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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

GLORIA NAZARENO, et al.,

Plaintiffs,

vs.

ANAND, INC, dba JACK IN THE BOX et al.,

Defendants.

) Case No. 34-2020-00278363

)

) CLASS ACTION

)

) **DECLARATION OF GLEN VAN DYKE**

) **IN SUPPORT OF PLAINTIFFS'**

) **MOTION FOR FINAL APPROVAL OF**

) **CLASS ACTION SETTLEMENT**

)

) Date: February 9, 2024

) Time: 9:00 a.m.

) Dept.: 22

) Judge: Hon. Lauri A. Damrell

)

) Complaint filed: May 8, 2020

) Trial Date: Not Set

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1 I, Glen Van Dyke, declare as follows:

2 1. I am the managing attorney of Van Dyke Litigation & Trial Attorneys, PC
3 (“VDLTA”), attorneys of record for Plaintiffs in this action. I am admitted to practice before all
4 courts of the State of California. I am Plaintiff’s counsel in the above-captioned class action and
5 have personal knowledge of the facts thereto. I make this declaration upon my personal
6 knowledge and, if called upon and sworn as a witness, I could and would competently testify
7 hereto.
8

9 2. I submit this Declaration in support of Plaintiffs’ Motion for Final Approval of
10 Class Action Settlement served and filed herewith. I have been involved in all aspects of this
11 Action and have personal knowledge of the following facts.
12

13 3. My firm has served as Co-Lead Counsel for Plaintiffs, along with the law firm of
14 Schoech Law Group, PC (“SLG”) in the above-captioned matter during the course of this
15 litigation. I have extensive experience litigating complex civil actions including multi-party
16 litigation, wage and hour claims, labor code violations, and complex class actions. I have
17 litigated and resolved hundreds of complex civil actions, have litigated multiple class action
18 cases, and am experienced in litigation, settlement, and certification, of class action cases. I have
19 exclusively been practicing civil litigation for over 27 years.
20

21 4. VDLTA has prosecuted this litigation solely on a contingent-fee basis and has
22 been at risk that it would not receive any compensation for prosecuting claims against the
23 Defendants. While VDLTA devoted its time and resources to this matter, it necessarily had to
24 take time and resources away from some other pending matters.
25

26 5. During the pendency of the litigation, VDLTA, performed and participated in the
27 following work: initial case evaluation, review and analysis of pleadings, review and analysis of
28

discovery responses, meet and confers regarding discovery responses, strategy meetings, participate in settlement discussions and two full day mediations, review and analyze settlement agreement and motions for preliminary and final class approval.

6. As is proper practice for class action attorneys, Plaintiffs' counsel did not discuss attorneys' fees until after an agreement was reached in principal with respect to the direct class settlement benefits and the Gross Settlement Amount. The proposed Settlement also does not place the attorneys' interests ahead of Class Members' interests. As counsel for Plaintiffs we seek an award of attorneys' fees of up to one third of the total Settlement Amount, an amount that reflects that work performed by my office and co-counsel's office this Action, and the risks inherent in prosecuting this Action on a contingent fee basis.

7. VDLTA maintains and retains records of all persons who have billed time for their work in this action. I have reviewed the relevant time records and have confirmed that I have performed a total of 66.7 hours of legal work on this case since the inception of this case with a corresponding lodestar of \$650/hour. The work was performed by myself for the benefit of the Class. No clerical hours have been included.

8. The following summary was prepared from time records regularly prepared and maintained by my firm and the lodestar is for work assigned and/or approved by Co-Lead Counsel:

NAME TITLE	TOTAL HOURS	HOURLY RATE	LODESTAR
Glen Van Dyke, Attorney	66.7	\$650	\$43,355.00

9. The hourly rates for the attorneys in my firm included in the foregoing summary are the usual and customary hourly rates charged by VDLTA, to litigate similar matters during that time frame.

10. The fees sought by Counsel in this matter are reasonable given the length and complexity of the litigation and should be granted.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct, and that this declaration was executed on January 17, 2024, at
3 San Francisco, California.

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Glen Van Dyke, Esq.