

THE MARKHAM LAW FIRM

David R. Markham (SBN 71814)

dmarkham@markham-law.com

Lisa R. Brevard (SBN 323391)

lbrevard@markham-law.com

888 Prospect Street, Suite 200

La Jolla, CA 92037

Telephone: (619) 399-3995/Facsimile: (619) 615-2067

COHELAN KHOURY & SINGER

Isam C. Khoury (SBN 58759)

ikhoury@ckslaw.com

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Maggie K. Realin (SBN 263639)

mrealin@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001/Facsimile: (619) 595-3000

[Additional Counsel Listed on Next Page]

Attorneys for Plaintiff CHRISTIAN SANCHEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

CHRISTIAN SANCHEZ, ATU AKINLABI
WATSON, and TYRON WESLEY
MCCARTHER, individuals, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

SPOKE LOGISTICS, LLC, a Wyoming
Limited Liability Company, and Does 1-25,
Inclusive,

Defendant.

Case No. 23-CV-035138

ASSIGNED FOR ALL PURPOSES TO:
The Honorable Victoria Kolakowski
Department 16

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF SARKIS
SIRMABEKIAN IN SUPPORT OF
PLAINTIFFS' UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE
ACTION SETTLEMENT**

Date: April 14, 2026

Time: 2:30 p.m.

Dept.: 16

Reservation: 408531732666

Complaint filed: June 6, 2023

Trial Date: Not Set

1 SPOKE LOGISTICS, LLC, a California
2 Corporation,

3 Cross-Complainant,

4 v.

5 HE IS THE WAY TRANSPORT
6 SERVICES, INC.,

7 Cross-Defendant.

Complaint filed: September 11, 2023
Trial Date: Not Set

8 **UNITED EMPLOYEES LAW GROUP**

9 Walter L. Haines (SBN 71075)

10 whaines@uelglaw.com

11 8605 Santa Monica Blvd., #63354

12 West Hollywood, CA 90069

13 Telephone: (562) 256-1047/Facsimile: (562) 256-1006

14 Attorneys for Plaintiff CHRISTIAN SANCHEZ

15 **SIRMABEKIAN LAW FIRM, PC**

16 Sarkis Sirmabekian (SBN 278588)

17 contact@slawla.com

18 2600 W. Olive Avenue, Suite 549

19 Burbank, CA 91505

20 Telephone: (818) 473-5003/Facsimile: (818) 476-5619

21 Attorneys for Plaintiffs ATU AKINLABI WATSON and TYRON WESLEY MCCARTHER

1 I, SARKIS SIRMABEKIAN, declare as follows:

2 1. I am an attorney at law duly licensed to practice law before the California State
3 Courts and the Central District of California. I am the founder of SIRMABEKIAN LAW FIRM,
4 PC. I am the counsel for Plaintiffs ATU AKINLABI WATSON and TYRON WESLEY
5 MCCARTHER on behalf of themselves and all others similarly situated (“Plaintiffs” and/or
6 “Class Representatives”).

7 2. I have personal knowledge of all the matters set forth herein, and if called upon, I
8 could and would testify to the following.

9 3. All of the factual representations made in the accompanying Motion for
10 Preliminary Approval of Class and Representative Action Settlement (“Motion”) are true to the
11 best of my knowledge, and I am providing this declaration in support thereof.

12 4. On June 6, 2024, Plaintiff ATU AKINLABI WATSON filed its Complaint with
13 the Alameda County Superior Court, on behalf of himself and all others similarly situated.
14 Plaintiff’s Complaint alleged claims for (1) Violation of the Private Attorneys General Act of
15 2004, California Labor Code § 2698, et seq. (the “*Watson*” matter).

16 5. On January 14, 2025, a First Amended Complaint was filed adding Plaintiff
17 TYRON WESLEY MCCARTHER.

18 6. On June 14, 2024, the Court deemed the *Watson* matter related to the matter of
19 *Sanchez v. Spoke Logistics, LLC*, Alameda County Superior Court case number 23CV035138.

20 7. On September 18, 2025, all parties in both the *Watson* and *Sanchez* matters
21 attended a full day mediation with Jeffrey Fuchsman. The Parties reached a global PAGA
22 representative and Class Action settlement that will resolve both the *Watson* and *Sanchez*
23 actions.

