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

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

EMILIO ROSAS, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

FURNITURE AVE, INC., a California
Corporation; FURNITURE AVE CITY, a
California Corporation; FURNITURE CITY
WEST, a California Corporation; FARIS
ESCHEIK, an individual; FAWZI SAED, an
individual; OMAR RAHMAN, an
individual; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: 30-2022-01284958-CU-OE-CXC
*[Assigned to Hon. Randall J. Sherman, Dept
CX105, for all purposes]*

**DECLARATION OF BRIAN J. MANKIN,
ESQ., IN SUPPORT OF MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing

Date: January 17, 2025
Time: 10:00 a.m.
Dept: CX105

Complaint filed: October 7, 2022

I, Brian J. Mankin, state and declare:

1. I am an attorney licensed to practice before all of the courts of the State of California. I manage the employment law department and am a partner with the law firm of Lauby Mankin Lauby LLP, which has offices in Orange County and Riverside County. I am thoroughly familiar with and have personal knowledge of all of the facts set forth herein. I submit this declaration in support of Plaintiff's Motion for Final Approval of this Class Action

1 Settlement. If called as a witness, I could and would competently testify thereto.

2 **COUNSEL’S EXPERIENCE**

3 2. I have been a member, in good standing, of the State Bar of California since 2001.
4 I am admitted to practice in the United States District Courts for the Central and Southern
5 District of California and the Ninth Circuit Court of Appeal and have tried cases in various
6 courts in California.

7 3. I have handled well over 500 employee vs. employer litigation matters during my
8 23 years in practice. Over the last 17 years, my practice has almost entirely consisted of
9 representing employees, the majority of which has included class action and representative
10 action wage and hour matters. In total, I have handled over 300 class action and representative
11 action wage/hour cases, and have been appointed by the court as class counsel and have received
12 final court approval and judgment in close to half of those actions to date, and anticipate
13 receiving final approval in many more of those in the future.

14 4. As part of these settlements and judgments, I have recovered in excess of \$250
15 million in damages for my clients and the class members (who often work as nurses, ambulance
16 drivers, technicians, warehouse workers, truck drivers, sales, professional occupations and
17 countless other trades). My team and I once held the record for the largest PAGA-only case in
18 California’s history - a \$12.5 million-dollar court approved settlement, which followed extensive
19 litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50
20 company (*Garcia v. Macy’s*, San Bernardino Superior Court).

21 5. I have tried two major class and PAGA cases against Fortune 100 companies over
22 the last few years. I was lead counsel in a PAGA case that my firm tried in the Orange County
23 Superior Court and received a \$425,000 judgment. I was co-counsel in a class action case
24 against Walmart that was tried to the jury in District Court, wherein the jury awarded Plaintiffs
25 over \$6 million. Both cases were appealed, and ultimately the jury trial verdict was affirmed and
26 the PAGA case was reversed and remanded.

27 6. I was named by the LA Times as one “Southern California Leading Lawyers” in
28 the May 2023 issue of Consumer Attorney’s of Southern California (a recognition given to 17

employment/labor law attorneys in 2023). Additionally, for the last five consecutive years, I have been selected by my peers as a “Super Lawyer” in Employment Litigation, a distinction that only 5% of lawyers receive.

ADEQUACY OF SETTLEMENT

7. The Class, as conditionally certified by this Court, consists of all Class Members, which includes all current and former nonexempt employees employed by Defendants Furniture Ave, Inc., Furniture Ave City, Furniture City West in California during the Class Period of October 7, 2018, through January 8, 2024.

8. As set forth in the Declaration of Jarrod Salinas on behalf of the Administrator, Phoenix Settlement Administrators, the Net Settlement Amount is \$204,955.02, after the deductions set forth in the chart here:

	Total Amount
<i>Gross Settlement Amount</i>	\$ 408,000.00
Attorneys’ Fees (1/3)	\$ 136,000.00
Litigation Costs	\$ 8,544.98
Administrator Costs	\$ 11,000.00
PAGA Penalties	\$ 40,000.00
Class Representative’s Service Award	\$ 7,500.00
<i>Net Settlement Amount</i>	\$ 204,955.02

9. The process of mailing the Notice Packets was very successful, as 99% of the Notice Packets were successfully delivered by the Administrator.

10. The response by the Class Members to this settlement was completely positive, as 100% of the Class elected to participate in the Settlement.

11. As discussed at length in Plaintiff’s motion for preliminary approval, as well as in the Motion for Final Approval, this Settlement is very favorable to the Class and the release is narrowly limited to the claims alleged.

12. Sufficient information existed to allow Class Counsel to intelligently value this case. Given the parties’ arms’ length bargaining facilitated by an experienced wage and hour mediator, the extensive exchange of informal discovery, the experience of Class Counsel, the fact that 100% of the Class elected to participate and no objections were submitted, the

1 presumption of fairness is justified.

