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Attorneys for Plaintiffs
JED ASIS, JUSTIN WATSON, AND KEVIN JOHNSON

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN

JED ASIS and JUSTIN WATSON

Plaintiff,

vs.

FOOT LOCKER RETAIL, INC., and DOES
1 through 50, inclusive,

Defendants.

Case No. STK-CV-UOE-2023-0000627

(Assigned to the Hon. George J. Abdallah, Dept.
10A)

**DECLARATION OF EMIL DAVTYAN IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: October 3, 4, 5, 10, or 11, 2023

Time: 9:00 a.m.

Dept.: 10A

Complaint Filed: January 26, 2023

FAC Filed: July 25, 2023

Trial Date: Not Set

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I, Emil Davtyan, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and am a member in good standing with the State Bar of California. I am co-counsel in the class and PAGA action with named Plaintiffs JED ASIS and JUSTIN WATSON and have personal knowledge of the facts thereto. If called as a witness, I could and would competently testify herein.

2. I graduated from the Woodbury University in 2008 with a Bachelor's degree in Business Finance with highest honors, as the top student in my class. I graduated from Southwestern Law School in 2014 in the top 10% of my class. I am currently the managing attorney at the law firm of D.Law, Inc. (formerly known as Davtyan Law Firm, Inc.) in Glendale, California.

3. My legal experience since becoming a member of the California State Bar has been exclusively devoted to the practice of California and federal employment law. My office almost exclusively represents plaintiffs in wage and hour actions with the same or similar causes of actions brought forth in the matter pending before this Court.

4. I have been actively participating in the prosecution and successful settlement of multiple wage and hour class and PAGA actions, helping to recover wages and penalties on behalf of tens of thousands of class members.

5. My office has been appointed as Class/PAGA Counsel in numerous class/PAGA actions, including *De La Rosa v. The Coca Cola Company et al.* (Superior Court of California in Napa, 17CV000787), *Harvey v. Bed Bath & Beyond of California Limited Liability Company* (Superior Court of California in Alameda, RG17885153), *Paredes v. Bottling Group LLC et. al.* (Superior Court of California in Kern), *Ramirez v. Harris Ranch Beef Company* (Superior Court of California in Fresno, 16CECG04103), *Gates v. Gate Gourmet, Inc. et. al.* (Southern District of California, 16-cv-01084-L-AGS), *Hargrave v. Antelope Valley Hospital* (Superior Court of California in Los Angeles, BC663252), *Ramirez v. Milton Roy et. al.* (Superior Court of California in Los Angeles, BC 632 276), *Hawkins v. AvalonBay Communities* (Superior Court

1 of California in Santa Clara, 17CV316492), Jones Tharpe et al. v. Sprint Corporation et al.
2 (Superior Court of California in Los Angeles, BC644645), Ortega et al. v. Nestle Waters North
3 America, Inc. et al. (Superior Court of California in Los Angeles, BC623610), Schultz v. Jimbo's
4 Natural Family, Inc. (Superior Court of California in San Diego, 37-2017-00022348-CUE-OE-
5 CTL), Ambrose v. Victor Valley Global et al. (Superior Court of California in San Bernardino,
6 CIVDS1709289), Puerta-Gildardo v. Real Time Staffing Services LLC et. al. (Superior Court of
7 California in Los Angeles, BC565445), Vargo v. Pregis Innovative Packaging LLC (Superior
8 Court of California in Tulare, 270836), Conlin v. Aegis Senior Communities LLC (Northern
9 District of California, 17-cv-05534-LHK), Galarza v. Kloeckner Metals Corporation (Central
10 District of California, 2:17-cv-04910-FMO), Estes v. L3 Technologies, Inc. et al. (Southern
11 District of California, 3:17-cv-02356-H-JMA), Rowser v. Trunk Club, Inc. (Central District of
12 California, 2:17-cv-05064-DSF-RAO), Leach v. The Claremont Colleges, Inc. (Superior Court
13 of California in Los Angeles, BC686451), Vaesau v. PCT Enterprises, Inc. dba Precision Cabinets
14 (Superior Court of California, County of Contra Costa MSC18-02404), Terry v. TF Louderback,
15 Inc. dba Bay Area Beverage Company (Superior Court of the State of California, County of
16 Contra Costa, MSC18-00859), Roach v. Westcare California, Inc. (Superior Court of California
17 in Kern County, BCV-17-102367-SDS), Patton v. Church & Dwight Co., Inc. (Central District
18 of California, EDCV 18-903-MWF (KKx)), Juarez v. ISL Employees, Inc. (Superior Court of
19 California in Madera, MCV074787), Ferraro v. USC Verdugo Hill s Hospital, et al. (Superior
20 Court of California in Los Angeles, 18STCV09463), Ford v. Account Control Technology, Inc.,
21 et al. (Superior Court of California in Los Angeles, 19STCV09369), Ornelas v. iStorage, et al.
22 (Superior Court of California in San Francisco, CGC-18-571421), Martinez v. Ronpak, Inc.
23 (Superior Court of California in Riverside, RIC1901307), Barrera et al. v. Exclusive Wireless,
24 Inc. (Superior Court of California in Stanislaus, 9000687), Barajas v. Mancha Development
25 Company LLC (Superior Court of California in Orange County, 30-2018-00974707-CU-OE-
26 CXC), Prado v. IMAX Corporation dba IMAC Worldwide Home (Superior Court of California
27 in San Bernardino, CIVDS1820265), Rodriguez v. ND Industries, Inc. (Superior Court of
28

