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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 SOLANO

MARIA SOLEDAD RANGEL
MERCADO, individually and on behalf of
all others similarly situated;

Plaintiff,

vs.

NORTH BAY DISTRIBUTION, INC., a
California Corporation; CHARTWELL
STAFFING SERVICES, INC., a New
York Corporation; and DOES 1 through
20, inclusive;

Defendants.

Case No.: FCS057328
*[Assigned to Hon. Tim P. Kam, Dept 7, for all
purposes]*

**DECLARATION OF MEHRDAD
BOKHOUR, ESQ., IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

1 I, Mehrdad Bokhour, say and declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all the Courts of the State
3 of California, and I am the principal of Bokhour Law Group, P.C., co-counsel with Brian Mankin
4 and Peter Carlos of Lauby, Mankin & Lauby LLP, as attorney of record for Plaintiff Maria
5 Soledad Rangel Mercado and the Settlement Class.

6 2. As such, I am familiar with the file in this matter, and if called as a witness, I
7 could and would competently testify to the following facts of my own personal knowledge.

8 **Class Counsel Are Experienced Class Litigators**

9 3. I graduated with a Bachelor of Arts with a major in Political Science from the
10 University of California, Berkeley, in 2007. I received my J.D. from Loyola Law School—Los
11 Angeles in 2012 and became a member of the California State Bar in December 2012.

12 4. Before beginning my legal career, I served as a judicial extern for the Honorable
13 Justice Fred Woods of the Second District Court of Appeal and as an appellate law clerk at
14 Greines, Martin, Stein & Richland LLP.

15 5. I have been a member, in good standing, of the State Bar of California since
16 2012. I am admitted to practice before all California state courts, the U.S. Court of Appeals for
17 the Ninth Circuit Court, the U.S. District Court for the Central District of California, Eastern
18 District of California, Northern District of California, and Southern District of California and
19 have litigated class action and Private Attorneys General Act (“PAGA”) representative action
20 cases in various courts in California.

21 6. During my eleven years in practice, I have handled approximately 150
22 employment litigation matters. Over the last eight years, my practice has exclusively represented
23 employees, most of which included class action and representative action wage and hour matters.
24 Various courts have appointed me as class counsel and granted me final court approval and
25 judgment in numerous class actions. I anticipate receiving final approval for many more in the
26 future.

27 7. As part of these settlements and judgments, I have recovered at least 50 million
28 dollars in damages for my clients and the class members (who often work as essential workers,

nurses, technicians, warehouse workers, truck drivers, sales, and countless other trades).

8. I was selected as a “Super Lawyer Rising Star” in Employment Litigation from 2017 through 2022 and as a “Super Lawyer” in 2023-2024, a distinction reserved for the top 2.5% of lawyers in the practice area.

9. I have also been recognized by TopVerdicts.com for achieving several of the top wage and hour class and PAGA action settlements in California.

10. I am an active member of the California Employment Lawyers Association (“CELA”) and have attended numerous Continuing Legal Education courses on employee advocacy.

11. My firm has the experience, resources, and means necessary to allow us to provide adequate representation to all Settlement Class Members in this Action.

12. Currently, my firm is acting as counsel in at least twenty-five wage-and-hour class actions and co-counsel in at least thirty others.

13. Class Counsel are respected members of the California Bar with strong records of vigorous and effective advocacy for their clients. They are also experienced in handling complex class action litigation. Both 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.

