

Brian J. Mankin, Esq. [CSB No. 216228]
brian@lmlfirm.com
Peter J. Carlson, Esq. [CSB No. 295611]
peter@lmlfirm.com
LAUBY, MANKIN & LAUBY LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444 | Fax: (951) 320-1445

Attorneys for Plaintiffs, on a representative basis and on behalf of all others similarly situated

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

AARON VAZQUEZ, RAHMAN
PINCKNEY, VISAVANH
SOKANTHONG, and MICHELLE
MAESTAS, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiffs,

vs.

WAY.COM, INC., a Delaware
Corporation; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: CIVSB2216363

*[Assigned to Hon. Kevin Lee, Dept S26, for all
purposes]*

**DECLARATION OF PETER J. CARLSON,
ESQ., IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Peter J. Carlson, state and declare:

1. I am an attorney duly licensed to practice law in the State of California and am a senior associate at Lauby, Mankin & Lauby LLP, attorneys of record for Plaintiffs. I am fully familiar with the facts of this case and submit this declaration in support of Plaintiffs' Motion for Preliminary Approval. The matters set forth herein are based upon my personal knowledge and, if called upon as a witness, I could and would give competent testimony with respect to the matters contained herein.

2. For the sake of brevity, this declaration does not discuss the settlement itself, the procedural background of the litigation, the claims and investigation by my firm, and why the settlement is fair and reasonable. Those topics are covered in detail in the concurrently filed Declaration of Brian Mankin. This declaration simply provides information requested by the court as to why I am adequate class counsel.

QUALIFICATION OF COUNSEL

3. I graduated from the University of Oregon School of Law in May 2013 and have been a member, in good standing, of the State Bar of California since January 2014. I am licensed to practice before all courts of the State of California and am admitted to practice in the United States District Court for the Central District of California and have litigated cases in various courts and counties throughout California, including successful briefing and argument in the Court of Appeal.

4. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin & Lauby LLP) in March 2016 and, since that time, my practice has consisted solely of representing employees. The vast majority of my cases have been litigated as class actions, representative PAGA actions, or a combination of the two.

5. I have been the handling attorney on over 200 class action and/or representative PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel on over half of these cases and have helped negotiate settlements totaling over \$139,000,000 for my clients, the employees, and the State of California.

6. I was the handling attorney for the second largest PAGA-only settlement in California's history – a \$12.5 million-dollar court approved settlement, which followed extensive litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50 company (*Garcia v. Macy's*, San Bernardino Superior Court Case No. CIVDS1516007).

7. I have tried two major class and PAGA cases against Fortune 100 companies, both of which were appealed. In 2018, I was the handling attorney on a PAGA-only case in Orange County where my firm succeeded on a motion for summary adjudication and litigated through trial to obtain a \$425,000 judgment for over 1,600 aggrieved employees. Also, in 2019,

1 I was the handling attorney for my firm on a class action against Walmart, where we obtained
2 class certification on behalf of over 5,000 employees. After extensive litigation, the matter went
3 to trial, and the jury returned a verdict of approximately \$6.1 million on the meal period claims.

4 8. Additionally, I have handled approximately 6 cases for which we received class
5 certification orders following contested certification motions concerning similar claims.

6 9. In 2022, 2023, and 2024, I was also selected as a Super Lawyers Rising Star.

7 **There Are No Related Cases**

8 10. I have conducted a diligent search for related cases against Way.com that would
9 be impacted by this settlement. This included searches using the publicly-accessible PAGA
10 search (<https://cadir.my.salesforce-sites.com/PagaSearch>) and using LexisNexis's CourtLink that
11 searches across all accessible venues in California. Using these search tools, I did not find any
12 other pending cases that would be impacted by this settlement. Also, my firm and I are not
13 otherwise aware of any other pending cases that would be impacted by this settlement.

14 **Lodestar Analysis Through Preliminary Approval**

15 11. Through the filing of this motion for preliminary approval, I have spent 195.7
16 hours working on this action and have kept contemporaneous records of these billable hours.
17 This total includes significant pre-filing work, including legal research regarding issues unique to
18 this matter. For instance, before filing, I conducted an exhaustive pre-filing state-wide search of
19 filings in state and federal court to determine if there were pending (or prior) class/PAGA actions
20 with claims that overlap those intended in this action. My hours incurred also reflect the time
21 spent drafting all relevant documents and memoranda in this case, including: drafting the letter
22 to the LWDA to begin the exhaustion of administrative remedies, drafting the class action and
23 PAGA complaints, and drafting various pleadings during litigation. Moreover, this total captures
24 the substantial time spent during discovery, including propounding discovery, meeting and
25 conferring over Defendant's allegedly deficient responses, briefing and attending IDCs,
26 preparing motions to compel discovery, and taking the deposition of Defendant's PMK (along
27 with follow-up meet and confer efforts over the alleged insufficient testimony from the PMK).
28 These hours also include time spent preparing for the mediation in 2023 and the ongoing

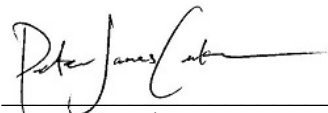
1 negotiations, including analysis of all necessary documents, data, and information (and class
2 certification, if mediation was not successful), drafting informal requests, and then receiving,
3 reviewing, and analyzing all pre-mediation documents. Finally, this total also includes all time
4 spent attending mediation, preparing the settlement documents, reviewing revisions from defense
5 counsel, and then drafting and filing all documents for the motion for preliminary approval.
6 Thus, my total of 195.7 hours through the filing of this motion for preliminary approval results in
7 lodestar (for myself alone) of \$146,775 at my billable rate of \$750/hour. At the final approval
8 stage, I will include another full lodestar analysis and case law and authority supporting my
9 requested rate.

10 **CONCLUSION**

11 12. As set forth above, I have litigated over 200 class and representative actions, have
12 successfully resolved many of those cases, with many still pending that will resolve in the future.

13 13. For these reasons, as well as the facts and information presented in the
14 concurrently filed Declaration of Brian J. Mankin, it is respectfully requested that the Court: (1)
15 grant preliminary approval of the settlement as being fair, reasonable, and in the best interests of
16 the class, (2) appoint Plaintiffs as the Class Representatives, (3) appoint Brian J. Mankin and
17 Peter Carlson of Lauby, Mankin & Lauby LLP as Class Counsel, and (4) preliminarily approve
18 the requested attorneys' fees, costs, and enhancement payment to the Class Representatives.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed on April 6, 2026, at Riverside, California.

21
22 By: 
23 Peter J. Carlson, Esq.