1 California in Los Angeles, 19STCV38096), Singletary v. Motel 6 Operating LP, et al. (Southern
2 District of California, 3:20-cv-0270-LAB-AHG), Quizon v. CF Watsonville East, LLC, et al.
3 (Superior Court of California in Santa Cruz, 20CV01868), Stephenson v. Bakersfield Dodge, Inc.
4 (Superior Court of California in Kern, BCV-20-102693), Bacerra v. Hugo Boss Retail, Inc.
5 (Superior Court of California in San Diego, 37-2021-00002933-CU-OE-CTL), Walker v. Ariat
6 International, Inc. (Superior Court of California in Alameda, HG19026439), Orr v. Petvet Care
7 Centers (California) Inc. (Superior Court of California in Santa Clara, 19CV354063), Jimenez v.
8 OEC Distribution Services, Inc. (Superior Court of California in San Bernardino,
9 CIVDS1915743), Viridi v. Absolute Security International (Superior Court of California in San
10 Bernardino, CIVDS 1909589), Raj v. First Transit, Inc (Superior Court of California in
11 Sacramento, 34-2021-00295895-CU-OE-GDS), Marchbanks v. Torrid Administration, Inc.
12 (Superior Court of California in San Diego, 37-2020-00008179-CU-OE-NC), among others.

13 6. In addition, my office has been counsel of record in a number of pending wage
14 and hour class/PAGA action lawsuits, including Moriana v. Viking River Cruises (Superior Court
15 of California in Los Angeles, BC 687325), Trevino v. Golden State FC LLC et al. (Eastern District
16 of California, 1:18-cv-00120-DAD (BAM)), Garcia v. Statewide Traffic Safety and Signs, Inc.
17 (Superior Court of California in Orange County, 30-2018-01011814-CU-OE-CXC), Arellano v.
18 Lopez & Arteaga, Inc. et al. (Superior Court of California in Santa Clara, 17CV313029),
19 Cummings v. Eureka Restaurant Group LLC (Superior Court of California in Santa Barbara,
20 18CV000849), Cruz v. Talentscale LLC (Superior Court of California in Riverside County,
21 RIC1821842), Tolbert v. Northbay Healthcare Corporation (Superior Court of California in
22 Solano County, FCS051565), Cruz v. Dignity Health dba Bruceville Terrace (Superior Court of
23 California in Sacramento County, 34-2018-00245506), Limon v. Circle K Stores, Inc. (Eastern
24 District of California, 18-cv-01689-LJO-SKO), Parra, et al. vs. Trinity Services Group, Inc.
25 (Superior Court of California in Kern, JCCP5155), Hernandez v. Clark Pacific (Superior Court
26 of California in Yolo, CV-2019-644), Gomez v. The Regents of the University of California et
27 al. (Superior Court of California in San Diego, 37-2019-00030873-CU-OE-CTL), Larson v. Mark
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Twain Medical Center (Superior Court of California in Calaveras, 19CV44062) Girard v. Office Depot Inc., (Superior Court of California in Santa Clara, 19CV351584), Johnson v. Bakersfield Memorial Hospital, et al. (Superior Court of California in Kern BCV-19-102016), Higginbotham et al. v. South East Employee Leasing Services (Eastern District of California, 2:20-CV-00575-KJM-DB) Bailon v. LAFC Sports LLC (Superior Court of California in Los Angeles, 19STCV29518), Hutchinson v. G6 Hospitality LLC dba Motel 6 (Southern District of California, 3:20-cv-00270-LAB-AHG), Powell v. St. Joseph Medical Center (Superior Court of California in San Joaquin, STK-CV-UOE-2019-0011155), Jones v. Summit Therapeutics Services Inc. (Superior Court of California in Santa Clara, 19CV353991), Barksdale v. UC Davis Medical Center (Superior Court of California in Sacramento, 00269829), Springstead v. Recovery Innovations Inc., et al. (Superior Court of California in San Diego, 37-2020-00001555-CU-OE-CTL), Oceana v. Tri-City Medical Center (Superior Court of California in San Diego, 37-2019-65323-CU-OE-CTL), Maldonado v. Sit 'N Sleep, Inc. (Superior Court of California in Los Angeles, 19STCV41237), Taylor v. Populus Group, LLC (Southern District of California, 3:20-cv-00473-BAS-BLM), Lim v. Seafood City, et al. (Superior Court of California in Alameda, RG20066777), Harisis v. Starbucks Corporation (Superior Court of California in Los Angeles, 20STCV11290), Battle v. Safran Cabin (Superior Court of California in Orange, 30-2020-01140831-CU-OE-CXC), Smith v. Noia Residential Services, Inc. (Superior Court of California in Fresno, 20CECG01820), Diaz v. Recon 360, LLC (Superior Court of California in Santa Clara, 20CV370603), Rivas v. 8x8, Inc. (Superior Court of California in Santa Clara, 20cv374192), Compton v. Broadbase, Inc. (Superior Court of California in Sacramento, 34-2020-00285501-CU-OE-GDS), Marden v. CVS Pharmacy, Inc., et al. (Superior Court of California in Placer, S-CV-0045902), Godwin v. St. Mary Medical Center Foundation, et al. (Superior Court of California in Los Angeles, 20STCV45671), Tabera v. St. Elizabeth Community Hospital, et al. (Superior Court of California in San Francisco, CGC-21-589691), Morgan v. Candid Care Co. (Superior Court of California in San Francisco, 3:21-cv-01748-JSC), Richardson v. Pegasus Aviation Services, LLC (Superior Court of California in San Mateo, 21-CIV-00292), Newsome

