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

JOSEPH OCASIO, 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.

THE GOODMAN GROUP LLC, an
unknown business entity; MONTE VISTA
LODGE LP, an unknown business entity;
MONTE VISTA VILLAGE, an unknown
business entity; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: 37-2021-00014215-CU-OE-CTL

Honorable Timothy Taylor
Department C-72

CLASS ACTION

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

[Notice of Motion and Motion for Final
Approval of Class Action Settlement; Notice
of Motion and Motion for Attorneys' Fees
and Costs, and Enhancement Payment;
Declaration of Class Representative (Joseph
Ocasio); Declaration of Settlement
Administrator (Mary Butler); [Proposed]
Order Granting Final Approval of Class Action
Settlement and Judgment; and [Proposed]
Order Awarding Attorneys' Fees and Costs,
and Enhancement Payment filed concurrently
herewith]

Date: April 21, 2023
Time: 1:00 p.m.
Department: C-72

Complaint Filed: April 1, 2021
FAC Filed: May 21, 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 Joseph Ocasio (“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 December 2, 2022, in Department C-72 of the above-entitled Court, the Honorable Timothy Taylor preliminarily approved the Joint Stipulation of Class Action and PAGA Settlement (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into between Plaintiff and Defendants The Goodman Group, LLC and Monte Vista Lodge Limited Partnership (erroneously named as “Monte Vista Lodge, LP” and “Monte Vista Village”) (together, “Defendants”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Joseph Ocasio 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 Simpluris, Inc. (“Simpluris” or “Settlement Administrator”) to serve as the third-party settlement administrator for handling the notice and settlement administration process.

3. As of the date of filing the accompanying Motion for Final Approval of Class Action Settlement (“Motion for Final Approval”) and accompanying Motion for Attorneys’ Fees and Costs, and Enhancement Payment (“Motion for Fees”), no Class Members have objected to the Class Settlement or the request for Attorneys’ Fees and Costs, Enhancement Payment, or 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 1, 2021.

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, PAGA representative claims, wage-and-hour law and enforcement, 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 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 Defendants, 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 was preparing the matter for class certification and trial prior to reaching the Settlement. The parties conducted significant formal and informal discovery and investigation into the facts of the case, and informally exchanged a large volume of documents, information, and data throughout the course of litigation and in connection with mediation and settlement negotiations. Class Counsel propounded multiple sets of written discovery requests on each of the Defendants (i.e., Plaintiff's Form Interrogatories – General (Set One), Request for Admissions (Set One), Request for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) on each of the Defendants) and served notices of deposition of person most knowledgeable with accompanying requests for productions of documents on each of the Defendants. Class Counsel had the opportunity to interview and obtain information from Plaintiff and other Class Members and reviewed and analyzed a large volume of information, documents, and data obtained from Plaintiff, Defendants, and other sources. The information, documents, and data reviewed and analyzed by Class Counsel included, and was not limited to, Plaintiff's

1 employment records, a sampling of Class Members' time and pay data, Defendants' Employee
2 Handbook, company policy acknowledgements, job descriptions, Defendants' operations and
3 employment practices, forms, procedures, and policies (including but not limited to policies
4 regarding entering and leaving the premises, expense reimbursement, grievances, payroll
5 advances, wage and salary, work schedule, and standards of conduct), among other information
6 and documents. Class Counsel researched applicable law, developed liability, damages, and
7 penalties valuation models in connection with mediation and settlement negotiations, and met
8 and conferred with Defendants' counsel on numerous occasions, e.g., to discuss issues relating to
9 the pleadings and the production of information, documents, and data in the course of litigation
10 and mediation and settlement negotiations. Class Counsel also drafted pleadings and the
11 mediation brief, prepared for and attended court proceedings, and prepared for and participated
12 in the August 4, 2022 mediation and settlement negotiations, among other tasks.

