

Arby Aiwarzian (SBN 269827)
Ryan Slinger (SBN 351297)
Scarlet Tunney (SBN 359178)
LAWYERS for JUSTICE, PC
450 North Brand Blvd., Suite 900
Glendale, California 91203
Telephone: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff Alejandro Martinez

[Additional Counsel on Next Page]

FILED
SUPERIOR COURT SAN JOAQUIN

2026 SEP 30 A 8:58

STEPHANIE BURRER, CLERK

DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN JOAQUIN

CHRISTIAN PENA, TOM SWANSON,
KEITH ANTHONY TERRY, and
ALEJANDRO MARTINEZ individually, and
on behalf of all others similarly situated,

Plaintiffs,

v.

SUPER STORES INDUSTRIES, an unknown
entity, and DOES 1 through 10, inclusive,

Defendants.

Case No. STK-CV-UOE-2021-0010117

Honorable Jayne Lee
Department 10C

CLASS ACTION

**DECLARATION OF RYAN SLINGER IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: October 21, 2026
Time: 9:00 a.m.
Department: 10C

Complaint Filed: October 27, 2021
FAC Filed: January 7, 2022
Trial Date: None Set

1 Benjamin H. Haber (SBN 315664)
2 benjamin.haber@wilshirelawfirm.com
3 Daniel J. Kramer (SBN 314625)
4 daniel.kramer@wilshirelawfirm.com
5 Giancarlo Recinos (SBN 282836)
6 giancarlo.recinos@wilshirelawfirm.com
7 **WILSHIRE LAW FIRM, PLC**
8 660 S. Figueroa Street, Sky Lobby
9 Los Angeles, California 90017
10 Tel: (213) 381-9988 / Fax: (213) 381-9989

11 *Attorneys for Plaintiffs*

DECLARATION OF RYAN SLINGER

I, Ryan Slinger, 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 Plaintiff Alejandro Martinez ("Plaintiff Martinez") in the above-captioned action and the actions entitled *Alejandro Martinez vs. Super Store Industries*, Stanislaus County Superior Court, Case No. CV-24-005410 ("*Martinez* Class Action") and *Martinez vs. Super Store Industries*, Stanislaus County Superior Court, Case No. CV-21-006561 ("*Martinez* PAGA Action"). 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 thereto.

EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC

2. 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 the attorney of record in well over a dozen 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. Lawyers *for* Justice, PC has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. 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.

3. Edwin Aiwarzian 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

1 October of 2000, he obtained a Litigation Paralegal Certificate from the UCLA Extension
2 Program. During the summer of 2000, he studied Legal Writing at Harvard University. From
3 approximately September 2002 to approximately December 2002, he served as a Judicial Extern
4 to the Honorable Kim McLane Wardlaw of the United States Court of Appeals for the Ninth
5 Circuit. From approximately June 2002 to approximately August 2002, he served as a Judicial
6 Extern to the Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second
7 Appellate District. In December of 2004, he obtained a license to practice law from the California
8 State Bar. Since in or around October of 2008, through his work at Lawyers *for* Justice, PC, he
9 has almost exclusively focused on the prosecution of consumer and employment class actions,
10 involving wage-and-hour claims, race discrimination, unfair business practices, or consumer
11 fraud. While employed by Lawyers *for* Justice PC, he has argued over one hundred (100) motions,
12 taken or defended over one hundred fifty (150) depositions, prepared dozens of expert witnesses
13 for deposition or trial, and attended over one hundred seventy-five (175) mediations. Together
14 with other attorneys at the firm, and in many cases in conjunction with co-counsel, he has
15 successfully litigated cases involving the executive, administrative, and other overtime exemptions
16 to the State of California and federal overtime compensation requirements. Under his supervision,
17 Lawyers *for* Justice, PC has successfully obtained class certification by contested motion practice
18 in approximately sixteen (16) cases in the last decade, and litigated over 1,000 class action or
19 representative action cases.