24 8. On or around February 2, 2026, the Parties fully executed a “Class and
25 Representative Action Settlement Agreement and Release” (“Settlement Agreement” or
26 “Settlement”).

27 9. The settlement discussions were conducted at arm’s length, and the settlement is
28 the result of an informed and detailed analysis of Defendant’s potential liability of total exposure

1 in relation to the costs and risks associated with continued litigation.

2 10. I prosecuted this class action lawsuit with co-counsel THE MARKHAM LAW
3 FIRM, COHELAN KHOURY & SINGER, and UNITED EMPLOYEES LAW GROUP
4 (collectively, "Class Counsel"). Along with Class Counsel, I assisted in preparing pleadings,
5 prosecuting the matter and reaching the settlement with Defendant SPOKE LOGISTICS, LLC
6 ("Defendant").

7 11. Class Counsel and I combined our experience and skill to investigate, bring and
8 litigate this matter to a successful conclusion. By the time the Settlement was reached, we had
9 conducted a significant amount of investigation and discovery to sufficiently assess the strengths
10 and weaknesses of the class claims. I have significant experience in the handling of class actions
11 and complex litigation matters. The combination of our firms permitted us to dedicate, whenever
12 necessary, the full extent of resources necessary to accomplish the various goals of preparing full
13 discovery, contacting and communicating with Plaintiff and a witness, analyzing voluminous
14 employment records and data, including time sheets, and wage statements and preparing for the
15 settlement negotiations and mediation.

16 12. Throughout this litigation, I have worked with Class Counsel to avoid
17 unnecessary duplication of efforts. We have actively litigated this case, including attending in-
18 person and telephonic client meetings; interviewing named Plaintiff and other witness;
19 conducting formal and informal discovery; conducting legal research and factual investigation;
20 analyzing voluminous records produced in this case; participating in case strategy and analysis;
21 drafting, reviewing, and revising pleadings; reviewing discovery; analysis of time records,
22 payroll data, class size and damages exposure; and preparing for and attending court proceedings
23 and mediation.

24 13. The required skills and experience necessary to properly litigate this case is
25 evident not only in the results achieved, but also in the steps undertaken to achieve those results.
26 Defendant retained well-respected counsel to represent its defenses and denied liability.
27 Specifically, Defendant denied that it violated any wage and hour laws, as alleged, and claimed
28 that they had no liability whatsoever in this matter.

1 14. Based upon this extensive, independent investigation and evaluation, the named
2 Plaintiffs and Class Counsel believe that the proposed Settlement Agreement is fair, reasonable
3 and adequate, and is in the best interest of the Class Members in light of all known facts and
4 circumstances, including the risk of denial of a motion for class certification, the defenses
5 asserted by Defendants, and any potential appellate issues likely to result.

6 15. Sirmabekian Law Firm almost exclusively prosecutes wage and hour actions
7 (including class actions) on behalf of hard-working California employees. My firm, either on its
8 own or with other co-counsel, has served or are currently serving as Plaintiff's counsel of record
9 in numerous different wage and hour representative and class action cases. Thus, my firm has
10 extensive experience in similar litigation.

11 16. Furthermore, Sirmabekian Law Firm has trial experience, and has extensive wage
12 and hour experience in litigation, law and motion, deposition, and discovery.

13 17. As counsel for the *Watson* Plaintiffs, I have been intimately involved in every
14 aspect of this case from inception to the present.

15 18. I am a graduate of La Verne Law School and I obtained my undergraduate degree
16 from the University of California-Los Angeles (UCLA). I have never been charged with attorney
17 misconduct or subjected to any disciplinary proceedings in any court in which I have practiced. I
18 entered private practice of law in 2011 in California.

19 19. I primarily handle employment law cases. A substantial portion of my firm's
20 current practice includes prosecution of wage and hour individual, PAGA representative, and/or
21 class action cases. I presently have over 80 active employment law cases in litigation. Some of
22 those cases are wage and hour class actions in which I am lead counsel or co-counsel, and nearly
23 all of the remainder are actions involving PAGA claims. The following are examples of my past
24 and present wage and hour class action cases:

25 a. *Quiroz Guerrero, Adrian v. Ruth's Chris Hospitality Group* (RIC1804127)

26 i. Riverside County Superior Court

27 ii. Status: Final Approval granted 03/12/2025.