14. My current billing rate is \$650 per hour, which is also usual and customary for class action practitioners with my experience and expertise. Moreover, my rate has been approved by various courts in California, including the following non-exhaustive list of recent settlements for which I have been the handling attorney with a lodestar cross-check of \$550- \$650 per hour:

- *Cervantes et al. v. Louis Vuitton Manufacturing, Inc.*, Case No. BC663932, Los Angeles Superior Court (final approval granted on January 7, 2021) (wage and hour class and PAGA settlement of \$1,500,000 approved by Hon. Carolyn B. Kuhl);

- *Pagh, et al. v. Wyndham Vacation Ownership, Inc.* Case No. 8:19-cv-00812-JWH-ADS (final approval granted on March 24, 2021) (wage and hour class and PAGA settlement of \$1,500,000 approved by Hon. John W. Holcomb);

1 • *Oajaca v. Sunstone Hotel Properties, Inc., et al.*, Case No. 20STCV24133
2 (approval granted on April 20, 2021) (PAGA settlement of \$340,000 approved by Hon. Carolyn
3 B. Kuhl);

4 • *Garza v. Cen-Cal Fire Systems, Inc., et al.*, Case No. RG20070111 (approval
5 granted on April 27, 2021) (PAGA settlement of \$350,000 approved by Hon. Brad Seligman);

6 • *Martinez v. JSL Transport, L.L.C.*, Case No. RG20050358 (approval granted on
7 May 5, 2021) (PAGA settlement of \$185,000 approved by Hon. Winifred Y. Smith);

8 • *Aguirre v. Swinerton Builders, et al.*, Case No. CIVDS1925363 (final approval
9 granted on May 26, 2021) (wage and hour class and PAGA settlement of \$2,250,000 approved
10 by Hon. David Cohn);

11 • *Garcia et al. v. Cardenas Markets, LLC, et al.*, Case No. CIVDS1917380 (final
12 approval granted on July 1, 2021) (wage and hour class and PAGA settlement of \$6,500,000
13 approved by Hon. David Cohn);

14 • *Angulo v. CCX2931, LLC, et al.*, Case No. BC717320 (final approval granted on
15 July 15, 2021) (wage and hour class and PAGA settlement of \$2,350,000 approved by Hon.
16 Carolyn B. Kul);

17 • *Rodriguez v. Hexpol Compounding CA, Inc.*, Case No. 19STCV41903 (final
18 approval granted on July 15, 2021) (wage and hour class and PAGA settlement of \$900,000
19 approved by Hon. William F. Highberger);

20 • *Bautista, et al. v. Builder Services Group, Inc.*, Case No. RG19038041 (approval
21 granted on July 30, 2021) (PAGA settlement of \$2,200,000 approved by Hon. Dennis Hayashi);

22 • *Hoff, et al. v. Dependable Highway Express, Inc.*, Case No. 34-2020-00272729-
23 CU-OE-GDS (final approval granted on August 23, 2021) (wage and hour class and PAGA
24 settlement of \$800,000 approved by Hon. Shama H. Mesiwala);

25 • *Mann v. Altec Industries, Inc.*, Case No. FCS054121 (final approval granted on
26 September 17, 2021) (wage and hour class and PAGA settlement of \$1,450,000 approved by Hon.
27 Bradley E. Nelson);

