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Attorneys for Plaintiff, JONATHAN ELIAS,
on behalf of himself and all others similarly situated,

Additional Plaintiffs' Counsel on Next Page

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

JONATHAN ELIAS, on behalf of himself
and all other similarly situated aggrieved
employees,

Plaintiffs,

v.

TMONE, LLC d/b/a "Mass Markets, Inc.," a
Delaware limited liability company;
MARLOWE COMPANIES INC. also
known as "MCI" d/b/a "Mass Markets,
Inc.," a California entity, form unknown;
and DOES 1 to 10, inclusive,

Defendants.

CLASS ACTION

Case No.: 37-2022-00032324-CU-OE-CTL

**DECLARATION OF RAPHAEL A.
KATRI IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Preliminary Approval Hearing:

Date: June 28, 2024

Time: 8:30 a.m.

Dept: C-74

Honorable Blaine K. Bowman
Department C-74

Action filed: August 12, 2022
Trial Date: None Set

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Additional Counsel for Plaintiffs:

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Attorneys for Plaintiff GRACIE RODRIGUEZ, on
behalf of herself and all others similarly situated

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DECLARATION OF RAPHAEL A. KATRI IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT

I, Raphael A. Katri, declare:

1. I am an attorney licensed to practice before all courts of the State of California. I am co-counsel for the Plaintiff Jonathan Elias herein and have personal knowledge of the facts thereto.

2. I graduated from the University of California at Los Angeles in 1999 with a degree in Sociology. I graduated from Loyola Law School of Los Angeles in 2002. I am currently the principal attorney in The Law Offices of Raphael A. Katri in Los Angeles. I am an attorney duly licensed to practice law in the States of California, Texas, New York, Washington and Michigan, and am a member in good standing with the Bar of this Court.

3. My firm has been involved in multiple favorable appellate court decisions which have been very important in wage and hour class action law. These appellate decisions include the following cases:

a. Vaquero v. Ashley Furniture Industries Inc. 824 F.3d 1150, 2016 WL 3190862 (9th Cir. June 8, 2016) (limits the impact of *Wal-Mart v. Dukes* (2011) 564 U.S. 338 with respect to the issue of commonality, limits the impact of *Comcast v. Behrend* (2013) 133 S.Ct. 1426 with respect to predominance and underscores the 9th Circuit rule that the need for individualized finding with respect to damages does not defeat class certification); and

b. Vaquero v. Ashley Furniture Industries Inc. (2017) 9 Cal.App.5th 98 (expands the impact of *Bluford v. Safeway Stores, Inc.* (2013) 216 Cal.App.4th 864 to commissioned employees for the first time; they must be separately compensated for rest breaks).

4. Declarant is a very experienced class action counsel, including specializing in the area of wage and hour issues. Some of the class action and wage and hour litigation on which I have served as co-Class Counsel are as follows: *Hernandez, et al v. Tyco International (US), Inc., et al.* (Case No. BC315749), *Enterprise Wage and Overtime Cases*, (Consolidated Case No.

JCCP 4417), Tejeda, et al. v. La-Z-Boy Inc. (Case No. CIVDS1311851), Pandey v. Sheridan Assisted Living, Inc. (Case No. BC519461), Lukasik v. Design Within Reach, Inc. (Case No. BC528661), Montalvo v. Swift Transportation Corp. (Case No. 37-2011-00094313-CU-OE-CTL), Terrazas v. Avanti Agency Corp. (Case No. RIC1409978), Thomas v. Universal Home Care, Inc. (Case No. BC600623), Vaquero v. Stoneledge Furniture LLC (Case No. BC522676), Sforza v. Go Wireless, Inc. (Case No. BC636573), Jesus Lopez v. InTouch Mobile (Case No. BC619823), Garcia v. General Coatings Corporation (Case No. 37-2016-00041617-CU-OE-CTL), Jose Balbastro v. Premier Insurance Services, Inc. (Case No. 37-2018-00023269-CU-OE-CTL), Loughrie v. Target Corporation (Case No. CIVDS1804580), Bennett v. Alorica, Inc. (Case No. 30-2018-00997257-CU-OE-CXC), Chacon v. Exel, Inc. (Case No. CIVDS1721284), Gonzalez v. CVS Pharmacy, Inc. (Case No. 30-2017-00951164-CU-OE-CXC), Bell v. CEVA Logistics U.S., Inc. (Case No. Case No.: 5:19-cv-00352-SVW (KK)), Salgado v. T-Mobile USA, Inc. (Case No.: 1:17-cv-00339-JLT), Suazo v. Leslie's Poolmart, Inc. (Case No. RIC185126), Woods v. Fresno Valves & Castings, Inc. (Case No.: 16CECG01134), Cahilig v. Ikea U.S. Retail, LLC (Case No.: 2:19-cv-01182), Elayda v. Physassist Scribe, Inc. (Case No.: CIVDS 2002023), Mier v. Mainfreight, Inc. (Case No.: 19STCV04465), McLucas v. Michael's Store Procurement Company, Inc. (Case No.: BC720953), Partida v. Fleetpride, Inc. (Case No.: 20STCV15187), Larry Lucas Lee v. Metal Sales Manufacturing Corporation (Case No.: CV2020-1643), Bonafort v. Sticker Mule LLC (Case No.: 1:20-cv-01222), Rankins v. ATV, Inc. (Case No.: 19STCV24428), Vivian Ly v. Prime Comms Retail, LLC (Case No. 34-2020-00281668), McClanahan v. CIK Power Distributors, LLC (Case No.: 20STCV00307) and Juarez v. Schenker (Case No. RIC1818680), Jarvis Patterson v. Budget Wireless California LLC (Case No.: BC719426), Gogerty v. Atlas Lift Tech, Inc. (Case No.: CVCV21-01088), Quintero v. Ready Pac Foods, Inc. (Case No.: 20PSCV00586), Rushworth v. Wineshipping.com LLC (Case No.: 20CV001179), Kim v. Wireless Vision, LLC (Case No.: CIVDS2000074), Hardmon v. Ascena Retail Group, Inc. (Case No.: 5:19-cv-2207-MFW-KKx), Strawn v. Bridgestone Retail Operations, LLC (Case No.: 34-2018-00242049), Rodriguez v. TMSO, Inc. (Case No.: RIC1906104), Soward v. Moore Advanced, Inc. (Case No.: RIC1900029), Dunham v. Autism

1 Spectrum Therapies, LLC (Case No.: 19STCV25183), Koontz v. Clark Pest Control of Stockton,
2 Inc. (Case No.: 18CV-04754), Vae v. Moga Transport, Inc. (Case No.: BCV-20-103017 BCB),
3 Martinez v. Curative, LLC (Case No.: 21STCV20778) Reyes v. S.J. Distributors, Inc. (Case No.:
4 21CV390665), Santillan v. Verizon Connect (Case No.: 3:21-cv-01257), Hayes v. Avis Car
5 Systems, LLC (Case No.: 22STCV26153) and Alexa Ros Coleman v. LL Flooring (Case No.
6 BCV-23-103493).

7 5. I believe based on my education, qualifications and experience in wage and hour
8 class action cases that I am competent to serve as co-class counsel in this matter.

9
10 6. Based upon my experience in handling wage and hour class action cases for
11 nearly twenty years, I believe the settlement is fair, reasonable and in the best interest of the
12 class.

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

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16 Executed on June 3, 2024 at Los Angeles, California.

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20 Raphael A. Katri
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