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Attorneys for Plaintiff Chris Moorer

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CHRIS MOORER, individually, and on
behalf of other members of the general
public similarly situated; FAZON
WILLIAMS, individually, and on behalf of
other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiffs,

vs.

PROVANTAGE CORPORATE
SOLUTIONS, LLC, an unknown business
entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 21STCV24842
Related with Case No. 23STCV13610

Honorable Carolyn B. Kuhl
Department 12

CLASS ACTION

**DECLARATION OF ARMAN MARUKYAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: February 25, 2025
Time: 10:30 a.m.
Department: 12

Complaint Filed: July 7, 2021
FAC Filed: November 4, 2024

DECLARATION OF ARMAN MARUKYAN

I, Arman Marukyan, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers for Justice, PC, attorneys of record for Plaintiff Chris Moorer (“Plaintiff Moorer”). The facts set forth in this declaration are within my personal knowledge or based on information and belief, and if called as a witness, I could and would competently testify thereto.

BASIC INFORMATION ABOUT THE CASES AND REACHING THE SETTLEMENT

2. On July 7, 2021, Plaintiff Moorer filed a putative class action complaint against Defendant Provantage Corporate Solutions, LLC (“Defendant”), commencing the above-entitled action entitled *Chris Moorer v. Provantage Corporate Solutions, LLC*, Los Angeles County Superior Court Case No. 21STCV24842 (the “Moorer Action”).

3. On February 25, 2022, Plaintiff Moorer served written discovery on Defendant, including Form Interrogatories – General (Set One), Special Interrogatories (Sets One and Two), and Requests for Production of Documents (Set One) (“Plaintiff Moorer’s Written Discovery”), as well as two (2) notices of taking the depositions of Defendant’s Persons Most Knowledgeable.

4. On June 13, 2023, another former employee of Defendant, Fazon Williams (“Plaintiff Williams” and with Plaintiff Moorer as “Plaintiffs”) (collectively, Plaintiffs and Defendant are referred to as the “Parties”), filed a separate putative class action complaint against Defendant, commencing the action entitled *Fazon Williams v. Provantage Corporate Solutions, LLC*, Los Angeles County Superior Court Case No. 23STCV13610 (the “Williams Action” and with the Moorer Action as the “Actions”).

5. On August 25, 2023, Plaintiff Williams amended the complaint in the Williams Action adding a cause of action pursuant to the Private Attorneys General Act, California Labor Code sections 2698, *et seq.* (“PAGA”).

6. On December 1, 2023, Defendant provided its objections and responses to Plaintiff Moorer’s Written Discovery.

7. On December 19, 2023, the Court related the Actions.

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1 8. On January 26, 2024, the Parties attended a global mediation of the Actions with
2 mediator Phyllis Cheng, Esq., a respected mediator of complex wage and hour actions and the former
3 head of the California Department of Fair Employment and Housing. With the mediator’s assistance
4 and based upon the mediator’s proposal, the Parties were able to reach a settlement of the Actions.

5 9. To effectuate and facilitate the settlement approval process, the Parties agreed to
6 consolidate the Actions by amending the complaint in the *Moorer* Action to add Plaintiff Williams
7 as a named plaintiff, add Plaintiff Williams’s claims from the *Williams* Action, and add additional
8 claims being released.

9 10. On November 4, 2024, Plaintiffs filed their First Amended Class Action Complaint
10 for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code §
11 2698, *Et Seq.* (“Operative Complaint”) in the *Moorer* Action.

