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7 Attorneys for Plaintiffs, and all others similarly situated

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN BERNARDINO**

10 **(UNLIMITED JURISDICTION)**

11  
12 MARGARITA PEREZ and MARIA DE LA  
13 LUNA HUERTA on behalf of themselves and all  
14 others similarly situated, and the general public,  
15 and as "Aggrieved Employees" on behalf of  
16 other "Aggrieved Employees" and the State of  
California under the Labor Code Private  
Attorneys General Act of 2004,

17 *Plaintiff(s),*

18 vs.

19 WORKFORCE PERSONNEL, INC., California  
20 Corporation; DIAMOND WIPES  
21 INTERNATIONAL, INC., California  
22 Corporation; and DOES 1–50, inclusive,

23 *Defendant(s).*

Case No. CIVSB2220822

**DECLARATION OF LOUIS M.  
BENOWITZ IN SUPPORT OF  
PLAINTIFF MARIA DE LA LUNA  
HUERTA'S MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

Hearing Date: October 2, 2026  
Hearing Time: 1:30 p.m.  
Hearing Dept.: 17, The Honorable  
Joseph T. Ortiz

Action filed: September 19, 2022



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**DECLARATION OF LOUIS M. BENOWITZ IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

I, LOUIS M. BENOWITZ, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and am an attorney of record for Plaintiff Maria De La Luna Huerta ("Plaintiff") in her lawsuit against Defendant Workforce Personnel, Inc. ("Defendant"). I am a member in good standing of the State Bar of California. Except as otherwise indicated, I have personal knowledge of all matters set forth herein and, if called as a witness, could and would competently testify thereto under oath.

2. Based on my extensive experience in class and representative wage and hour litigation (as set forth herein), and for the reasons set forth in Plaintiff's Motion and the other supporting Declarations, I believe that the settlement in this case is fair, adequate, and reasonable, and thus warrants this Court's approval.

3. I completed my undergraduate studies at Cornell University in Ithaca, New York, where I was admitted as a Pauline and Irving Tanner Dean's Scholar and earned a Bachelor of Arts degree in English in May of 2003. I completed my legal studies at Loyola Law School in Los Angeles, California, where I received a Juris Doctor degree in May of 2008 and graduated in the top 15% of my class. At Loyola Law School, I served as Research Editor on the Loyola of Los Angeles Entertainment Law Review, was a member of the Scott Moot Court Honors Board and the St. Thomas More Law Honor Society, and was a research assistant to Professor Theodore Seto.

4. Since being admitted to the State Bar of California in February of 2009 after passing the California Bar Examination on my first attempt, I have almost exclusively practiced in the areas of civil litigation and employment law. I am a member of the California Employment Lawyers Association ("CELA"), and the vast majority of my work during my time in active legal practice has consisted of wage and hour and other employment law cases on behalf of employees, with a few matters on behalf of employers. I currently have numerous pending employment law cases at various stages of litigation, the majority of which are wage and hour class actions.

5. With respect to wage and hour class actions specifically, a sampling of matters in which I have been appointed as class counsel is as follows:

A. *Vang v. Burlington Coat Factory Warehouse Corp., et al.*, U.S. District Court, Central District of California, No. 09-CV-8061-CAS (appointed class counsel and granted



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1 final approval of settlement on behalf of retail store employees in case involving, among other  
2 things, alleged vacation pay forfeitures, failures to provide meal and rest periods, and failures to  
3 pay overtime wages based on employee misclassification).

4 B. *Garcia v. Am. Gen. Fin. Mgmt. Corp., et al.*, U.S. District Court, Central  
5 District of California, No. 09-CV-1916-DMG (appointed class counsel and granted final approval  
6 of settlement on behalf of account managers in case involving, among other things, alleged  
7 overtime miscalculations and meal and rest period violations).

8 C. *Cerdenia v. USA Truck, Inc.*, U.S. District Court, Central District of  
9 California, Case No. 10-CV-1489-JVS (appointed class counsel and granted final approval of  
10 settlement on behalf of truck drivers).

