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Attorneys for Plaintiffs
Matthew Savattieri, individually and on behalf of all others
similarly situated

[Additional counsel listed on next page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE**

MATTHEW SAVATTIERI, on behalf of
himself and all others similarly situated;

Plaintiff,

vs.

AMI EXPEDITIONARY HEALTHCARE,
LLC, a Delaware limited liability company;
AMI EXPEDITIONARY HEALTHCARE
(USA), LLC, a Wyoming limited liability
company; and DOES 1 through 25,
inclusive.

Defendants

SHORNIKAY CALLUM, an Individual,
on behalf of herself and all others similarly
situated

Plaintiffs,

vs.

AMI EXPEDITIONARY HEALTHCARE
(USA), LLC, a Wyoming Limited Liability

CASE NO.: 21STCV33372

[Consolidated with Case Nos. 21STCV45611
and 21STCV46752]

[Assigned for all purposes to Hon. Kenneth R.
Freeman Department 14]

CLASS ACTION

**DECLARATION OF BRUCE KOKOZIAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: March 16, 2023
Time: 10:00 a.m.
Department: 14

Complaint Filed: September 10, 2021
Trial Date: None Set

Company; AMI EXPEDITIONARY
HEALTHCARE, LLC, a Delaware Limited
Liability Company and DOES 1 through
100, Inclusive

Defendants

ASHLEY CHARLEMAGNE, BRIANA
HUGUELY, MARLA LEWIS, and
SHARON LEWIS, on behalf of themselves
and others similarly situated

Plaintiffs,

vs.

AMI EXPEDITIONARY HEALTHCARE
(USA), LLC, a Wyoming limited liability
company; AMI EXPEDITIONARY
HEALTHCARE, LLC, a Delaware limited
liability company; AMI HEALTH, a
business entity of unknown form; AMI
EXPEDITIONARY HEALTHCARE, a
business entity of unknown form; and DOES
1 through 50, Inclusive

Defendants.

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4 similarly situated

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9 Attorneys for Plaintiffs
10 ASHLEY CHARLEMAGNE,
11 BRIANNA HUGUELY, MARIA LEWIS,
12 and SHARON LEWIS on behalf of themselves and others similarly situated

12 **DECLARATION OF BRUCE KOKOZYAN IN SUPPORT OF PLAINTIFFS'**

13 **MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT**

14 I, Bruce Kokozyan, declare:

15 1. I am an attorney licensed to practice before all courts of the State of California. I
16 am the principal of Kokozyan Law Firm, APC and Class Counsel for the class action Plaintiffs
17 herein and have personal knowledge of the fact thereto. If called as a witness, I could and would
18 competently testify herein.

19 **ATTORNEY COMPETENCE IN CLASS ACTIONS**

20 2. I have been in practice for over 24 years and have focused my practice in
21 representing employees in employment-related matters including wage and hours class actions and
22 employment discrimination. I graduated from UCLA with a B.A. in Economics in 1994. My
23 G.P.A. was 3.95. I was Phi Beta Kappa and Summa Cum Laude at UCLA. I received my Juris
24 Doctor from UCLA School of Law in Los Angeles in 1997. I was admitted to the State Bar of
25 California in 1998. I am admitted to practice in all state courts in California, United States District
26 Courts of California, and the United States Supreme Court. I am an active member of Consumer
27 Attorneys Association of Los Angeles ("CAALA") and Consumer Attorneys of California
28 ("CAOC").

1 3. I am very experienced class action counsel, including specific focus in the
2 areas of wage and hour issues. Some of the class action and wage and hour litigation on which I
3 have served as lead and/or Class Counsel are as follows: *Grant v. Preferred Response Security*
4 *Services*- LASC Case No. BC413046; *Barseghian v. KFORCE Inc.*- LASC Case No. BC419387;
5 LASC *Floch v. San Gabriel Transit, Inc.*- Case No. BC411319; LASC *Vitaliano Gonzalez et al. v.*
6 *Grant Parking, Inc.*- Case No. BC410406; *Cotti Foods Wage and Hour Cases*- JCCP 4599; *Batts*
7 *v. Hyde Park Convalescent Hospital, Inc.*- LASC Case No. BC445405; *Browning v. CCA*
8 *Educorp, Inc.*- LASC Case No. BC 440579; *Hager v. Diversified Education Co.*- LASC Case No.
9 BC452566; *Tomasi v. Verdugo Hills Hospital*- LASC Case No. BC494171; *Alvarez v. Mountain*
10 *Valley Express*- LASC Case No. BC535460; *Cochran v. Schwan's Home Service, Inc.*- Case No.
11 LASC BC449547; *Rodriguez v. Willdan Lighting & Electric of California*- LASC Case No.
12 BC554885; *Minda Rosero and Esmeralda Aranda v. East L.A. Hospital, LP. Et al*- LASC Case
13 No. BC505483; *Ortiz v. Vantage Oncology*- LASC Case No. BC560016; *Gonzalez v. MedReach,*
14 *Inc.*- LASC Case No. BC567883; *Wilson v. Molina Healthcare, Inc. et al.* – LASC Case No.
15 BC597353; *Soto v. Covenant Security Services, LTD*- San Bernardino Superior Court Case No.
16 CIVDS1413482; *Henry Ramos v. Moog, Inc.* - LASC Case No. 19STCV41880; *Cristian Rivas v.*
17 *Jeff & Tony's DSD, LLC* - LASC Case No. 19STCV41499; *Mayoral v Antelope Valley Fair* - LASC
18 Case No. 20STCV07232; *Mayoral v Friends of the Antelope Valley Fair* - LASC Case No.
19 20STCV07465.

