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7 Attorneys for Plaintiff Ericka Kraut
8 and all other similarly situated current
and former employees of Defendants

9
10 SUPERIOR COURT OF STATE OF CALIFORNIA
11 FOR THE COUNTY OF SAN BERNARDINO
12

13 ROCIO ROSALES and ERICKA KRAUT, as
14 individuals and on behalf of others similarly
15 situated,

16 Plaintiffs,

17 vs.

18 DT EMPLOYER, LLC, a California limited
19 liability company; *et al.*,

20 Defendants.
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Case No.: CIVSB2132004

Assigned for all purposes to:
Hon. David S. Cohn
Dept. S26

**DECLARATION OF DOUGLAS W.
PERLMAN IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Date:

Hearing Time:

Department:

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1. I am now and have been at all times relevant to this Declaration an Active Member of the State Bar of California, with Rastegar Law Group, A Professional Corporation (“Rastegar Law Group”), and Counsel of record in the above-captioned action, filed in the San Bernardino County Superior Court. I make this declaration on the basis of personal firsthand knowledge unless another source of information or belief clearly appears from the context, and as to all such matters I believe them to be true. If called as a witness, I could and would readily and competently testify to all matters stated within.

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1 1990. I received my J.D. from the University of California at Davis in 1993. I became an active
2 member of the State Bar of California in December, 1993, have been an active member in good
3 standing since then, and am also admitted to practice before all U.S. District Courts in the State of
4 California. I have been continuously active in employment litigation on the plaintiffs' side since
5 January, 1994, and in employment class action litigation since approximately 2004. I have been
6 practicing with Rastegar Law Group, APC, since 2010, and with its predecessor law firm,
7 Rastegar & Matern, since January, 1996.

9 5. On information and belief, Farzad Rastegar received his B. A. in Economics in
10 1986 from UCLA. He received his J.D. from Southwestern University School of Law in 1991. He
11 became an Active Member of the State Bar of California in December 1991, and has been an
12 Active Member in good standing continuously since then. He is a lifetime sustaining member of
13 the Consumer Attorneys Association of Los Angeles (CAALA), a current member of the National
14 Employment Lawyers Association (NELA), the California Employment Lawyers Association
15 (CELA), and the National Trial Lawyers' Wage and Hour Trial Lawyers Association. He has also
16 been named as one of the Super Lawyers of Southern California.

18 6. Mr. Rastegar founded Rastegar Law Group, A Professional Corporation ("Rastegar
19 Law Group") in 2010. Prior to starting Rastegar Law Group, Mr. Rastegar was a founding partner
20 of Rastegar & Matern, Attorneys at Law, A Professional Corporation ("Rastegar & Matern")
21 which was founded in 1999. In 1992, he founded the general partnership which was the
22 predecessor of Rastegar & Matern, Attorneys at Law, A Professional Corporation, where he acted
23 as the managing partner of the firm since its inception.

25 7. Rastegar Law Group, and Rastegar & Matern previously, have both had a heavy
26 emphasis on employment and related litigation. The attorneys at Rastegar Law Group have been
27 heavily, successfully, and continuously involved in active litigation and trial work, including
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1 without limitation, wage and hour class action litigation, employees' rights, civil rights,
2 discrimination, and sexual harassment claims, and other forms of employment litigation.

