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16 **SUPERIOR COURT OF CALIFORNIA**

17 **COUNTY OF LOS ANGELES**

18 SOCORRO GONZALEZ, et al.,

19 Plaintiffs,

20 v.

21 COMPASS GROUP USA, INC., et al.,

22 Defendants.

Case No. 23STCV19334

DECLARATION OF KYLE
NORDREHAUG IN SUPPORT OF
MOTION FOR APPROVAL OF PAGA
SETTLEMENT

Date: January 26, 2026

Time: 10:00 a.m.

Department: SSC7

Action filed: August 14, 2023

1 **DECLARATION OF KYLE NORDREHAUG IN SUPPORT OF PLAINTIFFS' MOTION**
2 **FOR APPROVAL OF SETTLEMENT UNDER PRIVATE ATTORNEYS GENERAL ACT**

3 I, Kyle Nordrehaug, declare:

4 1. I am a partner of the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP
5 ("BNBD"), counsel for Plaintiff Christopher Cox. As such, I am fully familiar with the facts,
6 pleadings and history of this matter. The following facts are within my own personal knowledge,
7 and if called as a witness, I could testify competently to the matters stated herein.

8 2. This declaration is being submitted in support of the Motion for an Order granting
9 approval of the Private Attorneys General Act of 2004, California Labor Code § 2698 et seq.
10 ("PAGA") representative action settlement. The settlement reached with Defendant Levy Premium
11 Foodservice Limited Partnership ("Defendant") is set forth in the Settlement Agreement and
12 submitted with this motion.

13
14
15 Experience of BNBD

16 3. I have represented hundreds of thousands of employees in hundreds of legal matters,
17 including PAGA lawsuits and hundreds of employment class actions. Blumenthal Nordrehaug
18 Bhowmik De Blouw LLP's practice is devoted almost entirely to the prosecution of wage and hour
19 class action and PAGA action matters. The attorneys at Blumenthal Nordrehaug Bhowmik De
20 Blouw LLP have been appointed lead counsel in hundreds of contested motions for class
21 certification including many consolidated wage and hour matters.

22
23 (a) Blumenthal Nordrehaug Bhowmik De Blouw LLP was responsible for
24 handling the briefing and argument that resulted in the landmark ruling of *Sakkab v. Luxottica*
25 Retail N. Am., Inc., 803 F.3d 425 (9th Cir. 2015). There, Blumenthal Nordrehaug Bhowmik De
26 Blouw LLP overcame opposition by Littler Mendelson and amici Curiae briefs submitted by Mayer
27 Brown LLP to persuade the Ninth Circuit of the importance of the substantive rights of the State of
28 California under the California Private Attorney General Act of 2004 ("PAGA"). Blumenthal
 Nordrehaug Bhowmik De Blouw LLP took the lead on this case where the ruling was the

1 reaffirmation of the PAGA statute and the Iskanian rule. Blumenthal Nordrehaug Bhowmik De
2 Blouw LLP also has recently engaged in noted appellate work on the subject of class actions in the
3 California Court of Appeals resulting in the opinions handed down in Securitas Sec. Services USA,
4 Inc. v. Superior Court, 234 Cal. App. 4th 1109, 184 Cal. Rptr. 3d 568 (2015) (class or representative
5 action waiver in an employment-related arbitration agreement was unenforceable); Altman v.
6 Solarcity Corp., No. D067582, 2016 Cal. App. Unpub. LEXIS 3536 (Ct. App. May 13, 2016)
7 (same). In 2015, Blumenthal Nordrehaug Bhowmik De Blouw LLP received an award from the
8 Daily Journal for Top Appellate Reversal, and I received an award from the Daily Journal as Top
9 Labor & Employment Attorney 2016.

10 (b) Blumenthal Nordrehaug Bhowmik De Blouw LLP has litigated hundreds of
11 PAGA claims. In particular, in the last several years Blumenthal Nordrehaug Bhowmik De Blouw
12 LLP negotiated court-approved PAGA settlements with: (i) Mattress Firm in the amount of
13 \$3,750,000 (Miller v. Mattress Firm, Santa Clara County Superior Court Case No. 17CV313148);
14 (ii) CH Robinson in the amount of \$630,000 (Poublon v. C.H. Robinson, U.S.D.C. Central District
15 of California Case No. 12-06654); (iii) Accentcare in the amount of \$500,000 (Lanuza v.
16 Accentcare, San Francisco Superior Court Case No. CGC-18-565521); (iv) Prime Healthcare in the
17 amount of \$700,000 (Ortega v. Prime Healthcare Paradise Valley, LLC, Superior Court of
18 California for the County of San Diego, Case No. 37-2014-00011240); (v) Planet Beauty in the
19 amount of \$200,000 (Sanchez v. Beena Beauty Holding, Inc., Superior Court of California for the
20 County of Los Angeles, Case No. BC566065); (vi) Holman Automotive Group in the amount of
21 \$580,000 (Gabriel v. KUNI SDI, LLC, et al., Superior Court of California for the County of San
22 Diego, Case No. 37-2017-00025191); (vii) Aircraft Service International in the amount of
23 \$1,100,000 (Martin v. Aircraft Service International, Inc., et al., Superior Court of California,
24 County of San Francisco Case No. CGC-18-566072); (viii) Easy Driving School in the amount of
25 \$896,000 (Thomas v. Easy Driving School, Superior Court for the County of San Diego, Case No.
26 37-2018-00047639); (ix) Café Rio in the amount of \$835,000 (Quincho v. Café Rio, Superior Court
27 for the County of San Bernardino, Case No. CIVDS2011822); (x) Altamed in the amount of
28 \$1,570,000 (Meek v. Altamed Health Services, Superior Court for the County of Los Angeles, Case

1 No. 20STCV47464); (xi) Lululemon in the amount of \$1,200,000 (O'Donnell v. Lululemon USA,
2 Inc., Superior Court for the County of Ventura, Case No. 56-2020-00542441); (xii) Yourmechanic
3 in the amount of \$1,285,000 (Provost v. Yourmechanic, Inc., Superior Court for the County of San
4 Diego, Case No. 37-2017-00024056); (xiii) Altamed in the amount of \$1,570,000 (Meek v.
5 Altamed Health Services, Superior Court for the County of Los Angeles, Case No. 20STCV47464);
6 (ix) Oakhurst in the amount of \$380,000 (Neff v. Oakhurst Industries, Superior Court for the
7 County of Los Angeles, Case No. 21STCV21110); (x) Gurnick Academy of Medical Arts in the
8 amount of \$545,000 (Serna v. Gurnick Academy of Medical Arts, Superior Court for the County of
9 San Mateo, Case No. 22-CIV-01185); and, (xi) Gonzalez v. Lancaster Hospital Corporation (Los
10 Angeles Superior Court Case No. 22AVCV00254). Based upon our significant experience
11 litigating claims for PAGA penalties, the opinion of experience counsel is that this is an excellent
12 settlement and the PAGA Payment here is greater on a per pay period basis than similar settlements
13 that my firm has previously negotiated, and which courts have approved.

14 (c) Then Chief Judge Irma Gonzales in a consolidated class action representing
15 hundreds of armed forces officers held that Blumenthal Nordrehaug Bhowmik De Blouw LLP was
16 "qualified counsel with extensive experience in class action litigation." McPhail v. First Command
17 Fin. Planning, Inc., 247 F.R.D. 598, 611 (S.D. Cal. 2007). Examples of other contested actions
18 where class certification was granted Blumenthal Nordrehaug Bhowmik De Blouw LLP was
19 appointed lead class counsel in wage and hour class actions in Federal Court include Schulz v.
20 Qualxserv, LLC, 2012 U.S. Dist. LEXIS 58561 (S.D. Cal. 2012); Dobrosky v. Arthur J. Gallagher
21 Serv. Co., LLC, No. EDCV 13-0646 JGB (SPx), 2014 U.S. Dist. LEXIS 106345 (C.D. Cal. July 30,
22 2014); Culley v. Lincare Inc., No. 2:15-cv-00081-MCE-CMK, 2016 U.S. Dist. LEXIS 105704
23 (E.D. Cal. Aug. 10, 2016); Nelson v. Avon Prods., No. 13-cv-02276-BLF, 2015 U.S. Dist. LEXIS
24 51104 (N.D. Cal. Apr. 17, 2015); Orozco v. Illinois Tool Works, U.S.D.C. Case No. 14-cv-02113-
25 MCE, 2016 U.S. Dist. LEXIS 158115 (E.D. Cal. February 17, 2017); Metrow v. Liberty Mutual,
26 U.S.D.C. Case No. EDCV 16-1133 JGB (C.D. Cal. May 1, 2017). Some examples of heavily
27 contested State Court wage and hour class actions where class certification was obtained and BNBD
28 was appointed lead class counsel include Vakili v. Dignity Health, et al., San Francisco Superior

