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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

[Notice of Motion and Motion for Final Approval of Class Action and PAGA

Defendants.

Settlement; Declarations of Class Counsel (Helene Mayer and David D. Bibiyan); Declarations of Class Representatives (Mackensie Biddle, Jessa Naluz, and Evangeline D. Gaston); Declaration of Settlement Administrator (Laura Hodson); [Proposed] Order Granting Final Approval of Class Action and PAGA Settlement and Judgment; and [Proposed] Order Awarding Attorneys' Fees and Costs and Class Representative Enhancement Payments filed concurrently herewith]

Date:	February 3, 2027
Time:	10:00 a.m.
Courtroom:	9D
Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None set

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PLEASE TAKE NOTICE that on February 3, 2027, at 10:00 a.m. or as soon thereafter as this matter may be heard before the Honorable John W. Holcomb, in Courtroom 9D of the United States District Court for the Central District of California, located at Ronald Reagan Federal Building and United States Courthouse, 411 West 4th Street, Santa Ana, California 92701, Plaintiffs Mackensie Biddle ("Plaintiff Biddle"), Jessa Naluz ("Plaintiff Naluz"), and Evangeline D. Gaston ("Plaintiff Gaston") (collectively, "Plaintiffs" or "Class Representatives") will and hereby do move for an order awarding the following pursuant to the Joint Stipulation of Class and Representative Action Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement"):

- Payment in the amount of **$1,137,500.00** to Lawyers *for* Justice, PC and Bibiyan Law Group, P.C. (collectively, "Class Counsel"), representing thirty-five percent (35%) of the Maximum Settlement Amount, for attorneys' fees, which is reasonable and justified on a percentage-basis and also based on a lodestar cross-check;
- Payment in the amount of **$23,656.67** to Class Counsel for reimbursement of litigation costs and expenses;
- Payment in the amount up to **$7,500.00** each to Plaintiffs as Class Representative Enhancement Payments, for their time and effort in representing the Class.

This motion is based upon the following Memorandum of Points and Authorities, the Declarations of Class Counsel (Helene Mayer and David D. Bibiyan) and Class Representatives (Mackensie Biddle, Jessa Naluz, and Evangeline D. Gaston) in support thereof; as well as the concurrently-filed Notice of Motion and Motion for Final Approval of Class Action and PAGA Settlement, and the Declaration of Settlement Administrator (Laura Hodson of Simpluris, Inc.) in support thereof; the pleadings and other records on file with the Court in this matter;

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and such evidence and oral argument as may be presented at or before the hearing on this Motion.

Dated: November 18, 2026

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By: Helene Mayer

Helene Mayer
Attorneys for Plaintiff Mackensie Biddle, Plaintiff Jessa Naluz, and the Class

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MEMORANDUM OF POINTS AND AUTHORITIES

I. SUMMARY OF MOTION

Plaintiffs Mackensie Biddle ("Plaintiff Biddle"), Jessa Naluz ("Plaintiff Naluz"), and Evangeline D. Gaston ("Plaintiff Gaston") (collectively, "Plaintiffs") seek an award of attorneys' fees in the amount of $1,137,500.00, which is thirty-five percent (35%) of the Maximum Settlement Amount, and reimbursement of litigation costs and expenses in the amount of $23,656.67 (together, "Attorneys' Fees and Costs") to Lawyers *for* Justice, PC and Bibiyan Law Group, P.C. (collectively, "Class Counsel") and Class Representative Enhancement Payments in the amount of $7,500.00 each to Plaintiffs ($22,500.00 total), as provided for by the Joint Stipulation of Class and Representative Action Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement").[1]

This matter involved, and the Settlement is the product of, meaningful and extensive investigations, and review and analysis of a large volume of information, documents, and data exchanged by Plaintiffs and Defendant C & J Clark Retail, Inc. ("Defendant") (together with Plaintiffs, the "Parties") in the course of litigation and mediation and settlement negotiations (which involved two formal mediations conducted by David A. Rotman, Esq.). Declaration of Helene Mayer in Support of Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement and Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payments ("Declaration of Helene Mayer" or "Mayer Decl."), ¶¶ 7-9.

This matter has required 800.80 hours of time by Class Counsel. Mayer Decl., ¶ 12, Exh. A; Declaration of David D. Bibiyan in Support of Plaintiffs' Motion for

[1] In the interest of judicial efficiency, and in support of final approval of the Settlement, Settlement Administrator Costs, and the amount for the PAGA Settlement Amount, Plaintiffs respectfully refer the Court to Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement ("Motion for Final Approval"), and papers in support thereof, filed concurrently herewith, on November 18, 2026.

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Final Approval of Class and Representative Action Settlement ("Bibiyan Decl."), ¶¶ 25, 31. As will be demonstrated herein, the request for attorneys' fees, which represents thirty-five percent (35%) of the Maximum Settlement Amount, is fully supported by the use of the percentage-fee method. Courts have historically awarded fees of up to fifty percent (50%) of the recovery. The requested attorneys' fees are also supported under the lodestar cross-check method.

Plaintiffs also move for payment in the amount of up to $7,500.00 each to Plaintiffs, as Class Representative Enhancement Payments, to compensate Plaintiffs for the time and efforts that they expended spearheading this lawsuit on behalf of the Class, PAGA Aggrieved Employees, and the State of California.

The contemplated requests for Attorneys' Fees and Costs and Class Representative Enhancement Payments were fully disclosed in the Notice of Class and Representative Action Settlement ("Class Notice") that was mailed to the Class Members. Most importantly, as of the date of this Motion, *not a single Class Member has objected to the Class Settlement, or to the contemplated Attorneys' Fees and Costs or Class Representative Enhancement Payments*.

Accordingly, the Court should award the Attorneys' Fees and Costs and Class Representative Enhancement Payments in the full amounts as requested herein.

II. PROCEDURAL HISTORY AND FACTUAL BACKGROUND

For a discussion of relevant procedural history and facts regarding this matter, please see the concurrently filed Declaration of Helene Mayer at paragraphs 4.a-4.y.

Plaintiffs now move for final approval of the requested Attorneys' Fees and Costs and Class Representative Enhancement Payments, and for final approval of the Settlement, Settlement Administration Costs, and the amount for the PAGA Allocation, as set forth in the concurrently filed Motion for Final Approval.

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III. SUMMARY OF THE SETTLEMENT TERMS AND NOTICE ADMINISTRATION

Under the terms of the Agreement, Defendant has agreed to pay a Maximum Settlement Amount of $3,250,000.00. Settlement Agreement, ¶ 25. Defendant's share of payroll taxes due on the portion of the Individual Settlement Shares allocated to wages, shall be paid separately from, and in addition to, the Maximum Settlement Amount. Ibid. No later than twenty-one (21) calendar days after the Effective Date, Defendant shall provide the Maximum Settlement Amount to the Settlement Administrator to fund the Settlement, and the employer's share of payroll taxes due on the portion of the Individual Settlement Shares that is allocated to wages. *Id*., ¶ 43. Subject to approval by the Court, the Net Settlement Amount will be calculated by deducting the Attorneys' Fees and Costs, Class Representative Enhancement Payments, Settlement Administration Costs, and PAGA Allocation. *Id.*, ¶ 27. The Net Settlement Amount, which is estimated to be $1,781,343.33, will be fully distributed to Class Members who did not submit a valid and timely Request for Exclusion ("Settlement Class Members"). Ibid. The PAGA Allocation of $269,000.00 will be distributed to the California Labor and Workforce Development Agency ("LWDA") (in the amount of $201,750.00) and to the PAGA Aggrieved Employees (in the amount of $67,250.00). *Id*., ¶ 32.

On or about September 2, 2026, the Class Notice was mailed to 2,122 individuals identified as Class Members. Declaration of Laura Hodson on Behalf of Simpluris, Inc. Regarding Class Notice and Settlement Administration ("Simpluris Declaration" or "Simpluris Decl."), ¶ 8.

The deadline for Class Members to submit a written letter indicating a request to be excluded from the Class Settlement ("Request for Exclusion"), written objection to the Class Settlement ("Notice of Objection"), and/or written letter disputing the pre-printed information on the Class Notice as to their Workweeks during the Class Period ("Workweeks Dispute") was October 19, 2026 ("Response

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Deadline"). *Id.*, ¶ 12. The extended Response Deadline for re-mailed Class Notices was November 3, 2026. Ibid.

As of the date of this Motion, the Settlement Administrator has received one (1) Request for Exclusion from a Class Member, zero (0) Notices of Objection from Class Members, and zero (0) Workweeks Dispute from Class Members. Simpluris Decl., ¶¶ 13-15.

To date, there are 2,121 California Class Members who will be paid their portion of the Net Settlement Amount. Simpluris Decl., ¶ 16. The Net Settlement Amount of approximately $1,781,343.33 will be distributed to Class Members in accordance with the terms of the Settlement. Agreement, ¶¶ 27. The highest Individual Settlement Share is currently estimated to be approximately $10,452.65 and the average Individual Settlement Share is currently estimated to be approximately $839.86. Simpluris Decl., ¶ 18. The highest Individual PAGA Payment is currently estimated to be approximately $491.67 and the average Individual PAGA Payment is currently estimated to be approximately $51.49. *Id.*, ¶ 20.

IV. THE ATTORNEYS' FEES REQUESTED BY CLASS COUNSEL IS FAIR AND REASONABLE AND SHOULD BE APPROVED.

A. A Fee Award of a Percentage of the Entire Fund Is Appropriate.

Under the terms of the Agreement, Defendant will pay a Maximum Settlement Amount of $3,250,000.00. The requested attorneys' fees are thirty-five percent (35%) of the total value of the monetary settlement. In light of Class Counsel's successful prosecution and resolution of this matter, the requested attorneys' fees are appropriate and reasonable.

When a litigant's efforts result in a settlement from which others may derive benefits, the litigant may require the passive beneficiaries to compensate those whose efforts brought about the settlement. See, R. Pearle, *California Attorney Fee Awards* (CEB, 1993) § 7A, p. 5-7 (permitting attorneys' fees and costs to be paid out of the

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settlement or directly on behalf of the other parties enjoying the benefit of the settlement). Both state and federal courts have embraced this doctrine. See *Serrano*, *supra*, 20 Cal.3d at 35; *Crampton v. Takegoshi* (1993) 17 Cal.App.4th 308, 317; *Vincent*, *supra*, 557 F.2d at 769. Where the amount of a settlement is a "certain easily calculable sum of money," courts may calculate attorneys' fees as a reasonable percentage of the settlement. Weil and Brown, California Practice Guide, *Civil Procedure Before Trial*, Chapter 14, § 14:145; *In re Bluetooth Headset Prods. Liab. Litig.* (9th Cir. 2011) 654 F.3d 935, 942 (the percentage method is particularly appropriate where a monetary settlement has been recovered and "the benefit [recovered can be] easily quantified."). *see also Laffitte v. Robert Half Int'l Inc.* (2016) 1 Cal.5th 480, 503; *Dunk*, *supra*, 48 Cal.App.4th at 1808. Courts may calculate and award attorneys' fees as a percentage of a monetary fund that has, by litigation, been preserved or recovered for the benefit of others. *Laffitte* at 486 & 506.

California and federal courts have long recognized that an appropriate method for determining the award of attorneys' fees is based on a percentage of the total value of benefits made available to class members by the settlement. *Laffitte*, 1 Cal.5th at 503; *Boeing Co. v. Van Gemert* (1980) 444 U.S. 472, 478; *Paul, Johnson, Alston & Hunt v. Graulty* (9th Cir. 1989) 886 F.2d 268, 272; *Vincent v. Hughes Air West, Inc.* (9th Cir. 1977) 557 F.2d 759, 769; *Serrano v. Priest* (1977) 20 Cal.3d 25, 34. The California Supreme Court has urged trial courts to consider class action federal authority. *Green v. Obledo* (1981) 29 Cal.3d 126, 146; *Vasquez v. Superior Court* (1971) 4 Cal.3d 800, 821. The purpose of this equitable doctrine is to spread litigation costs proportionally among all the beneficiaries so that the active beneficiary does not bear the entire burden alone. See *Vincent*, *supra*, 557 F.2d at 769.

The percentage fee method is preferred in class and representative actions because "it better approximates the workings of the marketplace than the lodestar approach." *Lealao v. Beneficial Cal., Inc.* (2000) 82 Cal.App.4th 19, 49. California

law provides that the award for attorneys' fees should be equivalent to fees freely negotiated in the legal marketplace and paid in comparable litigation based on the result achieved and risk incurred. *See Lealao*, *supra*, 82 Cal.App.4th at 47-50; *Laffitte*, *supra*, 1 Cal.5th 480 at 503. In cases where the settlement agreement provides that the defendant will pay the plaintiff's attorneys a percentage of the fund created by the settlement, use of that percentage method is appropriate. *Lealao*, *supra*, 82 Cal.App.4th at 32. Fee awards that are too small will "chill the private enforcement essential to the vindication of many legal rights and obstruct the representative actions that often relieve the courts of the need to separately adjudicate numerous claims." *Id.* at 53. Therefore, fees in representative actions should approximate the probable terms of a contingent fee contract negotiated by a sophisticated attorney and client in comparable litigation. *Id*. at 48. "The ultimate goal . . . is the award of a 'reasonable' fee to compensate counsel for their efforts, irrespective of the method of calculation." *Consumer Privacy Cases* (2009) 175 Cal.App.4th 545, 557-58 (quoting *Apple Computer, Inc. v. Superior Court* (2005) 126 Cal.App.4th, 1253, 1270).

Class Counsel's application for attorneys' fees in light of the facts and circumstances surrounding the cases are well-within the range of reasonableness. Courts have awarded fees as high as 50% of the settlement in complex actions, depending on the circumstances of the case. *See In re Ampicillin Antitrust Litig.* (D.D.C. 1981) 526 F.Supp. 494 (awarding attorneys' fees in the amount of 45% of the $7.3 million total settlement amount); *Beech Cinema, Inc. v. Twentieth-Century Fox Film Corp.* (S.D.N.Y. 1979) 480 F.Supp. 1195 (awarding approximately 53% of the settlement as attorneys' fees). California courts routinely approve attorneys' fees awards "average[ing] around one-third of the recovery." *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 n.11 (lower court found the range of contingency fees in marketplace to be 20%-40% and determined such a percentage fee was appropriate).

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Class Counsel has performed significant work in this matter, as discussed in the Declarations of Helene Mayer and David D. Bibiyan, with the very real possibility of an unsuccessful outcome and no fee recovery of any kind. Mayer Decl., ¶¶ 5-9; Bibiyan Decl., ¶¶ 22-23, 32. In the present matter, Class Counsel has borne all of the risks and costs of litigation and will not receive any compensation until recovery is obtained. Mayer Decl., ¶ 20; Bibiyan Decl., ¶¶ 22-23. Class Counsel is experienced in complex wage-and-hour litigation and used that experience to obtain a significant settlement recovery for Plaintiffs, the Class Members, the PAGA Aggrieved Employees, and the State of California. Mayer Decl., ¶ 14-19; Bibiyan Decl., ¶¶ 2-16. Considering the amount of fees requested, work performed, risks incurred, results obtained, and experience of Class Counsel in handling similar matters, Plaintiffs maintain that the requested attorneys' fees are reasonable and should be awarded.

Courts have consistently recognized that class and representative action litigation is increasingly necessary to protect the rights of individuals whose injuries and/or damages are too small to economically justify legal action on an individual basis. Accordingly, in determining a reasonable fee award, courts award fees to serve as an economic incentive for lawyers to pursue such litigation in order to achieve increased access to the judicial system for meritorious claims and to enhance deterrents to wrongdoing. This is especially true in situations where multiple similar alleged wrongs would not be economically feasible to pursue individually, such as here. See A. Conte, *Attorney Fee Awards* (2d Ed., 1993) 104, at 6.

When the cases were originally filed, not only was it inescapably contingent, but the prospect of a long, drawn-out battle with a defendant represented by experienced counsel, was almost a certainty. By taking on this "battle" on a contingency basis, Class Counsel risked substantial economic loss if the results were not successful. This substantial risk is the reason that the courts approve the use of the percentage method when a settlement is obtained by the efforts of class counsel. *See Vizcaino v. Microsoft* (9th Cir. 2002) 290 F.3d 1043, 1048-49 (discussing the

risks of engaging in litigation without certainty of compensation).

Compensating class counsel in class litigation on a percentage basis, as requested herein, makes good sense because: (1) it is consistent with the private marketplace where contingent fee attorneys are customarily compensated on such a basis; (2) it aligns the interests of class counsel and absent class members in achieving the maximum possible resolution of the case; and (3) it encourages the most efficient and expeditious resolution of the litigation by providing an incentive for early, yet reasonable, settlement. The requested attorneys' fees in this matter satisfy all of those factors and should be approved on a percentage basis.

The percentage method is consistent with, and is intended to mirror, the practice in the private marketplace where contingent-fee attorneys typically negotiate percentage-fee arrangements with their clients. A named plaintiff's agreement to pay a contingent fee is powerful evidence of a reasonable fee. One of the best ways to demonstrate the value of counsel's work to the class is to review the consideration agreed to be paid by the named plaintiff. If the named plaintiff has employed counsel on a contingency-fee basis, it would indeed be inequitable for the members of the class, who will enjoy the benefits of the settlement without incurring the risks of bringing the claim, to pay less than the named plaintiff. In this case, Plaintiffs have agreed to a contingency fee of at least thirty-five percent (35%) of the recovery. Mayer Decl., ¶ 10.

Class Counsel has obtained a substantial recovery on behalf of Plaintiffs, the Class, PAGA Aggrieved Employees, and the State of California, and the results achieved justify an attorneys' fees award that is the equivalent of the standard market fee and that is consistent with the contingency-fee agreement entered into by and between Plaintiffs and Class Counsel. Thus, the requested attorneys' fees are appropriate.

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B. The Attorneys' Fees Requested by Class Counsel are Reasonable Based on the Factors Considered in Determination of Fee Awards.

The factors which courts consider in determining whether fee awards are reasonable, all of which support the fee award requested by Class Counsel, are: the time and labor required; the novelty and difficulty of the questions involved; the skill requisite to perform the legal services properly; the preclusion of other employment by the attorney due to the acceptance of the case; the customary fee; whether the fee is fixed or contingent; the time limitation imposed by the client or the circumstances; the amount involved and results obtained; the experience, reputation, and ability of the attorney; the undesirability of the case; the nature and length of the professional relationship with the client; and awards in similar cases. *Camden I Condominium Association, Inc. v. Dunkel* (11th Cir. 1991) 946 F.2d 768, 772. Some of the most relevant factors to this Court's fee determination will be addressed below.

The award of attorneys' fees in the amount of $1,137,500.00 (which is 35% of the Maximum Settlement Amount) is commensurate with the time, effort, and expense dedicated to the cases, the contingent nature of Class Counsel's fee and the risks taken in commencing the cases, the skill and determination required, the results that Class Counsel has achieved, and the value of the settlement that Class Counsel has achieved in the cases.

1. Time & Labor.

Class Counsel used its experience and skills, and dedicated the full extent of resources, to litigate and bring this matter to a successful conclusion on behalf of the Class. Moreover, as demonstrated in the supporting declaration, Class Counsel have extensive experience in the handling of class actions and complex litigation matters. Mayer Decl., ¶¶ 14-19; Bibiyan Decl., ¶¶ 2-16.

As outlined in the Declarations of Helene Mayer and David D. Bibiyan, Class Counsel has fully and actively participated in litigation of this case. Mayer Decl., Exh. A; Bibiyan Decl., ¶¶ 25-33. Prior to commencing the lawsuits, Class Counsel

had conducted a significant amount of investigation into the factual and legal issues, Defendant's business, and its operations and employment policies, practices, and procedures. Mayer Decl., ¶ 6; Bibiyan Decl., ¶ 32. During the litigation of the actions, Class Counsel had the opportunity to interview Plaintiffs and other Class Members; reviewed and analyzed a large volume of information, documents and data obtained from Defendant, Plaintiffs, and other sources; and prepared liability, damages, penalties, and valuation calculations. Mayer Decl., ¶ 7; Bibiyan Decl., ¶¶ 26-27, 32. Class Counsel also met and conferred with Defendant's counsel over the issues relating to pleadings, case management, motion practice, formal and informal discovery, jurisdiction, and the production of information, documents, and data, among other things; engaged in settlement negotiations with Defendant's counsel; and prepared for and attended court proceedings, mediation, and settlement negotiations. Mayer Decl., ¶¶ 7-8; Bibiyan Decl., ¶¶ 26-28, 32.

Class Counsel have dedicated staffing and monetary resources necessary to prosecute this matter diligently and with maximum efficiency and has fully and actively participated in the litigation process. The Task and Time Chart, which is attached as "**EXHIBIT A**" to the accompanying Declaration of Helene Mayer, sets forth in detail the hours that Lawyers *for* Justice, PC has spent performing tasks in this matter. Mayer Decl., Exh. A. The Task and Time Chart is thorough and comprehensive, and was prepared so that the Court can peruse it without having to set forth each and every task in the body of this Motion. The Court is respectfully referred to the chart, which sets forth the history of the work performed by Lawyers *for* Justice, PC, commencing with the pre-filing analysis and research, and continuing up to settlement and final approval. The accompanying Declaration of David D. Bibiyan sets forth the hours that Bibiyan Law Group, P.C. has spent performing tasks in this matter. Bibiyan Decl., ¶¶ 25-31. Collectively, Class Counsel has spent a total of 800.80 hours performing tasks and to obtain a significant recovery in the cases. Mayer Decl., ¶ 12; Bibiyan Decl., ¶¶ 25. These hours were required to

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bring this matter to its successful conclusion. In light of the value of time expended and the carrying of costs involved in litigating the cases the requested attorneys' fees are fair, adequate, and reasonable.

2. The Skill Required to Perform Legal Services Properly.

The skill required to properly litigate this matter is evident not only in the results achieved, but in the steps necessary to reach those results. Defendant retained well-respected counsel to represent its defenses. More specifically, Defendant and its counsel felt very strongly about Defendant's ability to avoid class certification and representative adjudication, and to prevail at trial. Plaintiffs and Class Counsel believed that they would have obtained class certification and prevailed at trial.

Class Counsel undertook significant investigation, analysis, and research prior to filing the cases, during the litigation, and prior to mediation. Class Counsel took steps to prepare the matter for class certification and representative adjudication and had every intention of taking the cases to trial on a class-wide basis if Defendant did not offer an appropriate class-wide settlement. Despite all of the obstacles that had to be overcome, as demonstrated in the Declarations of Helene Mayer and David D. Bibiyan, Class Counsel used their extensive experience in the handling of class actions and complex wage-and-hour litigation matters in order to obtain the Settlement with maximum efficiency. Mayer Decl., ¶¶ 14-19; Bibiyan Decl., ¶¶2-16.

3. Whether the Fee Is Fixed or Contingent.

Plaintiffs entered into contingency fee agreements with Class Counsel, and the representation of the Class provided by Class Counsel has been wholly contingent. Class Counsel took on the cases without knowing whether any recovery would be obtained. Class Counsel have invested 800.80 hours of time to obtain relief on behalf of Plaintiffs, Class Members, PAGA Aggrieved Employees, and the State of California. Mayer Decl., ¶ 12, Exh. A; Bibiyan Decl., ¶¶ 25. Class Counsel have also incurred litigation costs and expenses in the amount of $23,656.67.[2]

[2] See Part V, *infra*.

