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Attorneys for Plaintiff
BERNIE GERMANI

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

BERNIE GERMANI, as an aggrieved employee
pursuant to the Private Attorneys General Act
("PAGA"),

PLAINTIFF,

vs.

HORIZON AIR INDUSTRIES, INC., a
Washington Corporation; Alaska Airlines, Inc., an
Alaska Corporation; and DOES 1 through 20,

DEFENDANTS.

Case No.: 21STCV11163

PAGA ENFORCEMENT ACTION

**DECLARATION OF CYNTHIA S.
SANDOVAL IN SUPPORT OF MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

Date: April 26, 2022

Time: 8:30 a.m.

Dept: 78

[Reservation No. 966662442038]

*[Filed concurrently with Notice of Motion and
Motion; Memorandum of Points and Authorities;
Declaration of Matthew S. D'Abusco; Declaration
of Bernie Germani; Declaration of Carlos
Canizales and [Proposed] Judgment]*

Complaint Filed: March 23, 2021

Trial Date: None

DECLARATION OF CYNTHIA S. SANDOVAL

I, Cynthia S. Sandoval, hereby declare as follows:

1. My name is Cynthia S. Sandoval. I am an attorney at law licensed to practice in all of the Courts in the State of California as well as the United States District Court in the Central District of California. I am a Partner with the law firm Ares Law Group, P.C. ("ALG"), counsel of record for Plaintiffs Bernie Germani and Carlos Canizales ("Plaintiffs") in the above-captioned matter. I am one of the ALG attorneys primarily responsible for the handling of this case and make this declaration in support of Plaintiffs' Motion for Approval of PAGA Settlement. I am personally familiar with ALG's files and records regarding this litigation. All of the facts set forth below are of my own personal knowledge and, if called as a witness, I could and would competently testify as to each of them.

2. In June 1993, I graduated from the University of California at Los Angeles with a Bachelor of Arts Degree in Business Economics. In May 1997, I graduated from Golden Gate University School of Law with a Doctor of Juris Prudence.

3. I passed the California bar examination in November 1997 and was admitted to practice law in all courts in the State of California. I am also admitted to the United States District Court for the Central District of California.

4. Beginning in January 1998, after being admitted to practice, I became an associate attorney with the Law Offices of Lucius Cooper in San Ramon, California. The Law Offices of Lucius Cooper was a plaintiff-side employment law firm with five (5) attorneys which focused on employment matters including, but not limited to, wage and hour, discrimination, harassment, and wrongful termination in both State and Federal Courts.

5. In December 1998, I became an associate attorney with the firm Walsworth, Franklin, Bevins & McCall ("WFBM") in San Francisco, California. Throughout my tenure at WFBM, I was a member of the firm's employment litigation defense practice group. Employment related litigation was the focus of my practice and I handled a wide variety of cases involving wage and hour, discrimination, harassment, retaliation, and wrongful termination claims in both State and Federal Court. In this capacity I handled all aspects of litigation including pleadings, discovery, dispositive motions and settlement.

6. In February 2000, I left WFBM and I joined Jackson Lewis P.C. ("Jackson Lewis") as an

1 associate attorney in its San Francisco, California office. Jackson Lewis is nationally recognized as one
2 of the leading labor and employment law firms in the United States. While at Jackson Lewis, I represented
3 local, national, and international clients, including Fortune 100 and 500 companies, in all types of
4 employment matters including cases involving discrimination, harassment, retaliation, wrongful
5 termination, wage and hour issues (such as unpaid minimum wages, unpaid overtime, meal and rest
6 periods, commissions, travel time, bonuses and expense reimbursement), leaves of absence, and
7 employment contracts.

8 7. In August 2008, I transferred to Jackson Lewis' Orange County, California office, where I
9 became Of Counsel with the firm. In January 2011, I became a Shareholder of the firm. As both Of
10 Counsel and Shareholder, I was lead counsel for all matters on which I worked including litigation, advice
11 and counsel and training. In 2015 I became Co-Leader of the firm's Workplace Training Practice Group.
12 I also regularly spoke on behalf of the firm at national conferences on topics including wage and hour
13 issues, class action litigation, discrimination, and disability and leave management.

14 8. During my tenure with Jackson Lewis, I independently managed all facets of litigation in
15 both State and Federal Courts in single plaintiff and class actions cases. I represented employers as lead
16 counsel at trial in California Superior Court, in arbitration and before numerous administrative agencies
17 including the U.S. Department of Labor, California Department of Labor Standards Enforcement,
18 California Department of Fair Employment and Housing and the U.S. Equal Employment Opportunity
19 Commission. With respect to those cases in which I was one of the primary responsible attorneys, I was
20 involved in all aspects of handling litigation. This included initial case review and investigation,
21 determining defense strategy, implementing defense strategy in litigation, leading teams of attorneys to
22 execute case strategy and prepare for class certification, discovery, drafting and arguing motions and
23 briefs, taking and defending depositions, handling mediations, and facilitating approval of class
24 settlements.