12 11. Plaintiffs’ Operative Complaint alleges the following causes of action: (1) unpaid
13 overtime (violation of California Labor Code §§ 510 and 1198); (2) unpaid meal period premiums
14 (violation of California Labor Code §§ 226.7 and 512(a)); (3) unpaid rest period premiums
15 (violation of California Labor Code § 226.7); (4) unpaid minimum wages (violation of California
16 Labor Code §§ 1194, 1197, and 1197.1); (5) final wages not timely paid (violation of California
17 Labor Code §§ 201 and 202); (6) wages not timely paid during employment (violation of California
18 Labor Code § 204); (7) non-compliant wage statements (violation of California Labor Code §
19 226(a)); (8) failure to keep requisite payroll records (violation of California Labor Code §1174(d));
20 (9) unreimbursed business expenses (violation of California Labor Code §§ 2800 and 2802); (10)
21 violation of California Business & Professions Code §§ 17200, *et seq.*; and (11) violation of the
22 PAGA.

23 12. Lawyers for Justice, PC (“LFJ”) has been actively engaged in the litigation of the
24 *Moorer* Action since before its inception. LFJ has fully and actively participated in the litigation
25 process throughout the pendency of the matters, and since joining forces with Diversity Law Group,
26 P.C. (“DLG”), Hyun Legal, APC (“Hyun Legal”), and Law Offices of Choi & Associates (“Choi &
27 Associates”)(collectively, “Class Counsel”), we have worked cooperatively with them to strategize
28 and resolve the Actions, and our work with them has been a coordinated and combined effort.

1 13. Before initiating the lawsuit on behalf of Plaintiff Moorer, LFJ conducted extensive
2 investigation and research into the facts and circumstances underlying the pertinent factual and legal
3 issues and applicable law. This required thorough discussions and interviews between attorneys at
4 our firm and Plaintiff Moorer, and research into the various legal issues involved in the case, namely,
5 the current state of the law as it applied to off-the-clock theory, meal and rest periods, wage-and-
6 hour enforcement, Plaintiff Moorer's claims, and Defendant's defenses. After conducting initial
7 investigations, our firm determined that Plaintiff Moorer's claims were well-suited for representative
8 adjudication owing to what appeared to be a common course of conduct affecting a similarly situated
9 group of current and former hourly-paid, non-exempt employees who worked for Defendant within
10 the State of California, who were not properly compensated for, *inter alia*, all hours worked, non-
11 compliant meal and rest periods, and unreimbursed business expenses.

12 14. Prior to reaching the Settlement, Class Counsel investigated the veracity, strength,
13 and scope of the claims, and worked on preparing the Actions for trial. The Actions involved
14 extensive and ongoing investigations, research into legal and factual issues, formal and informal
15 discovery, and court proceedings. Class Counsel obtained information, documents, and data in the
16 course of litigation and in connection with mediation and settlement negotiations. Class Counsel
17 reviewed and analyzed a volume of information, documents, and data obtained from Plaintiffs,
18 Defendant, and other sources, researched applicable law, and undertook analyses and calculations
19 of the value of claims, damages, and penalties exposure. Class Counsel also met and conferred with
20 Defendant's counsel on numerous occasions, *e.g.*, to discuss issues relating to the pleadings, case
21 management, discovery, production of information, documents, and data in the course of litigation
22 and mediation and settlement negotiations. Other work that Class Counsel has performed includes,
23 and is not limited to, case strategy and analysis; drafting, reviewing, and revising the pleadings and
24 motion-related papers; claims assessment and evaluation; and preparing for and attending mediation
25 and settlement negotiations.

26 15. Class Counsel has also invested time researching and investigating the applicable
27 law, which is constantly evolving as it relates to certification, representative PAGA claims, off-the-
28 clock theory, meal and rest periods, wage-and-hour law and enforcement, Plaintiffs claims and

1 damages, and Defendant's defenses thereto, as well as facts discovered. Based on Class Counsel's
2 analysis, the result achieved in this litigation is fair, adequate, and reasonable.

3 16. The Settlement provides for Enhancement Awards in an amount not to exceed
4 \$7,500.00 to each of the Plaintiffs, for a total amount of \$15,000.00. The contemplated service
5 payment is fair and appropriate in light of the time and effort that Plaintiffs expended to pursue the
6 Actions. For example, Plaintiff Moorer was available whenever Lawyers *for* Justice, PC needed
7 him, actively tried to obtain and provide information, and spent a substantial amount of time and
8 effort providing the facts and evidence necessary to facilitate prosecution of the *Moorer* Action.
9 Accordingly, it is appropriate and just for Plaintiffs to receive Enhancement Awards for their
10 services in the Actions, in addition to their individual settlement payments under the Settlement.

