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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GENNINE MERRITT, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

DMA CLAIMS, INC., a California
Corporation; DMA CLAIMS
MANAGEMENT, INC., an Illinois
Corporation; VENBROOK GROUP, LLC,
a Delaware Limited Liability Company;
VENBROOK INSURANCE SERVICES,
LLC, a California Limited Liability
Company; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: 21STCV31200
*[Assigned to Hon. Judge Stuart M. Rice, Dept 1,
for all purposes]*

**DECLARATION OF PETER J.
CARLSON, ESQ. IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing

Date: December 12, 2022
Time: 10:00 a.m.
Dept.: 1

Complaint filed: August 24, 2021

1 I, Peter J. Carlson, state and declare:

2 1. I am an attorney duly licensed to practice law in the State of California and am a
3 Senior Associate at Lauby, Mankin & Lauby LLP, attorneys of record for Plaintiff in the above-
4 entitled action. I am fully familiar with the facts of this case. The matters set forth herein are
5 based upon my personal knowledge. I submit this declaration in support of Plaintiff's Motion for
6 Preliminary Approval of this Class Action Settlement and, if called upon as a witness, I could
7 and would give competent testimony with respect to the matters contained herein.

8 2. For the sake of brevity, this declaration does not discuss the settlement itself, the
9 procedural background of the litigation, the claims and investigation by my firm and co-counsel,
10 and why the settlement is fair and reasonable. Those topics are covered in detail in the
11 concurrently filed Declaration of Brian Mankin. This declaration simply provides information
12 requested by the court as to why I am adequate class counsel.

13 **QUALIFICATION OF COUNSEL**

14 3. I graduated from the University of Oregon School of Law in May 2013 and have
15 been a member, in good standing, of the State Bar of California since January 2014. I am
16 licensed to practice before all courts of the State of California and am admitted to practice in the
17 United States District Court for the Central District of California and have litigated cases in
18 various courts and counties throughout California, including the Court of Appeal.

19 4. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin
20 & Lauby LLP) in March 2016 and, since that time, my practice has consisted solely of
21 representing employees. The vast majority of my cases have been litigated as class actions,
22 representative PAGA actions, or a combination of the two.

23 5. I have been the handling attorney on over 135 class action and/or representative
24 PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel
25 on over 50 cases and have helped negotiate settlements totaling over \$77,500,000 for my clients,
26 the employees, and the State of California.

27 6. I was the handling attorney for the second largest PAGA-only settlement in
28 California's history – a \$12.5 million-dollar court approved settlement, which followed extensive

1 litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50
2 company (*Garcia v. Macy's*, San Bernardino Superior Court Case No. CIVDS1516007).

3 7. I have tried two major class and PAGA cases against Fortune 100 companies. In
4 2018, I was the handling attorney on a PAGA-only case in Orange County where my firm
5 succeeded on a motion for summary adjudication and litigated through trial to obtain a \$425,000
6 judgment for over 1,600 aggrieved employees. Also, in 2019, I was the handling attorney for my
7 firm on a class action against Walmart, where we obtained class certification on behalf of over
8 5,000 employees. After extensive litigation, the matter went to trial, and the jury returned a
9 verdict of approximately \$6.1 million on the meal period claims.

10 8. In 2022, I was also selected as a Super Lawyers Rising Star.

11 9. Attached as **Exhibit A** is a list of my resolved and/or settled class actions,
12 collective actions, and/or PAGA actions on which I have been the handling attorney (note: this
13 list excludes currently active cases).

14 CONCLUSION

15 10. As set forth above, I have litigated over 135 class and representative actions, and
16 have successfully resolved over half of those cases, with many others still pending that will
17 resolve in the future.

18 11. For these reasons, as well as the facts and information presented in the
19 concurrently filed Declaration of Brian J. Mankin, it is respectfully requested that the Court: (1)
20 grant preliminary approval of the settlement as being fair, reasonable, and in the best interests of
21 the class, (2) appoint Plaintiff as the Class Representative, (3) appoint Brian J. Mankin and Peter
22 J. Carlson of Lauby, Mankin & Lauby LLP, as well as Mehrdad Bokhour of Bokhour Law
23 Group, P.C. as Class Counsel, and (4) preliminarily approve the requested attorneys' fees, costs,
24 and enhancement payment to the Class Representative.

25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct. Executed on November 9, 2022 at Riverside, California.

27
28 By:

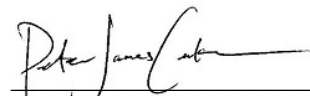

Peter J. Carlson, Esq.

