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Attorneys for Plaintiff Anthony Doss

[Additional counsel on following page]

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

THOMAS BROWN and ANTHONY DOSS,
individually, on behalf of all others similarly
situated, and on behalf of the State of California
and other aggrieved persons,

Plaintiffs,

v.

FIDELITY SECURITY SERVICES, INC., a
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 21STCV31617

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Stuart M.
Rice, Dept. 1]*

**DECLARATION OF HAROUT
MESSRELIAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

*[Filed concurrently with: Plaintiffs' Notice of
Motion and Motion for Preliminary Approval of
Class Action Settlement, Memorandum of
Points and Authorities; Declaration of Justin F.
Marquez; Declaration of Plaintiff Thomas
Brown; Declaration of Plaintiff Anthony Doss;
Declaration of Sean Hartranft; Declaration of
Howard M. Knee; and Declaration of
Ahmadshah Ahmadi; and [Proposed] Order]*

PRELIMINARY APPROVAL HEARING

Date: October 22, 2024

Time: 10:30 a.m.

Dept: 1

Complaint filed: August 26, 2021

FAC filed: May 29, 2024

Trial date: Not set

1 Justin F. Marquez (SBN 262417)

2 justin@wilshirelawfirm.com

3 Arrash T. Fattahi (SBN 333676)

4 afattahi@wilshirelawfirm.com

5 **WILSHIRE LAW FIRM**

6 3055 Wilshire Blvd., 12th Floor

7 Los Angeles, California 90010

8 Telephone: (213) 381-9988

9 Facsimile: (213) 381-9989

10 Attorneys for Plaintiff Thomas Brown

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I, Harout Messrelian, declare as follows:

1. I am an attorney duly licensed to practice before all the Court of the State of California. I am the managing attorney of Messrelian Law Inc. and the attorney of record for Plaintiff Anthony Doss.

2. I am experienced in handling employment law matters and specifically wage and hour representative and individual actions. My qualifications are as follows: I received my JD from Loyola Law School in 2010. I started my own law firm in 2011 – the Law Offices of Harout Messrelian. Since 2016, I have been the founder and principal attorney at Messrelian Law Inc. Since 2011, I have filed and handled over 275 civil actions and/or claims involving representative actions under the Private Attorneys General Act (“PAGA”) and/or wage and hour claims on behalf of my clients and have been appointed Class Counsel in three class action cases – *Zohrab Mekhitarian v. Triple Play Motors dba Bob Smith Toyota*, Los Angeles County Superior Court, Case No. 19STCV22411 (ADR Services, Inc., Case No. 20-2668-RWT); *Carina Camberos, on behalf of herself and others similarly situated, v. Great American Chicken Corp, Inc.*, Los Angeles County Superior Court, Case No. 21STCV32015; and *Robert Garcia, on behalf of himself and others similarly situated v. HD Supply Management Inc.*, San Bernardino County Superior Court, Case No. CIVSB2028067. I have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts, the Riverside County Superior Courts, the San Bernardino County Superior Courts, the Alameda County Superior Courts, Santa Clara County Superior Courts, San Mateo County Superior Courts, and the Monterey County Superior Courts.

3. Except as otherwise indicated, I have personal knowledge of all matters set forth herein and, if called as a witness, could and would competently testify thereto under oath.

4. This Declaration is submitted in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement.

5. On or around March 4, 2021, my office filed a 13 cause of action individual wage and hour and PAGA lawsuit against Defendants Fidelity Security Services, Inc. and Ahmadi Ahmadshah, Los Angeles County Superior Court, Case No. 21STCV08643. On or around

1 November 2022, I spoke to attorneys from the Wilshire Law Firm about prosecuting the case
2 together since Wilshire Law Firm had filed a class action complaint on or around August 26, 2021
3 in the *Thomas Brown v. Fidelity Security Services, Inc.* matter. A Joint Prosecution Agreement
4 between the firms and the Plaintiffs was formalized and signed in or around March 2023.

5 6. I directly participated in all of the material aspects of this litigation. The work that
6 I performed on this matter over the past three-plus years included, but was not limited to, the
7 following: initial client intake and research of Defendant company; performing pre-LWDA notice
8 investigation; drafting the LWDA notice; drafting the initial PAGA complaint on this matter on
9 behalf of Plaintiff Doss; numerous court appearances; propounding formal discovery; propounding
10 informal discovery; reviewing and analyzing the document production, including employee
11 records; sending data to expert data analyst and reviewing data analysis results; mediation
12 preparation, attendance at the full-day mediation; reviewing the Memorandum of Understanding;
13 reviewing the long-form settlement agreement; phone and email communications with defense
14 counsel and fellow Plaintiffs' counsel; and phone and email communications with Plaintiff Doss.
15 This does not include additional time that will be devoted to this case, such as any court
16 appearances for settlement approval.

17 7. Myself and Plaintiff Brown's attorneys in this case are experienced in prosecuting
18 class and PAGA lawsuits. Counsel for the Defendant are experienced in defending class and PAGA
19 cases. Based on my own independent investigation and evaluation, I am of the opinion that the
20 Settlement for the consideration and on the terms set forth in the Agreement are fair, reasonable
21 and adequate and are in the best interests of Plaintiffs, the putative class members, the aggrieved
22 employees, the State, and Defendant in light of all known facts and circumstances and the risks
23 inherent in litigation, especially in considering Defendant's proven financial condition. The
24 attorneys' fees award provided for in the Settlement Agreement is therefore reasonable given the
25 result achieved.

26 8. Plaintiffs further recognize that the issues presented in the class and representative
27 PAGA claim are likely only to be resolved with extensive and costly pretrial and trial proceedings,
28 and that further litigation will cause inconvenience, distraction, disruption, delay, and expense

disproportionate to the maximum potential benefits to the class members, aggrieved employees, and Plaintiffs from continued litigation, resulting in less monetary compensation to Plaintiffs, Plaintiffs' attorneys, putative class members, the aggrieved employees, and the State of California.

9. I support the analysis provided by co-counsel, Justin F. Marquez, in his concurrently filed declaration explaining the background and events of this action, the contribution of Plaintiffs, the investigation and discovery completed by the Parties, Plaintiffs' counsel's calculation of the maximum potential liability and penalties in this action, as well as the concomitant risks of moving forward.

10. My firm has a fee sharing agreement with Wilshire Law Firm that was memorialized as a Joint Prosecution Agreement. Under the Agreement, Wilshire Law Firm will receive 75% of the fees collected in this matter and Messrelian Law Inc. will receive 25% of the fees collected in this matter. Both Plaintiffs have consented to this fee split in a separate joint prosecution agreement between the law firms and have signed the agreement. Upon request from the Court, Plaintiffs' counsel can provide a copy of the Joint Prosecution Agreement.

11. I am not aware of any other pending matter or action asserting claims that will be extinguished or affected by the Settlement.

12. I have no interest, financial or otherwise, in the proposed third-party administrator, Apex, or Cy Pres, Legal Aid at Work.

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

Executed on June 28, 2024, at Glendale, California.

/s/ Harout Messrelian

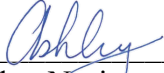
Harout Messrelian

Brown, et al. v. Fidelity Security Services, Inc., et al.
21STCV31617

PROOF OF SERVICE

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

3 Executed this **June 28, 2024**, at Los Angeles, California.

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