13 7. The parties have conducted significant formal and informal discovery and
14 investigation during the course of litigating the case and mediation and settlement negotiations.
15 Class Counsel analyzed a large volume of information, documents, and data obtained from
16 Plaintiff, Defendants, and/or other sources. The information, documents, and data provided a
17 critical understanding of the nature of the work performed by the Class Members, as well as
18 Defendants' operations and employment policies, practices, and procedures, and were used in
19 analyzing liability, damages, and penalties valuation issues in connection with all phases of the
20 litigation, and ultimately, in connection with the mediation and settlement negotiation process.
21 Class Counsel also performed research regarding applicable law which is evolving as it relates to
22 certification, PAGA representative claims, off-the-clock theory, meal and rest periods, wage-and-
23 hour law and enforcement, Plaintiff's claims and allegations, and Defendants' defenses thereto,
24 as well as facts discovered.

25 8. After conducting significant investigation of the facts and law during the
26 prosecution of the case, counsel for the parties engaged in extensive settlement negotiations to
27 try to resolve the entire matter. These efforts included participating in a formal mediation
28 conducted by Paul Grossman, Esq., a well-regarded mediator experienced in mediating complex

labor and employment matters. During all settlement discussions, the parties conducted their negotiations at arm's length in an adversarial position. In the course of mediation and settlement negotiations, the parties exchanged information and data, and discussed all aspects of the case, including but not limited to the risks and delays of further litigation, the risks to the parties of proceeding with class certification and trial, the law relating to certification, off-the-clock theory, meal and rest periods, representative PAGA claims, and wage-and-hour law and enforcement, the evidence produced and analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was acceptable to the parties was not easy. Defendants and their counsel felt strongly about Defendants' ability to prevail on the merits and to avoid class certification and representative adjudication, while Plaintiff and Class Counsel believed that they would be able to obtain class certification and prevail at trial. With the aid of the mediator's evaluation, the parties ultimately agreed that the case was well-suited for settlement given the legal issues relating to Plaintiff's principal claims, as well as the costs and risks to the parties that would attend further litigation. These risks of further litigation include, and are not limited to, a determination that the claims are unsuitable for class treatment and/or representative adjudication, class de-certification after certification of a class, allowing a jury to decide the claims asserted in the case, and the real possibility of no monetary recovery after years of litigation.

9. By way of the accompanying Motion for Fees, Class Counsel seeks attorneys' fees in the amount of \$420,000.00, which is thirty-five percent (35%) of the Maximum Settlement Amount of \$1,200,000.00, as 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 a contingency fee of at least thirty-five percent (35%) of the recovery. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the case; (2) the time, effort, and expense that Class Counsel dedicated to the case; (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 case; and (6) the other cases that Class Counsel has turned down in order to devote its time and efforts to this matter.

10. I am aware that common and acceptable rates for contingency representation in wage and hour class action litigation are normally in the range 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 lodestar analysis with a multiplier of 1.34. Attorneys at Lawyers for Justice, PC have spent a total of **448.80 hours** performing tasks and obtaining recovery in this matter. 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 Lawyers for Justice, PC. Additionally, 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 case, the background of Lawyers for Justice, PC, 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 of at least \$700 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 \$700 per hour for legal services performed, by courts granting approval of settlements in other wage-and-hour 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 action

1 settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County Superior
2 Court Case No. RG16835813) was granted on June 11, 2019, and the award of attorneys' fees
3 involved an hourly rate of \$764.82; final approval of the class and representative action settlement
4 in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No. SCV258764) was
5 granted on February 6, 2019, and the award of attorneys' fees involved an hourly rate of \$855.96;
6 final approval of the class and representative action settlement in *Stanley Bland, et al. v. Telecare*
7 *Corporation* (Alameda County Superior Court Case No. RG16811450) was granted on
8 November 21, 2018, and the award of attorneys' fees involved an hourly rate of \$831.38; final
9 approval of the class and representative action settlement in *Maryjo Ungerbuhler Anderson v.*
10 *Boyett Petroleum* (Stanislaus County Superior Court Case No. 2020582) was granted on May 15,
11 2018, and the award of attorney's fees involved an hourly rate of \$780.77; and final approval of
12 the class and representative action settlement in *Demetrius Camarillo v. Blue Diamond Growers*
13 (Sacramento County Superior Court Case No. 34-2015-00175871) was granted on June 30, 2017,
14 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 Juris
18 Doctor degree. I have extensive formal training in dispute resolution and negotiation from the
19 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 Appeals*
28 *for the Ninth Circuit*. From approximately June 2002 to approximately August 2002, I served as

