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Individually and on behalf of all others similarly situated,
10 Additional counsel on following page*

11
12 **SUPERIOR COURT OF CALIFORNIA**
13 **FOR THE COUNTY OF SACRAMENTO**
14

15 LUTOVIO J. IULIANO, ROBERT
WINIECKI, and TERRY SNIPES individually
16 and on behalf of all others similarly situated,

17 Plaintiffs,

18 v.

19 WORLDWIDE FLIGHT SERVICES, INC., a
Delaware Corporation; WFS EXPRESS, INC.,
20 a Delaware Corporation and DOES 1-50,
inclusive,

21 Defendants.
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Case No. 34-2023-00337627
ASSIGNED FOR ALL PURPOSES TO:
JUDGE: Hon. Lauri A. Damrell
DEPT: 8b

**DECLARATION OF DAVID R.
MARKHAM IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT**

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and all others similarly situated
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20 Attorneys for Plaintiff TERRY SNIPES
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1 I, David R. Markham, declare:

2 1. I am the founding partner of The Markham Law Firm and one of the counsel of
3 record for Plaintiff Terry Snipes in this action. I am a member in good standing of the State Bar of
4 California. I make this Declaration in support of Plaintiffs' Unopposed Motion for Preliminary
5 Approval of Class and Representative Action Settlement. I make this Declaration based on my
6 personal knowledge, and if called to testify, I could and would competently testify to the matters
7 contained in this Declaration.

8 2. I join in the description provided by my co-counsel in their concurrently filed
9 declaration(s) explaining the background and events of this action, the contributions of Plaintiffs
10 and Class Counsel to it, the discovery and actions completed by the parties, the *Kullar* analysis,
11 and the fairness and appropriateness of this Settlement.

12 3. I am a graduate of Cornell University and Columbia Law School, and have been
13 practicing law since 1976. I have extensive experience in class action litigation, including wage–
14 and–hour, consumer, antitrust, and securities litigation.

15 4. I have been lead or co–lead class counsel in hundreds of class action cases in federal
16 and state courts in California, and throughout the United States. I was counsel of record in over
17 thirty reported and widely–cited appellate cases. I have conducted trials in over twenty cases, both
18 bench and jury, including class action trials.

19 5. My firm has obtained many large class action settlements which have benefitted
20 consumers and employees. Two of those cases alone have resulted in recovery of over a billion
21 dollars for class members. In *Jordan v. California Department of Motor Vehicles*, we obtained a
22 settlement fund of over 665 million dollars for the benefit of new California residents who
23 registered their out-of-state vehicles and were unlawfully charged the \$300 smog impact fee.
24 *Jordan v. California Dep't of Motor Vehicles*, 100 Cal. App. 4th 431, 440, (2002), as modified on
25 denial of reh'g (Aug. 20, 2002). In *Sparks v. AT&T et al.*, a settlement fund of \$350 million was
26 obtained for consumers nationwide who had been overcharged for residential telephone equipment.
27 Case No. 96-LM-983, 01-L-1668 (Ill. Cir. Ct., Madison County).

1 6. My firm's settlements in wage and hour cases include *Contreras v. Bank of*
2 *America*, where we reached a settlement fund of over \$16.5 million (San Francisco Superior Court,
3 Case No. CGC-07467749, Sept. 3, 2010). In *Nelson v. St. Paul Fire and Marine Insurance*
4 *Company*, we reached a settlement of \$24.5 million (Case No. 95-G-1088 Brazoria County, Texas,
5 1996). Further, I settled *Zwart v. John Hancock Mutual Life Insurance Company* for \$3 million
6 (Case No. 673902, San Diego Superior Court, 1995). Other California wage and hour settlements
7 in cases where I was lead counsel include *Friend v. Wellpoint/Blue Shield*, Case No. BC345147
8 (Los Angeles Super. Ct., Aug. 22, 2007) which settled for \$6 million, and *Gruender v. First*
9 *American Title Co.*, Case No. 06CC0197 (Orange County Superior Court, 2008), which settled for
10 \$11 million.

