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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

COURTNEY REESE, 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.

ASIAN BOX PALO ALTO, LLC., a
California limited liability company; ASIAN
BOX; an unknown business entity; and
DOES 1 through 100, inclusive,

Defendants.

Case No.: 19CV346589

Honorable Sunil R. Kulkarni
Department 1

CLASS ACTION

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

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees and Costs, and Incentive
Payment; Declaration of Class Representative
(Courtney Reese); Declaration of Settlement
Administrator (Jarrod Salinas); and [Proposed]
Final Approval Order and Judgment filed
concurrently herein]

Date: January 19, 2023

Time: 1:30 p.m.

Department: 1

Complaint Filed: April 18, 2019

FAC Filed: September 29, 2021

Trial Date: None Set

DECLARATION OF EDWIN AIWAZIAN

I, Edwin Aiwazian, 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 Courtney Reese (“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 August 15, 2022, in Department 1 of the above-entitled Court, the Honorable Sunil R. Kulkarni preliminarily approved the Joint Stipulation of Class Action and PAGA Settlement and Release and Amendment No. 1 to Joint Stipulation of Class Action and PAGA Settlement and Release (together, “Settlement,” “Agreement,” or “Settlement Agreement,”) entered into between Plaintiff and Defendant Asian Box Palo Alto, LLC (“Defendant”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Courtney Reese to represent the Class (“Class Representative”). The Court also preliminarily appointed and designated Lawyers *for* Justice, PC as counsel for 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 Phoenix Settlement Administrators (“Phoenix” 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 of Class Action Settlement, Attorneys’ Fees and Costs, and Incentive Payment (“Motion for Final Approval”), no Class Members have objected to the Settlement or the contemplated request for Attorneys’ Fees and Costs, Incentive Payment, Settlement Administration Costs, or allocation for the penalties under the Private Attorneys General Act of 2004, California Labor Code section 2698, et seq. (“PAGA”).

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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 April 18, 2019.

5. Before initiating the case, Lawyers *for* Justice, PC 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 case, namely, the current state of the law as it applied to certification, off-the-clock theory, meal and rest periods, wage-and-hour enforcement and penalties, Plaintiff's claims and allegations, and potential defenses. After conducting initial investigation, our firm determined that the claims of Plaintiff were well-suited for class-wide adjudication owing to what appeared to be a common course of conduct affecting a similarly situated group of current and former hourly-paid or 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. Class Counsel investigated the veracity, strength, and scope of the claims, and were preparing the matter for class certification and trial, prior to reaching the Settlement. The parties conducted significant informal discovery and investigation into the facts of the cases, and informally exchanged a large volume of information, documents, and data throughout the course of the litigation and in connection with mediation and settlement negotiations. Class Counsel also interviewed and obtained information from Plaintiff and other Class Members and reviewed and analyzed data and documents obtained from Plaintiff, Defendant, and other sources. The documents and data reviewed and analyzed by Class Counsel included and were not limited to: Plaintiff's employment records, a detailed sampling of Class Member time and pay data, multiple iterations of Defendant's handbook, company policy acknowledgements, job descriptions, Defendant's operations and employment practices, policies, and procedures (including but not limited to Arbitration of Disputes, Direct Deposit Authorization and Agreement, Sexual Harassment Policy, Meal Policy, and ServSafe California Food Handler

1 Assessment certificate), and extensive financial documents, among other information and
2 documents. Class Counsel developed damages and penalties valuation models in preparation for
3 mediation, and met and conferred with Defendant's counsel on numerous occasions, e.g., to
4 discuss issues relating to the pleadings, case management, and production of various documents
5 and data in the course of litigation and in connection with mediation and settlement negotiations.
6 Other work performed by Class Counsel included, and was not limited to, case strategy and
7 analysis; drafting, reviewing, and revising pleadings and mediation brief; preparing and
8 appearing for court proceedings; and preparing for and attending mediation and settlement
9 negotiations, among other tasks.

10 7. As outlined herein, the parties have conducted significant investigation and
11 informal discovery during the course of litigating the case. Class Counsel analyzed a large
12 volume of information, documents, and data obtained from Plaintiff, Defendant, and other
13 sources. These documents and data provided a critical understanding of the nature of the work
14 performed by the Class Members, as well as Defendant's operations and employment policies,
15 practices, and procedures, and were used in analyzing liability, damages, and penalties valuation
16 issues in connection with all phases of the litigation, and ultimately in connection with the
17 mediation and settlement negotiation process. Class Counsel also performed significant research
18 into the applicable law, which is constantly evolving as it relates to certification, off-the-clock
19 theory, meal and rest periods, arbitration agreements, PAGA claims and penalties, wage-and-
20 hour enforcement, Plaintiff's claims and damages, and Defendant's defenses.