1 Court, Case No. CGC-18-569456 (December 16, 2021); Armstrong v. Ruan Transport, San
2 Bernardino Superior Court, Case No. CIVDS1605897 (August 11, 2020); Spears v. Health Net of
3 California, Sacramento County Superior Court, Case No. 34-2017-00210560 (Oct. 8, 2019); El
4 Pollo Loco Wage and Hour Cases, Orange County Superior Court, JCCP Case No. 4957 (July 30,
5 3018); Torrento v. Lucile Packard Children's Hospital, Santa Clara County Superior Court Case No.
6 2016-1-CV-291035 (July 17, 2018); Salem v. Alliance, San Bernadino Superior Court, Case No.
7 CIVRS1401129 (March 8, 2016); Rivers v. Veolia, Sonoma County Superior Court Case No. SCV
8 255350 (March 9, 2016); Mathies v. Union Bank, San Francisco Superior Court Case No. CGC-10-
9 498077 (Sept. 11, 2013); Jefferson v. Bottling Co, LLC, Orange County Superior Court Case No.
10 30-2009-00180102-CU-OE-CXC (Sept. 7, 2010); Rangel v. Balboa Ambulance Co., 37-2008-
11 00095700-CU-BT-CTL (Fe. 11, 2010); Tan v. CSAA, Orange County Superior Court, Case No. 30-
12 2008-00231219 (Nov. 23, 2009).

13 (d) Over the course of the litigation, a number of attorneys in my firm have
14 worked on this matter. Their credentials are reflected in the Blumenthal Nordrehaug Bhowmik De
15 Blouw LLP firm resume, a true and correct copy of which is attached hereto as Exhibit #1. Some of
16 the major cases our firm has undertaken are also set forth in Exhibit #1. The bulk of the attorneys
17 involved in this matter at Blumenthal Nordrehaug Bhowmik De Blouw LLP have had extensive
18 representative and class litigation experience, much of it in the area of consumer class actions,
19 employment class actions, securities litigation, unfair business practices and other complex
20 litigation. The attorneys at my firm have extensive experience in cases involving labor code
21 violations and overtime claims. Class Counsel has litigated similar wage and hour cases against
22 other employers on behalf of employees, including cases against Sharp Healthcare, Walmart,
23 Legoland, See's Candies, Securitas, Okta, El Pollo Loco, Automobile Association, Marriott, Total
24 Renal, Solarcity, Penske, Universal Protection Services, Panda Express, Redfin, Instacart, Verizon,
25 Apple, Wells Fargo, Kaiser, Culinart, Space Exploration, Time Warner, and California State
26 Automobile Association. It is this level of experience which enabled the firm to undertake the
27 instant matter and to successfully combat the resources of the defendants and their capable and
28 experienced counsel. On account of the concerted and dedicated effort this case required in order to

properly handle and prosecute, Class Counsel were precluded from taking other cases, and in fact, had to turn away other potential fee generating cases.

The Settlement Is Fair, Reasonable and Adequate:

4. On September 1, 2022, Plaintiff Cox filed with the LWDA and served on Defendant a notice under Labor Code section 2699.3, stating that Plaintiff Dela Cruz intended to serve as a proxy of the LWDA to recover civil penalties on behalf of Aggrieved Employees for alleged Labor Code violations (the “Cox PAGA Notice”). A true and correct copy of the Dela Cruz PAGA Notice is attached hereto as Exhibit #2. The Cox PAGA Notice alleged violations of California Labor Code §§ 201, 202, 203, 204 et seq., 210, 218, 221, 226(a), 226.7, 227.3, 246, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 1 1070(14) (Failure to Provide Seating), and the applicable Industrial Welfare Commission Wage Order(s), and attached a copy of the complaint by Plaintiff Cox as an exhibit to the Cox PAGA Notice. The LWDA elected not to investigate the alleged violations. Accordingly, by operation of law (Labor Code § 2699(a) and § 2699.3(a)), Plaintiff Cox was “deputized” to proceed with a civil lawsuit for civil penalties on behalf of himself, the LWDA, and other allegedly “aggrieved employees.”

5. On June 20, 2024, Cox filed a civil lawsuit asserting a single cause of action under PAGA against Defendant in Mono County Superior Court, Case Number 24VCM061 . Cox thereafter gave notice of the intent to amend the operative complaint to include Martinez...

6. On August 28, 2024, the Parties participated in a full day mediation before experienced employment mediator Monique Ngo-Bonnici, Esq. Due to Defendant’s quarterly financial constraints at the end of 2024, the Parties narrowed the issues involved and identified areas requiring further analysis at this initial mediation. Plaintiff subsequently entered into a joint prosecution agreement with Christopher Cox and Trinity Martinez with an overlapping case. On November 25, 2024, the Parties again participated in a full day mediation before experienced employment mediator Monique Ngo-Bonnici, Esq. The Parties reached a settlement at the Gross

1 PAGA Settlement Amount of \$2,515,000. This number includes separate settlements for Plaintiff's,
2 Mr. Cox's, and Mr. Martinez's individual wage and hour claims for \$40,000, \$40,000, and \$30,000,
3 respectively.

4 7. In this case, the Settlement reached in the total non-reversionary amount of
5 \$2,515,000 as the Gross PAGA Settlement Amount is the product of substantial effort by the Parties
6 and counsel should be approved as fair, reasonable and adequate. The Settlement was the result of
7 arms-length negotiations during mediation and extensive follow up thereafter between experienced
8 counsel. The Settlement was only reached after factual and legal investigation and research, careful
9 evaluation of the respective parties' strengths and weaknesses, and diligent negotiation efforts. The
10 settlement is a negotiated compromise which took into account risks related to liability, damages,
11 and all the defenses asserted by Defendant. I believe in the fairness of the settlement that is based
12 on factoring in the uncertainty and risks to Plaintiffs involved in not prevailing on the PAGA claim
13 or the theories alleged and potential for appeals. Based on the foregoing data and our own
14 independent investigation and evaluation, I am of the opinion that the settlement with the Defendant
15 for the consideration and on the terms set forth in the Settlement is fair, reasonable, and adequate in
16 light of all known facts and circumstances, including the risk of significant delay, the defenses
17 asserted by Defendant, and numerous potential appellate issues.

18 8. Plaintiffs' Counsel seek approval of attorneys' fees from the PAGA settlement in the
19 amount of \$838,333 representing 33% of the \$2,515,000 Gross PAGA Settlement Amount. The
20 payment of attorneys' fees and costs to Plaintiffs' Counsel under the Agreement is supported by
21 several factors. First, the requested fees are justified by the result achieved. Plaintiffs' Counsel
22 negotiated a recovery of \$2,515,000, and this result justifies the requested fees equal to one third of
23 this recovery. This percentage is within the standard contingent recovery percentage of one-third,
24 and this percentage is what was expressly approved by the Supreme Court in *Laffitte v. Robert Half*
25 *Int'l Inc.*, 1 Cal.5th 480, 504, (2016). Second, the fee award is justified by the work performed and
26 contributions to the case. Third, the consideration of the enhancement factors justifies the
27 enhancement of the lodestar. Courts multiply the lodestar by a factor to account for the risk of non-
28 payment, delay in payment, the quality of work, and the novelty and difficulty of the issues

involved.

9. **Lodestar.** As detailed in the accompanying billing statement, true and correct copies of which is attached hereto as Exhibit #3, the current lodestar for my firm in this court matter as of October 2, 2025 is \$ 71,555.00 for more than 96 hours of work prosecuting the claims being resolved by this Settlement.

