

**SHIMODA & RODRIGUEZ LAW, PC**  
Galen T. Shimoda (Cal. State Bar No. 226752)  
Justin P. Rodriguez (Cal. State Bar No. 278275)  
Renald Konini (Cal. State Bar No. 312080)  
9401 East Stockton Boulevard, Suite 120  
Elk Grove, CA 95624  
Telephone: (916) 525-0716  
Facsimile: (916) 760-3733

**BLUMENTHAL NORDREHAUG BHOWMIK  
DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)  
Kyle R. Nordrehaug (State Bar #205975)  
2255 Calle Clara La Jolla, CA 92037  
Telephone: (858)551-1223  
Facsimile: (858) 551-1232  
Website: [www.bamlawca.com](http://www.bamlawca.com)  
Email: [Kyle@bamlawca.com](mailto:Kyle@bamlawca.com)

Attorneys for Plaintiffs  
[Additional parties continue on next page]

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SACRAMENTO**

CARLETON EDWARDS, MICHAEL  
ADAMS, and PETER HALL, individually and  
on behalf of all other similarly situated  
employees,

Plaintiffs,

vs.

SUBURBAN PROPANE, L.P., a Delaware  
Limited Partnership; and DOES 1 to 100,  
inclusive,

Defendants.

**Case No. 34-2022-00314949-CU-OE-GDS**

*Assigned for All Purposes to Hon. Jill Talley,  
Department 27*

**DECLARATION OF JUSTIN P.  
RODRIGUEZ IN SUPPORT OF MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT AND AWARD  
OF ATTORNEYS' FEES, COSTS,  
SERVICE AWARDS AND  
ADMINISTRATION COSTS**

Date: January 12, 2024

Time: 9:00 a.m.

*[hearing set by Order dated August 7, 2023]*

Dept.: 27

Judge: Hon. Jill Talley

Filed: February 2, 2022

Trial Date: None Set

1 **POTTER HANDY LLP**  
2 Mark D. Potter (SBN 166317)  
3 mark@potterhandy.com  
4 James M. Treglio (SBN 228077)  
5 jimt@potterhandy.com  
6 100 Pine St., Ste 1250  
7 San Francisco, CA 94111  
8 (858) 375-7385  
9 Fax: (888) 422-5191

10 Attorneys for Plaintiffs

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 I, Justin P. Rodriguez, declare:

2 1. I am an attorney at law duly admitted to practice before all the courts of the State  
3 of California and an attorney of record for Plaintiff Carleton Edwards (“Plaintiff”) herein. I am  
4 making this declaration on behalf of the named Plaintiffs, the putative class members, and in  
5 support of Plaintiffs’ Motion for Final Approval of Class Action and PAGA Settlement  
6 (“Motion”). I have personal knowledge of the matters set forth herein, and, if called as a witness,  
7 could competently testify thereto.

8 2. I am familiar with California law governing wages, reimbursement, and other  
9 entitlements owed to employees, including, but not limited to, the relevant statutes at issue in this  
10 case such as California Labor Code sections 201, 202, 203, 204, 210, 221, 226, 226.3, 226.7, 256,  
11 510, 512, 558, 558.1, 1174, 1194, 1194.2, 1197, 1197.1, 1198, 2698, 2699, 2699.3, 2699.5, 2802,  
12 and California Business and Professions Code sections 17200 *et seq.*

13 3. I believe the settlement now before the Court is fair, reasonable, and adequate,  
14 representing a reasonable compromise of claims based on the legal and factual disputes in this  
15 case.

16 4. I am a shareholder at Shimoda & Rodriguez Law, PC. My law firm is a boutique  
17 law practice that focuses primarily on employment litigation, emphasizing wage and hour  
18 litigation. I attended and graduated college from U.C. Davis, receiving a Bachelor of Arts in  
19 Philosophy and the Departmental Citation for Academic Achievement in the Philosophy  
20 program. I was one of only two recipients of this award out of the entire Philosophy Department.  
21 After U.C. Davis, I attended the University of the Pacific, McGeorge School of Law, graduating  
22 in 2011 and receiving a Juris Doctorate. I graduated in the top 20% of my class and was a  
23 member of the Traynor Honor Society at McGeorge. Other academic achievements of mine  
24 include receiving a Witkin Award (top grade) in my legal research and writing course, a Witkin  
25 Award in complex civil litigation, being a member of the Dean’s List from 2008 to 2011, being a  
26 Legislative Staff Writer for the *McGeorge Law Review* from 2009–2010, being an Associate  
27 Comment Editor for the *Pacific McGeorge Global Business & Development Law Journal* from  
28 2010–2011, and being selected as a Sacramento County Bar Association Diversity Fellow in

2009. I was also a member of the Employment and Labor Law Society and an officer for the Latino Law Students Association from 2009 to 2010.