21 8. After conducting significant investigation of the facts and law during the
22 prosecution of the case, counsel for the parties engaged in extensive settlement negotiations to
23 try to resolve the entire matter. These efforts included participating in a formal, full-day
24 mediation conducted by Jeffrey A. Ross, Esq., a well-regarded mediator experienced in
25 mediating complex labor and employment matters. During all settlement discussions, the parties
26 conducted their negotiations at arm's length in an adversarial position. Prior to and during
27 mediation, the parties exchanged information and data, and discussed all aspects of the case,
28 including the risks and delays of further litigation, the risks to the parties of proceeding with

1 class certification and trial, the law relating to off-the-clock theory, meal and rest periods,
2 representative PAGA claims, arbitration agreements, and wage-and-hour enforcement,
3 Defendant's financial condition, the evidence produced and analyzed, and the possibility of
4 appeals, among other things. Arriving at a settlement that was acceptable to the parties was not
5 easy. Defendant contended that individualized questions of fact predominate over any common
6 issues, and these issues would pose challenges to class certification and representative
7 adjudication. Defendant and its counsel felt very strongly about Defendant's ability to prevail on
8 the merits and to obtain a denial of class certification, while Plaintiff and Class Counsel believed
9 that class certification would be obtained and that they would prevail at trial. With the aid of the
10 mediator's evaluation, the parties agreed that the case was well-suited for settlement given the
11 legal issues relating to Plaintiff's principal claims, factual circumstances, as well as the costs and
12 risks to the parties that would attend further litigation. These risks of further litigation include,
13 and are not limited to, a determination that the claims are unsuitable for class treatment and/or
14 representative adjudication, class de-certification after certification of a class, allowing a jury to
15 decide the claims asserted in the case, and the real possibility of no monetary recovery after
16 years of litigation (especially in light of Defendant's financial circumstances).

17 9. As set forth more fully in the accompanying Motion for Final Approval, Class
18 Counsel seeks attorneys' fees in the amount of \$100,000.00, which is one-third (1/3) of the
19 Maximum Settlement Amount of \$300,000.00, as set forth in the Settlement Agreement and the
20 Class Notice. Pursuant to the contingency-fee agreement entered into by and between Plaintiff
21 and Class Counsel, Plaintiff has agreed to a contingency fee of at least one-third (1/3) of the
22 recovery. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took
23 in commencing the case; (2) the time, effort, and expense that Class Counsel dedicated to the
24 case; (3) the skill and determination that Class Counsel has shown; (4) the results that Class
25 Counsel has achieved throughout the litigation; (5) the value of the settlement that Class Counsel
26 has achieved in the case; and (6) the other cases that Class Counsel has turned down in order to
27 devote their time and efforts to this matter.

28 10. I am aware that the common and acceptable rate for contingency representation in

wage and hour class action litigation is normally 40% before trial, with the range being from 33.3% up to 50%.

11. While not necessarily required to be demonstrated because the percentage fee is proper for this settlement, Class Counsel has incurred many hours of work in connection with prosecuting the case such that the award of attorneys' fees is also justified under a simple lodestar analysis. Attorneys at Lawyers *for* Justice, PC have spent a total of **406.50 hours** performing tasks and obtaining recovery in the case. Attached hereto as "**EXHIBIT A**" is an Attorney Task and Time Chart that sets forth in detail the nature of the legal services provided by attorneys at Lawyers *for* Justice, PC and the time incurred in performing those services. These hours include work done by myself and several other attorneys at the firm. Also, separate from the hours referenced herein, Lawyers *for* Justice, PC had litigation support personnel actively engaged in assisting with the prosecution of this matter.

