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Attorneys for Plaintiffs TAARIQ NASSAR, ISRAEL RIOS, and
the Putative Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

TAARIQ NASSAR, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

v.

DOLLY, INC., a Delaware corporation; and
DOES 1 through 10, inclusive,

Defendants.

AND ALL RELATED ACTIONS

Case No. 25STCV24123
(Complaint Filed August 15, 2025)
Related and Lead Case No.: 25STCV19205
(Rios Filed July 1, 2025)
Assigned to: Hon. Theresa M. Traber

**DECLARATION OF SHAUN MARKLEY
IN SUPPORT OF PLAINTIFF TAARIQ
NASSAR'S AND PLAINTIFF ISRAEL
RIOS'S MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT AND PROVISIONAL
CLASS CERTIFICATION FOR
SETTLEMENT PURPOSES ONLY**

*[Declaration of Camron Dowlatsahi,
Declaration of Shaun Markley, Declaration of
Taariq Nassar, and Declaration of Israel Rios
filed concurrently; (Proposed) Order lodged
concurrently]*

Date: May 12, 2026
Time: 10:30 AM
Dept: 1

Trial Date: None Set

I, SHAUN MARKLEY, declare:

1. I am an attorney at law duly licensed to practice before all the courts of the State of California; the United States District Court for the Southern, Northern, Eastern, and Central Districts of California; and the United States Court of Appeals for the First, Ninth, and Tenth Circuits. I am also admitted before the United States Supreme Court. I am a partner with the law firm of Nicholas & Tomasevic, LLP, counsel of record for Plaintiff Alice Wilburg ("Plaintiff"). The following facts in this declaration are stated from my personal knowledge, except those facts stated on information and belief, which I believe to be true and correct, and if called upon as a witness, I would testify competently thereto under oath. I submit this declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement.

2. The following is a brief description of my and my firm's relevant professional background. N&T's experience includes, but is not limited to, California and federal court certification of class action cases for purposes of trial and for settlement in a variety of contexts, including wage and hour litigation, consumer protection, and ERISA. We have certified many employment and consumer class actions with a special emphasis on worker misclassification cases. In just the past 3 years, my firm and I have successfully certified 3 independent contractor misclassification cases including this one: *Salinas v. Cornwell Quality Tools Company*, Case No. 5:19-cv-02275-FLA-SP (C.D. Cal), *Fleming v. Matco Tools Corp.*, Case No. 19-c-00463-WHO (N.D. Cal.), and *Ludlow v. Flowers Foods, Inc.*, Case No. 18-cv-01190-JO-JLB (S.D. Cal.). We also settled several independent contractor cases short of class certification stage rulings and are currently litigating several others. These include *Quinones v. XPO Logistics, Inc., et al.*, Case No. 23-cv-01301-AB-KS (CD Cal. 2023); *Galindo, et al. v. Snap-On Tools Co.*, Case No. 21STCV45419 (Los Angeles Superior Court).

3. Separately, we have tried class actions to verdict. We have also defended class actions, including employment class actions. Our firm members routinely write and speak on employment class action

1 and PAGA litigation, including on behalf of the San Diego County Bar Association, and closely follow legal
2 developments in this area.

3 4. Some of our firms' other recent class action experience includes litigating *Moyle v. Liberty*
4 *Mutual* and recovering in 2018 over \$30 million in employee benefits against Liberty Mutual, in a class action
5 settlement approved by the United States District Court, Southern District of California. Also, in 2018 we helped
6 recover over \$25 million for consumers against Procter & Gamble for unfair competition and related claims
7 related to their marketing and sale of certain dietary supplements. We also obtained court approval of a class
8 action settlement in *Loera v. Akal*, a California Superior Court case involving wage/hour issues. This case settled
9 after the first phase of trial and the class was ultimately awarded about \$10 million in damages.

10 5. We are also experienced, more generally, in the bringing employment class actions against
11 large employers, having brought successful actions against Liberty Mutual Insurance, Verizon, Home Depot,
12 Lowes, Intuit, FedEx, Albertson's, Snap-On, Matco, and Planet Fitness, among others.

13 6. Aside from the above, our recent appointments as class counsel include serving as appointed
14 class counsel in several large consumer class actions, including for a class of over 100,000 Californians in
15 *Munguia-Brown, et al. v. Equity Residential, et al.*, Case No. 16-cv-01225 (N.D. Cal.), which we just completed
16 a successful three week trial in; *Farley v. Lincoln Benefit Life Co.*, Case No. 20-cv-02485-KJM-DB (E.D. Cal.)
17 (over 37,000 class members); and *Small v. Allianz Life Insurance Co. of North America*, Case No. 20-cv-01944-
18 TJH-KES (C.D. Cal.) (over 1700 class members). I, and my colleagues at N&T, have been found to be adequate
19 class counsel in every case that we have ever sought to be deemed as such – in more than 40 matters.