5. I have been practicing law since 2011. From 2011 to 2016, I worked with the Shimoda Law Corp. as an Associate. I became a Shareholder/Partner in the firm in 2017. Shimoda Law Corp. became Shimoda & Rodriguez Law, PC, in 2022. Since 2017, I have received an AV Preeminent rating from Martindale-Hubbell for my legal ability and ethical standards. From 2018 to present, I have been recognized as a Super Lawyer (Rising Star). I have been a panel speaker and presented a number of seminars covering issues in wage and hour litigation in general and complex class and PAGA litigation in particular. These engagements include the following: (1) *Epic Systems*, PAGA, and the Future of Employment Arbitration in California (Sacramento County Bar Assoc., Sept. 2018); (2) Class Actions and PAGA Claims (Assoc. of Defense Counsel of Northern California & Nevada, Jul. 2020); (3) Mediation: The Experienced Trial Lawyers Perspective (Sacramento County Bar Assoc., Sept. 2020); (4) How to Become a Pivotal Part of Any Wage and Hour Practice Group (Sacramento County Bar Assoc., Mar. 2021); (5) Emerging Trends and Issues Relating to Arbitration and PAGA Claims in a Post-*Viking River Cruises* World (Sacramento County Bar Assoc., Nov. 2022). I was elected to the Sacramento County Bar Association Labor and Employment Law Section's executive committee in 2019 and was the Chair of the executive committee for 2022. I have also been a member of the Presiding Judge Civil Law Advisory Committee for Sacramento County Superior Court since August 2020. My practice focuses on complex civil litigation, including wage and hour class actions, PAGA claims, and Fair Labor Standards Act ("FLSA") claims. I am actively involved in most all of the complex litigation handled by our firm. Class and/or PAGA actions I have litigated or am currently litigating, including the instant case, includes, but is not limited to, the following:

- *Aanerud v. Neumann Ltd., et al.*, Case No. 34-2014-00169324 (Sac. Sup. Ct.);
- *Adams-Anguy v. Placer Title Company, et al.*, Case No. SCV0040845 (Placer Sup. Ct.);
- *Adewumi v. GHS Interactive Security, LLC*, Case No. 34-2017-00210768 (Sac. Sup. Ct.);
- *Arrington v. Capital Express Lines, Inc., et al.*, Case No. 34-2012-00134195 (Sac. Sup. Ct.);

- 1 • *Aslam v. American Custom Private Security, Inc.*, Case No. STK-CV-UOE-2018-0012080  
2 (San Joaquin Sup. Ct.);
- 3 • *Aslam v. Cypress Security, LLC*, Case No. 34-2017-00220143 (Sac. Sup. Ct.);
- 4 • *Aslam v. Surveillance, Security, Inc.*, Case No. 34-2017-00220142 (Sac. Sup. Ct.);
- 5 • *Azzolino v. Brake Masters of Sacramento, LLC, et al.*, Case No. 34-2017-00218293 (Sac.  
6 Sup. Ct.);
- 7 • *Barkhausen v. Bank of Stockton*, Case No. STK-CV-UOE-2019-17145 (San Joaquin Sup.  
8 Ct.);
- 9 • *Benak v. MDStat Urgent Care, Inc.*, Case No. 34-2015-00188181 (Sac. Sup. Ct.);
- 10 • *Bigornia v. Quest Diagnostics Clinical Laboratories, Inc., et al.*, Case No. 34-2019-  
11 00271174 (Sac. Sup. Ct.);
- 12 • *Blig v. Medical Management International, Inc.*, Case No. 34-2017-00213906 (Sac. Sup.  
13 Ct.);
- 14 • *Caguioa, et al. v. Fortune Senior Enterprises, et al.*, Case No. 34-2014-00171831 (Sac.  
15 Sup. Ct.);
- 16 • *Camacho, et al. v. Z Street, Inc., d.b.a. Tower Café, et al.*, Case No. 34-2014-00163880  
17 (Sac. Sup. Ct.);
- 18 • *Castorena v. Flowmaster, Inc.*, Case No. CV18-2191 (Yolo Sup. Ct.);
- 19 • *Cannon v. Miller Event Management, Inc., et al.*, Case No. 34-2014-00168103 (Sac. Sup.  
20 Ct.);
- 21 • *Carr, et al. v. CableCom, LLC*, Case No. 34-2017-00212739 (Sac. Sup. Ct.);
- 22 • *Chace v. Daisy Holdings, LLC, dba Pine Creek Care Center, et al.*, Case No. 34-2017-  
23 00209613 (Sac. Sup. Ct.);
- 24 • *Clamens-Hollenback v. Atterro, Inc.*, Case No. 17-CV-305535 (Santa Clara Sup. Ct.);
- 25 • *Cress, et al. v. Mitsubishi Chemical Carbon Fiber and Composites, Inc.*, Case No. 34-2017-  
26 00222101 (Sac. Sup. Ct.);
- 27 • *De Arcos v. Amware Pallet Services, LLC*, Case No. CV-17-629 (Yolo Sup. Ct.);
- 28 • *Ferreyra v. Point Digital Finance, Inc., et al.*, Case No. 20CV373776 (Santa Clara Sup.

