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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN JOAQUIN**

SOMALIA GOODWIN, JUAN CARLOS  
QUEVEDO, DUSTIN JOHNSON and  
JOHN A. MCGEHEE, as individuals on  
behalf of themselves and on behalf of all  
others similarly situated,

Plaintiffs,

v.

SAVE MART SUPERMARKETS, LLC, a  
California Limited Liability Company; and  
DOES 1-100, inclusive,

Defendants.

Case No.: (Lead) STK-CV-UOE-2023-  
2062; SCV-273343 (MCGEHEE class  
action) filed in Sonoma county; SCV-  
273793 (MCGEHEE PAGA action) filed  
in Sonoma county

**DECLARATION OF JAMES HAWKINS  
IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: March 25, 26, 27, April 1, 2  
Time: 9:00AM  
Dept.: 10D

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I, James Hawkins, declare as follows:

1. I am an individual over the age of 18. I am a partner at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiff John A. McGehee who alongside Plaintiffs Somalia Goodwin, Juan Carlos Quevedo, and Dustin Johnson (hereinafter referred to as “Plaintiffs” or “Class Representatives”), moves for Preliminary Approval of the Class Action Settlement. I submit this declaration in support of the Memorandum Of Points And Authorities In Support of the Motion For Preliminary Approval Of Class Action Settlement. I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

2. I have a great deal of experience in wage and hour class action litigation. I have obtained certification of several classes, I have been approved as class counsel in many other wage/hour class actions, and I am currently litigating numerous others. Although not an all-inclusive list, over the years I have prosecuted the following class action matters as lead and/or co-lead counsel, all of which implicated similar law and facts to those associated with this action:

Notice pending.

c. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-04554. Wage and Hour Class Action case seeking past wages for “off the clock”,

1 overtime and meal and rest break violations for production workers in the State of  
2 California. Plaintiffs' Counsel appointed as Lead Counsel. Case settled, Final  
3 Approval granted, no objections and funds fully distributed.

4 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.  
5 Wage and Hour Class Action case seeking past wages for meal and rest period  
6 violations for retail employees in the State of California. Plaintiffs' counsel appointed  
7 co-lead counsel. Case settled, Final Approval granted, no objections and funds fully  
8 distributed.

9 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.  
10 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and  
11 rest period violations for retail employees in the State of California. Plaintiffs'  
12 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no  
13 objections and funds fully distributed.

14 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County  
15 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past  
16 wages for overtime, meal and rest break violations for driver employees in the State of  
17 California. Settlement for "binding arbitration." Arbitration Award for Plaintiff Class.  
18 Arbitration Award confirmed. Plaintiffs' counsel, lead trial counsel and class counsel.

19 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior  
20 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for  
21 overtime, meal and rest breaks violations for production employees in the State of  
22 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval  
23 granted, no objections and funds fully distributed.

24 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside County  
25 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past  
26 wages for overtime, meal and rest break violations for production employees in the  
27 State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled,  
28 Final Approval granted, no objections and funds fully distributed.

- 1 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.  
2 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and  
3 rest break violations for restaurant employees in the State of California. Plaintiffs'  
4 counsel appointed as lead counsel. Case settled, Final Approval granted and funds  
5 fully distributed.
- 6 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case  
7 No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal  
8 and rest break violations for security officers in the State of California. Plaintiffs'  
9 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no  
10 objections and funds fully distributed.
- 11 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court,  
12 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action  
13 seeking past wages for meal and rest break violations for security officers employed by  
14 defendant in the State of California. Plaintiffs' counsel and co-counsel. Case settled,  
15 Final Approval granted and funds fully distributed.
- 16 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court,  
17 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime,  
18 meal and rest break violations for housekeepers employed by defendant in the State of  
19 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval  
20 granted, no objections and funds fully distributed.
- 21 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,  
22 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and  
23 rest period violations for non-exempt employees employed by defendant in the state of  
24 California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff has  
25 petitioned the Court for Lead Counsel.
- 26 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL  
27 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past wages  
28 for field and branch employees of defendant in the State of California. Plaintiffs'

counsel appointed as lead counsel. Case settled and awaiting Final Approval.

