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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 PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

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I, Mehrdad Bokhour, say and declare as follows:

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

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

Class Counsel Are Experienced Class Litigators

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

4. Before beginning my legal career, I served as a judicial extern for the Honorable Fred Woods of the Second District Court of Appeal. I was also an appellate law clerk at the law firm of Martin, Stein & Richland LLP.

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

6. I have handled approximately 150 employment litigation matters during my eleven years in practice. Over the last eight years, my practice has exclusively represented employees, many of which included class action and representative action wage and hour matters. Various courts have appointed me as class counsel and have received final court approval and judgment in numerous class actions to date. I anticipate receiving final approval for many more in the future.

7. As part of these settlements and judgments, I have recovered at least 50 million 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 during the years 2017 through 2022 and as a “Super Lawyer” in 2023-2024, a distinction that is 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 pertaining to advocacy on behalf of employees.

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 of their clients, and they are 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);

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- 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. Cluster);

- *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);
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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 • *Quiroz v. Natural Pack, Inc.*, Case No. 22CV02389 (final approval granted on
21 November 29, 2023) (wage and hour and PAGA settlement of \$292,546.24 approved by Hon.
22 Collen K. Sterne);

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

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

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

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

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

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

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct this 12th day of February 2024, at Los Angeles, California.

Mehrdad Bokhour