- 1 Ct.);
- 2 • *Foye v. The Golden 1 Credit Union*, Case No. 34-2018-00235003 (Sac. Sup. Ct.);
- 3 • *Garcia v. A-L Financial Corp.*, Case No. 34-2014-00171831 (Sac. Sup. Ct.);
- 4 • *Garcia v. Royal Plywood Company, LLC, et al.*, Case No. 34-2017-00221627 (Sac. Sup.
- 5 Ct.);
- 6 • *Gomes v. Progressive Casualty Insurance Company*, Case No. 34-2018-00241979 (Sac.
- 7 Sup. Ct.);
- 8 • *Gomez v. Mayflower Farms Incorporated, et al.*, Case No. CV24157 (Colusa Sup. Ct.);
- 9 • *Gilliam v. Matrix Energy Services, Inc.* Case No. RG 11592345 (Alameda Sup. Court);
- 10 • *Gonzalez v. Northcentral Pizza, LLC, et al.*, Case No. 34-2019-00252018 (Sac Sup. Ct.);
- 11 • *Gordon, et al. v. Hospice Source, LLC, et al.*, Case No. 34-2019-00250022 (Sac. Sup. Ct.);
- 12 • *Gotts v. John L. Sullivan Chevrolet, Inc.*, Case No. 34-2018-00231576 (Sac Sup. Ct.);
- 13 • *Hartwell v. Techforce Telecom, Inc.*, Case No. 39-2014-00307197 (San Joaquin Sup. Ct.);
- 14 • *Hellum v. A1 Protective Services, LLC, et al.*, Case No. 34-2018-00234449 (Sac. Sup. Ct.);
- 15 • *Hercules v. Maximus Services, LLC, et al.*, Case No. 34-2019-00268385 (Sac Sup. Ct.);
- 16 • *Hernandez v. Snyir, Inc.*, Case No. 34-2017-00207641 (Sac. Sup. Ct.);
- 17 • *Heinz v. Wright Tree Services*, Case No. 34-2012-00131949 (Sac. Sup. Ct.);
- 18 • *Hoover v. Mom365*, Case No. 2:17-cv-01328-TLN-CKD (E.D. Cal.);
- 19 • *Insixiengmay v. Hyatt Corporation, et al.*, Case No. 2:18-cv-02993-TLN-DB (E.D. Cal.);
- 20 • *Josol v. Dial Medical Corp.*, Case No. 34-2008-00010040 (Sac. Sup. Ct.);
- 21 • *McMahon v. Airco Mechanical, Inc.*, Case No. 34-2019-00259269 (Sac. Sup. Ct.);
- 22 • *Muhieddine v. KBA Docusys, Inc.*, Case No. 34-2014-00164720 (Sac. Sup. Ct.);
- 23 • *Nguyen v. Cardinal Health Pharmacy Services, LLC, et al.*, Case No. 2:19-cv-01939-KJM-
- 24 EFB (E.D. Cal.);
- 25 • *Prasad v. D. G. Smith Enterprises, Inc.*, Case No. 34-2017-00215046 (Sac. Sup. Ct.);
- 26 • *Ralston v. JMJ Incorporated, Inc. et al.*, Case No. 34-2017-00217047 (Sac. Sup. Ct.);
- 27 • *Roberts v. CableCom, LLC*, Case No. 34-2017-00212739 (Sac. Sup. Ct.);
- 28 • *Robinson v. West of Chicago Restaurants, Inc., dba Chicago Fire*, Case No. 34-2010-

- 1           00082201 (Sac Sup. Ct.);
- 2           • *Salas, et al. v. Joint Ventures, LLC, et al.*, Case No. 34-2018-00227493 (Sac. Sup. Ct.);
- 3           • *Salmon v. Ovarions Fanfare, L.P., et al.*, Case No. 34-2018-00244749 (Sac. Sup. Ct.);
- 4           • *Scarano v. J.R. Putman, Inc.*, Case No. 34-2018-00244753 (Sac. Sup. Ct.);
- 5           • *Smith v. Greyhound Lines, Inc.*, Case No. 34-2017-00219188 (Sac. Sup. Ct.);
- 6           • *Sullivan v. National Response Corporation*, Case No. 34-2018-00244757 (Sac. Sup. Ct.);
- 7           • *Talent v. Leslie's Poolmart, Inc.*, Case No. 34-2012-00128539 (Sac. Sup. Ct.);
- 8           • *Thornton v. McConnell Jones Lanier & Murphy LLP*, Case No. No. 34-2017-00211553
- 9           (Sac. Sup. Ct.);
- 10          • *Watson v. Quarter At A Time, LLC*, Case No. 34-2017-00217570 (Sac. Sup. Ct.); and
- 11          • *Willis v. Premier Pools, Incorporated*, Case No. 34-2017-00211710 (Sac. Sup. Ct.).