10. **Hourly Rates.** The hourly rates for staff at Blumenthal Nordrehaug Bhowmik De Blouw LLP are as follows: Partner Attorneys from \$850 to \$995, Associate Attorneys from \$450 to \$750, Paralegals from \$250 to \$275. My firm's hourly rates are based upon the Laffey Matrix with the appropriate 2% increase adjustment for Southern California. A true and correct copy of the current Laffey Matrix is attached hereto as Exhibit #4. These hourly rates have been approved by Court's throughout California, including the Courts in the Superior Court of California. In fact, on August 1, 2018, District Judge Andre Birotte Jr. explicitly found that Class Counsel's "rates generally appear reasonable and 'in line with those prevailing in the [relevant] community'—the Central District of California". Finally, the reasonableness of Class Counsel's hourly rates is further confirmed by comparing such rates with the rates of comparable counsel practicing complex and class litigation as detailed in the National Law Journal Billing Survey. See e.g. *Zest IP Holdings, LLC v. Implant Direct MFG., LLC*, 2014 U.S. Dist. LEXIS 167563 (S.D. Cal. 2014) (finding that "Mayer Brown's \$775 average billing rate for partners" and "Mayer Brown's \$543 average associate billing rate" are reasonable rates when compared within 21 other firms practicing in the Southern District of California.) This survey is useful to show that Class Counsel's rates are in line with the comparable rates of the defense counsel that opposes these types of class claims, such as Mayer Brown noted above who is defense counsel in cases currently being prosecuted by Class Counsel. In another example from several years ago, Sheppard Mullin Richter & Hampton, who is opposing counsel in many cases prosecuted by Class Counsel (one of the most frequent opposing counsel), charged rates as high as \$875 for partners and \$535 for associates. Similarly, Paul Hastings, another opposing counsel in these types of cases, in years past historically charged between \$900 and \$750 for partners and \$755 and \$335 for associates. Thus, the rates charged by

1 my firm for comparable work are less than these examples and are therefore undoubtedly
2 reasonable.

3 11. **Expenses.** The litigation expenses incurred by my firm in the amount of \$1,282.10
4 were all reasonably necessary to the litigation of the claims resolved by this settlement and are
5 detailed in Exhibit #3 attached hereto.

6
7 I declare under the penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct. Executed this 2nd day of October, 2025, at San Diego, California.

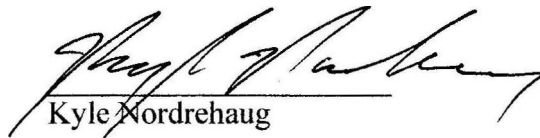
9
10 
11 Kyle Nordrehaug

EXHIBIT #1

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FIRM RESUME

Areas of Practice: Employee, Consumer and Securities Class Actions, Wage and Hour Class Actions, Civil Litigation, Business Litigation.

ATTORNEY BIOGRAPHIES

Norman B. Blumenthal

Partner, Blumenthal Nordrehaug Bhowmik De Blouw LLP (2018 to present)

Practice Areas: Consumer and Securities Class Action, Civil Litigation, Wage and Hour Class Actions, Transactional Law

Admitted: 1973, Illinois; 1976, California

Biography: Law Clerk to Justice Thomas J. Moran, Illinois Supreme Court, 1973-1975, while on Illinois Court of Appeals. Instructor, Oil and Gas Law: California Western School of Law, 1981; University of San Diego School of Law, 1983. Sole Practitioner 1976-1987. Partner, Blumenthal & Ostroff, 1988-1995. Partner, Blumenthal, Ostroff & Markham, 1995-2001. Partner, Blumenthal & Markham, 2001-2007. Partner, Blumenthal & Nordrehaug, 2007. Partner, Blumenthal, Nordrehaug & Bhowmik, 2008-2018. Partner, Blumenthal Nordrehaug Bhowmik De Blouw LLP, 2018 - present.

Member: San Diego County, Illinois State and American Bar Associations; State Bar of California.

Educated: University of Wisconsin (B.A., 1970); Loyola University of Chicago (J.D., 1973);

Summer Intern (1971) with Harvard Voluntary Defenders

Kyle R. Nordrehaug

Partner, Blumenthal Nordrehaug Bhowmik De Blouw LLP (2018 to present)

Practice Areas: Consumer and Securities Class Actions, Wage and Hour Class Actions, Civil Litigation

Admitted: 1999, California

Biography: Associate, Blumenthal, Ostroff & Markham, 1999-2001. Associate, Blumenthal & Markham, 2001-2007. Partner, Blumenthal & Nordrehaug, 2007. Partner, Blumenthal, Nordrehaug & Bhowmik, 2008-2017

Member: State Bar of California, Ninth Circuit Court of Appeals, Third Circuit Court of Appeals

Educated: University of California at Berkeley (B.A., 1994); University of San Diego School of Law (J.D. 1999)

Awards: Top Labor & Employment Attorney 2016; Top Appellate Reversal - Daily Journal 2015; Super Lawyer 2015-2018

Aparajit Bhowmik

Partner, Blumenthal Nordrehaug Bhowmik De Blouw LLP (2018 to present)

Practice Areas: Civil Litigation; Consumer Class Actions, Wage and Hour Class Actions

Admitted: 2006, California

Educated: University of California at San Diego (B.A., 2002); University of San Diego School of Law (J.D. 2006)

Biography: Partner, Blumenthal, Nordrehaug & Bhowmik, 2008-2017

Awards: Rising Star 2015

Nicholas J. De Blouw

Partner, Blumenthal Nordrehaug Bhowmik De Blouw LLP (2018 to present)

Practice Areas: Civil Litigation; Consumer Class Actions, Wage and Hour Class Actions

Admitted: 2011, California

Educated: Wayne State University (B.A. 2008); California Western School of Law (J.D. 2011)

Piya Mukherjee

Associate Attorney

Practice Areas: Civil Litigation; Consumer Class Actions, Wage and Hour Class Actions

Admitted: 2010, California

Educated: University of California, San Diego (B.S. 2006); University of Southern California, Gould School of Law (J.D. 2010)

Victoria Rivapalacio

Associate Attorney

Practice Areas: Civil Litigation; Consumer Class Actions, Wage and Hour Class Actions

Admitted: 2011, California

Educated: University of California at San Diego (B.A., 2003); George Washington University Law School (J.D. 2010)

Ricardo Ehmann

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2018, California; 2004, Nevada

Educated: University of California, San Diego (B.A. 1998); Loyola Law School (J.D. 2001)

Jeffrey S. Herman

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2011, California; 2016 Arizona

Educated: University of Michigan (B.A. 2008); California Western School of Law (J.D. 2011)

Charlotte James

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2016, California

Educated: San Diego State University; California Western School of Law

Christine Levu

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2012, California

Educated: University of California, Irvine; California Western School of Law

Andrew Ronan

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2016, California

Educated: Arizona State University; University of San Diego School of Law

Scott Blumenthal

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2020, New Mexico

Educated: University of Southern California; California Western School of Law

Sergio Julian Puche

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2013, California

Educated: University of California, Irvine; California Western School of Law

Trevor Moran

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2020, California

Educated: University of Rhode Island; California Western School of Law

Adolfo Sanchez Contreras

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2024, California; 2014, Mexico

Educated: The Juarez University

Brooke Wilkinson Waldrop

Associate Attorney

Practice Areas: Civil Litigation; Wage and Hour Class Actions

Admitted: 2017, California;

Educated: Westminster University (B.A. 2004); University of Utah (J.D. 2008)

REPORTED CASES

Sakkab v. Luxottica Retail N. Am., Inc., 803 F.3d 425 (9th Cir. 2015) (The panel reversed the district court's order granting Luxottica Retail North America, Inc.'s motion to compel arbitration of claims and dismissing plaintiff's first amended complaint, in a putative class action raising class employment-related claims and a non-class representative claim for civil penalties under the Private Attorney General Act.);

Securitas Security Services USA, Inc. v. Superior Court, 234 Cal. App. 4th 1109 (Cal. Feb. 27, 2015) (Court of Appeal concluded the trial court correctly ruled that *Iskanian* rendered the PAGA waiver within the parties' dispute resolution agreement unenforceable. However, the Court of Appeal then ruled the trial court erred by failing to invalidate the non-severable class action waiver from the agreement and remanded the entire complaint, including class action and PAGA claims, be litigated in the Superior Court);

Sussex v. United States Dist. Court for the Dist. of Nev., 781 F.3d 1065 (9th Cir. 2015) (The panel determined that the district court clearly erred in holding that its decision to intervene mid-arbitration was justified under *Aerojet-General*. Specifically, the panel held that the district court erred in predicting that an award issued by the arbitrator would likely be vacated because of his "evident partiality" under 9 U.S.C. § 10(a)(2).);