28

- 1 • *Labra v. Sutter Street Manufacturing, Inc., et al.*, Case No. 20STCV18751 (final
2 approval granted on September 28, 2021) (wage and hour class and PAGA settlement of
3 \$1,824,000 approved by Hon. David S. Cunningham);
- 4 • *Ayala v. FabFitFun, Inc.*, Case No. CIVDS2006687 (approval granted on October
5 7, 2021) (PAGA settlement of \$820,000 approved by Hon. David Cohn);
- 6 • *Becerra v. Luxfer, Inc.*, Case No. RIC2001892 (final approval granted on October
7 29, 2021) (wage and hour and PAGA settlement of \$1,125,000 approved by Hon. Lawrence W.
8 Fry);
- 9 • *Gonzalez v. Frank Carson Landscape & Maintenance, Inc.*, Case No. 34-2020-
10 00289370-CU-OE-GDS (final approval granted on November 4, 2021) (wage and hour class and
11 PAGA settlement of \$1,100,000 approved by Hon. Christopher Krueger);
- 12 • *Sifuentes, et al. v. Roofline, Inc., dba Roofline Supply & Delivery*, Case No. 34-
13 2019-00269947 (final approval granted on November 30, 2021) (wage and hour class and PAGA
14 settlement of \$1,850,000 approved by Hon. Shama H. Mesiwala);
- 15 • *Bjornsen v. Paychex North America, Inc.*, Case No. 34-2020-00286974 (approval
16 granted on January 11, 2022) (PAGA settlement of \$650,000 approved by Hon. Christopher E.
17 Krueger);
- 18 • *Sanchez v. Coordinated Staff, Inc., et al.*, Case No. BC640151 (final approval
19 granted on February 1, 2022) (wage and hour class and PAGA settlement of \$500,000 approved
20 by Hon. William F. Highberger);
- 21 • *Villa v. Sharecare Health Data Services, LLC, et al.*, Case No. 37-2020-0016422-
22 CU-OE-CTL (final approval granted on February 18, 2022) (wage and hour class and PAGA
23 settlement of \$630,000 approved by Hon. Eddie C. Sturgeon);
- 24 • *Martinez, et al. v. East Coast/West Coast Logistics, LLC, et al.*, Case No.
25 CIVDS1932745 (final approval granted on March 2, 2022) (wage and hour and PAGA settlement
26 of \$1,250,000 approved by Hon. David Cohn);
- 27 • *Rebulloza v. Acosta Employee Holdco, LLC*, Case No. RG21087775 (approval
28 granted on March 17, 2022) (PAGA settlement of \$525,000 approved by Hon. Somnath Raj

Chatterjee);

- *Benavides v. Production Framing, Inc.*, Case No. 34-2021-00295745-CU-OE-GDS (approval granted on May 12, 2022) (PAGA settlement of \$858,000 approved by Hon. Jill H. Talley);

- *Sandoval, et al. v. Citistaff Solutions, Inc.*, Case No. BC673675 (final approval granted on May 26, 2022)(wage and hour and PAGA settlement of \$2,200,000 approved by Hon. William F. Highberger);

- *De Los Angeles Vasquez v. Nutrawise Health & Beauty Corp.*, Case No. 30-2020-01140636-CU-OE-CXC (final approval granted on June 28, 2022) (wage and hour and PAGA settlement of \$312,946.43 approved by Hon. William D. Claster);

- *Buckner v. Xpress Global Systems, LLC*, Case No. RG20080657 (final approval granted on August 1, 2022) (wage and hour and PAGA settlement of \$500,000 approved by Hon. Stephen Kaus);

- *Casillas v. California Paper Products, LLC, et al.*, Case No. BCV-20-102523 (approval granted on September 8, 2022) (PAGA settlement of \$100,000 approved by Hon. David Lampe);

- *Arzola v. All Star Glass, Inc.*, Case No. 56-2021-00553193-CU-OE-VTA (final approval granted on October 5, 2022)(wage and hour and PAGA settlement of \$662,436 approved by Hon. Matthew P. Guasco);

- *Estrada, et al. v. HHM Facility Management, LLC.*, Case No. RG20078429 (final approval granted on October 13, 2022) (wage and hour and PAGA settlement of \$500,000 approved by Hon. Brad Seligman);

- *Garcia v. J-M Manufacturing Company, Inc., et al.*, Case No. STK-UOE-2021-4926 (final approval granted on October 25, 2022) (wage and hour and PAGA settlement of \$750,000 approved by Hon. Janye C. Lee);

- *Morales, et al. v. Northgate Gonzalez Markets, Inc.*, Case No. 21STCV19587 (approval granted on October 27, 2022) (PAGA settlement of \$950,000 approved by Hon. Yvette M. Palazuelos);

1 • *Melgar v. MASS Brothers, Inc.*, Case No. RG21086730 (final approval granted on
2 October 31, 2022) (wage and hour and PAGA settlement of \$680,000 approved by Hon. Brad
3 Seligman);

