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Attorneys for Plaintiff KASSANDRA
VASQUEZ, individually and on behalf of all
other similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF TULARE

KASSANDRA VASQUEZ, individually and
on behalf of all others similarly situated,

Plaintiffs,

vs.

RLMK, INC., dba MCDONALD'S, a
California Corporation; and DOES 1-50,
inclusive

Defendants

Case No. VCU280653

Assigned for All Purposes to:
Hon. Nathan Ide
Dept.: 2

**DECLARATION OF GREGORY MAURO IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, ATTORNEYS' FEES,
COSTS AND EXPENSES, AND CLASS
REPRESENTATIVE SERVICE AWARDS**

Date: November 15, 2021
Time: 8:30 a.m.
Dept.: 2

DECLARATION OF GREGORY MAURO

I, Gregory Mauro, declare as follows:

1. I am an individual over the age of 18. I am one of the attorneys of record for Plaintiffs ("Plaintiffs" or "Class Representatives"), who filed this class action on behalf of the Class. I submit this Declaration in support of the Motion for Final Approval of Class Action Settlement and Attorneys' Fees, Costs and Enhancements. ("Motion") I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

2. From the inception of the litigation, the parties have vigorously litigated their respective positions in connection with all aspects of this litigation. Such investigation has included, inter alia, the exchange of information and documents covering policies and procedures relating to the alleged claims, such as employee handbooks, relevant policies on timekeeping, pay schemes, meal and rest periods, job descriptions and duties, sampled time and payroll records for the putative Class Members, Defendants' locations in California during the class period, compensation information relating to the Class Members such as work workweeks and average pay along with financial documents reviewed by our CPA expert. Plaintiff's expert was permitted to directly communicate with Defendants' CPA in regards to the financials produced in order to answer questions raised by the review of the documents and to assist in the evaluation of Defendants' financial position.

4. In light of the above and the nature of the litigation process in general, Plaintiffs recognized that the issues of liability and class certification present significant uncertainty and risk. If Plaintiff was unable to prevail on these claims, a judgment would be entered for Defendants, and Class Members would receive nothing. The proposed Settlement, in contrast, offers a guaranteed, significant value to the Class Members that fairly and reasonably accounts for the very real risks of litigation. Based on the parties' own independent investigations and evaluation, I am of the opinion that the settlement for the consideration and on the terms set forth in the Settlement is within the range of approval, and is fair, reasonable, and adequate and is in the best interests of the Class in light of all known facts and circumstances and the expenses and risks inherent in litigation and certification. The issues and arguments Class

1 Counsel has encountered and overcome in arriving at the parties' negotiated settlement terms
2 were many and complex, and required skillful advocacy that can arise only out of experience,
3 professional perspective, and success.

4 5. This case continues to have the potential to impose enormous litigation costs on
5 all of the parties, as Defendants are expected to continue challenging Plaintiff's allegations and
6 to increase the pace of their investigation. Although it is difficult to foresee the ultimate result
7 of a trial, we anticipate an expensive, complex and time-consuming process. We foresee the
8 possibility of a lengthy and costly appeal regardless of the outcome of trial given the ever
9 changing legal landscape governing this case. In order to succeed on the merits, Class Members
10 would also need to prevail on the several hotly disputed legal and factual issues as discussed in
11 the motion for preliminary approval.
12

13 6. Despite the complexity of the case, Class Counsel has, through the investment
14 of substantial effort and the resources of my law firm been able to secure an outstanding
15 settlement on behalf of the Settlement Class members. Defendants have vigorously contested
16 liability, the amount of claimed damages, and the propriety of class certification, and would
17 have continued to do so through trial. Class Counsel's prior experiences allowed them to
18 competently evaluate the claims, settlement versus trial on a fully informed basis, and the
19 viability of Defendants' defenses.
20

