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Attorneys for Plaintiff Waddie Earnest and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

PHILLIP BERNAL, TRUHILL NOEL,
KHYELL MARTIN, DAMIEN MCNORTON,
WADDIE EARNEST, GILBERT ESTRADA,
CARMEN HERNANDEZ, and WENDY
QUINTERO, individually, on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

EXPRESS MESSENGER SYSTEMS, INC.,
dba ONTRAC, a Minnesota Corporation,
ONTRAC LOGISTICS, INC., a Delaware
Corporation, and DOES 2-10, Inclusive,

Defendants.

Case No. CIVSB2319614
ASSIGNED FOR ALL PURPOSES TO:

Honorable Joseph Ortiz
Department S-17

CLASS ACTION

**DECLARATION OF YASMIN HOSSEINI
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: July 21, 2026
Time: 1:30 p.m.
Department: S-17

DECLARATION OF YASMIN HOSSEINI

I, Yasmin Hosseini, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers *for* Justice, PC, attorneys of record for Plaintiff Waddie Earnest (“Plaintiff Earnest”) and the Class in the action entitled *Waddie Earnest v. OnTrac Logistics, Inc.*, Superior Court of California for the County of San Joaquin, Case No. STK-CV-UOE-2024-0000460 (“Earnest Action”). The facts set forth in this declaration are within my personal knowledge or based on information and belief, and if called as a witness, I could and would competently testify thereto.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On February 20, 2026, in Department S-17 of the above-entitled Court, the Honorable Joseph T. Ortiz preliminarily approved the Settlement Agreement and Release of Class and PAGA Claims (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into between Plaintiff Earnest, Plaintiff Phillip Bernal (“Plaintiff Bernal”), Plaintiff Truehill Noel (“Plaintiff Noel”), Plaintiff Khyell Martin (“Plaintiff Martin”), Plaintiff Damien McNorton (“Plaintiff McNorton”), Plaintiff Gilbert Estrada (“Plaintiff Estrada”), Plaintiff Carmen Hernandez (“Plaintiff Hernandez”), and Plaintiff Wendy Quintero (“Plaintiff Quintero”) (collectively, “Plaintiffs”), and Defendant OnTrac Logistics, inc. (formerly known as Express Messenger Systems, Inc. dba OnTrac) (“Defendant”) (collectively with Plaintiffs, the “Parties”). For purposes of the Settlement, the Court conditionally certified the Class, appointed Plaintiffs as the representatives of the Class (“Class Representatives”), and appointed and designated Lawyers *for* Justice, PC, The Markham Law Firm, United Employees Law Group, Cohelan Khoury & Singer, Haig B. Kazandjian Lawyers, APC, Crosner Legal, PC, Aegis Law Firm, PC, and Wilshire Law Firm as counsel for the Class (collectively, “Class Counsel”).

3. The Court approved and ordered the mailing of the Court-approved Notice of Class and PAGA Settlement (“Class Notice”), and adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed ILYM Group, Inc. (“ILYM Group” or “Settlement Administrator”) to serve as the third-party settlement administrator and to handle the notice and settlement administration process.

1 4. As of the date of filing the accompanying Motion for Final Approval of Class and
2 Representative Action Settlement (“Motion for Final Approval”), no Class Members have
3 objected to the Class Settlement or the contemplated Attorneys’ Fees and Costs, Service Awards,
4 Settlement Administration Costs, and the allocation for penalties under the Private Attorneys
5 General Act of 2004, California Labor Code section 2698, *et seq.* (“PAGA”).

6 **WORK PERFORMED BY CLASS COUNSEL**

7 5. Several attorneys at Lawyers for Justice, PC have been actively performing work in
8 this matter since prior to the commencement of the Earnest Action, which was commenced by
9 Plaintiff Earnest on January 12, 2024. On March 28, 2025, the Parties reached a global settlement
10 of this case and six related actions: the Earnest Action, the action entitled *Phillip Bernal, et al. v.*
11 *OnTrac Logistics, Inc., LLC*, Superior Court of California for the County of San Bernardino, Case
12 No. CIVSB2319614 (“Bernal Action”), which was commenced on August 15, 2023, the action
13 entitled *Khyell Martin v. OnTrac Logistics, Inc., LLC*, Superior Court of California for the County
14 of Los Angeles, Case No. 23STCV07710 (“Martin Action”), which was commenced on April 7,
15 2023, the action entitled *Damien McNorton v. OnTrac Logistics, Inc., LLC*, Superior Court of
16 California for the County of San Francisco, Case No. CGC23607925 (“McNorton Action”), which
17 was commenced on July 25, 2023, *Carmen Hernandez et al., v. OnTrac Logistics, Inc., LLC*,
18 Superior Court of California for the County of Los Angeles, Case No. 24STCV20860 (“Hernandez
19 Action”), which was commenced on August 16, 2024, and the action entitled *Gilbert Estrada v.*
20 *OnTrac Logistics, Inc.*, Superior Court of California for the County of San Bernardino Case No.
21 CIVSB2400407 (“Estrada Action”), which was commenced on January 17, 2024. The Earnest
22 Action, Bernal Action, Martin Action, McNorton Action, the Estrada Action, and the action
23 entitled *Hernandez et al. v. OnTrac Logistics, Inc.*, Superior Court of California for the County of
24 Los Angeles, Case No. 24STCV20860 (“Hernandez Action”), which was commenced on August
25 16, 2024 (collectively, the “Actions”) were mediated and resolved. On November 20, 2025,
26 Plaintiffs filed a Second Amended Complaint in the Bernal Action, thereby consolidating all the
27 claims, parties, and allegations into a single consolidated complaint.

