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FALAKASSA LAW, P.C.

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Attorneys for Plaintiff and the Putative Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

CLARA HINSON, on behalf of herself and
all others similarly situated,

Plaintiff,

v.

NITERRA NORTH AMERICA, INC., a
West Virginia Corporation; and DOES 1-50,
inclusive.

Defendant.

CASE NO.: 30-2023-01345470-CU-OE-CXC

Assigned to Hon. Melissa R. McCormick

**DECLARATION OF JOSHUA
FALAKASSA IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing:

Date: May 14, 2026

Time: 2:00 p.m.

Dept.: CX105

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1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California, and I am the principal of Falakassa Law, P.C., co-counsel with of The Bokhour Law Group, P.C., as attorney of record for Plaintiff Clara Hinson and the Settlement Class.

3. I have been a member, in good standing, of the State Bar of California since 2013. I am admitted to practice before all California state courts, and the United States District Court of California for the Northern, Central District and Eastern District and have litigated class action and Private Attorney General Act (“PAGA”) representative action cases in various courts across California.

5. From August 2018-January 2019, I as an associate at the Paul Haines Law Group, where I actively managed a caseload of more than 50 class and representative PAGA action lawsuits in California and federal courts.

6. Thereafter, as principal of Falakassa Law, P.C., I have handled nearly 100 employee vs. employer litigation matters, including more than 40 class action wage/hour and PAGA cases. Over the last few years, my practice has almost entirely consisted of representing employees, the majority of which has included class action and representative action wage and hour matters. In total, I have handled upwards of 90 class action and representative action

1 wage/hour cases.

2 7. I was selected as a “Super Lawyer Rising Star” in Employment Litigation during
3 the years 2017-2025, a distinction that is reserved for the top 2.5 % of lawyers in the practice
4 area. I have also been recognized by Topverdicts.com for achieving Top 1, Top 20, and Top 50
5 wage and hour class and/or PAGA action settlements in California in 2021-2025.

6 8. I am a member in good standing of the State Bar of California and have devoted
7 my practice to representing employees in complex wage-and-hour class and representative
8 actions. Based on my experience, as well as that of my co-counsel, I am confident that we are
9 well-qualified and fully prepared to litigate this matter through trial and appeal if necessary.
10 That said, after conducting a thorough evaluation of the facts, the applicable law, and the risks
11 and uncertainties inherent in continued litigation, I have formed the firm belief that the proposed
12 Settlement is fair, reasonable, and in the best interests of the Settlement Class.

13 9. In my professional judgment, the recovery provided to each Settlement Class
14 Member falls well within the range of reasonableness for cases of this nature. The Settlement
15 provides a meaningful and prompt recovery, allowing class members to obtain compensation
16 now rather than face the significant risks, delays, and uncertainties associated with continued
17 litigation and a potential trial. Notably, the reaction of the Settlement Class further supports
18 approval—no Settlement Class Member has objected to the Settlement, and no one requested
19 exclusion.

20 10. Class Counsel are respected members of the California Bar with strong records
21 of vigorous and effective advocacy for their clients, and they are experienced in handling
22 complex class action litigation. Both Class Counsel and Plaintiff were prepared to litigate the
23 claims in this action, but they strongly and unequivocally support the proposed Settlement as
24 being in the best interest of the Settlement Class based on the circumstances referenced herein.

25 11. In sum, all relevant factors support final approval of the Settlement. The parties
26 negotiated at arm's length under the supervision of an experienced and well-respected mediator.
27 Class Counsel also investigated, discovered, and analyzed class claims extensively. Moreover,
28 Class Counsel, experienced class action litigators, strongly believe that this Settlement provides

1 an excellent result for the Settlement Class. Lastly, the fact that no objections were filed
2 requesting denial of final approval and no one requested exclusion from the Settlement weighs
3 strongly in favor of approving the Settlement. For these reasons, this Court should conclude
4 that under the circumstances of this case, the proposed Settlement is fair, adequate, and well
5 within the range of reasonableness.

6 12. Class Counsel's application for an award of Attorneys' Fees in an amount of
7 approximately 33.33% of the Settlement Amount on behalf of the Settlement Class is reasonable
8 and fair. The requested fee falls at the lower end of the Ninth Circuit's historical benchmark
9 for attorneys' fees, 20% to 40% of a common fund. It is fair compensation for undertaking
10 complex, risky, expensive, and time-consuming litigation on a contingent basis.

11 13. For Class Counsel, the fees here were wholly contingent in nature, and the case
12 presented far more risk than the usual contingent fee case. There was the prospect of the
13 enormous costs inherent in class-action litigation and a long battle with the corporate
14 Defendant. That prospect has become a reality in trial courts and the Court of Appeal in other
15 wage-and-hour class actions. Class Counsel risked not only a great deal of time but also a great
16 deal of expense to ensure the successful litigation of this action on behalf of all Settlement Class
17 Members. Based upon the foregoing, Class Counsel respectfully requests that the Court award
18 Attorneys' Fees in the amount of \$112,500.