Exhibit A

PJC Completed Cases (Class, Collective, PAGA)

Case Name	Venue	Case Number
Acevedo v. DCH	Los Angeles	JCCP No. 4833
Aguirre v. DirecTV	Los Angeles	2:16-cv-06836
Aguirre v. WellQuest	Los Angeles	19STCV15699
Angulo v. CCX2931, et al.	Los Angeles	BC717320
Antuna v. GATX	San Bernardino	CIVDS1928516
Arevalos v. Americor	Orange	30-2019-01068606
Bass v. Southern Refrigerated	San Bernardino	CIVDS1705054
Beard v. Certified Tire	Riverside	RIC1816800
Bomar v. Gra-Gar	San Bernardino	CIVDS1618056
Boyd v. May Trucking	Riverside	5:17-cv-02166
Bradley v. Amphastar	San Bernardino	CIVDS1607456
Brewer v. Connell Chevrolet	Orange	30-2013-00852123
Brown v. MinuteClinic	Orange	30-2021-01185270
Carr v. K&B Electric	Riverside	RIC1904970
Carrillo v. BluSky	San Bernardino	CIVSB2105793
Chang v. FWL	Los Angeles	BC625531
Coronado v. Global One	San Bernardino	CIVDS1606686
Cruz v. Sterling	Orange	30-2016-00864990
Cuevas v. FHI	Riverside	RIC1713814
Diaz v. Legacy	Riverside	CVRI2104520
Drake v. Greenline	San Bernardino	CIVDS1912847
Elizarraras v. Future Foam	Orange	30-2020-01152286
Estrada v. Eco Shield	San Bernardino	CIVDS1821895
Estrada v. MVT	San Bernardino	CIVDS1620885
Estrada v. Ventura Foods	San Bernardino	CIVDS1903407
Estrada v. Witron	San Bernardino	CIVDS1719080
Evans v. Neovia	San Bernardino	CIVDS1806659
Fimbres v. Vons	Riverside	RIC1904892
Finger v. PRH	Riverside	CVRI2101956
Gallardo v. Tee For 2	San Bernardino	CIVDS1719564
Garcia v. Macy's	San Bernardino	CIVDS1516007
Gharavi v. Censeo Health	San Bernardino	CIVDS1906608
Greendale v. Andersen Windows	San Bernardino	5:20-cv-01460
Guzman v. Deckers	Riverside	CVRI2100707
Hernandez v. Astro	San Bernardino	CIVDS2011280
Hernandez v. CPS Southwest	Orange	30-2018-00987834
Hernandez v. Cryogenic	San Bernardino	CIVDS1612524
Hernandez v. Jack B. Kelley	San Bernardino	CIVDS1704346
Hill v. Amazon	Riverside	RIC1614641
Iversen v. Kelle's	San Diego	37-2016-00013606
Labra v. Sutter	Los Angeles	20STCV18751
Legorreta v. Paradise	Riverside	RIC1723591
Leon v. Adcomm	San Bernardino	CIVDS1832675
Leon v. Gordon Trucking	San Bernardino	CIVDS1511918
Libby v. Psycare	San Diego	37-2019-00030656
Logan v. Seaside	San Bernardino	CIVDS1920346
Lopez Munoz v. Pentair	Ventura	56-2019-00525013
Lopez v. Heartland	Riverside	RIC1901461
Lopez v. JBGC	San Bernardino	CIVDS2013277
Maldonado v. Add-On	Orange	30-2021-01206062
Marquez v. SharkNinja	San Bernardino	CIVDS1700491
Martinez v. Baxalta	Los Angeles	BC705969
Mejia v. Mossberg	San Bernardino	CIVDS1724635
Melena v. Andy Frain	Orange	CIVDS1901476
Mitchell v. American Residential Services	Riverside	RIC1709360
Montano v. Honda Cars of Corona	Riverside	RIC1608165
Moody v. Dura Technologies	San Bernardino	CIVDS2008887
Moody v. Nat'l Distribution	Riverside	RIC1905953
Nelson v. Rancho Santa Margarita Motors	Orange	30-2016-00845005
Ollarsaba v. Pumpman	San Bernardino	CIVDS2008889
Ortiz v. Quick Care	San Bernardino	CIVDS1610143
Pearson v. PSF Trucking	Kern	BCV-17-102520
Pena v. SA Recycling	Riverside	RIC1610639
Pham v. MVVT	Orange	30-2013-00661705
Pollock v. Wynden Stark	Los Angeles	19STCV24217
Pompa v. Landforce	San Bernardino	CIVDS1700451
Pompa v. Russo Brothers	Sacramento	30-2017-00207703
Poulin v. Dignity Health	San Bernardino	CIVDS1515101
Reed v. Beach City	Orange	30-2018-00989665
Rossello v. Ontario T	San Bernardino	CIVDS1415708
Sacks v. Natural Energy	Riverside	RIC1816789
Sandoval v. National Seating	San Bernardino	CIVDS1721797
Santos v. WestRock	San Benito	CU-18-00074
Sebastian v. Sprint	Orange	8:18-cv-00757
Sowle v. Sherpaul	Riverside	RIC2002410
St. Amand v. Hendrickson	San Bernardino	CIVDS1617165
Stafford v. GOSCH Auto	Riverside	RIC1814300
Stinson v. Pacific Production Plumbing	San Bernardino	CIVDS1721708
Threadgill v. Decker Truck Lines	San Bernardino	CIVDS2018856
Torres v. ePac	San Bernardino	CIVDS2017140
Torres v. Xerxes	Orange	30-2019-01095537
Vaughner v. FST Services	San Bernardino	CIVDS1830784
Venegas v. Ross Nissan	Los Angeles	BC694099
Williamson v. Apex	San Bernardino	CIVDS2000708
Woods v. Just In Time Cargo	San Bernardino	CIVDS2000750
Wright v. Bob Stall Chevrolet	San Diego	37-2017-00010598