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

CHRISTIAN ROJAS CRUZ individually, and  
on behalf of other members of the general  
public similarly situated;

Plaintiff,

vs.

SENSOR SYSTEMS INC., a California  
corporation; and DOES 1 through 100,  
inclusive,

Defendants.

Case No.: 21STCV25102

Honorable Yvette M. Palazuelos  
Department SSC9

**DECLARATION OF JAMES HAWKINS IN  
SUPPORT OF PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: April 5, 2023  
Time: 10:00 a.m.  
Dept.: SSC9

Action Filed: July 8, 2021  
Trial Date: None Set

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1. I am an individual over the age of 18. I am a partner at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiff MIGUEL CHAVARIN (hereinafter referred to as “Plaintiff” or “Class Representatives”), who has jointly settled this action on behalf of the Settlement Class. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, which Plaintiffs filed concurrently herewith, along with the supporting Memorandum of Points and Authorities. I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

2. Counsel for Plaintiffs negotiated the terms of the Settlement after having represented, mediated and settled numerous other employee class actions in wage and hour litigation and have knowledge of the strengths and weaknesses of the methods of compensation which are sufficient to evaluate the fairness of the proposed settlement herein.

3. I have a great deal of experience in wage and hour class action litigation. I have obtained certification of several classes, I have been approved as class counsel in many other wage/hour class actions, and I am currently litigating numerous others. Although not an all inclusive list, over the years I have prosecuted the following class action matters as lead and/or co-lead counsel, all of which implicated similar law and facts to those associated with this action:

- a. *Aguilar v. 7-Eleven, Inc.*, et. al., Orange County Superior Court- Case No.: 30-2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking premium wages for meal period and rest periods and resultant penalties. Class Notice pending.
- b. *Carey, et. al. v. Arthur J. Gallagher*, et. al., USDC, SOUTHERN DISTRICT- Case No.: 09-cv-0168. Wage and Hour Class action seeking past wages of overtime for misclassification of insurance claims adjusters employed by Gallagher Bassett, a third party administrator (TPA) in the State of California. Certification granted. Plaintiffs’ counsel co-lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

1 c. *Dao v. 3M Company*, et al. USDC, CENTRAL DISTRICT, Case No. CV-08-04554.  
2 Wage and Hour Class Action case seeking past wages for “off the clock”, overtime and  
3 meal and rest break violations for production workers in the State of California.  
4 Plaintiff’s Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no  
5 objections and funds fully distributed.

6 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.  
7 Wage and Hour Class Action case seeking past wages for meal and rest period violations  
8 for retail employees in the State of California. Plaintiff’s counsel appointed co-lead  
9 counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

10 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.  
11 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and rest  
12 period violations for retail employees in the State of California. Plaintiff’s Counsel  
13 appointed as Lead Counsel. Case settled, Final Approval granted, no objections and  
14 funds fully distributed.

15 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County  
16 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past wages  
17 for overtime, meal and rest break violations for driver employees in the State of  
18 California. Settlement for “binding arbitration.” Arbitration Award for Plaintiff Class.  
19 Arbitration Award confirmed. Plaintiff’s counsel, lead trial counsel and class counsel.

20 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior  
21 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for  
22 overtime, meal and rest breaks violations for production employees in the State of  
23 California. Plaintiff’s counsel appointed as lead counsel. Case settled, Final Approval  
24 granted, no objections and funds fully distributed.

25 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside County  
26 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past wages  
27 for overtime, meal and rest break violations for production employees in the State of  
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1 California. Plaintiff's counsel appointed as co-lead counsel. Case settled, Final  
2 Approval granted, no objections and funds fully distributed.

3 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.  
4 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and rest  
5 break violations for restaurant employees in the State of California. Plaintiff's counsel  
6 appointed as lead counsel. Case settled, Final Approval granted and funds fully  
7 distributed.

8 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case  
9 No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal  
10 and rest break violations for security officers in the State of California. Plaintiff's  
11 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no  
12 objections and funds fully distributed.

13 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court, Case  
14 No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action seeking past  
15 wages for meal and rest break violations for security officers employed by defendant in  
16 the State of California. Plaintiff's counsel and co-counsel. Case settled, Final Approval  
17 granted and funds fully distributed.

18 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court,  
19 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime,  
20 meal and rest break violations for housekeepers employed by defendant in the State of  
21 California. Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval  
22 granted, no objections and funds fully distributed.

23 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT, Case  
24 No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and rest  
25 period violations for non-exempt employees employed by defendant in the state of  
26 California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff has  
27 petitioned the Court for Lead Counsel.

1 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL DISTRICT,  
2 Case No. SACV 08-680. Wage and Hour Class Action seeking past wages for field and  
3 branch employees of defendant in the State of California. Plaintiff's counsel appointed  
4 as lead counsel. Case settled and awaiting Final Approval.

5 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.  
6 05CC00128. Wage and Hour Class Action seeking past wages for restaurant employees  
7 of defendant in the State of California. Plaintiff's counsel appointed as lead counsel.  
8 Case settled, Final Approval granted, no objections and funds fully distributed.

