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[Additional counsel on following page]

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

DAIJA WALKER, on behalf of the
State of California, as a private attorney
general,

Plaintiff,

vs.

CROSSROADS TRADING CO., INC., a
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO. 23STCV26727

**DECLARATION OF MARCUS J.
BRADLEY IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

1 **MAJARIAN LAW GROUP APC**

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10 Attorneys for Plaintiff ADAM JOY

11 and other individuals similarly situated

1 dissolution of the firm effective December 31, 2008. In January 2009, I moved my existing practice
2 transferring a number of wage and hour cases to become a partner with the law firm of Marlin &
3 Saltzman, a long-established firm with whom I had been co-counsel on dozens of wage and hour
4 class actions during my tenure at Schwartz, Daniels & Bradley. On September 1, 2016, I formed
5 Bradley/Grombacher LLP along with a former associate at Marlin & Saltzman, Kiley Grombacher.

6 7. I have been responsible for all facets of employment class action cases and other
7 complex litigation, from pre-filing investigation through trial and appeal. Since approximately May
8 2000, I have spent most of my time representing workers in wage and hour matters. I, along with my
9 current and former partners, have litigated these issues in class actions to favorable settlements that
10 have recouped over \$800 million in unpaid wages, including the following more notable cases:

- 11 a. *Gutierrez v. State Farm Mutual*, Los Angeles Superior Court (BC236552). Class action
12 mis-classification case seeking overtime compensation for approximately 2,600
13 insurance claims adjusters employed by State Farm. The class was certified, and
14 summary adjudication was granted as to liability in favor of the class. The case settled
15 for \$135 million just prior to trial, with final approval granted with no objections filed.
- 16 b. *Bednar v. Allstate Insurance Company*, Los Angeles Superior Court (BC240813). Class
17 action mis-classification case seeking overtime compensation for approximately 1,200
18 insurance claims adjusters employed by Allstate. The class was certified, and summary
19 adjudication was granted as to liability in favor of the class. The case settled for \$120
20 million just prior to trial, with final approval granted with no objections filed.
- 21 c. *Roberts v. Coast National Insurance*, Orange County Superior Court (01CC08478).
22 Class action mis-classification case seeking overtime compensation for insurance claims
23 adjusters employed by Coast National Insurance. Certification granted, and then the
24 matter was tried before a binding arbitrator. The case settled during the arbitration for an
25 excess of \$18 million.
- 26 d. *CNA Class Action Litigation*, Los Angeles Superior Court Class (JCCP 4230). Class
27 action mis-classification case seeking overtime compensation for insurance claims
28 adjusters employed by the defendant. The case settled for \$33 million, with final

1 approval granted with no objections filed.

2 e. *Dotson v. Royal & SunAlliance*, Orange County Superior Court (02CC01787). Class
3 action mis-classification case seeking overtime compensation for insurance claims
4 adjusters employed by Royal & SunAlliance. Case settled for \$12.3 million, with final
5 approval granted with no objections filed.

6 f. *Parris v. Lowe's Home Improvement*, Los Angeles County Superior Court (BC260702).
7 Class action seeking payment of "off-the-clock" hours worked by all hourly employees
8 of Lowe's Home Improvement stores in the State of California. The class was certified
9 by the Court of Appeal and remanded to the trial court for further proceedings. Shortly
10 thereafter, a \$29.5 million settlement was reached and approved without objection.

11 g. *Pardo v. Toyota Motor Sales, et al.*, Los Angeles County Superior Court (BC372781).
12 Class action mis-classification of workers with claims for overtime and missed meal and
13 rest breaks. The case settled for \$7.75 million and was approved with no objections.

14 h. *Smith/Ballard v. Wal-Mart Stores, Inc.*, United States District Court for the Northern
15 District of California (Case No. 4:06-cv-05411-SBA). Wage and hour class action
16 seeking unpaid vacation and personal time, unpaid wages, and related penalties on
17 behalf of over 245,000 employees. The action was certified and settled for \$86 million
18 while defendants' appeal of the certification was pending in the Ninth Circuit Court of
19 Appeals.

20 i. *Hoyng v. AON*, Los Angeles County Superior Court (BC377184). Wage and hour class
21 action seeking overtime and related compensation for mis-classification on behalf of
22 Relationship and Account Specialists. The case settled for \$10.5 million, which was
23 approved with no objections filed.

24 j. *In RE Bank of America Wage and Hour Employment Practices Litigation*, MDL 2138,
25 United States District Court for the District of Kansas. California state and FLSA wage
26 and hour litigation for various violations including unpaid overtime and "off-the-clock"
27 work. Settled for \$73 million.

