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Attorneys for Plaintiffs, the Proposed Class, and all Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

JUANITA VILLA; JESSICA LESHER;
 SHERI AMIES as individuals, on behalf of
 the State of California, as a private attorney
 general,

PLAINTIFF,

v.

DOLGEN CALIFORNIA, LLC; and DOES 1
 thru 50, inclusive,
 DEFENDANTS.

CASE NO. 22STCV34189

[Case Assigned for All Purposes to Hon.
 Michael Linfield in Dept. 34]

**DECLARATION OF MIKE M. ARIAS IN
 SUPPORT OF MOTION FOR
 PRELIMINARY APPROVAL OF CLASS
 AND REPRESENTATIVE ACTION
 SETTLEMENT**

Date: February 13, 2024

Time: 8:30 a.m.

Dept.: 34

Reservation No. 851682934983

Complaint Filed: October 24, 2022

Trial Date: None Set

DECLARATION OF MIKE M. ARIAS

I, Mike M. Arias, declare as follows:

1. I am admitted and licensed to practice before all courts of the State of California, the States of New York, New Jersey and the District of Columbia. I am the managing partner of the firm of Arias Sanguinetti Wang & Torrijos, LLP (“ASWT”), counsel of record for Plaintiffs Juanita Villa, Jessica Leshner, and Sheri Amies (collectively “Plaintiffs”) in the above-captioned matter.

Adequacy Of Representation And Qualifications Of Class Counsel

2. The attorneys of ASWT, have been engaged in the representation of Plaintiffs in a variety of employment cases. Further, ASWT has litigated class action lawsuits in the fields of consumer fraud, employment rights, wage and hour, disability rights, insurance, banking, and antitrust. My partners, my associates, and I collectively have been involved in the representation of Plaintiffs in hundreds of employment cases.

3. I am the founding and managing partner of ASWT. I have significant experience in managing and litigating cases, having served as lead, co-lead or liaison counsel in well over 100 class and mass tort actions. I have resolved hundreds of matters, either by trial, arbitration or settlement, resulting over a billion dollars in recovery for the firm’s clients. I was the 2018 President of the Consumer Attorneys Association of Los Angeles (CAALA), the 2019 President-Elect of the Consumer Attorneys of California (CAOC) and serve on the Board of Governors of the American Association for Justice (AAJ). In 2021 I was awarded CAOC Consumer Attorney of the Year. I have been named one of the Top 35 Plaintiff Lawyers in California by the Daily Journal for several years. I am the Founding Chair of CAALA’s Plaintiffs Trial Academy.

4. Senior Associate Craig S. Momita has practiced civil litigation in California’s state and federal courts for the past 30 years, with the past 20 years primarily devoted to wage and hour, employment and class action litigation. Mr. Momita has extensive experience in employment, wage and hour and consumer class actions. Mr. Momita has successfully filed and resolved over 600 wage and hour cases. He has successfully obtained class certification and

1 settlement of numerous class actions alleging violations of the Labor Code. He has obtained
 2 favorable results for employees at jury trial, bench trial and arbitration. He is recognized as a
 3 Southern California Super Lawyer.

4 5. Mr. Momita has been counsel, co-counsel, or handling counsel in numerous
 5 cases certified as class actions including: *Nunez v. Church and State*, Los Angeles Superior
 6 Court Case No. BC490724; *Patton v. Dollar Tree Stores, Inc.*, U.S. District Court, Central
 7 District of California, Case No. 15-cv-3813-MWF (PJWx) (wage and hour); *Stevens, et al. v.*
 8 *Safeway Inc.*, et al., U.S. District Court, Central District of California, Case No. 05-cv-1988-
 9 MMM (SHx) (wage and hour, FLSA); *Sullivan v. Dolgen California, LLC*, U.S. District Court
 10 Northern District of California, Case No. 15-cv-1617-JD (wage and hour); *Mosse v. CVS*
 11 *Caremark Corp.*, et al., Los Angeles Superior Court, Case No. BC387082 (wage and hour);
 12 *Esparza v. Safeway Inc.*, et al., Los Angeles Superior Court, Case No. BC369766 (wage and
 13 hour); *DeJoseph v. Michaels Stores, Inc.*, U.S. District Court, Central District of California,
 14 Case No. 07-cv-1489-GW (AGRx) (wage and hour); and *Alvarez v. Ashley Furniture Industries,*
 15 *Inc.*, et al., U.S. District Court, Central District of California, Case No. 16-cv-0630 MWF
 16 (MRWx) (consumer fraud). His motions for approval of settlement of actions brought under
 17 PAGA have been granted in *Gott v. Sprouts Farmers Market, Inc.* Los Angeles Superior Court
 18 Case No. BC533892 and *Naderi v. Garfield Beach CVS, L.L.C.*, U.S. District Court, Central
 19 District of California, Case No. 2:20-cv-05287-FLA (AFMx).

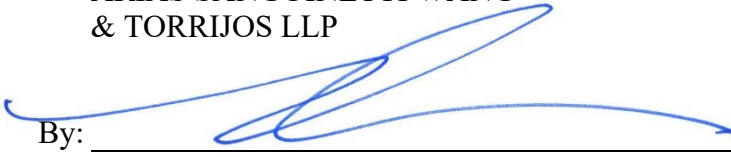
20 6. Mr. Momita served as co-counsel or appellate counsel in over nine published
 21 opinions in State and Federal Court, including two California Supreme Court Cases: *Sav-On*
 22 *Drug Stores, Inc. v. Superior Court* (2004) 34 Cal. 4th 319 and *Prachasaisoradej v. Ralphs*
 23 *Grocery Co.* (2007) 42 Cal. 4th 217; six Court of Appeal decisions in: *Ralphs Grocery Co. v.*
 24 *Superior Court* (2004) 112 Cal. App. 4th 1090, *Puerto v. Superior Court* (2008) 158 Cal. App.
 25 4th 1242, *Prachasaisoradej v. Ralphs Grocery Co., Inc.* (2007) 42 Cal. 4th 217; *Heyen v.*
 26 *Safeway Inc.* (2013) 216 Cal.App.4th 795, *Safeway Wage and Hour Cases* (2019) 43
 27 Cal.App.5th 665; *Batze v. Safeway, Inc.* (2017) 10 Cal.App.5th 440, and the 9th Circuit decision
 28 *National Distrib. Agency v. Nationwide Mut. Ins. Co.*, 117 F.3d 432 (9th Cir. 1997). Most of

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these cases are wage and hour class actions asserting violation of California law and the Labor Code.

DATED: January 12, 2024

ARIAS SANGUINETTI WANG
& TORRIJOS LLP

By: 
Mike M. Arias
Attorneys for Plaintiffs, the proposed class, and all
aggrieved employees

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On January 12, 2024, I served all interested parties in this action the following documents described as: **DECLARATION OF MIKE M. ARIAS IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Mike Arias

mike@aswtlawyers.com

Craig S. Momita

craig@aswtlawyers.com

**ARIAS SANGUINETTI WANG
& TORRIJOS LLP**

6701 Center Drive West, Suite 1400
Los Angeles, CA 90045

MCGUIREWOODS LLP

Sabrina A. Beldner

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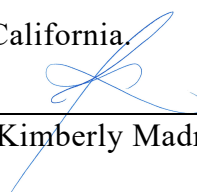
1800 Century Park East, 8th Floor
Los Angeles, CA 90067

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 12, 2024, at Encino, California.



Kimberly Madrid