11 17. There is a fee-splitting agreement between Class Counsel as follows: 55% to LFJ;
12 and 45% to DLG, Hyun Legal, and Choi & Associates. The named Plaintiffs have approved the
13 aforementioned fee-splitting agreement in writing.

14 18. Class Counsel submit that the Settlement is fair, reasonable, and adequate, and is in
15 the best interest of Plaintiffs, the Class, PAGA Members, and the State of California. Class Counsel
16 further submit that the Settlement is within an acceptable range of recovery for this type of litigation
17 given the strengths and weaknesses of the Actions, the inherent costs and risks of further litigation,
18 and the costs and risks associated with class certification, representative adjudication, trial, and/or
19 appeals.

20 **EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC**

21 19. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the
22 prosecution of consumer and employment class actions, involving wage-and-hour claims, race
23 discrimination, unfair business practices, or consumer fraud. Currently, Lawyers *for* Justice, PC is
24 attorney of record in over a dozen employment-related putative class actions in both state and federal
25 courts in the State of California. Lawyers *for* Justice, PC is comprised of attorneys who focus on
26 litigating complex wage-and-hour class and Private Attorneys General Act ("PAGA") representative
27 actions. The firm has successfully litigated cases involving the executive, administrative, and other
28 overtime exemptions to the State of California and federal overtime compensation requirements.

1 During a relatively short time, in association with other law firms, Lawyers *for* Justice, PC has
2 recovered millions of dollars on behalf of thousands of individuals in California. Below is a summary
3 of the experience and qualifications of the attorneys at Lawyers *for* Justice, PC who most recently
4 and primarily have been responsible for the representation of Plaintiff in connection with the
5 resolution of above-captioned matter. Additional attorney and non-attorney staff have also worked
6 on the above-captioned matter.

7 20. Edwin Aiwazian is the Managing Member and Shareholder of Lawyers *for* Justice,
8 PC. He received his Bachelor of Arts degree from Pepperdine University in April of 1999 and earned
9 a Juris Doctor degree from Pepperdine University School of Law in May of 2004. He has extensive
10 formal training in dispute resolution and negotiation from the Straus Institute for Dispute Resolution
11 as part of its Masters in Dispute Resolution degree program. In addition, he has previously served
12 as a pro bono mediator for the Los Angeles County Superior Court. In October of 2000, he obtained
13 a Litigation Paralegal Certificate from the UCLA Extension Program. During the summer of 2000,
14 he studied Legal Writing at Harvard University. From approximately September 2002 to
15 approximately December 2002, he served as a Judicial Extern to the Honorable Kim McLane
16 Wardlaw of the United States Court of Appeals for the Ninth Circuit. From approximately June 2002
17 to approximately August 2002, he served as a Judicial Extern to the Honorable Earl Johnson, Jr. of
18 the California Court of Appeal for the Second Appellate District. In December of 2004, he obtained
19 a license to practice law from the California State Bar. Since in or around October of 2008, through
20 his work at Lawyers *for* Justice, PC, he has almost exclusively focused on the prosecution of
21 consumer and employment class actions. While employed by Lawyers *for* Justice PC, he has argued
22 over one hundred (100) motions, taken or defended over one hundred fifty (150) depositions,
23 prepared dozens of expert witnesses for deposition or trial, and attended over one hundred seventy-
24 five (175) mediations. Together with other attorneys at the firm, and in many cases in conjunction
25 with co-counsel, he has successfully litigated cases involving the executive, administrative, and
26 other overtime exemptions to the State of California and federal overtime compensation
27 requirements. Under his supervision, Lawyers for Justice, PC has successfully obtained class
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1 certification by contested motion practice in approximately fifteen (15) cases in the last decade and
2 litigated over 1,000 class action or representative action cases.