28 k. *Lemus v. H & R Block Litigation*, United States District Court for the Northern District

of California (Case No. 3:09-cv-03179-SI) Class certified, and settlement reached prior to trial. Total settlement of \$35 million.

l. *Harris v. Vector Marketing Corporation*, United States District Court for the Northern District of California (Case No. 3:08-cv-05198-EMC). Class action case on behalf of approximately 70,000 employees misclassified as “trainees.”

m. *Bickley v. Schneider National Trucking*, United States District Court for the Northern District of California (Case No. 4:08-cv-05806-JSW). Wage and hour class action on behalf of approximately 6,000 truck drivers. Settled for \$29.5million.

n. *Roberts v. TJX*, United States District Court for the Northern District of California (Case No. 13-CV-04731-MEJ). Wage and hour violations on behalf of approximately 82,000 employees. Settled for \$8.5 million.

o. *Opyrchal v. New York Life Insurance*, United States District Court for the Central District of California (Case No. 2:07-cv-00518-VBF). Class action for the failure to pay commissions pursuant to a compensation plan. Settled for \$10 million.

p. *Neuvenheim v. Gamestop Corp.*, United States District Court for the Central District of California (Case No. 2:09-cv-06799-ODW). Class action on behalf of nonexempt employees for wage and hour violations.

q. *Hightower v. JP Morgan Chase*, United States District Court for the Central District of California (Case No. 2:11-cv-01802-PSG). Class action on behalf of nonexempt employees for wage and hour violations. Settled for \$12 million.

8. On many of the above cases, I was either lead or co-lead counsel, including cases in multi-district litigation or coordinated proceedings where I worked collaboratively and cooperatively with co-counsel to bring about an efficient and beneficial resolution for all class members as the above results demonstrate.

9. I have argued cases in trial courts as well as before courts of appeal. My writings on legal topics pertaining to litigating wage and hour class and representative actions have appeared in professional publications and I have been called upon to speak at conferences and seminars for professional organizations, including a recent presentation titled “Planning for and Executing Trial

1 in Class and Collective Wage & Hour Cases.”

2 10. I have also been honored as a Super Lawyer in the area of class actions by Los
3 Angeles Magazine for multiple years including 2024. I am also a member of a number of
4 professional organizations, including the Consumer Attorneys of Los Angeles, the Consumer
5 Attorneys of California, the California Employment Lawyers Association, and the American
6 Association for Justice.

7 11. My Partner, Ms. Grombacher, specializes her practice in complex litigation,
8 including consumer and employment class actions. She has litigated hundreds of employment and
9 consumer class actions throughout her career which began at Arias, Ozzello & Gignac where she
10 gained extensive experience litigating consumer cases.

11 12. Thereafter, Ms. Grombacher joined Marlin & Saltzman in 2010 where she focused
12 her practice almost exclusively on wage and hour, collective and representative actions including
13 the reported case, *Faulkinbury v. Boyd & Associates*, which clarified the holding in the seminal
14 case, *Brinker Restaurant Corp. v. Superior Court*, to establish that the legality of certain company
15 policies could be determined on a class-wide basis even if the application of the policies varies by
16 individual.

17 13. Ms. Grombacher has been selected by Super Lawyers Magazine as a “Rising Star” in
18 the field of complex litigation since 2015 and as a Super Lawyer since 2017. She has published
19 articles on the field of class action litigation including, “A Class-Action Primer,” which appeared in
20 *The Advocate*, which is the Journal of Consumer Attorneys of Southern California.

21 14. Ms. Grombacher has also lectured on various topics involving complex case
22 management and recently spoke at the Beverly Hills Bar Association’s Class Action and Complex
23 Case Management Conference. She is also a member of a number of professional organizations,
24 including the Consumer Attorneys of Los Angeles and the American Association for Justice.

25 **Plaintiff and His Counsel Adequately Represent the Class**

26 15. Mr. Joy has retained and is represented by counsel with substantial experience in
27 wage and hour class action litigation. Additionally, there is no evidence of antagonism between Mr.
28 Joy’s interests and those of the Class Members. Mr. Joy has litigated this case in good faith and his

1 interests are aligned with those of the Class Members as they both share a common interest in
2 challenging the legality of Defendant's policies and procedures.

3 16. Throughout this case, Mr. Joy has remained available to, and regularly did, consult
4 with counsel. In addition, he reviewed documents and provided invaluable information regarding
5 the workings of the Defendant's company. Mr. Joy was also actively involved in discussions
6 regarding the resolution of this matter and approved the settlement terms on behalf of himself and
7 the Class.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing
9 is true and correct and based on my personal knowledge.

10 Executed on July 29, 2024, in Westlake Village, California.

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14 Marcus J. Bradley
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