3 8. Including myself, Rastegar Law Group includes four attorneys, all of whom are
4 actively and continuously practicing in employment litigation, representing almost entirely
5 employee plaintiffs, in both individual and class actions, in this Superior Court, and other Superior
6 Courts throughout the State, in the Court of Appeal, and in various Federal courts. The attorneys at
7 Rastegar Law Group have litigated hundreds of cases against the largest firms in the country,
8 including but not limited to Gibson Dunn & Crutcher, O'Melveny & Myers, Morrison & Foerster,
9 Littler Mendelson, Jackson Lewis LLP, Kecker & Van Nest, DLA Piper and Skadden Arps.
10 Because of the unique history and nature of our practice, all of the attorneys at Rastegar Law
11 Group have a high level of knowledge and experience in areas of wage and hour class actions, and
12 labor and employment law. Currently, more than half of Rastegar Law Group's active caseload
13 includes wage and hour class action cases. In addition to the foregoing, Rastegar Law Group
14 currently includes attorneys with the following qualifications:
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- 17 a. Thomas S. Campbell, Southwestern University School of Law, over 25 years of
18 litigation experience;
 - 19 b. William Becker, University of California, Berkley, Law School, over 31 years of
20 litigation experience.
 - 21 c. Jason Rastegar, Loyola Law School, first year litigation associate.
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23 9. Rastegar Law Group is qualified to handle this litigation because we are
24 experienced in litigating Labor Code violations in both individual and class actions. I and the other
25 attorneys at my office have served as class counsel in numerous wage and hour class actions, and
26 have successfully negotiated numerous settlements, including high seven-figure cases, amounting
27 to over \$150 million in settlements.
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1 10. Rastegar Law Group has published appellate victories, which have significantly
2 advanced the rights of employees, including *Yocupicio v. PAE Group, LLC, et al.* (9th Cir. 2015)
3 795 F.3d 1057 (holding that non-class claims, such as claims under the California Private Attorney
4 General Act, cannot be sued to calculate CAFA's amount in controversy); *Rodriguez v. EME, Inc.*
5 (2016) 246 Cal.App.4th 1027 (defining the permissibility of combining rest periods) – as well as
6 other non-published appellate victories.
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8 11. Our predecessor firm, Rastegar & Matern, had a number of published appellate
9 victories including several published opinions - *Franco v. Athens Disposal Company, Inc.* (March
10 10, 2009) 171 Cal.App.4th 1277; *Gutierrez v. California Commerce Club* (August 2, 2010) 187
11 Cal.App.4th 969; *Pantoja v. Anton* (August 9, 2011) 198 Cal.App.4th 87; *Fuentes v. Autozone,*
12 *Inc.* (November 16, 2011) 200 Cal.App.4th 1221; *Ventura v. ABM Industries, Inc.* (2012) 212
13 Cal.App.4th 258; *Franco v. Arakelian Enterprises, Inc.* (2012) 211 Cal.App.4th 314 – and other
14 non-published appellate victories. Moreover, Rastegar & Matern was successful in procuring
15 class certification of a number of wage and hour class action lawsuits, i.e., *Gutierrez v. Dynaflex*
16 *Products*, Case No. BC 368749; *Garmendia v. Fortune Fashions Industries, LLC*, Case No. BC
17 389960; *Mendoza v. National Gypsum Services Company*, Case No. BC366877; two cases in the
18 Superior Court for the County of San Bernardino, including *Oliva v. Coronado Stone*, Case No.
19 CIVSS806131 and *Suchilt v. Syed Irfan Ahmad*, Case No. CIVDS1010505; one in the Superior
20 Court for the County of Los Angeles, *Gutierrez v. California Commerce Club*, Case No.
21 BC360704; one in the Superior Court for the County of Riverside, *Sanchez v. Jose's Mexican*
22 *Food, Inc.*, Case No. RIC1213710; and one in the District Court for the Southern District of
23 California, *Hines v. KFC U.S. Properties, Inc.*, Case No. 3:09-cv-02422.
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26 12. In addition to numerous individual employment cases, I have handled a number of
27 wage and hour class actions in which I have been approved as class counsel, including the
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1 following:

2 *Garcia, et al. vs. Vallarta Supermarkets*, LASC Case No. BC 364990;

3 *Piceno, et al. vs. Tacos Mexico*, LASC Case No. BC 322566;

4 *Bowen, et al. vs. Central Freight Lines*, Riverside County Superior Court Case No. RIC
5 428089;

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7 *Onofre vs. Children's Hospital of Orange County*, Orange County Superior Court Case No.
8 30-2008-00180057;

9 *Beaver vs. Living Spaces*, transferred to San Bernardino County Superior Court and
10 consolidated, LASC Case No. BC 369733, SBCSC Case No. CIVRS 700036;

11 *Parking Concepts Coordinated Class Actions*, LASC Case No. JCCP: 4531;

12 *Castillo Guardado, et al. vs. The Cheesecake Factory*, LASC Case No. BC 360426;

13 *Echeverria et al. vs. Adir International, Inc.*, LASC Case No. 395380;

14 *Gonzalez et al. vs. Color Spot*, LASC Case No. BC 370189;

15 *Espinoza-Alcala vs. Continental Exchange Solutions, Inc.*, Orange County Superior Court
16 Case No. 30-2012-00554478-CU-OE-CXC.