2 13. I believe that the settlement is fair, reasonable, and adequate, and in the best
3 interests of the Class, given the litigation risks and delay inherent in further litigation and
4 possible appeals. As set forth in Plaintiff's motion for preliminary approval and the declarations
5 submitted in support thereof, Defendants vigorously challenged Plaintiff's claims, and Plaintiff
6 faced real challenges in certifying the Class and obtaining a recovery on the claims in this matter.
7 Nonetheless, the Parties concluded that further litigation would be protracted and expensive, and
8 that it is desirable that the action be fully and finally settled in the manner and upon the terms
9 and conditions set forth in the Settlement Agreement in order to limit further expense,
10 inconvenience and distraction, to dispose of burdensome and protracted litigation, and to permit
11 the operation of Defendants' business without further expensive litigation and the distraction and
12 diversion of its personnel with respect to matters at issue. All parties considered the uncertainty
13 of risks inherent in any litigation, especially in complex cases such as this case. The parties
14 determined that it is desirable and beneficial to both the Class and Defendants that this case be
15 settled. Risks on both sides were considered in reaching the Settlement Agreement. The
16 recoveries contemplated by the Settlement represent a good result for the Class, fairly
17 proportioned to the likely risk-adjusted recovery in litigation.

18 **ADEQUACY OF COUNSEL**

19 **AND REASONABLENESS OF REQUESTED FEE AND COST AWARDS**

20 14. As set forth above, I have handled over 300 class and representative actions. I
21 have been appointed as class counsel and have successfully resolved approximately half of those
22 cases (while many are ongoing and will successfully resolve in the future) while recovering
23 hundreds of millions of dollars for my clients and Class Members. This is substantially better
24 than average accordingly to Mayer Brown LLP's study entitled, An Empirical Analysis of Class
25 Actions, cited in *Laguna v. Coverall North America, Inc.*, No. 12-55479 (9th Cir. 2014), which
26 found that only one-third of class actions are successful, compared to two-thirds that are defeated
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1 and result in no payment to the class members.¹

2 15. When this case was taken on a contingency fee basis, with my firm agreeing to
3 assume responsibility for all litigation costs, the ultimate result was far from certain. In the
4 course of this litigation, Class Counsel paid all costs including filing fees, court costs, research
5 fees, and mediation costs. There was never a guarantee that we would recoup those expenditures.

6 16. It has been my experience that the benchmark for attorney fee awards in
7 California state cases is one-third of a common settlement fund, which the CA Supreme Court
8 upheld in the Robert Half case. Here, in accordance with the Settlement Agreement, Class
9 Counsel is seeking a fee of \$136,000.00, which is one-third of the Settlement Amount.

10 17. There are several additional factors why I believe that the Court should award
11 one-third of the common fund as reasonable attorneys' fees. First, Class Counsel's efforts
12 resulted in a common fund settlement amount, whereby the Class Members will receive
13 \$1,035.13 on average and up to a **maximum of \$6,416.55** for those employees that worked the
14 longest during the Class Period. This is a very good result in light of the disputed nature of the
15 claims alleged. This result was achieved by the work and success of my office, who negotiated
16 the settlement after extensive preparation, investigation, mediation, and substantial work
17 thereafter.

18 18. Second, Plaintiff faced significant risks going forward with the litigation. As
19 discussed in the motion for preliminary approval, Defendants raised various defenses throughout
20 this litigation, any one of which, if successful, could have decimated Plaintiff's case. And
21 Defendants vowed to raise all these defenses at trial. Accordingly, Plaintiff faced risky issues
22 going forward with this litigation, and it would have taken several more years to realize any
23 recovery in this action along with the possibility of post-trial appeals.

24 19. Third, Class Counsel are experienced class action litigators. This experience and
25 expertise, combined with the high quality of work performed in this case, resulted in the
26 settlement achieved in this case.

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¹ www.mayerbrown.com/files/uploads/Documents/PDFs/2013/December/DoClassActionsBenefitClassMembers.pdf

1 20. Fourth, Class Counsel has been representing Plaintiff strictly on a contingency fee
2 basis. To that end, we have incurred the risk of non-recovery after investing a substantial
3 amount of time, money, and resources, and have done so since the inception of this case without
4 any payment or compensation. If Plaintiff had lost this case, we would have recovered nothing,
5 and would have lost our out-of-pocket costs. This is not an easy burden for my office, which is a
6 small firm. While some cases result in a positive lodestar and some in a negative lodestar, if the
7 best Class Counsel could hope for is merely to be paid our hourly rate, then Class Counsel would
8 not be compensated for the hardships and serious risks we face when litigating contingency fee
9 cases, and would not be incentivized to take on similar cases in the future. Indeed, not all
10 class/PAGA cases are successful. Many cases end with no fees or a greatly reduced fee that is
11 far less than lodestar like this one, often due to no fault of counsel (i.e., bankruptcy, change in
12 the law, consolidation- coordination-preemption, being top filed, etc.). As noted in the Mayer
13 Brown LLP's study discussed above, only one-third of class actions are successful, compared to
14 two-thirds that are defeated and result in no payment to the class members.

15 21. As exemplified by the contingent nature of high risk class action litigation, I can
16 further attest to having had many cases result in (a) zero recovery, (b) negative multiplier and (c)
17 an individual settlement in lieu of a class recovery. There are also many situations when my
18 office is forced to convert matters into small individual settlements (and therein lose substantial
19 attorneys fees) for a variety of reasons, including due the financial constraints of a defendant, or
20 because a company may engage in a "Pick-up Stix Campaign" to settle directly with the class
21 members, or because a Defendant engages in a reverse auction and settles a class/PAGA case
22 with another firm that will take less (i.e., cherry picking), thereby cutting off Class Counsel's
23 recovery. There are indeed numerous examples of this occurring that result in an individual
24 settlement, thereby causing my office to bear the burden of a loss in attorneys' fees.