12          6.       The preceding list does not include those cases where, for various reasons, the

13 case was filed as a class action and/or PAGA action, but did not maintain that status through the

14 end of the case.

15          7.       My partner, Galen T. Shimoda, Esq., worked with me on this matter and was

16 critical in assisting with all aspects of the litigation of this case. Mr. Shimoda and I are some of

17 only a handful of plaintiff attorneys located in Sacramento who handle wage and hour class

18 actions. Mr. Shimoda attended and graduated from the University of Utah in 2000 with a B.S. in

19 Business Management and a B.A. in Asian Studies, with a minor in Japanese language. He then

20 attended and graduated from the University of the Pacific, McGeorge School of Law and

21 received his J.D. degree in 2003. He graduated from McGeorge in the top 5% of his class and

22 was a member of the Order of the Coif and Traynor Honor Society. Since graduating from

23 McGeorge, Mr. Shimoda has authored a number of employment law articles for journals and our

24 firm regularly publishes articles on our firm's website. Mr. Shimoda has been a regular panel

25 speaker for the CEB (Continuing Education of the Bar) Employment Review seminars from 2014

26 to the present. His speaking engagements include the following: 1) Lorman Military Leave Law

27 Speaker; 2) Restaurant Association Speaker at Annual Seminar (Los Angeles); 3) Federal Bar

28 Association, Sacramento Chapter: 2015 Amendments to the Federal Rules of Civil Procedure

(Mar. 30, 2016); 4) CEB – Employment Law Practice: 2016 Year in Review (Jan. 20, 2017); 5) CEB – Employment Law Practice: 2015 Year in Review (Jan. 22, 2016); 6) CEB – Employment Law Practice: Year in Review (2014) (Jan. 9, 2015); 7) CEB - Employment Law Practice: Year in Review (2013) (Jan. 10, 2014); 8) Sacramento County Bar Association - Class Actions from the Trenches: Real World Experiences from the Plaintiff and Defense Bar (Feb. 21, 2012); 9) Sacramento Employer Advisory Council – Wage and Hour Workshop: Going Beyond the Exemption Discussion (Apr. 7, 2016); 10) Sacramento Employer Advisory Council - Wage & Hour Panel and AB 1825 Training: Updates on California’s New Wage Laws and Manager Compliance Training (Apr. 25, 2017); 11) Sacramento County Bar Association, Labor and Employment Section – PAGA Representative Litigation: Emerging Trends and Issues (May 17, 2016); 12) Sacramento Business Journal Panel – Overtime Rules (Jun. 23, 2016); 13) Association of Defense Counsel of Norther California & Nevada - Employment Law Update – Do the Math: Calculation Exposure and Damages in Wage and Hour Cases (Aug. 12, 2016); 14) California Employment Lawyers Association - PAGA Today and PAGA Tomorrow: Moderate-Advanced Issues In PAGA Litigation (Oct. 20, 2017); 15) California Employment Lawyers Association Advanced Wage and Hour Seminar – Better Know a Venue Roundup (May 17, 2019). Mr. Shimoda has been AV rated by Martindale Hubbell since 2013, was recognized as a Super Lawyer (Rising Star) from approximately 2009 to 2013 and was recognized as a Super Lawyer from 2014 to present.

8. Mr. Shimoda has practiced law in California since being admitted to the State Bar in 2003, litigating wage and hour class actions and individual wage and hour litigation among other cases. Mr. Shimoda began practicing class action law on the defense side at the firm of Orrick, Herrington & Sutcliffe LLP. He then switched to plaintiff class action work in 2005. His class action experience is in wage and hour law. Mr. Shimoda has litigated several class action cases in California State and Federal Courts, including up to certification, settlement, preliminary and final approval, and disbursement of monies, and has been found to be satisfy the adequacy requirements for class counsel. Some of the class action and/or PAGA cases he is litigating and/or has litigated as lead or co-counsel include the following:

- *Aanerud v. Neumann Ltd., et al.*, Case No. 34-2014-00169324 (Sac. Sup. Ct.);
- *Acosta v. Acosta Sales, LLC, et al.*, Case No. 2:11-CV-01796 (C.D. Cal.);
- *Atchley v. Blaggs Food Service, LLC*, 34-2017-0215930 (Sac. Sup. Ct.);
- *Adewumi v. GHS Interactive Security, LLC*, Case No. 34-2017-00210768 (Sac. Sup. Ct.);
- *Arnall v. North American Merchandising Service Inc.*, Case No. 06AS01439 (Sac. Sup. Ct.);
- *Arrington v. Capital Express Lines, Inc., et al.*, Case No. 34-2012-00134195 (Sac. Sup. Ct.);
- *Aslam v. Cypress Security, LLC*, Case No. 34-2017-00220143 (Sac. Sup. Ct.);
- *Aslam v. Surveillance, Security, Inc.*, Case No. 34-2017-00220142 (Sac. Sup. Ct.);
- *Azzolino v. Brake Masters of Sacramento, LLC, et al.*, Case No. 34-2017-00218293 (Sac. Sup. Ct.);
- *Benak v. MDStat Urgent Care, Inc.*, No. 34-2015-00188181 (Sac. Sup. Ct.);
- *Blig v. Medical Management International, Inc.*, Case No. 34-2017-00213906 (Sac. Sup. Ct.);
- *Caguioa, et al. v. Fortune Senior Enterprises, et al.*, Case No. 34-2014-00171831 (Sac. Sup. Ct.);
- *Camacho, et al. v. Z Street, Inc., d.b.a. Tower Café, et al.*, Case No. 34-2014-00163880 (Sac. Sup. Ct.);
- *Carlos v. Abel Mendoza, Inc., et al.*, Case No. 34-2016-00195806 (Sac. Sup. Ct.);
- *Cannon v. Miller Event Management, Inc., et al.*, Case No. 34-2014-00168103 (Sac. Sup. Ct.);
- *Carr et al. v. CableCom, LLC*, Case No. 34-2017-00212739 (Sac. Sup. Ct.);
- *Chace v. Daisy Holdings, LLC, dba Pine Creek Care Center, et al.*, Case No. 34-2017-00209613 (Sac. Sup. Ct.);
- *Clamens-Hollenback v. Atterro, Inc.*, Case No. 17-CV-305535 (Santa Clara Sup. Ct.);
- *Colbert v. American Home Craft Inc.*, Case No. 05AS05012 (Sac. Sup. Ct.);
- *De Arcos v. Amware Pallet Services, LLC*, Case No. CV-17-629 (Yolo Sup. Ct.);
- *Diosdado v. Nor-Cal Venture Group, Inc., et al.*, Case No. STK-CV-UOE-2020-0008242

- 1 (San Joaquin Sup. Ct.);
- 2 • *Dugue v. Sierra Forever Families, et al.*, Case No. 34-2017-00210770 (Sac. Sup. Ct.);
- 3 • *Fadhl v. Siemens Healthcare Diagnostics, Inc., et al.*, Case No. 34-2017-00209518 (Sac.
- 4 Sup. Ct.);
- 5 • *Fujimoto v. Nabe-Ya, Inc., et al.*, Case No. 20CV01255 (Butte Sup. Ct.);
- 6 • *Garcia v. A-L Financial Corp.*, Case No. 34-2014-00171831 (Sac. Sup. Ct.);
- 7 • *Gerard v. Les Schwab Tires Center of California, Inc.*, Case No. 34-2007-30000003 (Sac.
- 8 Sup. Ct.);
- 9 • *Gomez v. Mayflower Farms Incorporated, et al.*, Case No. CV24157 (Colusa Sup. Ct.);
- 10 • *Gilliam v. Matrix Energy Services, Inc.* Case No. RG 11592345 (Alameda Sup. Court);
- 11 • *Hartwell v. Techforce Telecom, Inc.*, Case No. 39-2014-00307197 (San Joaquin Sup. Ct.);
- 12 • *Hernandez et al. v. MP Nexlevel, LLC et al*, Case No. 3 :16-cv-03015-JCS (N.D. Cal.);
- 13 • *Hernandez v. Snyir, Inc.*, Case No. 34-2017-00207641 (Sac Sup. Ct.);
- 14 • *Heinz v. Wright Tree Services*, Case No. 34-2012-00131949 (Sac. Sup. Ct.);
- 15 • *Hoover v. Mom365*, Case No. 2:17-cv-01328-TLN-CKD (E.D. Cal.);
- 16 • *James v. Language World Services, Inc., et al.*, Case No. 34-2020-00279929 (Sac. Sup.
- 17 Ct.);
- 18 • *Josol v. Dial Medical Corp.*, Case No. 34-2008-00010040 (Sac. Sup. Ct.);
- 19 • *Koretsky v. Furniture USA, Inc.*, Case No. 34-2014-00172142 (Sac. Sup. Ct.);
- 20 • *Muhieddine v. KBA Docusys, Inc.*, Case No. 34-2014-00164720 (Sac. Sup. Ct.);
- 21 • *Massey v. V3 Electric, Inc., et al.*, Case No. 34-2019-00263666 (Sac. Sup. Ct.);
- 22 • *Miller v. Caldwell Transportation Company, LLC, et al.*, Case No. 34-2018-00234954 (Sac.
- 23 Sup. Ct.);
- 24 • *Miller v. Leaders in Community Alternatives*, Case No. FCSO47249 (Solano Sup. Ct.);
- 25 • *Pickens v. Elica Health Centers*, Case No. 34-2016-00200382 (Sac. Sup. Ct.);
- 26 • *Prasad v. D. G. Smith Enterprises, Inc.*, Case No. 34-2017-00215046 (Sac. Sup. Ct.);
- 27 • *Ralston v. JMJ Incorporated, Inc. et al.*, Case No. 34-2017-00217047 (Sac. Sup. Ct.);
- 28 • *Rickwalt v. Direct Reconditioning, LLC, et al.*, Case No. 34-2015-00175642 (Sac. Sup. Ct.);