11 D. *Jones v. Shred-It, Inc.*, U.S. District Court, Central District of California,  
12 Case No. 2:11-cv-00526-SVW-FFM (appointed class counsel and granted final approval of  
13 settlement on behalf of customer service representatives and balers in case involving alleged off-  
14 the-clock work and meal and rest period violations).

15 E. *Douglas v. California Credit Union*, Los Angeles Superior Court, Case No.  
16 BC445050 (appointed class counsel and granted final approval of settlement on behalf of  
17 customer service representatives for overtime miscalculation claims)

18 F. *Alvarez v. Gary Grace Enterprises, LP*, Marin Superior Court, Case No.  
19 CIV 1002553 (appointed class counsel and granted final approval of settlement on behalf of hair  
20 salon employees for overtime miscalculation and related claims).

21 G. *Calderon v. Greatcall, Inc.*, San Diego Superior Court, Case No. 37-2010-  
22 00093743-CU-OE-CTL (appointed class counsel and granted final approval of settlement on  
23 behalf of customer service employees in case involving, among other things, alleged meal and  
24 rest period violations and overtime calculation errors).

25 H. *Butler v. Lexxiom, Inc.*, San Bernardino Superior Court, Case No. CIVRS  
26 1001579 (appointed class counsel and granted final approval of settlement on behalf of debt  
27 resolution center employees in case involving, among other things, alleged meal and rest period  
28 violations and overtime calculation errors).



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1 I. *Valencia v. SCIS Air Security Corp.*, Los Angeles Superior Court, Case  
2 No. BC421485 (granted class certification through contested motion and appointed class counsel  
3 in case on behalf of former security workers based on late final wage payments in violation of  
4 Labor Code §§ 201–203; also granted final of proposed class action settlement on behalf of  
5 certified class).

6 J. *Sandoval v. Rite Aid Corp.*, Los Angeles County Superior Court, Case No.  
7 BC431249 (granted class certification through contested motion and appointed class counsel in  
8 case on behalf of former pharmacy employees based on late final wage payments in violation of  
9 Labor Code §§ 201–203; also granted final approval of class action settlement on behalf of  
10 certified class).

11 6. In addition to the class actions for which I am currently, or have been, an attorney  
12 of record, I have also performed work on several other wage and hour class action cases,  
13 including the preparation of liability exposure analyses and settlement approval motions.  
14 Further, both before and during law school, I worked as a law clerk for the Law Offices of  
15 Spivak and Harrison (now The Spivak Law Firm), where the majority of my work consisted of  
16 law and motion and discovery in California employment law cases.

17 7. Though not a traditional class action, I successfully prosecuted an eleven-day  
18 bench trial with David Spivak, one of my co-counsel in this action, in the case of *Alina*  
19 *Ghrdilyan, et al. v. RJ Financial, Inc., et al.*, Los Angeles Superior Court, Case No. BC430633  
20 (2012), the Honorable Ronald Sohigian presiding. To my knowledge, this is the first and only  
21 case to be successfully prosecuted through trial in a non-class representative capacity under the  
22 Labor Code Private Attorney Generals Act of 2004, Labor Code § 2698 *et seq.* on behalf of both  
23 named plaintiffs and aggrieved employees against someone other than an employer for civil  
24 penalties including unpaid wages. The case involves claims of unpaid overtime, unprovided rest  
25 and meal periods, unpaid vacation, untimely interval and final wages, and unreimbursed  
26 expenses.

27 8. In addition to my experience in representing plaintiffs in class action litigation, I  
28 also represented two of the defendants the case of *Sam Jaicaman v. Mustafa Ertan Tuysuzoglu,*



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1 *et al.*, Los Angeles Superior Court, Case No. BC467147. In that case, a putative wage and hour  
2 class action alleging off-the-clock, meal and rest period, and related claims, I, along with counsel  
3 for other defendants, successfully opposed the plaintiffs’ motion for class certification.

4 9. I authored and submitted an amicus curiae brief on behalf of CELA in support of  
5 the plaintiffs and the certified class in the case of *Augustus v. ABM Security Services, Inc.* at  
6 both the Court of Appeal and Supreme Court levels. The ultimate decision from the Supreme  
7 Court in favor of the plaintiffs incorporates much of the reasoning and arguments set forth in  
8 my briefs.