25 22. Fifth, the request for attorney's fees in the amount of one-third of the common
26 fund falls well within the norms accepted by state courts in California in comparable wage and
27 hour actions actually handled by my office. Moreover, the award of a one-third fee recovery
28 under the common fund doctrine was approved by the California Supreme Court in *Laffitte*,

1 *supra*, 1 Cal.5th 480, 503.

2 23. For all of the above reasons, a common fund fee award here in the amount of one-
3 third of the common fund created by Plaintiff and Class Counsel is fair and reasonable.

4 24. At my office, this case was primarily handled by Misty Lauby while I performed
5 the role of the supervising attorney up through mediation, and then largely took over the
6 handling through the settlement and notice process. Ms. Lauby works exclusively with me on
7 employment law matters and has been in practice for 16 years. She bills at the hourly rate of
8 \$650/hour. I have been in practice for 23 years, with most of those years handling complex
9 litigation and for over the last 17 years, my practice has almost entirely consisted of handling
10 class action wage and hour matters. My billing rate is \$775/hour. I believe these rates are
11 consistent with Plaintiff and Defense attorneys who handle complex class action litigation, if not
12 somewhat lower.

13 25. The hourly rates above are comparable to those of other attorneys with equal or
14 similar experience, if not somewhat lower (*i.e.*, the Laffey Matrix at www.laffeymatrix.com
15 indicates that the benchmark rates are: \$777/hour for an 8–10-year attorney, \$878/hour for a 11–
16 19-year attorney, and \$1,057/hour for a 20+ year attorney). Moreover, the Wolters Kluwer 2023
17 Real Rate Report (“Real Rate Report”) provides directly applicable information in this regard.
18 The Real Rate Report is based on an enormous and statistically significant compilation of data,
19 comprising millions of billing entries from a hundred thousand individual timekeepers who
20 worked at thousands of law firms. The Real Rate Report then compiles and analyzes this data to
21 provide the hourly rates for partners and associates in major metropolitan areas. For the southern
22 California area: (a) the rate for partners in Los Angeles is between \$840 and \$1,159 per hour for
23 the middle and upper quartiles, and (b) the rates for associates with seven or more years of
24 experience, the median rate is \$674 per hour, and the upper quartile rate is \$888 per hour. And,
25 perhaps most importantly, the information provided in the Real Rate Report is not based on self-
26 reported numbers, surveys, sampling, or reviews or other publications – instead, the Real Rate
27 Report is based on the actual hours and fees billed by law firms, which makes it “a much better
28 reflection of true market rates than self-reported rates in all practice areas.” *Brown v. CVS*

1 *Pharmacy, Inc.* (C.D. Cal. Apr. 24, 2017) 2017 U.S. Dist. LEXIS 182309, at *21; *PLCM Group*,
2 22 Cal.4th at 1085 (holding that rates should be premised upon precisely this form of
3 independent, “objective” rate data that reflects “fair market” rates actually billed to clients “in
4 the community for similar work.”

5 26. There are *no fee splitting agreements* in this case, as all work was performed by
6 my office. Thus, the table below includes a summary of the hours worked, plus additional hours
7 that I will bill in finalizing and filing the motion, preparing for and attending the approval
8 hearing, and working with the administrator and defense counsel to issue checks, respond to
9 class members and finalize this matter. The detailed billing records for Ms. Lauby and me are
10 attached hereto as **Exhibit A**. Our aggregated lodestar is approximately \$158,995, resulting in a
11 negative multiplier, as follows:

Attorney/Timekeeper	Rate	Hours	Fee
Brian J. Mankin <i>Trial Counsel / Partner</i> (23 Years)	\$775	100.6²	\$77,965
Misty Lauby <i>Handling Attorney</i> (16 Years)	\$650	124.6	\$80,990
Grand Total for All Attorneys			\$158,995

19 27. With regard to the 35 hours of estimated future work, this includes an estimated
20 15 hours from preparing this declaration through the final approval hearing (inclusive of
21 finalizing and filing the motion, appearing at the hearing, addressing the Court’s
22 questions/concerns, submitting revised documents, responding to class members who are anxious
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24 _____
25 ² Includes an estimated 15 hours of additional work preparing for and attending the hearing (inclusive of finalizing
26 and filing the motion, appearing at the hearing, addressing the Court’s questions/concerns, submitting revised
27 documents, responding to class members who are anxious to receive their check, and so on), as well as 20 hours in
28 anticipated work to be performed after the final approval, working with counsel, administrator, and Class Members
(which includes up to 1.5 years of case management relating to ensuring timely payment from Defendants,
reviewing the calculations, checks are timely mailed, responding to class members questions about the timing of
checks/missing checks/lost checks and remailings, working with the administrator regarding uncashed checks and
remailings, assisting with the Administrator’s declarations regarding payments and uncashed checks, potentially
filing an amended judgment, appearing at the final disbursement hearing and/or submitting paperwork related
thereto).