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Class Counsel have borne all of the risks and costs of litigation and will not receive any compensation until recovery is obtained. Mayer Decl., ¶ 20; Bibiyan Decl., ¶¶ 22-23. Class Counsel is well-experienced in wage-and-hour class action and complex litigation and used that experience to obtain a great result. Mayer Decl., ¶¶ 14-19; Bibiyan Decl., ¶¶ 2-16. The skill and determination that Class Counsel have shown, along with the results obtained, justify the requested Attorneys' Fees and Costs. Considering the amounts requested, the work performed, and the risks incurred, the requested fees and costs are reasonable and should be awarded.

In determining the reasonableness of a fee award in a class action settlement, whether or not representation is provided on a contingency basis is an important factor:

> A contingent fee must be higher than a fee for the same legal services paid as they are performed. The contingent fee compensates the lawyer not only for the legal services he renders but for the loan of those services. A lawyer who both bears the risk of not being paid and provides legal services is not receiving the fair market value of his work if he is paid only for the second of these functions. If he is paid no more, competent counsel will be reluctant to accept fee award cases.

Cates v. Chiang (2013) 213 Cal.App.4th 791, 823 (internal quotes and citations omitted). Class Counsel litigated the cases on a contingent basis with all of the concomitant risk factors inherent in such an uncertain undertaking. Had Class Counsel not been successful, the time that Class Counsel has devoted to litigating the cases would have been for naught, and would not have produced any fee or any reimbursement of costs or expenses.

4. The Amount Involved and the Results Achieved.

The Settlement represents an excellent resolution of this matter, given the risks inherent in litigating the matter through class certification proceedings, trial, and/or appeals. Had this matter not settled, Defendant would have vigorously challenged certifiability, manageability of representative adjudication, and liability. Defendant, however, faced risks if the Court certified a class and allowed a jury to decide the claims. Additionally, preparing this matter for trial would have been expensive for

the Parties. The Settlement at this stage is preferred over continued litigation because such resolutions save time and money that would otherwise go to litigation. The risks and expenses of further litigation outweighed any benefit that might have been gained otherwise. The Settlement provides an immediate recovery, as opposed to an uncertain result in the future after costly, risk, and prolonged litigation involving expert discovery, trial preparation, class certification proceedings, and appellate review of those proceedings.

The results achieved, in light of the difficulties inherent in similar cases and the specific difficulties faced in these cases, are considerable. The Settlement has yielded a positive response from the Class Members – no Class Members have objected to the Class Settlement. Simpluris Decl., ¶ 14.

Class Counsel's efforts have resulted in a settlement that provides for a Maximum Settlement Amount of $3,250,000.00. Mayer Decl., ¶¶ 6-11. The Maximum Settlement Amount will be fully paid out, in accordance with the terms of the Agreement. The highest Individual Settlement Share is currently estimated to be approximately $10,452.65 and the average Individual Settlement Share is currently estimated to be approximately $839.86. Simpluris Decl., ¶ 18. The highest Individual PAGA Payment is currently estimated to be approximately $491.67 and the average Individual PAGA Payment is currently estimated to be approximately $51.49. *Id.*, ¶ 20.

5. The Reputation and Ability of the Attorneys.

Lawyers *for* Justice, PC and Bibiyan Law Group, P.C. are recognized class action law firms that employed their attorneys' knowledge, skills, and experience in bringing these cases to a successful conclusion. Class Counsel have years of complex and class action litigation experience, has recovered millions of dollars on behalf of thousands of individuals in California, and have successfully handled numerous significant wage-and-hour-class action and complex cases. Mayer Decl., ¶¶ 14-19; Bibiyan Decl., ¶¶ 2-16.

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C. The Lodestar Methodology Also Justifies Approval of the Requested Fees.

While the percentage-of-the-benefit approach is endorsed as the better approximation of the workings of the marketplace than the lodestar approach, courts may also use the lodestar method to "cross-check" the results of the other.

The lodestar is calculated based on reasonable hours at reasonable prevailing hourly rates for the attorneys, counsel is entitled to compensation for every hour reasonably spent on the matter. *Ketchum, supra,* 24 Cal.4th at 1131-1133.

The reasonableness of hours is assessed by "the entire course of the litigation, including pretrial matters, settlement negotiations, discovery, litigation tactics, and the trial itself[.]" *Vo v. Las Virgenes Municipal Water Dist.* (2000) 79 Cal.App.4th 440, 447.

As discussed in Part IV, *supra*, and also discussed in the Declarations of Helene Mayer and David D. Bibiyan, this matter was highly contested and Class Counsel expended significant time and labor in this matter. The Attorney Task and Time Chart sets forth in detail the numerous tasks that Lawyers *for* Justice, PC performed in the cases, and the time required for completing those tasks. See Mayer Decl., Exh. A. The chart demonstrates that Lawyers *for* Justice, PC has spent a total of 533.50 hours litigating the cases and finalizing the Settlement. *Id.*, ¶ 12; Exh. A. The Declaration of David D. Bibiyan sets forth that Bibiyan Law Group, P.C. has spent a total of 267.30 hours litigating the cases and finalizing the Settlement. Bibiyan Decl., ¶¶ 25, 31. In light of the facts and circumstances of the cases, as well as the results that Class Counsel have achieved on behalf of Plaintiffs, the Class Members, the PAGA Aggrieved Employees, and the State of California, Class Counsel have spent a reasonable number of hours on this matter. In addition, Class Counsel will continue to perform work on this matter through the date of final approval and in connection with the implementation of the Settlement.

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Both California and federal courts recognize that attorneys should be compensated for providing representation on a contingency basis and for taking on the risks associated with said representation, and provided with financial incentives to enforce important rights and protections like those at issue in this action. See *Ketchum*, *supra*, 24 Cal.4th at 1132-33. In awarding attorneys' fees, the aim is to mirror "the established practice in the private legal market of rewarding attorneys for taking the risk of nonpayment by paying them a premium over their normal hourly rates for winning contingency cases." See *id*.

Class Counsel have been actively involved in the prosecution of the cases, and the work performed in this matter has precluded other employment. Here, Class Counsel bore the risk that, despite all of its efforts and skills employed, there may be no recovery. Ultimately, Class Counsel was successful in reaching a settlement of $3,250,000.00.

As set forth in the Declaration of Helene Mayer, the professional backgrounds and experience of Lawyers *for* Justice, PC support a reasonable blended hourly rate of compensation at the rate of $850 per hour for services provided by Lawyers *for* Justice, PC. Mayer Decl., ¶ 13. Lawyers *for* Justice, PC has been awarded attorneys' fees, compensating the firm at the blended rate of at least $850 per hour for legal service performed, by courts of this state. Ibid. As set forth in the Declaration of David D. Bibiyan, the professional backgrounds and experience of Bibiyan Law Group, P.C. support reasonable rates of compensation between $95 and $1,200 per hour for services provided by Bibiyan Law Group, P.C. Bibiyan Decl., ¶¶ 26-30. While the circumstances of every case are unique, the fact remains that the work performed and efforts undertaken by Class Counsel on behalf of the Class Members justify the requested attorneys' fees.

Applying the rate of $850 per hour to 533.50 hours worked by Lawyers *for* Justice, PC, and applying the individual attorneys' rates to their hours for services provided by Bibiyan Law Group, P.C., would place a reasonable value of

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$686,981.00 based on lodestar, for the work performed by Class Counsel.

It also bears noting that a court may apply a multiplier in consideration for risk, efficiency, and/or obtaining a substantial result, to enhance the lodestar for purpose of cross-check. See *Ketchum,* 24 Cal.4th at 1133-34 (holding that a risk multiplier may be applied to compensate contingency fee attorneys at a fair market rate). Such an enhancement "mirrors the established practice in the private legal market of rewarding attorneys for taking the risk of nonpayment by paying them a premium over their normal hourly rates for winning contingency cases." *Vizcaino*, 290 F.3d at 1051; *accord Ketchum*, *supra,* 24 Cal.4th 1122, 1132-34. A risk multiplier also serves to bring the financial incentives for enforcing important rights "into line with incentives [attorneys] have to undertake claims for which they are paid on a fee-for-services basis." *Ketchum*, 24 Cal.4th at 1132. Courts have approved fee awards with multipliers of 2 and even higher. See, e.g., *City of Oakland v. Oakland Raiders* (1988) 203 Cal.App.3d 78 (affirming a 2.34 multiplier without remand); *Wershba*, *supra*, 91 Cal.App.4th at 255 ("Multipliers can range from 2 to 4 or even higher."); *Sutter Health Uninsured Pricing Cases* (2009) 171 Cal.App.4th 495, 512 (applying a 2.52 multiplier on a lodestar cross-check); *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 (applying a 2.5 multiplier in a consumer class action).

The risks involved, skill required, complexity of the matter, and results obtained warrant upward enhancement of the lodestar. Even when courts have opted to award fees in settlement fund cases based on time reasonably expended on the action, courts have generally awarded these fees based on the actual time expended (the lodestar) in conjunction with a multiplier of between 2 and 4. *Kerr v. Screen Extras Guild, Inc.* (9th Cir. 1975) 526 F.2d 67. Adjustment of the base lodestar figure to compute an award of attorneys' fees for a claim under the California Labor Code is appropriate. See *Id.*, at 1135-36; *Serrano v. Priest* (1977) 20 Cal.3d 25, 48-49. Courts frequently apply multipliers to enhance the lodestar to reflect the risks

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involved, the complexity of the litigation, and the other relevant facts. *Vizcaino*, 290 F.3d at 1051; *Graham v. DaimlerChrysler Corp*. (2004) 34 Cal.4th 553, 579 ("One of the most common fee enhancers [...] is for contingency risk."). Such an enhancement "mirrors the established practice in the private legal market of rewarding attorneys for taking the risk of nonpayment by paying them a premium over their normal hourly rates for winning contingency cases." *Vizcaino*, 290 F.3d at 1051; *accord Ketchum*, 24 Cal.4th at 1132-33. A risk multiplier also serves to bring the financial incentives for enforcing important rights "into line with incentives [attorneys] have to undertake claims for which they are paid on a fee-for-services basis." *Ketchum*, 24 Cal. 4th at 1132. In determining whether or not to enhance the lodestar, California courts take into account multiple factors, many of which were specifically addressed in § IV.B, *supra*. See, *Cates* at 822-23. Multiple factors warrant enhancement of the lodestar in this matter, including the following: the time and labor required; the skill requisite to perform the legal services properly; the preclusion of other employment by the attorney due to the acceptance of the cases; the contingent nature of the fee; the amount involved and results obtained; the experience, reputation, and ability of the attorney; and awards in similar cases. *Ketchum* at 1134. Therefore, a multiplier of 1.66 should be applied.

Defendant raised defenses and denied liability, and the cases involved gathering and analyzing documents and data not only from Defendant but also from the Class Members. The handling of this matter involved a great amount of effort, and required the exercise of high-level of skill, which Class Counsel has as a result of extensive experience in employment class actions and wage-and-hour litigation.

Most importantly, all services were performed by Class Counsel on a contingent basis. Both California and federal courts recognize that attorneys should be compensated for taking on such contingent risks and provided with financial incentives to enforce important rights and protections like those at issue in the matter at hand. See, e.g., *Vizcaino*, 290 F.3d at 1051; *Ketchum*, 24 Cal. 4th at 1132-33. Here,

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Class Counsel bore the risk that, despite all of their efforts and the skill employed, there may be no recovery. Therefore, at a minimum, Class Counsel are entitled to a risk multiplier.

Applying a multiplier of 1.66, the total enhanced lodestar fees are $1,140,388.46. Class Counsel seek an attorneys' fee award of $1,137,500.00 (35% of the Maximum Settlement Amount). Far greater multipliers have been awarded in similar cases, and the total amount of fees sought by Class Counsel is also reasonable compared to fees awarded in similar cases. Courts routinely enhance lodestar amounts based on multipliers that "range from **2 to 4 or even higher**." *Wershba, supra,* 91 Cal.App.4th at 255 (emphasis added); *see also, e.g.*, *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 (approving **multiplier of 2.5**); *Vizcaino*, 290 F.3d at 1051 (approving **multiplier of 3.65**); *Wal-Mart Stores, Inc. v. Visa U.S.A., Inc.* (2d Cir. 2005) 396 F.3d 96, 123 (approving **multiplier of 3.5**); *Craft v. County of San Bernardino* (C.D. Cal. 2006) 624 F.Supp.2d 1113, 1125 (awarding **multiplier of 5.2** and referring to other cases with cross-check **multipliers ranging from 4.5 to 19.6**).

The nature of the work performed, skill exercised, and the outcome in "this matter—which involves an outstanding monetary recovery involving a ***Maximum Settlement Amount of $3,250,000.00*** (with a Net Settlement Amount of ***at least approximately $1,781,343.33 to be paid to Settlement Class Members*** with an average payment of at least approximately $839.86 per Settlement Class Member, a ***payment of $67,250.00 to PAGA Aggrieved Employees*** with an average payment of $51.49 per PAGA Aggrieved Employee, and ***payment of $201,750.00 to the State of California***—support the percentage fee sought and the application of a lodestar multiplier. Simpluris Decl., ¶¶ 17-20.

Therefore, application of a multiplier of 1.66 is warranted, and the lodestar as a cross-check to the percentage figure sought herein, strongly supports the reasonableness of the requested attorneys' fees award. Plaintiffs respectfully request that the Court grant final approval of, and award, attorneys' fees in the amount of

$1,137,500.00 to Class Counsel.

V. COSTS TO BE REIMBURSED TO CLASS COUNSEL ARE FAIR AND REASONABLE, AND SHOULD BE APPROVED.

The Settlement provides for reimbursement of litigation costs and expenses of up to $35,000.00. As set forth in the Declarations of Helene Mayer and David D. Bibiyan, Lawyers *for* Justice, PC seeks reimbursement of $18,453.49 and Bibiyan Law Group, P.C. seeks reimbursement of $5,203.18 in litigation costs and expenses incurred in this case, totaling $23,656.67. Mayer Decl., ¶ 20, Exh. B; Bibiyan Decl., ¶ 36. These amounts were reasonable and necessary in the prosecution of the cases and to obtain the Settlement, and is less than the maximum amount allocated under the Agreement. Mayer Decl., ¶ 20. The cost savings of $11,343.33 will be part of the Net Settlement Amount, which will be distributed to the Settlement Class Members. Accordingly, Plaintiffs request that the Court award litigation costs and expenses in the amount of $23,656.67 to Class Counsel.

VI. THE REQUESTED CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS ARE FAIR AND REASONABLE, AND SHOULD BE APPROVED.

The Settlement provides for Class Representative Enhancement Payments in the amount of $7,500.00 each to Plaintiffs to compensate Plaintiffs for the time and effort that they expended on behalf of the Class and the State of California. The requested Class Representative Enhancement Payments are both common and reasonable and should be awarded.

In determining whether to make service payments, courts consider the following factors: (1) the risk to the class representative in commencing suit, both financial and otherwise; (2) the notoriety and personal difficulties encountered by the class representatives; (3) the amount of time and efforts spent by the class representatives; (4) the duration of the litigation; and (5) the personal benefit (or lack thereof) enjoyed by the class representatives as a result of the litigation. *Vranken v.*

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Atlantic Richfield Co. (N.D. Cal. 1995) 901 F.Supp. 294, 299 (approving $50,000 participation award to a single class representative).

The requested Class Representative Enhancement Payments are fair and appropriate because Plaintiffs spent a substantial amount of time and effort producing relevant documents and past employment records, as well as providing the facts and evidence necessary to attempt to prove the allegations. Mayer Decl., ¶ 21; Declaration of Mackensie Biddle ("Biddle Decl."), ¶¶ 3-5; Declaration of Jessa Naluz ("Naluz Decl."), ¶¶ 3-5; Declaration of Evangeline D. Gaston ("Gaston Decl."), ¶¶ 9-15. Plaintiffs were available whenever Class Counsel needed them and actively tried to obtain, and gave information that would facilitate the pursuit of the case. Ibid. Plaintiffs spent numerous hours speaking with Class Counsel about their claims, describing their work experiences with Defendant, and gathering and reviewing documents. Ibid. These services merit the requested Class Representative Enhancement Payments to Plaintiffs, who have not received any compensation for their efforts on behalf of the Class Members to date. Biddle Decl., ¶ 8; Naluz Decl., ¶ 8.

The requested Class Representative Enhancement Payments were fully disclosed in the Class Notice that was mailed to the Class Members. No objections were made with regard to the requested Class Representative Enhancement Payments. Accordingly, it is appropriate and just for Plaintiffs to receive $7,500.00 each as reasonable Class Representative Enhancement Payments, for their services in this matter, in addition to their individual settlement payments.

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VII. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court award the Attorneys' Fees and Costs and the Class Representative Enhancement Payments in their entirety, as sought herein.

Dated: November 18, 2026

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By: Helene Mayer

Helene Mayer
Attorneys for Plaintiff Mackensie Biddle, Plaintiff Jessa Naluz, and the Class

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

DECLARATION OF HELENE MAYER IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS

[Notice of Motion and Motion for Final Approval of Class Action and PAGA Settlement; Notice of Motion and Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payments; Declaration of Class Counsel (David D. Bibiyan); Declarations of Class Representatives (Mackensie Biddle, Jessa Naluz, and Evangeline D. Gaston); Declaration of Settlement Administrator (Laura Hodson); [Proposed] Order Granting Final Approval of Class Action and PAGA Settlement and Judgment; and [Proposed] Order Awarding Attorneys' Fees and Costs and Class

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Representative Enhancement Payments filed concurrently herewith]

Date:	February 3, 2027
Time:	10:00 a.m.
Courtroom:	9D
Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None set

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DECLARATION OF HELENE MAYER

I, Helene Mayer, 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 Mackensie Biddle ("Plaintiff Biddle"), Jessa Naluz ("Plaintiff Naluz"), and the Class in the above-captioned matter. 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 as follows.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On March 30, 2026, in Courtroom 9D of the above-captioned Court, the Honorable John W. Holcomb preliminarily approved the Joint Stipulation of Class and Representative Action Settlement and Release ("Settlement Agreement," "Settlement," or "Agreement"), entered into between Plaintiff Biddle, Plaintiff Naluz, and Evangeline D. Gaston ("Plaintiff Gaston") (collectively, "Plaintiffs") and Defendant C & J Clark Retail, Inc. ("Defendant") (together with Plaintiffs, the "Parties"), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Biddle, Plaintiff Naluz, and Plaintiff Gaston as the representatives of the Class ("Class Representatives"). The Court also preliminarily appointed and designated Lawyers *for* Justice, PC and Bibiyan Law Group, P.C. as counsel for the Class (collectively, "Class Counsel"). The Court approved and ordered the mailing of the Notice of Class and Representative Action Settlement ("Class Notice"), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Simpluris, Inc. ("Simpluris" or "Settlement Administrator") to serve as the third-party settlement administrator and handle the notice and settlement administration process.

3. As of the date of filing the accompanying Motion for Final Approval of Class Action and PAGA Settlement ("Motion for Final Approval") and

accompanying Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payments ("Motion for Fees"), no Class Members have objected to the Class Settlement, the request for Attorneys' Fees and Costs, Class Representative Enhancement Payments, Settlement Administration Costs, or the allocation for penalties under the Private Attorneys General Act of 2004, California Labor Code section 2698, *et seq.* ("PAGA").

PROCEDURAL HISTORY OF THE ACTION

4. A summary of the procedural history in the Action is provided herein:

a. Defendant is a retailer of footwear, clothing, and accessories. Plaintiff Biddle was employed by Defendant as an hourly-paid Assistant Store Manager from approximately July to October 2018. Plaintiff Naluz was employed by Defendant as an hourly-paid Team Lead from approximately April 2018 to March 2020. Plaintiff Gaston was employed by Defendant as an hourly-paid Assistant Manager from approximately 2003 to May 2019.

b. On June 11, 2019, Plaintiff Biddle provided written notice to the Labor & Workforce Development Agency ("LWDA") and Defendant of the alleged violations of the California Labor Code.

c. On July 16, 2019, Plaintiff Biddle commenced her class action lawsuit entitled *Mackensie Biddle v. C & J Clark Retail, Inc.*, Superior Court of California, County of Orange, Case No. 30-2019-01083460-CU-OE-CXC (the "Action").

d. On August 12, 2019, Plaintiff Gaston provided written notice to the LWDA and Defendant of the alleged violations of the California Labor Code.

e. On August 12, 2019, Plaintiff Gaston commenced her class action lawsuit entitled *Evangeline D. Gaston v. C & J Clark Retail, Inc.*, Superior Court of California, County of Riverside, Case No. RIC1904224 ("*Gaston* Class

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Action").

f. On August 21, 2019, Plaintiff Biddle filed an amended complaint in the Action to assert a claim under PAGA. On August 22, 2019, Defendant removed the Action to this Court pursuant to the Class Action Fairness Act.

g. On October 16, 2019, Plaintiff Gaston filed her PAGA action entitled *Evangeline D. Gaston v. C & J Clark Retail, Inc.*, Superior Court of California, County of Riverside, Case No. RIC1905210 ("*Gaston* PAGA Action").

h. Plaintiff Biddle filed a second amended complaint in the Action on November 15, 2019, and a third amended complaint on January 6, 2021.

i. On July 27, 2021, the parties to the Action filed a Stipulation of Dismissal Without Prejudice and Tolling Agreement, which the Court entered on July 29, 2021, dismissing the Action without prejudice and ordering that Plaintiff Biddle may re-file pursuant to Local Rules 83-1.2.2 and 83-1.3.

j. On October 28, 2019, Plaintiff Biddle served on Defendant multiple sets of written discovery requests (specifically, Requests for Production of Documents (Set One) and Interrogatories (Sets One and Two)), and served notices of deposition of Person Most Knowledgeable with accompanying requests for production of documents on Defendant.

k. On December 15, 2020, the Parties participated in a private mediation before David A. Rotman, Esq., a well-respected mediator experienced in handling complex wage-and-hour matters. The Parties were unable to reach a settlement at this mediation.

l. On August 24, 2021, Plaintiff Naluz provided written notice to the LWDA and Defendant of alleged PAGA violations, and on October 28, 2021, commenced *Jessa Naluz v. C & J Clark Retail, Inc.*, Superior Court of California, County of Orange, Case No. 30-2021-01228785-CU-OE-

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CXC ("*Naluz* PAGA Action").

m. On November 8, 2021, the Parties participated in a second private mediation before David A. Rotman, Esq. With the aid of the mediator's evaluations, the Parties reached the Settlement to resolve the Action.

n. As part of the settlement, the Parties filed a Fourth Amended Complaint ("Operative Complaint") to consolidate the claims into the Action and to seek court approval in the Action.

o. On May 28, 2024, Plaintiffs filed the Operative Complaint, under a new case number, commencing the above-referenced action (Doc. No 1).

p. On January 2, 2025, Plaintiffs filed their Motion for Preliminary Approval of Class Action Settlement and supporting documents (Doc. Nos. 22, 22-1, 22-2, 22-3, 22-4, 22-5 & 22-6) in the Action, thereby seeking preliminary approval of the Settlement Agreement entered into by the Parties.

q. On March 17, 2025, Plaintiffs filed their Amended Motion for Preliminary Approval of Class Action Settlement ("Motion for Preliminary Approval") and supporting documents (Doc. Nos. 24, 24-1, 24-2, 24-3, 24-4, 24-5, 24-6, 24-7) in the Action, thereby seeking preliminary approval of the Settlement Agreement entered into by the Parties.

r. On March 18, 2025, the Court entered an (In Chambers) Order finding that the Plaintiffs' Motion for Preliminary Approval of Class Action Settlement [EFC No. [22] was appropriate for resolution without a hearing, took the motion under submission without oral argument and vacating the hearing on the Motion for Preliminary Approval (Doc. No 25).

s. On March 26, 2026, Plaintiffs filed Plaintiffs' Status Report And Request For Ruling On Submitted Matter Re Motion For Preliminary Approval

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Of Settlement (Doc. No 28).

t. Plaintiffs' core allegations are that Defendant violated the California Labor Code, California Business and Professions Code, and the Fair Labor Standards Act by failing to: properly pay minimum and overtime wages (including for off-the-clock work), provide compliant meal and rest periods, timely pay wages during employment and upon termination, provide compliant wage statements, maintain requisite payroll records, and reimburse necessary business expenses. Plaintiffs contend that Defendant's conduct constitutes unfair business practices and gives rise to PAGA penalties. As a result, Plaintiffs contend that they and the Class are entitled to unpaid wages, penalties (including statutory and PAGA penalties), and attorneys' fees.

u. Defendant denies any liability of any kind associated with the claims and allegations, and further denies that Plaintiffs or the Class Members are entitled to any relief. Defendant also denies that this case is appropriate for class or representative treatment for any purpose other than the Settlement. Defendant maintains, among other things, that it has complied with federal and California laws in all respects.

v. On March 30, 2026, the Court entered the Order Granting Plaintiffs' Motion For Preliminary Class Action Settlement Approval [ECF Nos. 22 & 24] ("Preliminary Approval Order"), thereby granting the Motion for Preliminary Approval (Doc. No 29).

w. On August 12, 2026, the Parties filed a Stipulation to Continue Deadline and Hearing on Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement (Doc. No. 31).

x. On August 13, 2026, the Court entered the Order Granting Stipulation to Continue Deadline and Hearing on Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement (Doc. No. 32), thereby ordering

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Defendant to produce the Class List to the Settlement Administrator by August 17, 2026, the Class Notice to be mailed by August 31, 2026, setting the Response Deadline to be within forty-five (45) calendar days of the date the Class Notice is mailed, continuing the hearing on the Motion for Final Approval to December 16, 2026, at 10:00 a.m. in Courtroom 9D of the above-captioned Court, and setting a deadline to file the Motion for Final Approval for November 18, 2026.

y. On October 5, 2026, the Court issued a Scheduling Notice continuing the hearing on the Motion for Final Approval to February 3, 2027, at 10:00 a.m. in Courtroom 9D of the above-captioned Court (Doc. No 36).