- 1 • *Robinson v. West of Chicago Restaurants, Inc., dba Chicago Fire*, Case No. 34-2010-  
2 00082201 (Sac Sup. Ct.);
- 3 • *Rogers v. Les Scwhab Tires Center of California, Inc.*, Case No. 34-2009-00066320 (Sac.  
4 Sup. Ct.);
- 5 • *Schechter et al. v. Isys Solutions, Inc.*, Case No. RG10550517 (Alameda Sup. Ct.);
- 6 • *Smith v. Greyhound Lines, Inc.*, Case No. 34-2017-00219188 (Sac. Sup. Ct.);
- 7 • *Talent v. Leslie's Poolmart, Inc.*, Case No. 34-2012-00128539 (Sac. Sup. Ct.);
- 8 • *Thornton v. McConnell Jones Lanier & Murphy LLP*, Case No. No. 34-2017-00211553  
9 (Sac. Sup. Ct.);
- 10 • *Valencia v. Lowbrau Bier Garten, LLC, et al.*, Case No. 34-2019-00258038 (Sac. Sup. Ct.);
- 11 • *Watson v. Quarter At A Time, LLC*, Case No. 34-2017-00217570 (Sac. Sup. Ct.);
- 12 • *Williams v. Civic Development Group*, Case No. 06AS00267 (Sac. Sup. Ct.); and
- 13 • *Willis v. Premier Pools, Incorporated*, Case No. 34-2017-00211710 (Sac. Sup. Ct.).

14 9. The preceding list of cases does not include those where, for a variety of reasons,  
15 the case was initially filed as a class and/or PAGA action, but did not maintain that status through  
16 the end of the case.

17 10. My associate, Renald Konini, Esq., also worked with me on this case. In May  
18 2011, Mr. Konini graduated from Seton Hall University School of Law. Prior to moving to  
19 California, he practiced law in New Jersey. While working for my firm, Mr. Konini has worked  
20 on a variety of individual and class action cases, including those involving wage and hour claims,  
21 Private Attorney General Act claims, wrongful termination claims, discrimination claims,  
22 retaliation claims, and harassment claims. Mr. Konini passed the July 2016 California Bar  
23 Examination and started practicing as an associate at my firm from approximately April 2019 to  
24 February 2021 and rejoined my firm in September 2022. Mr. Konini has worked on discovery in  
25 complex wage and hour class action and representative action cases, including defending  
26 depositions, drafting written discovery, calculating class wide damages and civil penalties under  
27 the PAGA, interviewing class members, drafting briefs and arguing law and motion matters, and  
28 corresponding with opposing counsel regarding merits, certification, and damages issues. Mr.

1 Konini worked on other class and/or PAGA wage and hour actions that my firm has filed, namely  
2 *Bertelli v. Air Products and Chemicals, Inc.*, Case No. 34-2018-00236898, *Carr v. Howroyd-*  
3 *Wright Employment Agency, Inc.*, Case No. 34-2018-00228290, *Gomez v. Vander Schaaf Dairy,*  
4 *et al.*, Case No. STK-CV-UOE-2020-0003954, *Haggins v. Kelly Services, Inc.*, Case No. 34-  
5 2017-00220473, *Hussaini v. Integrated Resources, Inc.*, *et al.*, Case No. 34-2021-00297152. Mr.  
6 Konini's practice largely revolves around wage and hour matters, including PAGA claims.

7 11. As set forth in my declaration in support of preliminary approval, our office spent  
8 substantial amounts of time litigating the case and analyzing the claims to ensure any potential  
9 settlement appropriately compensated Class Members given the facts of the case. The review  
10 included analyzing all issues relating to the merits, damages, and potential for class certification.  
11 Plaintiffs' counsel coordinated our efforts and independent investigations to ensure a thorough  
12 investigation took place. For my office, my partner, Galen T. Shimoda, my associate, Renald  
13 Konini, our paralegal, and myself, along with Plaintiff Carleton Edwards' assistance, thoroughly  
14 investigated the merits of the claims and potential damages for such claims. The parties engaged  
15 in informal discovery and exchange of documents, including a representative sampling of  
16 employee data, such as timecards and payroll data, and relevant policies for the entirety of the  
17 statute of limitations applicable to the alleged claims. From this production and Plaintiffs'  
18 counsel's independent investigations, we were able to assess the implementation of the wage and  
19 hour policies at issue, assess issues relating to manageability concerns at trial, and determine  
20 information critical to a reliable damages analysis.