1 to receive their check, and so on).” It also includes an estimated 20 hours from the Court’s
2 granting of final approval through the completion of the case which includes up to 1.5 years of
3 case management relating to ensuring timely payment from Defendant, reviewing the
4 calculations, checks are timely mailed, responding to class members questions about the timing
5 of checks/missing checks/lost checks and remailings, working with the administrator regarding
6 uncashed checks and remailings, assisting with the Administrator’s declarations regarding
7 payments and uncashed checks, potentially filing an amended judgment, appearing at the final
8 disbursement hearing and/or submitting paperwork related thereto. Of course, 20 hours of future
9 work is an estimate, but from going through this process approximately 150 times, I can
10 represent that this process varies significantly from case to case, and typically takes between 10
11 and 50 hours.

12 28. The fee is warranted because of the results achieved for the Class Members, both
13 in terms of the immediate cash settlement, as well as the fact that the Class Members
14 resoundingly supported the Settlement. Defendant does not oppose this fee request.

15 29. In the course of prosecuting this action, Class counsel have incurred expenses that
16 were incidental and necessary to the effective representation of the Class. These expenses
17 included but were not limited to: court filings, copying and management of documents, on-line
18 Lexis research, messenger services, postage, mediation fees, and other incidental expenses
19 directly related to this action. My firm’s expenses through the final approval hearing are
20 estimated to be \$8,544.98, which includes filing this motion, process/server costs, overnight
21 service and travel/parking expenses to the hearing (see the itemized statement of these costs
22 attached hereto as **Exhibit B**). Since these actual costs are lower than the \$20,000 allowed under
23 the settlement, the savings will be placed in the Net Settlement Amount for distribution to the
24 Class Members. Defendants do not oppose this request for costs.

25 **REASONABLENESS OF REQUESTED SERVICE AWARD**

26 30. I also believe that the service award of \$7,500 to the Class Representative is fair
27 and warranted. Mr. Rosas came forward and worked directly with my office in analyzing the
28 claims and documents, providing valuable information and insights that benefitted the class (see

1 his declaration for supporting information). Then, during the settlement process, he agreed to a
2 much broader release than any class member, as he released all claims and gave a 1542 waiver
3 while foregoing his right to bring individual claims against Defendant. Indeed, Plaintiff's
4 participation was an essential element of Defendant's desire to mediate and of the pre- and post-
5 mediation analysis that allowed Class Counsel to settle the case. Of course, Plaintiff also took on
6 various risks, including the risk that he could have been ordered to pay Defendants' costs if he
7 lost and the risk of retaliation and being black-balled in the industry. Defendant does not oppose
8 the requested service award.

9 **SUBMISSION TO THE LWDA**

10 31. The entire Motion for Final Approval, supporting declarations and exhibits have
11 concurrently been submitted to the LWDA. (See **Exhibit B** for a true and correct copy of the
12 LWDA's confirmation of receipt).

13 **EXHIBITS AND CONCLUSION**

14 32. The Settlement Agreement is Exhibit A to ROA #56.

15 33. Attached hereto as Exhibit A are itemized billing records for Ms. Lauby and
16 myself.

17 34. Attached hereto as Exhibit B is a true and correct copy of an itemized statement
18 of my firm's litigation costs.

19 35. The LWDA's confirmation of receipt of the entire Motion for Final Approval,
20 including declarations and exhibits is attached hereto as Exhibit C. (Note that the confirmation
21 email from the LWDA does not provide an itemized list of all documents submitted, but I
22 directed my office to submit the entire motion to the LWDA).

23 36. For the foregoing reasons, it is respectfully requested that the Court grant final
24 approval of the settlement as being fair, reasonable, and in the best interest of the class, and
25 approve the requested attorneys' fees, costs, and enhancements.
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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on December 23, 2024, at Riverside, California.

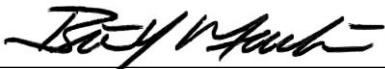
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4 By: 
5 Brian J. Mankin, Esq.
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EXHIBIT “A”