28 6. Lawyers for Justice, PC has fully and actively participated in the litigation process

1 throughout the pendency of the litigation. Lawyers *for* Justice, PC, counsel for Plaintiff Earnest
2 eventually joined forces with The Markham Law Firm, United Employees Law Group, and
3 Cohelan Khoury & Singer, counsel for Plaintiff Bernal and Plaintiff Noel, Haig B. Kazandjian
4 Lawyers, APC, counsel for Plaintiff Martin, Crosner Legal, PC, counsel for Plaintiff McNorton,
5 Aegis Law Firm, PC, counsel for Plaintiff Estrada, and Wilshire Law Firm, counsel for Plaintiff
6 Hernandez and Plaintiff Quintero, and since then have been working cooperatively and in a
7 coordinated fashion to pursue this matter and reach an outstanding settlement recovery.

8 7. Before initiating the lawsuit on behalf of Plaintiff Earnest, Lawyers *for* Justice, PC
9 conducted extensive investigation and research into the facts and circumstances underlying the
10 pertinent factual and legal issues and applicable law. This required thorough discussions and
11 interviews between attorneys at Lawyers *for* Justice, PC and Plaintiff Earnest, and research into
12 the various legal issues involved in the case, namely, the current state of the law as it applied to
13 class certification, representative PAGA claims, off-the-clock theory, regular rate, meal and rest
14 periods, wage-and-hour law and enforcement, Plaintiff Earnest's claims and allegations, and
15 potential defenses. After conducting an initial investigation, Lawyers *for* Justice, PC determined
16 that the claims of Plaintiff Earnest were well-suited for representative action treatment owing to
17 what appeared to be a common course of conduct affecting a similarly situated group of current
18 and former non-exempt, hourly-paid employees of Defendant who were employed in the State of
19 California, who were not properly compensated for, *inter alia*, all hours worked, non-compliant
20 meal and rest periods, and business expenses.

21 8. Class Counsel conducted informal discovery and investigation into the facts of the
22 cases, to assess the veracity, strength, and scope of the claims, and were preparing the cases for
23 class certification and trial, prior to reaching the Settlement. The Parties exchanged a volume of
24 information, documents, and data in the course of litigation and in connection with mediation and
25 settlement negotiations. The information, documents, and data that were reviewed and analyzed
26 by Lawyers *for* Justice, PC included and were not limited to: Plaintiff Earnest's employment
27 records, and Defendants' operations and employment practice, policies, and procedures, among
28 other information and documents. Class Counsel had the opportunity to obtain information from

1 Plaintiffs and percipient witnesses, and reviewed and analyzed a volume of information, data, and
2 documents obtained from Plaintiffs, Defendant, and other sources. Class Counsel developed
3 liability, damages, violation, and penalties valuation models in the course of litigation and in
4 connection with the mediation and settlement negotiations, and settlement. Other work performed
5 by Class Counsel included, and was not limited to, case strategy and analysis; researching,
6 drafting, reviewing, and/or revising the pleadings, motion-related papers, and settlement
7 documents; and preparing for settlement negotiations, among other tasks.

8 9. As outlined herein, the Parties have conducted significant investigation and informal
9 discovery during the course of litigating this matter, mediation, and settlement negotiations.
10 Collectively, Class Counsel analyzed a volume of pages of information, documents, and data
11 obtained from Plaintiffs, Defendant, and other sources that provided a critical understanding of
12 the nature of the work performed by the Class Members, as well as Defendant's organizational
13 structure and its operations and employment policies, practices, and procedures. The information,
14 documents, and data were used in analyzing liability, damages, penalties, and other valuation
15 issues in connection with all phases of the litigation, and ultimately, in connection with the
16 mediation and settlement negotiation process. Class Counsel also performed significant research
17 into the applicable law, which is evolving as it relates to class certification, manageability, off-
18 the-clock theory, regular rate of pay, meal and rest periods, representative PAGA claims and
19 penalties, wage-and-hour enforcement, Plaintiffs' claims and allegations, and Defendant's
20 defenses thereto, as well as facts discovered.