Provost v. YourMechanic, Inc., 2020 Cal. App. Lexis 955 (Oct. 15, 2020) (Court of Appeals affirmed denial of arbitration of PAGA claim, and held in a case of first impression, that there was

no additional standing rules for PAGA claim brought by independent contractor); In re Tobacco Cases II, 41 Cal. 4th 1257 (2007); Washington Mutual Bank v. Superior Court, 24 Cal. 4th 906 (2001); Rocker v. KPMG LLP, 148 P.3d 703; 122 Nev. 1185 (2006); PCO, Inc. v. Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP, 150 Cal. App. 4th 384 (2007); Hall v. County of Los Angeles, 148 Cal. App. 4th 318 (2007); Coshov v. City of Escondido, 132 Cal. App. 4th 687 (2005); Daniels v. Philip Morris, 18 F.Supp 2d 1110 (S.D. Cal.1998); Gibson v. World Savings & Loan Asso., 103 Cal. App. 4th 1291 (2003); Jordan v. Department of Motor Vehicles, 75 Cal. App. 4th 445 (1999); Jordan v. Department of Motor Vehicles, 100 Cal.App. 4th 431 (2002); Norwest Mortgage, Inc. v. Superior Court, 72 Cal.App.4th 214 (1999); Hildago v. Diversified Transp. Sya, 1998 U.S. App. LEXIS 3207 (9th Cir. 1998); Kensington Capital Mgal. v. Oakley, Inc., 1999 U.S. Dist LEXIS 385; Fed.Sec.L.Rep. (CCH) P90, 411 (1999 C.D. Cal.); Lister v. Oakley, Inc., 1999 U.S. Dist. LEXIS 384; Fed. Sec. L. Rep. (CCH) P90,409 (C.D Cal. 1999); Olszewski v. Scripps Health, 30 Cal. 4th 798 (2003); Steroid Hormone Product Cases, 181 Cal. App. 4th 145 (2010); Owen v. Macy's, Inc., 175 Cal. App. 4th 462 (2009); Taiheiyo Cement Corp. v. Superior Court, 117 Cal. App. 4th 380 (2004); Taiheiyo Cement Corp. v. Superior Court, 105 Cal.App. 4th 398 (2003); McMeans v. Scripps Health, Inc., 100 Cal. App. 4th 507 (2002); Ramos v. Countrywide Home Loans, 82 Cal.App. 4th 615 (2000); Tevssier v. City of San Diego, 81 Cal.App. 4th 685 (2000); Washington Mutual Bank v. Superior Court, 70 Cal. App. 4th 299 (1999); Silvas v. E*Trade Mortg. Corp., 514 F.3d 1001 (9th Cir. 2008); Silvas v. E*Trade Mortg. Corp., 421 F. Supp. 2d 1315 (S.D. Cal. 2006); McPhail v. First Command Fin. Planning, Inc., 2009 U.S. Dist. LEXIS 26544 (S.D. Cal. 2009); McPhail v. First Command Fin. Planning, Inc., 251 F.R.D. 514 (S.D. Cal. 2008); McPhail v. First Command Fin. Planning, Inc., 247 F.R.D. 598 (S.D. Cal. 2007); Barcia v. Contain-A-Way, Inc., 2009 U.S. Dist. LEXIS 17118 (S.D. Cal. 2009); Barcia v. Contain-A-Way, Inc., 2008 U.S. Dist. LEXIS 27365 (S.D. Cal. 2008); Wise v. Cubic Def. Applications, Inc., 2009 U.S. Dist. LEXIS 11225 (S.D. Cal. 2009); Gabisan v. Pelican Prods., 2009 U.S. Dist. LEXIS 1391 (S.D. Cal. 2009); La Jolla Friends of the Seals v. Nat'l Oceanic & Atmospheric Admin. Nat'l Marine Fisheries Serv., 630 F. Supp. 2d 1222 (S.D. Cal. 2009); La Jolla Friends of the Seals v. Nat'l Oceanic & Atmospheric Admin. Nat'l Marine Fisheries Serv., 2008 U.S. Dist. LEXIS 102380 (S.D. Cal. 2008); Louie v. Kaiser Found. Health Plan, Inc., 2008 U.S. Dist. LEXIS 78314 (S.D. Cal. 2008); Weltman v. Ortho Mattress, Inc., 2010 U.S. Dist. LEXIS 20521 (S.D. Cal. 2010); Weltman v. Ortho Mattress, Inc., 2008 U.S. Dist. LEXIS 60344 (S.D. Cal. 2008); Curry v. CTB McGraw-Hill, LLC, 2006 U.S. Dist. LEXIS 5920; 97 A.F.T.R.2d (RIA) 1888; 37 Employee Benefits Cas. (BNA) 2390 (N.D. Cal. 2006); Reynov v. ADP Claims Servs. Group, 2006 U.S. Dist. LEXIS 94332 (N.D. Cal. 2006); Kennedy v. Natural Balance Pet Foods, Inc., 2010 U.S. App. LEXIS 248 (9th Cir. 2010); Kennedy v. Natural Balance Pet Foods, Inc., 2008 U.S. Dist. LEXIS 38889 (S.D. Cal. 2008); Kennedy v. Natural Balance Pet Foods, Inc., 2007 U.S. Dist. LEXIS 57766 (S.D. Cal. 2007); Sussex v. Turnberry/MGM Grand Towers, LLC, 2009 U.S. Dist. LEXIS 29503 (D. Nev. 2009); Picus v. Wal-Mart Stores, Inc., 256 F.R.D. 651 (D. Nev. 2009); Tull v. Stewart Title of Cal., Inc., 2009 U.S. Dist. LEXIS 14171 (S.D. Cal. 2009); Keshishzadeh v. Gallagher, 2010 U.S. Dist. LEXIS 46805 (S.D. Cal. 2010); Keshishzadeh v. Arthur J. Gallagher Serv. Co., 2010 U.S. Dist. Lexis 116380 (S.D. Cal. 2010); In re Pet Food Prods. Liab. Litig., MDL Docket No. 1850 (All Cases), 2008 U.S. Dist. LEXIS 94603 (D.N.J. 2008); In re Pet Food Prods. Liab. Litig., 629 F.3d 333 (3rd Cir. 2010); Puentes v. Wells Fargo Home Mortgage, Inc., 160 Cal. App. 4th 638 (2008); Rezec v. Sony Pictures Entertainment, Inc., 116 Cal. App. 4th 135 (2004); Badillo v. Am. Tobacco Co., 202 F.R.D. 261 (D. Nev. 2001); La Jolla Friends of the Seals v. Nat'l Oceanic & Atmospheric Admin., 2010 U.S. App. Lexis 23025 (9th Cir. 2010); Dirienzo v. Dunbar Armored, Inc., 2011 U.S. Dist. Lexis 36650 (S.D. Cal. 2011); Rix v. Lockheed Martin Corp., 2011 U.S. Dist Lexis 25422 (S.D. Cal. 2011); Weitzke v. Costar Realty Info., Inc., 2011 U.S. Dist Lexis 20605 (S.D. Cal. 2011); Goodman v. Platinum Condo. Dev., LLC, 2011 U.S. Dist. LEXIS 36044 (D. Nev. 2011); Sussex v. Turnberry/MGM Grand Towers, LLC, 2011 U.S. Dist. LEXIS 14502 (D. Nev 2011); Smith v. Kaiser Foundation Hospitals, Inc., 2010 U.S. Dist. Lexis 117869 (S.D. Cal. 2010); Dobrosky v. Arthur J. Gallagher Serv. Co.,