1 a Judicial Extern to the Honorable Earl Johnson, Jr. of the *California Court of Appeal for the*
2 *Second Appellate District.*

3 **LITIGATION AND CLASS ACTION EXPERIENCE**

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

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

12 17. Since its inception, in or around October of 2008, *Lawyers for Justice, PC* has
13 almost exclusively focused on the prosecution of consumer and employment class actions,
14 involving wage-and-hour claims, race discrimination, unfair business practices or consumer
15 fraud. Currently, *Lawyers for Justice, PC* is the attorney of record in well over a dozen
16 employment-related putative class actions in both state and federal courts in the State of
17 California. *Lawyers for Justice, PC* has successfully litigated cases involving the executive,
18 administrative, and other overtime exemptions to the State of California and federal overtime
19 compensation requirements. During this relatively short time, in association with other law firms,
20 *Lawyers for Justice, PC* has recovered millions of dollars on behalf of thousands of individuals
21 in California.

22 **EXAMPLES OF RESULTS IN WAGE AND HOUR CLASS ACTION AND** 23 **REPRESENTATIVE ACTION CASES**

24 18. What follows are just a few examples of the type of results *Lawyers for Justice, PC*
25 (“LFJ”) has achieved on behalf of its clients:

26 a) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class action against a major property management company involving allegations
28 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 County
10 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 bb) LFJ, in association with co-counsel therein, represents the plaintiff in a
27 wage-and-hour class action against a container manufacturer, on behalf of non-exempt
28 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.

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

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

13 jj) LFJ, in association with co-counsel therein, represented the plaintiff in a
14 wage-and-hour class and PAGA representative action against a large national drug testing
15 laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the
16 plaintiff's motion for class certification and certified a class. On October 28, 2022, the court
17 granted final approval of the class and PAGA representative action settlement. The San Diego
18 County Superior Court Case Number is 37-2018-00019611-CU-OE-CTL.

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

25 ll) LFJ, in association with co-counsel therein, represented the plaintiffs in a
26 wage-and-hour class action against manufacturer and supplier of power products and services on
27 behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs'
28 motion for class certification and certified a class. On August 27, 2021, the court granted final

1 approval of the class action settlement. The San Diego County Superior Court Case Number is
2 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 of the risks and costs of litigation and will not
9 receive any compensation until recovery is obtained in this case. Lawyers *for* Justice, PC seeks
10 reimbursement of \$18,406.38 in litigation costs and expenses incurred in this matter, as reflected
11 in "**EXHIBIT B**" attached hereto. These expenses were reasonable and necessary in the
12 prosecution of the case and to 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 an Enhancement Payment in the amount of \$7,500.00 to Plaintiff Joseph
16 Ocasio. The requested Enhancement Payment is fair and appropriate. Plaintiff spent a substantial
17 amount of time and effort in producing relevant documents and past employment records and
18 provided the facts and evidence necessary to attempt to prove the allegations. Plaintiff was
19 available whenever Class Counsel needed him and actively tried to obtain information that would
20 facilitate the pursuit of the class and PAGA claims. Plaintiff spent numerous hours speaking with
21 Class Counsel about his claims, describing his work experience with Defendants, and gathering
22 and reviewing documents. Accordingly, it is appropriate for Plaintiff Joseph Ocasio to receive
23 \$7,500.00 as a reasonable Enhancement Payment for his services on behalf of the Class Members,
24 the State of California, and the PAGA Group Members, in addition to his Individual Settlement
25 Payment and Individual PAGA Payment.