21 12. In total, my firm will have worked approximately 237.7 hours on this matter,  
22 which includes approximately 10 additional hours for myself in preparing for and attending the  
23 final approval hearing and carrying out the terms of the Agreement through a compliance  
24 hearing. I have reviewed our firm's billing records with Mr. Shimoda and Mr. Konini and we  
25 have created a summary chart showing the task categories and hours worked by each billing  
26 attorney in each category. A true and correct copy of this summary chart is attached to this  
27 declaration as Exhibit A. In reviewing the entries with Mr. Shimoda and Mr. Konini I believe the  
28 hours reported are accurate. To the extent we believe it appropriate to do so in any given

assignment, we attempt to assign tasks to the billing attorney with the lower rate in order to reduce costs that otherwise might inhibit the likelihood a case will resolve. Our firm uses billing software, which tracks the entries by day and time. Our billing software also records time in 1/10 of an hour increments. Our billing software also enables the use of a start/stop timer that can be used to more accurately record how long a particular task takes. A summary of the entries in Exhibit A by timekeeper is as follows:

| <u><b>Timekeeper</b></u> | <u><b>Hours</b></u> | <u><b>Rate</b></u> | <u><b>Lodestar</b></u> |
|--------------------------|---------------------|--------------------|------------------------|
| Galen T. Shimoda         | 54.6                | \$725              | \$39,585.00            |
| Justin P. Rodriguez      | 146.5               | \$625              | \$91,562.50            |
| Renald Konini            | 36.6                | \$425              | \$15,555.00            |
| <b>Total:</b>            | <b>237.7</b>        |                    | <b>\$146,702.50</b>    |

13. I believe our hourly rates are also reasonable and in line with prevailing market rates. Mr. Konini, myself, and Mr. Shimoda have approximately 8 years, 12 years, and 19 years of experience, respectively, litigating complex wage and hour class and PAGA actions. We have also been approved at these rates by the Sacramento County Superior Court as of November 2022. *See Strawn v. Bridgestone Retail Operations, LLC*, Case No. 34-2018-00242049 (Sac. Sup. Ct.). Mr. Konini was approved at his requested rate in connection with a wage and hour class action in Sacramento County Superior Court in January 2023. *See Kee, et al. v. Dr. Jeffrey A. Saladin, Dental Corporation (D/B/A Children's Choice Pediatric Dental Care), et al.*, Case No. 34-2020-00290072. Awarding fees at the hourly rate in effect at the time of the fee request is an appropriate and judicially approved method. *See Missouri v. Jenkins by Agyei*, 491 U.S. 274, 283 (1989). I believe awarding the full requested fee amount is justified given the results obtained on behalf of the class and the lodestar cross check.

14. Our costs incurred to date and the costs expected to be incurred through a compliance hearing for this matter are \$6,225.26. A true and correct copy of my firm's itemized costs are attached to this declaration as Exhibit B. These costs were all incurred in the furtherance of litigating this matter for the benefit of Class Members and should be reimbursed.

15. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 11, 2023, in Sacramento, California.

