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12 Attorneys for Plaintiff Sunny K. Tam, on behalf of himself
13 and other similarly-situated employees

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **FOR THE COUNTY OF LOS ANGELES**

16 SUNNY K. TAM, on behalf of himself and
17 other similarly-situated employees

18 Plaintiff,

19 v.

20 Q TECH CORPORATION, a California
21 Corporation; and DOES 1 Through 10,
22 inclusive,

23 Defendants.

Lead Case No. 21STCV18635

Related Case No. 21STCV19805

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Elihu M. Berle

Department SS6

**CLASS ACTION AND REPRESENTATIVE
ACTION**

**DECLARATION OF JOSEPH TOJARIEH
IN SUPPORT OF MOTION FOR ORDER
GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Hearing Information

Date: August 12, 2022

Time: 11:00 a.m.

Dept: SS-6

Judge: Hon. Elihu M. Berle

Complaint filed: May 17, 2021

Trial date: Not Set

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1 *County Fair* (SBSC Case No. CIVDS1825109); and *Patton v. Midwest Construction Services, Inc.*
2 *dba Trillium Construction/Drivers* (CACD Case No. 2:19-cv-08580-JFW-MAA).

3 6. I am very familiar with employment law relating to class actions, their dynamics,
4 and also the risks inherent in litigating a class action through certification and trial. I have the
5 resources, experience, and expertise necessary to protect fully and fairly the interests of the
6 proposed class.

7 7. My office invested time and resources into this case, with payment contingent on
8 the outcome of this case and deferred until the end of this case. The efforts of my firm have
9 resulted in benefits to class members, allowing them to receive compensation for the alleged
10 illegal wage and hour practices. Without the efforts of my firm, the claims at issue in this case may
11 have gone without remedy.

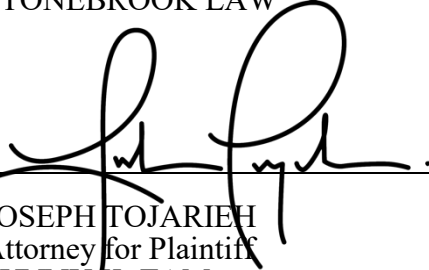
12 8. The efforts of our office include, without limitation, interviewing plaintiff and
13 reviewing documents he provided; investigating defendant's alleged violations of California wage
14 and hour laws; researching theories of liability for the alleged violations; investigating the nature
15 of defendant's business, prior lawsuits, and business operations; drafting and mailing to defendant
16 a letter requesting employment records pursuant to Labor Code sections 1198.5, 432, and 226(b);
17 researching similar class action cases; communicating with client throughout the litigation
18 process; obtaining and reviewing relevant documents and information; reviewing litigation
19 documents; and communicating with co-counsel regarding strategies to take towards case
20 resolution.

21 9. Based on my experience with wage and hour class actions, I believe the proposed
22 settlement is fair, reasonable and adequate. By reaching a settlement, the risk that this Court may
23 deny class certification is eliminated. Moreover, additional litigation will delay resolution of class
24 members' claims and may even reduce the amount of money they recover. The uncertainties of
25 litigation and trial are endless. There is no guarantee that class members will receive any money
26 should the parties continue to litigate this case. With the settlement, class members receive a
27 certain and immediate recovery with an opportunity to opt-out of the settlement if for any reason
28 they are not satisfied. Further, while plaintiff is confident in the merits of his case, defendant has

1 legitimate arguments as to each cause of action, as explained in detail in the Motion for
2 Preliminary Approval. In sum, in light of the obstacles inherent in class actions, defendant's
3 defenses, and the time, expense, and risks of litigation, the settlement represents a reasonable
4 compromise and a good result for class members.

5 I declare under the penalty of perjury under the laws of the State of California the foregoing
6 is true and correct and this declaration is executed June 22, 2022, in Los Angeles, California.

8 STONEBROOK LAW

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10 By: 

11 JOSEPH TOJARIEH
12 Attorney for Plaintiff
13 SUNNY K. TAM
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