20 7. Our backgrounds demonstrate our ability to effectively litigate class actions and appropriately
21 value their worth. Partner Craig M. Nicholas received his Juris Doctor in 1995 with cum laude honors from the
22 University of Arizona College of Law, where he served as Note & Comment Editor of the Arizona Journal of
23 International and Comparative Law. He completed his undergraduate education at the University of California
24 at San Diego, where he graduated cum laude with a BA in political science in 1992. Mr. Nicholas was a partner
25 at the antitrust and business litigation law firm of Wright & L'Estrange from 2002-2004, recognized by San
26 Diego Magazine as one of the leading antitrust law firms in San Diego, before founding the predecessor to
27 Nicholas & Tomasevic LLP to offer client services on a larger platform. Mr. Nicholas is a former member of

the Board of Directors of the William Enright Inn of Court. Mr. Nicholas served as the President of the California Young Lawyers Association for the State Bar of California in 2003-2004 and represented San Diego County in the Association from 2001-2003. Mr. Nicholas has given seminars on expert witness law in California and civil litigation matters. Mr. Nicholas has been selected by SuperLawyers magazine as one of the Top 50 attorneys in San Diego. The San Diego Attorney Journal honored Mr. Nicholas as Attorney of the Month in June 2012. In 2013, The San Diego Daily Transcript identified Mr. Nicholas as a Top Attorney in Corporate Litigation. In 2009, The San Diego Daily Transcript identified Mr. Nicholas as one of the top 25 corporate litigators in San Diego County.

8. I have been practicing since 2013 and am a graduate of The Ohio State University's Moritz College of Law. In addition to my contributions to the cases noted throughout this declaration, I've secured several other hard-fought, large class action settlements to recover wages and penalties on behalf of California employees from defendants in the transportation, retail, technology, and automotive sectors. I have successfully certified and/or settled many independent contractor misclassification cases. I am also actively litigating several appeals in independent contractor misclassification cases addressing some of the central and evolving issues relevant to these types of workers and the scope of their ability to pursue employment rights. I was recently selected as a 2022 "Rising Star" by SuperLawyers in the area of plaintiff's side employment law.

9. Jordan Belcastro, Esq. is an Associate of N&T's. He has been practicing since 2020 and is a graduate of The Ohio State University's Moritz College of Law. While at Ohio State, Jordan was a Managing Editor on the Ohio State Law Journal. Jordan is experienced in labor and employment law, having successfully advocated for clients in a wide range of matters, including discrimination claims and wage and hour disputes. Prior to joining N&T, Jordan was an Associate with Currier & Hudson APC where he focused on education and labor and employment law while representing the State's largest public educational institutions. Jordan joined N&T in 2022, where he has contributed towards multiple successful class action settlements primarily in the labor and employment sector.

10. Also, and as we have repeatedly demonstrated, the attorneys of N&T have the commitment to see class actions through trial and recovery, including the financial and other resources necessary to adequately and vigorously litigate these types of claims.

1 11. To my knowledge, N&T has no conflicts of interest that would prevent the firm from
2 providing zealous representation of the named Plaintiffs and the class and we believe we have done so. In our
3 professional view, the Settlement provides fair and reasonable value to the class and accepting the Settlement
4 was in the best interest of Plaintiffs and the class.

5 12. On February 28, 2025, Israel Rios through my firm, submitted to the Labor and
6 Workforce Development Agency (“LWDA”) a Private Attorneys General Act (“PAGA”) notice
7 pursuant to Labor Code section 2699.3. The notice included allegations against Defendant
8 regarding misclassification of workers as independent contractors, failure to reimburse business
9 expenses, unlawful deductions from wages, failure to pay minimum wage, failure to pay overtime
10 compensation, failure to provide meal and rest breaks, failure to pay premiums, and inaccurate
11 wage statements. Plaintiff Rios received no indication that the LWDA intended to investigate

12 I declare under penalty of perjury under the laws of the State of California and the United
13 States of America that the foregoing is true and correct. Executed on April 8, 2026, in San Diego,
14 California.

15
16 By:



17 SHAUN MARKLEY (SBN 291785)

18 Declarant / Attorney for Plaintiff
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