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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

TERESA BOND, JESSE ZAMARRIPA,
individually, and on behalf of other members
of the general public similarly situated;
REYNEIRO LARIOS, individually, and on
behalf of other aggrieved employees pursuant
to the California Private Attorneys General
Act,

Plaintiffs,

vs.

HANGER, INC., an unknown business
entity; HANGER ORTHOPEDIC GROUP,
INC., an unknown business entity; HANGER
PROSTHETICS & ORTHOTICS, INC., a
Delaware corporation; HANGER
PROSTHETICS & ORTHOTICS WEST,
INC., a California corporation; HANGER
FABRICATION NETWORK, LLC, an
unknown business entity; and DOES 2
through 100, inclusive,

Defendants.

Case No.: 34-2021-00303204-CU-OE-GDS

Honorable Lauri A. Damrell
Department 28

CLASS ACTION

**DECLARATION OF SELENA
MATAVOSIAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

[Plaintiffs' Motion for Preliminary Approval of
Class Action Settlement; Declaration of
Proposed Class Representatives (Teresa Bond,
Reyneiro Larios, and Jesse Zamarripa); and
[Proposed] Order filed concurrently herewith]

Reservation ID: A-303204-001
Date: August 4, 2023
Time: 9:00 a.m.
Department: 28

Complaint Filed: June 23, 2020
FAC Filed: December 27, 2022
Trial Date: None Set

DECLARATION OF SELENA MATAVOSIAN

I, Selena Matavosian, 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 Plaintiffs Teresa Bond, Reyneiro Larios, and Jesse Zamarripa (collectively, “Plaintiffs”). 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 thereto.

EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC

2. Since October 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 over a dozen employment-related putative class actions in both state and federal courts in the State of California. Lawyers *for* Justice, PC is comprised of attorneys who focus on litigating complex wage-and-hour class and Private Attorneys General Act (“PAGA”) representative actions. 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 a 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. Below is a summary of the experience and qualifications of the attorneys at Lawyers *for* Justice, PC who most recently and primarily have been responsible for the representation of Plaintiffs in connection with the resolution of above-captioned matter. Additional attorney and non-attorney staff have also worked on the above-captioned matter.

3. Edwin Aiwazian is the Managing Member and Shareholder of Lawyers *for* Justice, PC. He received his Bachelor of Arts degree from Pepperdine University in April of 1999 and earned a Juris Doctor degree from Pepperdine University School of Law in May of 2004. He has extensive formal training in dispute resolution and negotiation from the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree program. In

1 addition, he has previously served as a pro bono mediator for the Los Angeles County Superior
2 Court. In October of 2000, he obtained a Litigation Paralegal Certificate from the UCLA
3 Extension Program. During the summer of 2000, he studied Legal Writing at Harvard University.
4 From approximately September 2002 to approximately December 2002, he served as a Judicial
5 Extern to the Honorable Kim McLane Wardlaw of the United States Court of Appeals for the
6 Ninth Circuit. From approximately June 2002 to approximately August 2002, he served as a
7 Judicial Extern to the Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second
8 Appellate District. In December of 2004, he obtained a license to practice law from the California
9 State Bar. From approximately December 2004 to approximately August 2008, he was employed
10 by Girardi & Keese. At Girardi & Keese, his practice focused on class actions and other complex
11 cases involving toxic torts and products liability. In addition, he gained substantial experience on
12 cases involving insurance bad faith, premises liability, and medical negligence. While employed
13 by Girardi & Keese, he argued approximately one hundred (100) motions, took or defended
14 approximately one hundred fifty (150) depositions, and prepared dozens of expert witnesses for
15 deposition or trial. Since in or around October of 2008, through his work at Lawyers *for* Justice,
16 PC, he has almost exclusively focused on the prosecution of consumer and employment class
17 actions, involving wage-and-hour claims, race discrimination, unfair business practices, or
18 consumer fraud. While employed by Lawyers *for* Justice PC, he has argued over one hundred
19 (100) motions, taken or defended over one hundred fifty (150) depositions, prepared dozens of
20 expert witnesses for deposition or trial, and attended over one hundred seventy-five (175)
21 mediations. Together with other attorneys at the firm, and in many cases in conjunction with co-
22 counsel, he has successfully litigated cases involving the executive, administrative, and other
23 overtime exemptions to the State of California and federal overtime compensation requirements.
24 Under his supervision, Lawyers *for* Justice, PC has successfully obtained class certification by
25 contested motion practice in approximately fifteen (15) cases in the last decade, and litigated over
26 1,000 class action or representative action cases.