9 10. I was also one of the counsel for the plaintiff in *Troester v. Starbucks Corp.*,  
10 which the California Supreme Court resolved in favor of the plaintiff. I have been involved in  
11 that case at all points since its inception. In that case, the California Supreme Court decided that  
12 a *de minimis* exception does not exist under California law as a defense to wage and hour claims  
13 (unlike under federal law) and thus expanded the rights of employees in California.

14 11. I have been counsel for the plaintiffs in two other successful appeals in  
15 employment law cases. In *Alejandro Chavez v. Southern California Edison Co.*, Court of  
16 Appeal, Second Appellate District, Division Two, Case No. B253514, a male-on-male sexual  
17 harassment case, my co-counsel and I obtained a reversal of a defense verdict after trial based  
18 on an erroneous jury instruction with respect to the standard for establishing that workplace  
19 harassment is “because of” sex. In *Valencia v. SCIS Air Security Corporation*, Court of Appeal,  
20 Second Appellate District, Division One, Case No. B255199, in a published opinion, my co-  
21 counsel and I obtained reversals of a denial of class certification and a grant of summary  
22 adjudication based on the trial court’s drawing of an erroneous conclusion with respect to Airline  
23 Deregulation Act preemption in a case centering around alleged meal and rest period violations  
24 and related unpaid time.

25 12. I have also been a speaker on multiple occasions at conferences for the California  
26 Employment Lawyers’ Association on wage and hour issues for which attendees received  
27 MCLE credit. My speaking engagements have been as follows:

28 A. Rest Breaks Post-*Augustus*, *California Employment Lawyers’ Association*



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1 14<sup>th</sup> Annual Advanced Wage and Hour Seminar, May 2018

2 B. Penalties (and Claims) You Should Be Pleading, *California Employment*  
3 *Lawyers' Association 21st Annual Advanced Wage and Hour Seminar*,  
4 April 2025

5 13. I have no conflicts of interest with the  
6 Plaintiff or the Class Members. I am not related to the representative Plaintiff. I have not  
7 previously represented Defendant in any matter.

8 14. Benowitz Law Corporation has prosecuted this litigation solely on a contingent-  
9 fee basis, and has been completely at risk that it would not receive any compensation for  
10 prosecuting claims against the Defendant.

11 15. Benowitz Law Corporation has participated in this litigation and has performed  
12 work on behalf of Plaintiff since the inception of this litigation. The hours submitted with this  
13 declaration are solely for work performed in the above-entitled California action and not any  
14 other state or federal matter.

15 16. I performed, among other things, the following tasks related to this matter:  
16 analyzed initial client's claims; performed initial investigation inclusive of research necessary  
17 for case evaluation, and searched court records relative to possible competing cases. I  
18 participated in the settlement negotiations, reviewed all settlement papers along with orders  
19 from the Court, reviewed law and motion papers, and assisted with client liaison and other tasks  
20 assigned by lead counsel.

21 17. The hourly rate for my time is \$850.00 per hour which is my usual and customary  
22 hourly rate charged for my services in similar complex class actions.

23 18. The total number of hours spent by me on this litigation is 10 hours through June  
24 4, 2026.

25 19. My total lodestar amount through June 4, 2026 is \$8,500.00.<sup>1</sup>

26 ///

27  
28 <sup>1</sup> This is half of my firm's lodestar in this case. The remaining half will be reported in the  
settlement with Diamond Wipes International, Inc.



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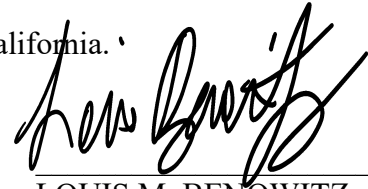
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1           20.    No charges have been included for costs, paralegal, or staff time spent on this  
2 matter.

3           I declare under the penalty of perjury of the laws of the State of California that the  
4 foregoing is true and correct.

5           Executed on June 5, 2026 at Manhattan Beach, California. '



LOUIS M. BENOWITZ,  
Declarant



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