21 10. After conducting significant investigation of the facts and law during the prosecution
22 of the cases, counsel for the Parties engaged in extensive settlement negotiations to try to resolve
23 the cases. These efforts included participating in a formal mediation session conducted on March
24 25, 2025, by mediator Kevin Barnes Esq., a well-regarded mediator experienced in handling
25 complex labor and employment matters. During all settlement discussions, the Parties conducted
26 their negotiations at arm's length in an adversarial position.

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ATTORNEYS' FEES REQUESTED BY CLASS COUNSEL

11. By way of the accompanying Motion for Final Approval, Class Counsel seeks attorneys' fees in the amount of \$1,575,000.00, which is 35% of the Gross Settlement Amount of \$4,500,000.00. Pursuant to the contingency-fee agreement entered into by Plaintiff Earnest and Lawyers *for* Justice, PC, Plaintiff Earnest has agreed to a contingency fee of at least 35% of the recovery.

12. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the cases; (2) the time, effort, and expense that Class Counsel dedicated to the cases; (3) the skill and determination that Class Counsel have shown; (4) the results that Class Counsel have achieved throughout the litigation of the cases; (5) the value of the settlement that Class Counsel have achieved in the cases; and (6) the other cases that Class Counsel have turned down in order to devote their time and efforts to the cases.

13. The nature of the work performed, skill exercised, and the outcome in this matter support the percentage fee sought. This matter involves an outstanding monetary recovery involving a Gross Settlement Amount of \$4,500,000.00—with a Net Settlement Amount of approximately at least \$2,255,350.00 to be paid to Participating Class Members (with gross Individual Settlement Payments averaging approximately \$72.38), payment of \$112,500.00 to PAGA-Eligible Employees (with gross Individual PAGA Payments averaging approximately \$5.60). and payment of \$337,500.00 to the State of California.

14. While not necessarily required to be demonstrated because the percentage fee is proper for this settlement, it should be noted that Class Counsel have incurred many hours of work in connection with prosecuting the cases, such that the requested award of attorneys' fees is also justified under a lodestar analysis. Attorneys at Lawyers *for* Justice, PC have spent a total of **134.50 hours** performing tasks and obtaining recovery in this matter. Attached hereto as **"EXHIBIT A"** is an Attorney Task and Time Chart for Lawyers *for* Justice, PC that sets forth in detail the nature of the legal services provided by attorneys at Lawyers *for* Justice, PC, and the time incurred by them in performing those services. These hours include work done by several other attorneys at Lawyers *for* Justice, PC. Also, separate from the hours of work referenced

1 herein and in the chart, Lawyers *for* Justice, PC had litigation support personnel actively engaged
2 in assisting with the prosecution of this matter.

3 15. The work performed in this particular matter, the background of Lawyers *for* Justice,
4 PC, as well as the individual backgrounds, training, and experience of the attorneys who worked
5 on this matter, in litigating complex wage-and-hour cases, and in particular, employment class
6 actions and representative actions, support a reasonable blended hourly rate of compensation at
7 the rate of at least \$850 per hour for work performed by Lawyers *for* Justice, PC. Lawyers *for*
8 Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least \$850
9 per hour for legal services performed, by courts granting approval of settlements in other wage-
10 and-hour class action and representative action cases: final approval of the class and representative
11 action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court Case
12 No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved
13 compensation at the rate of \$936.47 per hour; final approval of the class and representative action
14 settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court Case No.
15 BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved
16 compensation at the rate of \$919.57 per hour; final approval of the class and representative action
17 settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No.
18 SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved
19 compensation at the rate of \$855.96 per hour.

20 **EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC**

21 16. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the
22 prosecution of consumer and employment class actions, involving wage-and-hour claims, race
23 discrimination, unfair business practices, or consumer fraud. Currently, Lawyers *for* Justice, PC
24 is the attorney of record in well over a dozen employment-related putative class actions in both
25 state and federal courts in the State of California. Lawyers *for* Justice, PC is comprised of
26 attorneys who focus on litigating complex wage-and-hour class and PAGA representative actions.
27 The firm has successfully litigated cases involving nearly every aspect of California wage and
28 hour law, including payment of overtime and minimum wages, provision of meal and rest breaks

1 and/or premiums wages for same, timely payment of wages, provision of compliant wage
2 statements, reimbursement of business expenses, executive, administrative, and other overtime
3 exemptions to the State of California and federal overtime compensation requirements, PAGA
4 claims, and sister statutes under federal law. During a relatively short time, in association with
5 other law firms, Lawyers *for* Justice, PC has recovered millions of dollars on behalf of thousands
6 of individuals in California.