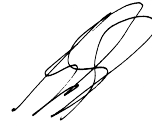
28 b. *Barco, Juan v. Kelly Toy USA, Inc* (20STCV12539);

- 1 i. Los Angeles Superior Court
- 2 ii. Status: Final Approval granted 05/22/2024.
- 3 c. *Guerrero, Enrique v. Chef's Toys* (30-2018-00980488-CU-OE-CXC)
- 4 i. Orange County Superior Court
- 5 ii. Status: Final Approval granted 01/05/2024.
- 6 d. *Esquivel, Maria v. Holiday Inn Express & Suites* (BCV-21-100131);
- 7 i. Kern County Superior Court
- 8 ii. Status: Final Approval granted 10/10/2023.
- 9 e. *Saravia, Manuel Antonio v. South City Gas* (19STCV14499)
- 10 i. Los Angeles Superior Court
- 11 ii. Status: Final Approval granted 02/03/2022.
- 12 f. *Becerra, Osvaldo v. Contessa Premium Foods* (19STCV05920)
- 13 i. Los Angeles Superior Court
- 14 ii. Status: PAGA Settlement Approval granted 09/10/2021.
- 15 g. *Martinez, Humberto v. Lamwood Seating Products, Inc.* (BC688408)
- 16 i. Los Angeles Superior Court
- 17 ii. Status: Final Approval Granted 01/27/2021.
- 18 h. *Mayca, Irma v. DHL eCommerce* (19STCV20237)
- 19 i. Los Angeles Superior Court
- 20 ii. Status: Final Approval Granted 12/08/2020.
- 21 i. *Mendez, Guillermo v. Growith Inc.* (56-2019-00530081-CU-OE-VTA)
- 22 i. Ventura County Superior Court – Hall of Justice
- 23 ii. Status: case settled March 22, 2021; dismissed April 20, 2021;
- 24 j. *Moreira, Joao v. Mintz Concrete, Inc.* (18STCV04959)
- 25 i. Los Angeles Superior Court
- 26 ii. Status: Final Approval Granted 12/15/2021.
- 27 k. *Gonzalez, Cesar v. Painted Rhino, Inc., et al.* (RIC1808671)
- 28 i. Riverside Superior Court

- ii. Status: Final Approval Granted 09/01/2020.
- l. *Salazar, Ruben v. Amrep, Inc.* (19STCV00602)
 - i. Los Angeles Superior Court
 - ii. Status: substituted out;
- m. *Salgado, Luis v. Mckenna Labs, Inc.*(30-2019-01048225-CU-OE-CXC)
 - i. Orange County Superior Court
 - ii. Status: Final Approval Granted 05/26/2021.
- n. *Soto Cardenas, Joel v. Century West Plumbing* (19STCV25672)
 - i. Los Angeles Superior Court
 - ii. Status: Final Approval Granted 08/23/2021.
- o. *Chavez Hidalgo, Franz v. Orozco's Auto Service, Inc., et al.* (22STCV21211)
 - i. Los Angeles Superior Court
 - ii. Status: Final Approval Granted 01/22/2024.
- p. *Berduo Lopez, Victor v. Demejico, Inc.* (21STCV47543)
 - i. Los Angeles Superior Court
 - ii. Status: Final Approval Granted 06/14/2024.
- q. *Mendoza Vargas, Cecilia v. Aero Engineering & Manufacturing Company of California, et al.* (23STCV25755)
 - i. Los Angeles Superior Court
 - ii. Status: Final Approval granted 10/08/2025.
- r. *Ontiveros Chamu, Julio Cesar v. Tequila Jack's, Inc.* (24STCV22332)
 - i. Los Angeles Superior Court
 - ii. Status: Motion for Final Approval scheduled 05/22/2026.

20. I undertook extensive pre-litigation investigation, analysis, and research and then ramped up my efforts during litigation. Because private resolution was not a certainty, I had every intention of taking the *Watson* matter to trial on a class-wide and/or representative basis if Defendant did not offer an appropriate class-wide settlement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 6, 2026, at Burbank, California.



Sarkis Sirmabekian, Esq.