WORK PERFORMED BY CLASS COUNSEL

5. Several attorneys at Lawyers *for* Justice, PC have been actively performing work in the matter since prior to its commencement in the Superior Court of California for the County of Orange on July 16, 2019. This matter was removed by Defendant to the United States Federal District Court for the Central District of California on August 22, 2019.

6. Before initiating the cases, Lawyers *for* Justice, PC investigated and researched the facts and circumstances underlying the pertinent factual and legal issues and applicable law. This required thorough discussions and interviews between attorneys at Lawyers *for* Justice, PC and Plaintiff Biddle and Plaintiff Naluz, and research into the various legal issues involved in the cases, namely, the current state of the law as it applied to class certification, off-the-clock theory, meal and rest periods, representative PAGA claims, wage-and-hour law and enforcement, Plaintiff Biddle's and Plaintiff Naluz's claims and allegations, and Defendant's defenses. After conducting initial investigation, Lawyers *for* Justice, PC determined that the claims of Plaintiff Biddle and Plaintiff Naluz were well-suited for class-wide and representative adjudication, owing to what appeared to be a common course of conduct affecting a similarly situated group of current and

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former hourly-paid or non-exempt employees of Defendant who worked in California, who were not properly compensated for, *inter alia*, all hours worked, non-compliant meal and rest periods, and unreimbursed business expenses.

7. Class Counsel conducted significant formal and informal discovery and investigation into the facts of the cases, to assess the veracity, strength, and scope of the claims, and was preparing the matter for class certification and trial prior to reaching the Settlement. The Parties exchanged and analyzed a large volume of pages of information, documents, and data obtained from Plaintiffs, Defendant, and other sources, in the course of the litigation and in connection with the mediation and settlement negotiations. Class Counsel served multiple sets of formal written discovery requests (specifically, Requests for Production of Documents (Set One) and Interrogatories (Sets One and Two)) and notices of deposition of Defendant's Person Most Knowledgeable designees (with accompanying requests for production of documents) on Defendant. Plaintiffs and Class Counsel also prepared and provided Initial Disclosures to Defendant, and reviewed Defendant's Initial Disclosures. The volume of data and documents that Class Counsel reviewed and analyzed included and was not limited to: Plaintiffs' employment records, Class Members' time data, a detailed sampling of Class Members' payroll data, class datapoints, Defendant's Employee Handbook, checklists, acknowledgements, Defendant's operations and employment practices, procedures, and policies, forms, among other information and documents. Class Counsel had the opportunity to interview and obtain information from Plaintiffs and percipient witnesses, and reviewed and analyzed a volume of information, data, and documents obtained from Plaintiffs, Defendant, and other sources. Class Counsel developed liability, damages, violation, and penalties valuation models in the course of litigation and in connection with the mediation and settlement negotiations, and met and conferred with Defendant's counsel on numerous occasions, e.g., to discuss issues relating to the pleadings, case management,

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formal and informal discovery, jurisdiction, and the production of information, documents, and data in the course of litigation and in connection with mediation and settlement negotiations, and settlement. Other work performed by Class Counsel included, and was not limited to, case strategy and analysis; researching, drafting, reviewing, and/or revising the pleadings, the mediation briefing and supporting materials, and settlement documents; and preparing for and attending court proceedings, mediation, and settlement negotiations, among other tasks.

8. As outlined herein, the Parties have conducted significant investigation and formal and informal discovery during the course of litigating this matter, the mediation, and extensive settlement negotiations. Class Counsel analyzed a volume of pages of information, documents, and data obtained from Plaintiffs, Defendant, and other sources that provided a critical understanding of the nature of the work performed by Settlement Class Members and PAGA Aggrieved Employees, as well as Defendant's organizational structure and its operations and employment policies, practices, and procedures. The information, documents, and data were used in analyzing liability, damages, penalties, and other valuation issues in connection with all phases of the litigation, and ultimately, in connection with the mediation and settlement negotiation process. Class Counsel also performed significant research into the applicable law, which is evolving as it relates to class certification, manageability, off-the-clock theory, meal and rest periods, representative PAGA claims and penalties, wage-and-hour law and enforcement, Plaintiffs' claims and allegations, and Defendant's defenses thereto, as well as facts discovered.

9. After conducting significant investigation of the facts and law during the prosecution of this matter, and formal and informal discovery, counsel for the Parties engaged in extensive settlement negotiations to try to resolve the cases. These efforts included participating in two formal mediations conducted by David A. Rotman, Esq., a well-regarded mediator experienced in handling complex labor

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and employment matters. During all settlement discussions, the Parties conducted their negotiations at arm's length in an adversarial position. In the course of the mediation and settlement negotiations, the Parties exchanged information, documents, and data, and discussed various aspects of the cases, including and not limited to, the risks and delays of further litigation, the risks and expenses to the Parties of proceeding with class certification, representative adjudication, and trial; the law relating to class certification, manageability, off-the-clock theory, meal and rest periods, expense reimbursements, recordkeeping and wage statement requirements, representative PAGA claims and penalties, and wage-and-hour law and enforcement; Plaintiffs' claims and allegations, and Defendant's defenses thereto, as well as the evidence produced and analyzed; and the possibility of appeals, among other things. Arriving at a settlement that was acceptable to the Parties was not easy. Defendant contended that individualized questions of fact predominate over any common issues, and these issues would pose challenges to class certification and representative adjudication. Defendant and its counsel felt strongly about Defendant's ability to avoid class certification and prevail on the merits and, while Plaintiffs and Class Counsel believed that they would be able to obtain class certification and prevail at trial. With the aid of the mediator's evaluation, the Parties ultimately agreed that this matter was well-suited for settlement given the legal issues relating to Plaintiffs' principal claims, as well as the costs and risks to the Parties that would attend further litigation. These risks of further litigation include, and are not limited to, a determination that the claims are unsuitable for class treatment and/or representative adjudication, class de-certification after certification of a class, allowing a jury to decide the claims asserted in the cases, and the real possibility of no monetary recovery after years of litigation.

10. By way of the accompanying Motion for Fees, Class Counsel seeks attorneys' fees in the amount of $1,137,500.00, which is thirty-five percent (35%)

of the Maximum Settlement Amount of $3,250,000.00. Pursuant to the contingency-fee agreement entered into by and between Plaintiffs and Class Counsel, Plaintiffs have agreed to a contingency fee of at least thirty-five percent (35%) of the recovery.

11. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the cases; (2) the time, effort, and expense that Class Counsel dedicated to the cases; (3) the skill and determination that Class Counsel have shown; (4) the results that Class Counsel have achieved throughout the litigation; (5) the value of the settlement that Class Counsel have achieved in this matter; and (6) the other cases that Class Counsel have turned down in order to devote their time and efforts to these cases. The nature of the work performed, skill exercised, and the outcome in this matter which involves an outstanding monetary recovery involving a Maximum Settlement Amount of $3,250,000.00—with a Net Settlement Amount of approximately at least $1,781,343.33 to be paid to Settlement Class Members (with gross Individual Settlement Payments averaging approximately more than $839.86), payment of $67,250.00 to PAGA Aggrieved Employees (with Individual PAGA Payments averaging approximately $51.49), and payment of $201,750.00 to the State of California—support the percentage fee sought.

12. While not necessarily required to be demonstrated because the percentage fee is proper for this settlement, it should be noted that Class Counsel have incurred many hours of work in connection with prosecuting this matter such that the award of attorneys' fees is also justified under a lodestar analysis. Attorneys at Lawyers *for* Justice, PC have spent a total of **533.50 hours** performing tasks and obtaining recovery in this matter. Attached hereto as **"EXHIBIT A"** is an Attorney Task and Time Chart that sets forth in detail the nature of the legal services provided by attorneys at Lawyers *for* Justice, PC and the time incurred by them in performing those services. These hours include work

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done by several attorneys at Lawyers *for* Justice, PC. Also, separate from the hours referenced herein and in the chart, Lawyers *for* Justice, PC had litigation support personnel actively engaged in assisting with the prosecution of this matter.

13. The work performed in this particular matter, the background of Lawyers *for* Justice, PC, as well as the individual backgrounds, training, and experience of the attorneys who worked on this matter, in litigating complex wage-and-hour cases, and in particular, employment class actions and representative actions, support a reasonable blended hourly rate of compensation at the rate of at least $850 per hour for work performed by Lawyers *for* Justice, PC. Lawyers *for* Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least $850 per hour for legal services performed, by courts granting approval of settlements in other wage-and-hour class action and/or representative action cases: final approval of the class and representative action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court Case No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved compensation at the rate of $936.47 per hour; final approval of the class and representative action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved compensation at the rate of $919.57 per hour; and final approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp*. (Sonoma County Superior Court Case No. SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved compensation at the rate of $855.96 per hour.

EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC

14. For over a decade, 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 attorney of record in over a dozen

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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. The firm has successfully litigated cases involving nearly every aspect of California wage-and-hour law, including payment of overtime and minimum wage, provision of meal and rest breaks and/or premium wages for same, timely payment of wages, provision of compliant wage statements, reimbursement of business expenses, executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements, PAGA claims, and sister statutes under federal law. 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.

15. Edwin Aiwazian is the Chief Executive Officer 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 addition, he has previously served as a pro bono mediator for the Los Angeles County Superior Court. In October of 2000, he obtained a Litigation Paralegal Certificate from the UCLA Extension Program. During the summer of 2000, he studied Legal Writing at Harvard University. From approximately September 2002 to approximately December 2002, he served as a Judicial Extern to the Honorable Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit. From approximately June 2002 to approximately August 2002, he served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. In December of 2004, he obtained a license to practice law from the California State Bar. Since in

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or around October of 2008, through his work at Lawyers *for* Justice, PC, he has almost exclusively focused on the prosecution of consumer and employment class actions. While employed by Lawyers *for* Justice, PC, he has argued over one hundred (100) motions, taken or defended over one hundred fifty (150) depositions, prepared dozens of expert witnesses for deposition or trial, and attended over one hundred seventy-five (175) mediations. Together with other attorneys at the firm, and in some cases in conjunction with co-counsel, he has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. Under his supervision, Lawyers *for* Justice, PC, has successfully obtained class certification by contested motion practice in approximately sixteen (16) cases in the last decade and litigated over 1,000 class action or representative action cases.

16. Arby Aiwazian is a Senior Partner of Lawyers *for* Justice, PC. He received his Bachelor of Arts degree from University of California, Los Angeles, and graduated magna cum laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. From approximately August 2008 to approximately December 2008, he served as a Judicial Extern to the Honorable Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit. He was admitted to practice law in California in 2010. He is admitted to practice before all courts of the State of California and all United States District Courts in the State of California. He has worked on many wage-and-hour class action and representative action cases, taking the lead in taking and defending depositions, arguing motions, and attending mediations. He has played an integral role in preparing matters for class certification, including and not limited to, successful certification of a class in *Upson v. Sur La Table* (Los Angeles County

Superior Court Case No. BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No. BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No. RG13680477). Under his supervision, dozens of class action or representative action cases have resulted in settlements that have been granted court approval. He has handled over one hundred and fifty (150) mediations and worked on over two hundred and fifty (250) class action or representative action cases which have resulted in settlement.

17. Joanna Ghosh is a Senior Partner of Lawyers *for* Justice, PC. She received a Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of Science degree from the London School of Economics in 2007, and a Juris Doctor degree from Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010), in New York (since 2013), and in Washington (since 2026), and is also admitted to practice in all U.S. District Courts in California, the U.S. Bankruptcy Court for the Central District of California, U.S. District Court for the Western District of Washington, and the U.S. Supreme Court. She has taken and defended dozens of depositions and successfully handled motion practice in class action cases regarding discovery (including and not limited to, regarding class contact information), class certification (both contested class certification and stipulated class certification), arbitration agreements, coordination, intervention. She has successfully handled briefing and oral argument on appeal, and obtained notable decisions regarding the Private Attorneys General Act and employer efforts to compel arbitration of such claims, e.g., *Betancourt v. Prudential Overall Supply*, 9 Cal.App.5th 439 (Cal. Ct. App., Mar. 7, 2017), cert. denied (Cal., May 24, 2017), cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court*, 8 Cal.5th175 (2019). She has significant experience with class actions, including and not limited to working on cases to obtain class certification through contested motion practice and working on cases in the post-certification stage (e.g., post-certification discovery, appeal,

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statistical sampling and pilot study, and trial preparation in conjunction with co-counsel in a case involving a certified class consisting of approximately 2,600 individuals). She has extensive experience with class action and/or representative action settlements, and has handled this process in over five hundred (500) cases. Under her, Edwin Aiwazian, and Arby Aiwazian's supervision, Lawyers *for* Justice, PC has handled the class certification and court approval process for hundreds of class action and/or representative action matters that have successfully resolved. Joanna Ghosh is a member of the California Employment Lawyers Association and, on several occasions, has been a speaker regarding topics in wage-and-hour law at the organization's continuing legal education events.

18. Yasmin Hosseini is a Senior Attorney of Lawyers *for* Justice, PC. She received her Bachelor of Arts degree from University of California, Santa Barbara in 2013 and earned her Juris Doctor degree from Pepperdine University School of Law in 2017. She was admitted to practice law in California in 2019. She is admitted to practice before all courts of the State of California and all federal district courts in the State of California. She has worked on many wage and hour class action and PAGA representative matters, and her work has included, *inter alia*, researching and drafting pleadings, administrative notice exhaustion, drafting, negotiating, and finalizing stipulations and settlement agreements, engaging in motion practice, claims evaluation and analysis, and making court appearances. Prior to working at Lawyers *for* Justice, PC, she represented filmmakers and talent, negotiating and structuring various types of agreements on their behalf. She is a member of the California Employment Lawyers Association, Beverly Hills Bar Association, and Iranian American Bar Association.

19. I, Helene Mayer, am a Member of Lawyers *for* Justice, PC. I received my Bachelor of Arts degree from University of San Diego in 2017, and I earned my Juris Doctor degree from University of San Diego School of Law in 2020. I was admitted to practice law in California in 2021. I am admitted to practice before

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all courts of the State of California and all U.S. Federal District Courts in the State of California. I have worked on wage-and-hour class action and PAGA representative cases, and my work has included, *inter alia*, researching and drafting pleadings, administrative notice exhaustion, drafting, negotiating, and finalizing stipulations and settlement agreements, and making court appearances. Prior to working at Lawyers *for* Justice, PC, I worked at law firms focused primarily on family law matters, including, *inter alia*, representing clients in divorce, parentage, child custody, and domestic violence restraining order proceedings, researching, and drafting pleadings, negotiating and finalizing marital settlement agreements, engaging in motion practice, and making court appearances.

LITIGATION COSTS AND EXPENSES INCURRED BY LAWYERS *for* JUSTICE, PC

20. To date, Class Counsel have borne all of the risks and costs of litigation and will not receive any compensation until recovery is obtained in this matter. The Settlement provides for reimbursement of Class Counsel's litigation costs and expenses in the amount of up to $35,000.00. Lawyers *for* Justice, PC seeks reimbursement of **$18,453.49** in litigation costs and expenses incurred in the matter, as reflected in "**EXHIBIT B**" attached hereto. These expenses were reasonable and necessary in the prosecution of the matter and to obtain the Settlement.

CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS TO PLAINTIFFS

21. In recognition of their efforts and work spearheading the prosecution of the cases and serving as the Class Representatives, as well as their broader individual waiver and release of claims with a California Civil Code section 1542 waiver (set forth in Paragraph 69(a) of the Settlement Agreement), the Settlement provides for Class Representative Enhancement Payments in the amount of

$7,500.00 each to Plaintiffs ($22,500.00 total). Plaintiffs spent a substantial amount of time and effort discussing their employment with Class Counsel, gathering and providing relevant documents and information, and providing facts and evidence to support the prosecution of the claims. Plaintiffs were available whenever Class Counsel needed them and actively tried to obtain and provide information that would help obtain a recovery in this matter. Accordingly, it is fair and appropriate for Plaintiffs to receive $7,500.00 each as reasonable Class Representative Enhancement Payments for their broader waiver and release of claims and services performed in this matter, in addition to their Individual Settlement Payments and Individual PAGA Payments (if applicable).

22. I submit that the Settlement is fair, reasonable, and adequate, and is in the best interests of Plaintiffs, Class Members, PAGA Aggrieved Employees, and the State of California.

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

Executed this 18th day of November 2026, at Mooresville, North Carolina.

Helene Mayer

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EXHIBIT A

MACKENSIE BIDDLE, ET AL. V. C & J CLARK RETAIL, INC.
United States District Court, Central District of California, Case No. 8:24-cv-01131-JWH-ADS ("*Biddle II Action*")
United States District Court, Central District of California, Case No. 8:19-cv-01624-JWH-ADS ("*Biddle I Action*")
Orange County Superior Court, Case No. 30-2019-01083460-CU-OE-CXC ("*Biddle* State Action")

JESSA NALUZ V. C & J CLARK RETAIL, INC., ET AL.
Orange County Superior Court, Case No. 30-2021-01228785-CU-OE-CXC ("*Naluz* Action")

ATTORNEY TASK AND TIME CHART

TASK	LAWYERS *for* JUSTICE, PC
Investigation and Research / Due Diligence	
Meet, Communicate, and/or Review Communication with Plaintiff Mackensie Biddle ("Plaintiff Biddle")	22.50
Meet, Communicate, and/or Review Communication with Plaintiff Jessa Naluz ("Plaintiff Naluz")	15.50
Investigate, Communicate with, Interview, and/or Review Communication with Putative Class Members, Aggrieved Employees, and/or Percipient Witnesses	4.50
Review and Analyze Court Filings in *Evangeline D. Gaston v. C & J Clark Retail, Inc.*, Superior Court of California, County of Riverside, Case No. RIC1904224 ("*Gaston* Action") and *Evangeline D. Gaston v. C & J Clark Retail, Inc.*, Superior Court of California, County of Riverside, Case No. RIC1905210 ("*Gaston* PAGA Action")	2.10
Pleadings and Court Filings	
Investigate the Merits of Plaintiff Biddle's Class Action Claims, Conduct Legal Research and Analysis Regarding Class Action Claims, and Draft, Review, and/or Revise Plaintiff Biddle's Class Action Complaint for Damages (filed on July 16, 2019) (*Biddle* State Action)	7.50
Review Court's Notice of Case Assignment (filed on July 27, 2019) (*Biddle* State Action)	0.20

Review Court's Minute Order Re: Case Initiation (filed on August 22, 2019) (*Biddle* State Action)	0.20
Review and Analyze Defendant C & J Clark Retail, Inc.'s ("Defendant C & J Clark") Notice to State Court and Adverse Parties of Removal of Action to Federal Court (served on August 23, 2019) (*Biddle* State Action)	0.40
Review Court's Minute Order Re: Case Removed to Federal Court (filed on September 3, 2019) (*Biddle* State Action)	0.10
Review Court's Notice of Assignment to United States Judges and Notice to Parties of Court-Directed ADR Program (filed on August 26, 2019) (*Biddle I* Action)	0.40
Review Court's Initial Order Following Filing of Complaint Assigned to Judge Selna (filed on August 27, 2019) (*Biddle I* Action)	0.40
Review Court's Order Setting Rule 26(f) Scheduling Conference (filed on September 5, 2019) (*Biddle I* Action)	0.40
Draft, Review, and/or Revise Plaintiff Biddle's Second Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act California Labor Code § 2698, Et Seq. (filed on November 15, 2019); and Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation Permitting Plaintiff Biddle to File Second Amended Complaint, Exhibit A, and [Proposed] Order Thereon (submitted on October 25, 2019) (*Biddle I* Action)	2.10
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Joint Rule 26(f) Report (filed on November 8, 2019) (*Biddle I* Action)	2.20
Review Court's Order Granting Stipulation Permitting Plaintiff Biddle to File Second Amended Complaint (filed on November 14, 2019) (*Biddle I* Action)	0.20
Draft, Review, and/or Revise Plaintiff Biddle's Notice of Appearance or Withdrawal of Counsel (filed on November 18, 2019) (*Biddle I* Action)	0.10
Draft, Review, and/or Revise Plaintiff Biddle's Notice of Appearance or Withdrawal of Counsel (filed on November 21, 2019) (*Biddle I* Action)	0.10

