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Attorneys for Anthony Morris, on behalf of himself
and all others similarly situated

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

ANTHONY MORRIS, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

THE LINCOLN NATIONAL LIFE
INSURANCE COMPANY, an Indiana
Corporation; LINCOLN NATIONAL
CORPORATION, an Indiana Corporation;
and DOES 1 Through 10, Inclusive,

Defendants.

Case No. 22STCV20426
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Lawrence P. Riff
Department SS7

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF SAHAG MAJARIAN II
IN SUPPORT OF MOTION FOR ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Set By November 1, 2023 Order

Date: May 13, 2024
Time: 10:00 a.m.
Dept: SS 7
Judge: Lawrence P. Riff

Complaint filed: June 22, 2022
Trial date: Not set

1 I, SAHAG MAJARIAN II, hereby declare:

2 1. I am an attorney duly licensed to practice in the State of California and am an
3 attorney at Majarian Law Group, APC., co- counsel to Plaintiff Anthony Morris in this action
4 against Defendants. I am an attorney assigned to work on this case and have personal knowledge
5 of the following, and if called and sworn as a witness, I could and would competently testify
6 thereto.

7 2. This declaration is made in support of Plaintiff's motion for final approval of the
8 class action settlement in this case.

9 3. I graduated from Loyola Law School in 1990. Since my graduation, I have
10 been in private practice primarily representing consumers against insurance companies and
11 workers against their employers. I have devoted a significant portion of my practice to
12 employment law and class actions, and have been appointed co-class counsel for the
13 plaintiffs in no less than 300 wage and hour class actions. A sample of these cases are: *Ayvazi*
14 *v. Ralph Grocery Company*, LASC Case No. BC 382980; *Sandoval vs. Chevron Stations,*
15 *Inc.*, MCSC Case No. CV061690; *Nieves v. Roy's Worldwide, Inc.*, OCSC Case No.
16 06CC0076; *Corado v. Good Year Rubber Corp.*, SBSC Case No. RCV095476; *Pleitez v.*
17 *Johnson Controls*, LASC Case No. BC353315; *Serrano v. BC/ Coca Cola Bottling Co. of*
18 *L.A.*, LASC Case No. BC349904; *Urbina v. Valley Crest Co.*, LASC CaseNo. BC356023;
19 *Moraza v. OK International*, OCSC Case No. 06CC0148; *Delunav. Target*, LASC Case No.
20 BC353080; *Daglian v. Staples, Inc.*, LASC Case No. BC375325; *McCoy v. Kimko*, OCSC
21 Case No. 07CC00007; *Ayvazi v. Ralphs Grocery Company*, LASC Case No. BC382980;
22 *Razo v. C & D Zodiac, Inc.*, OCSC Case No 07-CC01373; *Sandoval v. Chevron Stations,*
23 *Inc.* MCSC Case No. CV061690; and *Gomez v. Spenuzza, Inc. et al*, RCSC Case No
24 RIC524075.

25 4. In the employment class action arena, I have participated in over 300 class and or
26 PAGA action mediations. My participation has included extensive preparation, development of
27 thorough knowledge of the legal issues related to certification and liability, and full immersion
28 and participation in the mediation and negotiation process. I have also been designated co-class

1 counsel in various cases where we prevailed in contested class certification motions. These cases
2 include *Herrera v. Mountain Meadow Mushroom Farms, Inc.*, SDCSC Case No. 37-2009-
3 00092416- CU-MT-CTI; *Aguirre v. California Drop Forge, Inc.*, LASC Case No. BC374521;
4 *Marroquin v. Swissport North America, Inc.*, LASC Case No. BC390001; and *Romero v.*
5 *Hydraulics International, Inc.*, LASC Case No. 19STCV04463.

6 5. Throughout my thirty-three-year career in law, my practice has been exclusively
7 contingent fee work. Within the class action arena, I have been designated co-class counsel in no
8 less than 30 class actions that have settled for over \$1 million each. Given my success and
9 experience, in my contingent fee practice I have averaged over \$850 per hour worked. Therefore,
10 I believe it is appropriate to set my lodestar at no less than \$850 per hour in this case. This request
11 if fair in view of the much higher rate per hour that can be justified by the broadly accepted
12 Laffey Matrix (See Exhibit "1") which shows hourly rate of \$1,057 for attorneys out of law
13 school for more than 20 years.

14 6. Garen Majarian is the founder of Majarian Law Group, APC. He represents
15 California employees in individual actions and class action disputes against their current or
16 former employers. He received his Juris Doctor from Loyola Law School in 2020. His billing
17 rate is \$400 per hour which is less than the \$437 hourly rate shown on the Laffey Matrix (See
18 Exhibit "1").

19 7. My firm's involvement in this case has included legal research, investigation,
20 extensive preparation, development of a thorough knowledge of the legal issues related to
21 certification and liability, and full immersion and preparation for the mediation against
22 Defendants. The settlement in this case was reached after extensive negotiations following a full
23 day mediation with an experienced and well-respected mediator Louis Marlin. Based upon the
24 totality of circumstances, I, along with Garen Majarian, believe that the result achieved in this
25 case is an extremely good outcome for all class members.