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18 *Rivera (Cardoza) vs. Bodega Latina Corporation*, LASC Case No. BC 418611 (c/w BC
19 425240);

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21 *Hurtado vs. Bartell Hotels, et al.*, San Diego County Superior Court Case No. 37-2014-
22 00013728-CU-OE-CTL;

23 *Rodriguez et al. vs. Equinox, et al.*, LASC Case No. BC 437283;

24 *Quiroz et al. vs. SWH Corporation, dba Mimi's Café*, Orange County Superior Court Case
25 No. 30-2011-00493645-CU-OE-CXC;

26 *Gonzalez vs. Millennium Biomedical, Inc.*, LASC Case No. BC544105;

27 *Garcia vs. Bryant Rubber Corp.*, LASC Case No. BC578649;

1 *Fernandez vs. Morgan Truck Body*, Riverside County Superior Court Case No. RIC
2 1308626;
3 *Valencia vs. Apex Personnel Solutions, and Repet, Inc.*, San Bernardino County Superior
4 Court Case No. CIVRS1307368;
5 *Villar v. ConAgra Foods, Inc.*, U.S. District Court, Central District of California (Lead)
6 Case No. 2:16-cv-0631-FMO-AJW;
7 *Hector Wright v. Dallo & Co.*, San Diego Superior Court Case No. 19STCV36680;
8 *Giselle Pineda v. Fred Loya Insurance Agency, Inc.*, (class arbitration) JAMS REF. No.
9 1220050736;
10 *Salvador Ochoa v. CKE Holdings, Inc.*, Los Angeles County Superior Court Case No.
11 BC623041;
12 *Inocencio Ventura v. Versum Materials, Inc.*, Los Angeles County Superior Court Case
13 No. Case No.: 19STCV10916;
14 *Brenda Arguelles v. Hospitality Staffing Solutions, LLC*, San Diego County Superior Court
15 Case No. 37-2017-00029158-CU-OE-CTL;
16 *Dalila Valencia v. Vista Hill Foundation*, San Diego County Superior Court Case No. 37-
17 2021-00012102-CU-OE-CTL;
18 *Anthony Robles, et al. v. Pepsico Beverage Sales Co.*, San Bernardino County Superior
19 Court Case No. CIVSB2204715;
20 *Ivan Gaspar, et al. vs. The World Protection Group, Inc.*, Los Angeles County Superior
21 Court Case No. 20STCV15153;
22 *Luis Joel Pineda vs. Lithographix, Inc.*, Los Angeles County Superior Court Case No.
23 BC612372.
24 *Raul Maldonado vs. FS Hotels (LA), Inc.*, Los Angeles County Superior Court Case No.

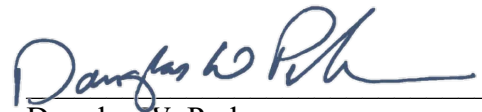
1 20STCV13849.

2 13. In my opinion, the Settlement Agreement is fair and reasonable, and represents an
3 excellent opportunity for the employees of Defendants to obtain recovery for unpaid wages, and
4 for meal and rest period and derivative violations. For these reasons, set forth in the accompanying
5 Motion for Preliminary Approval, and in the Joint Stipulation of Class Action Settlement filed
6 concurrently herewith, in my opinion, the Motion for Preliminary Approval of Class Action
7 Settlement should be granted.
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9 14. Neither I nor anyone with my firm has any conflict of interest with the Class or
10 PAGA Group, or any interest in the Settlement Administrator.
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12 I declare under penalty of perjury under the laws of the State of California and the United
13 States that the foregoing is true and correct.

14 Executed on October 14, 2024, at Torrance, California.

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16 Douglas W. Perlman,
17 Attorney for Plaintiffs
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