12. The work performed in this particular matter, the background of our firm, as well as the individual backgrounds, training, and experience of the attorneys who worked on this case, in litigating complex wage-and-hour actions, and in particular, employment class and representative actions, support a reasonable blended hourly rate of compensation at the rate of at least \$650 for work performed by Lawyers *for* Justice, PC. Lawyers *for* Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least \$650 per hour for legal services performed, by courts granting approval of wage and hour settlements in other cases: final approval of the class and representative action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court Case No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved an hourly rate of \$936.47; final approval of the class and representative action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved an hourly rate of \$919.57; final approval of the class action settlement in *Thereasa Carrozzella v. Basalite Concrete Products, LLC* (Sacramento County Superior Court Case No. 34-2017-00220214-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

1 action settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County
2 Superior Court Case No. RG16835813) was granted on June 11, 2019, and the award of
3 attorneys' fees involved an hourly rate of \$764.82; final approval of the class and representative
4 action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No.
5 SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved an
6 hourly rate of \$855.96; final approval of the class and representative action settlement in *Stanley*
7 *Bland, et al. v. Telecare Corporation* (Alameda County Superior Court Case No. RG16811450)
8 was granted on November 21, 2018, and the award of attorneys' fees involved an hourly rate of
9 \$831.38; final approval of the class and representative action settlement in *Maryjo Ungerbuhler*
10 *Anderson v. Boyett Petroleum* (Stanislaus County Superior Court Case No. 2020582) was
11 granted on May 15, 2018, and the award of attorney's fees involved an hourly rate of \$780.77;
12 and final approval of the class and representative action settlement in *Demetrius Camarillo v.*
13 *Blue Diamond Growers* (Sacramento County Superior Court Case No. 34-2015-00175871) was
14 granted on June 30, 2017, and the award of attorneys' fees involved an hourly rate of \$845.64.

15 ADEQUACY OF LAWYERS for JUSTICE, PC

16 EDUCATION

17 13. In May of 2004, I graduated from *Pepperdine University School of Law* with a
18 Juris Doctor degree. I have extensive formal training in dispute resolution and negotiation from
19 the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree
20 program. In addition, I have previously served as a *pro bono* mediator for the Los Angeles
21 County Superior Court. In October of 2000, I obtained a Litigation Paralegal Certificate from
22 the *UCLA Extension Program*. During the summer of 2000, I studied Legal Writing at *Harvard*
23 *University*. In April of 1999, I obtained a Bachelor of Arts degree in Communication with a
24 concentration in Natural Sciences from *Pepperdine University*.

25 JUDICIAL EXTERNSHIPS

26 14. From approximately September 2002 to approximately December 2002, I served
27 as a Judicial Extern to the Honorable Kim McLane Wardlaw of the *United States Court of*
28 *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, *Lawyers for Justice, PC* is the attorney of record in well over a dozen employment-related putative class actions in both state and federal courts in the State of California. *Lawyers for Justice, PC* 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, *Lawyers for Justice, PC* has 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* (“LFJ”) has achieved on behalf of its clients:

a) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-and-hour class action against a major property management company involving allegations of misclassification of various “manager” positions. On September 20, 2010, the court granted

1 final approval of the class action settlement. The Los Angeles County Superior Court Case
2 Number is BC400414.

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

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

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

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

23 f) LFJ, in association with co-counsel therein, represented the plaintiff in a
24 wage-and-hour class and PAGA representative action against a national wholesale distributor of
25 plumbing and builder supplies, involving allegations of misclassification of multiple salaried
26 “manager” positions. On May 22, 2014, the court granted final approval of the class and PAGA
27 representative action settlement. The Sacramento County Superior Court Case Number is 34-
28 2012-00136285.

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

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

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

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

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

27 l) LFJ, in association with co-counsel therein, represented the plaintiffs in a
28 wage-and-hour class action against a national retailer of apparel, accessories, and home products,

1 involving allegations of misclassification of the “Department Manager” position. On August 12,
2 2016, the court granted the plaintiffs’ motion for class certification in part and certified a class.
3 On August 6, 2019, the court granted final approval of the class action settlement. The Alameda
4 County Superior Court Case Number is RG13680477.

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

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

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

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

26 q) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class and PAGA representative action against a consumer packaging company,
28 on behalf of non-exempt employees. On March 10, 2017, the court granted final approval of the

1 class and PAGA representative action settlement. The Los Angeles County Superior Court Case
2 Number is BC590429.

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

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

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

18 u) LFJ represented the plaintiff in a wage-and-hour class and PAGA
19 representative action against a food company on behalf of non-exempt employees. On June 30,
20 2017, the court granted final approval of the class and PAGA representative action settlement.
21 The Sacramento County Superior Court Case Number is 34-2015-00175871.

22 v) LFJ represented the plaintiffs in a wage-and-hour class and PAGA
23 representative action against a chocolate company on behalf of non-exempt employees. On July
24 19, 2017, the court granted final approval of the class and PAGA representative action
25 settlement. The Alameda County Superior Court Case Number is RG15764300.