7 17. Edwin Aiwanian is the Chief Executive Officer of Lawyers *for* Justice, PC. He
8 received his Bachelor of Arts degree from Pepperdine University in April of 1999 and earned a
9 Juris Doctor degree from Pepperdine University School of Law in May of 2004. He has extensive
10 formal training in dispute resolution and negotiation from the Straus Institute for Dispute
11 Resolution as part of its Masters in Dispute Resolution degree program. In addition, he has
12 previously served as a pro bono mediator for the Los Angeles County Superior Court. In October
13 of 2000, he obtained a Litigation Paralegal Certificate from the UCLA Extension Program. During
14 the summer of 2000, he studied Legal Writing at Harvard University. From approximately
15 September 2002 to approximately December 2002, he served as a Judicial Extern to the Honorable
16 Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit. From
17 approximately June 2002 to approximately August 2002, he served as a Judicial Extern to the
18 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
19 In December of 2004, he obtained a license to practice law from the California State Bar. Since
20 in or around October of 2008, through his work at Lawyers *for* Justice, PC, he has almost
21 exclusively focused on the prosecution of consumer and employment class actions. While
22 employed by Lawyers *for* Justice PC, he has argued over one hundred (100) motions, taken or
23 defended over one hundred fifty (150) depositions, prepared dozens of expert witnesses for
24 deposition or trial, and attended over one hundred seventy-five (175) mediations. Together with
25 other attorneys at the firm, and in some cases in conjunction with co-counsel, he has successfully
26 litigated cases involving the executive, administrative, and other overtime exemptions to the State
27 of California and federal overtime compensation requirements. Under his supervision, Lawyers
28 *for* Justice, PC has successfully obtained class certification by contested motion practice in

1 approximately sixteen (16) cases in the last decade, and litigated over 1,000 class action or
2 representative action cases.

3 18. Arby Aiwarzian is a Senior Partner of Lawyers *for* Justice, PC. He received his
4 Bachelor of Arts degree from University of California, Los Angeles and graduated magna cum
5 laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From
6 approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the
7 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
8 From approximately August 2008 to approximately December 2008, he served as a Judicial Extern
9 to the Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit.
10 He was admitted to practice law in California in 2010. He is admitted to practice before all courts
11 of the State of California and all United States District Courts in the State of California. He has
12 worked on many wage-and-hour class action and representative action cases, taking the lead in
13 taking and defending depositions, arguing motions, and attending mediations. He has played an
14 integral role in preparing matters for class certification, including and not limited to, successful
15 certification of a class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No.
16 BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No.
17 BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No.
18 RG13680477). Under his supervision, dozens of class action or representative action cases have
19 resulted in settlements that have been granted court approval. He has handled over one hundred
20 and fifty (150) mediations and worked on over two hundred and fifty (250) class action or
21 representative action cases which have resulted in settlement.

22 19. Joanna Ghosh is a Senior Partner of Lawyers *for* Justice, PC. She received a
23 Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of
24 Science degree from the London School of Economics in 2007, and a Juris Doctor degree from
25 Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010),
26 in New York (since 2013), and in Washington (since 2026), and she is also admitted to practice in
27 all U.S. District Courts in California, U.S. Ninth Circuit Court of Appeals, the U.S. Bankruptcy
28 Court for the Central District of California, the U.S. District Court for the Western District of

1 Washington, and the U.S. Supreme Court. She has taken and defended dozens of depositions and
2 successfully handled motion practice in class action cases regarding discovery (including and not
3 limited to, regarding class contact information), class certification (both contested class
4 certification and stipulated class certification), arbitration agreements, coordination, and
5 intervention. She has successfully handled briefing and oral arguments on appeal and obtained
6 notable decisions regarding Private Attorneys General Act claims and employer efforts to compel
7 arbitration of such claims, e.g., *Roberto Betancourt v. Prudential Overall Supply* (Cal. Ct. App.,
8 Mar. 7, 2017) 9 Cal.App.5th 439, cert. denied (Cal., May 24, 2017), cert. denied (U.S., Dec. 11,
9 2017) and *ZB, N.A. v. Superior Court* (2019) 8 Cal.5th 175. She has significant experience with
10 class actions, including and not limited to, working on cases to obtain class certification through
11 contested motion practice and working on cases in the post-certification stage (e.g., post-
12 certification discovery, appeal, statistical sampling and pilot study, and trial preparation in
13 conjunction with co-counsel in a case involving a certified class consisting of approximately 2,600
14 individuals). She has extensive experience with class action and/or representative action
15 settlements, and has handled this process in over five hundred (500) cases. Under her, Edwin
16 Aiwasian, and Arby Aiwasian's supervision, Lawyers for Justice, PC has handled the class
17 certification and court approval process for hundreds of class action and/or representative action
18 matters that have successfully resolved. Joanna Ghosh is a member of the California Employment
19 Lawyers Association and, on several occasions, has been a speaker regarding topics in wage and
20 hour law at the organization's continuing legal education events.