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18CV321677; Shahbazian v. Fast Auto Loans, Inc. – U.S. District Court, Central District of California, Case No. 2:18-cv-03076-ODW-KS; Salazar v. Johnson & Johnson Consumer Inc. – Los Angeles County Superior Court, Case No. BC702468; Conti v. L’Oreal USA S/D, Inc. – U.S. District Court, Eastern District of California, Fresno, Case No. 1:19-CV-00769-LJO-SKO; Mercado v. Security Industry Specialists, Inc. – Santa Clara County Superior Court, Case No. 17CV320059; Vikili v. Dignity Health – San Francisco County Superior Court, Case No. CGC-18-569456; Bagby v. Swissport SA, LLC – Los Angeles County Superior Court, Case No. BC691058; Henry v. Motion Entertainment Group, LLC – San Francisco County Superior Court, Case No. CGC18565643; Dandoy v. West Coast Convenience, LLC – Alameda County Superior Court, Case No. HG20051121; Lanuza v. AccentCare, Inc. – San Francisco County Superior Court, Case No. CGC-18-565521; Thomas v. Easy Driving School, LLC – San Diego County Superior Court, Case No. 37-2018-00047639-CU-OE-CTL; Erickson v. Erickson – Contra Costa County Superior Court, Case No. MSC18-00307; Martin v. Menzies Aviation (USA) Inc. – San Francisco County Superior Court, Case No. CGC-18-566072; Mortimer v. Healthsouth Bakersfield Rehabilitation Hospital, LLC – Kern County Superior Court, Case No. BCV-18-102761; Alcaraz v. Red Lion Hotels Corporation – San Francisco County Superior Court, Case No. CGC-18-570310; Calhoun v. Total Transportation and Distribution, Inc. – San Diego County Superior Court, Case No. 37-2018-00058681-CU-OE-CTL; Rataul v. Overton Security Services, Inc. – Alameda County Superior Court, Case No. RG18891882; Beltran v. Compass Bank – San Diego County Superior Court, Case No. 37-2019-00024475-CU-OE-CTL; Kirshner v. Touchstone Golf, LLC – San Diego County Superior Court, Case No. 37-2018-00028865-CU-OE-CTL; Pizarro v. The Home Depot, Inc. – U.S. District Court for the Northern District of Georgia-Atlanta Division; Hatanaka v. Restore Rehabilitation, LLC – San Diego County Superior Court, Case No. 37-2018-00034780-CU-OE-CTL; Faria v. Carriage Funeral Holdings, Inc. – Contra Costa County Superior Court, Case No. MSC18-00606; Ontiveros v. Baker Concrete Construction, Inc. – Santa Clara County Superior Court, Case No. 18CV328679; Morales v. Redlands Automotive Services, Inc. – San Bernardino County Superior Court, Case No. CIVDS1807525; Ramirez v. Carefusion Resources, LLC – U.S. District Court, Southern District of California; Amster v. Starbucks Corporation – San Bernardino Superior Court, Case No. CIVDS1922016; Kutzman v. Derrel’s Mini Storage, Inc. – U.S. District, Eastern District of California, Case No. 1:18-cv-00755-AWI-JLT; Marks v. Universal Propulsion Company, Inc. – Solano County Superior Court, Case No. FCS051608; Martinez v. Geil Enterprises, Inc. – Fresno County Superior Court, Case No. 17CECG01480; Teniente v. Cirrus Asset Management, Inc. – Los Angeles County Superior Court, Case No. 20STCV16302; Blackshear v. California Fine Wine & Spirits LLC – Sacramento County Superior Court, Case No. 34-2018-00245842; Warnick v. Golden Gate America West LLC – Los Angeles County Superior Court, Case No. BC714176; Bennett v. Dnata Aviation USA, Inc. – San Francisco County Superior Court, Case No. CGC-18-566911; George v. PF Stockton Fitness LLC – Sacramento County Superior Court, Case No. 34-2019-00261113-CU-OE-GDS; Oshana v. Farmers and Merchants Bank of Central California – Stanislaus County Superior Court, Case No. CV-19-003427; Vasquez v. Packaging Corporation of America, – U.S. District Court, California Central District, Case No. 2:19-cv-01935-PSG-PLA; Palomino v. Zara USA Inc. – Orange County Superior Court, Case No. 30-2018-00992682-CU-OE-CXC; Simmons v. Joe & The Juice LA, LLC – San Francisco County Superior Court; Pacia v. CIM Group, L.P. – Los Angeles County Superior Court, Case No. BC709666; Flores v. Plastic Express – Los Angeles County Superior Court, Case No. BC71971; Madera v. William Warren Properties, Inc. – Orange County Superior Court, Case No. 30-2019-01055704-CU-OE-CXC; Hernandez v. Quality Custom Distribution – Orange County Superior Court, Case No. 30-2018-01010611-CU-OE-CXC; Arango v. Schlumberger Technology Corporation – Orange County Superior Court, Case No. 30-2019-01056839-CU-OE-CXC; Dandoy v. West Coast Convenience, LLC – Alameda County Superior Court, Case No. HG20051121; Ramirez v. J E H Enterprises, Inc. – San Francisco County Superior Court, Case No. CGC-19-574691; Sullen v. First Service Residential California, LLC – San Francisco County Superior Court, Case No. CGC-19-575131; Valentino v. East Bay Tire Co. –

Solano County Superior Court, Case No. FCS053067; Murphy v. Rockler Retail Group, Inc. – Sacramento Superior Court, Case No. 34-2019-00251220; Shahbazian v. Onewest Bank – Los Angeles County Superior Court, Case No. 19STCV23722; Bruemmer v. Tempur Retail Stores LLC – Marin County Superior Court, Case No. CIV1803646; Antonios v. Interface Rehab, Inc. – Orange County Superior, Case No. 30-2019-01067547-CU-OE-CXC; Tavallodi v. DC Auto, Inc. – San Bernardino, Case No. CIVDS1833598; Miranda v. The Lloyd Pest Control Co. – San Diego County Superior Court, Case No. 37-2018-00052510-CU-OE-CTL; Soenardi v. Magnussen Imports, Inc. – Santa Clara County Superior Court, Case No. 18CV340003; Thai v. Team Industrial Services, Inc. – Los Angeles County Superior Court, Case No. 19STCV21953; Castillo v. A.J. Kirkwood & Associates, Inc. – Los Angeles County Superior Court, Case No. 19STCV04435; Moss v. Jabil Inc. – Alameda County Superior Court, Case No. HG20050536; Billosillo, Jr. v. Crown Energy Services, Inc. – San Diego County Superior Court, Case No. 37-2018-00058254-CU-OE-CTL; Tarkington v. Freetime, Inc. – San Diego County Superior Court, Case No. 37-2019-00011473-CU-OE-CTL; McIntyre v. J.J.R. Enterprises, Inc. – Sacramento County Superior Court, Case No. 34-2019-00251220; Bucur v. Pharmaca Integrative Pharmacy, Inc. – San Diego County Superior Court, Case No. 37-2019-00009409-CU-OE-CTL; Batin v. McGee Air Services, Inc. – Santa Clara County Superior Court, Case No. 19CV347733; Terry v. McGee Air Services, Inc. – King County Superior Court of Washington, Case No. 19-2-3321-5 KNT; Weiss v. Niznik Behavioral Health Resources, Inc. – San Diego County Superior Court, Case No. 37-2019-00039441-CU-OE-CTL; Cavada v. Inter-Continental Hotels Group, Inc. – U.S. District Court, Southern District of California, Case No. 3:19-cv-01675-GPC-AHG; Lesevic v. Spectraforce Technologies, Inc. – U.S. District Court, Northern District of California, Case No. 5:19-cv-03126-LHK; Mutchler v. Circle K Stores, Inc. – San Diego County Superior Court, Case No. 37-2020-00016331-CU-OE-CTL, Azima v. CSI Medical Group, – Santa Clara County Superior Court, Case No. 19CV345450; Porras v. Baypointe Enterprises, LLC – Los Angeles County Superior Court, Case No. 19STCV31015; Mitchell v. Mack Trucking, Inc. – San Bernardino County Superior Court, Case No. CIVDS1928334; Watts v. T.R.L. Systems, Incorporated – Orange County Superior Court, Case No. 30-2019-01102457-CU-OE-CXC; Price v. DMSD Restaurants Inc. – San Diego County Superior Court, Case No. 37-2019-00024062-CU-OE-CTL; Jacobs v. Nortek Security & Control LLC – San Diego County Superior Court, Case No. 37-2019-0019735-CU-OE-CTL; Gonzalez v. Hub International Midwest – San Bernardino County Superior Court, Case No. CIVDS1900463; Cisneros v. Bluepearl California, Inc. – San Mateo Superior Court, Case No. 19-CIV-05707; Garcia v. Gallagher Basset Services – San Bernardino Superior Court, Case No. CIVDS2004140; Callow v. Adventist Health System/West – Placer County Superior Court, Case No. SCV0043607; Dominguez v. Kimco Facility Services, LLC – Los Angeles County Superior Court, Case No. 19STCV37592; Searles v. Robert Heath Trucking, Inc. – Los Angeles County Superior Court, Case No. 19STCV30808; Rangel v. Pioneer Hi-Bred international, Inc. – Yolo County Superior Court, Case No. CV-19-1797; Ivon v. Sinclair Television of California, Humboldt County Superior Court, Case No. DR190699; Williams v. Henkels & McCoy, Inc. – San Bernardino County Superior Court, Case No. CIVDS2003888; Cano v. Larry Green Chrysler Jeep Dodge, Inc. – Riverside County Superior Court, Case No. BLC1900184; Lopez v. Cepheid – Santa Clara County Superior Court, Case No. 19CV358827; Hernandez v. Quick Dispense, Inc. – Los Angeles County Superior Court, Case No. 19STCV29405; Lopez v. Lacoste USA, Inc. – San Bernardino County Superior Court, Case No. CIVDS1914626; Duhe v. Hospital Couriers Nevada, LLC – Contra Costa County Superior Court, Case No. MSC19-01377; Law v. Sequoia Equities, Incorporated – Contra Costa Superior Court, Case No. C19-01925; Dvorak v. Rockwell Collins, Inc. – San Diego County Superior Court, Case No. 37-2019-00064397-CU-OE-CTL; Noguera v. Metal Container Corporation – Riverside County Superior Court, Case No. RIC2003235; Leon v. Miller Event Management, Inc. – San Luis Obispo Superior Court, Case No. 19CV-0435; Leon v. Miller Event Management, Inc. – San Luis Obispo County Superior Court, Case No. 19CV-0435, Camacho-Bias v. Serve U Brands Inc. – Butte County Superior Court, Case No. 20CV00603; La Pietra v. Entertainment Partners Services, LLC – Los Angeles County Superior