Arevalos v. Americor

LML Time Records

Date	Attorney	Description	Hours	Rate	Amount
10/6/2022	Brian J. Mankin	New case development evaluation; review client documents and records produced by employer, online research of employer; review draft LWDA letter and evaluate claims and potential causes of action.	2.50	\$775	\$ 1,937.50
1/3/2023	Brian J. Mankin	Review draft of first amended class complaint prepared by ML; compare claims to LWDA letter	1.20	\$775	\$ 930.00
2/22/2023	Brian J. Mankin	Case status review including answer to FAC and first CMC	0.30	\$775	\$ 232.50
3/6/2023	Brian J. Mankin	Review multiple correspondence with OC and joint CMC statement; evaluate interplay between the multiple employers	0.40	\$775	\$ 310.00
3/10/2023	Brian J. Mankin	Review memo re results of CMC, and review file re further handling	0.20	\$775	\$ 155.00
5/8/2023	Brian J. Mankin	Review initial written discovery served by Pla	0.50	\$775	\$ 387.50
5/31/2023	Brian J. Mankin	Review multiple correspondence with OC re discovery and possible mediation	0.30	\$775	\$ 232.50
6/21/2023	Brian J. Mankin	Review multiple correspondence re potential mediators and mediation scheduling; evaluate same	0.50	\$775	\$ 387.50
9/15/2023	Brian J. Mankin	Case status review including production of information for mediation	0.30	\$775	\$ 232.50
10/16/2023	Brian J. Mankin	Review multiple correspondence re with OC re informal production and rescheduling mediation; review information produced thus far	0.80	\$775	\$ 620.00
12/5/2023	Brian J. Mankin	Evaluate file and documents in preparation for mediation	1.70	\$775	\$ 1,317.50
12/7/2023	Brian J. Mankin	Evaluate mediation brief and damages analysis; prepare for mediation	2.80	\$775	\$ 2,170.00
12/8/2023	Brian J. Mankin	Attend mediation	8.50	\$775	\$ 6,587.50
12/8/2023	Brian J. Mankin	Further draft MOU	1.20	\$775	\$ 930.00
12/14/2023	Brian J. Mankin	Request multiple Admin bids	0.40	\$775	\$ 310.00
12/26/2023	Brian J. Mankin	Begin drafting long form settlement agreement	5.80	\$775	\$ 4,495.00
12/27/2023	Brian J. Mankin	Continue drafting SA and draft Class Notice	2.30	\$775	\$ 1,782.50
1/3/2024	Brian J. Mankin	Draft correspondence to OC re settlement docs, and finalize same	0.80	\$775	\$ 620.00
1/17/2024	Brian J. Mankin	Review multiple Admin bids and responses to Admin questions	0.90	\$775	\$ 697.50
1/19/2024	Brian J. Mankin	Review Def's changes to settlement docs and finalize same	0.60	\$775	\$ 465.00
1/24/2024	Brian J. Mankin	Review Court's tentative rulings and standing rules for MPA	1.50	\$775	\$ 1,162.50
1/24/2024	Brian J. Mankin	Revise SA and Class Notice to include objection and opt-out forms as required by the court; prepare forms	2.30	\$775	\$ 1,782.50
1/25/2024	Brian J. Mankin	Begin drafting MPA	4.80	\$775	\$ 3,720.00
1/26/2024	Brian J. Mankin	Continue drafting MPA and order	4.20	\$775	\$ 3,255.00
2/5/2024	Brian J. Mankin	Draft my declaration and review other docs in support of MPA	1.20	\$775	\$ 930.00
2/7/2024	Brian J. Mankin	Finalize MPA packet for filing	0.60	\$775	\$ 465.00
5/30/2024	Brian J. Mankin	Review court's tentative ruling and prepare for hearing	0.50	\$775	\$ 387.50
5/31/2024	Brian J. Mankin	Attend hearing on MPA	0.70	\$775	\$ 542.50
7/23/2024	Brian J. Mankin	Draft supplemental declaration addressing the Court's concerns and further draft the Notice Packet and Order; draft email to OC re same	3.30	\$775	\$ 2,557.50
7/25/2024	Brian J. Mankin	Review correspondence from OC re supplemental documents and finalize MPA packet	1.80	\$775	\$ 1,395.00
8/29/2024	Brian J. Mankin	Review tentative ruling granting MPA	0.20	\$775	\$ 155.00
9/3/2024	Brian J. Mankin	Draft correspondence to Phoenix re appointment as Admin and beginning Notice process; review signed Order and gather documents re same	0.50	\$775	\$ 387.50
10/1/2024	Brian J. Mankin	Review the mailing packet from the Admin along with the calculations; respond to same	0.70	\$775	\$ 542.50