3 21. Arby Aiwarzian is a Member and Shareholder of Lawyers *for* Justice, PC. He received
4 his Bachelor of Arts degree from University of California, Los Angeles and graduated magna cum
5 laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From
6 approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the Honorable
7 Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. From
8 approximately August 2008 to approximately December 2008 he served as a Judicial Extern to the
9 Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit. He
10 was admitted to practice law in California in 2010. He is admitted to practice before all courts of the
11 State of California and all United States District Courts in the State of California. He has worked on
12 many wage-and-hour class action and representative action cases, taking the lead in taking and
13 defending depositions, arguing motions, and attending mediations. He has played an integral role in
14 preparing matters for class certification, including and not limited to, successful certification of a
15 class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No. BC424012),
16 *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No. BC478769), and
17 *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No. RG13680477). He has
18 worked on over one hundred (100) class action or representative action cases which have resulted in
19 settlement, including and not limited to those listed in paragraph 7 herein.

20 22. Joanna Ghosh is a Senior Member of Lawyers *for* Justice, PC. She received a
21 Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of Science
22 degree from the London School of Economics in 2007, and a Juris Doctor degree from Georgetown
23 University Law Center in 2010. She is admitted to practice in California (since 2010) and in New
24 York (since 2013) and is also admitted to practice in all U.S. District Courts in California, the U.S.
25 Bankruptcy Court for the Central District of California, and the U.S. Supreme Court. She has taken
26 and defended dozens of depositions and successfully handled motion practice in class action cases
27 regarding discovery (including and not limited to, regarding class contact information), class
28 certification (both contested class certification and stipulated class certification), arbitration

1 agreements, coordination, intervention. She has successfully handled briefing and oral argument on
2 appeal, and obtained notable decisions regarding the Private Attorneys General Act and employer
3 efforts to compel arbitration of PAGA claims, e.g., *Betancourt v. Prudential Overall Supply*, 9
4 Cal.App.5th 439 (Cal. Ct. App., Mar. 7, 2017), cert. denied (Cal., May 24, 2017), cert. denied (U.S.,
5 Dec. 11, 2017) and *ZB, N.A. v. Superior Court*, 8 Cal.5th175 (2019). She also has extensive
6 experience with class action and/or representative action settlements. Under her, Edwin Aiwazian,
7 and Arby Aiwazian's supervision, the firm has handled the class certification and court approval
8 process for hundreds of class action and/or representative action matters that have successfully
9 resolved. She is a member of the California Employment Lawyers Association.

10 23. I am a Member of Lawyers for Justice, PC. I received my Bachelor of Arts degree
11 from Loyola Marymount University, Los Angeles in 2015 and earned my Juris Doctor degree from
12 Pennsylvania State University, Penn State Law in 2019. I was admitted to practice law in California
13 in 2019. I am admitted to practice before all courts of the State of California and all federal district
14 courts in the State of California. During my employment with Lawyers for Justice, PC, I have worked
15 on over one hundred (100) wage-and-hour class actions and PAGA representative actions, and my
16 work has included, inter alia: researching and drafting pleadings; administrative notice exhaustion;
17 drafting, negotiating, and finalizing stipulations and settlement agreements; taking and defending
18 depositions; propounding and responding to written discovery; engaging in motion practice
19 (including and not limited to, motions to compel arbitration, motions to compel discovery responses,
20 motions for summary judgment and/or adjudication, and motions to remand); claims evaluation and
21 analysis; making court appearances; and attending mediation. I have also successfully handled
22 briefing and oral argument in the California Courts of Appeal. I am a member of the California

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1 Employment Lawyers Association, and California Lawyers Association's Labor and Employment
2 Section and Litigation Section.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct.

5 Executed on this 3rd day of December 2024, at Glendale, California.

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8 Arman Marukyan
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