20 4. My firm has also been involved in favorable appellate court decisions which have
21 been very important in wage and hour class action law, specifically the case of *Cochran v.*
22 *Schwan's Home Service, Inc.* (2014) 228 Cal.App.4th 1137 (one of the first California cases to
23 consider the California Supreme Court decision in *Duran v. U.S. National Bank Association*
24 (2014) 59 Cal.4th 1, holding that plaintiffs can use statistical sampling evidence to establish either
25 liability or damages in a wage and hour class action case. The *Schwan's* opinion is also a seminal
26 case regarding an employers' obligation to reimburse employees' business expenses under
27 California Labor Code §2802).

28 5. I have been invited to lecture and/or provide informational seminars regarding

1 California employment discrimination and wage and hours laws. I have provided such lectures to
2 the prominent entertainment law firm of King Holmes Paterno & Berliner, LLP in Century City
3 and also provided such lecture to the Beverly Hills Bar Association. In 2016, I along with a
4 partner from Sheppard, Mullin, Richter & Hampton LLP presented a program regarding California
5 Employment Law to the Beverly Hills Bar Association.

6 6. I have handled no less than several hundred employment litigation matters to
7 successfully resolution. I have achieved significant confidential settlements and trial victories for
8 Plaintiffs in employment matters. In past 6 years I was selected as a Super Lawyer by Super
9 Lawyer magazine for being in the top 5% of attorneys in Southern California. Further, I have
10 significant trial experience and have achieved significant and record breaking trial victories. In
11 2013, I and another Plaintiff's counsel, together achieved one of the highest single Plaintiff
12 employment discrimination awards in Southern California at the time in the amount of
13 approximately 21.7 million dollars in the matter of *Rodriguez v. Valley Vista, Inc.*- LASC case
14 number BC473793. This verdict in 2013 was the 94th largest verdict in the United States of
15 America for any type of matter as reported in the Verdict Search publication. Again in 2015, I
16 was able to achieve a significant trial victory in excess of 2.7 million dollars on behalf of an
17 employee who was not accommodated at the workplace due to her disability in the matter of
18 *Patricia Hancock v. Time Warner Cable LLC et al.* – LASC case number BC482161.

19 **CLASS REPRESENTATIVES SERVICE PAYMENT**

20 7. I believe that a Class Representatives Service Payment of \$5,000 for the Class
21 Representative Shorniakay Callum is fair and reasonable. The Class representative initially
22 informed our office of the policies and procedures of Defendants at issue. The Class
23 Representative has spent time and energy in assisting with this wage and hour class action and
24 participated in informal discovery and mediation. Class Representative has been diligent and
25 acted above and beyond that of which is expected of a Class Representative and provided the
26 work, diligence, loyalty and willingness to assume a substantial risk should Defendants have
27 prevailed in this case. The Class Representative's willingness to assume the financial risk is
28 significant. California law states that the losing party must pay the prevailing party's cost. As

1 such, if Plaintiffs would have not prevailed in this case, the Class Representative would have been
2 subjected to a cost award in the amount of thousands of dollars. As such, Class counsel believe
3 that the \$5,000 for the Class Representative is fair and reasonable.

4 **ATTORNEYS' FEES AND COSTS, and FEE SHARING WITH CO-COUNSEL**

5 8. In the present case, Class Counsel is requesting One Million Two Hundred and
6 Sixty-Six Thousand Six Hundred and Sixty-Six Dollars and Sixty-Seven Cents (\$1,266,666.67)
7 (one third of the Gross Settlement Amount). Class Counsel believes that this is appropriate based
8 upon a common fund. The Gross Settlement Amount is in the amount of a Three Million Eight
9 Hundred Thousand Dollars and Zero Cents (\$3,800,000.00) lump sum. The California Supreme
10 Court affirmed that trial courts may grant attorney fees in a common fund case based on a
11 percentage of the recovery. *Laffitte v. Robert Half International Inc.* (2016) 1 Cal. 5th 480. An
12 attorney fee based on a percentage of the common fund fairly replicates the fair market value of
13 such services and is fair and reasonable in view of the typical common fund attorneys' fees awards
14 and similar California class action wage and hour settlements. *Laffitte, supra* at 503.
15 Furthermore, the California Supreme Court recognized in *Laffitte* that a fee award based on a
16 percentage of the recovery in a common fund is proper as the award serves to spread the attorney
17 fee amongst all beneficiaries of the fund, aligns the incentives between plaintiff's counsel and the
18 class, is a better approximation of the market conditions in a contingency case, and encourages
19 class counsel to seek an early settlement and avoid unnecessarily prolonging litigation. *Id.*
20 Pursuant to *Laffitte*, this request is fair and reasonable in view of the typical common fund
21 attorneys' fees awards and similar California class action wage and hour settlements and the hours
22 worked on this case. Likewise, Class Counsel will have approximately \$50,000 in litigation
23 costs. Class Counsel will file a detailed statement of costs at the time of Final Approval.

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1 9. Class Counsel have a fee splitting agreement with co-counsel (Blackstone Law,
2 APC and David Yeremian and Associates, Inc.). All named Plaintiffs have given written approval
3 to the fee splitting agreement.

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

6 Executed this January 19, 2023, at Los Angeles, California

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Bruce Kokozyan, Esq.
Declarant

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