Arevalos v. Americor

LML Time Records

Date	Attorney	Description	Hours	Rate	Amount
12/11/2024	Brian J. Mankin	Begin preparing MFA packet	6.30	\$775	\$ 4,882.50
12/12/2024	Brian J. Mankin	Continue drafting MFA packet, including motion, my declaration and order	4.80	\$775	\$ 3,720.00
12/12/2024	Brian J. Mankin	Draft correspondence to OC re MFA packet	0.20	\$775	\$ 155.00
	Brian J. Mankin	<i>Estimated (through Final Approval):</i> Finalize Motion and Related Documents; Respond to questions/comments from the Court and prepare any necessary supplemental briefing; Attending Approval Hearing	15.00	\$775	\$ 11,625.00
	Brian J. Mankin	<i>Estimated (after Final Approval):</i> Work with OC and administrator to complete Settlement and mailing of checks/letter; responding to employees questions; ensuring timely payment; reviewing final calculations and disbursement instructions; preparing final declaration and report of disbursement; attending final disbursement hearing	20.00	\$775	\$ 15,500.00
Subtotals for Brian J. Mankin			100.6		\$ 77,965.00
8/22/2022	Misty M. Lauby	Lengthy telephone call with client Emilio Rosas regarding claims, facts, and theories of liability, explain retainer agreement; draft retainer agreement and other initial case documents	2.40	\$650	\$ 1,560.00
8/25/2022	Misty M. Lauby	Review documents, paystubs provided by client	0.60	\$650	\$ 390.00
8/29/2022	Misty M. Lauby	Research company, search California Secretary of State for proper entity names and affiliated entities, review Courtlink and PAGA filings for competing cases; research into corporate financials and collectability.	3.80	\$650	\$ 2,470.00
9/6/2022	Misty M. Lauby	TC with client re further questions	0.40	\$650	\$ 260.00
9/15/2022	Misty M. Lauby	Legal Research re claims including failure to account for all hours and adjusting time records to falsify meal periods	2.60	\$650	\$ 1,690.00
9/18/2022	Misty M. Lauby	TC with client re case strategy	1.20	\$650	\$ 780.00
10/5/2022	Misty M. Lauby	Draft LWDA Letter	4.60	\$650	\$ 2,990.00
10/6/2022	Misty M. Lauby	Further research into various claims	3.60	\$650	\$ 2,340.00
10/7/2022	Misty M. Lauby	Draft 24-page Class Action Complaint	7.40	\$650	\$ 4,810.00
11/15/2022	Misty M. Lauby	Exchange emails with OC re extension to file responsive pleading	0.30	\$650	\$ 195.00
11/21/2022	Misty M. Lauby	Review Minute Order Re Initial Case Management Conference	0.10	\$650	\$ 65.00
11/22/2022	Misty M. Lauby	TC with client re status	0.30	\$650	\$ 195.00
12/9/2022	Misty M. Lauby	Review Defendant's Answer to Complaint	0.60	\$650	\$ 390.00
12/26/2022	Misty M. Lauby	Research re PAGA claims	2.40	\$650	\$ 1,560.00
12/27/2022	Misty M. Lauby	Draft First Amended Complaint to add PAGA claims; Draft Stip and Order to file FAC	6.90	\$650	\$ 4,485.00
1/3/2023	Misty M. Lauby	Prepare FAC redline per OC request	1.30	\$650	\$ 845.00
1/3/2023	Misty M. Lauby	TC with client re status update	0.50	\$650	\$ 325.00
2/24/2023	Misty M. Lauby	Review Defendant's Answer to FAC	0.40	\$650	\$ 260.00
3/1/2023	Misty M. Lauby	Draft Joint Statement and send to OC	1.60	\$650	\$ 1,040.00
3/3/2023	Misty M. Lauby	Draft Plaintiff's Initial Case Management Conference Report	0.40	\$650	\$ 260.00
5/8/2023	Misty M. Lauby	Draft Informal Requests for Mediation	1.40	\$650	\$ 910.00
5/10/2023	Misty M. Lauby	Draft email to OC re informal requests and suggested mediators	0.30	\$650	\$ 195.00
5/10/2023	Misty M. Lauby	Review discovery requests to Plaintiff including FROGS, SROGS, and RFP	2.70	\$650	\$ 1,755.00
5/10/2023	Misty M. Lauby	TC with client re status and discovery	0.20	\$650	\$ 130.00
5/15/2023	Misty M. Lauby	Follow up Email to OC re mediation and request for discovery extension	0.20	\$650	\$ 130.00
5/24/2023	Misty M. Lauby	Further follow up re decision on mediation	0.10	\$650	\$ 65.00