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1 4. Arby Aiwarzian is a Member and Shareholder of Lawyers *for* Justice, PC. He
2 received his Bachelor of Arts degree from University of California, Los Angeles and graduated
3 magna cum laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School.
4 From approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the
5 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
6 From approximately August 2008 to approximately December 2008 he served as a Judicial Extern
7 to the Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit.
8 He was admitted to practice law in California in 2010. He is admitted to practice before all courts
9 of the State of California and all United States District Courts in the State of California. He has
10 worked on many wage-and-hour class action and representative action cases, taking the lead in
11 taking and defending depositions, arguing motions, and attending mediations. He has played an
12 integral role in preparing matters for class certification, including and not limited to, successful
13 certification of a class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No.
14 BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No.
15 BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No.
16 RG13680477). He has worked on over one hundred (100) class action or representative action
17 cases which have resulted in settlement, including and not limited to those listed in paragraph 7
18 herein.

19 5. Joanna Ghosh is a Senior Member of Lawyers *for* Justice, PC. She received a
20 Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of
21 Science degree from the London School of Economics in 2007, and a Juris Doctor degree from
22 Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010)
23 and in New York (since 2013) and is also admitted to practice in all U.S. District Courts in
24 California, the U.S. Bankruptcy Court for the Central District of California, and the U.S. Supreme
25 Court. She has taken and defended dozens of depositions and successfully handled motion practice
26 in class action cases regarding discovery (including and not limited to, regarding class contact
27 information), class certification (both contested class certification and stipulated class
28 certification), arbitration agreements, coordination, intervention. She has successfully handled

1 briefing and oral argument on appeal and obtained notable decisions regarding the Private
2 Attorneys General Act and employer efforts to compel arbitration of PAGA claims, e.g., *Roberto*
3 *Betancourt v. Prudential Overall Supply* (Cal., May 24, 2017) 9 Cal.App.5th 439 (Cal. Ct. App.,
4 Mar. 7, 2017), cert. denied, cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court*
5 (2019) 8 Cal.5th175. She also has extensive experience with class action and/or representative
6 action settlements. Under her, Edwin Aiwarzian, and Arby Aiwarzian’s supervision, the firm has
7 handled the class certification and court approval process for hundreds of class action and/or
8 representative action matters that have successfully resolved. She is a member of the California
9 Employment Lawyers Association.

10 6. I am a Member of Lawyers *for* Justice, PC. I received my Bachelor of Science
11 degree from California State University, Northridge in 2019 and earned my Juris Doctor degree
12 from Southwestern Law School in 2022. I was admitted to practice law in California in 2022. I
13 am admitted to practice before all courts of the State of California and all federal district courts in
14 the State of California. I have worked on many wage-and-hour class action and PAGA
15 representative cases, and my work on these cases has included preparing pleadings and motions,
16 making court appearances, and drafting, negotiating, and finalizing settlement agreements.

17 **EXAMPLES OF RESULTS IN WAGE-AND-HOUR CLASS ACTION AND**
18 **REPRESENTATIVE ACTION CASES**

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

21 a) LFJ, in association with co-counsel therein, represented the plaintiffs in a
22 wage-and-hour class action against a major property management company involving allegations
23 of misclassification of various “manager” positions. On September 20, 2010, the court granted
24 final approval of the class action settlement. The Los Angeles County Superior Court Case
25 Number is BC400414.

26 b) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class action against a national retailer of household items involving allegations of
28 misclassification of the “Assistant Store Manager” position. On October 28, 2010, the court

1 granted final approval of the class action settlement. The Los Angeles County Superior Court
2 Case Number is BC413498.

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

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

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

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

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

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

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

j) 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 upscale hardware and home furnishings, on behalf of non-exempt employees. On April 28, 2016, the court granted final approval of the class and PAGA representative action settlement. The Los Angeles County Superior Court Case Numbers are BC516795 and JCCP4794, and the Judicial Council Coordination Proceeding Number is 4794.