4 • *Stacy v. Hickman Egg Ranch, Inc.*, Case No. CVRI2103899 (final approval
5 granted on November 21, 2022) (wage and hour and PAGA settlement of \$325,000 approved by
6 Hon. Harold W. Hopp);

7 • *Guevara v. Bunge Oils, Inc.*, Case No. CV-21-004207 (final approval granted on
8 November 29, 2022) (wage and hour and PAGA settlement of \$500,000 approved by Hon. John
9 R. Mayne);

10 • *Camp v. Matson Logistics Warehousing, Inc.*, Case No. RG21088637 (final
11 approval granted on December 16, 2022) (wage and hour and PAGA settlement of \$375,000
12 approved by Hon. Jenna Whitman);

13 • *Silva-Branbila v. Barry Callebaut USA, LLC*, Case No. 21CV000337 (final
14 approval granted on December 20, 2022) (wage and hour and PAGA settlement of \$350,000
15 approved by Hon. Scott R.L. Young);

16 • *Orozco v. Taylored Services, LLC*, Case No. CIVSB2133520 (final approval
17 granted on January 27, 2023) (wage and hour and PAGA settlement of \$600,000 approved by
18 Hon. Joseph Ortiz);

19 • *Sanford v. Orchard Machinery Corporation*, Case No. CVCS21-0001614 (final
20 approval granted on January 30, 2023) (wage and hour and PAGA settlement of \$650,000
21 approved by Hon. Sarah Heckman);

22 • *Farley v. Bimbo Bakeries USA, Inc.*, Case No. 2020-00285248 (final approval
23 granted on February 2, 2023) (wage and hour and PAGA settlement of \$2,500,000 approved by
24 Hon. Jill H. Talley);

25 • *Ellingson v. Mueller Nicholls, Inc.*, Case No. RG21114800 (final approval granted
26 on February 2, 2023) (wage and hour and PAGA settlement of \$395,000 approved by Hon. Evelio
27 Grillo);
28

1 • *Juarez v. Schenker, Inc.*, Case No. RIC1818680 (final approval granted on March
2 7, 2023) (wage and hour and PAGA settlement of \$4,000,000 approved by Hon. Craig Riemer);
3 • *Aguilar v. Jimenez Nursery, Inc.*, Case No. 21CV01836 (final approval granted on
4 March 9, 2023) (wage and hour and PAGA settlement of \$750,000 approved by Hon. Collen
5 Sterne);
6 • *Ayotte v. Frank, Rimerman + Co., LLP*, Case No. 21CV386288 (final approval
7 granted on April 13, 2023) (wage and hour and PAGA settlement of \$775,000 approved by Hon.
8 Theodore C. Zayner);
9 • *Enriquez v. Shipbob, Inc.*, Case No. CVRI2101452 (final approval granted on May
10 1, 2023) (wage and hour and PAGA settlement of \$925,000 approved by Hon. Harold W. Hopp);
11 • *Truchinski v. Hologic, Inc., et al.*, Case No. 21STCV19587 (approval granted on
12 May 20, 2023) (PAGA settlement of \$750,000 approved by Hon. Sunil R. Kulkarni); and
13 • *Merrit v. DMA Claims, Inc., et al.*, Case No. 21STCV31200 (final approval
14 granted on May 1, 2023) (wage and hour and PAGA settlement of \$750,000 approved by Hon.
15 Maren E. Nelson).
16 • *Klimek v. Kingspan Insulated Panels, Inc., et al.*, Case No. CV-21-004201 (final
17 approval granted on June 13, 2023) (wage and hour and PAGA settlement of \$876,036 approved
18 by Hon. John D. Freeland).
19 • *Incze v. Radial, Inc., et al.*, Case No. CIVSB2133520 (approval granted on July 5,
20 2023) (wage and hour and PAGA settlement of \$559,905 approved by Hon. David Cohn);
21 • *Verdugo v. nVent Thermal, LLC*, Case No. 21-CIV-04370 (approval granted on
22 July 6, 2023) (wage and hour and PAGA settlement of \$3,250,000 approved by Hon. Robert D.
23 Foiles);
24 • *Le v. Cresco Labs, Inc., et al.*, Case No. JCCP 5226 (approval granted on August
25 11, 2023) (wage and hour and PAGA settlement of \$890,000 approved by Hon. Lauri A.
26 Damrell);
27 • *Chilton v. Pacific Eye Institute, A Medical Group, Inc., et al.*, Case No.
28 CIVSB2200827 (approval granted on August 21, 2023) (wage and hour and PAGA settlement of