21 20. I am a Senior Attorney of Lawyers for Justice, PC. I received my Bachelor of Arts
22 degree from University of California, Santa Barbara in 2013 and earned my Juris Doctor degree
23 from Pepperdine University School of Law in 2017. I was admitted to practice law in California
24 in 2019. I was admitted to practice before all courts of the State of California and all federal
25 district courts in the State of California. I have worked on many wage and hour class action and
26 PAGA representative matters, and her work has included, *inter alia*, researching and drafting
27 pleadings, administrative notice exhaustion, drafting, negotiating, and finalizing stipulations and
28 settlement agreements, engaging in motion practice, claims evaluation and analysis, and making

1 court appearances. Prior to working at Lawyers *for* Justice, PC, I represented filmmakers and
2 talent, negotiating and structuring various types of agreements on their behalf. I am a member of
3 the California Employment Lawyers Association, Beverly Hills Bar Association, and Iranian
4 American Bar Association.

5 **LITIGATION COSTS AND EXPENSES INCURRED BY**
6 **LAWYERS *for* JUSTICE, PC**

7 21. To date, Class Counsel have borne all of the risks and costs of litigation and will not
8 receive any compensation until recovery is obtained in the matter. The Settlement provides for
9 reimbursement of Class Counsel's litigation costs and expenses of up to \$55,000.00. Lawyers *for*
10 Justice, PC seeks reimbursement of **\$3,344.12** in litigation costs and expenses incurred in this
11 matter, as reflected in "**EXHIBIT B**" attached hereto. These expenses were reasonable and
12 necessary in the prosecution of the matter and to obtain the Settlement.

13 **SERVICE AWARDS TO PLAINTIFFS**

14 22. In exchange for their broader individual waiver and release of claims against the
15 Released Parties with a California Civil Code Section 1542 waiver (set forth in Paragraph 48 of
16 the Settlement Agreement), and also in recognition of their efforts and work spearheading the
17 prosecution of the cases and serving as the Class Representatives, the Settlement provides for a
18 Service Award, in the amount of up to \$10,000.00 each to Plaintiffs Phillip Bernal, Truhill Noel,
19 Khyell Martin, Damien McNorton, Gilbert Estrada, and Waddie Earnest and in an amount of up
20 to \$7,500.00 each to Plaintiffs Carmen Hernandez and Wendy Quintero. Plaintiffs spent a
21 substantial amount of time and effort discussing their employment with Class Counsel, gathering
22 and providing relevant documents and information, and providing facts and evidence to support
23 the prosecution of the claims. Plaintiffs were available whenever Class Counsel needed them and
24 actively tried to obtain and provide information that would help obtain a recovery in this matter.
25 Accordingly, it is appropriate for Plaintiffs to each receive \$10,000.00 as a reasonable Service
26 Award, for their efforts in this matter, in addition to their individual settlement payments.

27 23. I submit that the Settlement is fair, reasonable, and adequate, and is in the best
28 interests of the Plaintiffs, Class Members, and the State of California.

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

3
4 Executed on this 19th day of June 2026, at Glendale, California.

5 

6 _____
Yasmin Hosseini

EXHIBIT A

WADDIE EARNEST V. ONTRAC LOGISTICS, INC.
San Joaquin County Superior Court Case No. STK-CV-UOE-2024-0000460 (“Earnest Action”)

PHILLIP BERNAL, ET AL, V. EXPRESS MESSENGER SYSTEMS, INC., DBA ONTRAC, ET AL.
San Bernardino County Superior Court Case No. CIVSB2319614 (“Bernal Action”)

