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SUPERIOR COURT OF THE STATE OF CALIFORNIA

**FOR THE COUNTY OF SANTA CLARA
(UNLIMITED JURISDICTION)**

EDUARDO MARTINEZ GUIZAR,

Plaintiff,

vs.

AIR CULINAIRE WORLDWIDE, LLC;
and DOES 1 to 25, inclusive,

Defendants.

Case No.: 23CV415879

**DECLARATION OF MARALLE
MESSRELIAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR APPROVAL
OF PAGA SETTLEMENT**

Action filed: May 4, 2023
Hearing Date: April 24, 2025
Hearing Time: 1:30 p.m.
Hearing Dept: 7, Hon. Charles F. Adams

DECLARATION OF MARALLE MESSRELIAN IN SUPPORT OF
PAGA SETTLEMENT AND RELEASE

1. I am an attorney duly licensed to practice law in the State of California and am an attorney of record for Plaintiff Eduardo Martinez Guizar (individually, “Guizar” or “Plaintiff”) in his lawsuit against Defendant Air Culinaire Worldwide (“Defendant” or “Air Culinaire Worldwide”).

2. 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.

Background

3. In 2003, I earned a Bachelor of the Science degree with a major in Accounting from Cal State University, Northridge. In 2017, I earned a Juris Doctor degree from Southwestern University School of Law.

4. In December of 2017, the Supreme Court for the State of California admitted me as an Attorney and Counselor at Law and licensed me to practice law in all the Courts of this State.

5. I am experienced in handling employment law matters and specifically wage and hour class action and representative action cases. I have been practicing law since 2017. My experience has been almost exclusively in the area of employment law representing employees with claims of wrongful termination, harassment, whistleblower retaliation, discrimination, wage and hour, and family and medical leave violations. I am a member of the California Employment Lawyers Association (CELA).

6. In my representation of employees, I have prosecuted several lawsuits on behalf of employees with claims of rest and meal period and overtime violations or other wage claims.

7. I have been involved in the prosecution of numerous wage and hour class and representative actions at various stages of litigation. A small sampling of the wage and hour class and representative action cases in which I have been counsel of record is as follows:

a) *Joshua Silva v. Payo Laboratories, Inc., et al.*, San Luis Obispo County Superior Court, Case No. 19CV-0689 (appointed Class Counsel and granted final approval of class action settlement by the court).

1 b) *Mervin Perkins v. CC Venice, LLC, et al.*, Los Angeles Superior Court, Case
2 No. BC703660 (appointed Class Counsel and granted final approval of class action settlement
3 by the court).

4 c) *Jashar Bryant v. Pinnacle Cabling & Construction, Inc., et al.*, Orange
5 County Superior Court, Case No. 30-2020-01123094-CU-OE-CXC (appointed Class Counsel
6 and granted final approval of class action settlement by the court).

7 d) *Collins v. Spa Products Import & Distribution Co., LLC, et al.*, Los Angeles
8 County Superior Court, Case No. 19STCV10586 (granted final approval of class action
9 settlement by the court)

10 e) *Sabrina Slater v. Avalon Care Center – Sonora, L.L.C., et al.*, Tuolumne
11 County Superior Court, Case No. CV62006 (granted final approval of class action settlement by
12 the court)

13 f) *Violet Avalos v. Smithcare Incorporated, et al.*, Tulare County Superior
14 Court, Case No. VCU272975 (granted final approval of class action settlement by the court)

15 g) *David Contreras v. HTX Services LLC, et al.*, Los Angeles County Superior
16 Court, Case No. 19STCV43405 (granted final approval of class action settlement by the court)

17 h) *Devin Cherry v. LA Corral Three, Inc., et al.*, Kern County Superior Court,
18 Case No., BCV-18-101817-DRL (granted final approval of class action settlement by the court)

19 i) *Vikki Curl and Anthony J. Gratton v. Reel Security Corp., et al.*, Los Angeles
20 County Superior Court, Case No. 18STCV09302 (granted final approval of class action
21 settlement by the court)

22 j) *Corrine Lashbrook and Joshua Sweat v. Andy's BP, Inc., et al.*, San Mateo
23 County Superior Court, Case No. 19CIV02344 (granted final approval of class action settlement
24 by the court)

25 k) *Stephen Aguirre and Christopher Walls v. Anlin Industries*, Fresno County
26 Superior Court, Case No. 17CECG04326 (order and judgment approving PAGA settlement by
27 the court)

28 l) *Rebecca Mallory v. Odyssey Healthcare Operating A, L.P.*, Kern County
Superior Court, Case No. BCV-19-102735 (order and judgment approving PAGA settlement by
the court)

m) *Wendy Chavez v. Texas De Brazil (Fresno) Corporation, et al.*, Fresno

1 County Superior Court, Case No. 19CECG04249 (order and judgment approving PAGA
2 settlement by the court)

3 n) *Kevin Littleton v. Lincoln Military Property Management LP.*, San Diego
4 County Superior Court, Case No. 37-2018-00061799-CU-OE-NC (order and judgment
5 approving PAGA settlement by the court)