11 7. More recent wage and hour settlements that my firm has reached include a
12 \$8,000,000 settlement in *XESP v. BF Borgers CPA PC et al.*, Case No. 2024CV030771, District
13 Court of the State of Colorado, finally approved on December 11, 2025; a \$11,000,000 settlement
14 in *Robertson v. Amazon*, Case No., 3:14-md-2504-DJH, United States District Court for the
15 Western District of Kentucky, finally approved on December 23, 2024; a \$11,500,000 settlement in
16 *Harrison v. Bank of America*, Case No. 3:19-cv-00316-LB, United States District Court for the
17 Northern District of California, finally approved on November 24, 2021; a \$4,600,000 settlement
18 in *Vasquez v. Bank of America*, Case No. CGC-18-571669, San Francisco Superior Court, finally
19 approved on July 29, 2022; a \$1,200,000 settlement in *Townsend v. Maxim*, Case No. 22-CV-
20 005450, Alameda Superior Court, finally approved on December 4, 2025; an average settlement
21 share of over \$2,000 per employee in *Young v. PFT Alexander*, Case No. 23STCV07449, Los
22 Angeles Superior Court, finally approved on March 25, 2026; a \$665,000 settlement in *Gibson v.*
23 *Ross*, Case No. 23CV048864, Alameda Superior Court, finally approved on December 12, 2025; a
24 \$1,375,000 settlement in *Diaz et al. v. United Parcel Service, Inc.*, United States District Court for
25 the Eastern District of California, Case No. 1:22-cv-00246-CDB, finally approved on December
26 13, 2023; a \$24,000,000 global settlement in *Esteban v. American Airlines*, Case No.
27 20STCV47361, Los Angeles Superior Court, finally approved on April 26, 2024; a \$2,000,000
28 settlement in *Stewart v. Del Monte*, Case No. 1:22-CV-04919-RMI, United States District Court

1 for the Northern District of California, finally approved on May 29, 2024; a \$975,000 settlement in
2 *Shaw v. Kaiser*, Case No. CVRI2102203, Riverside Superior Court, finally approved on January
3 19, 2024; a \$2,900,000 settlement in *Swayzer et al. v. Circle K*, Case No. 34-2018-00234999,
4 Sacramento Superior Court, finally approved on February 18, 2022; a \$800,000 settlement in
5 *Slaughter v. California C.C.S. P.C., dba Wellpath*, Case No. CIVDS1935187, San Bernardino
6 Superior Court, finally approved on May 6, 2022; a \$750,000 settlement in *Antenucci v. Bank of*
7 *the West*, Case No. CGC-20-583746, San Francisco Superior Court, finally approved on December
8 7, 2022; a \$750,000 settlement in *Almanzar v. Home Depot*, Case No. 2:20-cv-0699-KJN, Eastern
9 District of California, finally approved on January 3, 2024; a \$750,000 settlement in *Delamora v.*
10 *Thorpe Design, Inc.*, Case No. C22-00931, Contra Costa Superior Court, finally approved on
11 October 2, 2023; a \$1,000,000 settlement in *Kelly v. Simco Electronics*, Case No. 20CV370177,
12 Santa Clara Superior Court, finally approved on January 19, 2022; a \$5,900,000 settlement in
13 *Hurtubise v. Sutter East Bay Hospitals*, Case No. RG17868819, Sacramento Superior Court, finally
14 approved on December 27, 2021; a \$825,000 settlement in *Fritsch et al. v. Swift Transportation*
15 *Co.*, Case No. 5:17-cv-02226-VAP-KKx, United States District Court for the Central District of
16 California, finally approved on January 4, 2022; a \$1.62 million PAGA-only Settlement in
17 *Moreno, et al. v. Habit Employment, LP, et al.*, Case No. 37-2019-00014576-CU-OE-CTL, San
18 Diego Superior Court, approved on September 10, 2021; a \$2,295,000 settlement in *Veramendi v.*
19 *Airtouch Cellular Inc., et al.*, Case No. BC647309, Los Angeles Superior Court, finally approved
20 on June 3, 2021; a \$438,000 settlement in *Valdez v. Pro Unlimited, Inc., et al.*, Case No. CGC-19-
21 574146, San Francisco Superior Court, finally approved on May 10, 2021, an average settlement
22 share of \$5,511.11 per employee in *Hopstein v. Hewlett Packard Enterprise Company (d.b.a.*
23 *HPE)*, *et al.*, Case No. 17CV305577, Santa Clara Superior Court, finally approved on December 2,
24 2020; an average settlement share of \$1,139.71 per employee in *Cuevas v. Three Rivers Trucking,*
25 *Inc.*, Case No. BC655003, Los Angeles Superior Court, finally approved on July 29, 2020; a \$1.2
26 million class and PAGA representative action settlement in *Hernandez et al. v. SFM, LLC*, Case
27 No. 37-2016-00015169, San Diego Superior Court, finally approved on July 21, 2020 (aff'd March
28 16, 2022); \$8.7 million settlement in *Evans v. Wal-Mart Stores, Inc.*, Case No. 2:10-cv-1224,