ATTORNEY TASK AND TIME CHART

TASK	LAWYERS <i>for</i> JUSTICE, PC
Investigation and Research / Due Diligence	
Meet, Communicate, and/or Review Communication with Plaintiff Waddie Earnest (“Plaintiff Earnest”)	11.50
Investigate, Communicate with, Interview, and/or Review Communication with Putative Class Members, Aggrieved Employees, and/or Percipient Witnesses	7.50
Review and Analyze Court Filings in <i>Phillip Bernal, et al, v. Express Messenger Systems, Inc., dba OnTrac, et al.</i> , San Bernardino Superior Court, Case No. CIVSB2319614	1.20
Review and Analyze Court Filings in <i>Khyell Martin v. OnTrac Logistics, Inc.</i> , Los Angeles Superior Court, Case No. 23STCV07710	0.90
Review and Analyze Court Filings in <i>Damien McNorton v. OnTrac Logistics, Inc.</i> , San Francisco Superior Court, Case No. CGC23607925	0.90
Review and Analyze Court Filings in <i>Gilbert Estrada v. OnTrac Logistics, Inc.</i> , San Bernardino Superior Court, Case No. CIVSB2400407	0.90
Review and Analyze Court Filings in <i>Carmen Hernandez, et al. v. OnTrac Logistics, Inc.</i> , Los Angeles Superior Court, Case No. 24STCV20860	0.90

Pleadings and Court Filings	
Investigate the Merits of Plaintiff Earnest's Private Attorneys General Act ("PAGA") Claim, Conduct Legal Research and Analysis Regarding PAGA Claim, and Draft, Review, and/or Revise Plaintiff Earnest's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. (filed on January 12, 2024) (Earnest Action)	7.50
Review Court's Notice of Case Management Conference and Notice of Hearing (filed on January 12, 2024) (Earnest Action)	0.10
Review Defendant OnTrac Logistics, Inc.'s ("Defendant OnTrac Logistics, Inc.") Notice of Related Case (served on February 15, 2024) (Earnest Action)	0.20
Review Court's Order on Notice of Related Cases, CRC 3.300(h) (filed on March 4, 2024) (Earnest Action)	0.20
Review and Analyze Defendant OnTrac Logistics, Inc.'s Answer to Plaintiff Earnest's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq. (served on March 13, 2024) and Research Affirmative Defenses in Defendant OnTrac Logistics, Inc.'s Answer (Earnest Action)	1.20
Draft Plaintiff Earnest's Notice of Posting Jury Fees (filed on March 25, 2024) (Earnest Action)	0.10
Meet and Confer with Defendant OnTrac Logistics, Inc.'s Counsel, and Draft, Review, and/or Revise Joint Stipulation to Continue Case Management Conference and [Proposed] Order (submitted on June 25, 2024) (Earnest Action)	1.40
Review Court's Order to Continue Case Management Conference (filed on July 1, 2024) (Earnest Action)	0.20
Draft Notice of Entry of Judgment or Order Granting Stipulation to Continue Case Management Conference (filed on July 9, 2024) (Earnest Action)	0.10
Draft, Review, and/or Revise Plaintiff Earnest's Case Management Statement (filed on July 19, 2024) (Earnest Action)	0.80
Review Defendant OnTrac Logistics, Inc.'s Case Management Statement (served on July 22, 2024) (Earnest Action)	0.30

Review Defendant OnTrac Logistics, Inc.'s Notice of Related Case (served on August 26, 2024) (Earnest Action)	0.20
Draft, Review, and/or Revise Plaintiff Earnest's Case Management Statement (filed on August 30, 2024) (Earnest Action)	0.80
Review Defendant OnTrac Logistics, Inc.'s Case Management Statement (served on September 4, 2024) (Earnest Action)	0.30
Review Court's Order on Notice of Related Cases (filed on September 16, 2024) (Earnest Action)	0.20
Draft Notice of Change of Address or Other Contact Information (filed on January 31, 2025) (Earnest Action)	0.10
Review Court's Notice of Continued Case Management Conference (filed on March 19, 2025) (Earnest Action)	0.10
Meet and Confer with Defendant OnTrac Logistics, Inc.'s Counsel, and Draft, Review, and/or Revise Joint Notice of Settlement (filed on April 23, 2025) (Earnest Action)	1.10
Review Defendant OnTrac Logistics, Inc.'s Notice of Entry of Order (served on August 20, 2025) (Earnest Action)	0.10
Review Defendant OnTrac Logistics, Inc.'s Notice of Orders (served on October 1, 2025) (Earnest Action)	0.10
Review Court's Minute Order Re: Case Management Conference (filed on October 27, 2025) (Earnest Action)	0.10
Draft, Review, and/or Revise Plaintiff Earnest, Plaintiff Phillip Bernal, Plaintiff Truhill Noel, Plaintiff Khyell Martin, Plaintiff Damien McNorton, Plaintiff Gilbert Estrada, Plaintiff Carmen Hernandez, and Plaintiff Wendy Quintero's (collectively, "Plaintiffs") Second Amended Class and Representative Action Complaint (filed on November 20, 2025) (Bernal Action)	0.90
Appearances	
Prepare for and Remotely Attend Case Management Conference (October 27, 2025) (Earnest Action)	0.80