Arevalos v. Americor

LML Time Records

Date	Attorney	Description	Hours	Rate	Amount
5/31/2023	Misty M. Lauby	Draft email to OC re dates for PMK depositions; review responsive email re interested in mediation; TC with OC re mediation; review confirming email re discovery deadlines tolled and working on mediation scheduling	0.60	\$650	\$ 390.00
6/12/2023	Misty M. Lauby	Exchange Emails with OC re meditation	0.40	\$650	\$ 260.00
6/20/2023	Misty M. Lauby	Exchange emails with OC re mediator selection and dates	0.20	\$650	\$ 130.00
6/22/2023	Misty M. Lauby	Exchange emails with OC re mediation date selection	0.20	\$650	\$ 130.00
6/22/2023	Misty M. Lauby	Review JAMS mediation and engagement agreement	0.10	\$650	\$ 65.00
6/22/2023	Misty M. Lauby	TC with client re mediation	0.20	\$650	\$ 130.00
6/28/2023	Misty M. Lauby	Exchange emails with OC re pausing formal discovery	0.20	\$650	\$ 130.00
7/5/2023	Misty M. Lauby	Draft Joint Case Management Statement	0.80	\$650	\$ 520.00
7/12/2023	Misty M. Lauby	Review Minute Order Re Cont of Case Management Conference	0.10	\$650	\$ 65.00
7/28/2023	Misty M. Lauby	Exchange emails with OC re informal discovery deadline	0.20	\$650	\$ 130.00
9/15/2023	Misty M. Lauby	Exchange Emails OC re outstanding informal discovery production	0.40	\$650	\$ 260.00
9/18/2023	Misty M. Lauby	Review spreadsheet partial production	0.30	\$650	\$ 195.00
9/21/2023	Misty M. Lauby	Responses to Informal Information Requests	0.40	\$650	\$ 260.00
10/12/2023	Misty M. Lauby	Telephone call re lack of proper information for mediation and emails re rescheduling mediation	0.60	\$650	\$ 390.00
10/12/2023	Misty M. Lauby	TC with client re rescheduling mediation	0.30	\$650	\$ 195.00
10/27/2023	Misty M. Lauby	Review additional mediation production sent by defendant	4.10	\$650	\$ 2,665.00
11/14/2023	Misty M. Lauby	Email to OC re additional mediation documents	0.10	\$650	\$ 65.00
11/17/2023	Misty M. Lauby	Email to OC re missing mediation data	3.70	\$650	\$ 2,405.00
11/21/2023	Misty M. Lauby	Review Defendant Responses to Informal Discovery 1-6; Statement of Understanding	0.60	\$650	\$ 390.00
11/22/2023	Misty M. Lauby	Review Payroll Sub Report; Company Policies and further doc review for mediation	7.20	\$650	\$ 4,680.00
11/30/2023	Misty M. Lauby	Review meal break waiver from defendant	0.10	\$650	\$ 65.00
12/1/2023	Misty M. Lauby	Exchange text messages with client re additional screenshots of timekeeping records and other questions for mediation brief	0.60	\$650	\$ 390.00
12/1/2023	Misty M. Lauby	Legal research for mediation	4.20	\$650	\$ 2,730.00
12/2/2023	Misty M. Lauby	Begin Drafting Mediation Brief	8.40	\$650	\$ 5,460.00
12/4/2023	Misty M. Lauby	Cont. Drafting Mediation Brief	6.70	\$650	\$ 4,355.00
12/5/2023	Misty M. Lauby	Draft Stip and Order to Continue Case Management Conference	0.60	\$650	\$ 390.00
12/6/2023	Misty M. Lauby	Draft email to OC re advised mediator of missing informal discovery	3.20	\$650	\$ 2,080.00
12/6/2023	Misty M. Lauby	Draft proposed MOU for mediation	1.70	\$650	\$ 1,105.00
12/7/2023	Misty M. Lauby	Prepare Risk Assessment for Mediation	7.40	\$650	\$ 4,810.00
12/7/2023	Misty M. Lauby	Pre-mediation TC with client	0.60	\$650	\$ 390.00
12/8/2023	Misty M. Lauby	Attend Mediation with Jonathan Cannon	8.60	\$650	\$ 5,590.00
12/10/2023	Misty M. Lauby	TC with client re MOU	0.40	\$650	\$ 260.00
12/11/2023	Misty M. Lauby	Revise and finalize including OC's changes MOU	0.70	\$650	\$ 455.00
12/11/2023	Misty M. Lauby	Email to client re terms of settlement	0.20	\$650	\$ 130.00
12/11/2023	Misty M. Lauby	TC with client re further questions regarding MOU	0.30	\$650	\$ 195.00
12/19/2023	Misty M. Lauby	TC with client re long form settlement agreement and approval process	0.40	\$650	\$ 260.00
1/3/2023	Misty M. Lauby	Review Settlement Agreement drafted by BJM	1.80	\$650	\$ 1,170.00
1/28/2023	Misty M. Lauby	Draft Kullar analysis for MPA, MML and client declaration	7.90	\$650	\$ 5,135.00

Arevalos v. Americor

LML Time Records

Date	Attorney	Description	Hours	Rate	Amount
2/2/2023	Misty M. Lauby	Exchange text messages with client re payment plan and financial distress issues	0.30	\$650	\$ 195.00
2/7/2023	Misty M. Lauby	Text to client re declaration	0.10	\$650	\$ 65.00
3/14/2024	Misty M. Lauby	Draft Joint Case Management Statement	0.40	\$650	\$ 260.00
3/27/2024	Misty M. Lauby	Review Minute Order re CMC vacated	0.10	\$650	\$ 65.00
8/29/2024	Misty M. Lauby	Email to client re PA approval and FA date	0.10	\$650	\$ 65.00
9/4/2024	Misty M. Lauby	Email to client re case update	0.10	\$650	\$ 65.00
11/20/2024	Misty M. Lauby	Draft declaration for FA docs	2.70	\$650	\$ 1,755.00
Subtotals for Misty M. Lauby			124.60		\$ 80,990.00

EXHIBIT “B”

All Expenses
Lauby, Mankin & Lauby LLP

Staff Member = All (Active Only)
Group By Staff Member Group
Client - Project = 14000-00508 Rosas v Furniture Ave Inc (Active Only)
Activity Code = All
Expense Code = All
View = Original
Approval Status = All
Selected Expenses = All
From Earliest To Latest

Entered	Status	Approval	BillableType	Expense	Staff Member	Price	Mark Up %	Qty	Amount
<u>Emilio Rosas III</u> <u>14000-00508 Rosas v Furniture Ave Inc</u>									
10-07-2022	Approved		Billable	E108 Postage	Chiarito, Tracie	55.20	0.00	1.00	55.20
Postage for October 2022									
10-07-2022	Approved		Billable	E101 Copying	Chiarito, Tracie	0.20	0.00	138.00	27.60
138 copies @ .20 for letters to employer									
10-07-2022	Approved		Billable	E112 Court fees	Chiarito, Tracie	75.00	0.00	1.00	75.00
Fees to submit PAGA letter to LWDA									
10-11-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	1,492.52	0.00	1.00	1,492.52
OneLegal Order #19069161 - file complaint									
10-12-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
OneLegal Order #19080523 - file summons									
10-19-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	95.02	0.00	1.00	95.02
Bosco Inv #7789205 Serve: Furniture Ave City, a California Corporation Summons; Complaint; Civil Case Cover Sheet; ADR Court: Orange County Superior Court - Civil Complex Center Completed on: 10/14/2022									
10-19-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	134.97	0.00	1.00	134.97
Bosco Inv #7789160 Serve: Furniture Ave, Inc., a California Corporation Summons; Complaint; Civil Case Cover Sheet; ADR Court: Orange County Superior Court - Civil Complex Center Completed on: 10/14/2022									
10-19-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	149.97	0.00	1.00	149.97
Bosco Inv #7789211 Serve: Furniture City West, a California Corporation Summons; Complaint; Civil Case Cover Sheet; ADR Court: Orange County Superior Court - Civil Complex Center Completed on: 10/14/2022									
10-20-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
OneLegal Order #19138649 - file (3) Proofs of Service									
10-20-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	101.50	0.00	1.00	101.50