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

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

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1 m) LFJ represented the plaintiff in a PAGA representative action against a real
2 estate and property management company, on behalf of non-exempt employees. On November 4,
3 2016, the court granted approval of the PAGA representative action settlement. The Orange
4 County Superior Court Case Number is 30-2015-00775439-CU-OE-CXC.

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

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

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

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

26 r) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class and PAGA representative action against a manufacturer of food service
28 industry supplies on behalf of non-exempt employees. On April 14, 2017, the court granted final

1 approval of the class and PAGA representative action settlement. The Orange County Superior
2 Court Case Number is 30-2015-00810013-CU-OE-CXC.

3 s) LFJ in association with co-counsel therein, represented the plaintiffs in a
4 wage-and-hour class and PAGA representative action against a lumber and hardware company on
5 behalf of non-exempt employees. On April 26, 2017, the court granted final approval of the class
6 and PAGA representative action settlement. The Orange County Superior Court Case Number is
7 30-2014-00747750-CU-OE-CXC.

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

13 u) LFJ represented the plaintiff in a wage-and-hour class and PAGA
14 representative action against a food company on behalf of non-exempt employees. On June 30,
15 2017, the court granted final approval of the class and PAGA representative action settlement. The
16 Sacramento County Superior Court Case Number is 34-2015-00175871.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 ll) LFJ, in association with co-counsel therein, represented the plaintiffs in a
21 wage-and-hour class action against manufacturer and supplier of power products and services on
22 behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs' motion
23 for class certification and certified a class. On August 27, 2021, the court granted final approval
24 of the class action settlement. The San Diego County Superior Court Case Number is 37-2015-
25 00025968-CU-OE-CTL.

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mm) LFJ represents the plaintiff in a wage-and-hour class action against a 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.

BASIC INFORMATION ABOUT THE CASE AND REACHING THE SETTLEMENT

8. Marked and attached hereto as "**EXHIBIT 1**" is the Joint Stipulation of Class Action and PAGA Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement") entered into by and between Plaintiffs, on the one hand, and Defendants Hanger Inc., Hanger Orthopedic Group, Inc., Hanger Prosthetics & Orthotics, Inc., Hanger Prosthetics and Orthotics West, Inc., and Hanger Fabrication Network, LLC ("Defendants"), on the other hand (collectively, the "Parties"). The Parties and their counsel have approved the proposed Notice of Class Action Settlement ("Class Notice"), which is attached to the Settlement Agreement as "**Exhibit A**" and respectfully request that the Court approve it as well.

9. Based on information provided by Defendants, as of April 21, 2022, the Class is estimated to consist of approximately six hundred ninety-eight (698) individuals and the PAGA Group is estimated to consist of approximately five hundred and seven (507) individuals.

10. The effectiveness of Lawyers *for* Justice, PC ("Plaintiffs' Counsel" or "Class Counsel") in prosecuting this matter has translated into tangible monetary benefits in the following respects: (1) Class Members, the State of California, and PAGA Employees recover over a reasonably short period of time as opposed to waiting additional years for the same, or possibly worse, result; (2) a guaranteed result that compares favorably with other complex wage-and-hour class action and/or representative action settlements of similar type given the strengths and weaknesses of the case; and (3) significant savings in attorneys' fees and/or costs that would have only increased significantly had the case progressed through certification, trial, and/or appeals.

11. Class Counsel has litigated the matter for over two (2) years, and was actively preparing the matter for class certification and trial. The Parties have engaged in extensive settlement negotiations and participated in a formal, full-day mediation conducted by Jeffrey Krivis, Esq. (the "Mediator"), a well-respected mediator experienced in mediating complex labor