Prepare for and Remotely Attend Hearing on Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement (January 6, 2026) (Bernal Action)	1.10
Discovery and Deposition	
Review and Analyze Documents Produced by Defendants in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Waddie Earnest (served on November 30, 2023)	1.80
Letters and Correspondence	
Research, Draft, Review, and/or Revise Notice to California Labor and Workforce Development Agency Re: Claim of Plaintiff Waddie Earnest Under the Private Attorneys General Act (served on November 7, 2023)	4.50
Meet with, Draft Correspondence to, Respond to Correspondence from, and/or Review Correspondence with, Defendants' Counsel	14.50
Meet with, Draft Correspondence to, Respond to Correspondence from, and/or Review Correspondence with, Other Plaintiffs' Counsel	7.50
Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiffs, Defendant OnTrac Logistics, Inc., and Other Sources Prior to Mediation, Research Settlement and Merits-Related Issues, Perform, Review, and/or Revise Claim Evaluation and Analyses, Review Plaintiffs' Mediation Brief, and Prepare for Mediation	14.50
Attend Mediation Session (March 25, 2025; via Zoom Video Conference)	8.10
Review and/or Analyze Mediator's Proposal (issued March 25, 2025)	1.10
Draft, Review, Revise, Negotiate, and Finalize Settlement Agreement and Release of Class and PAGA Claims (executed on December 2, 2025), and Draft, Review, and/or Revise Notice of Class Action Settlement	1.30
Coordinate Settlement Administration with Settlement Administrator, Monitor Settlement Administration and Review Weekly Reports, and Respond to Inquiries	2.50

Law and Motion	
Review and Analyze Defendant OnTrac Logistics, Inc.'s Notice of Motion and Motion to Compel Individual PAGA Claims to Arbitration and Stay Proceedings Pending Arbitration, Memorandum of Points and Authorities in Support Thereof, Request for Judicial Notice in Support Thereof, Declaration of Amy Benbarka in Support Thereof, Declaration of Anthony G. Ly in Support Thereof, and [Proposed] Order Thereon (served on June 7, 2024) (Earnest Action)	2.10
Draft, Review, and/or Revise Plaintiff Earnest's Opposition to Defendant OnTrac Logistics, Inc.'s Motion to Compel Individual PAGA Claims to Arbitration and Stay Proceedings Pending Arbitration, Objections to Defendant OnTrac Logistics, Inc.'s Purported Evidence, Request for Judicial Notice in Support Thereof, Declaration of Plaintiff Waddie Earnest in Support Thereof, and Declaration of Jacquelyn Silva in Support Thereof (filed on July 24, 2024) (Earnest Action)	19.50
Review and Analyze Defendant OnTrac Logistics, Inc.'s Reply Memorandum of Points and Authorities in Support of Motion to Compel Individual PAGA Claims to Arbitration and Stay Proceedings Pending Arbitration, Evidentiary Objections to Evidence Submitted by Plaintiff, Opposition to Plaintiff Earnest's Request Judicial Notice, Responses to Plaintiff Earnest's Evidentiary Objections to the Declaration of Amy Benbarka and the Exhibits, Supplemental Declaration of Amy Benbarka, and [Proposed] Order Thereon (served on July 30, 2024) (Earnest Action)	1.90
Review Court's Tentative Ruling Re: Motion to Compel Arbitration (issued on August 5, 2024) (Earnest Action)	0.40
Review Court's Minute Order Re: Motion to Compel Arbitration and Case Management Conference (filed on August 6, 2024) (Earnest Action)	0.20
Meet and Confer with Defendant OnTrac Logistics, Inc.'s Counsel, and Draft, Review, and/or Revise Stipulation Regarding Agreement to Mediate and Request to Continue Case Management Conference and Hearing on Defendant's Motion to Compel Arbitration; [Proposed] Order (submitted on September 11, 2024) (Earnest Action)	1.50
Review Court's Order Granting Stipulation Regarding Agreement to Mediate and Request to Continue Case Management Conference and Hearing on Defendant's Motion to Compel Arbitration (filed on September 12, 2024) (Earnest Action)	0.20