26 w) LFJ represented the plaintiff in a PAGA representative action, against the
27 parent company of several restaurants, on behalf of hourly-paid, non-exempt employees. On
28

October 18, 2017, the court granted approval of the PAGA representative action settlement. The Los Angeles County Superior Court Case Number is BC569664.

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

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

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

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

bb) LFJ, in association with co-counsel therein, represents the plaintiff in a wage-and-hour class action against a container manufacturer, on behalf of non-exempt employees. On October 15, 2018, the court granted the plaintiff's motion for class certification. The Tulare County Superior Court Case Number is VCU264528.

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

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

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

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

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

hh) LFJ, in association with co-counsel therein, on behalf of the plaintiff and respondent in a PAGA representative action, successfully opposed in the trial court, and briefed

1 and argued an appeal with respect to the employer's motion to compel arbitration, resulting in a
2 notable decision from the California Supreme Court clarifying the law regarding PAGA claims,
3 *ZB, N.A. v. Superior Court* (2019) 8 Cal.5th 175. On February 21, 2020, the court granted
4 approval of the PAGA representative action settlement. The San Diego County Superior Court
5 Case Number is 34-2015-00175330.

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

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

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

22 ll) LFJ, in association with co-counsel therein, represents the plaintiffs in a
23 wage-and-hour class action against manufacturer and supplier of power products and services on
24 behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs'
25 motion for class certification and certified a class. The San Diego County Superior Court Case
26 Number is 37-2015-00025968-CU-OE-CTL.

27 mm) LFJ represents the plaintiff in a wage-and-hour class action against a
28 nutritional products manufacturer on behalf of non-exempt production line employees. On

December 13, 2021, the court granted the plaintiff's motion for class certification in part and certified a class. The Solano County Superior Court Case Number is FCS051001.

LITIGATION COSTS AND EXPENSES INCURRED BY CLASS COUNSEL

19. To date, Class Counsel has borne all the risks and costs of litigation and will not receive any compensation until recovery is obtained in the above-captioned action. Lawyers for Justice, PC seeks reimbursement of **\$20,658.23** in litigation costs and expenses incurred in this matter, as reflected in **"EXHIBIT B"** attached hereto. These expenses were reasonable and necessary in the prosecution of the case and to obtain the Settlement.

INCENTIVE PAYMENT TO PLAINTIFF

20. In recognition of her efforts and work serving as the Class Representative, the Settlement provides for an Incentive Payment in the amount of \$8,000.00 to Plaintiff Courtney Reese. The requested Incentive Payment is fair and appropriate. Plaintiff spent a substantial amount of time and effort in producing relevant documents and information and provided the facts and evidence necessary to attempt to prove the allegations. Plaintiff was available whenever Class Counsel needed her and actively tried to obtain information that would facilitate the pursuit of the class and PAGA claims. Plaintiff spent numerous hours speaking with Class Counsel about her claims, describing her work experience with Defendant, and gathering and reviewing documents. Accordingly, it is appropriate for Plaintiff Courtney Reese to receive \$8,000.00 as a reasonable Incentive Payment, for her services in the case, in addition to her Individual Settlement Payment.

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

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

Executed this ^{23rd} day of December 2022, at Glendale, California.



Edwin Aiwasian

EXHIBIT A

COURTNEY REESE V. ASIAN BOX PALO ALTO LLC
(SANTA CLARA COUNTY SUPERIOR COURT CASE NO. 19CV346589)

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	11.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Courtney Reese’s (“Plaintiff”) Claims and the Merits of the Claims of the Putative Class Members	9.20
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant Asian Box Palo Alto LLC erroneously sued as “Asian Box” (Defendant) with Respect to the Damages Sustained by Plaintiff and the Putative Class	10.30
Pre-Notice Investigation of the Key Facts with a Focus on the Merits of the Private Attorneys General Act (“PAGA”) Claim on Behalf of the State of California With Respect to Plaintiff and the Aggrieved Employees	8.50
Pre-Notice Investigation of Potential Civil Penalties Exposure of Defendant with Respect to the Plaintiff and the Aggrieved Employees	7.60
Legal Research & Analysis of Latest Off-the-Clock, Meal and Rest Break Law, PAGA, and Certification Decisions in California, including all New Relevant DLSE Materials	7.10
Investigation of Defendant, Defendant’s Business Relationships, and the Industry in which Defendant Operates	3.50