1 \$1,970,000 approved by Hon. David Cohn);

2 • *Cervantes, et al. v. Genuine Parts Company, Inc., et al.*, Case No. 22STCV00981
3 (approval granted on September 14, 2023) (PAGA settlement of \$1,300,000 approved by Hon.
4 Gregory Keosian);

5 • *Attaway, et al. v. Alliance Residential, LLC*, Case No. JCCP No. 5173 (approval
6 granted on September 29, 2023) (PAGA settlement of \$500,000 approved by Hon. Theodore C.
7 Zayner);

8 • *Desanctis, et al. v. Douglas Products & Packaging Company, LLC, et al.*, Case
9 No. C21-01874 (final approval granted on October 11, 2023) (wage and hour and PAGA
10 settlement of \$372,500 approved by Hon. Charles S. Treat);

11 • *Gonzales v. Scosche Industries, Inc.*, Case No. 56-2022-00564014-CU-OW-VTA
12 (final approval granted on October 20, 2023) (wage and hour and PAGA settlement of
13 \$282,205.30 approved by Hon. Matthew P. Guasco);

14 • *Melgar v. Pro-Tek Manufacturing, Inc.*, Case No. 21CV002665 (final approval
15 granted on October 24, 2023) (wage and hour and PAGA settlement of \$600,000 approved by
16 Hon. Evelio Grillo);

17 • *Blakes v. PGP International, Inc.*, Case No. CV2022-1554 (final approval granted
18 on November 14, 2023) (wage and hour and PAGA settlement of \$1,000,000 approved by Hon.
19 Stephen L. Mock);

20 • *Grant v. Rodd & Gunn USA Retail, Inc.*, Case No. MSC2102113 (final approval
21 granted on November 30, 2023) (wage and hour and PAGA settlement of \$450,000 approved by
22 Hon. Charles S. Treat);

23 • *Barajas v. Quanex Homeshield, LLC, et al.*, Case No. 34-2022-00317535 (final
24 approval granted on December 8, 2023) (wage and hour and PAGA settlement of \$1,000,000
25 approved by Hon. Jill H. Talley);

26 • *Magnotti v. The Highest Craft, LLC, et al.*, Case No. CVRI2105547 (final approval
27 granted on January 4, 2024) (wage and hour and PAGA settlement of \$400,000 approved by Hon.
28 Harold W. Hopp); and

1 • *Arrayga v. Medical Extrusion Technologies, Inc.*, Case No. CVRI2203190 (final
2 approval granted on January 16, 2024) (wage and hour and PAGA settlement of \$553,350
3 approved by Hon. Harold W. Hopp).

4 15. In the opinion of Class Counsel, the recovery for each Settlement Class Member
5 is well within the acceptable range for this type of action. This Settlement is also favorable
6 given that the Settlement Class will promptly receive compensation rather than facing
7 uncertainties inherent in further litigation and waiting years for this action to be tried. It also
8 tells that the Settlement Class has overwhelmingly supported the Settlement on the terms
9 outlined in the Settlement Agreement. No Settlement Class Member has objected to the class-
10 wide Settlement obtained in this matter, and no Settlement Class Member requested exclusion
11 from the Settlement. Based on all considerations, this Settlement is highly favorable and is in
12 the best interests of the Settlement Class.