6 o) *Krystal Thomas v. Choice Physicians Network, Inc., et al.*, San Bernardino
7 County Superior Court, Case No. CIVDS2013964 (order and judgment approving PAGA
8 settlement by the court)

9 p) *Otina Sengvong v. Probuild Company, LLC, et al.*, United States District
10 Court, Southern District of California, Case No. 3:19-cv-02231-MMA (JLB) (granted final
11 approval of class action settlement by the court)

12 q) *Orland Perez Avalos v. Milagros Restaurant LLC, et al.*, San Mateo County
13 Superior Court, Case No. 22-CIV-01222 (order and judgment approving PAGA settlement by
14 the court)

15 r) *David Xiqui Vasquez v. The Province LLC, et al.*, Santa Clara County
16 Superior Court, Case No. 22CV397541 (order and judgment approving PAGA settlement by
17 the court)

18 s) *Manuel Melendrez v. Clean Auto Inc., et al.*, San Mateo County Superior
19 Court, Case No. 22CIV01967 (order and judgment approving PAGA settlement by the court)

20 t) *Arturo Vera Lopez v. Green Valley Landscape, et al.*, Monterey County
21 Superior Court, Case No. 22CV003751 (order and judgment approving PAGA settlement by
22 the court)

23 u) *Erasmus Gomez v. A-I Jay's Machining, Inc., et al.*, Santa Clara County
24 Superior Court, Case No. 22CV394795 (order and judgment approving PAGA settlement by
25 the court)

26 v) *Iris Rodriguez v. Facility Masters, Inc.*, Santa Clara County Superior Court,
27 Case No. 23CV423999 (order and judgment approving PAGA settlement by the court)

28 w) *Mariana Ruelas v. Vista La Mesa Senior Living, Inc., et al.*, San Diego
Superior Court, Case No. 37-2023-00050755-CU-OE-CTL (order and judgment approving
PAGA settlement by the court).

x) *Jose Angel Lopez v. Moreno & Associates, Inc., et al.*, Santa Clara Superior

1 Court, Case No. 23CV422622 (order and judgment approving PAGA settlement by the court).

2 y) *Irma Tapia v. Posada Associates, et al.*, Santa Cruz Superior Court, Case No.
3 23CV00355 (order and judgment approving PAGA settlement by the court).

4 z) *Andres Ibarra v. Stadco, et al.* Los Angeles Superior Court, Case No.
5 23STCV26591 (order and judgment approving PAGA settlement by the court).

6 8. The hourly rate for my time is \$650.00 per hour which is my usual and customary
7 hourly rate charged for my services in similar PAGA and complex class actions.

8 9. The total number of hours spent by me on this litigation is over 51 hours through
9 April 2, 2025, including reviewing the initial intake; researching the company and past lawsuits
10 against it; drafting the lawsuit and preparing the court filing forms; filing the DFEH complaint
11 and obtaining the right to sue letter; reviewing Plaintiff's personnel file and pay records;
12 reviewing Defendant's sample production; selecting the random sampling; drafting multiple
13 joint CMC statements; reviewing Defendant's policies; sending and receiving emails on the case
14 with defense counsel, co-counsel Harout Messrelian, the legal assistants, the data analyst, and
15 the court clerk; reviewing the data analysis and conferring with co-counsel Harout Messrelian;
16 preparing for and attending a full day mediation; reviewing the individual and PAGA Settlement
17 Agreements; obtaining bids from settlement administrators; and drafting the PAGA Approval
18 Motion papers. I also expect to perform additional work on this case if the Court grants final
19 approval of the Settlement, including supervision of the Settlement Administrator's
20 disbursement of the settlement funds to the PAGA Group Members. I will make detailed copies
21 of such time records available to the Court for inspection upon its request.

22 10. My total lodestar amount through April 2, 2025 is \$33,150.

23 11. I believe that the Settlement is fair, adequate, and reasonable. The Settlement
24 provides substantial monetary benefits to the PAGA Group Members and is a product of diligent
25 efforts of PAGA Counsel to obtain the best possible result for the PAGA Group Members. This
26 Settlement was reached following thorough legal and factual research and analysis, thorough
27 review of extensive data relative to the claims in the action, arduous settlement negotiations,
28 and thorough investigation of the underlying facts by the respective parties and review of
records. The settlement negotiations were, at all times, adversarial and non-collusive in nature.

1 The proposed Settlement is within the range of reasonableness, and PAGA Group Members
2
3 have supported the Settlement.

4 I declare under the penalty of perjury of the laws of the State of California that the
5 foregoing is true and correct to the best of my knowledge.

6 Executed on April 2, 2025 at Glendale, California.

7
8 
9 Maralle Messrelian,
Declarant