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	3.70
Investigation of Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity	2.80
Analysis of Competitors within 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	4.50
Research and Investigation Re: Location(s), Division(s), and/or Department(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	4.70
Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Locations at Which Putative Class Members Worked Throughout California	3.90
Research and Investigation Re: Defendant's Policies, Practices, and Procedures Relating to Timekeeping, Opening and Closing Procedures, Customer Service, Scheduling and Attendance, Meal/Rest Breaks, On Premises Breaks, Meal/Rest Premiums, Non-Discretionary Bonus/Incentive/Production/Performance/Shift Differential Pay, Overtime Compensation, Dress Code/Uniform, PPE/Supplies, Travel, Use of Personal Vehicle, Use of Personal Cellphones, Reimbursement of Business-Related Expenses, and Arbitration Agreements	19.50
Research and Investigation Re: Various Software Programs, Systems, and Other Technology Defendant Uses to Conduct Its Everyday Business, Including Timekeeping, Payroll, Point of Sale, Communications, Customer Relations Management, and Resource 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 During Meal Breaks	4.10
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	8.50

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	5.30
Research and Analysis of Defendant's Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues	2.50
Research and Investigation of Impact of COVID-19 Pandemic on Defendant, Their Operations, and Putative Class Members' Work	6.40
Meet and Communicate with Plaintiff Courtney Reese throughout the Pendency of the Case	45.50
Investigate, Meet and Communicate with, and/or Conduct Interviews of Putative Class Members and Percipient Witnesses	15.50
Pleadings and Court Filings	
Draft Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on April 18, 2019)	7.50
Review Court's Order Deeming Case Complex (filed on May 20, 2019)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on July 26, 2019)	1.50
Review Defendant's Notice of Appearance (served on August 1, 2019)	0.10
Review Court's Notice of Rescheduled Case Management Conference (filed on August 1, 2019)	0.10
Review Court's Minute Order re: Case Management Conference (filed on August 16, 2019)	0.10
Review Court's Notice of Further Case Management Conference (filed on August 19, 2019)	0.10

Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on December 12, 2019)	1.10
Review Court's Notice of Rescheduled Case Management Conference (filed on December 12, 2019)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on July 16, 2020)	0.90
Review Court's Notice of Rescheduled Case Management Conference (filed on July 17, 2020)	0.10
Review Court's Notice of Rescheduled Case Management Conference (filed on September 1, 2020)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Notice of Settlement (filed on February 26, 2021)	0.90
Review Court's Notice of Rescheduled Case Management Conference (filed on March 1, 2021)	0.10
Review Court's Notice of Rescheduled Case Management Conference (filed on May 26, 2021)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (submitted on May 26, 2021)	1.10
Review Court's Notice of Rescheduled Case Management Conference (filed on July 20, 2021)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on September 27, 2021)	0.90
Review Court's Notice of Rescheduled Case Management Conference (filed on September 28, 2021)	0.10
Draft 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 September 29, 2021); and Meet and Confer with Defendant's Counsel, and Draft	5.70

Stipulation and [Proposed] Order Granting Plaintiff Leave to File First Amended Complaint (submitted on September 28, 2021)	
Review Court's Order Granting Plaintiff Leave to File First Amended Complaint (filed on September 28, 2021)	0.50
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on November 30, 2021)	1.10
Review Court's Notice of Rescheduled Case Management Conference (filed on December 1, 2021)	0.10
Review Defendant's Notice of Change of Handling Attorneys (served on December 13, 2021)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on February 1, 2022)	1.10
Review Court's Notice of Rescheduled Case Management Conference (filed on February 2, 2022)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Case Management Conference Statement (filed on May 17, 2022)	1.10
Review Court's Minute Order re: Case Management Conference (filed on May 19, 2022)	0.10
Review Court's Notice of Rescheduled Case Management Conference (filed on May 19, 2022)	0.10
Review Court's Notice of Rescheduled Case Management Conference (filed on June 7, 2022)	0.10
Review Court's Minute Order re: Case Management Conference (filed on August 11, 2022)	0.10

Appearances	
Prepare for and Telephonically Attend Initial Status Conference (August 16, 2019)	1.50
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (August 11, 2022)	2.30
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Incentive Award (January 19, 2023) (Anticipated)	1.50
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Courtney Reese (served on March 4, 2019)	1.90
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Courtney Reese (served on April 1, 2019)	1.70
Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Courtney Reese for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on March 29, 2021)	4.50
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	21.50

Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiff, Defendant, and Other Sources Prior to Mediation • Arbitration Agreement • Confidentiality Agreement • Sampling of Employee Time Data • Sampling of Employee Pay Data • Tax Returns, Income Statements, Balance Sheets, Cash Flow Statements, General Ledgers, Lease Abstracts, Payment Deferral Agreement, Lease Liability, and PPP Loan Information	49.50
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, Compiling the Mediation Exhibits in Support of Mediation Brief, and Performing Violation, Damages, and Penalties Analysis/Calculations (submitted on January 26, 2021)	26.50
Remotely Attend Mediation Session (February 2, 2021; Zoom Video Conference)	8.10
Review and Analyze Financial Assessment and Mediator's Proposal (issued February 2, 2021)	8.50
Draft, Review, Revise, Negotiate, and Finalize Joint Stipulation of Class Action and PAGA Settlement and Release (executed on May 16, 2022) and Exhibits Thereto	15.50
Review and Monitor Settlement Administration Process and Weekly Reports	4.50

Law and Motion	
Research and Draft Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action Settlement; Memorandum of Points and Authorities in Support Thereof, Declaration of Yasmin Hosseini in Support Thereof, Declaration of Courtney Reese in Support Thereof, and [Proposed] Order Thereon (filed on July 15, 2022)	17.10
Review Court's Tentative Ruling Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement (filed on July 27, 2022)	0.60
Draft, Revise, and/or Review Supplemental Declaration of Yasmin Hosseini in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, Amendment No. 1 to Joint Stipulation of Class Action and PAGA Settlement and Release, and Declaration of Chuck Imerson in Support Thereof (filed on August 10, 2022)	11.70
Review Court's Minute Order re: Motion for Preliminary Approval Hearing (filed on August 11, 2022)	0.10
Review Court's Order Concerning Plaintiff's Motion for Preliminary Approval (filed on August 15, 2022)	0.10
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 Incentive Payment, and Declaration of Edwin Aiwazian in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on December 23, 2022) (Anticipated)	19.50
Total Hours:	406.50

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Reese v. Asian Box Palo Alto LLC, et al.

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
3/4/2019	U.S. Postmaster	Postage	6.85
4/18/2019	ProLegal	Attorney Service	129.25
4/18/2019	Santa Clara Superior Court	Court Filing Fee	435.00
4/18/2019	Santa Clara Superior Court	Complex Filing Fee	550.00
6/14/2019	Legal Document Server, Inc.	Attorney Service	430.00
7/17/2019	Legal Document Server, Inc.	Attorney Service	15.72
7/26/2019	CourtCall, LLC	Attorney Service	94.00
7/26/2019	Legal Document Server, Inc.	Attorney Service	15.72
9/17/2019	Legal Document Server, Inc.	Attorney Service	21.05
9/17/2019	Santa Clara Superior Court	Jury Fee	150.00
1/31/2020	Burkey Cox Evans & Bradford CPAs	Forensic Accounting	2,000.00
3/2/2020	General Logistics Systems US, Inc.	Courier Service	17.86
3/2/2020	Jeffrey Ross	Mediation Fee	7,000.00
7/16/2020	Legal Document Server, Inc.	Attorney Service	16.72
1/27/2021	FedEx Express	Courier Service	51.59
2/2/2021	Robert A. Parris	Damages Consulting Expert	5,700.00
2/26/2021	CourtCall, LLC	Attorney Service	94.00
2/26/2021	Legal Document Server, Inc.	Attorney Service	16.72
2/28/2021	Burkey Cox Evans & Bradford CPAs	Forensic Accounting	1,515.00
5/26/2021	Legal Document Server, Inc.	Attorney Service	16.80
9/27/2021	One Legal	Attorney Service	18.24
9/28/2021	One Legal	Attorney Service	38.92
9/30/2021	One Legal	Attorney Service	18.24
11/30/2021	Legal Document Server, Inc.	Attorney Service	16.80
12/1/2021	CourtCall, LLC	Attorney Service	94.00
2/1/2022	CourtCall, LLC	Attorney Service	94.00
2/1/2022	Legal Document Server, Inc.	Attorney Service	16.80
4/9/2022	Codici	Analysis of Sampling of Time Records	1,875.00
5/17/2022	Legal Document Server, Inc.	Attorney Service	16.80
7/15/2022	Legal Document Server, Inc.	Attorney Service	21.60
7/15/2022	Santa Clara Superior Court	Filing Fee	60.00
8/8/2022	CourtCall, LLC	Attorney Service	94.00
8/11/2022	Legal Document Server, Inc.	Attorney Service	17.55
Total:			20,658.23