Review and Analyze Defendant C & J Clark's Answer to Plaintiff Biddle's Second Amended Complaint, and Research Affirmative Defenses in Defendant C & J Clark's Answer (served on December 6, 2019) (*Biddle I* Action)	1.50
Draft, Review, and/or Revise Plaintiff Biddle's Notice of Appearance or Withdrawal of Counsel (filed on July 20, 2020) (*Biddle I* Action)	0.10
Review Court's Order of the Chief Judge (filed on September 25, 2020) (*Biddle I* Action)	0.20
Review Court's Notice of Reassignment (filed on October 3, 2020) (*Biddle I* Action)	0.30
Review Court's Standing Order (filed on October 17, 2020) (*Biddle I* Action)	0.60
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulated Protective Order for Litigation Involving Confidential Information and/or Trade Secrets and [Proposed] Order Thereon (submitted on December 29, 2020) (*Biddle I* Action)	1.60
Review Court's Order Granting the Parties' Stipulated Protective Order for Litigation Involving Confidential Information and/or Trade Secrets (filed on December 30, 2020) (*Biddle I* Action)	0.20
Draft, Review, and/or Revise Plaintiff Biddle's Third Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act (filed on January 6, 2021); Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Amend Complaint and Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines and [Proposed] Order Thereon (submitted on December 29, 2020) (*Biddle I* Action)	3.50
Review Court's Order Continuing Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines (filed on January 4, 2021) (*Biddle I* Action)	0.20
Review and Analyze Defendant C & J Clark's Answer to Plaintiff Biddle's Third Amended Complaint, and Research Affirmative Defenses in Defendant C & J Clark's Answer (served on January 20, 2021) (*Biddle I* Action)	1.30
Review Court's Civil Minutes – General Re: Video Hearing Re: Status Conference (filed on July 9, 2021) (*Biddle I* Action)	0.20

Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation of Dismissal Without Prejudice and Tolling Agreement and [Proposed] Order Thereon (submitted on July 27, 2021) (*Biddle I* Action)	1.80
Review Court's Order on Stipulation of Dismissal Without Prejudice and Tolling Agreement (filed on July 29, 2021) (*Biddle I* Action)	0.20
Investigate the Merits of Plaintiff Naluz's PAGA Claim, Conduct Legal Research and Analysis Regarding the PAGA Claim, and Draft, Review, and/or Revise Plaintiff Naluz's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. (filed on October 28, 2021) (*Naluz* Action)	6.50
Review Court's Minute Order Re: Case Management Conference (filed on December 21, 2021) (*Naluz* Action)	0.10
Review Court's Minute Order Re: Case Management Conference (filed on March 18, 2022) (*Naluz* Action)	0.10
Draft, Review, and/or Revise Plaintiff Naluz's Case Management Conference Statement and Notice of Settlement and Declaration of Ovsanna Takvoryan in Response to Order to Show Cause Re: Sanctions for Plaintiff Naluz's Counsel's Failure to File Case Management Statement (filed on May 26, 2022) (*Naluz* Action)	2.10
Review Court's Minute Order Re: Case Management Conference (filed on May 31, 2022) (*Naluz* Action)	0.20
Draft, Review, and/or Revise Plaintiff Naluz's Case Management Conference Statement (filed on December 1, 2022) (*Naluz* Action)	0.80
Review Court's Minute Order Re: Case Management Conference (filed on December 6, 2022) (*Naluz* Action)	0.20
Draft, Review, and/or Revise Plaintiff Naluz's Status Conference Statement (filed on June 1, 2023) (*Naluz* Action)	1.40
Review Court's Minute Order Re: Status Conference (filed on June 6, 2023) (*Naluz* Action)	0.20

Meet and Confer with Defendants C & J Clark Retail, Inc. and Clarks Americas, Inc.'s (together, "Defendants") Counsel, and Draft, Review, and/or Revise Joint Status Conference Statement (filed on December 7, 2023) (*Naluz* Action)	1.50
Review Court's Minute Order Re: Status Conference (filed on December 12, 2023) (*Naluz* Action)	0.20
Draft, Review, and/or Revise Plaintiff Biddle, Plaintiff Naluz, and Evangeline D. Gaston's ("Plaintiff Gaston") (collectively, "Plaintiffs") [Proposed] Fourth Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act, California Labor Code 2698, Et Seq. (submitted on May 21, 2024) (*Biddle I* Action)	3.50
Review Court's Notice to Filer of Deficiencies in Filed Document and Order in Response to Notice to Filer of Deficiencies in Filed Document (filed on May 22, 2024) (*Biddle I* Action)	0.40
Draft, Review, and/or Revise Plaintiffs' [Proposed] Fourth Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act, California Labor Code 2698, Et Seq. (submitted on May 28, 2024) (*Biddle II* Action)	0.50
Draft, Review, and/or Revise Plaintiffs' Notice of Related Cases (filed on May 28, 2024) (*Biddle II* Action)	0.20
Review Court's Notice of Assignment to United States Judges, Notice to Parties of Court-Directed ADR Program, and Notice to Counsel Re Consent to Proceed Before a United States Magistrate Judge (filed on May 30, 2024) (*Biddle II* Action)	0.30
Review Court's Notice to Filer of Deficiencies in Request for Issuance of Summons (filed on May 31, 2024) (*Biddle II* Action)	0.20
Review Court's Notice to Filer of Deficiencies in Request for Issuance of Summons (filed on June 3, 2024) (*Biddle II* Action)	0.20
Meet and Confer with Defendants' Counsel, and Draft, Review, and/or Revise Joint Status Conference Statement (filed on June 6, 2024) (*Naluz* Action)	1.50
Review Court's Order Re: Transfer (Related Cases) (filed on June 10, 2024) (*Biddle II* Action)	0.20
Review Court's Standing Order (filed on June 11, 2024) (*Biddle II* Action)	0.70

Review Court's Minute Order Re: Status Conference (filed on June 11, 2024) (*Naluz* Action)	0.20
Review Other Plaintiff's Counsel's Notices of Appearance or Withdrawal of Counsel (filed on July 22, 2024) (*Biddle II* Action)	0.20
Review Court's Order to Show Cause Re: Dismissal for Lack of Prosecution (filed on September 3, 2024) (*Biddle II* Action)	0.40
Draft, Review, and/or Revise Declaration of Helene Mayer in Response to Order to Show Cause Re Dismissal Re Failure to Prosecute (filed on September 13, 2024) (*Biddle II* Action)	0.80
Review Court's Order Discharging Order to Show Cause (filed on September 16, 2024) (*Biddle II* Action)	0.20
Review Court's Order to Show Cause re Dismissal for Lack of Prosecution (filed on November 18, 2024) (*Biddle II* Action)	0.40
Draft, Review, and/or Revise Declaration of Helene Mayer in Response to Order to Show Cause Re Dismissal Re Failure to Prosecute (filed on November 25, 2024) (*Biddle II* Action)	0.80
Review Court's Order Discharging Order to Show Cause (filed on November 26, 2024) (*Biddle II* Action)	0.20
Meet and Confer with Defendants' Counsel, and Draft, Review, and/or Revise Joint Status Conference Statement (filed on January 2, 2025) (*Naluz* Action)	1.50
Review Court's Minute Order Re: Status Conference (filed on January 7, 2025) (*Naluz* Action)	0.20
Draft, Review, and/or Revise Plaintiffs' Notice of Change of Attorney Business or Contact Information (filed on February 3, 2025) (*Biddle II* Action)	0.20
Review Court's Notice of Case Reassignment (filed on April 28, 2025) (*Naluz* Action)	0.30
Review Defendants' Notice of Appearance or Withdrawal of Counsel (served on June 24, 2025) (*Biddle II* Action)	0.20
Meet and Confer with Defendants' Counsel, and Draft, Review, and/or Revise Joint Status Conference Statement (filed on July 3, 2025) (*Naluz* Action)	1.50
Review Court's Minute Order Re: Status Conference (filed on July 8, 2025) (*Naluz* Action)	0.10

Draft, Review, and/or Revise Plaintiff Naluz's Status Conference Statement (filed on December 29, 2025) (*Naluz* Action)	0.80
Review Court's Minute Order Re: Status Conference (filed on January 2, 2026) (*Naluz* Action)	0.20
Meet and Confer with Other Plaintiff's Counsel, and Draft, Review, and/or Revise Plaintiffs' Status Report and Request for Ruling on Submitted Matter Re Motion for Preliminary Approval of Settlement (filed on March 26, 2026) (*Biddle II* Action)	1.20
Review Court's Standing Order (filed on August 25, 2026) (*Biddle II* Action)	0.50
Review Defendants' Notices of Appearance or Withdrawal of Counsel (served on September 14, 2026) (*Biddle II* Action)	0.40
Meet and Confer with Defendants' Counsel, and Draft, Review, and/or Revise Joint Status Conference Statement (filed on September 30, 2026) (*Naluz* Action)	1.30
Review Court's Minute Order Re: Status Conference (filed on October 6, 2026) (*Naluz* Action)	0.20
Appearances	
Prepare for, Travel to, and Attend Scheduling Conference (November 18, 2019) (*Biddle I* Action)	3.50
Prepare for and Remotely Attend Status Conference (July 9, 2021) (*Biddle I* Action)	1.50
Discovery and Deposition	
Draft, Review, and/or Revise Letter to Defendant C & J Clark Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Mackensie Biddle (served on December 21, 2018)	1.90
Draft, Review, and/or Revise Follow-up Letter to Defendant C & J Clark Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Mackensie Biddle (served on April 8, 2019)	1.70
Review and Analyze Documents Produced by Defendant C & J Clark in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Mackensie Biddle (served on January 4, 2019)	2.50

Draft, Review, and/or Revise Plaintiff Biddle's Interrogatories (Set One), Interrogatories (Set Two), and Requests for Production of Documents to Defendant C & J Clark (served on October 28, 2019) (*Biddle I* Action)	4.50
Draft, Review, and/or Revise Plaintiff Biddle's Notice of Rule 30(b)(6) Deposition of Person Most Knowledgeable at Defendant C & J Clark and Requests for Production of Documents (noticed for January 16, 2020; Organizational Structure) (served on October 28, 2019) (*Biddle I* Action)	1.20
Draft, Review, and/or Revise Plaintiff Biddle's Notice of Rule 30(b)(6) Deposition of Person Most Knowledgeable at Defendant C & J Clark and Requests for Production of Documents (noticed for January 17, 2020; Wage and Hour Practices) (served on October 28, 2019) (*Biddle I* Action)	1.40
Draft, Review, and/or Revise Plaintiff Biddle's Initial Disclosures (served on November 11, 2019) (*Biddle I* Action)	4.50
Review and Analyze Defendant C & J Clark's Rule 26 Initial Disclosures (served on November 13, 2019) (*Biddle I* Action)	0.50
Draft, Review, and/or Revise Letter to Defendant C & J Clark Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Jessa Naluz (served on July 6, 2021)	1.90
Review and Analyze Documents Produced by Defendant C & J Clark in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Jessa Naluz (served on July 23, 2021)	2.50
Letters and Correspondence	
Research, Draft, Review, and/or Revise Notice to California Labor and Workforce Development Agency Re: Claim of Plaintiff Mackensie Biddle under the Private Attorneys General Act (served on June 11, 2019)	4.50
Research, Draft, Review, and/or Revise Notice to California Labor and Workforce Development Agency Re: Claim of Plaintiff Jessa Naluz under the Private Attorneys General Act (served on August 24, 2021)	4.50
Meet with, Draft Correspondence to, Respond to Correspondence from, and/or Review Correspondence with, Defendants' Counsel	23.50

Meet with, Draft Correspondence to, Respond to Correspondence from, and/or Review Correspondence with, Other Plaintiff's Counsel	12.50
Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiff Biddle and Plaintiff Naluz, Defendants, and Other Sources Prior to the First Mediation on December 15, 2020	78.50
Prepare for the First Mediation on December 15, 2020, Including Researching Settlement and Merits-Related Issues, Drafting the Mediation Brief and Compiling Exhibits in Support Thereof, and Performing, Reviewing, and/or Revising Damages and Penalties Analyses and Calculations (submitted on December 10, 2020)	35.50
Attend First Mediation Session (December 15, 2020; Zoom Video Conference)	16.50
Review and Analyze Information, Data, and Documents Obtained from Plaintiff Biddle and Plaintiff Naluz, Defendants, and Other Sources Prior to the Second Mediation on November 8, 2021	84.50
Prepare for the Second Mediation on November 8, 2021, Including Researching Settlement and Merits-Related Issues, Drafting the Mediation Brief and Compiling Exhibits in Support Thereof, and Performing, Reviewing, and/or Revising Damages and Penalties Analyses and Calculations (submitted on November 1, 2021)	31.50
Attend Second Mediation Session (November 8, 2021; Zoom Video Conference)	16.50
Draft, Review, Revise, Negotiate, and/or Finalize Confidential Memorandum of Understanding (executed on April 14, 2022)	4.10
Draft, Review, Revise, Negotiate, and/or Finalize Joint Stipulation of Class and Representative Action Settlement and Release (executed on April 17, 2024) and Draft, Review, and/or Revise Notice of Class and Representative Action Settlement	20.50
Coordinate Settlement Administration with Settlement Administrator, Monitor Settlement Administration, Review Weekly Reports, and Respond to Inquiries	6.50
Law and Motion	

Review and Analyze Defendant C & J Clark's Notice of Removal of Action to Federal Court Under 28 U.S.C. §§ 1332 (As Amended by the Class Action Fairness Act of 2005 Pub. L. 109-2, Section 4(a) ("CAFA")), 1441(a) and (B) and 1446, Exhibit A, and Notice of Interested Parties (served on August 22, 2019) (*Biddle I* Action)	2.10
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Continue Plaintiff Biddle's Local Rule 23-3 Deadline to File a Motion for Class Certification and [Proposed] Order Thereon (submitted on November 13, 2019) (*Biddle I* Action)	1.50
Review Court's Order Continuing Plaintiff Biddle's Local Rule 23-3 Deadline to File a Motion for Class Certification (filed on November 14, 2019) (*Biddle I* Action)	0.20
Review Court's Order for Jury Trial Setting Dates, Order for Preparation, Order Governing Attorney and Party Conduct at Trial (filed on November 18, 2019) (*Biddle I* Action)	0.50
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and All Other Trial-Related Deadlines and [Proposed] Order Thereon (submitted on September 16, 2020) (*Biddle I* Action)	1.60
Review Court's Order Denying Stipulation to Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and All Other Trial-Related Deadlines (filed on September 17, 2020) (*Biddle I* Action)	0.20
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines and [Proposed] Order Thereon (submitted on September 16, 2020) (*Biddle I* Action)	1.60
Review Court's Order Continuing Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines (filed on September 30, 2020) (*Biddle I* Action)	0.20
Review Court's Civil Trial Scheduling Order (filed on December 28, 2020) (*Biddle I* Action)	0.50
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines and [Proposed] Order Thereon (submitted on March 15, 2021) (*Biddle I* Action)	1.60
Review Court's Order Continuing Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines (filed on March 16, 2021) (*Biddle I* Action)	0.20

Review Court's Civil Trial Scheduling Order (filed on March 17, 2021) (*Biddle I* Action)	0.50
Meet and Confer with Defendant C & J Clark's Counsel, and Draft, Review, and/or Revise Stipulation to Continue Plaintiff Biddle's Deadline to File a Motion for Class Certification and Certain Other Trial-Related Deadlines and [Proposed] Order Thereon (submitted on June 24, 2021) (*Biddle I* Action)	1.60
Review Court's Order Setting Status Conference and Order Denying Stipulation to Continue Deadline to File Motion for Class Certification and Certain Other Trial-Related Deadlines (filed on June 28, 2021) (*Biddle I* Action)	0.50
Review Declaration of David D. Bibiyan and Declaration of Plaintiff Gaston, and Research, Draft, Review, and/or Revise Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Class Action Settlement; Memorandum of Points and Authorities in Support Thereof, Declaration of Helene Mayer in Support Thereof, Declaration of Plaintiff Biddle in Support Thereof, Declaration of Plaintiff Naluz in Support Thereof, and [Proposed] Order Granting Preliminary Approval of Class Action Settlement (filed on January 2, 2025) (*Biddle II* Action)	20.50
Review Corrected Declaration of David D. Bibiyan and Corrected Declaration of Plaintiff Gaston, and Research, Draft, Review, and/or Revise Plaintiffs' Amended Notice of Motion and Motion for Preliminary Approval of Class Action Settlement; Corrected Memorandum of Points and Authorities in Support Thereof, Corrected Declaration of Helene Mayer in Support Thereof, Corrected Declaration of Plaintiff Biddle in Support Thereof, Corrected Declaration of Plaintiff Naluz in Support Thereof, and [Proposed] Order Granting Preliminary Approval of Class Action Settlement (filed on March 17, 2025) (*Biddle II* Action)	2.40
Review Court's Order Re: Motion for Preliminary Approval (filed on March 18, 2025) (*Biddle II* Action)	0.30
Review Court's Order Re: Amended Motion for Preliminary Approval (filed on April 22, 2025) (*Biddle II* Action)	0.30
Review Court's Order Granting Plaintiffs' Motion for Preliminary Class Action Settlement Approval (filed on March 30, 2026) (*Biddle II* Action)	0.50
Review Court's Scheduling Notice Re: Final Approval Hearing (filed on August 6, 2026) (*Biddle II* Action)	0.20

Meet and Confer with Other Plaintiff's Counsel and Defendants' Counsel, and Draft, Review, and/or Revise Stipulation to Continue Deadline and Hearing on Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement and [Proposed] Order Thereon (submitted on August 12, 2026) (*Biddle II* Action)	1.50
Review Court's Order Granting Stipulation to Continue Deadline and Hearing on Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement (filed on August 13, 2026) (*Biddle II* Action)	0.20
Review Court's Scheduling Notice Re: Final Approval Hearing (filed on October 5, 2026) (*Biddle II* Action)	0.20
Review Declaration of Settlement Administrator, and Research, Draft, Review, and/or Revise Plaintiffs' Notice of Motion and Motion for Final Approval of Class Action and PAGA Settlement; Memorandum of Points and Authorities in Support Thereof, Plaintiffs' Notice of Motion and Motion for Attorneys' Fees and Costs, and Class Representative Enhancement Payments; Memorandum of Points and Authorities in Support Thereof, Declaration of Helene Mayer in Support of Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement and Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payments, [Proposed] Order Granting Final Approval of Class Action and PAGA Settlement and Judgment, and [Proposed] Order Awarding Attorneys' Fees and Costs and Class Representative Enhancement Payments (*Biddle II* Action)	24.50
Total Hours:	533.50

EXHIBIT B

LAWYERS *for* JUSTICE, PC CASE COST DETAIL
Biddle vs. C & J Clark Retail, Inc.

Date	Payee	Expense Description	Amount
4/8/2019	U.S. Postmaster	Postage	$7.80
6/11/2019	U.S. Postmaster	Postage	$7.65
6/11/2019	Labor & Workforce Development Agency	PAGA Filing Fee	$75.00
7/17/2019	Legal Document Server, Inc.	Attorney Service	$62.47
7/17/2019	Orange County Superior Court	Complex Filing Fee	$1,000.00
7/17/2019	Orange County Superior Court	Complaint Filing Fee	$435.00
7/23/2019	Legal Document Server, Inc.	Attorney Service	$110.00
8/16/2019	Legal Document Server, Inc.	Attorney Service	$12.25
8/21/2019	Legal Document Server, Inc.	Attorney Service	$12.25
10/28/2019	Legal Document Server, Inc.	Attorney Service	$115.00
10/28/2019	General Logistics Systems US, Inc.	Courier Service	$19.08
11/11/2019	Legal Document Server, Inc.	Attorney Service	$115.00
11/25/2019	General Logistics Systems US, Inc.	Courier Service	$22.16
1/6/2020	General Logistics Systems US, Inc.	Courier Service	$54.78
9/9/2020	David A. Rotman	Mediation Fee	$13,250.00
11/9/2020	General Logistics Systems US, Inc.	Courier Service	$22.41
12/11/2020	Federal Express	Courier Service	$83.87
11/2/2021	FedEx Express	Courier Service	$116.81
11/8/2021	Arby Aiwazian	Travel Reimbursement	$149.29
11/7/2023	Riverside Superior Court	Document Download Fee	$2.00
5/28/2024	United States District Court - Central District of CA	Complaint Filing Fee	$405.00
1/3/2025	Legal Document Server, Inc.	Attorney Service	$241.75
3/18/2025	Legal Document Server, Inc.	Attorney Service	$246.70
		Total:	**$16,566.27**

LAWYERS *for* JUSTICE, PC CASE COST DETAIL
Naluz vs. C J Clark Retail, Inc., et al. (PAGA)

Date	Payee	Expense Description	Amount
7/6/2021	U.S. Postmaster	Postage	$6.96
8/24/2021	U.S. Postmaster	Postage	$22.50
8/24/2021	Labor & Workforce Development Agency	PAGA Filing Fee	$75.00
11/1/2021	One Legal	Attorney Service	$57.00
11/1/2021	Orange County Superior Court	Complex Filing Fee	$1,000.00
11/1/2021	Orange County Superior Court	Complaint Filing Fee	$435.00
3/18/2022	CourtCall, LLC	Attorney Service	$94.00
5/26/2022	One Legal	Attorney Service	$12.87
5/27/2022	One Legal	Attorney Service	$15.19
12/1/2022	Legal Document Server, Inc.	Attorney Service	$28.00
12/6/2022	Riverside Superior Court	Document Download Fee	$52.50
6/1/2023	Legal Document Server, Inc.	Attorney Service	$14.20
12/7/2023	Legal Document Server, Inc.	Attorney Service	$14.20
6/6/2024	Legal Document Server, Inc.	Attorney Service	$14.20
1/2/2025	Legal Document Server, Inc.	Attorney Service	$15.20
7/3/2025	Legal Document Server, Inc.	Attorney Service	$15.20
12/29/2025	Legal Document Server, Inc.	Attorney Service	$15.20
		Total:	**$1,887.22**

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Attorneys for Plaintiffs Mackensie Biddle and Jessa Naluz

[Additional Counsel on next page]

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendant.

CASE NO.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Department 9D

DECLARATION OF DAVID D. BIBIYAN IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT

Date: February 3, 2027
Time: 10:00 a.m.
Department: 9D

Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None Set

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Attorneys for Plaintiff, Evangeline D. Gaston

DECLARATION OF DAVID D. BIBIYAN

I, David D. Bibiyan, state and declare, as follows:

1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California and I am the Chief Executive Officer and Managing Parter of Bibiyan Law Group, P.C., counsel of record for plaintiff Evangeline D. Gaston ("Plaintiff") and all others similarly situated and aggrieved. As such, I am familiar with the file in this matter and if called as a witness I could and would competently testify to the following facts of my own personal knowledge.

QUALIFICATIONS OF CLASS COUNSEL

2. Class Counsel are experienced class action attorneys, have been appointed as class counsel in other class actions, and have a successful track record in litigating class actions.

3. I graduated with a Bachelor of Arts degree from the University of California, Los Angeles in 2009.

4. I received my Juris Doctorate from The University of Chicago Law School in 2012.

5. After practicing for several years as a member of Cohen & Lord, P.C., practicing in an amorphous range of civil litigation on behalf of both plaintiffs and defendants, I opened up a law firm in 2014 with a concentration in representation of employees against employers to recover unpaid wages and vindicate harassment, discrimination and retaliation in various contexts.

6. I am an active member of the California Employment Lawyers' Association ("CELA"). I am one of its founding members and actively remain a member of its Reverse Auctions Subcommittee; in doing so, I serve as a mediator between other plaintiffs' counsel who bring overlapping class actions. I have also attended various Continuing Legal Education courses pertaining to advocacy on behalf of employees.

7. I also created the content for, helped organize, and served as the Moderator for the 2023 California Complex Symposium Wage and Hour/PAGA Section, a Continuing Legal Education seminar and forum featuring four respected Judges serving in the Complex Divisions of their respective county Superior Courts. In addition, my firm served as a sponsor of that event.