All Expenses

Lauby, Mankin & Lauby LLP

Staff Member = All (Active Only)
Group By Staff Member Group
Client - Project = 14000-00508 Rosas v Furniture
Ave Inc (Active Only)
Activity Code = All
Expense Code = All
View = Original
Approval Status = All
Selected Expenses = All
From Earliest To Latest

Entered	Status	Approval	BillableType	Expense	Staff Member	Price	Mark Up %	Qty	Amount
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Emilio Rosas III

14000-00508 Rosas v Furniture Ave Inc

Bosco Inv #7789234

Serve: Farris Escheik, an individual
Summons; Complaint; Civil Case Cover Sheet; ADR
Court: Orange County Superior Court - Civil Complex Center
Closed on: 10/19/2022

10-27-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	135.45	0.00	1.00	135.45
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Bosco Inv #7789148

Serve: Fawzi Saed, an individual
Summons; Complaint; Civil Case Cover Sheet; ADR
Court: Orange County Superior Court - Civil Complex Center
Completed on: 10/20/2022

10-28-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
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OneLegal Order #19196472 - file POS

10-31-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
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OneLegal Order #19205632 - file (2) POS

10-31-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	135.45	0.00	1.00	135.45
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Bosco Inv #7827493

Serve: Farris Escheik, an individual
Summons; Complaint; Civil Case Cover Sheet; ADR
Court: Orange County Superior Court - Civil Complex Center
Completed on: 10/25/2022

10-31-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	150.45	0.00	1.00	150.45
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Bosco Inv #7789187

Serve: Omar Rahman, an individual
Summons; Complaint; Civil Case Cover Sheet; ADR
Court: Orange County Superior Court - Civil Complex Center
Completed on: 10/22/2022

12-06-2022	Approved		Billable	Attorney Service	Chiarito, Tracie	20.59	0.00	1.00	20.59
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OneLegal Order #19573407 - File Slip and Order to File FAC

01-04-2023	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
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OneLegal Order #19673406 - file Stipulation and Order re FAC

All Expenses
Lauby, Mankin & Lauby LLP

Staff Member = All (Active Only)
Group By Staff Member Group
Client - Project = 14000-00508 Rosas v Furniture Ave Inc (Active Only)
Activity Code = All
Expense Code = All
View = Original
Approval Status = All
Selected Expenses = All
From Earliest To Latest

Entered	Status	Approval	BillableType	Expense	Staff Member	Price	Mark Up %	Qty	Amount
<u>Emilio Rosas III</u> <u>14000-00508 Rosas v Furniture Ave Inc</u>									
01-10-2023	Approved		Billable	Attorney Service	Chiarito, Tracie	15.19	0.00	1.00	15.19
Onelgal Order #19606022 - file FAC									
03-03-2023	Approved		Billable	Attorney Service	Chiarito, Tracie	13.33	0.00	1.00	13.33
Onelgal Order #19948544 - file Plaintiff Only CMC Statement									
07-06-2023	Approved		Billable	E125 Mediation fees	Chiarito, Tracie	475.00	0.00	1.00	475.00
JAMS Statement re Initial Non-Refundable Fee									
07-07-2023	Approved		Billable	Attorney Service	Chiarito, Tracie	15.65	0.00	1.00	15.65
Onelgal Order #20749687 - file Joint Statement									
07-07-2023	Approved		Billable	E125 Mediation fees	Chiarito, Tracie	5,075.00	0.00	1.00	5,075.00
JAMS Inv #6740288 for 10/30/23 mediation with Judge Cannon									
12-12-2023	Approved		Billable	Attorney Service	Chiarito, Tracie	36.24	0.00	1.00	36.24
Onelgal Order #21764778 - file Stip and Order to Cont CMC									
02-08-2024	Approved		Billable	Attorney Service	Chiarito, Tracie	79.48	0.00	1.00	79.48
Onelgal Order #22191381 - file MPA									
03-15-2024	Approved		Billable	Attorney Service	Chiarito, Tracie	17.71	0.00	1.00	17.71
Onelgal Order #22460438 - file Joint Statement									
08-02-2024	Approved		Billable	Attorney Service	Chiarito, Tracie	17.71	0.00	1.00	17.71
Onelgal Order #23454526 - file Supplemental PA documents									
12-24-2024	Approved		Billable	Attorney Service	Chiarito, Tracie	150.00	0.00	1.00	150.00
File MFA and supporting docs via Onelgal									

Project Total 8,544.98
Client Total 8,544.98
Grand Total 8,544.98

EXHIBIT “C”