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Attorneys for Plaintiffs Virginia Brew, Tony Grosbeier, Courtney Tolbert, D C Snyder, and Timothy Mellen

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

VIRGINA BREW, TONY GROSBEIER,
COURTNEY TOLBERT, D C SNYDER,
AND TIMOTHY MELLEN on behalf of
themselves and all similarly situated persons,
and the general public,

Plaintiffs,

vs.

ROCKET MORTGAGE, LLC; and DOES 1
through 25, inclusive,

Defendants.

CASE NO. 24-CIV-00893

*[Assigned for all purposes to the
Honorable Nancy L. Fineman, Dept. 4]*

**SUPPLEMENTAL DECLARATION OF
REUBEN D. NATHAN IN SUPPORT OF
PLAINTIFFS' UNOPPOSED MOTION FOR
FINAL APPROVAL OF CLASS ACTION
AND PAGA SETTLEMENT; AWARD OF
CLASS REPRESENTATIVE
ENHANCEMENTS; ADMINISTRATOR'S
EXPENSES; AND ATTORNEYS FEES AND
COSTS**

Hearing Date: February 4, 2025

Time: 2:00 p.m.

Dept: 4

DECLARATION OF REUBEN D. NATHAN

I, REUBEN D. NATHAN, declare that:

1. I make this declaration of my personal knowledge and could testify thereto if called as a witness and I possess the experience and personal knowledge necessary to make the statements herein.

2. I am the principal attorney at the law firm of Nathan & Associates, APC ("RN"). I am co-counsel of record for Plaintiffs VIRGINA BREW, TONY GROSBEIER, COURTNEY TOLBERT, D C SNYDER, and TIMOTHY MELLEEN ("Plaintiffs") in this class action against Defendant ROCKET MORTGAGE, LLC ("Defendant"). I am submitting this Supplemental Declaration in support of Plaintiffs' Unopposed Motion for Final Approval of Class Action and PAGA Settlement; Award of Class Representative Enhancements; Administrator's Expenses; Attorneys' Fees and Costs and Judgment Thereon ("FA Motion").

3. I am an attorney at law licensed to practice in the State of California and the District of Columbia, and I am a member of the bar of this Court. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

4. On October 14, 2024, this Court entered the Second Amended Order Granting Motion for Preliminary Approval of Class Action and PAGA Settlement ("MPA Order"), ordering Plaintiffs to file the Motion for Final Approval thirty (30) days after the mailing of the Notices to the Class Members. Phoenix Settlement Administrators ("Phoenix") mailed the Notices to Class Members on December 18, 2024, making the opt-out/objection deadline January 2, 2025.

5. Pursuant to the Court's MPA Order, Plaintiffs filed their FA Motion on December 19, 2024. Plaintiffs notified the Court in its FA Motion that Class Counsel and Phoenix would file supplemental declarations informing the court of any opt-outs and/or objections following the response deadline of January 2, 2025.

6. The Supplemental Declaration of Jarrod Salinas Regarding Notice and Settlement Administration ("Suppl. Phoenix Decl.") is being filed concurrently herewith.

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1 7. Phoenix reports that as of the date of the Suppl. Phoenix Decl., Phoenix has received
2 1 Request for Exclusion, zero Notices of Objection, and zero Workweek disputes from Class
3 Members. (Suppl. Phoenix Decl. ¶¶ 5-7)

4 8. Phoenix reports that there are 678 Class Members who did not submit timely and
5 valid Requests for Exclusion and are therefore deemed Settlement Class Members, representing
6 99.85% of the Class. Settlement Class Members have worked a collective total of 44,693.29
7 Workweeks during the Class Period. Each Workweek is valued at approximately \$53.91. (Suppl.
8 Phoenix Decl. ¶ 8)

9 9. Phoenix reports that the Net Settlement Amount of \$2,409,500.00 available to pay
10 Settlement Class Members was determined by subtracting the requested Class Counsel attorneys' fees
11 (\$1,575,000.00), and Class Counsel costs (\$200,000.00), requested Service Payments (\$25,000.00),
12 requested Release Payments (\$30,000.00), the PAGA Amount (\$250,000.00), and the requested
13 Settlement Administration Costs (\$10,500.00) from the Gross Settlement Amount (\$4,500,000.00).
14 (Suppl. Phoenix Decl. ¶ 9)

15 10. Phoenix reports that based upon the calculations stipulated in the Settlement, the
16 highest Individual Settlement Share to be paid is approximately \$14,833.47, the lowest Individual
17 Settlement Share to be paid is approximately \$53.91, while the average Individual Settlement Share
18 to be paid is approximately \$3,553.83. Settlement Class Members will be issued payment of their
19 Individual Settlement Shares subject to reduction for the employee's share of taxes and withholdings
20 with respect to the wages portion of the Individual Settlement Share (the net payment is their
21 "Individual Settlement Payment"). (Suppl. Phoenix Decl. ¶ 10)

22 11. Phoenix reports that \$250,000.00 of the Gross Settlement Amount has been allocated
23 toward penalties under the Private Attorneys General Act ("PAGA Amount"), of which 75%, or
24 \$187,500.00, shall be paid to the Labor and Workforce Development Agency ("LWDA"), and 25%,
25 or \$62,500.00, of which shall be paid to all current and former hourly non-exempt individuals who
26 are or were employed by Defendant during the PAGA Period. There are 574 Aggrieved Employees
27 who worked a total of 17,162.43 Pay Periods during the PAGA Period. The highest Individual PAGA
28

1 Payment to be paid is approximately \$328.53, and the average Individual PAGA Payment to be paid
2 is approximately \$108.89. (Suppl. Phoenix Decl. ¶ 11)

3 12. Pursuant to the Settlement, Defendant has agreed to fund the employer-side taxes due
4 separate and apart from the Gross Settlement Amount. (Suppl. Phoenix Decl. ¶ 12)

5 13. Phoenix's costs associated with the administration of this matter are \$10,500.00. This
6 includes all costs incurred to date, as well as estimated costs involved in completing the settlement
7 distribution. (Suppl. Phoenix Decl. ¶ 13, Exh. B)

8 I declare under penalty of perjury under the laws of the State of California and the United
9 States of America that the foregoing is true and correct.

10 Executed on January 8, 2025, at Newport Beach, California.

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13 _____
14 Reuben D. Nathan