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

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

6 Executed this 27th day of March 2023, at Glendale, California.

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EXHIBIT A

JOSEPH OCASIO V. THE GOODMAN GROUP, LLC
(SAN DIEGO COUNTY SUPERIOR COURT CASE NO. 37-2021-00014215-CU-OE-CTL)

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, Commonality, and Manageability	10.30
Pre-Lawsuit Investigation of the Merits of Plaintiff Joseph Ocasio's ("Plaintiff") Claims and the Merits of the Claims of the Putative Class Members	8.20
Pre-Lawsuit Investigation of the Merits of the Private Attorneys General Act ("PAGA") Claim on Behalf of the State of California with Respect to Aggrieved Employees	7.50
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendants The Goodman Group, LLC and Monte Vista Lodge Limited Partnership (erroneously named as "Monte Vista Lodge, LP" and "Monte Vista Village") (together, "Defendants") with Respect to the Damages Sustained by Plaintiff and the Putative Class Members	9.30
Pre-Lawsuit Investigation of Potential Civil Penalties Exposure of Defendants with Respect to the Aggrieved Employees	7.20
Legal Research and Analysis of Latest Off-the-Clock, Meal and Rest Break, Representative PAGA, and Class Certification Decisions and Law in California, Including all New and Relevant DLSE Materials	8.10

Investigation of Defendants, Defendants' Business Relationships, and the Industry (Assisted Living Facilities and Skilled Nursing Facilities) in which Defendants Operate	4.20
Investigation of Defendants' Licenses and Registrations and Investigation/Citation/Violations Report(s) By Government Entities	3.90
Investigation of Defendants' Organizational and Corporate Structure, and Executive Reporting Structure as They Relate to the Employment and Management of the Putative Class Members	3.80
Investigation of Defendants' Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity, and Research and Analysis of Defendant's Past and Recent Litigation History and Agency Proceedings History Involving Labor, Wage-and-Hour, and Other Related Employment Issues	3.40
Analysis of Competitors in Various Relevant Geographic Areas within which Defendants Operate, and Comparing and Contrasting Defendants' Policies, Practices, and Procedures with the Policies, Practices, and Procedures of Defendants' Competitors	4.50
Research and Investigation Re: Location(s), Department(s), and Division(s) Owned, Managed, Serviced, and/or Operated by Defendants in California During the Class Period, and Differences Between Them to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	4.10
Comparative Analysis and Cross-Checking of All Available Job Postings, Job Reviews, and Consumer Reviews Regarding Defendants in Order to Determine Any Variation and Identify Job Duties and Responsibilities That Would be Susceptible to Being Performed Off-the-Clock and/or During Meal or Rest Breaks	5.90
Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Locations at Which Putative Class Members Worked Throughout California	4.80
Research and Investigation Re: Defendants' Written and Non-Written Policies, Practices, and Procedures Relating to Orientations/Meetings, Reporting Time, Attendance, Schedules, Opening and Closing Duties,	20.50