25 9. While with Jackson Lewis, I was actively and substantially involved in the handling of
26 class action employment litigation. Between 2003 and 2011, I worked on approximately seven (7)
27 different class actions. From 2011 through 2016, I was one of the lead Shareholders on approximately
28 five (5) different class actions. This included working on all aspects and phases of litigation ranging from

pleading disputes, to class discovery, to the preparation and gathering of evidence to oppose certification, to contentious law and motion disputes, to mediation and settlement procedures.

10. In August 2016 I left Jackson Lewis to take a position with Towne Park, a nationwide service provider in the hospitality and healthcare industries. I served as Towne Park's Vice President and Senior Vice President and Associate General Counsel of Employment Law. While with Towne Park, I oversaw the litigation of a Class Action and Private Attorneys' General Act Complaint in California involving thousands of employees. I spearheaded the negotiations of a settlement and, with outside counsel, shepherded the matter through the approval process. One of my primary responsibilities with Towne Park was to revamp its wage and hour practices and policies, focusing primarily on California.

11. In September 2017, I left Towne Park and became a Shareholder with Ares Law Group, P.C. ("ALG"), which exclusively represents individuals in employment related disputes, including class and California Private Attorneys' General Act actions. During my tenure at ALG, I have handled more than seven (7) employment class actions and representative claims under the California Private Attorneys' General Act.

12. With respect to those cases in which I was one of the primary responsible attorneys, I was involved in all aspects of handling litigation. This included initial case review and investigation, determining strategy, implementing strategy in litigation, leading teams of attorneys to execute case strategy and prepare for class certification, discovery, drafting and arguing motions and briefs, taking and defending depositions, handling mediations, and facilitating approval of class settlement.

13. Since I was admitted to practice in December 1997, I have focused my entire career on employment law. I have either primarily handled, or significantly contributed to, more than nineteen (19) different employment class actions and California Private Attorneys' General Act cases.

14. In my experience handling individual claims, employment class actions as well as California Private Attorneys' General Act cases, I have extensive experience analyzing time and payroll records and preparing corresponding data analysis for purposes of evaluating potential liability exposure. I have performed this work on behalf of employers, putative classes, and aggrieved employees.

15. Based upon my employment litigation experience representing both employers and employees over the past twenty-one (21) years, my current hourly rate is \$650.00. My rates were

1 previously approved by both the San Bernardino County Superior Court and the United States District
2 Court in the Central District of California.

3 16. Since the inception of this case, ALG commenced and continued to advance an extensive
4 and comprehensive investigation into the merits of the case. After its initial investigation into the merits
5 of Plaintiffs' individual claims, ALG sought additional records from Defendant and sent PAGA letters to
6 the LWDA. Since contact with Defendant was formally established, the parties have engaged in
7 consistent, detailed, and thorough discussions and evidentiary exchanges about the merits of this case.
8 This included, among other things, detailed communications about the merits of the case, the scope of
9 claims and aggrieved employees, as well as informal exchanges of information and documentation for
10 purposes of considering potential resolution.

11 17. Overall, ALG performed an extensive investigation into the claims at issue, which
12 included: (1) determining Plaintiffs' suitability as a private attorney general through legal research,
13 interviews, and analyses of their employment files and related records; (2) evaluating all of Plaintiffs'
14 potential predicate claims for PAGA civil penalties; (3) researching similar wage and hour actions as to
15 the claims brought, the nature of the positions, and the type of employer; (4) analyzing each of the
16 Defendant's employment policies and practices; (5) researching settlements in similar cases as well as
17 outstanding issues which could affect settlement approval; (6) analyzing Defendant's time and payroll
18 records to determine Defendant's potential liability for each claim for purposes of settlement; (7) engaging
19 in extensive settlement discussions necessary to resolve the case. The discussions, document and data
20 exchanges have allowed Plaintiffs' Counsel to fully assess the nature and magnitude of the PAGA claims
21 being settled, as well as the impediments to recovery, to allow for an independent assessment of the
22 reasonableness of the terms to which the Parties have agreed.

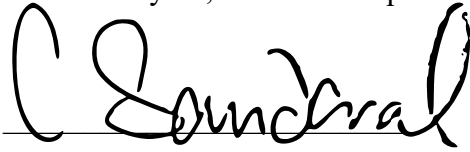
23 18. In taking this matter on, the time span of litigation and negotiation required to resolve this
24 case has prevented ALG from pursuing other work, particularly when faced with investigating the claims
25 in detail, preparing reasonable liability analyses, and actively participating in mediation. Additional work
26 was available that ALG had to forego to devote the time necessary to pursue this litigation.

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

3 On February 15, 2022 in Newport Beach, California.

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6 Cynthia S. Sandoval
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