Court, Case No. 19STCV39529; Celis v. Theatre Box - San Diego, LLC – San Diego County Superior Court, Case No. ____; Ignacio v. Laboratory Corporation of America – U.S. District Court, California Central District, Case No. 2:19-cv-06079-AB-RAO; Kovnas v. Cahill Contractors LLC – Alameda County Superior Court, Case No. RG19037852; Hersh v. Mrs. Gooch's Natural Food – Los Angeles County Superior Court, Case No. 19STCV10444; Miller v. The Permanente Medical Group – Alameda County Superior Court, Case No. RG19045904; Vasquez v. Autoalert, LLC – Orange County Superior Court, Case No. 30-2019-01114549-CU-OE-CXC; Cavanaugh v. Morton Golf, LLC – Sacramento County Superior Court, Case No. 34-2019-00270176; Coley v. Monroe Operations, LLC – Alameda County Superior Court, Case No. RG20063188; Ramirez v. Sierra Aluminum Company – U.S. District Court, California Central District Court, Case No. 5:20-cv-00417-JGB-KK; Marrero v. Stat Med, P.C. – Alameda County Superior Court, Case No. HG19043214; Enriquez v. Solari Enterprises, Inc. – Los Angeles County Superior Court, Case No. 20STCV11129; Craig v. Hometown Heart – San Francisco County Superior Court, Case No. CGC-20-582454; Lopez v. Hy0Lang Electric California, Inc. – San Diego County Superior Court, Case No. 37-2020-00012543-CU-OE-CTL; Heuklom v. Clara Medical Group, P.C. – San Francisco County Superior Court, Case No. CGC-20-585918; Dominguez v. Lifesafer of Northern California – Monterey County Superior Court, Case No. 20CV002586; Kiseleva v. Totalmed Staffing Inc. – U.S. District Court, California Northern District, Case No. 5:19-cv-06480; Vires v. Sweetgreen, Inc. – Santa Clara County Superior Court, Case No. 20CV365918; Kim v. Wireless Vision, LLC – San Bernardino County Superior Court, Case No. CIVDS2000074; Senoren v. Air Canada Corporation – Los Angeles County Superior Court, Case No. 20STCV13942; Clark v. Quest Diagnostics Incorporated – San Bernardino County Superior Court, Case No. CIVDS2018707; Green v. Shipt, Inc. – Los Angeles County Superior Court, Case No. 20STCV01001; Respass v. The Scion Group LLC – Sacramento County Superior Court, Case No. 34-2020-00285265; Jackson v. Decathlon USA LLC – Alameda County Superior Court, Case No. RG2003024; Avacena v. FTG Aerospace Inc. – Los Angeles County Superior Court, Case No. 20STCV28767; Perez v. Butler America, LLC – Los Angeles County Superior Court, Case No. 20STCV20218; Christensen v. Carter's Retail, Inc. – Orange County Superior Court, Case No. 30-2020-01138792-CU-OE-CXC; Astudillo v. Torrance Health Association, Inc. – Los Angeles County Superior Court, Case No. 20STCV18424; Hansen v. Holiday AI Management Sub LLC – Contra Costa County Superior Court, Case No. CIVMSC20-00779; Almahdi v. Vitamin Shoppe Industries Inc – Santa Clara County Superior Court, Case No. 20CV365150; Krisinda v. Loyal Source Government Services LLC – U.S. District Court, California Southern District, Case No. 3:20-cv-879-LAB-NLS; Ettedgui v. WB Studio Enterprises Inc – U.S. District Court, California Central District, Case No. 2:20-CV-08053-MCS (MAAx); Fernandez v. Nuvision Federal Credit Union – Orange County Superior Court, Case No. 30-2020-01161691-CU-OE-CJC; Aviles v. UPS Supply Chain Solutions, Inc. – Riverside County Superior Court, Case No. RIC2000727; Alcocer v. DSV Solutions, LLC – San Bernardino Superior Court, Case No. CIVDS2010345; Wilson v. Wholesome Harvest Baking, LLC – U.S. District Court, California Northern District, Case No. 4:20-cv-05186-YGR; Gregory v. Verio Healthcare, Inc. – Los Angeles County Superior Court, Case No. 20STCV37254; Rose v. Impact Group, LLC – Orange County Superior Court, Case No. 30-2020-01141107-CU-OE-CXC; Monasterio v. Citibank, N.A. – San Mateo County Superior Court, Case No. 20-CIV-03650; Martinez-Lopez v. Medamerica, Inc. – San Diego County Superior Court, Case No. 37-2020-00034393-CU-OE-CTL; Cox v. PRB Management, LLC – Solano County Superior Court, Case No. FCS055514; Nash v. K. Hovnanian Companies, LLC – Riverside County Superior Court, Case No. RIC2003319; Kyler v. Harbor Freight Tools USA, Inc. – San Diego County Superior Court, Case No. 37-2020-00015828-CU-OE-CTL; Roberts v. Solantic Corporation – Los Angeles County Superior Court, Case No. 20STCV41117; Price v. Mistras Group, Inc. – Los Angeles County Superior Court, Case No. 20STCV22485; Macias v. ABM Electrical & Lighting Solutions, Inc. – San Diego County Superior Court, Case No. 37-2020-00024997-CU-OE-CTL; Basu-Kesselman v. Garuda Labs, Inc. – San Francisco County Superior Court, Case No. CGC-20-585229; Armstrong v. Prometric LLC – Los Angeles County Superior

Court, Case No. 20STCV29967; Ashlock v. Advantis Medical Staffing, LLC – San Diego County Superior Court, Case No. 37-2020-00022305-CU-OE-CTL; Wilson v. WXI Global Solutions, LLC – Los Angeles County Superior Court, Case No. 20STCV25007; Gandhale v. Select Rehabilitation, LLC – Monterey County Superior Court, Case No. 20CV002240; Starvoice v. G4S Secure Solutions (USA) Inc. – San Diego County Superior Court, Case No. 37-2020-00029421-CU-OE-CTL; Mbise v. Axlehire, Inc. – Alameda County Superior Court, Case No. RG20067350; Points v. C&J Services, Inc. – Kern County Superior Court, Case No. BCV-20-102483; Marshall v. PHI Air Medical, LLC – Lassen County Superior Court, Case No. 62973; Jauregui v. Cytotec Engineered Materials, Inc. – Orange County Superior Court, Case No. 30-2020-01164932-CU-OE-CXC

EXHIBIT #2

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

2255 CALLE CLARA
LA JOLLA, CALIFORNIA 92037

Web Site: www.bamlawca.com

San Diego | San Francisco | Sacramento | Los Angeles | Riverside | Santa Clara | Orange | Chicago

Phone: (858) 551-1223

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WRITERS E-MAIL:
Nick@bamlawca.com

WRITERS EXT:
1004

April 2, 2024
CA3212

VIA ONLINE FILING TO LWDA AND CERTIFIED MAIL TO DEFENDANT

Labor and Workforce Development Agency
Online Filing

Levy Premium Foodservice Limited
Partnership
Certified Mail #9589071052700408543441
CSC - LAWYERS INCORPORATING
SERVICE
BECKY DEGEORGE
2710 GATEWAY OAKS DRIVE, Suite
150N
SACRAMENTO, CA 95833

Re: Notice Of Violations Of California Labor Code Sections §§ 201, 202, 203, 204 *et seq.*, 210, 218, 221, 226(a), 226.7, 227.3, 246 *et seq.*, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2100 *et seq.*, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 1 1070(14) (Failure to Provide Seating), and Violation of Applicable Industrial Welfare Commission Wage Order(s), brought Pursuant To California Labor Code Section 2699.5.

