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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

16 **FOR THE COUNTY OF CONTRA COSTA**

17 LILIANA ESPINOZA, on behalf of herself
18 and all others similarly situated,

19
20 Plaintiff,

21
22 vs.

23
24 GROOMBUGGY, INC.; BARKBUS, LLC;
25 and DOES 1 through 100, inclusive,

26 Defendants.
27
28

Case No. C25-00618

*[Assigned for all purposes to Hon. Edward G.
Weil, Dept. 39]*

**DECLARATION OF ISAM C. KHOURY
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE
ACTION SETTLEMENT**

Date:
Time:
Dept.: 39

Complaint Filed: March 5, 2025
FAC Filed: May 12, 2025
Trial Date: None Set

1 I, Isam C. Khoury, declare as follows:

2 1. I am a Founding Partner at the law firm of Cohelan Khoury & Singer, co-counsel
3 of record for Plaintiff Remi Dillon in this action. I submit this declaration in support of Plaintiffs'
4 Motion for Preliminary Approval of Class and Representative Action Settlement. The following
5 facts are within my personal knowledge and if called to testify I could and would competently
6 testify to them.

7 2. I am a 1973 Hastings School of Law graduate and was admitted to the California
8 State Bar in 1974 and am admitted to practice in all state courts in California and in the all federal
9 courts in California, as well as the First Circuit Court of the State of Hawaii and the United States
10 Court of Appeals for Sixth Circuit.

11 3. In 1981, Timothy D. Cohelan and I formed Cohelan & Khoury, a Partnership of
12 Professional Law Corporations, and within a few years began to focus on class actions. Cohelan
13 & Khoury became Cohelan Khoury & Singer in 2009. Our firm represents plaintiffs in class and
14 representative action litigation, including wage and hour, labor and employment, antitrust,
15 consumer protection, construction defect and other public interest class and representative
16 actions.

17 4. I, along with Partner Diana M. Khoury, have been selected by our peers based on
18 ethics, experience and reputation as Super Lawyers in Civil Litigation by the Southern California
19 Super Lawyers Magazine for the years 2012 through the present. Michael D. Singer, Managing
20 Partner, was named to the Daily Journal 2012, 2013, and 2018 list of Top California Labor and
21 Employment Attorneys and selected to the Southern California Super Lawyers in 2010, 2012-
22 2019. Mr. Singer was admitted as a fellow to the College of Labor and Employment Attorneys
23 in 2020. I am AV – Preeminent rated by Martindale-Hubbell, as are many attorneys in our firm.

24 5. Cohelan Khoury & Singer has been certified by the State Bar of California to
25 provide the Mandatory Continuing Legal Education activity entitled “Litigating California Class
26 Actions” and has conducted MCLE certified seminars on this topic. Senior Partner, Timothy D.
27 Cohelan, is the author of Cohelan on California Class Actions (1997-2025, updated annually),
28 part of Thomson Reuters Expert Series updated annually. Michael D. Singer is a contributing

author on the CEB publication California Wage and Hour Law: Compliance and Litigation (2010-2025 updated annually), in which he wrote the opening chapter overview on California Wage and Hour laws, including the public policy underpinnings for those laws, and the Private Attorneys General Act (“PAGA”) Claim chapter. He is also a contributing author to the CEB Practitioner (2020), including guidelines for oral argument and forms for PAGA litigation. Mr. Singer has served as a columnist for the California State Bar, Litigation Section on wage and hour litigation and has contributed articles on wage and hour and class action issues through the years to numerous California publications.

