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Attorneys for Plaintiff

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

YVONNE LARKIN, as an individual and on behalf of all others similarly situated, and as a private attorney general,

Plaintiff,

vs.

PARK & KISS, INC.; and DOES 1 through 50, inclusive,

Defendants.

Case No. 24CV001833

DECLARATION OF B. JAMES FITZPATRICK IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Date: December 14, 2026
Time: 8:30 a.m.
Department: 5

Complaint Filed: February 3, 2026

I, B. James Fitzpatrick, declare as follows:

1. I am an attorney duly admitted to practice in the State of California, and the owner of the law firm of Fitzpatrick & Swanston, counsel of record for Plaintiff Yvonne Larkin ("Plaintiff"). I have personal knowledge of the facts set forth below, and if called to testify, I could and would do so competently.

2. Class Counsel support the settlement as fair, reasonable, and adequate, and in the best interest of the Settlement Class Members as a whole.

3. **Attorney Qualification:** I have spent significant time researching and pursuing the claims that have been alleged in this action. From the inception of the case, Class Counsel have zealously represented the interests of the Class. Class Counsel have engaged in significant meet and confer discussions with opposing counsel to obtain informal data and documents and to discuss the merits of the claims on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative. Based on my review of all the documents and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

4. My qualifications are as follows: I received my bachelor's degree from the University of California, Santa Barbara, and my Juris Doctor degree from the University of Santa Clara School of Law. I have practiced law since 1987. The primary emphasis of my practice is employment litigation. I have represented both employers and employees. Over 15 years ago, my office commenced handling plaintiff class action wage and hour cases. Since then, my office has handled hundreds of wage and hour cases to conclusion and has been class counsel and/or co-counsel in over 100 class actions. My firm currently has wage and hour cases in Alameda County Superior Court, Monterey County Superior Court, Nevada County Superior Court, San Benito County Superior Court, San Bernardino County Superior Court, San Joaquin County Superior Court, Santa Cruz Superior Court, Santa Clara County Superior Court, Ventura County Superior Court, and the United States District Courts for the Eastern and Northern District of California.

5. My firm has incurred $75.00 in litigation costs. Attached as **Exhibit A** is a copy of the litigation costs incurred by my firm as of the filing of this motion related to this lawsuit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and if called as a witness I could and would competently testify to each of the matters stated herein, and I state that these matters are based upon my own personal knowledge acquired through first-hand observation, except where stated otherwise. This declaration was executed by me on November 16, 2026, in Salinas, California.

/s/ B. James Fitzpatrick

B. James Fitzpatrick

EXHIBIT A

Cost/Expense Detail

Date	Code	Check #	Type	Units	Amount	Description	Date Billed	Amount Billed
L0050	**Larkin, Yvonne**							
600	**FTP**							
9/22/25	16		Exp.		75.00	DIR LWDA - PAGA Ntc		
		Matter Total			**75.00**			**.00**
		Client Total			**75.00**			**.00**
Report Total:								
		Total			**75.00**			**.00**

Types: Unbilled Costs, Unbilled Expenses, Billed Costs, Billed Expenses
Selection criteria: Client: L0050 Matter: 600
Sorted by: Client Number / Matter Number