1 and employment matters. In the course of litigation and in connection with the mediation and
2 settlement negotiations, the Parties exchanged extensive information and engaged in discussions
3 regarding their evaluations of the case and various aspects of the case, including but not limited
4 to, the risks and delays of further litigation, the risks to the Parties of proceeding with class
5 certification and/or representative adjudication, the law relating to off-the-clock theory, meal and
6 rest periods, PAGA representative actions, and wage-and-hour law and enforcement, as well as
7 the evidence produced and analyzed, and the possibility of appeals, among other things. During
8 all settlement discussions, the Parties conducted their negotiations at arm's length in an adversarial
9 position. Arriving at a settlement that was acceptable to all Parties was not easy. Defendants and
10 its counsel felt strongly about their ability to prevail on the merits and at certification, and Plaintiffs
11 and Plaintiffs' Counsel believed that they would be able to obtain class certification and prevail at
12 trial. After conducting extensive investigations, formal and informal discovery, exchange of
13 information, and settlement negotiations, and with the aid of the Mediator's evaluation, the Parties
14 have agreed that the matter is well-suited for settlement given the legal issues relating to Plaintiffs'
15 principal claims, as well as the costs and risks to both sides that would attend further litigation.
16 The Settlement is a fair, reasonable, and adequate resolution of the Released Class Claims of
17 Plaintiffs and the Settlement Class Members and of the Released PAGA Claims of the State of
18 California and PAGA Group Members, against the Released Parties.

19 12. Prior to reaching the Settlement, Plaintiffs' Counsel investigated the veracity,
20 strength, and scope of the claims, and was preparing for class certification and trial. Plaintiffs'
21 Counsel conducted significant investigation and formal and informal discovery regarding the facts
22 of the case, including and not limited to, the exchange, review, and analysis of a large volume of
23 documents and data obtained from Defendants, Plaintiffs, and other sources. Plaintiffs' Counsel
24 propounded multiple sets of formal written discovery requests on Defendants (specifically,
25 Special Interrogatories (Set One) on Defendant Hanger Prosthetics & Orthotics, Inc. and Special
26 Interrogatories (Set One) on Defendant Hanger P&O West). The volume of data and documents
27 that Plaintiffs' Counsel reviewed and analyzed included and was not limited to: employment
28 records of Plaintiffs Teresa Bond and Reyneiro Larios, a detailed sampling of Class Members'

1 time and pay data, multiple iterations of Defendants' Employee Handbook, company policy
2 acknowledgements and forms (including, but not limited to, Employee Change Request, Drug
3 Consent Form, Benefits Acknowledgment, Acknowledgment of Employment Policies,
4 Harassment Policy Acknowledgment, Employee Confidentiality Acknowledgment/Training
5 Attestation, and Compliance Information Acknowledgment), employment policies, practices, and
6 procedures (including, but not limited to, Defendants' Compensation Policy, Payment Card and
7 Employee Expenses Reporting, Timekeeping, Mission Statement, Employment Practices,
8 Compensation and Payroll, Work Hours, Employee Programs and Benefits, Time Away From
9 Work, Ethical Conduct, Health and Safety, Corporate Information Protection, Employee
10 Guidelines, Notice to California Employees, and Non-Solicitation and Confidentiality
11 Agreement), among other information and documents. Plaintiffs' Counsel interviewed Plaintiffs
12 and conducted investigations to gather facts and circumstances surrounding Plaintiffs and putative
13 class members' employment and to identify potential witnesses. Counsel for the Parties also met
14 and conferred on numerous occasions, e.g., to discuss issues relating to the pleadings, discovery,
15 and the production of documents and data prior to the mediation. Class Counsel also drafted
16 Plaintiffs' mediation brief and prepared for and attended court proceedings, settlement
17 negotiations, and the mediation, among other tasks.

18 13. Counsel for the Parties have also invested time researching and investigating the
19 applicable law, which is often evolving as it relates to certification, representative PAGA claims,
20 off-the-clock theory, meal and rest periods, wage-and-hour law and enforcement, Plaintiffs' claims
21 and damages, and Defendants' defenses thereto, as well as facts discovered. Based on Plaintiffs'
22 Counsel's analysis, the result achieved in this litigation is fair, adequate, and reasonable.