19 14. Class Counsel devoted substantial time and effort to the prosecution and resolution
20 of this matter. In total, Class Counsel expended approximately 143.7 hours litigating this case.
21 My hourly rate is \$725, and I spend approximately 55.7 hours on this case since its inception. My
22 co-counsel, Mehrdad Bokhour, expended approximately 88 hours at the hourly rate of \$750.
23 Based on these hours and rates, Class Counsel's combined lodestar is \$106,382.50, as detailed in
24 the accompanying declarations.

25 15. These hourly rates are consistent with, and in line with, those charged by attorneys
26 of comparable skill, experience, and reputation in the relevant legal market. Notably, the fee
27 requested here reflects a negative multiplier relative to the lodestar, underscoring its
28 reasonableness. Courts routinely approve fee awards applying positive multipliers in similar

1 cases; thus, the requested fee falls well within—indeed, below—the range typically deemed
2 appropriate.

3 16. A copy of my firm’s itemized time records for this case is attached hereto as
4 **Exhibit “A”**.

5 17. The ultimate result was far from certain. When this case was taken on a
6 contingency fee basis, the firm agreed to assume responsibility for all litigation costs. In the
7 course of this Action, Class Counsel paid all costs, including filing fees, court costs, research fees,
8 and mediation costs. There was never a guarantee that we would recoup those expenditures.

9 18. It has been my experience that the benchmark for an attorney fee award in
10 California state cases is one-third of a common fund. Here, counsel is requesting 30% of the
11 Settlement Amount.

12 19. The fee is warranted because of the results achieved for the Settlement Class
13 Members, both in terms of the immediate cash settlement and the fact that the Settlement Class
14 Members resoundingly supported the Settlement. Defendant does not oppose this fee request.

15 20. As the Settlement Agreement reveals, there is no preferential treatment for any
16 segment of the Settlement Class, as the Settlement is designed to fairly and adequately
17 compensate all Settlement Class Members. Pursuant to California Rules of Court Rule 3.769(b),
18 the parties have disclosed the agreed-upon and proposed Attorneys’ Fees, which are well within
19 the range of reasonableness for matters of this nature.

20 21. As set forth at the time of preliminary approval, Class Counsels’ investigation into
21 the facts and merits of the wage and hour claims alleged included analyzing substantial amounts
22 of information, correspondence, documents, timekeeping and pay data, policies and procedures,
23 and evidence relating to the class size and the commonality of the claims. During this process,
24 Plaintiff and Class Counsel investigated the potential claims of similarly situated employees and
25 researched Defendant’s defenses. Finally, Class Counsel synthesized and analyzed information
26 provided by Defendant as to the total Settlement Class Members, the number of current and
27 former employees, and the number of employees who worked during various time periods and
28 prepared comprehensive damages calculations regarding the wage and hour claims at issue.

22. In light of the uncertainties of protracted litigation, this negotiated Settlement reflects the best practicable recovery for the Settlement Class. While the total Settlement amount is, of course, a compromise figure, the potential risks and opportunities for both parties were weighed, resulting in a fair and equitable Settlement. Based upon detailed data obtained through discovery and information exchanges and factoring in claim certification and liability probabilities, Class Counsel formulated detailed damages models to evaluate the claims in preparation for mediation and reach a realistic and reasonable resolution. Of course, Defendant denies that any damages should be assessed and denies all of the value assessed by Plaintiff.

23. Moreover, as further detailed in Plaintiff's Motion for Preliminary Approval of Class Action Settlement, Defendant strongly disputed the merits of the case and the damages on several grounds.

24. The Settlement should be approved, and judgment entered based on the determination that the Settlement is fair, reasonable, adequate, and in the best interests of the Settlement Class.

25. In compliance with California Rules of Professional Conduct section 1.5.1, Plaintiff signed a fee split agreement that provides fees will be allocated between Class Counsel as follows: fifty percent (50%) to the Bokhour Law Group, P.C., and fifty percent (50%) to Falakassa Law, P.C.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct, this 20th day of April 2026, at Los Angeles, California.


Joshua Falakassa

EXHIBIT “A”

HINSON V. NITERRA NORTH AMERICA, INC.