6. Prior to COVID-19, Mr. Singer typically lectured several times per year for continuing education courses on wage and hour and class action issues at events in San Diego, Orange County, Los Angeles, and San Francisco. For over twelve years, he has served as wage and hour amicus co-chair and liaison for the California Employment Lawyers Association, drafting, reviewing, and coordinating amicus filings on wage and hour issues in the California Supreme Court and Courts of Appeal. He has been engaged in the practice of labor and employment law since 2000, handling well over 300 wage and hour class and PAGA actions and several individual labor cases. He has litigated several types of employment actions, including complex ERISA employee welfare benefit plan cases, as well as wage and hour class actions before Federal and State Courts in California. In 2014, Mr. Singer tried a wage and hour class action involving claims for illegally deducted wages and unreimbursed expenses. *Dilts v Penske Logistics LLC, Inc.* Mr. Singer successfully appealed the trial court ruling in *Dilts* finding state laws preempted by the FAAAA for truck drivers. Mr. Singer has participated in over 50 appellate cases and argued writs and appeals before several California District Courts of Appeal, arguing for plaintiffs on rehearing in *Brinker International Inc. v. Superior Court* before the Fourth District Court of Appeal, as well as federal appeals in the Second, Third, and Ninth Circuit Courts of Appeals. In addition, Mr. Singer has drafted numerous appellate briefs as the appellant, respondent, or amicus curiae in employment class and individual actions. As co-Class Counsel in *Brinker Restaurant Corp. v. Superior Court* [formerly reported at (2008)165 Cal.App.4th 25], Mr. Singer argued before the Fourth District Court of Appeal in May 2008 on transfer from the

1 California Supreme Court, and co-authored the successful Petition for Review.

2 7. Partner Maggie Realin worked for a certified appellate law specialist in San Diego
3 for five years. Subsequently, she was an associate at a San Diego consumer class action firm,
4 where she represented consumers in class actions against large corporations, specifically in the
5 area of deceptive food labeling. Ms. Realin then joined an employment class action firm in 2013,
6 where she focused on representing employees in wage and hour class actions. On February 26,
7 2020, Ms. Realin was rated AV Preeminent by Martindale Hubbell. In 2024, Ms. Realin joined
8 Cohelan Khoury & Singer, where her practice continues to focus on employee-side wage and
9 hour class actions.

10 8. My firm has successfully tried class cases, obtained appellate reversals of class
11 certification denials (*e.g. Hicks v. Kaufman and Broad*, (2001) 89 Cal.App.4th 908), and has
12 certified multiple wage and hour class.

13 9. As a part of our overall firm philosophy lawyers perform community service and
14 pro bono work. Firm volunteer work includes service through Legal Aid at Work, San Diego
15 Volunteer Lawyer Program, the San Diego County Bar Foundation and Consumer Attorneys of
16 San Diego. I am a past recipient of the Wiley W. Manuel Award for Pro Bono Service. Mr.
17 Singer has served on the Legal Aid at Work Board of Directors since 2011. Mr. Cohelan served
18 as the Chair of the San Diego Volunteer Lawyers Program from 2015-2018, and currently sits
19 on the Board as past Chair. He completed 24 years of volunteer judicial service as a Judge Pro
20 Tem of the San Diego Superior Court. Since admission to the California Bar, Partner Diana M.
21 Khoury has been a member of the San Diego County Bar Association, Consumer Attorneys of
22 San Diego, Consumer Attorneys of California, and American Association for Justice serving and
23 chairing various committees through the years for these organizations. For six years from 2010
24 through 2015, Ms. Khoury served on the Board of Directors for Consumer Attorneys of San
25 Diego. Since 2013, Ms. Khoury actively serves on the Board of Directors for the San Diego
26 County Bar Foundation, the 501(c)(3) charitable arm of the San Diego County Bar Association
27 providing access to justice to the underserved and impoverished in the San Diego County region.
28 Partner Maggie Realin has volunteered at the Legal Aid Society of San Diego where she advised

clients on preparing and filing civil restraining orders and answers to unlawful detainer, for which she was awarded a Wiley B. Manuel Award for Pro Bono Legal Services in 2010. Partner Jeff Geraci is also a past recipient of the Wiley W. Manuel Award for Pro Bono Service. Our firm's pro bono victories include a settlement which prohibits the City of San Diego from targeting homeless people for illegal lodging tickets under Penal Code Section 467(j). (*Spencer v. City of San Diego*, USDC Case No 04CV-2314 BEN (WMC).) The *Spencer* settlement had the effect of increasing the number of available shelter beds in San Diego.