1 United States District Court for the District of Nevada, finally approved on July 8, 2020 (Dkt. No.
2 135); \$35 million settlement in *Merino v. Wells Fargo*, Case No. 2:16-cv-07840-ES-MA, United
3 States District Court for the District of New Jersey, finally approved on January 15, 2020 (Dkt. No.
4 144); an average settlement share of \$1,317.31 per employee in *Angala v. Kaiser Foundation*
5 *Hospitals*, Case No. HG18899291, Alameda County Superior Court, finally approved on January
6 13, 2020; \$600,000 settlement in *Hoover v. Sedgwick Claims Management Services, Inc.*, Case No.
7 34-2018-00239159, Sacramento Superior Court, finally approved on December 6, 2019; \$950,000
8 settlement in *Bessellieu v. Metro Shore Services, LLC, et al.*, Case No. BC6737001, Los Angeles
9 Superior Court, finally approved on May 21, 2019; \$1.6 million settlement in *Jenkins v. The*
10 *Mentor Network, Inc., et al.*, Case No. 34-2015-00187936, Sacramento Superior Court, finally
11 approved on September 13, 2018; \$27.5 million settlement in *Wells Fargo Wage and Hour Cases*,
12 Case No. JCCP004821, Alameda County Superior Court, finally approved on March 28, 2018;
13 \$2.5 million settlement in *Geilenfeldt v. EDF Renewable Energy, Inc.*, Case No. 37-2016-
14 00001369, San Diego Superior Court, finally approved on March 9, 2018; \$3 million settlement in
15 *Vangsoulatda v. Blue Shield*, Case No. CGC-14-543296, San Francisco County Superior Court,
16 finally approved on January 25, 2018; \$650,000 settlement in *McCarthy v. Marriott Hotel Services,*
17 *Inc.*, Case No. 16-cv-293998, Santa Clara Superior Court, finally approved on October 16, 2017;
18 \$4.9 million settlement for insurance adjusters in *Alvarez v. Farmers*, case number 3:14-cv-00574-
19 WHO, finally approved on January 18, 2017 by Judge Orrick (Dkt. No. 189); \$3.77 million
20 settlement for California warehouse workers in *Saldana v. Amazon*, case number 3:14-cv-00290-
21 DJH (W.D. Ky.), finally approved on October 31, 2016 (Dkt. No. 228).

22 8. My other recent California wage and hour settlements also resulted in substantial
23 recoveries for class members. For instance, I settled *Kogok v. T-Mobile USA, Inc.*, Case No. 37-
24 2012-00076945 (San Diego Super. Ct. Jan. 2015) for \$2,750,000; *Johnson v. Metlife Ins. Co.*, Case
25 No. 13-cv-128-JLS-RNB (C.D. Cal. Mar. 19, 2015) for \$1,970,000; *Erickson v. Old Republic Title*
26 *Company*, Case No. 13-cv-1210-NLS, (S.D. Cal. Jan. 17, 2014) for \$12,000,000 (co-counsel);
27 *Loeza v. Chase Bank, NA*, Case No. 3:13-cv-95-L-BGS (S.D. Cal. Feb. 10, 2016) for \$970,000 plus
28 payroll taxes; *Campagna et al. v. Language Line Services, Inc.*, Case No. 30-2012-00578934-CU-

1 OE-CXC (Orange County Superior Court, Mar. 14, 2014) for \$900,000; *Anderson et al. v. Oracle*
2 *Corp.*, Case No. CIV469916/JCCP No. 4597 (Alameda Super. Ct., June 2013) for \$850,000;
3 *McDonagh v. Harrah's Las Vegas, Inc, et al.*, Case No. 13-cv-01744 (United States District Court
4 for the District of Nevada, Dec. 13, 2016), for \$850,000.

5 9. I have also been counsel and argued numerous appellate cases in the California
6 Supreme Court and Courts of Appeal, as well as the Ninth Circuit. Among the published decisions
7 from these cases are: *Daniels v. Philip Morris*, 18 F.Supp.2d 1110 (S.D. Cal. 1998); *Washington*
8 *Mutual Bank v. Super. Ct.*, 24 Cal.4th 906 (2001); *Norwest Mortgage Inc. v. Super. Ct.*, 72
9 Cal.App. 4th 214 (1999); *Taiheiyo Cement Corp. v. Super. Ct.*, 105 Cal.App. 4th 398 (2003);
10 *Ramos v. Countrywide Home Loans*, 82 Cal.App.4th 615; *In re Tobacco II*, 123 Cal.App.4th 617
11 (2004); *In re Steroid Hormone Prod. Cases*, 181 Cal.App.4th 145 (2010).

12 10. In total, I prosecuted over 250 wage-and-hour class actions.

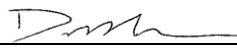
13 11. To date, my firm has incurred \$1,794.07 in out-of-pocket costs. These costs
14 comprise primarily court filing and service fees. We will supplement with any additional costs
15 incurred prior to final approval.

16 12. I have no conflicts of interest with the class or with the class representatives. I am
17 not related to the representative Plaintiffs. I have not previously represented Defendant in any
18 matter. I do not represent opposing factions within the class in that all claims are predicated upon
19 the same theories of liability and benefit all class members equally. In sum, I am well-suited to act
20 as Class Counsel and will continue to vigorously represent the interests of the class.

21 13. Based on my experience as Class Counsel, I believe that the proposed Settlement is
22 fair, reasonable, and adequate for the Class.

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

25 Executed this July 22, 2026 in San Diego, California.

26 
27 David R. Markham
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