

Marcus J. Bradley, Esq. (SBN 174156)
Kiley L. Grombacher, Esq. (SBN 245960)
BRADLEY/GROMBACHER, LLP
31365 Oak Crest Drive, Suite 240
Westlake Village, California 91361
Telephone: (805) 270-7100
Facsimile: (805) 270-7589
mbradley@bradleygrombacher.com
kgrombacher@bradleygrombacher.com

Garen Majarian, Esq. (SBN 334104)
Sahag Majarian II, Esq. (SBN 146621)
LAW OFFICES OF SAHAG MAJARIAN II
18250 Ventura Boulevard
Tarzana, California 91356
Telephone: (818) 609-0807
Facsimile: (818) 609-0892
garen@majarianlawgroup.com
sahagii@aol.com

Attorneys for Plaintiffs and the Class
(Additional Counsel on Next Page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

HECTOR J. MEJIA on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

WALMART INC., a Delaware corporation;
and DOES 1 through 10, inclusive,

Defendant.

Case No.: CIVSB-2207614

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

**DECLARATION OF LAURA L. FRANKLIN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: December 19, 2023

Time: 8:30 a.m.

Dept.: S22

Larry W. Lee (State Bar No. 228175)
Mai Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa St., Suite 1250
Los Angeles, California 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
ktulyathan@diversitylaw.com

B. James Fitzpatrick (SBN: 129056)
Laura L. Franklin (SBN: 282642)
FITZPATRICK & SWANSTON
555 S. Main Street
Salinas, CA 93901
Telephone: (831) 755-1311
Facsimile: (831) 755-1319
bjfitzpatrick@fandslegal.com
lfranklin@fandslegal.com

Dennis S. Hyun (State Bar No. 224240)
HYUN LEGAL, APC
515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

Attorneys for Plaintiffs and the Class

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I, Laura L. Franklin, declare as follows:

1. I am an attorney at law, duly licensed to practice before all courts in the State of California, and I am an associate in law firm of Fitzpatrick & Swanston, counsel of record for Plaintiffs Dearl Powell, Christina Gast, and Elijha Gonzalez (“Plaintiffs”) in the above-entitled action. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Plaintiffs' counsel have zealously represented the interests of the class. The settlement was obtained for the benefit of the class, as opposed to the individual Plaintiffs.

3. Each side has apprised the other of their respective factual contentions, legal theories and defenses, resulting in extensive arms' length negotiations taking place among Plaintiffs and Defendants Wal-Mart, Inc., Wal-Mart Associates, Inc. and Wal-Mart Stores, Inc. (collectively, "Defendants") (Plaintiffs and Defendants collectively, the "Parties").

4. Based on their own independent investigation and evaluation, the Parties and their respective counsel are of the opinion that the Settlement for the consideration and on the terms set forth in the Joint Stipulation of Class and Representative Action Settlement are fair, reasonable, and adequate and the settlement is in the best interests of the Class and Defendant in light of all known circumstances and the expenses and risks inherent in litigation. Plaintiffs are aware that Defendants may raise defenses on the reduction of civil penalties pursuant to the Private Attorneys General Act (the “PAGA”) and that these arguments could be persuasive to the Court. Thus, even if Plaintiffs were to successfully prove their claims at trial, there is a possibility that the Court may only award a small percentage of the maximum PAGA penalties, as the Court has discretion to do so. The Maximum Settlement Amount was premised with these risks in mind associated with the possibility of the Court denying class certification, refusing to award waiting time penalties, and significantly reducing Plaintiffs’ PAGA penalties, along with other attendant risks.

1 5. Plaintiffs and Plaintiffs' counsel also believe in the fairness of the settlement that
2 is based on factoring in the uncertainty and risks to Plaintiffs in not prevailing on one or more of
3 the causes of action or theories alleged in the operative Complaint, the possibility of appeals.

4 6. I am one of the attorneys on this matter. My qualifications are as follows: I
5 received my bachelor's degree with honors from the University of California, Riverside and my
6 Juris Doctor degree from Monterey College of Law. I was admitted to the State Bar of California
7 in 2012 and my primary practice has been employment law for the past eleven years. Beginning
8 in 2012, I practiced employment litigation and counseling and general civil litigation at Bohnen,
9 Rosenthal & Kreeft in Monterey California, the same firm at which I had been employed in
10 various litigation support staff roles during the preceding four years. As an associate at Bohnen,
11 Rosenthal & Kreeft, I represented both plaintiffs and defendants in wage and hour class action
12 cases, and I was a member of a litigation team that obtained a \$12.5 million verdict for a single
13 plaintiff following a 5-week jury trial. In January 2016, I continued my employment practice at
14 the Salinas-based firm of L+G, LLP (now JRG Attorneys at Law), representing both public and
15 private employers and employees. From July 2016 through January 2020, I practiced primarily
16 employer-side employment litigation and counseling as an associate at Fenton & Keller in
17 Monterey, California. Since January 2020, I have been an associate attorney at Fitzpatrick &
18 Swanston where I practice labor and employment litigation, primarily Plaintiff-side class and
19 representative actions.

20 7. Over the past ten years, I have litigated numerous wage and hour class actions,
21 both as counsel for the plaintiff(s)/class and as defense counsel, and I have been certified as class
22 counsel in numerous wage and hour class actions in California. Currently, I serve as counsel for
23 plaintiff(s)/the class in multiple ongoing wage and hour class actions in Alameda County
24 Superior Court, Monterey County Superior Court, Nevada County Superior Court, Santa Clara
25 Superior Court, San Benito Superior Court, Santa Cruz Superior Court, Ventura County Superior
26 Court, and the United States District Court, Northern District of California, where we will seek
27 class certification by way of a settlement or a class certification motion.

28 8. I will adequately represent the Class Members in this action. Plaintiffs' counsel

1 has and will zealously represent Plaintiffs and the Class and pursue this lawsuit to its conclusion.

2 I have no conflicts with the Class and will adequately represent the Class.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct and that this declaration was executed by me on October 13, 2023,
5 in Salinas, California.

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Laura L. Franklin