Dear Sir/Madam:

“Aggrieved Employees” refers to all individuals who are or previously were employed by Levy Premium Foodservice Limited Partnership in California, including any employees staffed with Levy Premium Foodservice Limited Partnership by a third party, and classified as non-exempt employees during the time period of April 2, 2023 until a date as determined by the Court. Our offices represent Christopher Cox (“Plaintiff”) and other Aggrieved Employees in a lawsuit against Levy Premium Foodservice Limited Partnership (“Defendant”). Plaintiff was employed by Defendant in California from November of 2022 to June of 2023 and again from January of 2024 to February of 2024. Plaintiff was at all times classified by Defendant as a non-exempt employee, paid on an hourly basis, and entitled to the legally required meal and rest periods and payment of minimum and overtime wages due for all time worked. Defendant, however, unlawfully failed to record and pay Plaintiff and other Aggrieved Employees for, including but not limited to, all of their time worked, including minimum and overtime wages and sick pay wages at the correct rate, for all of their missed meal and rest breaks at the correct regular rates, and for all of their time spent working off the clock. Moreover, when Defendants required Plaintiff and Aggrieved Employees to report for work, but “furnished less than half said employee’s usual or scheduled day’s work,” Defendant violated Cal. Code Regs., tit. 8 § 11040, subd. 5(A) by failing to pay Plaintiff and Aggrieved Employees for at least two (2) hours’ worth

of work at their regular rate of pay. In addition, when Defendant required Plaintiff and Aggrieved Employees to respond to and engage in additional work, this resulted in a second reporting for work in a single workday, and Defendant failed to pay these employees reporting time pay as required by Cal. Code Regs., tit. 8, § 11040, subd. 5(B). Further, Defendant failed to advise Plaintiff and the other Aggrieved Employees of their right to take separately and hourly paid duty-free ten (10) minute rest periods. *See Vaquero v. Stoneledge Furniture, LLC*, 9 Cal. App. 5th 98, 110 (2017). Additionally, pursuant to Labor Code § 204 *et seq.*, Defendant failed to timely provide Plaintiff and other Aggrieved Employees with their wages. Plaintiff further contends that Defendant failed to provide accurate wage statements to her, and other Aggrieved Employees, in violation of California Labor Code section 226(a). Specifically, PLAINTIFF and the AGGRIEVED EMPLOYEES were paid on an hourly basis. As such, the wage statements should reflect all applicable hourly rates during the pay period and the total hours worked, and the applicable pay period in which the wages were earned pursuant to California Labor Code Section 226(a). The wage statements Defendants provided to PLAINTIFF and the AGGRIEVED EMPLOYEES failed to identify such information. More specifically, the wage statements failed to identify the accurate total hours worked each pay period in violation of Cal. Lab. Code Section 226(a)(2). Additionally, Plaintiff contends that Defendants failed to comply with Industrial Wage Order 7(A)(3) in that Defendants failed to keep time records showing when Plaintiff began and ended each shift and meal period. Plaintiff and other Aggrieved Employees performed tasks that reasonably permit sitting, and a seat would not interfere with their performance of any of their tasks that may require them to stand. Defendants failed to provide Plaintiff and other Aggrieved Employees with suitable seats. Said conduct, in addition to the foregoing, as well as the conduct alleged in the incorporated Complaint, violates Labor Code §§ 201, 202, 203, 204 *et seq.*, 210, 218, 221, 226(a), 226.7, 227.3, 246, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 11070(14) (Failure to Provide Seating), Violation of the applicable Industrial Welfare Commission Wage Order(s), and is therefore actionable under California Labor Code section 2699.3.

A true and correct copy of the Complaint by Plaintiff against Defendant, which (i) identifies the alleged violations, (ii) details the facts and theories which support the alleged violations, (iii) details the specific work performed by Plaintiff, (iii) sets forth the people/entities, dates, classifications, violations, events, and actions which are at issue to the extent known to Plaintiff, and (iv) sets forth the illegal practices used by Defendant, is attached hereto. This information provides notice to the Labor and Workforce Development Agency of the facts and theories supporting the alleged violations for the agency's reference. Plaintiff therefore incorporates the allegations of the attached Complaint into this letter as if fully set forth herein. If the agency needs any further information, please do not hesitate to ask.

This notice is provided to enable Plaintiff to proceed with the Complaint against Defendant as authorized by California Labor Code section 2699, *et seq.* The lawsuit consists of other Aggrieved Employees. As counsel, our intention is to vigorously prosecute the claims as alleged in the Complaint, and to procure civil penalties as provided by the Private Attorney General Statute of 2004 on behalf of Plaintiff and all Aggrieved Employees.

Your earliest response to this notice is appreciated. If you have any questions of concerns, please do not hesitate to contact me at the above number and address.

Respectfully,

/s/ Nicholas J. De Blouw

Nicholas J. De Blouw, Esq.

EXHIBIT #3

Blumenthal Nordrehaug Bhowmik DeBlouw LLP

2255 CALLE CLARA
LA JOLLA, CA - California 92037-3107

INVOICE

Invoice # 1
Date: 10/02/2025
Due On: 11/01/2025

Christopher Cox
PO Box 2881
Mammoth Lakes, CA 93546

CA3212

Levy Premium Foodservice

Services

Attorney	Date	Notes	Quantity	Rate	Total
NDB	02/23/2024	Review and analyze related litigation in State and Federal court. Review PAGA Notices and documents on LWDA's website. Research Defendant's business operations in CA. Review original intake notes. Conference with Plaintiff to discuss status and claims.	3.40	\$850.00	\$2,890.00
NDB	02/24/2024	Review individual retaliation and DFEH claims. Legal research.	2.60	\$850.00	\$2,210.00
NDB	02/25/2024	Review entire employment file for legal claims. Analyze all pay statements for wage and hour claims. legal research regarding the same. Obtain background facts for complaint form client.	3.90	\$850.00	\$3,315.00
NDB	02/27/2024	Review facts and law. Draft complaint. Discuss with Plaintiff.	3.70	\$850.00	\$3,145.00
NDB	03/10/2024	Review and analyze arbitration agreement. Legal research regarding enforceability and procedural and substantive unconscionability. Review previous Court orders.	2.90	\$850.00	\$2,465.00
NDB	03/15/2024	Analyze written policy documents. Review meal and rest break claims. Draft complaint.	2.90	\$850.00	\$2,465.00
NDB	03/16/2024	Send complaint to Plaintiff for approval. Review and revise complaint per Plaintiff's instructions and discuss with Plaintiff. Prepare complaint for	1.80	\$850.00	\$1,530.00