Patient Care, Timekeeping, Rounding, Scheduling, Meal/Rest Breaks, Meal Premiums, On-Premises Breaks, Non-Discretionary Bonus/Incentive/Shift Differential Pay, Overtime Compensation, Health and Safety, Supplies, PPE, Dress Code/Uniform, Use of Personal Cell Phones, and Reimbursement of Business-Related Expenses	
Research and Investigation Re: Various Software Programs, Applications, Systems, and Other Technology Defendant Uses to Conduct Its Everyday Business, Including Document and Information Management, Communications, Timekeeping, Patient Care, Security, and Surveillance Systems with a Focus on What Records (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	5.30
Research and Analysis of Potential Defenses Defendant May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies	8.50
Research and Investigation Re: Post- <i>Duran vs. U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose	5.90
Research and Outline Contemplated Class Certification Issues in Anticipation of Briefing	36.50
Research and Investigation Regarding Impact of COVID-19 Pandemic on Defendants, Their Operations, and Putative Class Members' and Aggrieved Employees' Work	7.50
Prepare a Discovery Strategy and Plan of Action, Including Topics of Inquiry Important to Certification/Manageability, Liability, and Damages/Civil Penalties	4.60
Meet and Communicate with Plaintiff Joseph Ocasio Throughout the Pendency of the Case	43.50
Investigate, Meet and Communicate with, and/or Conduct Interviews of Putative Class Members and Percipient Witnesses	14.90
Pleadings and Court Filings	

Draft Class Action Complaint for Damages, and Legal Research and Analysis of All Claims Involved (filed on April 1, 2021)	7.80
Review Court's Notice of Case Assignment and Case Management Conference (filed on April 1, 2021)	0.10
Draft Plaintiff's 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 21, 2021)	4.10
Review and Analyze Defendants' Answer to Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, and Research Affirmative Defenses in Defendants' Answer (served on June 24, 2021)	2.30
Draft Plaintiff's Notice of Posting Jury Fees (filed on August 11, 2021)	0.20
Review Defendants' Case Management Conference Statement (filed on August 26, 2021)	0.30
Draft Plaintiff's Case Management Conference Statement (filed on August 26, 2021)	1.30
Review Court's Minute Order Re: Case Management Conference (filed on September 10, 2021)	0.10
Review Court's Notice of Rescheduled Hearing (filed on September 10, 2021)	0.10
Review Defendants' Notice of Association of Counsel (filed on November 23, 2021)	0.10
Review Defendants' Notice of Unavailability of Counsel (filed on December 14, 2021)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Case Management Statement and Notice of Settlement (filed on August 5, 2022)	1.20
Review Court's Minute Order Re: Order to Show Cause Re: Sanctions (filed on August 11, 2022)	0.10

Draft Plaintiff's Response to Order to Show Cause Regarding Sanctions (filed on September 1, 2022)	0.90
Review Court's Minute Order Re: Order to Show Cause Hearing (filed on September 9, 2022)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Case Management Statement (filed on November 16, 2022)	1.10
Appearances	
Prepare for and Telephonically Attend Initial Case Management Conference (September 10, 2021)	0.90
Prepare for and Attend and/or Telephonically Attend Hearing on Order to Show Cause Re: Sanctions (September 9, 2022)	7.50
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (December 2, 2022)	1.10
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement and Plaintiff's Motion for Attorneys' Fees and Costs, and Enhancement Payment (April 21, 2023) (Anticipated)	1.50
Discovery and Deposition	
Draft Letter to Defendants Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Joseph Ocasio (served on February 12, 2021)	1.90
Review and Analyze Documents Produced by Defendants in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Joseph Ocasio (served on March 10, 2021)	5.30
Draft Plaintiff's Form Interrogatories – General (Set One), Request for Admissions (Set One), Request for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) to Defendant The Goodman Group LLC (served on July 19, 2022)	7.10

Draft Plaintiff's Form Interrogatories – General (Set One), Request for Admissions (Set One), Request for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) to Defendant Monte Vista Lodge LP (served on July 19, 2022)	3.80
Draft Plaintiff's Form Interrogatories – General (Set One), Request for Admissions (Set One), Request for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) to Defendant Monte Vista Village (served on July 19, 2022)	2.70
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant The Goodman Group LLC and Requests for Production of Documents (noticed for August 23, 2022) (served on July 19, 2022)	4.50
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant Monte Vista Lodge and Requests for Production of Documents (noticed for August 24, 2022) (served on July 19, 2022)	1.50
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant Monte Vista Village and Requests for Production of Documents (noticed for August 25, 2022) (served on July 19, 2022)	1.50
Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Joseph Ocasio for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on March 17, 2021)	4.50
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendants' Counsel	18.50
Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiff, Defendants, and Other Sources Prior to Mediation	39.50
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 Damages and Penalties Analysis and Calculations (submitted on July 27, 2022)	28.50