13 16. In sum, all relevant factors support final approval of the Settlement. The parties
14 negotiated at arm's length under the supervision of an experienced and well-respected mediator.
15 Class Counsel also investigated, discovered, and analyzed class claims extensively. Moreover,
16 Class Counsel, who is an experienced class action litigator, strongly believes that this
17 Settlement provides an excellent result for the Settlement Class. Lastly, the fact that there were
18 no objections filed that asked for final approval to be denied and zero requests for exclusion
19 from the Settlement weighs strongly in favor of approval of the Settlement. For these reasons,
20 this Court should conclude that under the circumstances of this case, the proposed Settlement
21 is fair, adequate, and well within the range of reasonableness.

22 **The Proposed Enhancement Award to Plaintiff as Class Representatives is Reasonable**

23 17. Plaintiff and Class Counsel request that the Court finally approve a Class
24 Representative Service Payment of \$10,000 for the time, effort, and risks they undertook in
25 participating in this Action. Because a named plaintiff is an essential ingredient of any class
26 action, a service payment is appropriate to induce individuals to step forward and assume the
27 burdens and obligations of representing the settlement class. In deciding the amount of service
28 payment for a class representative, relevant factors include the actions the plaintiff has taken to

1 protect the interests of the settlement class, the degree to which the settlement class has
2 benefitted from those actions, and the amount of time and effort the plaintiff expended in
3 pursuing the action.

4 18. In the instant case, Plaintiff assisted Class Counsel on many occasions with
5 investigating and prosecuting this action. Plaintiff provided many documents and relevant
6 information to Class Counsel, spent numerous hours educating Class Counsel on the inner
7 workings of Defendant's operations and timekeeping practices, and made himself available for
8 mediation. The amount sought for the Class Representative aligns with the service payments
9 in similar wage and hour class actions. In Class Counsel's experience, service payments in
10 wage and hour actions typically range from \$5,000 to \$40,000. Further, Defendants support the
11 requested Class Representative Service Payment of \$10,000 to Plaintiff. As such, the requested
12 service payment is intended to compensate the Plaintiff for their critical role in this case and
13 the substantial time, effort, and risk they undertook to help secure the result obtained on behalf
14 of the Settlement Class. The Class Representatives Service Payment requested is well deserved
15 and warranted. Furthermore, Plaintiff has also provided Defendants with a general release of
16 her claims in exchange for the service payment requested.

17 **The Requested Attorneys' Fees and Costs are Fair, Reasonable, and Appropriate**

18 19. Class Counsel's application for an award of Attorneys' Fees in an amount of
19 approximately 33.33% of the Settlement Amount on behalf of the Settlement Class is reasonable
20 and fair. The requested fee falls on the lower end of the benchmark for attorneys' fees of 25%
21 to 40% of a common fund and is fair compensation for undertaking complex, risky, expensive,
22 and time-consuming litigation on a contingent basis.

23 20. For Class Counsel, the fees here were wholly contingent in nature, and the case
24 presented far more risk than the usual contingent fee case. There was the prospect of the
25 enormous cost inherent in class action litigation and a long battle with a corporate Defendant.
26 That prospect has previously become a reality in trial courts and the Court of Appeal in other
27 wage and hour class litigations. Class Counsel risked not only a great deal of time but also a
28 great deal of expense to ensure the successful litigation of this action on behalf of all Settlement

Class Members. Based upon the foregoing, Class Counsel respectfully requests that the Court award attorneys' fees in the amount of \$500,000.

21. My firm's hours are set forth below:

Attorney	Experience	Rate per Hour	Hours	Total Lodestar
Mehrdad Bokhour	12 years	\$675	132.5 ¹	\$89,437.50
Carlos Garcia	12 years	\$150	15	\$2,250
Total Lodestar				\$91,687.50

22. The ultimate result was far from certain when this case was taken on a contingency fee basis, with the firm agreeing to assume responsibility for all litigation costs. In the course of this Action, Class Counsel paid all costs, including filing fees, court costs, research fees, and mediation costs. There was never a guarantee that we would recoup those expenditures.