  
Justin P. Rodriguez

# Exhibit A

| <b><u>TASK CATEGORY</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  | <b><u>GTS</u></b> | <b><u>JPR</u></b> | <b><u>RK</u></b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|-------------------|-------------------|------------------|
| <b><u>Pre-filing investigation, Pleadings, Admin Exhaustion, and Related Law &amp; Motion.</u></b> Includes time spent during initial client meetings and review of claims and documents; Pre-filing investigation/research; Review of payroll records and prior filings against Defendant; Drafting pleadings, notices, administrative filings; Reviewing and responding to pleadings and court filings; Communications with opposing counsel, co-counsel, and client regarding same, internal SRL communications regarding same, and communications with client regarding same.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  | <b>17.6</b>       | <b>20.9</b>       | <b>1.9</b>       |
| <b><u>Case Review, Management, Strategy Meetings, Dispositive Motions.</u></b> Includes time spent discussing general plan of action updates and strategies in weekly meetings; Research and analysis regarding claim elements and issues affecting representative litigation; Preparing for case management conferences and related meet/confer, drafting of statements, and attendance for hearings; Reviewing minute orders and general correspondence from the Court regarding case management and assignments; Research regarding JCCP coordination proceedings, motion for summary judgment/adjudication and/or certification; Coordinating joint prosecution of claims; Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same.                                                                                                                                                                                                                                             |  |  |  | <b>11.6</b>       | <b>23.6</b>       | <b>10.4</b>      |
| <b><u>Discovery (Pre-Mediation/Non-Mediation Related), Related Law &amp; Motion, and Hearings.</u></b> Includes time spent preparing discovery requests, Belaire Notice, and Protective Order; Research regarding pending cases and/or prior cases/settlements against & with Defendant, their procedural status, and their impact on claims; Document review and analysis; Seek out witnesses for interviews and obtaining declarations; Review public records requests regarding prior labor commissioner filings and prior wage and hour Lawsuits and alternative workweek elections; Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same.                                                                                                                                                                                                                                                                                                                                   |  |  |  | -                 | <b>5.7</b>        | -                |
| <b><u>Discovery / Investigation for Mediation.</u></b> Includes time spent preparing informal specifically geared towards mediation; reviewing informal mediation productions, including data, analyses, documents, and public records; Analyze class sample and review damages analysis; Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |  | <b>7.1</b>        | <b>16</b>         | <b>4.2</b>       |
| <b><u>Mediation / Settlement Conference / Direct Negotiations.</u></b> Includes time spent reviewing/revising mediation brief and accompanying exhibits; Review documents productions for potential exhibits; Preparing for and attending mediation; Legal research relating to issues on day of mediation; Direct negotiations with opposing counsel regarding global mediation and consolidating pending lawsuits for approval proceedings; Preparing working draft of MOU; Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same.                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  | <b>4.5</b>        | <b>16.2</b>       | <b>1.3</b>       |
| <b><u>Drafting Settlement Agreements.</u></b> Includes time spent preparing long form agreement and exhibits, revisions relating thereto; Research regarding any approval procedures or issues regarding disputed terms; Review settlement administrator bids; Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  | <b>2.4</b>        | <b>25.4</b>       | -                |
| <b><u>Settlement Approval and Administration.</u></b> Includes time spent drafting motion for preliminary approval and supporting declarations and order; Class data and settlement calculation review for Kullar analysis; Speaking with settlement administrator regarding calculations, distributions, and escalator trigger issues; Pull filings for web address access and confirm all required filings posted; Review/revise class notice to conform with Court's orders; Review mailing notice reports from settlement administrator; Respond to class member calls and inquiries regarding the settlement; Review/Revise Motion for Final Approval and draft supporting declaration and exhibits relating thereto; Legal research regarding approval issues. Communications with opposing counsel, co-counsel, and client regarding same, internal communications at SRL regarding same. Includes estimated 10 hours for JPR supervising final distributions and compliance with Court final approval order and attending compliance hearings. |  |  |  | <b>11.4</b>       | <b>38.7</b>       | <b>18.8</b>      |
| <b>TOTAL:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  | <b>54.6</b>       | <b>146.5</b>      | <b>36.6</b>      |

# Exhibit B

| Date        | Description                                                                                                   | Amount     |
|-------------|---------------------------------------------------------------------------------------------------------------|------------|
| 1/19/2022   | Administration/Copy Fee - Phone, Fax, Scan, Copying, Non-Certified/Courier Postage, Lexis Legal Research Fees | \$500.00   |
| 1/31/2022   | Payment to LWDA - PAGA Filing Fee                                                                             | \$75.00    |
| 1/31/2022   | Certified Mail - Private Attorney General Act Letter to Employer                                              | \$4.28     |
| 2/2/2022    | Service Fee to Court - Complaint                                                                              | \$40.00    |
| 2/2/2022    | Payment to Court - Complaint Fee Superior Court                                                               | \$435.00   |
| 3/17/2022   | One Legal Service Fee - Service of Complaint on Employer                                                      | \$35.00    |
| 6/7/2022    | One Legal Service Fee - Stipulation to Amend                                                                  | \$99.35    |
| 6/16/2022   | One Legal Service Fee - Amended Complaint                                                                     | \$78.76    |
| 8/17/2022   | One Legal Service Fee - Joint Case Management Statement                                                       | \$61.26    |
| 9/27/2022   | One Legal Service Fee - Notice of Association of Counsel                                                      | \$61.26    |
| 10/4/2022   | Mediator Fee                                                                                                  | \$3,000.00 |
| 2/7/2023    | One Legal Service Fee - Joint Case Management Statement                                                       | \$61.26    |
| 3/6/2023    | One Legal Service Fee - Stipulation to Amend                                                                  | \$129.97   |
| 3/16/2023   | One Legal Service Fee - Second Amended Complaint                                                              | \$78.76    |
| 6/5/2023    | One Legal Service Fee - Preliminary Approval Motion Court fee \$60, filing fee \$360.55                       | \$420.55   |
| 6/20/2023   | One Legal Service Fee - Joint case management statement order 20564814                                        | \$61.26    |
| 12/7/2023   | Payment to Court - Complex Fee                                                                                | \$1,000.00 |
| Anticipated | One Legal Service Fee - Filing Compliance Declaration                                                         | \$61.26    |

**Total: \$6,225.26**