Remotely Attend Mediation Session (August 4, 2022; Zoom Video Conference)	8.50
Draft, Review, Revise, Negotiate, and Finalize Joint Stipulation of Class Action and PAGA Settlement (executed on November 2, 2022) and Notice of Class Action Settlement	18.20
Law and Motion	
Research and Draft Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action Settlement, Declaration of Janardana Burns in Support Thereof, Declaration of Joseph Ocasio in Support Thereof, and [Proposed] Order Thereon (filed on November 2, 2022)	18.50
Review Court's Tentative Ruling Re: Motion for Preliminary Approval of Class Action and PAGA Settlement (filed on December 2, 2022)	0.30
Review Court's Minute Order Re: Motion for Preliminary Approval of Class Action and PAGA Settlement Hearing (filed on December 2, 2022)	0.20
Review and Analyze Settlement Administrator's Declaration Regarding Notice and Settlement Administration; and Research and Draft Plaintiff's Motion for Final Approval of Class Action Settlement, Plaintiff's Motion for Attorneys' Fees and Costs, and Enhancement Payment, Declaration of Edwin Aiwezian in Support Thereof, and [Proposed] Order Granting Final Approval Order of Class Action Settlement and Judgment, and [Proposed] Order Awarding Attorneys' Fees and Costs, and Enhancement Payment (filed on March 27, 2023) (Anticipated)	20.50
Total Hours:	448.80

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL

Ocasio v. The Goodman Group LLC

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
2/12/2021	U.S. Postmaster	Postage	7.00
3/17/2021	U.S. Postmaster	Postage	14.00
3/18/2021	Labor & Workforce Development Agency	Filing Fee	75.00
4/2/2021	San Diego Superior Court	Court Filing Fee	435.00
4/2/2021	San Diego Superior Court	Complex Court Filing Fee	1,000.00
4/2/2021	One Legal	Attorney Service	54.69
4/30/2021	Legal Document Server, Inc.	Attorney Service	330.00
5/18/2021	Legal Document Server, Inc.	Attorney Service	14.00
6/5/2021	ProLegal	Attorney Service	322.75
6/7/2021	ProLegal	Attorney Service	167.63
7/16/2021	Legal Document Server, Inc.	Attorney Service	14.00
8/12/2021	Legal Document Server, Inc.	Attorney Service	19.25
8/12/2021	San Diego Superior Court	Jury Fee	150.00
8/26/2021	Legal Document Server, Inc.	Attorney Service	14.00
10/21/2021	General Logistics Systems, Inc.	Attorney Service	22.85
12/20/2021	FedEx Express	Courier Service	24.17
7/19/2022	ProLegal	Attorney Service	378.24
7/22/2022	Paul Hastings LLP	Mediation Fee	15,000.00
8/5/2022	Legal Document Server, Inc.	Attorney Service	14.75
8/29/2022	San Diego Superior Court	Document Download Fee	1.00
9/1/2022	Legal Document Server, Inc.	Attorney Service	14.75
9/12/2022	San Diego Superior Court	Document Download Fee	5.00
11/7/2022	Legal Document Server, Inc.	Attorney Service	18.80
11/7/2022	San Diego Superior Court	Filing Fee	60.00
11/16/2022	Legal Document Server, Inc.	Attorney Service	14.75
11/18/2022	Legal Document Server, Inc.	Attorney Service	201.25
11/28/2022	Legal Document Server, Inc.	Attorney Service	14.75
12/5/2022	San Diego Superior Court	Document Download Fee	4.00
1/10/2023	Legal Document Server, Inc.	Attorney Service	14.75
Total:			18,406.38