10. Cohelan Khoury & Singer has been certified Class Counsel in the following contested proceedings: *Aguilar v. Atlantic Richfield, et al.*, San Diego County Superior Court Case No. 00700810; *Andino v. Kaiser Foundation Hospitals*, Alameda County Superior Court Case No. RG11580548; *Arellano, et al. v. Container Connection of Southern California, Inc.*, Los Angeles County Superior Court Case No. BC500675; *BANK OF AMERICA WAGE AND HOUR EMPLOYMENT PRACTICES LITIGATION*, United States District Court, District of Kansas MDL Case No. 2138 (FLSA Condition Certification); *Czuchaj v. Conair Corporation*, United States District Court, Southern District of California Case No. 13CV1901; *Dilts, et al. v. Penske Logistics, L.L.C., et al.*, United States District Court, Southern District of California Case No. 08CV0318; *Englert, et al. v. AT&T Wireless Services, Inc., et al.*, Circuit Court of the Second Circuit, State of Hawaii Case No. 02-1-0074; *Evans v. Washington Mutual Bank*, Orange County Superior Court Case No. 02CC15415; *Filion v. Ethan Allen Retail Inc.*, United States District Court, Southern District of California Case No. 05CV2340; *Gerard v. Les Schwab Tire Centers of California, Inc.*, Sacramento County Superior Court Case No. 2007-30000003; *Grana, et al. v. PICO Enterprises, Inc. dba Phyle Inventory Control Specialist and PICS*, Los Angeles County Superior Court Case No. BC472891; *Gutierrez v. Save Mart Supermarkets*, San Mateo County Superior Court Case No. CIV530955; *Wilcox v Albertsons*, San Diego County Superior Court Case No. GIC833922; *Gonzalez, et al. v. Freedom Communications, Inc. d/b/a The Orange County Register*, Orange County Superior Court Case No. 03CC08756; *Graham, et al. v. Overland Solutions, Inc.*, United States District Court, Southern District of California Case No. 10CV0672 (FLSA Conditional Certification); *Hicks v. Kaufman and Broad Home Corp.*, Los

1 Angeles County Superior Court Case No. B198414; *Hohnbaum, et al. v. Brinker Restaurant*
2 *Corporation, et al.*, San Diego County Superior Court Case No. GIC834348; *KEMP, et al. v.*
3 *CSEA, et al.*, Circuit Court of the First Circuit, State of Hawaii Case No. 98-3815-08; *LIBERTY*
4 *MUTUAL OVERTIME CASES*, Los Angeles County Superior Court Case No. JCCP 4234;
5 *Mitchell, et al. v. Acosta, Inc., dba Acosta Sales and Marketing Company*, United States District
6 Court, Central District of California Case No.11CV07196 (FLSA Conditional Certification);
7 *Santana v. Rady Children's Hospital-San Diego*, San Diego County Superior Court Case No.
8 37-2014-00022411; *Schaffer v. Rady Children's Hospital-San Diego*, San Diego County
9 Superior Court Case No. 337-2015-00022978; *Schneider, et al. v. Catholic Healthcare West*,
10 San Francisco County Superior Court Case No. CGC-10-506243; *Salucci v. Amada Senior Care,*
11 *Inc.*, Orange County Superior Court Case No. 37-2015-00778081; *Smith v. California Pizza*
12 *Kitchen*, San Diego County Superior Court Case No. 37-2008-00083992; *STEROID*
13 *HORMONE PRODUCT CASES*, Los Angeles County Superior Court Case No. JCCP 4363;
14 *Stevenson Aibangbee v. Victoria Apartments, et al.*, Los Angeles County Superior Court Case
15 No. BC299498; *Swift v. Liebert Corp.*, Orange County Superior Court Case No. 00CC04588;
16 *Sylvia, et al. v. Wells Fargo Home Mortgage, Inc.*, Orange County Superior Court Case No.
17 03CC05747; *Vaquero v. Ashley Furniture Industries, Inc., et al.*, United States District Court,
18 Central District of California Case No. 12CV8590; *Vaquero v. Stoneledge Furniture LLC*, Los
19 Angeles County Superior Court Case No. BC522676; *Vazquez v. Kraft Heinz Foods Company*,
20 United States District Court, Southern District of California Case No. 16-CV-02749; *Watson v.*
21 *Raytheon Company*, United States District Court, Southern District of California Case No.
22 10CV0634; and *Weigle v. FedEx Ground Package System, Inc.*, United States District Court,
23 Southern District of California Case No. 06CV1330, among others, as well as being appointed
24 Class Counsel in connection with well over 200 class action settlements.