21 7. The further conduct of this litigation will likely span several additional years
22 and require the dedication of extensive resources to establish the merits of all class claims at
23 trial or through contested motion practice. As a further evidence of the risks involved in this
24 type of litigation, counsel litigated a certified class of commercial drivers for wage and hour
25 violations for approximately 11 years where judgment ultimately awarded in favor of
26 Defendant. These types of cases are more on the extreme side but demonstrate that thousands
27 of hours and hundreds of thousands of dollars can be expended during the course of a litigation
28 all without payment or recovery. These are the real risks class counsel face with each and
29 everyone one of these types of cases filed on a contingency basis. There is no guarantee of
30 payment-ever. Yet-employees need these types of services by class lawyers to vindicate rights
31 they never knew they had or were too scared to pursue.
32

1 8. Class Counsel respectfully requests the Court grant approval as the settlement
2 is fair and reasonable to all Class Members.

3 9. I have been working with James Hawkins of James Hawkins, APLC, formerly
4 of Hawkins & Sofonio since the commencement of my practice of law in 2002. Since then, I
5 have been committed solely to representing Plaintiffs in both individual employment litigation
6 and complex wage and hour class actions.

7 10. In approximately 2003 to 2004, I began to focus almost exclusively in class
8 action litigation. In my practice as a class action Plaintiffs' attorney, I have been involved in
9 litigating, mediating and settling numerous wage and hour class actions dealing with class sizes
10 ranging from several hundred to several thousand class members resulting in settlements
11 ranging from six figures to multimillion dollar settlements.

12 11. The following is a non-exhaustive list of class action cases I have
13 successfully Litigated as counsel of record; Walker v. Sharkeez, et al. OCSC, No. 05CC00293
14 [Wage and Hour Class Action]; Velasquez-Lopez v. Hotel Cleaning Services, Inc., RIC 420909
15 [Wage and Hour Class Action]; Acosta v. Fleetwood Travel Trailers of California, Inc., et al.,
16 RSC, No. RIC 440630 [Wage and Hour Class Action]; Defries v. Domain Restaurants, et al.,
17 OCSC No. 05CC00128 [Wage and Hour Class Action]; Denton v. BLB Enterprises, Inc., et al.,
18 OCSC No. 07CC01292 [Wage and Hour Class Action]; Gonzalez v. Superior Industries
19 International, Inc., et al., LASC No. BC 357912 [Wage and Hour Class Action]; Martinez v.
20 Securitas Security Services USA, et al., SCSC No. 105-CV047499, et al. J.C.C.P. No. 4460
21 [Wage and Hour Class Action]; Osuna v. DFG Restaurants, Inc., et al., LASC No. BC 330145
22 [Wage and Hour Class Action]; Padron v. Universal Protection Service, OCSC No. 05CC00013
23 [Wage and Hour Class Action]; Willems v. Diedrich Coffee, Inc., OCSC No. 07CC00015;
24 Almero v. Quest Diagnostics, et. al.; USDC, CENTRAL DISTRICT- Case No.: SACV 08-
25 0794 [Wage and Hour Class Action]; Carey, et. al. v. Arthur J. Gallagher, et. al., USDC,
26 SOUTHERN DISTRICT- Case No.: 09-cv-0168 [Wage and Hour Class Action]; Gutierrez, et.
27 al. v. Hilton Hotel Corp., et. al.; Orange County Superior Court, Case No. 30-2009-00282002
28 [Wage and Hour Class Action]; Herrador v. Culligan International Company, et al., USDC,
29 CENTRAL DISTRICT, Case No. SACV 08-680 [Wage and Hour Class Action]; Vargas v.
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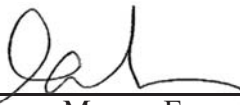
1 Sunopta, et. al. Orange County Superior Court Case NO. 30-2008-00100091 [Wage and Hour
2 Class Action].