23 14. The Settlement provides for a Gross Settlement Amount of Two Million Two
24 Hundred Fifty Thousand Dollars and Zero Cents (\$2,250,000.00). The Net Settlement Amount is
25 the Gross Settlement Amount less the following amounts, subject to approval by the Court:
26 Attorneys' Fees and Costs to Class Counsel, Incentive Awards to Plaintiffs, Administration Fees
27 to the Settlement Administration, and the PAGA Allocation. Assuming that the amounts allocated
28 under the Settlement toward these payments are awarded by the Court, the Net Settlement Amount

1 that will be available for distribution to Settlement Class Members is currently estimated to be
2 Nine Hundred Thirty Thousand Five Hundred Dollars and Zero Cents (\$930,500.00).
3 Additionally, 75% of the PAGA Allocation (i.e., the LWDA Payment), which is \$337,500 out of
4 \$450,000, will be distributed to the Labor and Workforce Development Agency (“LWDA”) and
5 25% of the PAGA Allocation (i.e., the PAGA Group Member Amount), which is \$112,500 out of
6 \$450,000, will be distributed to PAGA Group Members. The Net Settlement Amount will be fully
7 distributed to Settlement Class Members and the PAGA Allocation will be fully distributed to the
8 LWDA and PAGA Group Members, in accordance with the terms of the Settlement and there is
9 no reversion to Defendants.

10 15. The Parties have agreed to retain Simpluris, Inc. (“Simpluris,” “Settlement
11 Administrator,” or “Administrator”) to handle the notice and settlement administration process.
12 The Parties respectfully request that the Court appoint Simpluris to handle these procedures and
13 serve as the Settlement Administrator. Defendants will provide the Settlement Administrator with
14 the following information for each Class Member: (1) last-known full name, (2) mailing address,
15 (3) telephone number, (4) Social Security Number, (5) dates worked as an hourly, non-exempt
16 employee of Defendants in California during the Class Period and PAGA Period (if applicable),
17 and (6) such other information as is necessary for the Settlement Administrator to calculate
18 Workweeks during the Class Period and PAGA Period (“Class Data and List”). The Settlement
19 Administrator will calculate each Class Member’s estimated share of the Net Settlement Amount
20 (“Individual Settlement Share”) and each PAGA Group Member’s estimated share of the PAGA
21 Group Member Amount (“Individual PAGA Payment”). The Settlement Administrator will also
22 receive Requests for Exclusions, Notices of Objections, and any disputes regarding Workweeks;
23 provide necessary reports and declarations; calculate, subtract, and transmit necessary taxes and
24 withholdings; prepare and submit informational and other tax filings and documents; issue and
25 transmit all payments provided for by the Settlement, including and not limited to, mailing
26 Individual Settlement Payments to Settlement Class Members and Individual PAGA Payments to
27 PAGA Group Members; and perform any other usual and customary duties for administering a
28 class action settlement. Administration Fees are currently estimated not to exceed Twelve

1 Thousand Dollars and Zero Cents (\$12,000.00) and will be paid out of the Gross Settlement
2 Amount, subject to approval of the Court.

3 16. Based on investigation and information discovered, Plaintiffs' Counsel believes that
4 there is sufficient evidence to support the allegations made in the lawsuit, including the allegations
5 that Defendants, with respect to Plaintiffs and the Class Members, *inter alia*, failed to properly
6 pay overtime and minimum wages, failed to provide compliant meal and rest periods and to pay
7 associated premium pay, failed to timely pay wages during employment and upon termination of
8 employment, failed to provide compliant wage statements, failed to maintain requisite payroll
9 records, and failed to reimburse necessary business expenses, and thereby engaged in unfair
10 business practices in violation of California Business and Professions Code section 17200, *et seq.*
11 and conduct giving rise to civil penalties recoverable under the Private Attorneys General Act of
12 2004 (California Labor Code sections 2698, *et seq.*). Plaintiffs also asserted that Class Members
13 were expected to perform similar job duties and were subject to the same or similar operations and
14 employment policies, practices, and procedures. Additionally, Plaintiffs asserted that Defendants'
15 recordkeeping practices with respect to Plaintiffs and Class Members were substantially the same
16 during the time period at issue. As a result of said alleged uniform practices, Plaintiffs claim that
17 Class Members were not paid all of the compensation that was owed to them by Defendants. Thus,
18 in Plaintiffs' Counsel's view, it is clear that the outcome of this litigation would be determined by
19 Defendants' uniform operations and employment practices, policies, and procedures that Plaintiffs
20 allege applied across Defendants' hourly-paid or non-exempt employees in California during the
21 relevant time period.