9 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.  
10 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest break  
11 violations for security guards employed by defendant in the State of California.  
12 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no  
13 objections and funds fully distributed.

14 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior  
15 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and rest  
16 break violations for production employees employed by defendant in the State of  
17 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval  
18 granted, no objections and funds fully distributed.

19 r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case No.  
20 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest break  
21 violations for restaurant employees employed by defendant in the State of California.  
22 Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval granted, no  
23 objections and funds fully distributed.

24 s. *Osuna v. DFG Restaurants, Inc., et al.*, Los Angeles Superior Court, Case No. BC  
25 330145. Wage and Hour Class Action seeking past wages of overtime for mis-  
26 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of  
27 California. Plaintiff's counsel appointed as co-lead counsel. Case settled, Final  
28 Approval granted, no objections and funds fully distributed.

1 t. *Burns v. Gymboree Operations, Inc., et al.*, San Francisco Superior Court, Case No.  
2 CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest  
3 break violations for retail employees employed by defendant in the State of California.  
4 Plaintiff's counsel appointed lead counsel. Case settled, Final Approval granted, no  
5 objections and funds fully distributed.

6 u. *Willems v. Diedrich Coffee, Inc., et al.*, Orange County Superior Court, Case No.  
7 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-  
8 classification of managers employed by Defendant in the State of California. Plaintiff's  
9 counsel appointed lead counsel. Case settled, Final Approval granted, no objections and  
10 funds fully distributed.

11 v. *Davila, et al. v. Beckman Coulter, Inc., et al.*, Orange County Superior Court, Case  
12 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal  
13 and rest break violations for production workers employed by defendant in the State of  
14 California. Plaintiff's counsel appointed lead counsel. Case settled; final approval  
15 granted; no objections and funds fully distributed.

16 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court, Case  
17 No. BC387088. Wage and Hour Class Action seeking past wages for overtime, meal and  
18 rest period violations for production employees employed by defendant in the State of  
19 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval  
20 granted, no objections and funds fully distributed.

21 4. Prior to reaching the Settlement, Class Counsel jointly investigated the veracity,  
22 strength, and scope of the claims. Class Counsel was preparing the action for class certification and  
23 trial. Class Counsel jointly conducted significant investigation and informal discovery regarding the  
24 facts of the case, including and not limited to, the exchange, review, and analysis of a large volume  
25 of documents and data obtained from Defendant, Plaintiffs, and other sources. The volume of data  
26 and documents that Class Counsel jointly reviewed and analyzed, along with engaging in an expert,  
27 included and was not limited to: Plaintiffs and employment records, a detailed sampling of Class  
28 Members' time and pay data, new hire information checklists, Defendant's Employee Handbook,

1 financial information (including but not limited to pay statements and earning statements) company  
2 policy acknowledgements (Employee Handbook Acknowledgement, Telecommunications Systems  
3 Policy, Dress Code Policy Receipt Acknowledgement, Anti-Drug & Alcohol Misuse Prevention  
4 Program Policy & Procedures, Personal Packages, Lockers, and Desk Inspection Consent Receipt,  
5 and Use of Gloves Policy), internal memoranda, job descriptions, Defendants' operations and  
6 employment practices, procedures, and policies (Meal Break Waiver) among other information and  
7 documents. Class Counsel interviewed Plaintiffs and other Class Members to gather facts and  
8 circumstances surrounding Plaintiffs' and putative class members' employment. Counsel for the  
9 Parties also met and conferred on numerous occasions, e.g., to discuss issues relating to the  
10 pleadings and the production of documents and data prior to the mediation. Class Counsel also  
11 jointly drafted pleadings and the mediation brief, developed a damage model, and prepared for and  
12 attended court proceedings, mediation, and settlement negotiations, among other tasks.

13         5.       Despite the complexity of the case, Class Counsel has, through the investment of  
14 substantial effort and the resources of my law firm and co-counsel have been able to secure an  
15 outstanding settlement on behalf of the Settlement Class. Plaintiffs would have faced substantial  
16 legal and factual obstacles in demonstrating that class certification was appropriate. Plaintiffs  
17 would also have been required to establish a significant amount of witness testimony, pattern and  
18 practice evidence, statistical evidence, sampling evidence, expert testimony, and other evidence in  
19 order to present their case both at the class certification stage and trial. Defendant has vigorously  
20 contested liability, the amount of claimed damages, and the propriety of class certification, and  
21 would have continued to do so through trial.

22         6.       Accordingly, I believe the Settlement to be fair, reasonable, and adequate and in the  
23 best interests of the Settlement Class. The fairness and adequacy of the Settlement is confirmed by  
24 all known facts and circumstances, including the risk of significant delay and uncertainty associated  
25 with litigation, the various defenses asserted by Defendant, and numerous potential appellate issues.

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1 I declare under penalty of perjury pursuant to the laws of California and the United States  
2 that the foregoing is true and correct. Executed on October 4, 2022 at Irvine, California.

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5 James R. Hawkins, Esq.  
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