8. Once again, in 2026, I helped create content for, helped organize, and served as a Moderator for the 2026 California Complex Symposium Class Action Section, a Continuing Legal

Education seminar and forum featuring four respected Judges in the Complex Divisions of their respective Superior Courts. My Firm, again, served as a sponsor for the event.

9. Not only have I practiced almost exclusively in this field for years and have contributed to the legal education curriculum for attorneys practicing within it, I am also a published author in the Daily Journal as a contributor in the Wage and Hour and PAGA context, including, in December 15, an article entitled: "PAGA: What's Gone, What's Left and What's Next." I have also been a quoted source in multiple other publications, including in article published by Bloomberg Law dated November 1, 2023, entitled: "Adidas, Home Depot Sued in Test Cases on Job Ad Pay Transparency."

10. My firm has the experience, resources, and means necessary to allow us to provide adequate representation as Class Counsel to all class members in this litigation. With approximately fifty (50) attorneys, experienced officers with vast litigation experience, supporting staff consisting of paralegals and legal assistants, and vast resources, my office has the capacity to represent hundreds of thousands of class members, bring forth efficient resolution of class actions and PAGA actions, engage in complex litigation, file contested motions for class certification, and engage in trial practice.

11. My office has filed contested motions for class certification in the past and have been appointed Class Counsel by the Superior Court of California and the Central District of California over the opposition of defendant-employers. Some of the classes and theories we have certified include, without limitation, for failure to pay the regular rate of pay; failing to pay overtime and minimum wages, including, without limitation, for temperature checks; failure to provide meal and rest premiums, including, without limitation, for requiring employees to walk during breaks; failure to timely pay wages prior to separation of employment; wage statement violations; and unfair competition.

12. Some examples of matters in which filed and prevailed on contested motions for class certifications, thus being appointed class counsel over the objection of defense,include, without limitation:

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• *Hernandez, et al. v. C.R. Lawrence* Co., Inc., Case No. 20STCV32372, California Superior Court, County of Los Angeles, Hon. William Highberger presiding;

• *Lopez v. Rolling Hills Country Club*, Case No. 21STCV22636, California Superior Court, County of Los Angeles; Hon. Carolyn B. Kuhl presiding;

• *Torres v. Johnston Nurseries, FLP,* Case No. BCV-19-100830 TSC, California Superior Court, County of Kern; Hon. Thomas S. Clark, presiding;

• *Officer v. Mid Valey Providers, Inc.,* Case No. 22CV-0201036, California Superior Court, County of Shasta; Hon. Benjamin Hanna, presiding; and

• *Thoma v. VXN Group, LLC*, Case No. 2-23-cv-04901-WLH-ACCV, United States District Court for the Central District of California; Hon. Wesley L. Hsu, presiding.

13. Moreover, my Firm has been designated class counsel hundreds of times in the past for purposes of certifying a class for settlement purposes by the Superior Court of California. Some examples of Actions in which I was appointed Class Counsel for include:

• *Santoyo v. Consolidated Foundries, Inc.,* Case No. BC612298, California Superior Court, County of Los Angeles, Honorable Judge Ann I. Jones, presiding;

• *Arensdorff v. Stanley Steemer International, Inc.*, Case No. BC681368, California Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos, presiding;

• *Barreto v. Don Roberto Jewelers, Inc.*, Case No. BC495451, California Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;

• *Junior Amilcar Laguna Gonzalez v. Takaaki Koyama,* Case No. BC641998, Los Angeles Superior Court, Honorable Elihu M. Berle, presiding;

• *Rios v. Nongshim America, Inc.*, Case No. CIVDS1807390, California Superior Court, County of San Bernardino, Honorable David S. Cohn, presiding;

• *Stoddard v. Molded Fiber Glass – West,* Case No. 1517758, California Superior Court, County of San Bernardino, Honorable David S. Cohn, presiding;

• *Mata v. Sahara Scaffold, Inc.*, Case No. CIVDS1810785, California Superior Court, County of San Bernardino, Honorable David S. Cohn, presiding;

/ / /

• *Carrasco v. Pure Dental Solutions*, Case No. BC645995, Los Angeles Superior Court, Honorable Kenneth R. Freeman, presiding;

• *Gonzalez v. Gochez, et al.*, Case No. BC648729, Los Angeles Superior Court, Honorable Maren Nelson, presiding;

• *Montoya v. Superior Paving Co.*, Case No. CIVDS1833422, County of San Bernardino, Honorable David S. Cohn, presiding;

• *Lopez v. Norred & Associates, Inc.,* Case No. CIVDS1824109, California Superior Court, County of San Bernardino, David S. Cohn, presiding;

• *Noyola v. Lacren, LLC,* Case No. BC717024, California Superior Court, County of Los Angeles, Hon. Anthony Mohr, presiding;

• *Luciano, et al. v. O'Tasty Foods, Inc., et al.*, Case No. BC711988, California Superior Court, County of Los Angeles, Honorable Maren Nelson, presiding;

• *Gordon v. Hospice Source, LLC,* Case No. 34-2018-00250022-CU-OE-GDS, California Superior Court, County of Sacramento, Honorable Christopher E. Krueger, presiding;

• *Barragan v. Refrigeration Supplies Distributor*, Case No. 19STCV09312, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;

• *Ramirez v. Acre Gourmet, Inc.,* Case No. CGC-19-575117, California Superior Court, County of San Francisco, Honorable Andrew Y.S. Cheng, presiding;

• *Villafuerte v. Bay Alarm Company*, Case No. BC689110, California Superior Court, County of Los Angeles, Honorable Amy D. Hogue, presiding;

• *Cazares v. Areas USA LAX, LLC,* Case No. 19STCV08209, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;

• *Magana v. Castlerock Environmental, Inc., et al*., Case No. 19STCV38353, California Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;

• *Chilel v. Sushi California, Inc.*, Case No. 19STCV08209, California Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;

• *Malone v. Orange Courier, Inc., et al.,* Case No. 30-2016-00763474, California Superior Court, County of Orange, Honorable Glenda Sanders, presiding;

- *Rivera v. Talamo Food Services, Inc.,* Case No. 19CV355856, California Superior Court, County of Santa Clara, Honorable Patricia M. Lucas, presiding;
- *Olguin v. Cal Central Harvesting, Inc.,* Case No. 18CV03860, California Superior Court, County of Santa Barbara, Honorable James F. Rigali, presiding;
- *Pence v. Sober Living by the Sea, Inc.,* Case No. 2018-00988742, California Superior Court, County of Orange, Honorable Randall J. Sherman, presiding;
- *Franco v. Vincent Rags, Inc.,* Case No. 20STCV07768, California Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;
- *Cabral v. Miller Castings, Inc.*, Case No. 19STCV39556, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
- *Bolanos v. Texas Roadhouse, Inc.*, Case No. 19STCV39556, California Superior Court, County of Los Angeles, Honorable Sunshine Sykes, presiding;
- *Rodriguez v. Scott A. Humphreys, Inc.*, Case No. 30-2021-01184556-CU-OE-CXC, California Superior Court, County of Ventura, Honorable Matthew P. Guasco, presiding; and
- *Torres v. Primal Pet Foods, Inc.* Case No. FCS054783, California Superior Court, County of Solano, Honorable Wendy G. Getty, presiding;
- *Hanson v. Zapata Nuccio, Inc.,* Case No. 20STCV28951, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
- *Molina v. Avibank Mfg, Inc.,* Case No. 20STCV03910, California Superior Court, County of Los Angeles, Honorable John P. Doyle, presiding;
- *Cetina v. Lawry's Restaurants, Inc.,* Case No. 19STCV05201, California Superior Court, County of Los Angeles, Honorable Amy D. Hogue, presiding;
- *Luna v. Pronto California General Agency, LLC,* Case No. 19STCV39951, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
- *Alvarez v. Kazak-Mars, Inc.,* Case No. 20STCV42587, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
- *Noe v. My Pillow, Inc.* Case No. CIVDS 2011360, California Superior Court, County of San Bernardino, Honorable David Cohn, presiding;

- *Nunez v. 2751 West Coast Acquisition Company*, Case No. 30-2020-01145215-CU-OE-CXC, California Superior Court, County, County of Orange, Honorable Randall J. Sherman, Presiding;
- *Smith v. McMillen Enterprises, Inc.*, Case No. CV-20-002938, California Superior Court, County of Stanislaus, Honorable John R. Mayne, presiding;
- *Turner v. Plant Prefab Inc., et al.*., Case No. CIVDS2017517, California Superior Court, County of San Bernardino, Honorable David Cohn, presiding;
- *Duran v. Fresh Select, LLC,* Case No. VCU284892, California Superior Court, County of Tulare, Honorable Bret Hillman, presiding;
- *Reynoso, et al. v. Cream of the Crop AG Service, Inc.,* Case No. VCU278847, California Superior Court, County of Tulare, Honorable Bret Hillman, presiding;
- *Michel v. Universal Waste Systems, Inc.*, Case No. 19STCV46181, California Superior Court, County of Los Angeles, Honorable David S. Cunningham presiding;
- *Jungers v. U.S. Borax Inc., et al.,* Case No. BCV-21-10003, California Superior Court, County of Kern, Honorable Bernard C. Barmann Jr. presiding;
- *Fortune v. Amoroso Limited Partnership, et al..,* Case No. 20STCV25874, California Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
- *Montoya, et al. v. Remo, Inc.* Case No. 20STCV34614, California Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
- *Rincon, et al. v. New-Indy Tripaq, LLC, et al..* Case No. 20STCV17118, California Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
- *De Leon, et al. v. Wismettac Asian Foods, Inc.* Case No. 19STCV18172, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Tapia v. Mercer Foods, Inc.* Case No. CV-21-000020, California Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
- *Molina v. Reser's Fine Foods, Inc.* Case No. 37-2021-00013052-CU-OECTL, California Superior Court, County of San Diego, Honorable Eddie C. Sturgeon presiding;

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- *Reyes v. Imperial Sprinkler Supply, Inc.* Case No. 30-2020-01167748-CU-OE-CXC, California Superior Court, County of Los Angeles, Honorable Peter Wilson presiding;
- *Zavala, et al. v. PLS Check Cashers, Inc.* Case No. 20STCV42586, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Paz v. Hill Brothers Chemical Company.* Case No. 20STCV48279, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Garcia v. Inwesco Incorporated.* Case No. 20STCV46833, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Guevara v. J&K Culver, LLC, et al.* Case No. 19STCV39951, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Hamilton v. Michael Kors Stores, Inc. et al.,* Case No. 19STCV37061, California Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
- *Arzooian v. A&M Administration, LLC, et al.* Case No. 21STCV05576, California Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
- *Santos, et al. v. Maruzen of America, Inc.,* Case No. 19STCV37662, California Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
- *Schaffino v. M.O. Dion & Sons., Inc., et al.,* Case No. 20STCV38023, California Superior Court, County of Los Angeles, Honorable Gail Killefer presiding;
- *Moreno v. Santa Paula Post Acute, LLC, et al.* Case No. 21STCV12533, California Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
- *Singer v. Desert Area Resources and Training,* Case No. BCV-21-101093, California Superior Court, County of Kern, Honorable Thomas S. Clark presiding;
- *Clarizio v. Guard-Systems, Inc.,* Case No. 21STCV28667, California Superior Court, County of Los Angeles, Honorable Armen Tamzarian presiding;
- *Guzman v. Freschco Painters, Inc.,* Case No. 21STCV04683, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- *Koutny v. PAE Aviation and Technical Services, LLC,* Case No. 21C-0106, California Superior Court, County of Kings, Honorable Melissa R. D'Morias presiding;

• *Rodriguez v. Pacifica Trucks, LLC,* Case No. 20STCV37576, California Superior Court, County of Los Angeles, Honorable Stuart Rice presiding;

• *Ramos v. AEGIS Treatment Centers, LLC,* Case No. 20STCV41429, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

• *Valdez v. Integrated Building Services, Inc.* Case No. 20STCV37793, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

• *Harris v. America One Security, Inc.* Case No. 21STCV01399, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

• *Moreno v. M&J Seafood Company, Inc.* Case No. 22STCV03341, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;

• *Corrales v. Q&B Foods, Inc.* Case No. 20STCV40885, California Superior Court, County of Los Angeles, Honorable Elihu Berle presiding;

• *Arteaga v. Demolition Specialist, Inc.* Case No. RIC2001133, California Superior Court, County of Riverside, Honorable Harold Hopp presiding;

• *Vigil, et al. v. Capstone Turbine Corporation,* Case No. 20STCV32123, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

• *Ramirez v. Sea-Win, Inc.* Case No. 21STCV22026, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

• *Ortega Chavez v. Winpak Lane, Inc.* Case No. CIVSB2207313, California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;

• *Garcia v. American Licorice Company.* Case No. RG21107049, California Superior Court, County of Alameda, Honorable Brad Seligman presiding;

• *Madrono v. Vitale Nursing, Inc, et al.,* Case No. 21STCV09845, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding; and

• *Orellana v. Advanced Building Maintenance.* Case No. 34-2020-00286791-CU-OE-GDS, California Superior Court, County of Sacramento, Honorable Jill Talley presiding.

• *Aguilar v. Bioness, Inc., et al., Case* No. 21STCV41702, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

- *Antoine v. Pinky Beverly Hills, LLC., et al. Case No. 19STCV44856,* California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- *Phambui v. Fashion Marketing and Merchandising Group, Inc., et al. Case No. 21STCV06634,* Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
- *Ortega Chavez v. Winpak Lane, Inc., et al. Case No. CIVSB2202274,* California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
- *Carrasco v O.H. Barkhordar D.D.S., Inc., et al. Case No. 22STCV21188,* California Superior Court, County of Los Angeles, Honorable Lawrence Riff presiding;
- *Correia v. Gallo Glass Company, et al. Case No. CV-21-006459,* California Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
- *Davis v. Beeline Import and Services, LLC, et al. Case No. CIVSB2119287,* California Superior Court, County of San Bernardino, Honorable David Cohn presiding;
- *Angel Lopez v Innovative Coatings Technology Corporation dba Incotec, et al. Case No. 30-2020-01173245-CU-OE-CXC,* California Superior Court, County of Orange, Honorable Lon Hurwitz presiding;
- *Lopez v UPM, Inc., et al. Case No. 20STCV36695,* California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- *Moreno v. Infiniti Group LLC*., et al. Case No. CIVSB2223551, California Superior Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;
- *Kelley v. Applus Technologies, Inc., et al. Case No. CIVSB2204889,* California Superior Court, County of San Bernardino, honorable Jessica Morgan presiding;
- *Hernandez v Bromley Foods, Inc., et al. Case No. 56-2021-00561326-CU-OE-VTA*, California Superior Court, County of Ventura, Honorable Henr Walsh presiding;
- *Heredia v. Alan Smith Pool Plastering, Inc., et al. Case No. 30-2020-01163609-CU-OE-CXC*, California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;
- *Martinez Guzman v Freshco Painters Inc., et al. Case No. 21STCV04683,* California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;*Gomez Mireles v.*

- *USG Ceilings Plus, LLC., et al. Case No. 21STCV45606*, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Garzon v. Mobile Hi-Tech Wheels, LLC., et al., Case No. 21STCV15396*, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Dethrasavong v. ASI Computer Technologies, Inc., et al.* Case No. 20STCV32312, California Superior Court, County of Contra Costa, Honorable Kenneth R. Freeman presiding;
- *Lopez v. Waldorf Astoria Management LLC., et al.* Case No. 20STCV17212, California Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
- *Viveros v. Mission Produce, Inc., et al.* Case No. 20STCV15737, California Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
- *Flores v. United Maintenance Company, Inc.,* et al. Case No. 21STCV07008, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Blandi v. Francesca Restaurant, LLC., et al.* Case No. 37-2022-00049034-CU-OE-CTL, California Superior Court, County of San Diego, Honorable Marcella O. McLaughling presiding;
- *Lopez Cabrera v. South Valley Almond Company, LLC, et al.* Case No. BCV-2-100722, California Superior Court, County of Kern, Honorable Bernard C. Barmann, Jr. presiding;
- Guillermo Cruz v. Alma Family Serives, et al. Case No. 21STCV18156, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Davood v. NKSFB, LLC, et al.* Case No. 22STCV17305, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui presiding;
- *Ferrer v. Ineos USA, LLC., et al.,* Case No. 21STCV28076, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Portillo Sanchez v. Paragon Services Janitorial Orange County, LLC, et al.* Case No. 20STCV38562, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
- *Trigueros Garcia v. Highland Plastics, Inc., et al.,* Case No. CVRI2202836, California Superior Court, County of Riverside, Honorable Harold Hopp presiding;

- *Magana Ramirez v. 360 Support Services, et al.* Case No. 22STCV20456, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- *Morales v. Baldy's Restaurant Group, LLC.,* et al. Case No. 20STCV36535, California Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
- *Gonzales v. El Monte Rents, Inc., et al.* Case No. 21STCV10209, California Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
- *Gonzalez v. Total Education Solutions, Inc., et al.* Case No. 20STCV37984, California Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
- *Helaire v. Smithfield Packaged Meats Corp, et al.* Case No. JCCP5244, California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;*Hernandez v. Central Valley Recovery Services, et al.* Case No. VCU290220, California Superior Court, County of Tulare, Honorable Brett Hillman presiding;
- *Hernandez v. SC Commercial, LLC, et al.* Case No. 30-2020-01166961-CU-OE-CXC, California Superior Court, County of Orange, Honorable Lon Hurwitz presiding;
- *Hines v. Constellis Integrated Risk Management Services, et al.* Case No. 20STCV26962, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui presiding;
- *Moya v. Valassis Direct Mail, Inc., et al.* Case No. 21STCV09412, California Superior Court, County of Los Angeles, Honorable Stuart Rice presiding;
- *Jordan v. The Martin-Brower Company, LLC, et al.,* Case No. 21STCV41435, California Superior Court, County of Los Angeles, honorable Stuart Rice presiding;
- *Juarez v. Calmet Services, Inc., et al.* Case No. 21STCV33668, California Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
- *Mcintosh v. WWL Vehicle Services Americas Inc., et al.* Case No. 56-2022-00562544-CU-OE-VTA, California Superior Court, County of Ventura, Honorable Benjamin Coats presiding;
- *Mendoza v. Amusement Industry, Inc., et al.* Case No. 21STCV09790, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

- *Moore v. Dnata US Inflight Catering LLC, et al.* Case No. CGC-20-586512, California Superior Court, County of San Francisco, Honorable Curtis Karnow presiding;
- *Peterson v. Sorenson Engineering, Inc., et al.* Case No. CIVDS2023994, California Superior Court, County of San Bernardino, Honorable David Cohn presiding;
- *Torres v. Laurel Avenue, LLC, et al.* Case No. CIVSB2202708, California Superior Court, County of San Bernardino, Honorable David Cohn presiding;
- *Nunley v. Cardinal Logistics Management Corporation et al.* Case No. CIVSB2210430, California Superior Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;
- *Pastrana v. National Sign & Marketing Corporation et al.* Case No. CIVSB2118749, California Superior Court, County of San Bernardino, Honorable David Cohn presiding;
- *Pineda v. Grand Life, Inc., et al.* Case No. 21STCV28066, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Pattingale v.* Laird Family Estate, LLC et al. Case No. 22CV000048, California Superior Court, County of Napa, Honorable Cynthia P. Smith presiding;
- *Ramirez v. Sea Win, Inc., et al.* Case No. 21STCV22026, California Superior Court, County of Los Angeles, Honorable Lawerence P. Riff presiding;
- *Reategui v. Cal Building & Maintenance Industries, Inc.,* Case No. 20STCV39648, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
- *Rodriguez v. ACRA Aerospace, LLC, et al.* Case No. 30-2020-01171360-CU-OE-CXC, California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;
- *Rodriguez v. Ultra Pro International LLC, et al.* Case No. 21STCV11250, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Ruiz v. Kleen Harvest, Inc., et al.* Case No. 21CV002319, California Superior Court, County of Monterey, Honorable Thomas W. Wills presiding;
- *Roberto Ruiz v. Protech Delivery and Installation et al.* Case No. 21STCV07001, California Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
- *Russell v. CIMC Reefer Trailer, Inc., et al.* Case No. RIC2001777, California Superior Court, County of Riverside, Honorable Harld Hopp presiding;

- *Russell v. Staffmark Investment LLC, et al.* Case No. CVRI12103921, California Superior Court, County of Riverside, Honorable Harold Hopp presiding;
- *Quintanilla et al. v. Chrome Hearts LLC, et al.* Case No. 21STCV43180, California Superior Court, County of Los Angeles, Honorable Elihu B. Berle presiding;
- *Taat v. Acell, Inc., et al.* Case No. 37-2022-00005437-CU-OE-CTL, California Superior Court, County of San Diego, Honorable Matthew C. Braner presiding;
- *Todd v. Motivate, LLC, et al.* Case No. CGC-23-605052, California Superior Court, County of San Francisco, Honorable Anne- Christine Massullo presiding;
- *Turner Sr., v. The Sidewalk Café, Inc., et al.* Case No. 21STCV10154, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
- *Vargas-Flores v. Harbor Bay Club, Inc., et al.* Case No. 21CV002396, California Superior Court, County of Alameda, Honorable Michael Markman presiding;
- *Vasquez v. Liquid Technologies, Inc., et al.* Case No. CIVDS2023892, California Superior Court, County of San Bernardino, Honorable Joseph Ortiz presiding;
- *Vasquez et al. v. Kingswood LLC, et al.,* Case No. 20STCV32123, California Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- *Sandoval Villafana v. Satco, Inc., et al.* Case No. 21STCV17085, California Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
- *Williams v. Marrs Services, Inc., et al.* Case No. 21STCV23775, California Superior Court, County of Los Angeles, Honorable Stuart M. Stuart presiding;
- *Low v. Triple Canopy, Inc., et al.* Case No. 37-2023-0007078-CU-OE-CTL, California Superior Court, County of San Diego, Honorable Carolyn Caietti presiding;
- *Camacho v. Premium Electric Corp, et al.* Case No. 22STCV26878, California Superior Court, County of Los Angeles, Honorable David S. Cunningham presiding;
- *Lopez v. Bachem Americas, Inc., et al.* Case No. 23STCV04258, California Superior Court, County of Los Angeles, Honorable Laura Seigle presiding;
- *Mendoza Cendejas v. E. & J. Gallo Winery, et al.* Case No. CV-22-005396, California Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;

- *Romero v. Armstrong Installation Service, et al.* Case No. 22CV022519, California Superior Court, County of Alameda, Honorable Noel Wise presiding;
- *Perez v. D&G Restaurants, LLC, et al.* Case No. 30-2021-01209638-CU-OE-CXC, California Superior Court, County of Orange, Honorable Peter Wilson presiding;
- *Sarmiento, et al. v. Neil Jones Food Company* Case No. 21CECG03825, California Superior Court, County of Fresno, Hon. Kristi Culver Kapetan presiding; and
- *Garcia v. Nature Fresh Farms, LLC, et al.* Case No. ECU001961, California Superior Court, County of Imperial, Honorable Jeffery B. Jones presiding.
- *Machuca v. Charleys Philly Steaks, et al.* Case No. FCS057713, California Superior Court, County of Solano, Hon. Christine A. Carringer presiding;
- *Machuca v. Charleys Philly Steaks, et al.* Case No. FCS058064, California Superior Court, County of Solano, Hon. Christine A. Carringer presiding;
- *Olivares v. PCI Industries, LLC, et al.* Case No. 22STCV37965, California Superior Court, County of Los Angeles, Hon. Samantha P. Jessner presiding;
- *Robles v. FM Mexican Grill Inc., et al.* Case No. BC716450, California Superior Court, County of Los Angeles, Hon. Daniel J. Buckley presiding;
- *Sarmiento v. The Neil Jones Food Company*., et al. Case No. 21CECG03825, California Superior Court, County of Fresno, Hon. Kristi Culver Kapetan presiding;
- *Jimenez v. Route 66, Post Acute LLC Agency, LLC., et al.* Case No. 23STCV03441, California Superior Court, County of Los Angeles, Hon. Laura A. Seigle presiding;
- *Diaz v. UCA General Insurance Services, Inc., et al.* Case No. 30-2021-01185227-CU-OE-CXC, California Superior Court, County of Orange, Hon. Randall J. Sherman presiding;
- *Moctezuma v. Direct Line Global, LLC., et al.* Case No. 23CV033075, California Superior Court, County of Alameda, Hon. Michael Markman presiding;
- *Williams v. Fortec Medical, Inc., et al*. Case No. 22CV014116, California Superior Court, County of Alameda, Hon. Michael Markman presiding;
- *Franco et al. v. Inland Behavioral and Health Services et al.* Case No. CIVSB2118579, California Superior Court, County of San Bernardino, Hon. Christian Towns presiding;

