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Attorneys for Rebecca De Benning, on behalf of herself
and all others similarly situated

SUPERIOR COURT OF CALIFORNIA**COUNTY OF SACRAMENTO**

REBECCA DE BENNING, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,
a Washington Corporation; and Does 1
Through 10, Inclusive,

Defendants.

Case No. 34-2021-00309030

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Jill H. Talley

Department 25

CLASS ACTION

**DECLARATION OF SAHAG MAJARIAN II
IN SUPPORT OF MOTION FOR ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND
ENTERING JUDGMENT**

Hearing Set By Court (10/31/2022 Order)

Date: February 10, 2023

Time: 9:00 a.m.

Dept: 25

Judge: Honorable Jill H. Talley

Complaint filed: September 30, 2021

Trial date: Not set

1 I, SAHAG MAJARIAN II, hereby declare:

2 1. I am an attorney duly licensed to practice in the State of California and am the
3 principal of the Law Offices of Sahag Majarian II, one of the attorneys of record for Plaintiff
4 Rebecca De Benning in this action against Defendant. I have personal knowledge of the following,
5 and if called and sworn as a witness, I could and would competently testify thereto. This
6 declaration is made in support of final approval of the class action settlement in this case.

7 2. I graduated from Loyola Law School in 1990. Since my graduation, I have been in
8 private practice primarily representing consumers against insurance companies and workers
9 against their employers. I have devoted a significant portion of my practice to employment law
10 and class actions, and have been appointed co-class counsel for the plaintiffs in no less than 300
11 wage and hour class actions. A sample of these cases are: *Ayvazi v. Ralph Grocery Company*,
12 LASC Case No. BC 382980; *Sandoval vs. Chevron Stations, Inc.*, MCSC Case No. CV 061690;
13 *Nieves v. Roy's Worldwide, Inc.*, OCSC Case No. 06CC0076; *Corado v. Good Year Rubber Corp.*,
14 SBSC Case No. RCV095476; *Pleitez v. Johnson Controls*, LASC Case No. BC353315; *Serrano*
15 *v. BCI Coca Cola Bottling Co. of L.A.*, LASC Case No. BC349904; *Urbina v. Valley Crest Co.*,
16 LASC Case No. BC356023; *Moraza v. OK International*, OCSC Case No. 06CC0148; *DeLuna*
17 *v. Target*, LASC Case No. BC353080; *Daglian v. Staples, Inc.*, LASC Case No. BC375325;
18 *McCoy v. Kimko*, OCSC Case No. 07CC00007; *Ayvazi v. Ralphs Grocery Company*, LASC Case
19 No. BC382980; *Razo v. C & D Zodiac, Inc.*, OCSC Case No. 07-CC01373; *Sandoval v. Chevron*
20 *Stations, Inc.* MCSC Case No. CV061690; and *Gomez v. Spenuzza, Inc. et al*, RCSC Case No
21 RIC524075.

22 3. In the employment class action arena, I have participated in over 300 class action
23 mediations. I have also been designated co-class counsel in various cases where we prevailed in
24 contested class certification motions. These cases include *Herrera v. Mountain Meadow*
25 *Mushroom Farms, Inc.*, SDCSC Case No. 37-2009-00092416-CU-MT-CTI; *Aguirre v. California*
26 *Drop Forge, Inc.*, LASC Case No. BC374521; *Marroquin v. SwissportNorthAmerica, Inc.*, LASC
27 Case No. BC390001; and *Romero v. Hydraulics International, Inc.*, LASC Case No.
28 19STCV04463.

1 4. Throughout my thirty-two year career in law, my practice has been exclusively
2 contingent fee work. Within the class action arena, I have been designated co-class counsel in no
3 less than 30 class actions that have settled for over \$1 million each. Given my success and
4 experience, in my contingent fee practice I have averaged over \$850 per hour worked. Therefore,
5 I believe it is appropriate to set my lodestar at no less than \$850 per hour in this case. This request
6 is reasonable in view of the much higher rate per hour that can be justified by the broadly accepted
7 Laffey Matrix which shows hourly rate of \$997 for attorneys out of law school for more than 20
8 years.

9 5. Aside from my involvement in this case, Garen Majarian, a first-year associate at
10 my office, also worked on this case. His hourly billing rate is \$375 per hour, lower than the \$413
11 rate justified by the Laffey Matrix.

12 6. My firm's involvement in this case has included legal research, extensive
13 preparation, development of a thorough knowledge of the legal issues related to certification and
14 liability, and full immersion in and preparation for the mediation against Defendant. The
15 settlement in this case was reached after extensive negotiations with an experienced and well-
16 respected mediator Mark S. Rudy, Esq. Based upon the totality of circumstances, I believe that
17 the result achieved in this case is an extremely good outcome for all class members.

18 7. Based on my experience as Class counsel in other employment cases and given the
19 legal and factual realities presented in this case, I believe the proposed settlement is fair,
20 reasonable and adequate for the class. As a result of my prior experience as class counsel in other
21 employment class actions, I am fully aware of the responsibilities I owe as Class counsel in this
22 action.

23 8. I was approached by Plaintiff Rebecca De Benning in May of 2021 in connection
24 with potential employment law claims she believed she had against Defendant. After conducting
25 an investigation of the facts and records, my co-counsel at Cohelan, Khoury & Singer and I
26 proceeded with the filing of a class action against Defendant.

27 9. Throughout the past twenty months, I have been involved in the handling of this
28 case in this action against Defendant. My work on this case includes but is not limited to pre-

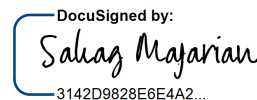
1 litigation research and investigation regarding the Labor Code violations, communication with
2 client, communication with witnesses, analysis of policies and procedures of Defendant, review
3 of settlement documents, and participation in the mediation with Mark S. Rudy.

4 10. My law office undertook this matter on a purely contingent fee basis with no
5 guarantee that the time expended would result in any recovery or recoupment of costs. Throughout
6 my involvement in this case, I have spent a total of 119.70 hours in this case. I anticipate spending
7 an additional 5 hours on this case to conclusion and closure of the file. Therefore, based on my
8 rate of \$850 per hour, the lodestar amount for the 124.70 hours would be \$105,995. Aside my
9 services, Garen Majarian, a first-year associate in our office spent a total of 29.20 hours in this
10 case. At the associate rate of \$375 per hour, Garen Majarian's unadjusted lodestar would be
11 \$10,950 bringing the total unadjusted lodestar for our office to \$116,945.

12 11. I have incurred minimal out of pocket costs in this case. These costs include
13 postage, Fed Ex, and photocopying. My office waives the recovery of such costs in this case.

14 12. Based on my experience in class action litigation, as well as my experience with
15 similar class cases involving similar claims, the settlement amount provides the class with a real
16 and significant benefit. My endorsement of the settlement is without reservation.

17 Executed on January 18, 2023 at Tarzana, California.

18  DocuSigned by:
Sahag Majarian
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20 Sahag Majarian II