25 11. As Class and PAGA Representative Counsel, Cohelan Khoury & Singer has
26 actively commenced, prosecuted and concluded numerous state and federal class and
27 representative actions. Since 2016, Cohelan Khoury & Singer has played a central role in the
28 resolution of over 200 such cases, including the following, which have received court approval:

(a) *Arellano, et al. v. Container Connection of Southern California, Inc.*, Los Angeles County Superior Court Case No. BC500675, Hon. Anne I. Jones; (b) *Castro v. Home Depot U.S.A., Inc.*, Los Angeles County Superior Court Case No. BC577885, Hon. Elihu M. Berle; (c) *Czuchaj v. Conair Corporation*, United States District Court, Southern District of California Case No. 13-CV-1901 BEN, Hon. Roger T. Benitez; (d) *Gardiner v. TSYS*, United States District Court, Central District of California Case No. 18-cv-00415, Hon. David O. Carter; (e) *Grana v. PICO Enterprises, Inc.*, Los Angeles County Superior Court Case No. BC472891, Hon. Stephanie M. Bowick; (f) *Gutierrez v. Save Mart Supermarkets*, San Mateo County Superior Court Case No. CIV530955, Hon. Marie S. Weiner; (g) *Hernandez v. Workforce Enterprises WFE, Inc.*, Los Angeles County Superior Court Case No. BC590913, Hon. Elihu M. Berle; (h) *Hicks v. Poway Academy of Hair Design, Inc.*, San Diego County Superior Court Case No. 2014-00026517, Hon. Ronald L. Styn; (i) *Hubbard v. Caliber Home Loans, Inc.*, Orange County Superior Court Case No. 2018-01017838; (j) *Klein v. Loomis Armored US, LLC*, San Bernardino County Superior Court Case No. CIVDS1704547, Hon. David Cohn; (k) *Laureano v. The Art of Shaving*, Los Angeles County Superior Court Case No. BC550093, Hon. Amy D. Hogue; (l) *Lopez, et al. v. Management & Training Corporation, et al.*, United States District Court, Southern District of California Case No. 17-CV-010624 JM, Hon. Jeffrey T. Miller; (m) *Magdaleno v. Shelly Automotive, LLC*, Orange County Superior Court Case No. 2013-0043958, Hon. Kim. G. Dunning; (n) *McGrath, et al. v. Wyndham Resort Development Corporation, et al.*, United States District Court, Southern District of California Case. No. 15-CV-1631 JM, Hon. Jeffrey T. Miller; (o) *Mena v. Wolfgang Puck Catering*, Los Angeles County Superior Court Case No. BC582743, Hon. John Shepard Wiley, Jr.; (p) *Morales v. The Los Angeles Country Club*, Los Angeles County Superior Court Case No. BC566493, Hon. William F. Highberger; (q) *Nijmeh v. Bon Appetit Management Company, Inc.*, Santa Clara County Superior Court Case No. 16CV294127, Hon. Thomas E. Kuhnle; (r) *Plascencia v. Aramark Services, Inc.*, Santa Clara County Superior Court Case No. 2015-1-CV-288310, Hon. Brian C. Walsh; (s) *Plimpton v. Gordon Trucking, Inc.*, San Bernardino County Superior Court Case No. CIVDS1511918, Hon. Donald Alvarez; (t) *Raya v. Amazon*, United States District Court, Northern District of California Case No. 15-

