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7 *Attorney for Plaintiffs*

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 JOHN LEDBETTER, ROBERT AARON,
11 ANTONIO SEGOVIA, JOSEPH HICKS,
12 WILLIAM SHEARER, DAVID
13 LAMOUNT GAYLES, and JOSUE
14 BUENROSTRO on behalf of themselves
15 and all others similarly situated,

16 Plaintiffs,

17 v.

18 CJ LOGISTICS AMERICA, LLC, an
19 Illinois Limited Liability Company; and
20 DOES 1-50, inclusive,

21 Defendant.

Case No.: CIVSB2207118

*[Assigned for all purposes to the Hon. David E.
Driscoll, Dept. S22]*

**DECLARATION OF JOSHUA A.
FALAKASSA IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, ATTORNEYS' FEES AND
COSTS, AND CLASS REPRESENTATIVE
ENHANCEMENT AWARDS**

Date: September 18, 2025

Time: 8:30 a.m.

Dept.: S22

Action Filed: April 7, 2022

Removal Date: June 10, 2022

Remand Date: December 19, 2024

Trial Date: None Set

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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 Falakassa Law, P.C. as attorney of record and co-counsel for Plaintiffs and the Settlement Class. As such, I am familiar with the file in this matter, and if called as a witness, I could and would competently testify to the following facts of my own personal knowledge. I submit this declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement.

3. I am a 2013 graduate from the University of California, Berkeley, School of Law, (“Berkeley Law”) where I successfully completed courses in Labor Law, Employment Discrimination and Labor/Employment Arbitrations. During law school, I served as a summer associate at Sanford, Wittels and Heisler LLP, a boutique plaintiffs’ side employment law firm focusing on FMLA wage and hour class action litigation, and other public interest lawsuits. As a second-year law student, I served as a summer associate at the San Francisco office of Littler Mendelson, P.C., I aided employers in defending wage and hour class action lawsuits filed under California and federal law.

5. Thereafter, as principal of Falakassa Law, P.C., I have handled over 100 employee vs. employer litigation matters, including more than 40 class action wage/hour and PAGA cases. Over the last few years, my practice has almost entirely consisted of representing employees, the majority of which has included class action and representative action wage and

1 hour matters. In total, I have handled upwards of 90 class action and representative action
2 wage/hour cases.

3 6. I was selected as a “Super Lawyer Rising Star” in Employment Litigation during
4 the years 2017-2025, a distinction that is reserved for the top 2.5 % of lawyers in the practice
5 area. I have also been recognized by Topverdicts.com for achieving Top 20 and Top 50 wage
6 and hour class and PAGA actions settlements in California.

7 7. My firm has the experience, resources, and means necessary to allow us to
8 provide adequate representation to all Settlement Class Members in this Action. Currently, my
9 firm is acting as counsel in at least twenty-five wage-and-hour class actions and co-counsel in
10 at least twenty-five other wage-and-hour class actions.

11 8. Class Counsel are well-respected members of the California Bar, with a
12 demonstrated history of vigorous and effective advocacy on behalf of their clients. They possess
13 significant experience in litigating complex class actions and wage-and-hour matters. Both Class
14 Counsel and Plaintiffs were fully prepared to continue litigating this matter through trial if
15 necessary; however, they strongly and unequivocally support the proposed Settlement as being in
16 the best interest of the Settlement Class in light of the circumstances described herein.

17 9. In Class Counsel’s considered judgment, the monetary recovery for each
18 Settlement Class Member is well within the range of reasonableness for cases of this nature. The
19 Settlement is particularly favorable because it provides prompt and certain relief, eliminating the
20 risks, delays, and uncertainties inherent in continued litigation and the possibility of protracted
21 appellate proceedings. The Settlement Class has responded with resounding support-no
22 Settlement Class Member has objected, and none have requested exclusion. This strong
23 endorsement underscores the fairness and adequacy of the Settlement.