22 17. Plaintiffs' Counsel is aware of the defenses and position of Defendants, but believes
23 that Plaintiffs could potentially obtain class certification despite many obstacles. Plaintiffs and
24 Plaintiffs' Counsel have also taken into account the uncertainty and risk of the outcome of further
25 litigation, and the difficulties and delays inherent in such litigation, including those involved in
26 class certification and/or representative adjudication. Plaintiffs and Plaintiffs' Counsel further
27 recognize the burdens of proof necessary to establish liability for the claims asserted in the lawsuit,
28 Defendants' defenses, and the difficulties in establishing entitlement to monetary recovery.

1 Plaintiffs and Plaintiffs' Counsel have also considered the Parties' settlement discussions, as well
2 as the evaluations of the Mediator, who is experienced and well-regarded in complex labor and
3 employment matters.

4 18. Defendants, on the other hand, denied and continue to deny any liability and
5 wrongdoing of any kind associated with the allegations in the lawsuit, and further deny that the
6 lawsuit is appropriate for class treatment or representative adjudication for any purpose other than
7 the Settlement. Defendants believe that it would ultimately succeed in the matter. Both sides have
8 also had the opportunity to conduct investigations and gather documents and information relating
9 to Plaintiffs' and Class Members' employment with Defendants, and Defendants' operations and
10 employment policies, practices, and procedures. The Parties also reviewed and analyzed a volume
11 of documents and data, including but not limited to a detailed sampling of Class Members' time
12 and pay information, to determine the potential value and strength of the claims. The available
13 information enabled Plaintiffs' Counsel to assess and value the class and PAGA claims and
14 prepare violation, damages, and penalties analyses and models. Accordingly, the Parties have
15 conducted adequate investigation and discovery to be sufficiently informed of the nature and
16 extent of the class and PAGA claims, and to enable both sides to fully evaluate the Settlement for
17 its fairness, adequacy, and reasonableness. The Settlement takes into account the strengths and
18 weaknesses of each side's position and the uncertainty of how the case might have concluded at
19 certification, trial, and/or appeals.

20 19. The Settlement Agreement provides for Plaintiffs' Counsel to apply for attorneys'
21 fees in an amount of up to thirty-five percent (35%) of the Gross Settlement Amount
22 (i.e., \$787,500.00) and expenses and costs in an amount not to exceed Forty Thousand Dollars and
23 Zero Cents (\$40,000.00), which will be paid out of the Gross Settlement Amount, subject to
24 approval by the Court. It should be noted that Plaintiffs' Counsel has borne all of the risks and
25 costs of litigation and will not receive any compensation until recovery is obtained.

26 20. The Settlement Agreement provides for payment of up to Ten Thousand Dollars and
27 Zero Cents (\$10,000.00) each to Plaintiffs as Incentive Awards (for a combined total of
28 \$30,000.00), to be paid out of the Gross Settlement Amount subject to approval by the Court.

1 Plaintiffs spent considerable time and effort to produce relevant documents and past employment
2 records and to provide the facts and evidence necessary to attempt to prove the allegations.
3 Plaintiffs were available whenever Plaintiffs' Counsel needed Plaintiffs, and actively tried to
4 obtain and provide information that would facilitate the pursuit of the class and PAGA claims.
5 Accordingly, it is appropriate and just for Plaintiffs to each receive an Incentive Award, in addition
6 to an Individual Settlement Payment and/or Individual PAGA Payment, for services performed in
7 the matter on behalf of the Class, State of California, and PAGA Group Members.

8 21. Plaintiffs' Counsel submits that the Settlement is fair, reasonable, and adequate, and
9 is in the best interests of Plaintiffs, the Class, and the State of California. Plaintiffs' Counsel
10 further submits that the Settlement is within an acceptable range of recovery for this type of
11 litigation given the strengths and weaknesses of the case, the inherent costs and risks of further
12 litigation, and the costs and risks associated with class certification, representative adjudication,
13 trial, and/or appeals.

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

16 Executed on this 2nd day of June 2023, at Glendale, California.

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20 Selena Matavosian
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