3 12. The following is a non-exhaustive list of other class action cases that I also
4 litigated: Cole, et. al. v. CRST Van Expedited, et. al.; USDC, CENTRAL DISCTRICT,
5 EASTERN DIVISION- Case No.: EDCV 08-1570, Wage and Hour Class Action seeking past
6 minimum wages and meal and rest break violations for drivers of Defendant in the State of
7 California; Coordination Proceeding Special Title [Rule 1550(b)] Wackenhut Wage and Hour
8 Cases, Los Angeles Superior Court, Case No. JCCP 4545, Wage and Hour Class Action seeking
9 past wages for overtime, meal and rest period violations for security guards employed by
10 defendant in the State of California; Coordination Proceeding Special Title [Rule 1550(b)]
11 California Logistics Wage and Hour Cases, Los Angeles Superior Court, Case No. JCCP 4622,
12 Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations
13 for misclassified drivers employed by defendant in the State of California. Gonzalez v.
14 Robertson's Ready Mix, Ltd., Riverside County Superior Court, Case No. RIC 110770, Wage
15 and Hour Class Action seeking past wages.

16 13. The following is a non-exhaustive list of class action cases in which I was either
17 counsel or co-lead counsel in which final approval and attorneys' fees were granted along with
18 my corresponding hourly rates approved by the various courts throughout my class action
19 career: Walker v. Surf City Hospitality, aka Sharkeez, et al. OCSC, No. 05CC00293, hourly rate
20 approved in 2006 at \$350.00 per hour; Padron v. Universal Protection Service, OCSC No.
21 05CC00013 and JCCP 4480, hourly rate approved in 2008 at \$400.00 per hour; Davila v.
22 Beckman Coulter, Inc., OCSC No. 07CC01347, hourly rate approved in 2009 at \$500.00 per
23 hour; Perez v. Naked Juice Company of Glendora, Inc., et. al., LASC No. BC387088, hourly
24 rate approved in 2009 at \$500.00 per hour; Gonzalez v. Superior Industries International, Inc., et
25 al., LASC No. BC 357912, approved fees of 33.3% of total settlement amount; Wilson v. MCP
26 Foods, Inc. aka Firmenich, OCSC No. 30-2008-00065584-CU-OE-CXC, hourly rate approved
27 in 2010 at \$500.00 per hour; Garcia v. Quiksilver, Inc., OCSC Case No. 30-2008-00083896-
28 CU-OE-CXC, hourly rate approved in 2011 at \$500 per hour; Gutierrez, et. al. v. Hilton Hotels
29 Corp., OCSC No. 30-2009-00282002-CU-OE-CXC, hourly rate approved in 2011 at \$550.00
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1 per hour; Sanchez v. HVM LQ Management, LLC, USDC Central District No. SA CV11-00123
2 JAK (PJWx), hourly rate approved in 2012 at \$560.00 per hour; Esquivel v. Fairmont Hotels
3 and Resorts, U.S., Inc., Case No. 30-2010-00418849-CU-OE-CXC, hourly rate approved in
4 2012 at \$600.00 per hour; Galvez v. Walt Disney Parks and Resorts U.S., Inc., OCSC NO. 30-
5 2011-00473272-CU-OE-CXC, hourly rate approved in 2013 at \$600.00 per hour; Fernando v.
6 GCS Service, Inc., OCSC No. 30-2011-00473162-CU-OE-CXC, hourly rate approved in 2013
7 at \$600.00 per hour; Navarro v. QS Wholesale, Inc., OCSC Case No. 30-2011-00462143-CU-
8 OE-CXC, hourly rate approved in 2013 at \$600.00 per hour; LoCascio, et. al. v. Hertz Local
9 Edition, SDSC Case No. 37-2015-00020830, hourly rate approved in 2017 at \$750 per hour;
10 Terrado v. Accredited Debt Relief, et. al., SDSC Case No: 37-2018-00014181-CU-OE-CTL,
11 hourly rate approved in 2018 at \$750 per hour; Singer, et. al. v. M.A.C. Cosmetics, SDSC Case
12 No. 37-2019-00033695-CU-OE-CTL, hourly rate of approved in 2020 at \$850 per hour.

14 I declare under penalty of perjury that the foregoing is true and correct. Executed on
15 this 21st day of October, 2021, at Irvine, California.

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Gregory Mauro, Esq.