- *Arballo et al. v. California Custom Fruits and Flavors, Inc., et al.* Case No. 22STCV35657, California Superior Court, County of Los Angeles, Hon. Elihu Berle presiding;
- *Henderson v. Bizon Group, Inc., et al.* Case No. HG21115170, California Superior Court, County of Alameda, Hon. Noel Wise presiding;
- *Boothe et al. v. Lemonade Restaurant Group, LLC, et al.* Case No. 22STCV38302, California Superior Court, County of Los Angeles, Hon. Laura Seigle presiding;
- *Montoya et al. v. FPR II, L.L.C., et al.* Case No. 22CV404499, California Superior Court, County of Santa Clara, Hon. Theodore C. Zayner;
- *Martinez Flores v. APT Maintenance, Inc., et al.,* Case No. 22CV024427, California Superior Court, County of Alameda, Honorable Somnath Raj Chatterjee presiding;
- *Montoya v. TLMVACO LLC., et al.,* Case No. 23CV001593, California Superior Court, County of Monterey, Honorable Thomas W. Willis presiding;
- *Getaw v. Consolidated Disposal Services LLC., et al*., Case No. 21STCV22036, California Superior Court, County of Los Angeles, Honorable Elihu Berle presiding;
- *Barocio v. Industrial Field Services Inc., et al.,* Case No. 23STCV01522, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
- *Mostafa Gad v. St. George Auto Sales, Inc., et al.,* Case No. 30-2019-01058127-CU-OE-CXC, California Superior Court, County of Orange, Honorable Lon F. Hurwitz presiding;
- *Federics v. The HWood Group, LLC., et al.,* Case No. 21STCV44105, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Deaver v. Blue Diamond Growers, et al.,* Case No. 34-2022-00316490-CU-OE-GDS, California Superior Court, County of Sacramento, Honorable Lauri A. Damrell presiding;
- *Rosa v. Paqueteria HR Express, Inc., et al.,* Case No. 23STCV00890, California Superior Court, County of Los Angeles, Honorable Theresa M. Traber presiding;
- *Martnez v. Kenyon Plastering, Inc., et al.,* Case No. CIVSB2216155, California Superior Court, County of San Bernardino, Honorable Christian Towns presiding;
- *Mora v. IGT Global Solutions Corporation, et al.,* Case No. 22STCV05393, California Superior Court, County of Los Angeles, Honorable Timothy Patrick Dillon presiding;

- *Zuniga v. House Foods America Corporation, et al.,* Case No. 8:22-cv-00372-JWH-JDEx, California State Court, County of Orange, Honorable John W. Holcomb presiding;
- *Ramirez v. Primez Farms LLC, et al.,* Case No. 20STCV06328, California Superior Court, County of Los Angeles, Honorable Elaine Lu presiding;
- *Pacheco v. JCC Logistics, Inc., et al.,* Case No. B-21-102266, California Superior Court, County of Kern, Honorable Thomas Clark presiding;
- *Caballero v. The Ensign Group, Inc., et al.,* Case No. 19STCV43230, California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
- *Graciano v. Hignell, Incorporated, et al.,* Case No. 22CV01196, California Superior Court, County of Butte, Honorable Stephen E. Benson presiding;
- *Ruiz v. Butterfield Electric, Inc., et al,* Case No. 22CV010662, California Superior Court, County of Alameda, Honorable Michael Markman presiding;
- *Lozano v. LECC Berg Feinfield Eye Centers, LLC., et al.,* Case No. 22STCV40646, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- *Villalpando et al. v. Los Angeles Truck Service, LLC, et al.,* Case No. 22STCV11804, California Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- *Pablo Martinez v. Superior Cattle Feeders, LLC, et al.,* Case No. ECU002635, California Superior Court, County of Imperial, Honorable Brooks Anderhold presiding;
- *Milon v David & Esperanza Chavez Family Limited Partnership DBA Chavez Supermarket et al.*, Case No. 20CV368379, California Superior Court, County of Santa Clara, Honorable Theodore C. Zayner presiding;
- *Flores et al. v. Parkwood Landscape Maintenance Inc., et al.,* Case No.: 20STCV12795, California Superior Court, County of Los Angeles, Honorable Stuart Rice presiding;
- *Williams v. Holland Partner Group Operations, LLC, et al.,* Case No.: 23CV049392, California Superior Court, County of Alameda, Honorable Sarah Standford-Smith presiding;
- *Estrada v Cookunity Inc., et al.,* Case No.: 24STCV12367, California Superior Court, County of Los Angeles, Honorable Laura A. Seigle presiding;

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- *Silvas v. Catalyst Family, Inc.,* Case No.: 21CV385134, California Superior Court, County of Santa Clara, Honorable Charles F. Adams presiding;
- *Arnett v. Traditions Health LLC*, Case No.: CVRI2305219, California Superior Court, County of Riverside, Honorable Harold W. Hopp presiding;
- Gammaro v. Walgreen Pharmacy Services Midwest, LLC, Case No.: 23STCV00615, California Superior Court, County of Los Angeles, Honorable Daniel M. Crowley;
- *Montoya v. Beauty 21 Cosmetics, Inc*., Case No.: CIVSB2314841, California Superior Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding; *and*
- *Santos Martinez et al. v. Le Zinc Bar LLC*, Case No.: 22STCV09367, California Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;

14. I have also successfully resolved several "PAGA Only" matters as counsel for proxies of the Labor and Workforce Development Agency, including, without limitation:

- *Flores v. Delta Apparel, Inc.*, Case No. BC641499, California Superior Court, County of Los Angeles, Honorable Daniel J. Buckley, presiding;
- *Segura v. CJ Foods Service Holdings USA, LLC*, Case No. 19STCV24918, California Superior Court, County of Los Angeles, Honorable Maureen Duffy-Lewis, presiding;
- *Sierra v. Nexem-Allied, LLC*, Case No. 20STCV11281, California Superior Court, County of Los Angeles, Honorable Randolph M. Hammock, presiding;
- *Nodal v. Sodexo, Inc.,* Case No. 20STCV40601, California Superior Court, County of Los Angeles, Honorable Lawrence Riff, presiding; and
- *Cooper v. Lucas Health Partners,* Case No. 20STCV20050, California Superior Court, County of Los Angeles, Honorable Maren Nelson, presiding;
- *Herrera v. Greystar Management, LP, et al.,* Case No. 37-2020-00009672-CU-OE-CTL, California Superior Court, County of San Diego, Honorable Carolyn Caietti, presiding;
- *Slater v. Jo-Ann Stores, LLC.,* Case No. 21STCV18454, California Superior Court, County of Los Angeles, Honorable Maurice A. Leiter, presiding;
- *Bolanos v. Canoga Park Heating & Air Conditioning, Co., Inc.,* Case No. 21STCV12674, California Superior Court, County of Los Angeles, Honorable Yolanda Orozco, presiding;

- *Granados v. Cosmetic Ideas, Inc.* Case No. 21STCV10797, California Superior Court, County of Los Angeles, Honorable Richard L. Fruin, presiding;
- *Ruano v. DPC Woodwork, Inc.* Case No. 21STCV00408, California Superior Court, County of Los Angeles, Honorable Jon R. Takasugi presiding;
- *Tarin v. TPS Solutions, Inc.,* Case No. 21STCV07844, California Superior Court, County of Los Angeles, Honorable Maren E. Nelson presiding;
- *Echegoyen v. The ADT Security Corporation.,* Case No. 21STCV07206, California Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
- *Davood v. NKSFB, LLC., et al.,* Case No. 22STCV17305, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui presiding;
- *Hardy v. Texas Roadhouse Management Corp., et al. Case No. CIVSB2222259,* California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
- *Michelle v. Smithfield Packaged Meats Corp., et al*. Case No. JCCP5244, California Superior Court, County of San Bernardino, Honorable Jesica Morgan, presiding;
- *Hernandez v. SC Commercial, LLC, d.b.a. SC Fuels, et al.,* Case No. 30-2020-01166961-CU-OE-CXC, California Superior Court, County of Orange, Honorable Lon. Hurwitz presiding;
- *Hines v. Constellis Integrated Risk Management Services, et al.* Case No. 20STCV26962, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui presiding;
- *Iraheta v Legacy Farmers, Inc., et al. Case No. MSC21-00762,* California Superior Court, County of Los Angeles, Honorable Charles S. Treat presiding;
- *Landin v Central Janitors' Supply Co., Inc., et al. Case No. CV-21-006391*, California Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
- *Bailey v. Cannon Constructors, et al.* Case No. 21STCV38274, California Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
- *Johns, et al. v. Whelan Security of California, Inc., et al.* Case No. 22STCV68687, California Superior Court, County of Los Angeles, Honorable Laura Seigle presiding;
- *Carrion v. Clutter, Inc., et al.* Case No. 23STCV06709, California Superior Court,

County of Los Angeles, Honorable Kerry Bensinger presiding;

- *Delia v. The Irvine Company, LLC, et al.* Case No. 30-2019-01050823-CU-OE-CXC, California Superior Court, County of Orange, Honorable William D. Claster presiding;
- *Landin v. Central Janitor's Supply Co., Inc., et al.* Case No. CV-21-006391, California Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
- *German Vaca et al.*, *v. California Pizza Kitchen, Inc*., et al. Case No. 30-2022-01278828-CU-OE-CXC, California Superior Court, County of Orange, Honorable Randall Sherman presiding;
- *London Young v. Amazon.com LLC, et al.* Case No. 21STCV38280, California Superior Court, County of Los Angeles, Honorable Elaine Lu presiding;
- *Martinez v. Dick's Sporting Goods, Inc., et al. Case No. 22STCV17283,* California Superior Court, County of Los Angeles, Honorable Armen Tamzarian presiding;
- *Latrice Ackles v. Brinker Restaurant Corporation, et al*. Case No. 22STCV19068, California Superior Court, County of Los Angeles, Honorable Gail Killefer presiding; and
- *Ruiz v. Edelbrock Foundry, LLC, et al.* Case No. 20STCV19057, California Superior Court, County of Los Angeles, Honorable David S. Cunningham presiding.
- *Bey v. Holliday Rock Co., Inc., et al.* Case No. CIVSB2316000, California Superior Court, County of San Bernardino, Honorable Kory Mathewson presiding;
- *Ruvalcaba v. Rod Fraser Enterprises, Inc., et al.* Case No. 30-2023-01308022-CU-OE-CXC, California Superior Court, County of Orange, Hon. Layne H. Melzer presiding;
- *Rhea et al. v. Stars behavioral health Group, Inc., et al.* Case No. CIVDS2017661, California Superior Court, County of San Bernardino, Hon. Joseph T. Ortiz presiding;
- *Franco et al. v. Golden Queen Mining Company, LLC, et al,* Case No. BCV-23-102813, California Superior Court, County of Kern, Hon. T. Mark Smith presiding; and
- *Ledesma v. Connell Chevrolet et al.* Case No. 30-2021-01210019-CU-OE-CXC, California Superior Court, County of Orange, Honorable William Claster presiding;
- *Essary v. Community Corporation of Santa Monica, et al.* Case No. 23STCV03250, California Superior Court, County of Los Angeles, Honorable Samantha Jessner presiding;

- *Nestor et al., v. Redlands Community Hospital, et al.* Case No. CIVSB2327089, California Superior Court, County of San Bernardino, Honorable Wilfred J. Schneider, Jr. presiding;
- *Azzawi v. C-Store Services, Inc., et al.* Case No. CIVSBZ228712, California Superior Court, County of San Bernardino, Honorable Joseph B. Wildman presiding;
- *Quintero v MW BHCC LLC, et al.* Case No. 22STCV32539, California Superior Court, County of Los Angeles, Honorable Rice Stuart presiding;
- *Mendivil v. HG Foods, LLC,* Case No.: VCU296223, California Superior Court, County of Tulare, Honorable Gary M. Johnson presiding; and
- *Barron De Expinoza v. Silicon Resourcing Solutions, LLC*., Case No.: 2023CUOE010215, California Superior Court, County of Ventura, Honorable Maureen M. Houska presiding.

15. In sum, I am experienced and qualified to evaluate the Class Members' claims and viability of Defendant's defenses, as are the other members of my Firm, past and present.

16. Vedang J. Patel has been a member of my law firm for over four (4) years and served as class counsel on numerous actions on which I was also named class counsel. Prior to working with Bibiyan Law Group, P.C., he practiced law with Murchison & Cumming, LLP on a variety of matter on behalf of defendants. Thereafter, he joined Bibiyan Law Group, P.C., practicing law on behalf of plaintiffs in matters of employment law, and specifically on issue of unpaid wages and class action settlements. He is currently a Partner at Bibiyan Law Group, P.C., and head of the Settlement Department. Among other tasks, he oversaw and managed all settlements at Bibiyan Law Group, P.C. for years. He also oversaw several attorneys, paralegals, and legal assistants and had overseen the settlement of over one hundred (100) class and PAGA matters while with our office.

THE SETTLEMENT IS FAIR AND REASONABLE

17. I believe recovery for each Class Member is well within the acceptable range for this type of action. Class Counsel and Plaintiff were prepared to litigate the claims in this Action, but they strongly and unequivocally support the proposed Settlement as being in the best interest

of the Settlement Class based on the circumstances referenced herein. I believe that this Settlement is favorable given that the Settlement Class will receive compensation promptly rather than facing uncertainties inherent in further litigation and waiting years for this Action to be tried. Furthermore, I believe the Settlement Class has, overwhelmingly supported the Settlement on the terms set forth in the Settlement Agreement, as evidenced by the high participation rate by the Settlement Class. Thus, this Settlement is highly favorable and is in the best interests of the Settlement Class.

COMMON FUND ALLOCATION IS REASONABLE & APPROPRIATE

18. Class Counsel requests a fee of 35% of the Gross Settlement Amount, which amounts to $1,137,500.00.

19. I am informed and believe that, historically, courts have awarded percentage fees in the range of 20% to 50% in class and collective actions, depending on the circumstances of the case. Thus, the requested fee is consistent with the fees awarded in other class settlements approved by California courts.

20. Moreover, I believe the fees are not just consistent with previous settlements approved by California Courts, but well earned.

21. It has been a long-recognized principle that an attorney merits a significantly larger fee when the compensation is contingent, rather than being fixed on a time or contractual basis.

22. During the period that this Action has been pending, Class Counsel has advanced all expenses and has not received any compensation for prosecuting the Action on behalf of the State and other Class Members. Specifically, Class Counsel invested time and resources into litigating this Action, with over $5,203.18 of costs to date and counting deferred to the end of the case and entirely contingent on the outcome which, as set forth above, the recovery of which was far from certain with much of the litigation still potentially pending. As set forth below, Counsel also expended hundreds of hours in prosecuting this matter. This is particularly true since the Supreme Court decided *Turietta v. Lyft, Inc.* (2024) 16 Cal.5th 664, and it is now possible that all costs expended may be lost without recourse for the PAGA portion of the action. The recourse for a reverse auction in a class matter is similarly limited.

23. The significant outlay of monetary, and personnel resources has been completely at risk and wholly dependent upon obtaining a substantial settlement or the imposition of damages and/or civil penalties at trial. PAGA Counsel should not be penalized with a lower fee for settling the case prior to trial, because the percentage of the fund method "encourages early settlement, which avoids protracted litigation."

24. Thus, the requested award of attorneys' fees is reasonable under the percentage of the fund method.

THE REQUESTED FEES ARE REASONABLE UNDER A LODESTAR CROSS-CHECK, AS WELL

25. I understand from my position as principal of Bibiyan Law Group, P.C., my involvement with the case, and information provided by my staff, that Bibiyan Law Group, P.C., will have collectively billed 267.3 hours at customary hourly rates.

26. My qualifications are set forth at length above. I helped to formulate the theory of the case, meeting with the client multiple times, helping to prepare for mediation, attended mediation, and helped to prepare the instant motion for approval. I billed approximately 45.3 hours for my time performing these tasks. My hourly rate is $1,200 per hour.

27. Diego Aviles received a Juris Doctorate from Santa Clara University School of Law and was licensed in 2017. Mr. Aviles received his Bachelor of Arts in Political Science and Bachelor of Arts in Criminal, Law and Society, from the University of California Irvine. Mr. Aviles then received his Juris Doctorate from Santa Clara School of Law. He worked for my office for five years performing complex employment matters. He performed multiple interviews with the clients, performed extensive research, drafted the pleadings in the wage and hour and PAGA actions, prepared for and attended mediation, appeared at hearings, among other tasks. Mr. Aviles billed 151.7 hours for his time on this matter at a billing rate of $900 per hour.

28. Vedang Patel's qualifications are set forth at length above, too. He helped with the draft of the Memorandum of Understanding, in reviewing and revising the long-form settlement agreement, in reviewing and revising the Motion for Preliminary Approval, and tasks related therewith, including communication with the third-party administrator and putative class members

who requested help during the process. He billed approximately 41.3 hours to this matter at his billing rate of $900 per hour.

29. Keaton Mendoza was licensed in 2018 and has been practicing wage and hour class action settlement work with Bibiyan Law Group since February of 2026.Mr. Mendoza spent approximately 2.7 hours at a rate of $450 per hour coordinating with co-counsel, and drafting declarations in support of Motion for Final Approval.

30. The Paralegals on this matter billed 16.5 hours at their billing rate of $200 per hour, while the Legal Assistants billed 9.8 hours at their billing rate of $95 per hour.

31. This amounts to 267.3 hours expended by Class Counsel from Bibiyan Law Group for a total lodestar amount of $233,506.

32. Collectively, the members of the Firm who billed time on this matter performed the following duties:

- The investigation of the matter, including meeting with Plaintiff, reviewing policies provided by Plaintiff, review of documents in Plaintiff's possession, review and analysis of Plaintiff's personnel files, and exploring Defendant's corporate structure to determine whether any other individuals or entities should be named in the litigation;
- Researching the dockets for other cases filed against Defendant, determining whether they named all allegedly culpable defendants and included all theories available;
- Compliance with prerequisites in connection with Plaintiff's cause of action under PAGA;
- Filing and serving of the PAGA Notice;
- Drafting, filing, and serving pleadings in the Action, including the wage and hour Class Action complaint, Representative Action complaint, a First Amended Complaint into the Class Action to add the claims alleged in the PAGA Action;
- Review and analysis of Defendant's Answers;
- Review and analysis of the Court's Minute Orders, attention to scheduling and delegation of actions in light thereof, meeting and conferring with Defendant's

counsel, drafting and filing of Joint Reports, Joint Case Management Statements, Joint Stipulations, and preparation for appearance at conferences and hearings;

- Discussing the potential merits of mediation, as well as negotiating the parameters thereof and the informal discovery to be exchanged beforehand, which involved iterations of written correspondence back and forth and several telephone discussions between counsel regarding the potential scope of releasees, discovery, as well as the scope of the pleadings;
- Selecting a mediator and scheduling the mediation;
- Obtaining and reviewing informal discovery from Defendant, including time and payroll records putative class data points for Class Members for putative class members, Defendant's written policies, and other informal discovery produced, and analyzing the same with the aid of retained expert data consultants and Plaintiff to perform analyses of liability and exposure;
- Preparation of mediation brief, analysis, and damages model in conjunction with expert data consultants, for use at the all-day mediation session;
- Various direct conversations between counsel to exchange information in advance of mediation, ensuring that all Parties were apprised of the claims and defenses to ensure a meaningful mediation date;
- Attendance at the full-day session of mediation by various attorneys;
- Extensive negotiation, with the assistance of a mediator, regarding the terms of the settlement, which was memorialized in a long form Settlement Agreement;
- Exchange of numerous versions of the long form Settlement Agreement, and finalizing and fully executing the long form Settlement Agreement;
- Drafting and reviewing the Class Notice;
- Selecting a third-party administrator with counsel for Defendant for administration of Class Notice to Class Members and obtaining bids for settlement administration;
- Communicating with Plaintiff who requested updates or other information regarding this matter;

- Preparing the Motion for Preliminary Approval and preparation and attendance at the Motion for Preliminary Approval hearings;
- Working with opposing counsel to amend the Settlement Agreement and Class Notice, and filing and serving Supplemental Briefing and declarations in Support of Plaintiff's Motion for Preliminary Approval of the Settlement to address the Court's concerns;
- Working with opposing counsel and the Settlement Administrator to ensure timely administration of the Class Notice to Class Members;
- Reviewing and analyzing the Settlement Administrator's final report to provide the information necessary for the Court's review of the Motion for Final Approval; and
- Preparing the instant Motion for Final Approval.

33. And the over 267 hours expended by the lawyers and staff members of Bibiyan Law Group, P.C., in connection with this Action is only a calculation of efforts made thus far; it does not include the time that will be spent preparing for and attending the final approval hearing and updating this Court regarding the disposition of uncashed checks and/or amending the judgment, if necessary. Thus, Class Counsel request that the Court find that these hours are reasonable in this litigation.

34. Here, under a lodestar crosscheck, a multiplier of 1.66 is being requested, and is warranted as set out further in the declaration of Helene Mayer and Plaintiffs' moving papers.

THE QUALITY OF REPRESENTATION AND THE RESULTS OBTAINED SUPPORT THE SETTLEMENT, PARTICULARLY IN LIGHT OF THE COMPLEX NATURE OF THE LITIGATION

35. My office used a high level of skill in addressing the difficult questions presented in this case, which involved the contested issues regarding: the compliance of various of Defendant's policies with the Labor Code, including whether all time worked was paid for; whether meal and/or rest breaks were given in compliance with the Labor Code; issues regarding the timeliness of pay, including whether all pay was received by termination or resignation; the sufficiency and accuracy of wage statements (including whether issues therewith, if any, were intentional or injurious); and

various other issues. Proof of Class Counsel's skill in this area of law lies in the size of this Settlement and the recoveries of Class Members despite Defendant's contentions that Plaintiff's unpaid wages claims are speculative; Defendant's contention that their meal and rest period policies were compliant; and other hurdles encountered by Class Counsel that were traversed in reaching this Settlement pertaining to evolving case law regarding Class and PAGA actions.

COUNSEL SHOULD BE REIMBURSED FOR COSTS EXPENDED, AS WELL

36. The itemized costs incurred by Bibiyan Law Group, P.C. in the above-referenced matter total $5,203.18, as more fully detailed in the Bibiyan Law Group, P.C. Costs Sheet attached hereto as Exhibit "1."