26 8. Based on my experience as Class and PAGA counsel in other employment cases
27 and given the legal and factual realities presented in this case, I believe the proposed settlement
28 is fair, reasonable and adequate for the class, the aggrieved employees and the State of California.

10. Throughout the past twenty-six months, I, along with Garen Majarian, have been involved in the handling of this case. Our work on this case includes but is not limited to pre-litigation research and investigation regarding the Labor Code violations, analysis of the employment entry records, communication with client, and analysis of policies and procedures of Defendants as well as attendance at the mediation with Louis Marlin.

11. My law office undertook this matter on a purely contingent fee basis with no guarantee that the time expended would result in any recovery or recoupment of costs. Throughout this case, my firm has spent a total of 39.60 hours in this case, with an unadjusted lodestar amount of \$27,585.00. Attached as Exhibit 2 is a true and correct copy of Time Records for each attorney from my firm that worked on this case.

12. My firm has incurred a total of \$5,022.27 costs incurred in this case. Attached as Exhibit "3" is a true and correct copy of my firm's Itemization of Costs in this matter.

13. Majarian Law Group, APC and its attorneys do not have any conflict of interest with any of the parties in this litigation.

I declare under the penalty of perjury under the laws of the State of California the foregoing is true and correct and this declaration is executed April 9, 2024, in Tarzana, California.


SAHAG MAJARIAN II

EXHIBIT "1"

LAFFEY MATRIX

History

Case Law

See the Matrix

Contact us

Home

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375

6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363
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The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *DL v. District of Columbia*, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $\frac{1}{2}$ Years Out of Law School $\frac{1}{2}$ is calculated from June 1 of each year, when most law students graduate. $\frac{1}{2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $\frac{1}{2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $\frac{1}{2}$ 1-3" from June 1, 1996 until May 31, 1999, would move into tier $\frac{1}{2}$ 4-7" on June 1, 1999, and tier $\frac{1}{2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT "2"



A PROFESSIONAL CORPORATION

18250 VENTURA BOULEVARD
TARZANA, CALIFORNIA 91356
Tel: (800) 485-1049 • Fax: (818) 609-0892

April 9, 2024

LEGAL SERVICES

Re: ANTHONY MORRIS V. LINCOLN FINANCIAL

Billing for Sahag Majarian:

2/8/22	TC with client and draft email to client; Intake and open file	1.70 hours
3/24/22	Analyze records from Lincoln Financial	4.60 hours
4/4/22	Analyze supplemental records from Lincoln Financial	2.80 hours
4/8/22	TC with client; Review file; Review email from GM	1.20 hours
4/11/22	Legal research	0.70 hours
4/12/22	Review email from client; Draft email to co-counsel; Draft memo to file re Labor Code violations; Draft email to client	1.50 hours
4/14/22	Respond to email from co-counsel	0.20 hours
4/29/22	Review PAGA letter	0.40 hours
5/2/22	Review Catalyst letter	0.30 hours
6/8/22	Review email from co-counsel	0.10 hours
6/23/22	Review email from defense counsel	0.10 hours
7/1/22	Review complaint	0.90 hours
9/1/22	Review redlines to joint status conference	

	statement	0.20 hours
9/8/22	Review list of proposed mediators	0.20 hours
10/10/22	Notice of mediation from Marlin mediation	0.20 hours
2/9/23	Analyze impact of time recording system; Prepare various exposure models	2.60 hours
2/15/23	Review mediation brief and prepare for mediation	1.90 hours
2/16/23	TC re updates during mediation	0.70 hours
2/20/23	Review fully executed MOU	0.20 hours
5/8/23	Draft declaration for preliminary approval	0.90 hours
5/12/23	Review draft motion for preliminary approval	1.30 hours
5/22/23	Review redlines to motion for preliminary approval	0.40 hours
5/31/23	Draft revised declaration for preliminary approval	0.10 hours
8/13/23	Review Court order re checklist for additional briefing	0.90 hours
10/9/23	Review checklist and amended settlement agreement	0.40 hours
11/1/23	Review order granting preliminary approval	0.30 hours
4/8/24	Review CPT report in preparation for declaration for final approval	0.20 hours
4/9/24	Draft declaration for final approval	1.10 hours

Total Hours for SM:	26.10 hours
Hourly Rate for SM:	\$850.00
Lodestar for SM:	\$22,185.00

Billing for Garen Majarian:

2/8/22	Draft email to client and co-counsel	0.20 hours
2/9/22	Draft email to client	0.10 hours

2/17/22	Draft letter to Lincoln Financial	0.20 hours
3/24/22	Review records from company	1.80 hours
4/8/22	TC with client; Draft email to SM	1.10 hours
4/12/22	Draft email to client	0.10 hours
6/8/22	Review email from co-counsel	0.10 hours
2/15/23	Prepare for mediation	5.10 hours
2/16/23	Attend mediation with Lou Marlin	4.80 hours

Total Hours for GM:	13.50 hours
Hourly Rate for GM:	\$400.00
Lodestar for GM:	\$5,400.00
Total Lodestar:	\$27,585.00

EXHIBIT “3”

[illegible]