		filing.			
NDB	04/02/2024	Review and analyze documents and PAGA claims. Research PAGA penalties. Draft PAGA Notice.	1.90	\$850.00	\$1,615.00
NDB	05/19/2024	Review document file and analyze paystubs. Draft internal case notes memo detailing facts and specific violations.	2.10	\$850.00	\$1,785.00
RE	06/10/2024	Review case notes/damage analysis	0.50	\$675.00	\$337.50
RE	06/10/2024	Review & analyze employment file documents	2.00	\$675.00	\$1,350.00
RE	06/17/2024	Review file; draft PAGA only complaint	3.80	\$675.00	\$2,565.00
NDB	06/17/2024	Review PAGA Notice. Review and revise PAGA only complaint. Discuss with R. Ehmann. Analyze related cases recently filed for potential overlap.	1.50	\$850.00	\$1,275.00
RE	06/18/2024	Draft summons & civil case cover sheet re PAGA action	0.50	\$675.00	\$337.50
RE	06/18/2024	Review & finalize PAGA only complaint package; file in Mono Sup. Ct.	0.70	\$675.00	\$472.50
RE	06/26/2024	Review court returned docs re PAGA action; review docket; memo to firm re judicial/ department assignment and status of initial case management conference	0.50	\$675.00	\$337.50
RE	06/26/2024	Provide notice to LWDA of PAGA action filing	0.40	\$675.00	\$270.00
RE	08/08/2024	Review file; prep initial docs for service of process re PAGA action; identify reg. agent; send out for service via knox	0.70	\$675.00	\$472.50
RE	08/14/2024	File proof of service of summons re PAGA action; memo to firm re post service written discovery	0.50	\$675.00	\$337.50
NDB	09/04/2024	Review and analyze Joint Prosecution Agreement. Review and analyze related complaint. Discuss JPA with Plaintiff. Follow up for signature.	0.80	\$850.00	\$680.00
CJ	09/12/2024	Evaluate status of case and claims, review JPA, evaluate related case	1.00	\$550.00	\$550.00
CJ	09/18/2024	Review status of case and claims, evaluate mediation dates and deadlines, advise GG re correspondence needed	0.50	\$550.00	\$275.00
GG	09/24/2024	Review complaint/file and draft mediation data and doc request, sent to CJ for review	0.50	\$250.00	\$125.00
CJ	09/25/2024	Review Mediation data and document demand, review complaint and mediation deadlines, evaluate JPA, correspond with co counsel re	0.75	\$550.00	\$412.50

mediation					
CJ	10/10/2024	Research deadlines related to mediation, correspond with co counsel, advise AJB	0.50	\$550.00	\$275.00
AB	11/12/2024	Prep for mediation.	3.00	\$895.00	\$2,685.00
SB	11/14/2024	Speak with client in advance of mediation, analyze claims, advise AJB	2.80	\$450.00	\$1,260.00
AB	11/22/2024	Review file/analyze claims/prep for mediation.	5.00	\$895.00	\$4,475.00
SB	11/22/2024	Prepare for mediation, review and analyze mediation brief, advise AJB	2.60	\$450.00	\$1,170.00
AB	11/25/2024	Prep and appear for mediation.	12.00	\$895.00	\$10,740.00
SB	11/25/2024	Attend mediation	8.00	\$450.00	\$3,600.00
GG	03/24/2025	Reviewed email from AR re uploading order re dismissal of action to LWDA, searched case file and orders, and sent email to VR for clarification.	0.40	\$250.00	\$100.00
GG	03/24/2025	Uploaded order re dismissal, stipulation, declaration, order, and POS to LWDA portal, circulated confirmation email and saved to file.	0.30	\$250.00	\$75.00
AB	03/27/2025	Review/analyze mediator's proposal. Call w/ Scott re clients. Exchange corr w/ co-counsel. Draft/ send response to mediator.	5.00	\$895.00	\$4,475.00
GG	04/09/2025	Drafted POS, finalized, filed, and served CMC Statement in PAGA action.	0.50	\$250.00	\$125.00
PM	04/09/2025	Review status of action and status of MOU; advise CJ Re the same.	0.50	\$750.00	\$375.00
CJ	04/09/2025	Research case status, review claims and status of related case, research MOU and status of CMC	1.00	\$550.00	\$550.00
CJ	04/09/2025	Draft CM-110	0.50	\$550.00	\$275.00
GG	04/21/2025	Reviewed court's rules re remote appearance, updated events email, and circulated.	0.10	\$250.00	\$25.00
GG	04/21/2025	Draft, file, and serve notice of remote appearance.	0.50	\$250.00	\$125.00
GG	04/23/2025	Reviewed notice re rejected filing, updated pos, finalized, filed, and served.	0.40	\$250.00	\$100.00
NDB	07/02/2025	Review mediation brief, notes, and results. Review and analyze MOU terms. Send to Plaintiffs for signature. Discuss terms with Plaintiffs and follow up for signatures.	1.30	\$850.00	\$1,105.00
KN	07/22/2025	Review draft Agreement; advise PM; review emails	1.00	\$950.00	\$950.00

PM	07/22/2025	Review MOU; review and revise long form PAGA agreement; review and revise individual settlement agreement; advise team re the same.	2.50	\$750.00	\$1,875.00
GG	07/28/2025	Reviewed court docket to confirm upcoming CMC, added to events email, and scheduled/ added info re remote appearance.	0.20	\$250.00	\$50.00
GG	07/31/2025	Reviewed email from VR re remote appearance, contacted clerk re delay, informed VR re delay.	0.30	\$250.00	\$75.00
VR	07/31/2025	Review and Analyze: review settlement agreement and MOU; review correspondence between parties; review court's orders and calendar; court appearance at CMC; follow up	2.10	\$750.00	\$1,575.00
NDB	08/08/2025	Review settlement agreements for conformity with MOU terms. Review court docket and case file in preparation for discussion with Plaintiffs. Discuss terms with Plaintiffs. Follow up for signatures.	1.40	\$850.00	\$1,190.00
PM	09/03/2025	Draft individual settlement agreement.	1.00	\$750.00	\$750.00
KN	09/30/2025	Review emails; review draft motion; review billing for accuracy; correct issues	1.00	\$950.00	\$950.00
PM	09/30/2025	Review draft PAGA approval motion; review firm billing.	0.75	\$750.00	\$562.50
CJ	10/02/2025	Evaluate status of settlement, draft MPA declarations and coordinate to clients	1.50	\$550.00	\$825.00

Quantity Subtotal 96.0

Services Subtotal \$71,555.00

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	04/02/2024	PAGA Filing Fee	1.00	\$75.00	\$75.00
Expense	06/26/2024	One Legal/Court Fees	1.00	\$705.21	\$705.21
Expense	08/12/2024	KNOX Filing and Messener Service	1.00	\$153.65	\$153.65
Expense	08/16/2024	One Legal/Court Fees	1.00	\$288.52	\$288.52
Expense	04/10/2025	One Legal Filing Fee: One Legal Filing Fee	1.00	\$21.11	\$21.11
Expense	04/22/2025	One Legal Filing Fee: One Legal Filing Fee	1.00	\$17.50	\$17.50
Expense	04/23/2025	One Legal Filing Fee: One Legal Filing Fee	1.00	\$21.11	\$21.11
Expenses Subtotal					\$1,282.10

Time Keeper	Quantity	Rate	Total
AJ Bhowmik	25.0	\$895.00	\$22,375.00
Scott Blumenthal	13.4	\$450.00	\$6,030.00
Nicholas De Blouw	30.2	\$850.00	\$25,670.00
Ricardo Ehmann	9.6	\$675.00	\$6,480.00
Charlotte James	5.75	\$550.00	\$3,162.50
Piya Mukherjee	4.75	\$750.00	\$3,562.50
Kyle Nordrehaug	2.0	\$950.00	\$1,900.00
Victoria Rivapalacio	2.1	\$750.00	\$1,575.00
Gerardo Galaviz	3.2	\$250.00	\$800.00
Quantity Total			96.0
Subtotal			\$72,837.10
Total			\$72,837.10

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1	11/01/2025	\$72,837.10	\$0.00	\$72,837.10
Outstanding Balance				\$72,837.10
Total Amount Outstanding				\$72,837.10

Please make all amounts payable to: Blumenthal Nordrehaug Bhowmik DeBlouw LLP

Please pay within 30 days.

EXHIBIT #4

LAFFEY MATRIX

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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/24- 5/31/25	1.080182	\$258	\$473	\$581	\$839	\$948	\$1141
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389

6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *DL v. District of Columbia*, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $i_{\frac{1}{2}}$ Years Out of Law School $i_{\frac{1}{2}}$ is calculated from June 1 of each year, when most law students graduate. $i_{\frac{1}{2}}1-3$ " includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $i_{\frac{1}{2}}4-7$ " applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $i_{\frac{1}{2}}1-3$ " from June 1, 1996 until May 31, 1999, would move into tier $i_{\frac{1}{2}}4-7$ " on June 1, 1999, and tier $i_{\frac{1}{2}}8-10$ " on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.