Review Court's Notice of Continued Motion to Compel (filed on March 19, 2025) (Earnest Action)	0.20
Meet and Confer with Defendant OnTrac Logistics, Inc.'s Counsel, and Draft, Review, and/or Revise Joint Stipulation to Vacate Case Management Conference, Motion to Compel Arbitration, and All Related Deadlines; [Proposed] Order Thereon (submitted on April 22, 2025) (Earnest Action)	1.30
Review Court's Order to Vacate Case Management Conference, Motion to Compel Arbitration, and All Related Deadlines (filed on April 25, 2025) (Earnest Action)	0.20
Draft Notice of Entry of Judgment or Order Vacating Case Management Conference; Motion to Compel Arbitration and All Related Deadlines (filed on May 6, 2025) (Earnest Action)	0.10
Review Declaration of Lisa Mullins of ILYM Group, Inc., Declaration of Maggie K. Realin, Declaration of Chad Saunders, Declaration of Tyler J. Woods, Declaration of Jessica L. Campbell, Declaration of Walter L. Haines, Declaration of Isam C. Khoury, Declaration of David R. Markham, and Declaration of Haig B. Kazandjian, and Research, Draft, Review, and/or Revise Plaintiffs' [Unopposed] Notice of Motion and Motion for Preliminary Approval of Class and Representative Action Settlement, Memorandum of Points and Authorities in Support Thereof, Declaration of Yasmin Hosseini in Support Thereof, and [Proposed] Order Granting Plaintiffs' [Unopposed] Motion for Preliminary Approval of Class and Representative Action Settlement (filed on December 10, 2025) (Bernal Action)	3.50
Meet and Confer with Defendants' Counsel and Other Plaintiffs' Counsel, and Draft, Review, and/or Revise Stipulation and [Proposed] Order for Leave to Exceed Briefing Page Limit on Plaintiffs' [Unopposed] Motion for Preliminary Approval of Class and Representative Action Settlement (submitted on December 10, 2025) (Bernal Action)	0.20
Review Court's Order for Leave to Exceed Briefing Page Limit on Plaintiffs' [Unopposed] Motion for Preliminary Approval of Class and Representative Action Settlement (filed on January 5, 2026) (Bernal Action)	0.10
Review Court's Tentative Ruling Re: Motion for Preliminary Approval of Class Action Settlement (issued on January 5, 2026) (Bernal Action)	0.20
Review Court's Minute Order Re: Motion for Preliminary Approval of Class Action Settlement (filed on January 6, 2026) (Bernal Action)	0.20

Draft, Review, and/or Revise Notice of Continuance of Plaintiffs' Motion for Preliminary Approval of Class and Representative Action Settlement (filed on January 8, 2026) (Bernal Action)	0.10
Review Supplemental Declaration of Maggie K. Realin in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class and Representative Action Settlement (filed on February 9, 2026) (Bernal Action)	0.20
Review Court's Tentative Ruling Re: Motion for Preliminary Approval of Class Action Settlement (issued on February 19, 2026) (Bernal Action)	0.20
Review Court's Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement (filed on February 20, 2026) (Bernal Action)	0.10
Review Declaration of Settlement Administrator, and Research, Draft, Review, and/or Revise Declaration of Yasmin Hosseini in Support of Plaintiffs' Motion for Final Approval of Class and Representative Action Settlement and Declaration of Waddie Earnest in Support of Plaintiffs' Motion for Final Approval of Class and Representative Action Settlement	4.50
Total Hours:	134.50

EXHIBIT B

LAWYERS *for* JUSTICE, PC CASE COST DETAIL
Earnest vs. Ontrac Logistics, Inc. (PAGA)

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
11/1/2023	U.S. Postmaster	Postage	\$17.12
11/7/2023	U.S. Postmaster	Postage	\$8.77
11/7/2023	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
1/12/2024	Legal Document Server, Inc.	Attorney Service	\$230.23
1/12/2024	San Joaquin Superior Court	Complaint Filing Fee	\$435.00
2/14/2024	Legal Document Server, Inc.	Attorney Service	\$175.00
3/26/2024	Legal Document Server, Inc.	Attorney Service	\$185.43
3/26/2024	San Joaquin Superior Court	Jury Fee	\$150.00
6/25/2024	Legal Document Server, Inc.	Attorney Service	\$181.39
6/25/2024	San Joaquin Superior Court	Stipulation & Order Fee	\$20.00
7/9/2024	Legal Document Server, Inc.	Attorney Service	\$225.00
7/19/2024	Legal Document Server, Inc.	Attorney Service	\$225.00
7/24/2024	Legal Document Server, Inc.	Attorney Service	\$332.00
8/30/2024	Legal Document Server, Inc.	Attorney Service	\$225.00
9/11/2024	Legal Document Server, Inc.	Attorney Service	\$226.39
9/11/2024	San Joaquin Superior Court	Stipulation & Order Fee	\$20.00
12/9/2024	General Logistics Systems US, Inc.	Courier Service	\$29.20
1/31/2025	Legal Document Server, Inc.	Attorney Service	\$180.00
2/5/2025	Los Angeles Superior Court	Document Download Fee	\$62.20
4/23/2025	Legal Document Server, Inc.	Attorney Service	\$181.39
5/6/2025	Legal Document Server, Inc.	Attorney Service	\$160.00
Total:			<u>\$3,344.12</u>