Manageability	9.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Shaun Gonzales’s (“Plaintiff”) Claims and the Merits of the Claims of the Putative Class Members and of the State of California with Respect to Aggrieved Employees	8.20
Pre-Lawsuit Investigation of Potential Damages and Penalties Exposure of Defendant Champion Fire Systems, Inc. (“Defendant”) with Respect to Plaintiff, Putative Class Members, and Aggrieved Employees	8.60
Pre-Lawsuit Legal Research and Analysis of Latest Decisions Regarding Off-the-Clock, Meal and Rest Break, Wage Order, Exemption, Representative Private Attorney General Act (“PAGA”) and Class Certification Decisions in California, Including all New and Relevant DLSE Materials	7.50
Investigation of Defendant, Defendant’s Business Relationships, and the Industry in which Defendant Operates	2.70
Investigation of Defendant’s Organizational and Corporate Structure, and Executive Reporting Structure as They Relate to the Employment and Management of the Putative Class Members	2.90

Investigation of Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity	2.50
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	3.80
Research and Investigation Re: Location(s), Department(s), and/or Division(s) Owned, Managed, Serviced, and/or Operated by Defendant in California During the Class Period, Including Differences Between Them to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	4.60
Comparative Analysis and Cross-Checking of All Available Job Postings and/or Job 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	2.50
Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Locations at Which Putative Class Members Worked Throughout California	5.10
Research and Investigation Re: Defendant's Written and Un-Written Policies, Practices, and Procedures Relating to Customer Contact and Relations, Task Guide/Position Guides, Bonuses/Incentive/Shift Differential Pay, Rounding, Timekeeping, Timesheets, Scheduling, Work Orders, Project Files, Daily Log, Meal/Rest Breaks, Overtime Compensation, Required Seminars/Training, Uniforms, PPE, Personal Cell Phone Use, Personal Vehicle Use, Tools and Equipment, Reimbursement of Business-Related Expenses, and Alternative Dispute Resolution/Arbitration Agreements	17.80
Research and Investigation Re: Software Programs and Other Technology That Defendant Uses to Conduct Its Everyday Business, Including GSP, Timekeeping, Inventory, Security, Document Management, and CRM/Project Management 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	3.50

Research and Analysis of Potential Defenses Defendant May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, Compliant Policies, and Arbitration Agreements	7.80
Research and Investigation Re: Post- <i>Duran</i> vs. <i>U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose	5.60
Research and Analysis of Defendant's Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues	2.70
Prepare Discovery Strategy and Plan of Action, Including Topics of Inquiry Important to Certification, Liability, and Damages/Civil Penalties	5.20
Meet and Communicate with Plaintiff Shaun Gonzales Throughout the Pendency of the Case	68.50
Pleadings and Court Filings	
Research and Draft Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on December 28, 2020) (Class Action)	7.50
Review Court's Certificate of Assignment (filed on December 28, 2020) (Class Action)	0.10
Review Court's Initial Case Management Conference Order (filed on January 13, 2021) (Class Action)	0.30
Research and 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 Claims Involved (filed on February 22, 2021) (PAGA Action)	6.90
Review Court's Certificate of Assignment (filed on February 22, 2021) (PAGA Action)	0.10
Review Court's Notice of Continuance Re: Case Management Conference (filed on February 24, 2021) (Class Action)	0.10

Review Defendant's Notice of Appearance (served on March 24, 2021) (Class Action)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Initial Status Conference Report (submitted on March 24, 2021) (Class Action)	1.30
Review Defendant's Notice of Deposit of Jury Fees (served on March 25, 2021) (Class Action)	0.10
Review Court's Initial Case Management Conference Order (filed on April 12, 2021) (PAGA Action)	0.30
Research and Draft Plaintiff's First Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on May 3, 2021) (Class Action)	5.40
Draft Plaintiff's Notice of Posting Jury Fees (filed on May 20, 2021) (Class Action)	0.50
Draft Plaintiff's Request for Dismissal (filed on June 11, 2021) (PAGA Action)	0.40
Draft Plaintiff's Notice of Posting Jury Fees (filed on August 6, 2021) (Class Action)	0.40
Meet and Confer with Defendant's Counsel, and Draft Joint Initial Status Conference Report (submitted on September 17, 2021) (Class Action)	1.10
Meet and Confer with Defendant's Counsel, and Draft Joint Notice of Settlement and Complex Case Management Conference Statement (submitted on March 25, 2022) (Class Action)	0.80
Appearances	
Prepare for and Telephonically Attend Initial Status Conference (April 9, 2021)	0.90
Prepare for and Telephonically Attend Case Management Conference (September 29, 2021)	1.10
Prepare for and Telephonically Attend Case Management Conference (March 29, 2022)	1.30

Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (June 2, 2022)	2.50
Prepare for and Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Award (September 29, 2022) (Anticipated)	1.50
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Shaun Gonzales (served on September 28, 2020)	1.90
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Shaun Gonzales (served on October 10, 2020)	1.50
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Shaun Gonzales (served on October 28, 2020)	4.60
Review and Analyze Documents Produced by Defendant (served on November 26, 2020)	3.50
Letters and Correspondence	
Research and Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Shaun Gonzales for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on December 16, 2020)	4.10
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	24.50
Settlement	
Obtaining Data from Defendant, Researching Settlement-Related Issues and Merits of Claims, Compiling Supporting Materials, and Performing Violation, Damages, and Penalties Analysis and Calculations	16.50
Negotiate, Draft, Review, and/or Revise Class Action and PAGA Settlement Agreement (executed on March 30, 2022) and Exhibits	14.50

Law and Motion	
Research and Draft Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action Settlement, Declaration of Annabel Blanchard in Support Thereof, Declaration of Shaun Gonzales in Support Thereof, and [Proposed] Order Thereon (filed on May 11, 2022)	16.20
Review Court's Order Granting Preliminary Approval of Class Action Settlement (entered on June 2, 2022)	0.60
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Research and Draft Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Award, Declaration of Edwin Aiwasian in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on September 6, 2022)	18.30
Total Hours:	307.90

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Gonzales v. Champion Fire Systems, Inc.
San Bernardino CIVSB2028336

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
9/28/2020	U.S. Postmaster	Postage	6.95
10/6/2020	U.S. Postmaster	Postage	6.95
12/28/2020	Legal Document Server, Inc.	Attorney Service	200.23
12/28/2020	San Bernardino Superior Court	Court Filing Fee	435.00
12/28/2020	San Bernardino Superior Court	Complex Filing Fee	1,000.00
2/5/2021	Legal Document Server, Inc.	Attorney Service	110.00
2/26/2021	Legal Document Server, Inc.	Attorney Service	120.00
4/12/2021	CourtCall, LLC	Attorney Service	94.00
5/5/2021	Legal Document Server, Inc.	Attorney Service	150.00
5/20/2021	Legal Document Server, Inc.	Attorney Service	100.25
5/20/2021	San Bernardino Superior Court	Jury Fee	150.00
9/17/2021	Legal Document Server, Inc.	Attorney Service	130.00
9/30/2021	CourtCall, LLC	Attorney Service	188.00
3/24/2022	Legal Document Server, Inc.	Attorney Service	145.00
3/30/2022	CourtCall, LLC	Attorney Service	94.00
5/10/2022	Legal Document Server, Inc.	Attorney Service	227.08
5/10/2022	San Bernardino Superior Court	Court Filing Fee	90.00
6/3/2022	CourtCall, LLC	Attorney Service	94.00
6/7/2022	San Bernardino Superior Court	Document Download Fee	7.50
6/9/2022	Legal Document Server, Inc.	Attorney Service	145.00
Total:			3,493.96

LAWYERS for JUSTICE PC CASE COST DETAIL
Gonzales v. Champion Fire Systems, Inc. (PAGA)
San Bernardino

CIVSB2105666

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
2/22/2021	Legal Document Server, Inc.	Attorney Service	200.23
2/22/2021	San Bernardino Superior Court	Court Filing Fee	435.00
2/22/2021	San Bernardino Superior Court	Complex Filing Fee	1,000.00
4/22/2021	Legal Document Server, Inc.	Attorney Service	110.00
5/13/2021	Legal Document Server, Inc.	Attorney Service	130.00
6/11/2021	General Logsitcs Systems US, Inc.	Courier Service	33.36
6/14/2021	Legal Document Server, Inc.	Attorney Service	130.00
6/23/2021	CourtCall, Inc.	Attorney Service	94.00
Total:			<u>2,132.59</u>