20 4. Arby Aiwazian is a Senior Partner of Lawyers *for* Justice, PC. He received his
21 Bachelor of Arts degree from University of California, Los Angeles and graduated magna cum
22 laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From
23 approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the
24 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
25 From approximately August 2008 to approximately December 2008, he served as a Judicial Extern
26 to the Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit.
27 He was admitted to practice law in California in 2010. He is admitted to practice before all courts
28 of the State of California and all United States District Courts in the State of California. He has

1 worked on many wage-and-hour class action and representative action cases, taking the lead in
2 taking and defending depositions, arguing motions, and attending mediations. He has played an
3 integral role in preparing matters for class certification, including and not limited to, successful
4 certification of a class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No.
5 BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No.
6 BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No.
7 RG13680477). Under his supervision, dozens of class action or representative action cases have
8 resulted in settlements that have been granted court approval. He has handled over one hundred
9 and fifty (150) mediations and has worked on over two hundred and fifty (250) class action or
10 representative action cases which have resulted in settlement.

11 5. Joanna Ghosh is a Senior Partner of Lawyers for Justice, PC. She received a
12 Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of
13 Science degree from the London School of Economics in 2007, and a Juris Doctor degree from
14 Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010),
15 in New York (since 2013), and in Washington (since 2026), and she is also admitted to practice in
16 all U.S. District Courts in California, the U.S. Bankruptcy Court for the Central District of
17 California, U.S. District Court for the Western District of Washington, and the U.S. Supreme
18 Court. She has taken and defended dozens of depositions and successfully handled motion practice
19 in class action cases regarding discovery (including and not limited to, regarding class contact
20 information), class certification (both contested class certification and stipulated class
21 certification), arbitration agreements, coordination, and intervention. She has successfully handled
22 briefing and oral argument on appeal, and obtained notable decisions regarding Private Attorneys
23 General Act claims and employer efforts to compel arbitration of such claims, e.g., *Betancourt v.*
24 *Prudential Overall Supply* (Cal. Ct. App., Mar. 7, 2017) 9 Cal.App.5th 439, cert. denied (Cal.,
25 May 24, 2017), cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court* (2019) 8
26 Cal.5th 175. She has significant experience with class actions, including and not limited to working
27 on cases to obtain class certification through contested motion practice and working on cases in
28 the post-certification stage (e.g., post-certification discovery, appeal, statistical sampling and pilot

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

9 6. I am a Member of Lawyers for Justice, PC. I received my Bachelor of Arts degree
10 from the University of Michigan in 2020, and I earned my Juris Doctor degree from Loyola Law
11 School in 2023. I was admitted to practice law in California in 2023. I am admitted to practice
12 before all courts of the State of California. I have worked on many wage-and-hour class action and
13 PAGA representative cases, and my work on these cases has included preparing pleadings and
14 motions, making court appearances, and drafting and finalizing settlement agreements..

15 7. Scarlet Tunney is an Associate Attorney of Lawyers for Justice, PC. She received
16 her Bachelor of Arts degree from the University of California, Los Angeles, in 2021. She earned
17 her Juris Doctor degree from the University of California, Law, San Francisco (formerly UC
18 Hastings) in 2024, and was the recipient of the CALI Award for Excellence in 2022. She was
19 admitted to practice law in California in 2024. She is admitted to practice before all courts of the
20 State of California and all U.S. Federal District Courts in the State of California. She has worked
21 on many wage-and-hour class action and PAGA representative cases, and her work on these cases
22 has included, *inter alia*, researching and drafting pleadings and motion-related papers,
23 administrative notice exhaustion, drafting, negotiating, and finalizing stipulations and settlement
24 agreements, performing claims evaluation and analysis, and making court appearances.

25 SUMMARY OF WORK PERFORMED

26 8. Lawyers for Justice, PC has been actively engaged in the litigation of this matter
27 since the inception of the *Martinez* PAGA Action, which was commenced by Plaintiff Alejandro
28 Martinez on December 7, 2021. Lawyers for Justice, PC eventually joined forces with other

1 plaintiffs' counsel, Wilshire Law Firm, P.C., to represent Plaintiffs Christian Pena, Tom Swanson,
2 Keith Anthony Terry, and Alejandro Martinez (collectively, "Plaintiffs"), the Class Members,
3 PAGA Members, and the State of California. Collectively, Lawyers for Justice, PC and Wilshire
4 Law Firm, P.C. are referred to as "Class Counsel."