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct this 12th day of November 2026, at Los Angeles, California.

/s/ David D. Bibiyan
David D. Bibiyan

EXHIBIT 1

BIBIYAN LAW GROUP, P.C.

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November 13, 2026

DATE	TYPE	PAYABLE TO	TOTAL AMOUNT	
12/27/2024	E-Filing	All-N-One Legal Support	$	165.00
7/2/2024	E-Filing	All-N-One Legal Support	$	13.30
6/26/2024	Other	Pacer	$	0.40
6/3/2024	E-Filing	All-N-One Legal Support	$	13.30
5/16/2024	Costs Associated with Related/Dismissed Case	Riverside Historic Courthouse	$	1,997.14
5/9/2024	Costs Associated with Related/Dismissed Case	All-N-One Legal Support	$	679.44
4/23/2024	E-Filing	All-N-One Legal Support	$	13.30
4/19/2024	Case Document Purchase	Riverside Historic Courthouse	$	1.00
4/2/2024	E-Filing	All-N-One Legal Support	$	13.30
3/19/2024	E-Filing	All-N-One Legal Support	$	13.30
2/2/2024	E-Filing	All-N-One Legal Support	$	13.30

List of Expenses Items 2021.03.28 - 11/13/2026

1/30/2024	Case Document Purchase	Riverside Historic Courthouse	$	2.00
8/14/2023	E-Filing	All-N-One Legal Support	$	72.50
4/26/2023	E-Filing	All-N-One Legal Support	$	12.80
1/27/2023	E-Filing	All-N-One Legal Support	$	12.80
10/26/2022	E-Filing	All-N-One Legal Support	$	12.80
6/30/2022	E-Filing	All-N-One Legal Support	$	162.80
6/21/2022	E-Filing	All-N-One Legal Support	$	12.80
5/19/2022	E-Filing	All-N-One Legal Support	$	12.80
2/28/2022	E-Filing	All-N-One Legal Support	$	12.80
11/30/2020	Court Hearing	CourtCall	$	124.00
11/30/2020	Court Filing Fee	DDS Legal Support	$	74.95
11/30/2020	Court Filing Fee	DDS Legal Support	$	74.95
11/30/2020	Case Document Purchase	Riverside Historic Courthouse	$	2.00
11/30/2020	Process Service	All-N-One Legal Support	$	63.50
2/27/2020	E-Filing	All-N-One Legal Support	$	29.95
12/10/2019	Court Hearing	CourtCall	$	124.00
8/12/2019	Court Filing Fee	DDS Legal Support	$	1,452.95
Various Dates	Photocopies (100 copies x $0.20)	N/AA	$	20.00
		Total	$	5,203.18

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Attorneys for Plaintiff Mackensie Biddle, Plaintiff Jessa Naluz, and the Class

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

DECLARATION OF MACKENSIE BIDDLE IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS

Date:	February 3, 2027
Time:	9:00 a.m.
Courtroom:	9D

Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None Set

DECLARATION OF MACKENSIE BIDDLE

I, Mackensie Biddle, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by C & J Clark Retail, Inc. ("C & J Clark") as an hourly-paid Assistant Store Manager from approximately July 2018 to approximately October 2018. I decided to seek legal advice about my work experiences with C & J Clark and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure that C & J Clark was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. I consulted with the attorneys at Lawyers *for* Justice, PC for 2 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff, class representative, and PAGA representative.

3. I have spent over 7 hours communicating with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with C & J Clark, reviewing documents with my attorneys and answering their questions, providing guidance regarding the duties of non-exempt employees, and helping develop a strategy as to what documents and information to obtain from C & J Clark. I routinely checked in with my attorneys and their staff to make sure they had all of my most current information and any additional information that I had obtained.

///

4. I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many documents as I could. I spent at least 6 additional hours working with my attorneys to prepare Initial Disclosures, speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing policies, practices, and procedures of C & J Clark.

5. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent about 2 hours reviewing the settlement documents, asking questions, and discussing the potential settlement with my attorneys before signing the settlement agreement.

6. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees and the State of California. I think my efforts have helped to obtain the result in this case, and as a class and PAGA representative, I respectfully request that the Court award me a Class Representative Enhancement Payment in the amount of $7,500.00 for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

7. I am not related to anyone associated with Lawyers *for* Justice, PC.

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8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as a Class Representative Enhancement Payment, as well as my share of the settlement as a class member and as an aggrieved employee.

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

Executed this ____ day of September 2024, at Lake Forest, California.

09/27/2024



Mackensie Biddle

Arby Aiwazian (Cal. State Bar No. 269827)
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Joanna Ghosh (Cal. State Bar No. 272479)
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Attorneys for Plaintiff Mackensie Biddle, Plaintiff Jessa Naluz, and the Class

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

DECLARATION OF JESSA NALUZ IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS

Date:	February 3, 2027
Time:	9:00 a.m.
Courtroom:	9D

Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None Set

DECLARATION OF JESSA NALUZ

I, Jessa Naluz, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by C & J Clark Retail, Inc. ("C & J Clark") as an hourly-paid Team Lead from approximately April 2018 to approximately March 2020. I decided to seek legal advice about my work experiences with C & J Clark and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure that C & J Clark was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. I consulted with the attorneys at Lawyers *for* Justice, PC for 3 hours discussing my situation, representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff and PAGA representative.

3. I have spent over 5 hours communicating with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with C & J Clark, reviewing documents with my attorneys and answering their questions, providing guidance regarding the duties of non-exempt employees, and helping develop a strategy as to what documents and information to obtain from C & J Clark. I routinely checked in with my attorneys and their staff to make sure they had all of my most current information and any additional information that I had obtained.

4. I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and

identified as many documents as I could. I spent at least 4 additional hours working with my attorneys, speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing policies, practices, and procedures of C & J Clark.

5. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent about 1.5 hours reviewing the settlement documents, asking questions, and discussing the potential settlement with my attorneys before signing the settlement agreement.

6. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees and the State of California. I think my efforts have helped to obtain the result in this case, and as a class and PAGA representative, I respectfully request that the Court award me a Class Representative Enhancement Payment in the amount of $7,500.00 for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

7. I am not related to anyone associated with Lawyers *for* Justice, PC.

8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as a Class Representative Enhancement Payment, as well as my share of the settlement as a class member and as an aggrieved employee.

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

Executed this ____ day of September 2024, at San Francisco, California.

09/26/2024

Electronically Signed 2024-09-26 23:10:27 UTC - 67.160.254.13
Nintex AssureSign® 64cfac20-8d28-4b5c-974a-b1f701694d4d

Jessa Naluz

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Attorneys for Plaintiffs Mackensie Biddle and Jessa Naluz

[Additional Counsel on next page]

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendant.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Department 9D

CLASS ACTION

DECLARATION OF EVANGELINE D. GASTON IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

BIBIYAN LAW GROUP, P.C.
Keaton Mendoza (SBN 321172)
kmendoza@tomorrowlaw.com
1460 Westwood Boulevard
Los Angeles, California 90024
Tel: (310) 438-5555; Fax: (310) 300-1705

Attorneys for Plaintiff, Evangeline D. Gaston

DECLARATION OF EVANGELINE D. GASTON

1. I am a party to this action and reside in the State of California. I am fully competent to make this declaration. I have personal knowledge of the facts set forth herein, except for those stated on information and belief, and as to those I am informed and believe them to be true. If called upon to testify, I could and would testify as set forth herein.

2. I make this Declaration in support of Plaintiffs' Motion for Final Approval of Class and Representative Action Settlement.

3. I was employed by C & J Clark Retail, Inc. ("Defendant") as a non-exempt hourly employee from approximately 2003 to May 2019, as an Assistant Manager.

4. Throughout my employment with Defendant, I am informed and believe that myself and other non-exempt employees of Defendant were not paid all wages owed because we were not paid for all time under Defendant's control, or for which we were suffered or permitted to work by Defendant. In addition, I am informed and believe we were not paid all overtime hours worked at the overtime rate of pay owed due to, without limitation, failure to record all time worked and failure to pay for off-the-clock work.

5. During my employment with Defendant, I took meal periods that were after the fifth hour, short or not duty-free. I witnessed other non-exempt, hourly-paid employees with my job duties often taking meal periods that were after the fifth hour, short or not duty-free, as well.

6. I do not recall receiving any premium pay for the full, timely and uninterrupted meal periods I was not provided an opportunity to take and I am informed and believe that my coworkers were not provided premium pay for not being provided with the opportunity to take full, timely and uninterrupted meal periods, either.

7. I do not believe I was provided with opportunities to take full, uninterrupted 10-minute rest periods while working with Defendant and I am informed and believe my coworkers were often not provided with such an opportunity, either.

8. I do not recall receiving any premium pay for the full rest breaks I was not provided an opportunity to take and am informed and believe that my coworkers were not provided

premium pay for not being provided with the opportunity to take full, uninterrupted 10-minute rest periods, either.

9. Before and during the course of litigation, I was actively involved in assisting my attorneys to support the wage and hour claims asserted. My involvement began before the initial complaint was filed wherein, I provided first-hand knowledge and documentation as to Defendant's practices, their ownership and corporate structure, and their wage and hour policies and practices.

10. Part of the information I relayed was with regard to Defendant's timekeeping policies and practices and their meal and rest period policies and practices.

11. I provided them with all the documentation provided to me by Defendant during my employment.

12. I assisted in reviewing time and payroll records with my attorneys and informed them of Defendant's employment policies and whether those policies matched Defendant's practices.

13. My attorneys called me to ask me questions over several times throughout the litigation and I contacted my attorneys several times to stay updated on the case and offer my assistance on any matters I could be helpful with. I was also available for mediation by telephone, during which I was available to be called to answer the questions posed by the mediators regarding the asserted claims, as well as arguments raised by Defendant. In addition, I worked with my attorneys over the next several weeks after mediation to understand and execute a long form settlement agreement.

14. Over the past few months since the mediation has been resolved, I have stayed in touch with my attorneys to ensure that there was no undue delay in payment for other class members for whom I brought this Action.

15. I believe that, through the present, I have spent at least 48 hours in connection with this matter, which included time spent having preliminary calls with my attorneys; doing an intake

with my attorneys; time spent searching for documents relating to my employment; time spent reading and understanding the Settlement Agreement; time spent answering calls to discuss Defendant's timekeeping, pay, meal and rest periods, and to review time and payroll records; time spent discussing with my attorneys' Defendant's policies and practices; time spent on-call at mediation; and time spent checking in on the status of the case, among other things. I also spent time preparing this declaration to support Plaintiffs' Motion for Final Approval of Class and Representative Action Settlement.

16. I feel that by bringing this lawsuit, I could stand up for not only my rights but the rights of other employees who suffered from the same unfair wage practices. I felt that current employees might not want to share their experiences with Defendant since they feared losing their jobs. This is certainly understandable as I, too, have to provide for myself and others.

17. By bringing this lawsuit, I have put the interests of the class ahead of my own.

18. I understood that I could possibly earn a small enhancement if this case resolved favorably. I also knew that I could face retaliation from Defendant and backlash from former coworkers who are loyal to Defendant. I have also had to provide a general release of claims to Defendant as part of the settlement. My understanding, in addition, is that if I brought this case individually, I may have earned more compensation individually and on a much quicker timeline than the timeline to resolve this Action.

19. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and, even more importantly, to put an end to what I believe are illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and settlement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct this 11/13/2026, at Calimesa, California.

Evangeline Gaston

EVANGELINE D. GASTON

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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE; JESSA NALUZ; and EVANGELINE D. GASTON, individually and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act,

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1-100, inclusive,

Defendants,

Case No.: 24-cv-01131-JWH-ADS

DECLARATION OF LAURA HODSON ON BEHALF OF SIMPLURIS, INC. REGARDING CLASS NOTICE AND SETTLEMENT ADMINISTRATION

DECLARATION OF LAURA HODSON

I, Laura Hodson, hereby declare:

1. I am employed as a Project Manager by Simpluris, Inc. ("Simpluris"), the claims administrator in the above-entitled action. Our Corporate Office address is 3194-C Airport Loop Dr., Costa Mesa, CA 92626. My telephone number is (714) 881-3668. I am over twenty-one years of age and authorized to make this declaration on behalf of Simpluris and myself.

2. Simpluris is a Class Action Settlement Administration company located in Costa Mesa, California. It was founded by individuals who have each managed hundreds of settlements, along with professionals in the areas of Software Development, Third-Party Claims Administration, Mail-House Operations, and Call Center Support Management.

3. Simpluris was approved by Counsel for Mackensie Biddle, Evangeline D. Gaston, and Jessa Naluz ("Plaintiffs") and C & J Clark Retail, Inc., ("Defendant") (collectively the "Parties") to provide settlement administration services in the *Mackensie Biddle, et al. v. C & J Clark Retail Inc.,* (the "Settlement"). In this capacity, Simpluris was charged with (a) printing, distributing and tracking the Class Notices and other documents for the Settlement; (b) calculating and distributing payments due under the Settlement; (c) issuing of 1099 and W-2 IRS Forms and all the required tax reporting, filings, withholdings and remittances; (d) providing necessary reports and declarations; (e) resolving disputes; and (f) other duties and responsibilities set forth to process the Settlement.

NOTIFICATION TO THE CLASS

4. On or about April 1, 2026, Simpluris received the Court-approved *Notice of Class and Representative Action Settlement* (hereafter "Class Notice"). The Class Notice advised Class Members of their right to request exclusion from the Class Settlement, object to the Class Settlement, dispute Workweeks, do nothing, and the implications of each such action. The Class Notice advised Class Members of applicable deadlines and

other events, including the Final Approval Hearing, and how Class Members could obtain additional information.

5. On or about August 20, 2026, Defendant's Counsel provided Simpluris a list containing each Class Member's and PAGA Aggrieved Employee's full names, last known mailing addresses, telephone number, Social Security Number, dates of employment as an hourly-paid or non-exempt employee of Defendant in California during the Class Period and Workweeks during the Class and PAGA Period (collectively, "Class List"). The Class List contained data for two thousand one hundred and twenty-two (2,122) individuals, of which one thousand three hundred and seven (1,307) were identified as PAGA Aggrieved Employees. The total count of Workweeks worked by all Class Members during the Class Period was 54,430 and the total count of Workweeks worked by all PAGA Aggrieved Employees during the PAGA Period was 19,151.

6. The Escalator Clause of the Settlement Agreement indicates if the number of Workweeks during the Class Period exceeds 76,157 by more than 10% (i.e., exceeds 83,773), Defendant shall pay the percentage increase in excess of 10% to the Maximum Settlement Amount to include the additional Workweeks (e.g., an 11% increase in Workweeks would result in a 1% increase to the Maximum Settlement Amount). The total number of Workweeks during the relevant period was 54,430 which does not exceed the Escalator Clause. Therefore, the Escalator Clause was not triggered, and the Maximum Settlement Amount remains $3,250,000.00.

7. The mailing addresses contained in the Class List were processed and updated utilizing the National Change of Address Database ("NCOA") maintained by the U.S. Postal Service. The NCOA contains requested changes of address filed with the U.S. Postal Service. In the event that any individual had filed a U.S. Postal Service change of address request, the address listed with the NCOA would be utilized in connection with the mailing of the Class Notice. Simpluris was able to locate one hundred and seventy-four (174) updated addresses using NCOA prior to the mailing of

the Class Notice.

8. On September 2, 2026, the Class Notice was mailed to two thousand one hundred and twenty-two (2,122) individuals identified as Class Members, of the two thousand one hundred and twenty-two (2,122) individuals Class Members, one thousand three hundred and seven (1,307) were identified as PAGA Aggrieved Employees. The Class Notice was mailed via First Class US Mail in English. A copy of the Class Notice is attached hereto as **Exhibit A**.

9. A total of two hundred and seventy (270) Class Notices were returned to Simpluris. If a Class Member's Class Notice was returned by the USPS as undeliverable and without a forwarding address, Simpluris performed an advanced address search (i.e., skip trace) on all of these addresses by using Accurint, a reputable research tool owned by Lexis-Nexis. Simpluris used the Class Member's name and previous address to locate a current address. Through the advanced address searches and utilizing the USPS forwarding address database, Simpluris was able to locate two hundred and fifty-four (254) updated addresses and Simpluris promptly mailed a Class Notice to those updated addresses. There are sixteen (16) mailed Class Notices that remain undeliverable.

WEBSITE AND TOLL-FREE TELEPHONE HELPLINE

10. Simpluris added the Settlement Agreement and Preliminary Approval Order on their website, www.simpluris.com/case-search, for Class Members to obtain and view. It was added to the website and has been available to the public since April 1, 2026. Simpluris will additionally post on their website the Final Approval Order upon receipt from the Parties.

11. A toll-free telephone number was included in the Notice for the purpose of allowing the Class Members to call Simpluris and to make inquiries regarding the Settlement. The system is accessible 24 hours a day, 7 days a week, and will remain in operation throughout the settlement process. The toll-free telephone number included in the Notice was (833) 386-6518 and was live on September 2, 2026.

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REQUESTS FOR EXCLUSION, OBJECTIONS AND DISPUTES

12. The deadline for Class Members to submit a Request for Exclusion from the Class Settlement, Notice of Objection to the Class Settlement, or Workweeks Dispute was October 19, 2026, and the re-mailed Class Notice extended deadline was November 3, 2026.

13. As of this date, Simpluris has received one (1) Request for Exclusion from the Class Settlement from Anabelle B Rivera.

14. As of this date, Simpluris has not received any Notices of Objection to the Class Settlement from Class Members.

15. As of this date, Simpluris has not received any Workweeks Disputes from Class Members or PAGA Aggrieved Employees.

CLASS MEMBER AWARDS

16. As of this date, there are two thousand one hundred and twenty-one (2,121) Settlement Class Members who will be paid their portion of the Net Settlement Amount. Of the two thousand one hundred and twenty-one (2,121) Settlement Class Members, one thousand three hundred and six (1,306) were identified as PAGA Aggrieved Employees who will also be paid Individual PAGA Payments.

17. The Net Settlement Amount of $1,781,343.33 available to pay Settlement Class Members was determined by subtracting the Attorneys' Fees ($1,137,500.00), Attorneys' Costs ($23,656.67), Class Representative Enhancement Payments ($22,500.00), the LWDA Payment ($201,750.00), PAGA Aggrieved Employee Amount ($67,250.00), and the Settlement Administration Costs ($16,000.00) from the Maximum Settlement Amount of $3,250,000.00.

18. The average estimated Individual Settlement Payment is $839.86, the highest estimated Individual Settlement Payment is $10,452.65, and the lowest estimated Individual Settlement Payment is $50.50.

19. As of this date, one thousand three hundred and six (1,306) were identified as PAGA Aggrieved Employees who will be paid their portion of the PAGA Aggrieved

Employee Amount of $67,250.00.

20. The average estimated Individual PAGA Payment is $51.49, the highest estimated Individual PAGA Payment is $491.67, and the lowest estimated Individual PAGA Payment is $3.51.

ADMINISTRATION COSTS

21. Simpluris' total costs for services in connection with the administration of this Settlement, including fees incurred and anticipated future costs for completion of the administration, are $16,000.00. Simpluris' work in connection with this matter will continue with calculation of the settlement checks, issuance, and mailing of those settlement checks, etc., and to do the necessary tax reporting on such payments.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 16th day of November 2026, in Atlanta, GA.

Laura Hodson

LAURA HODSON

Exhibit A

NOTICE OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT

Mackensie Biddle et al v. C & J Clark Retail, Inc.
United States District Court for the Central District of California,
Case No. 8:24-cv-01131-JWH-ADS

«IMb¡ullBarcodeEncoded»

«FirstName» «LastName» «BusinessName»
SIMID «SIMID» «Address1» «Address2»
«City», «State» «Zip»-«ZipDPC3»

You have received this Notice Packet because records of C & J Clark Retail, Inc. ("Defendant") indicate that you are or were an hourly-paid, non-exempt employee of Defendant who worked in the State of California at any time during the time period from July 16, 2015 through April 14, 2022.

You do not need to take any action to receive a settlement payment and, unless you submit request to be excluded from the settlement, your legal rights may be affected.

This Notice Packet is designed to advise you of your rights and options, and how you can request to be excluded from the settlement, object to the settlement, and/or dispute the number of Workweeks you are credited with, if you so choose.

PLEASE READ THIS NOTICE CAREFULLY. This Notice Packet relates to a proposed settlement of a class action and representative lawsuit. It contains important information about your right to object to or not be included in the class settlement.

By order of the United States District Court for the Central District of California (the "Court"), in the case of *Mackensie Biddle et al v. C & J Clark Retail, Inc.*, United States District Court for the Central District of California, Case No. 8:24-cv-01131-JWH-ADS (the "Action") preliminary approval of a proposed class action settlement was granted on March 30, 2026. A hearing shall be held on September 9, 2026 ("Final Approval Hearing") to determine whether final approval of the class and representative action settlement should be granted.

YOU ARE NOTIFIED THAT: a proposed class and representative action settlement has been reached between Plaintiffs Mackensie Biddle ("Plaintiff Biddle"), Evangeline D. Gaston ("Plaintiff Gaston"), and Jessa Naluz ("Plaintiff Naluz") (collectively, "Plaintiffs") and C & J Clark Retail, Inc. ("Defendant") (Plaintiffs and Defendant are collectively referred to as the "Parties") in the Action, which may affect your legal rights.

I. DEFINITIONS

"**Class**" means all current and former hourly-paid or non-exempt employees of Defendant who worked in the State of California at any time during the Class Period.

"**Class Member**" means an individual who falls within the definition of the Class.

"**Class Period**" means the period from July 16, 2015 through April 14, 2022.

"**Class Settlement**" means the settlement and resolution of the Released Class Claims.

"**PAGA Aggrieved Employee(s)**" means all current and former hourly-paid or non-exempt employees of Defendant who

worked in the State of California at any time during the PAGA Period.

"**PAGA Period**" means the period from June 11, 2018 through April 14, 2022

"**PAGA Settlement**" means the settlement and resolution of Released PAGA Claims.

II. BACKGROUND OF THE LAWSUIT

Plaintiff Biddle commenced the Action on July 16, 2019, in the Superior Court of the State of California, County of Orange. On August 12, 2019, Plaintiff Gaston commenced the "Gaston Class Action" in the Superior Court of the State of California, County of Riverside. On August 21, 2019, Plaintiff Biddle filed a First Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. in the Action. The Action was removed to federal court on or about August 22, 2019, where it is currently pending. On October 16, 2019, Plaintiff Gaston filed the "Gaston PAGA Action" in the Superior Court of California, County of Riverside. On November 15, 2019, Plaintiff Biddle filed a Second Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. in the Action. On January 6, 2021, Plaintiff Biddle filed a Third Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. in the Action. On October 28, 2021, Plaintiff Naluz commenced the "Naluz PAGA Action" in the Superior Court of California, County of Orange (the Action, the Gaston Class Action, the Gaston PAGA Action, and the Naluz PAGA Action are collectively referred to as the "Actions"). The Fourth Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. ("Operative Complaint") was filed on May 28, 2024.

Plaintiffs allege that Defendant failed to properly pay minimum and overtime wages, failed to provide compliant meal breaks and rest breaks and associated premiums, failed to timely pay wages and associated waiting-time penalties, failed to provide accurate wage statements, failed to maintain payroll records, failed to reimburse business expenses, and thereby, engaged in unfair business practices, violation of the Fair Labor Standards Act (29 U.S.C. § 201, et seq.), and conduct giving rise to penalties under the Private Attorneys General Act ("PAGA"). Plaintiffs seek, among other things, recovery of unpaid wages and meal and rest period premiums, restitution, penalties, interest, attorneys' fees and costs.