1 v. Graybar Electric Company, Inc. (Northern District of California, 4:21cv1000), Terronez v. ST.
2 JOHN’S Regional Medical Center, et. al. (Superior Court of California in Ventura, 56-2021-
3 00551166-CU-OE-VTA), Dale v. PCC Structurals Inc., et. al. (Superior Court of California in
4 Alameda, RG21102183), Horowitz v. Sky West Airlines (Northern District of California, 3:21-
5 cv-04674-MMC), Castillo v. Harmony Foods, LLC et. al. (Superior Court of California in Santa
6 Cruz, 21CV00961), Wightman v. Cobham Advanced Electronic Solutions, Inc. (Superior Court
7 of California in San Diego, 37-2021-00038124-CU-OE-CTL), Martin v. Air International US Inc.
8 (Superior Court of California in Alameda, RG21098764), Ziperman v. Parkway Motorcars
9 Valencia Inc., et. al. (Superior Court of California in Los Angeles, 21STCV31959), Amiri v.
10 Grewal Foods OC Sub, Inc. dba Subway (Superior Court of California in Los Angeles,
11 21STCV20426), Valenzuela v. Network Medical Management, Inc. (Superior Court of California
12 in Los Angeles, 21STCV39548), Miles v. Chico Produce Inc. (Superior Court of California in
13 Sacramento, 00301881), Hoelzel v. Starbucks (Superior Court of California in Los Angeles,
14 21STCV37838), Randle- Tatum v. Hopdoddy Burger Bar, Inc. (Superior Court of California in
15 Los Angeles, 21STCV21015), Magallan v. SW Ingredients Holdings, LLC et. al. (Superior Court
16 of California in Fresno, 21CECG01943), Turner v. Smithfield Distribution, LLC (Superior Court
17 of California in Los Angeles, 21STCV23414), Martin v. American Custom Private Security Inc.
18 (Superior Court of California in San Joaquin, STK-CV-UOE-2021-8213), Brito v. Brothers
19 International Desserts Inc. et. al. (Superior Court of California in Orange, 30-2022-01242515-
20 CU-OE-CXC), Chavis v. Grocery Outlet, Inc. (Superior Court of California in Sacramento, 34-
21 2021-00309003-CU-OE-GDS), Randall v. YRC Inc., et. al. (Superior Court of California in San
22 Bernardino, CIVSB2205968), Carroll v. LA Family Housing Corporation (Superior Court of
23 California in Los Angeles, 20STCV04474), Wilkerson v. Intuit, Inc. (Superior Court of California
24 in San Diego, 37-2020-00030371-CU-OE-CTL), Teer v. Sabert Corporation (Superior Court of
25 California in Riverside, RIC1905847), Felix v. Wm. Bolthouse Farms, Inc. (Eastern District of
26 California, 1:19-CV-00312-AWI-JLT), Soto v. O’Reilly Auto Enterprises, LLC (Central District
27 of California in Riverside, 5:20-cv-00214-JGB-KK), Kane v. Smithfield Direct, LLC (Central
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District of California, 21-CV-04832 PA (JCx)), North v. Jones Lang Lasalle Americas, Inc. (Superior Court of California in San Diego, 37-2019-00028271-CU-OE-CTL), among others.

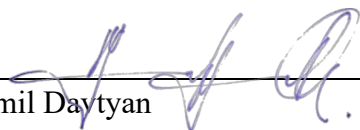
7. Although I am experienced in class and PAGA actions, I associated in as co-counsel on this case with DIVERSITY LAW GROUP, P.C. and DAVDI LEE LAW, P.C., who has a great deal of experience in wage and hour class and PAGA actions, and together our firms have and will continue to aggressively and competently represent the named plaintiffs and putative class members in this case.

8. In light of the foregoing, I am qualified to act as co-Class Counsel in this matter and fully support the proposed Settlement.

9. I do not have any conflicts of interest with the designated cy pres recipient, Legal Aid at Work.

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

Executed on August 31, 2023 in Glendale, California


Emil Davtyan