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

JODIE BLANTON JR., YAZMIN CORTES
and GABRIELA ESCRIBA, on behalf of all
others similarly situated;

Plaintiffs,

vs.

COMMUNICATIONS TEST DESIGN, INC.,
a Pennsylvania Corporation, and DOES 1
through 20, inclusive;

Defendants.

AND THE CONSOLIDATED/RELATED
ACTIONS.

Case No.: STK-CV-VOE-2021-5136

**DECLARATION OF BENJAMIN SMITH
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

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Attorneys for Plaintiff Gabriela Escriba, and others similarly situated

1 I, BENJAMIN SMITH, declare as follows:

2 1. I am an attorney admitted in good standing to the State Bar of California and an attorney
3 of record for Plaintiff Gabriela Escriba in this action.

4 2. I am submitting this Declaration in support of Plaintiffs' Motion for Preliminary
5 Approval of Class Action Settlement.

6 3. I have extensive experience in plaintiff-side employment and wage and hour litigation. I
7 completed my undergraduate studies at the University of Southern California. I completed my
8 legal studies at Loyola Law School in Los Angeles, California, where I received a Juris Doctor
9 degree in May of 2008.

10 4. Since being admitted to the State Bars of New York and California 2008 and 2009,
11 respectively, after passing both California Bar Examinations on my first attempt, I have almost
12 exclusively practiced in the area of civil litigation, including in the fields of employment law and
13 wage and hour litigation.

14 5. Some of the more notable work I have performed includes, but is not limited to:

15 a. Assisted trial counsel in a well-publicized trial obtaining a judgment in excess of
16 \$100 million involving breach of fiduciary duty in a commercial/probate case
17 through appeal to the California Supreme Court.

18 b. Successful representation of owner of famous trademark "Honey Badger Don't
19 Care" in trademark infringement actions throughout the country, achieving
20 significant settlements for the client.

21 c. Assisted trial counsel in obtaining a jury verdict in excess of \$65 million
22 involving a dispute concerning a partnership agreement for the acquisition,
23 management and financing of a real estate business.

24 d. Assisted trial counsel in obtaining a jury verdict for fraud, breach of fiduciary
25 duty and breach of contract in excess of \$9 million involving a medical practice
26 partnership.

27 e. Lead counsel in obtaining settlement of \$418,000 for clients involved in a dog
28 attack.

- f. Co-trial counsel in a case against a security company for misappropriation of a rare diamond in which judgment was obtained after trial
- g. Co-trial counsel in obtaining a \$200,000 judgment after trial for breach of contract against a luxury automobile dealership involving a celebrity-owned exotic automobile, including \$138,000 in attorneys' fees and costs of \$130,000.
- h. Represented a seller of a business in action against a buyer who refused to pay a substantial portion of the purchase price. On the eve of trial, the case settled with the client obtaining a several hundred thousand dollar stipulated judgment.
- i. Defended real estate property manager against multi-million dollar claim of mismanagement. Was able to resolve the claim for cents on the dollar.
- j. Represented a client who improperly had a judgment entered against him. By applying pressure to Plaintiff and third party national bank, obtained a satisfaction of judgment and a reimbursement of all the attorneys' fees and costs paid by the client.
- k. Lead counsel in obtaining a settlement of \$70,000 for clients involved in a dog attack.
- l. Lead trial counsel achieving a complete defense of all claims against a prominent real estate broker in a five-week trial for fraud and breach of contract.
- m. Successfully obtained the identities of anonymous authors of harmful internet statements on the internet. Thereafter, initiated litigation against said authors, successfully removed the website from the internet containing false and damaging information about our client and defeated a hotly contested anti-slapp motion.

6. I currently have numerous pending employment law cases at various stages of litigation, many of which are wage and hour class or representative actions. In addition to the class actions for which I am currently, or have been, an attorney of record, I have also performed work on other wage and hour class and representative action cases.

7. For the reasons set forth in the Memorandum of Points and Authorities in Support of Plaintiff's Motion for Approval of Preliminary Approval of Class Action Settlement and the

1 supporting declarations, I concur that the Settlement is a fair, adequate, and reasonable
2 compromise of the disputed claims in this case in view of the risks of continued litigation.

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4 Executed on January 18, 2023 at Los Angeles, California.

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BENJAMIN SMITH
9 Declarant
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