Defendant denies all of the allegations in the Actions or that it violated any law and contends that at all times it has complied with federal, state, and local laws.

The Parties participated in a full-day mediation with a respected class action mediator, and as a result of the mediation, the Parties reached a settlement. The Parties have since entered into the Joint Stipulation of Class and Representative Action Settlement and Release ("Settlement" or "Settlement Agreement"), which was preliminarily approved by the Court on March 30, 2026. The Court has preliminary appointed Plaintiffs Mackensie Biddle, Evangeline D. Gaston, and Jessa Naluz as the representatives of the Class ("Class Representatives"), and has preliminarily appointed the following Plaintiffs' counsel as counsel for the Class ("Class Counsel")

Lawyers *for* Justice, PC
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Joanna Ghosh, Esq.
Helene Mayer, Esq.
410 West Arden Avenue, Suite 203
Glendale, California 91203
Telephone: (818) 265-1020 / Fax: (818) 265-1021

Bibiyan Law Group, P.C.
David D. Bibiyan, Esq.
Vedang J. Patel, Esq.
1460 Westwood Boulevard
Los Angeles, CA 90024
Telephone: (310) 438-555 / Fax: (310) 300-1705

If you are a Class Member, you need not take any action to receive an Individual Settlement Payment, but you have the opportunity to request exclusion from the Class Settlement (in which case you will not receive an Individual Settlement Payment), object to the Class Settlement, or dispute the number of Workweeks credited to you, if you so choose, as explained

more fully in Section IV below. If you are a PAGA Aggrieved Employee, you do not need to take any action to receive an Individual PAGA Payment.

The Settlement represents a compromise and settlement of highly disputed claims. Nothing in the Settlement is intended or will be construed as an admission by the Defendant that the claims in the Actions have merit or that the Defendant has any liability to Plaintiffs, Class Member, or PAGA Aggrieved Employees. Plaintiffs and Defendant, and their respective counsel, have concluded and agree that, in light of the risks and uncertainties to each side of continued litigation, the Settlement is fair, reasonable, and adequate, and is in the best interests of Class Members and PAGA Aggrieved Employees.

III. SUMMARY OF THE PROPOSED SETTLEMENT

A. Settlement Formula

The maximum settlement consideration is Three Million Two Hundred Fifty Thousand Dollars and Zero Cents ($3,250,000.00) (the "Maximum Settlement Amount"). The portion of the Maximum Settlement Amount that is available for payment to Class Members who do not timely and properly elect to opt out of the Settlement ("Settlement Class Members") is referred to as the "Net Settlement Amount."

The Net Settlement Amount will be the Maximum Settlement Amount less the following payments which are subject to approval by the Court: (1) Attorneys' Fees and Costs in an amount not to exceed 35% of the Maximum Settlement Amount (i.e., $1,137,500.00 of $3,250,000.00) for attorneys' fees and an amount not to Thirty-Five Thousand Dollars and Zero Cents ($35,000.00) for reimbursement of reasonable litigation costs and expenses to Class Counsel; (2) Class Representative Enhancement Payments in the amount of Seven Thousand Five Hundred Dollars and Zero Cents ($7,500.00) each to Plaintiffs (total, $22,500.00), for their services in the Actions; (3) Settlement Administration Costs (which are currently estimated not to exceed Sixteen Thousand Dollars and Zero Cents ($16,000.00)); and (4) the amount of Two Hundred Sixty-Nine Thousand Dollars and Zero Cents ($269,000.00) allocated toward civil penalties under the Private Attorneys General Act ("PAGA Allocation"). The PAGA Penalties will be distributed 75% ($201,750.00) to the LWDA ("LWDA Payment") and the remaining 25% (i.e., $67,250.00) will be distributed to PAGA Aggrieved Employees ("PAGA Aggrieved Employee Amount").

Class Members are entitled to receive payment under the Class Settlement of their share of the Net Settlement Amount ("Individual Settlement Share") based on the number of weeks that a Class Member worked for Defendant as an hourly paid or non-exempt employee in California at any time during the Class Period ("Workweeks"). To determine each Class Member's Individual Settlement Share, the Settlement Administrator will use the following formula:

$$\text{Individual Settlement Share} = \text{Class Member's Individual Workweeks} \times \frac{\text{Net Settlement Amount}}{\text{Total Workweeks of all Class Members}}$$

Each Individual Settlement Share shall be allocated as one-third (1/3) wages and two-thirds (2/3) penalties, interest, and non-wage damages. Settlement Class Members will be issued payment of their Individual Settlement Share after reduction for required employee-side and employer-side payroll taxes, contributions, withholding with respect to the wages portion of the Individual Settlement Share (the net payment is referred to as "Individual Settlement Payment"). The wages portion will be reported by way of IRS Form W-2 and the non-wage portion will be reported by way of IRS Form 1099.

PAGA Aggrieved Employees are entitled to receive payment under the PAGA Settlement of their share of the PAGA Aggrieved Employee Amount ("Individual PAGA Payment") based on the number of Workweeks that a PAGA Aggrieved Employees worked during the PAGA Period. To determine each PAGA Aggrieved Employee's Individual PAGA Payment, the Settlement Administrator will use the following formula:

$$\text{PAGA Aggrieved} \quad \frac{\text{PAGA Aggrieved Employee Amount}}{}$$

Individual PAGA Payment	=	Employee's Individual Workweeks	x	Total Workweeks of all PAGA Aggrieved Employees

Each Individual PAGA Payment shall be allocated as one hundred percent (100%) penalties, which will be reported by way of IRS Form 1099 (if applicable).

If the Court grants final approval of the Settlement, Individual Settlement Payments will be mailed to Settlement Class Members and Individual PAGA Payments will be mailed to PAGA Aggrieved Employees at the address that is on file with the Settlement Administrator. **If the address to which this Notice Packet was mailed is not correct, or if you move after you receive this Notice Packet, you must make sure to provide your correct mailing address to the Settlement Administrator in a timely fashion, to ensure receipt of payment that you may be entitled to.**

B. Your Workweeks Based on Defendant's Records

According to Defendant's records:

Between July 16, 2015 through April 14, 2022 (i.e., Class Period), you worked for Defendant in California as an hourly-paid, non-exempt employee for «MERGED_Class_WW_CALC» Workweeks.

Between June 11, 2018 through April 14, 2022 (i.e., PAGA Period), you worked for Defendant in California as an hourly-paid, non-exempt employee for «MERGED_PAGA_WW_CALC» Workweeks.

If you wish to dispute the number Workweeks credited to you as a Class Member during the Class Period, you must mail a written dispute ("Workweeks Dispute") to the Settlement Administrator, postmarked **no later than Augst 10, 2026** at the address listed in Section IV.B below.

The Workweeks Dispute must include: (a) contain the case name and number of the Action (*Mackensie Biddle et al v. C & J Clark Retail, Inc.*, Case No. 8:24-cv-01131-JWH-ADS); (b) contain your full name, signature, address, telephone number, and last four (4) digits of your Social Security number; (c) clearly state that you dispute the number of Workweeks credited to you and what you contend is the correct number to be credited to you; (d) attach any documentation that you have to support the dispute; and (e) be submitted by mail to the Settlement Administrator = at the address listed in Section IV.B below, postmarked on or before August 10, 2026.

C. Your Estimated Individual Settlement Share and/or Individual PAGA Payment

As explained above, your estimated Individual Settlement Share and/or Individual PAGA Payment is based on your number of Workweeks.

Under the terms of the Class Settlement, your Individual Settlement Share is estimated to be $«MERGED_Class_EstSettAmnt_CALC».

Under the terms of the PAGA Settlement, your Individual PAGA Payment is estimated to be $«MERGED_PAGA_EstSettAmnt_CALC».

The settlement approval process may take multiple months. Your Individual Settlement Share and/or Individual PAGA Payment reflected on this Notice Packet is only an estimate. Your actual Individual Settlement Share and/or Individual PAGA Payment may be higher or lower than estimated, and is subject to required employee-side and employer-side payroll

taxes. Contributions, and withholdings with respect to the wages portion of the Individual Settlement Share. Payment will be distributed only after the Court approves the Settlement, and after the Settlement goes into effect.

D. Released Claims

Upon the Effective Date and full funding of the Maximum Settlement Amount, Plaintiffs and all Settlement Class Members, will be deemed to have fully, finally, and forever released, settled, compromised, relinquished, and discharged the Released Parties of any and all Released Class Claims, except that only those Settlement Class Members who cash or deposit their Individual Settlement Payment check shall be deemed to opt-in to the settlement and release of Released Class Claims that arise under the Fair Labor Standards Act.

Upon the Effective Date and full funding of the Maximum Settlement Amount, Plaintiffs and all PAGA Aggrieved Employees, will be deemed to have fully, finally, and forever released, settled, compromised, relinquished, and discharged the Released Parties of any and all Released PAGA Claims.

"Released Class Claims" means any and all claims under state, federal, or local law, whether statutory or common law claims that were alleged in the Operative Complaint or reasonably could have been alleged based on the facts contained in the Operative Complaint, arising during the period from July 16, 2015 through the date of preliminary approval of the Settlement Agreement, including but not limited to claims under the California Labor Code, California Industrial Welfare Commission Wage Orders, regulations, and/or other provisions of law, for: (a) failure to pay overtime wages; (b) failure to pay minimum wages; (c) failure to provide compliant meal periods and associated premiums; (d) failure to provide compliant rest premiums and associated premiums; (e) failure to timely pay wages during employment; (f) failure to timely pay wages at time of termination; (g) failure to provide compliant wage statements; (h) failure to keep requisite payroll records; (i) failure to reimburse necessary business-related expenses; (j) unfair or unlawful business practices pursuant to California Business and Professions Code §§ 17200 *et seq.* based on the aforementioned, and (k) violation of the Fair Labor Standards Act (29 U.S.C. § 201, *et seq.*).

"Released PAGA Claims" means any and all claims for civil penalties under the Private Attorneys General Act of 2004, California Labor Code § 2698, *et seq.*, that were alleged in the Operative Complaint or reasonably could have been alleged based on the facts contained in the Operative Complaint, arising during the arising during the period from June 11, 2018 through the date of preliminary approval of the Settlement Agreement. Without limiting the foregoing, and in addition to the foregoing, the Released PAGA Claims include all penalties available under the Private Attorneys General Act of 2004, California Labor Code § 2698, *et seq.* for the claims encompassed by the Released Class Claims.

"Released Parties" means Defendant, and any of its former and present parent companies, subsidiaries, divisions, concepts, related or affiliated companies, and its shareholders, officers, directors, exempt employees, agents, attorneys, insurers, reinsurers, successors, and assigns, and any individual or entity that could be liable for any of the Released Class Claims and Released PAGA Claims, and Defendant's counsel of record in the Actions.

IV. WHAT ARE YOUR RIGHTS AND OPTIONS AS A CLASS MEMBER?

A. Participate in the Settlement

If you want to receive money from the Settlement, you do not have to do anything. You will automatically receive your Individual Settlement Payment as indicated above in this Notice Packet, if the Court grants final approval of the Settlement, unless you decide to exclude yourself from the Class Settlement.

Unless you elect to exclude yourself from the Class Settlement, you will be bound by the terms of the Class Settlement and any judgment that may be entered by the Court based thereon, and you will be deemed to have released the Released Class Claims described above in Section III.D.

If you are a PAGA Aggrieved Employee, you will automatically be included in the PAGA Settlement and issued your Individual PAGA Payment. This means you will be bound by the terms of the PAGA Settlement and any judgment that

may be entered by the Court based thereon, and you will release the Released PAGA Claims described in Section III.D above.

Class Members and PAGA Aggrieved Employees will not be separately responsible for the payment of attorney's fees or reimbursement of litigation expenses, unless they retain their own counsel, in which event they will be responsible for their own attorney's fees and expenses.

B. Request Exclusion from the Class Settlement

If you do not wish to participate in the Class Settlement, you may seek exclusion from the Class Settlement by mailing a written request for exclusion ("Request for Exclusion") to the Settlement Administrator, postmarked **on or before August 10, 2026** at the following address:

Mackensie Biddle et al v. C & J Clark Retail, Inc.
c/o Simpluris, Inc.
P.O. Box 26170
Santa Ana, CA 92799

A Request for Exclusion must: (a) contain the case name and number of the Action (*Mackensie Biddle et al v. C & J Clark Retail, Inc.*, Case No. 8:24-cv-01131-JWH-ADS); (b) contain your full name, signature, address, telephone number, and last four (4) digits of your Social Security Number; (c) clearly state that you do not wish to be included in the Class Settlement; and (d) be submitted by mail to the Settlement Administrator at the specified address above, postmarked on or before August 10, 2026.

If the Court grants final approval of the Settlement, any Class Member who submits a timely and valid Request for Exclusion will not be entitled to receive an Individual Settlement Payment, will not be bound by the Class Settlement (and the release of Released Class Claims described in Section III.D above), and will not have any right to object to, appeal, or comment on the Class Settlement. Class Members who do not submit a Request for Exclusion will be deemed Settlement Class Members and will be bound by all terms of the Settlement, including those pertaining to the release of claims described in Section III.D above, as well as any judgment that may be entered by the Court based thereon. All PAGA Aggrieved Employees will be bound to the PAGA Settlement (and the release of Released PAGA Claims described in Section III.D above) and will still be issued an Individual PAGA Payment, regardless of whether they submit a Request for Exclusion.

C. Object to the Class Settlement

You can object to the terms of the Class Settlement by mailing a written objection ("Notice of Objection" or "Objection") to the Settlement Administrator, postmarked **no later than August 10, 2026**, at the address listed in Section IV.B above. You can only submit an Objection as long as you have not submitted a Request for Exclusion. However, if the Court rejects your Objection, you will still be bound by the terms of the Class Settlement.

An Objection must: (a) contain the case name and number of the Action (*Mackensie Biddle et al v. C & J Clark Retail, Inc.*, Case No. 8:24-cv-01131-JWH-ADS); (b) contain your full name, signature, address, telephone number, and last four (4) digits of your Social Security number; (c) contain a written statement of all grounds for objection, accompanied by any legal support for such objection; (d) contain copies of any papers, briefs, or other documents upon which the objection is based; and (e) be submitted by mail to the Settlement Administrator at the specified address listed in Section IV.B above, postmarked on or before the August 10, 2026.

If you choose to submit an Objection, you may (but are not required to) enter an appearance *in propria persona* (meaning you choose to represent yourself) or through your own attorney. If you choose to have your own attorney, you will be solely responsible for the fees and costs of your own attorney. You do not need to appear to have your Objection considered by the Court.

V. FINAL APPROVAL HEARING

The Court will hold a hearing in Courtroom 9D located in the Ronald Reagan Federal Building and U.S. Courthouse, 411 W. 4th Street, Santa Ana, California 92701, on September 9, 2026, at 10:00 a.m. to determine whether the Settlement should be finally approved as fair, reasonable, and adequate. The Court also will be asked to rule on the request for payment of Attorneys' Fees and Costs, Class Representative Enhancement Payments, and Settlement Administration Costs.

The hearing may be continued without further notice to the Class Members. It is not necessary for you to appear at the Final Approval Hearing.

VI. ADDITIONAL INFORMATION

The above is a summary of the basic terms of the Settlement. For the precise terms and conditions of the Settlement Agreement, you should review the detailed Settlement Agreement and other papers which are on file with the Court. You may review the Settlement Agreement and other court records by using Public Access to Court Electronic Records System ("PACER") (for a fee) or by contacting the Settlement Administrator or Class Counsel.

PLEASE DO NOT TELEPHONE THE COURT, OFFICE OF THE CLERK OF THE COURT, DEFENDANT, OR DEFENDANT'S COUNSEL FOR INFORMATION REGARDING THIS SETTLEMENT.

YOU MAY CALL THE SETTLEMENT ADMINISTRATOR AT THE FOLLOWING TOLL-FREE NUMBER IF YOU HAVE QUESTIONS: : (833) 386-6518.

YOU MAY ALSO CONTACT CLASS COUNSEL IF YOU HAVE ANY QUESTIONS.

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

[PROPOSED] ORDER AWARDING ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS (DKT NO. __)

Date:	February 3, 2027
Time:	10:00 a.m.
Courtroom:	9D
Complaint Filed:	July 16, 2019
Action Removed:	August 12, 2019
FAC Filed:	August 21, 2019
SAC Filed:	November 15, 2019
TAC Filed:	January 6, 2021
4AC Filed:	May 28, 2024
Trial Date:	None set

This matter has come before the Honorable John W. Holcomb, in Courtroom 9D of the United States District Court for the Central District of California, located at the Ronald Reagan Federal Building and United States Courthouse, 411 West 4th Street, Santa Ana, California 92701, on Plaintiffs Mackensie Biddle ("Plaintiff Biddle"), Jessa Naluz ("Plaintiff Naluz"), and Evangeline D. Gaston's ("Plaintiff Gaston") (collectively, "Plaintiffs") Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payments ("Motion for Fees"). Lawyers *for* Justice, PC appeared on behalf of Plaintiff Biddle and Plaintiff Naluz, Bibiyan Law Group, P.C. appeared on behalf of Plaintiff Gaston, and Jackson Lewis P.C. appeared on behalf of Defendant C & J Clark Retail, Inc. ("Defendant") (together with Plaintiffs, the "Parties").

On March 30, 2026, the Court entered the Order Granting Plaintiffs' Motion for Preliminary Class Action Settlement Approval [ECF Nos. 22 & 24] (Doc. No. 29) ("Preliminary Approval Order"), thereby preliminarily approving the settlement of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class and Representative Action Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement"), which, together with the exhibits annexed thereto, set forth the terms and conditions for settlement of the Action.

On November 18, 2026, Plaintiffs filed the Motion for Fees, thereby seeking an award for all payments allocated and provided for by the Settlement Agreement, including and not limited to the Attorneys' Fees and Costs and Class Representative Enhancement Payments.

The Court, having considered Plaintiffs' Motion for Fees and finding good cause therefore, hereby GRANTS the Motion for Fees and ORDERS as follows:

1. The Motion for Fees is granted in its entirety.

2. This Order Awarding Attorneys' Fees and Costs and Class Representative Enhancement Payments incorporates by reference the definitions in the Settlement Agreement and Preliminary Approval Order, and all capitalized

terms used herein, but not defined, shall have the same meanings as in the Settlement Agreement and Preliminary Approval Order.

3. This Court has jurisdiction over the Class Members as it pertains to the Action and the claims asserted in the Action. The Court also has jurisdiction over all parties to the Action as it pertains to the Action and the claims asserted in the Action.

4. The Court finds that the Class Representative Enhancement Payments sought are fair and reasonable for the work performed by Plaintiffs on behalf of the Class Members. It is hereby ordered that the Settlement Administrator issue payment in the amount of $7,500.00 each to Plaintiffs Mackensie Biddle, Jessa Naluz, and Evangeline D. Gaston for their Class Representative Enhancement Payments, in accordance with the terms and methodology set forth in the Settlement Agreement.

5. The Court finds that the request for attorneys' fees in the amount of $1,137,500.00 to Lawyers *for* Justice, PC and Bibiyan Law Group, P.C. (collectively, "Class Counsel") falls within the range of reasonableness, and the results achieved justify the award sought. The requested attorneys' fees to Class Counsel are fair, reasonable, and appropriate, and are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the amount of $1,137,500.00 to Lawyers *for* Justice PC and Bibiyan Law Group, P.C., in accordance with the terms and methodology set forth in the Settlement Agreement.

6. The Court finds that litigation costs and expenses in the amount of $23,656.67 to Class Counsel are reasonable, and hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the amount of $23,656.67 to Class Counsel for litigation costs and expenses, in accordance with the terms and methodology set forth in the Settlement Agreement.

7. Individualized notice of this Order is not required to be provided to Class Members. A copy of this Order shall be posted on the Settlement

Administrator's website, which is accessible to Class Members, for a period of at least sixty (60) calendar days after the date of entry of this Order.

IT IS SO ORDERED.

Dated: _____

_____
Honorable John W. Holcomb
United States District Judge

Arby Aiwazian (Cal. State Bar No. 269827)
arby@calljustice.com
Joanna Ghosh (Cal. State Bar No. 272479)
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Attorneys for Plaintiff Mackensie Biddle, Plaintiff Jessa Naluz, and the Class

LAWYERS *for* JUSTICE, PC
450 North Brand Blvd., Suite 900
Glendale, California 91203

UNITED STATES DISTRICT COURT FOR THE

CENTRAL DISTRICT OF CALIFORNIA

MACKENSIE BIDDLE, JESSA NALUZ, EVANGELINE D. GASTON, individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiff,

vs.

C & J CLARK RETAIL, INC., an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No. 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Courtroom 9D

CLASS ACTION

PROOF OF SERVICE

Complaint Filed: July 16, 2019
Action Removed: August 12, 2019
FAC Filed: August 21, 2019
SAC Filed: November 15, 2019
TAC Filed: January 6, 2021
4AC Filed: May 28, 2024
Trial Date: None set

LAWYERS *for* JUSTICE, PC
450 North Brand Blvd., Suite 900
Glendale, California 91203

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 450 North Brand Blvd., Suite 900, Glendale, California 91203.

On November 18, 2026, I served the foregoing document(s) described as:

- **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**
- **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**
- **DECLARATION OF HELENE MAYER IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS**
- **DECLARATION OF DAVID D. BIBIYAN IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT**
- **DECLARATION OF MACKENSIE BIDDLE IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS**
- **DECLARATION OF JESSA NALUZ IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS**
- **DECLARATION OF EVANGELINE D. GASTON IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**
- **DECLARATION OF LAURA HODSON REGARDING NOTICE AND SETTLEMENT ADMINISTRATION**

- **[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND JUDGMENT (DKT NO. __)**
- **[PROPOSED] ORDER AWARDING ATTORNEYS' FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT PAYMENTS (DKT NO. __)**
- **PROOF OF SERVICE**

on interested parties in this action by Electronic Service as follows:

David D. Bibiyan - david@tomorrowlaw.com
Keaton Mendoza - kmendoza@tomorrowlaw.com
BIBIYAN LAW GROUP, P.C.
1460 Westwood Boulevard
Los Angeles, CA 90024

Attorneys for Plaintiff Evangeline D. Gaston

Barbara Harris Chiang (Barbara.HarrisChiang@jacksonlewis.com
Mahzad Hite (Mahzad.Hite@jacksonlewis.com)
JACKSON LEWIS, PC
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San Francisco, CA 94111
CC: Tia Santos Tia.Santos@jacksonlewis.com

Attorneys for Defendant C & J CLARK RETAIL, INC.

[X] BY E-MAIL

The above-referenced document was transmitted to the person(s) at the e-mail addresses listed herein at their most recent known e-mail address or e-mail of record in this action. I did not receive, within reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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LAWYERS *for* JUSTICE, PC
450 North Brand Blvd., Suite 900
Glendale, California 91203

State of California Labor & Workforce Development Agency
Web URL:
http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html

[X] BY ONLINE SUBMISSION

The foregoing documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(l). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

[X] FEDERAL

I declare that I am employed in the office of a member of the bar of this court at whose direction the service is made.

Executed on November 18, 2026, at Glendale, California.

Brenda Castillo

LAWYERS *for* JUSTICE, PC
450 North Brand Blvd., Suite 900
Glendale, California 91203