CV-02005 MMC, Hon. Maxine M. Chesney; (u) *Rivas v. ESA Management*, United States District Court, Central District of California Case No. 14-CV-5767, Hon. Dale S. Fischer; (v) *Rodriguez v Healthcare Partner Medical Group, Inc.*, Los Angeles County Superior Court Case No. BC541313, Hon. Kenneth Freeman; (w) *Ryan v. Dignity Health*, Sacramento County Superior Court Case No. 2013-00147371, Honorable Alan G. Perkins; (x) *Santana v. Rady Children's Hospital-San Diego*, San Diego County Superior Court Case No. 37-2014-00022411, Hon. Joel R. Wohlfeil; (y) *Schaffer v. Rady Children's Hospital-San Diego*, San Diego County Superior Court Case No. 337-2015-00022978; Hon. Joel R. Wohlfeil; (z) *Schneider v. Catholic Healthcare West*, San Francisco County Superior Court Case No. CGC-10-506243, Hon. Angela Bradstreet; (aa) *Schwartz v Bank of the West*, San Francisco County Superior Court Case No. CGC-14-538955, Hon. Harold E. Kahn; (bb) *Syed v. M.I. Swaco*, United States District Court, Eastern District of California, Case No. 12-CV-01718 DAD, Hon. Dale A. Drozd; (cc) *Vaquero, et al. v. Stoneledge Furniture, LLC*, Los Angeles County Superior Court Case No. BC522676, Hon. Elihu M. Berle; (dd) *Vazquez v. Kraft Heinz Foods Company*, United States District Court, Southern District of California Case No. 16-CV-02749, Hon. William Q. Hayes; (ee) *Walsh v. Cedars-Sinai Medical Center*, Los Angeles County Superior Court Case No. BC487290, Hon. William F. Highberger; among many others.

12. As Class and PAGA Representative Counsel, Cohelan Khoury & Singer has actively commenced, prosecuted and concluded over 300 state and federal class and representative actions.

13. We are experienced and consider ourselves qualified to evaluate the claims and defenses in this action, and support the efficient resolution of the claims in this matter for a \$853,150.00 Gross Settlement Amount with Defendants Barkbus LLC and Groombuggy, Inc. ("Defendants" or "Barkbus/Groombuggy") for a group of approximately 291 current and former employees of Defendants in California between March 5, 2021 and January 20, 2026.

14. Members of my firm attended the mediation on November 5, 2025, with Monique Ngo-Bonnici, Esq., an experienced wage and hour neutral. The case settled in principle. After additional months of arms'-length negotiations, the Parties finalized the terms of the settlement

1 agreement. The Parties then negotiated and drafted the proposed Class and Representative
2 Action Settlement Agreement and Class Notice presented for preliminary approval.

3 15. Before settling this action, the Parties had a thorough understanding of their
4 respective claims and defenses. Before mediation, Class Counsel had investigated Class
5 Members' claims, examined documents and data, and retained an expert to prepare damage
6 calculations. At the time the Parties engaged in mediation, they knew and understood their
7 respective positions.

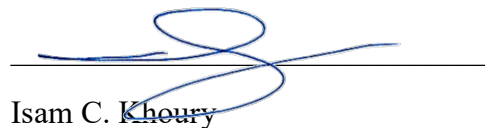
8 16. Plaintiff Dillon gave written consent to apportion fees between Class Counsel as
9 follows: 80% to Marquee Law Group and 20% Cohelan Khoury & Singer.

10 17. I have no conflicts of interest with the class or with the class representatives. I am
11 not related to the representative Plaintiffs. I do not represent opposing factions within the class
12 in that all claims are predicated upon the same theories of liability and benefit all Class Members
13 equally. In sum, I am well-suited to act as Class Counsel and will continue to vigorously
14 represent the interests of the class.

15 18. As Cohelan Khoury & Singer has done since its entry into this matter, we will
16 continue to fulfill our responsibility to the Plaintiffs and the members of the class.

17 19. My firm fully endorses the terms and conditions of the proposed Settlement. We
18 respectfully request that the Court grant preliminary approval of the Class and Representative
19 Action Settlement, approve the proposed Class Notice, and set a date to conduct the final
20 approval hearing.

21 I declare under the penalty of perjury under the laws of United States and the State of
22 California that the foregoing is true and correct and that this declaration is executed on May 28,
23 2026, in San Diego, California.

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Isam C. Khoury