5 9. Before initiating the *Martinez* PAGA Action, Lawyers for Justice, PC conducted
6 extensive investigation and research into the facts and circumstances underlying the pertinent
7 factual and legal issues and applicable law. This required thorough discussions and interviews
8 between attorneys at our firm and Plaintiff Martinez, and research into the various legal issues
9 involved in the case, namely, the current state of the law as it applied to class certification, off-
10 the-clock theory, meal and rest periods, regular rate of pay, wage-and-hour enforcement, PAGA
11 representative claims, Plaintiff Martinez's claims and damages, and Defendant Super Store
12 Industries' ("Defendant") defenses (collectively, with Plaintiffs, the "Parties"). After conducting
13 initial investigation, our firm determined that Plaintiff Martinez's claims were well-suited for class
14 action and representative action treatment owing to what appeared to be a common course of
15 conduct affecting a similarly situated group of hourly-paid or non-exempt employees of Defendant
16 in California, who were not properly compensated for, *inter alia*, all hours worked, non-compliant
17 meal and rest periods, and unreimbursed business expenses.

18 10. Lawyers for Justice, PC investigated the veracity, strength, and scope of the claims,
19 and worked on preparing the matters for class certification and trial, prior to reaching the
20 Settlement. Lawyers for Justice, PC conducted extensive investigation and research into legal and
21 factual issues, formal and informal discovery, and reviewed and analyzed a volume of information,
22 documents, and data. The information, documents, and data that were reviewed and analyzed by
23 Lawyers for Justice, PC included and were not limited to: Plaintiff Martinez's employment
24 records, Class Members' time and payroll data, Defendant's operations and employment practice,
25 policies, and procedures, among other information and documents. Additionally, Lawyers for
26 Justice, PC propounded formal written discovery requests onto Defendant (specifically, Special
27 Interrogatories (Sets One & Two), Form Interrogatories—General (Set One), Requests for
28 Admission (Set One), and Requests for Production of Documents (Set One)), and reviewed

1 Defendant's responses thereto. Counsel for the Parties also met and conferred on numerous
2 occasions, e.g., to discuss issues relating to the pleadings, case management, discovery, and issues
3 relating to the production of information, documents, and data in the course of litigation and in
4 connection with mediation and settlement discussions.

5 11. After conducting significant investigation, counsel for the Parties engaged in
6 mediation and extensive settlement negotiations to try to resolve the matter. These efforts included
7 participating in a mediation conducted by Lisa Klerman, a well-regarded mediator who is
8 experienced in mediating complex labor and employment matters. During all settlement
9 discussions, the Parties conducted their negotiations at arm's length in an adversarial position.

10 SERVICE AWARDS

11 12. The Settlement provides for Service Awards in an amount not to exceed Fifteen
12 Thousand Dollars and Zero Cents (\$15,000.00) to each Plaintiff. The contemplated Service Award
13 is fair and appropriate in light of the time and effort that Plaintiff Martinez expended to pursue the
14 matter. Plaintiff Martinez was available whenever Class Counsel needed him, actively tried to
15 obtain and provide information, and spent a substantial amount of time and effort providing the
16 facts and evidence necessary to facilitate prosecution of the matter. Accordingly, it is appropriate
17 and just for Plaintiff Martinez to receive a Service Award for his services in the matter, in addition
18 to his individual settlement payments under the Settlement.

19 13. I submit that the Settlement is fair, reasonable, and adequate. In addition, the
20 Settlement is in the best interests of Plaintiffs, Class Members, the State of California, and PAGA
21 Members.

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

24 Executed on this 23rd day of September 2026 at Glendale, California.

25 

26 Ryan Slinger
27
28