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AMANDA HALE and JESUS GOMEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN FRANCISCO

AHMONE BRYANT; SUSAN RODGERS; VERONICA SALDANA; and JESUS GOMEZ, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

BRINKER RESTAURANT CORPORATION; BRINKER INTERNATIONAL, INC, and BRINKER INTERNATIONAL PAYROLL COMPANY, L.P.,

Defendants.

Case No.: CGC-23-608589

DECLARATION OF JAMES TONEY

Complaint Filed:	November 18, 2021
Removal Filed:	December 23, 2021
Trial Date:	None set.

DECLARATION OF JAMES TONEY

I, James Toney, hereby declare as follows:

I am over the age of 18. I submit this declaration in support of Plaintiffs' Motion for Class Certification. All of the information set forth is based on my firsthand knowledge, and, if called and sworn as a witness, I could and would competently testify thereto.

Counsel requested a description of the analysis activities performed in support of the Brinker Internation Inc. matter.

1. Qualifications

I graduated from California State University Long Beach with a Bachelor of Science in Accounting in December of 1988. Thereafter, I obtained my Master of Business Administration degree from Chapman University in December of 1994. I was the General Accounting Manager for the Boeing Company and Payroll Manager for Rockwell International Corporation prior to forming and becoming the principal in JTCalcs, which provides expert consulting services for wage and hour class actions. I have been retained and provided expert analyses in more than 3,400 wage and hour class action lawsuits, as well as several individual wage and hour claims. I have reviewed and analyzed data provided in numerous formats and for multiple business types – retail, entertainment, warehouse, construction, transportation, and medical services.

2. Expert Compensation – Prior to January 2026

The hourly rates charged by category are:

a. Data Analysis - $200.00 per hour
b. Deposition and Trial Support - $250.00 per hour
c. Travel - $200.00 per hour

3. Activity Description

Activity for this matter can be broken up into three categories. This is in line with the three invoices submitted for this case. The invoices are attached as Exhibit B.

Category 1 (Invoice dated 12/18/23)– Initial Analysis of time punch data

- Preparation of file containing data for approximately 973,00 shifts
    - Determine the count of shifts in categories based on hours worked. For example, the number of shifts greater than 3.5 hours or greater than 6.0 hours.
    - Determine the meal break violation rates for these shifts. The violations included:
        - Missed Meals – 1st and 2nd Break
        - Late Meals – 1st and 2nd Break
        - Short Meals – 1st and 2nd Break
    - In addition to the analysis at a global level, shift counts and violation rates were determined for 22 individual declarants.

Category 2 (Invoice Dated 6/17/24) – Mediation Damage Model

- A damage model was prepared for use at the scheduled mediation. Specific activities are:
    - Calculation of meal break violation rates.
    - Review attestation files to determine impact on the meal break violation rate.
    - Calculate Straight-Time and Overtime pay rates.
    - Review of payroll records to determine if any meal premium payments are included as a violation offset.
    - Calculate the average shifts worked per week.
    - Damage Model included the following categories
        - Off-Clock Claim
        - Meal Break Violation Claim
        - Rest Break Violation Claim
        - Expense Reimbursement Claim
        - Waiting Time and Paystub Penalties
        - PAGA Claim

Category 3 (Invoice dated 7/26/24) – Declaration July 17, 2024

- Subsequent to the mediation, a declaration was prepared that detailed the major claim components. The declaration focused on the following topics.
    - Meal Break Violation Rates based on available punch data.
    - Potential Rest Break Violation counts based on shift hours and required breaks based on these hours.
    - Calculate Waiting Time Penalties

I declare under penalty of perjury under the laws of the California that the foregoing is true and correct to the best of my knowledge. Executed this 22nd day of April 2026 at Little Rock, Arkansas.

James R. Toney

Exhibit A

31 CHATEL DR
LITTLE ROCK, AR 72223
501-366-4164
JT@JTCalcs.com

December 18, 2023

Invoice #231221
Due Upon Receipt

Jose Patino Esq.
SLG | SETAREH LAW GROUP
9665 Wilshire Blvd, Suite 430
Beverly Hills, CA 90212

Re: Invoice #231221 - Brinker International - Work Through NOV 30, 2023 (W&H)

This billing is related to effort performed in support of the Brinker International matter.

Activities and Damage Categories

- Phone Conferences
- Prepare file containing 973,000 of data for requested analysis
- Analysis of time punch data focused on shift stratification and meal break violations for 908,000 shifts
- Analysis of punch hours to pay hours tot determine auto-deducted meals
- Prepare detail count and violation information for 22 declarants

Total Hours	11.25
Hourly Rate	$200.00
Total Due	$2,250.00

Check should be made payable to JTC Corporation and mailed to:

31 Chatel Dr
Little Rock, AR 72223

If you have any questions related to this billing please give me a call
Thank You
James Toney "JT"

31 CHATEL DR
LITTLE ROCK, AR 72223
501-366-4164
JT@JTCalcs.com

June 17, 2024

Invoice #240617
Due Upon Receipt

Jose Patino Esq.
Tyson Gibb Esq.
SLG|SETAREH LAW GROUP
9665 Wilshire Blvd, Suite 430
Beverly Hills, CA 90212

Re: Invoice #240617 - Brinker (WH)

This billing is related to effort performed in support of the Brinker matter.

Activities and Damage Categories

- Phone Conferences
- Prepare new or revised punch records for analysis
- Analysis of punch records focused on shift stratification and meal break violations
- Analysis of attestation files
- Calculated ST and Weighted Average OT Rates
- Calculate average shifts worked per week
- Review payroll records for meal premium payments
- Extrapolate damages through June 30, 2024
- Mediation Supprt

Damage Model Includes:

- Off-Clock Hours Claim
- Meal Break Claim
- Rest Break Claim
- Expense Reimbursement Claim
- Waiting Time Penalty
- Paystub Penalty
- PAGA calculation for 9 codes

Total Hours	14.75
Hourly Rate	$200.00
Total Due	$2,950.00

Check should be made payable to JTC Corporation and mailed to:

31 Chatel Dr
Little Rock, AR 72223

If you have any questions related to this billing please give me a call
Thank You
James Toney "JT"

31 CHATEL DR
LITTLE ROCK, AR 72223
501-366-4164
JT@JTCalcs.com

July 26, 2024

Invoice #240704
Due Upon Receipt

Jose Patino Esq.
Tyson Gibb Esq.
SLG | SETAREH LAW GROUP
9665 Wilshire Blvd, Suite 430
Beverly Hills, CA 90212

Re: Invoice #240704 - Brinker (WH) - Declaration

This billing is related to effort performed in support of the Brinker matter.

Activities and Damage Categories

- Phone Conferences
-Review of punch data versus previous data set
-Prepare punch records for decatron analysis

Prepare declaration which was distributed on July 17, 2024

Total Hours	11.00
Hourly Rate	$200.00
Total Due	$2,200.00

Check should be made payable to JTC Corporation and mailed to:

31 Chatel Dr
Little Rock, AR 72223

If you have any questions related to this billing please give me a call
Thank You
James Toney "JT"