Detailed Time Records

7/1/2023	Joshua Falakassa	Conduct Intake with Client and Take Notes	2.7	\$725	\$ 1,957.50	Investigations/Complaint
7/8/2023	Joshua Falakassa	Discuss with co-counsel about pursuing class action case.	0.6	\$725	\$ 435.00	Investigations/Complaint
7/9/2023	Joshua Falakassa	Follow up call with Client to Obtain Documents and Retain Client	1	\$725	\$ 725.00	Investigations/Complaint
8/29/2023	Joshua Falakassa	Draft PAGA letter; conduct legal research and company research	1.3	\$725	\$ 942.50	Investigations/Complaint
8/29/2023	Joshua Falakassa	Draft Class action complaint; conduct legal research and company research; call with client re. the same	2.1	\$725	\$ 1,522.50	Investigations/Complaint
8/30/2023	Joshua Falakassa	Review Plaintiff's Employment Records; and Discuss w Co-Counsel	1.2	\$725	\$ 870.00	Investigations/Complaint
9/28/2023	Joshua Falakassa	Review Notice of Related Case	0.2	\$725	\$ 145.00	Pleadings
10/2/2023	Joshua Falakassa	Review Defendant's Answer to Complaint	0.2	\$725	\$ 145.00	Investigations/Complaint
10/11/2023	Joshua Falakassa	Review Minute Order.	0.2	\$725	\$ 145.00	Pleadings
11/29/2023	Joshua Falakassa	Call with Client re. update on case; obtain further documents	0.4	\$725	\$ 290.00	Investigations/Complaint
11/29/2023	Joshua Falakassa	Draft email to counsel re. Stipulation to File First Amended Complaint to add PAGA.	0.3	\$725	\$ 217.50	Pleadings
12/4/2023	Joshua Falakassa	Review Order Granting Leave to File First Amended Complaint	0.3	\$725	\$ 217.50	Pleadings
12/4/2023	Joshua Falakassa	Draft and edit First Amended Complaint to add PAGA	0.2	\$725	\$ 145.00	Pleadings
12/27/2023	Joshua Falakassa	Review order Continuing Case Management Conference	0.2	\$725	\$ 145.00	Pleadings
1/9/2024	Joshua Falakassa	Aid in scheduling mediation; review and investigate mediators; contact client re the same	0.5	\$725	\$ 362.50	Mediation/Settlement
2/21/2024	Joshua Falakassa	Draft, finalize, and oversee service of Pre-Mediation Informal Discovery Requests letter.	1	\$725	\$ 725.00	Informal Discovery
6/20/2024	Joshua Falakassa	Review production of informal discovery; discuss with co-counsel and client	3.5	\$725	\$ 2,537.50	Informal Discovery
7/10/2024	Joshua Falakassa	Discuss with Co-counsel strategy and mediation brief.	2.3	\$725	\$ 1,667.50	Mediation/Settlement
7/17/2024	Joshua Falakassa	Prepare for and attend Mediation	8	\$725	\$ 5,800.00	Mediation/Settlement
8/11/2024	Joshua Falakassa	Review and edit Settlement Agreement and class notice	1.8	\$725	\$ 1,305.00	Mediation/Settlement
8/13/2024	Joshua Falakassa	Draft, finalize, and oversee submission of Notice of Settlement	1.3	\$725	\$ 942.50	Mediation/Settlement
8/14/2024	Joshua Falakassa	Review Order re Notice of Settlement and Preliminary Approval hearing date	0.3	\$725	\$ 217.50	Pleadings
10/3/2024	Joshua Falakassa	Draft Preliminary Approval Motion and Supporting Documents	5.3	\$725	\$ 3,842.50	Motion for Preliminary Approval
10/4/2024	Joshua Falakassa	Finalize and oversee submission and service of Motion for Preliminary Approval	1.3	\$725	\$ 942.50	Motion for Preliminary Approval
11/8/2024	Joshua Falakassa	Review Minute Order.	0.2	\$725	\$ 145.00	Pleadings
2/3/2025	Joshua Falakassa	Review and edit Supplemental Declaration and Amended Class Notice	0.5	\$725	\$ 362.50	Motion for Preliminary Approval
4/2/2025	Joshua Falakassa	Draft, edit and finalize Amended Settlement Agreement	1.4	\$725	\$ 1,015.00	Mediation/Settlement
4/3/2025	Joshua Falakassa	Review Amended Settlement Agreement with Plaintiff	1.8	\$725	\$ 1,305.00	Mediation/Settlement
8/5/2025	Joshua Falakassa	Draft, finalize, and oversee submission and service of Notice of Change of Address	0.3	\$725	\$ 217.50	Pleadings
8/12/2025	Joshua Falakassa	Draft, edit and finalize amended class notice	0.5	\$725	\$ 362.50	Motion for Preliminary Approval
11/24/2025	Joshua Falakassa	Review Defendant's Notice of Change of Address	0.2	\$725	\$ 145.00	Pleadings
4/17/2026	Joshua Falakassa	Draft Motion for Final Approval and Supporting Documents and Declarations	3.8	\$725	\$ 2,755.00	Motion for Final Approval
4/20/2026	Joshua Falakassa	Finalize and oversee submission and service of Motion for Final Approval	0.8	\$725	\$ 580.00	Motion for Final Approval
	Joshua Falakassa	<i>Estimated</i> : work with team to finalize matter	10	\$725	\$ 7,250.00	Est. Future Work
Subtotals for Joshua Falakassa			55.7		\$ 40,382.50	