o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No. 05CC00128. Wage and Hour Class Action seeking past wages for restaurant employees of defendant in the State of California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No. 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest break violations for security guards employed by defendant in the State of California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and rest break violations for production employees employed by defendant in the State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest break violations for restaurant employees employed by defendant in the State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

s. *Osuna v. DFG Restaurants, Inc., et al.*, Los Angeles Superior Court, Case No. BC 330145. Wage and Hour Class Action seeking past wages of overtime for misclassification of managers employed by Defendant, DBA Carl's Jrs. in the State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

t. *Burns v. Gymboree Operations, Inc., et al.*, San Francisco Superior Court, Case No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest

1 break violations for retail employees employed by defendant in the State of California.  
2 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no  
3 objections and funds fully distributed.

4 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case No.  
5 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-  
6 classification of managers employed by Defendant in the State of California.

7 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no  
8 objections and funds fully distributed.

9 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court, Case  
10 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal  
11 and rest break violations for production workers employed by defendant in the State of  
12 California. Plaintiffs' counsel appointed lead counsel. Case settled; final approval  
13 granted; no objections and funds fully distributed.

14 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court,  
15 Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime,  
16 meal and rest period violations for production employees employed by defendant in the  
17 State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final  
18 Approval granted, no objections and funds fully distributed.

19 x. *Burnell, et. al. vs Swift Transportation Company of Arizona, et. al.*, USDC Central  
20 District of California, Case No. 5:10-cv-00809-VAP. Wage and Hour Class Action  
21 seeking past wages for overtime, meal and rest period violations for production  
22 employees employed by defendant in the State of California. Plaintiff counsel  
23 appointed as lead counsel. Case settled, Final Approval granted, upheld on appeal, and  
24 funds fully distributed.

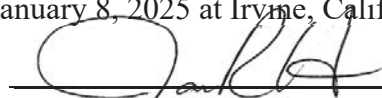
25 3. The Settlement Agreement authorizes Class Counsel to seek from the Court  
26 attorneys' fees not to exceed 33% of the Gross Settlement and for reasonable costs. Any amounts  
27 not awarded in fees will be added to the Net Settlement Amount—i.e., the Settlement is not  
28 dependent on the Court awarding any particular amount to Class Counsel in attorneys' fees, costs,

1 or expenses. Here, the Parties' agreement to pay Class Counsel Fees of 33% of the Gross  
2 Settlement Amount is reasonable. Plaintiffs' counsel have borne the entire risk and cost of this  
3 litigation on a pure contingency fee basis. The legal issues raised drew significantly upon my  
4 firms and co-counsel's experience and the extensive review and analysis of documents and  
5 information by me and others at my firm and our co-counsel. In a complex action such as this,  
6 the proposed attorneys' fees are, at the very least, on the average side of the market rate for  
7 contingency fees.

8 4. Despite the complexity of the case, Class Counsel has, through the investment of  
9 substantial effort and the resources of our law firm and our co-counsel's, have been able to secure  
10 an outstanding settlement on behalf of the Class Members. Plaintiffs would have faced substantial  
11 legal and factual obstacles in demonstrating that class certification was appropriate, and the  
12 difficulties inherent in managing and marshalling evidence for class action claims are  
13 exponentially multiplied when dealing with such a large number of employees. Plaintiffs will also  
14 be required to establish a significant amount of witness testimony, pattern and practice evidence,  
15 statistical evidence, sampling evidence, expert testimony, and other evidence in order to evaluate  
16 and present arguments at both class certification and trial. The further conduct of this litigation  
17 will likely span several additional years and require the dedication of extensive resources to first  
18 establish complex class certification and then to establish the merits of all class claims at trial or  
19 through contested motion practice.

20 5. At this juncture, with the addition of more hours due to the administration of the  
21 Settlement by Class Counsel, administration of the Settlement, and preparation for final approval,  
22 counsel for plaintiff will provide a detailed analysis of its time in advance of the final approval  
23 hearing.

24  
25 I declare under penalty of perjury pursuant to the laws of the United States that the  
26 foregoing is true and correct. Executed on January 8, 2025 at Irvine, California.

27 

28 James R. Hawkins