

ERIC A. GROVER (SBN 136080)
egrover@kellergrover.com
ROBERT W. SPENCER (SBN 238491)
rspencer@kellergrover.com
KELLER GROVER LLP
1965 Market Street
San Francisco, California 94103
Telephone: (415) 543-1305
Facsimile: (415) 543-7861

ALEX P. KATOFISKY (SBN 202754)
alex@apkatlaw.com
LAW OFFICES OF ALEX P. KATOFISKY
A PROFESSIONAL CORPORATION
5743 Corsa Avenue, Suite 123
Westlake Village, California 91362
Telephone: (818) 340-3600

Attorneys for Plaintiff
JENAE HEITKAMP

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

JENAE HEITKAMP, on behalf of herself,
and all aggrieved employees,

Plaintiff,

v.

BRIGHTSIDE HEALTH, INC., and DOES 1
through 50, inclusive,

Defendants.

Case No: CGC-25-626072

*Assigned to the Honorable
Jeffrey S. Ross, Dept. 613*

REPRESENTATIVE ACTION

**SUPPLEMENTAL DECLARATION OF ALEX
P. KATOFISKY IN SUPPORT OF MOTIONS
FOR AN ORDER APPROVING
SETTLEMENT OF PAGA ACTION AND
DISMISSING ACTION WITH PREJUDICE
AND FOR AN ORDER AWARDING
ATTORNEYS' FEES AND COSTS,
ENHANCEMENT PAYMENT, AND
SETTLEMENT ADMINISTRATION FEES**

Date: October 9, 2026

Time: 9:00 a.m.

Dept. 613

Trial Date: TBD

Complaint filed: June 9, 2025

1 I, ALEX P. KATOFSKY, declare as follows:

2 1. I am an attorney duly admitted to the practice of law in the State of California and
3 before this Court. I am the named partner of Law Offices Alex P. Katofsky, A Professional
4 Corporation, and co-counsel for Representative Plaintiff Jenae Heitkamp in this action. I have
5 personal knowledge of the facts stated herein and, if called as a witness, I could and would testify
6 competently to the facts set forth below.

7 2. I am submitting this declaration to address the issues raised in the Court's Order
8 Requesting Supplemental Briefing filed September 1, 2026 ("Order"). The Court's Order requests
9 that I provide the time that I spent on this case in a chart form.

10 3. I did not track my time as the fee agreement between my firm, Keller Grover LLP
11 and Plaintiff Heitkamp is based on a pure referral agreement.

12 4. A true and correct copy of the fee sharing agreement is attached as **Exhibit 7** to the
13 Declaration of Robert Spencer Declaration in Support of Motions for an Order Approving
14 Settlement of PAGA Action and Dismissing Action with Prejudice and for an Order Awarding
15 Attorneys' Fees and Costs, Enhancement Payment, and Settlement Administration Fees ("Spencer
16 Decl."), filed July 17, 2026. The fee sharing agreement provides that the Law Offices of Alex P.
17 Katofsky, APC shall be paid a referral fee of 33.33% of the total attorney's fees collected with
18 respect to this case. The remainder goes to Keller Grover LLP. This is a pure referral fee
19 agreement; my share is not contingent on work performed. In compliance with Rule 1.5.1, Plaintiff
20 Heitkamp approved and signed this fee sharing agreement on February 26, 2025. Spencer Decl.
21 Ex. 7.

22 5. In my prior declaration submitted to the Court, I noted that my firm was the referral
23 firm and I did not have separate itemized time records. I noted that I spent approximately 15 hours
24 on this action, including time interviewing and obtaining documents from Plaintiff Heitkamp,
25 independent fact investigation, review of the documents filed in this matter, and actively following
26 the progress of the case. I also noted that my reasonable hourly rate is \$800 based on my years of
27 experience.
28

6. At the time, I provided my best approximation of my hours because my co-counsel Robert Spencer, Esq. asked me to do so. On my information and belief, Mr. Spencer thought it had been requested by the Court.¹ Thus, I provided an approximation of my time even though the referral agreement is a “pure” referral agreement. I cannot recreate my hours in chart form as I did not keep them in that manner. My approximation is the best that I can provide.

7. I do not believe that my time spent on this case should have a material effect on the loadstar in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed on September 22, 2026 at Westlake Village, California.


ALEX P. KATOFSKY

¹ Mr. Spencer informed me that the Court requested time records along with the motion for PAGA approval, and Mr. Spencer asked me for an approximation of my time.

PROOF OF SERVICE

I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On **September 24, 2026**, in the case of *Jenae Heitkamp v. Brightside Health, Inc.*, San Francisco Superior Court Case Number CGC-25-626072, I served the foregoing document(s):

SUPPLEMENTAL DECLARATION OF ALEX P. KATOFISKY IN SUPPORT OF MOTIONS FOR AN ORDER APPROVING SETTLEMENT OF PAGA ACTION AND DISMISSING ACTION WITH PREJUDICE AND FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS, ENHANCEMENT PAYMENT, AND SETTLEMENT ADMINISTRATION FEES

on the interested party(ies) below, using the following means:

Maria C. Rodriguez

Elvira R. Kras

Megan A. Lee

Claudia LeBrane

Courtney Danglade

MCDERMOTT WILL & EMERY LLP

2049 Century Park East, Suite 3200

Los Angeles, CA 90067-3206

Telephone: (310) 277 4110

Facsimile: (310) 277 4730

Attorneys for Defendant

Brightside Health, Inc

mcrodriguez@mwe.com

ekras@mwe.com

malee@mwe.com

clebrane@mwe.com

cdanglade@mwe.com

Alex P. Katofsky

LAW OFFICES OF ALEX P.

KATOFISKY

A PROFESSIONAL CORPORATION

5743 Corsa Avenue, Suite 123

Westlake Village, California 91362

Telephone: (818) 340-3600

Attorneys for Plaintiff

Jenae Heitkamp

alex@apkatlaw.com



(BY ELECTRONIC SERVICE- **File & ServeXpress**) by submitting an electronic version of the documents through the user interface at www.fileandserveexpress.com and by emailing a word version of the document to the above referenced email addresses.



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



JOEY GONZALEZ