23. It has been my experience that the benchmark for an attorney fee award in California state cases is one-third of a common settlement fund, which the California Supreme Court recently upheld in the *Robert Half* case. Here, in accordance with the Settlement Agreement, Class Counsel is seeking a fee of \$500,000, one-third of the Settlement Amount.

24. The fee is warranted because of the results achieved for the Settlement Class Members, both in terms of the immediate cash settlement and the resounding support for the Settlement. Defendants do not oppose this fee request.

25. The following are the itemized litigation costs (actually incurred) for the above-referenced matter:

•	PAGA Filing Fee	\$75
•	Filing Fees	\$1,801.40
•	Process Service Fees	\$110.75
•	Mediation Fee	\$5,000
•	Total	\$6,987.15

26. The proposed settlement has been previously submitted in accordance with Labor Code § 2699(1)(2) to the Labor and Workforce Development Agency.

¹ Includes an estimated 15 hours of work finalizing this motion, attending final approval, working with Defense Counsel and the Administrator finalizing this matter, submitting a declaration of disbursement, and other ancillary matters.

1 27. The proposed Settlement here was the product of arm's-length negotiation before
2 a highly experienced and reputable class action mediator to reach a settlement.

3 28. Plaintiff and Class Counsel have diligently investigated the claims raised in this
4 litigation and, after taking into account the disputed factual and legal issues involved in this
5 action, the risks attending further prosecution, and the benefits to be received pursuant to the
6 compromise and settlement of the Action as set forth in the Settlement, concluded that the
7 Settlement terms are fair, reasonable, and in the best interest of the Settlement Class.

8 29. As the Settlement Agreement reveals, there is no preferential treatment for any
9 segment of the Settlement Class, as the Settlement is designed to fairly and adequately
10 compensate all Settlement Class Members. Pursuant to California Rules of Court Rule 3.769(b),
11 the parties have disclosed the agreed upon and proposed Attorneys' Fees, which are well within
12 the range of reasonableness for matters of this nature.

13 30. As set forth at the time of preliminary approval, Class Counsels' investigation into
14 the facts and merits of the wage and hour claims alleged included analyzing substantial amounts
15 of information, correspondence, documents, timekeeping and pay data, policies and procedures,
16 and evidence relating to the class size and the commonality of the claims. During this process,
17 Plaintiff and Class Counsel investigated the potential claims of the similarly situated employees
18 and researched and investigated Defendant's defenses. Finally, Class Counsel synthesized and
19 analyzed information provided by Defendants regarding the total Settlement Class Members, the
20 number of current and former employees, and the number of employees who worked during
21 various time periods and prepared comprehensive damages calculations regarding the wage and
22 hour claims at issue.

23 31. In light of the uncertainties of protracted litigation, this negotiated Settlement
24 reflects the best practicable recovery for the Settlement Class. While the total Settlement amount
25 is, of course, a compromise figure, the potential risks and opportunities of both parties were
26 effectively weighed and considered by the parties, resulting in a fair and equitable Settlement.
27 Based upon detailed data obtained through discovery and information exchanges and factoring in
28 class certification and liability probabilities, Class Counsel formulated detailed damages models

1 to evaluate the claims in preparation for mediation and reach a realistic and reasonable resolution.
2 Of course, Defendants deny that any damages should be assessed and deny all of the value
3 estimated by Plaintiff.

4 32. Moreover, as further detailed in the Plaintiff's Motion for Preliminary Approval
5 of Class Action Settlement, the Defendants strongly disputed the merits of the case and the
6 damages on several grounds.

7 33. The Settlement should be approved, and judgment entered based on the
8 determination that it is fair, reasonable, adequate, and in the best interests of the Settlement Class.

9 I declare under penalty of perjury under the laws of California that the foregoing is true
10 and correct this 3rd day of September 2024, at Los Angeles, California.

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12 /s/ Mehrdad Bokhour
Mehrdad Bokhour
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