24 10. All relevant factors weigh in favor of final approval. The Settlement was the
25 product of arm’s-length negotiations overseen by an experienced and highly regarded mediator.
26 Class Counsel conducted a thorough investigation and analysis of the claims, including extensive
27 review of records and legal research. Based on this informed assessment, Class Counsel firmly
28 believe the Settlement achieves an excellent result for the Settlement Class. The absence of any

1 objections and the minimal number of opt-outs-only three in total-further supports the conclusion
2 that the Settlement is fair, adequate, and reasonable under the circumstances.

3 11. Plaintiffs and Class Counsel respectfully request that the Court approve Class
4 Representative Service Payments of \$10,000 to Plaintiffs Ledbetter, Aaron, Hicks, and Segovia,
5 and \$5,000 to Plaintiffs Shearer, Buenrostro, and Gayles, to recognize the substantial time, effort,
6 and risks each assumed in representing the Settlement Class. Class representative payments serve
7 an important function by encouraging individuals to undertake the obligations and burdens of
8 serving in that role. Relevant considerations include the actions taken to protect the interests of
9 the Settlement Class, the degree of benefit conferred, and the time and effort expended in pursuit
10 of the litigation.

11 12. Here, Plaintiffs actively assisted Class Counsel at every stage of the case. They
12 provided critical documents and information, educated counsel about Defendant's operations and
13 timekeeping practices, and made themselves available for strategy discussions and mediation.
14 The requested service payments are consistent with amounts awarded in comparable wage-and-
15 hour class actions, where such awards typically range from \$5,000 to \$40,000. Defendant does
16 not oppose these requests.

17 13. The requested service payments fairly compensate Plaintiffs for their essential role
18 in achieving an excellent result on behalf of the Settlement Class. The amounts are well-justified
19 given the time commitment, cooperation, and the potential reputational and professional risks
20 Plaintiffs assumed.

21 14. Class Counsel also seek an award of attorneys' fees equal to one-third of the Gross
22 Settlement Amount. This request is reasonable and consistent with the Ninth Circuit's accepted
23 range of 20% to 40% for common fund recoveries, and is appropriate given the complexity, risk,
24 and expense involved in prosecuting this case on a purely contingent basis.

25 15. This litigation posed greater-than-usual risks for contingency counsel. Wage-and-
26 hour class actions against well-funded corporate defendants often involve years of contested
27 litigation, with substantial expenditures on discovery, expert analysis, and motion practice. Class
28

1 Counsel undertook significant risk in devoting substantial time and resources to the case, with no
2 guarantee of recovery.

3 16. To date, I have worked approximately 88 hours on this matter, at an hourly rate of
4 \$675, resulting in a total lodestar of \$59,400.

5 17. From the outset, Class Counsel bore all litigation costs, including filing fees,
6 mediation costs, and research expenses, with no assurance of reimbursement. This was a
7 substantial financial commitment, undertaken with the knowledge that the case's outcome was
8 uncertain.

9 18. In my experience, California courts routinely award attorneys' fees of one-third of
10 a common fund in wage-and-hour class actions-a standard reaffirmed by the California Supreme
11 Court in the Robert Half decision. The request here is consistent with that benchmark.

12 19. The fee request is also justified by the exceptional results achieved-both in the
13 substantial immediate cash recovery and in the Settlement Class's unanimous support for the
14 outcome. Defendant does not oppose the requested attorneys' fees.

15 20. Pursuant to California Rule of Court 3.769, Class Counsel hereby discloses the
16 existence of a Joint Prosecution and Fee Splitting Agreement among the counsel representing
17 plaintiffs in the consolidated litigation. Under this agreement, any attorneys' fees awarded by the
18 Court will be allocated among counsel as follows:

- 19 • Bokhour Law Group, P.C. – 21.25%;
- 20 • Falakassa Law, P.C. – 21.25%;
- 21 • Haines Law Group – 42.5%;
- 22 • Gould Law Firm – 5%;
- 23 • Lavi & Ebrahimian, LLP – 5%; and
- 24 • James Hawkisn, APLC – 5%

25 I declare under penalty of perjury under the laws of California that the foregoing is true
26 and correct, this 11th day of August 2025, at Los Angeles, California.

27 /s/ Joshua Falakassa

28 Joshua Falakassa