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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

JOHNNY ELIJA STINSON, as an aggrieved employee, and on behalf of all other aggrieved employees under the Labor Code Private Attorneys General Act of 2004, Plaintiff, v. PERFECT 85 DEGREES C, INC., a California corporation; and DOES 1 through 100, inclusive, Defendants.	Case No. 24CV070989 **DECLARATION OF ARSINÉ GRIGORYAN IN SUPPORT OF PLAINTIFFS' MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT**

DECLARATION OF ARSINÉ GRIGORYAN

I, Arsiné Grigoryan, declare:

1. I am an attorney licensed and admitted to practice before all courts of the State of California and the United States District Court for the Central, Southern, Eastern, and Northern Districts of California.

2. I am Senior Counsel at D.Law, Inc., counsel of record for Plaintiff Arturo Gandara ("Plaintiff Gandara") and Johnny Elija Stinson ("Plaintiff Stinson") (together, "Plaintiffs") and all others aggrieved employees. My firm and Bibiyan Law Group, P.C. are referred to herein as "PAGA Counsel."

3. All of the matters set forth herein are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true. I submit this Declaration in support of Plaintiffs' Motion for Approval of Representative Action Settlement under California Labor Code 2698, *et seq*.

REQUEST FOR ATTORNEYS' FEES AND COSTS

4. Pursuant to the Settlement Agreement, PAGA Counsel is requesting an award of attorneys' fees in the amount of **$87,500.00** and an award of litigation costs to PAGA Counsel of in an amount up to **$30,000.00.** D.Law, Inc.'s cost log for this matter is attached hereto as **Exhibit 1**.

5. This request is fair, reasonable, and adequate to compensate PAGA Counsel for the substantial work they have put into this case and, moreover, the risk they assumed by taking it in the first place. The attorneys' fees award is intended to reimburse PAGA Counsel for all uncompensated work that they have already done and for all the work they will continue to do in carrying out and overseeing the notification to the Aggrieved Employees, communicating with Aggrieved Employees regarding their claims, and assisting in the administration of the Settlement if it is approved.

6. Throughout this case, PAGA Counsel have borne, and continue to bear, the entire risk and cost of litigation associated with this Action on a purely contingency basis. As a result, PAGA Counsel have yet to receive any compensation for the amount of time and money invested in the

case to date.

7. Contingent-fee cases present the very real risk of working hundreds if not thousands of hours that may never be entirely compensated. Moreover, while the case is being litigated, counsel must pay overhead (salaries, rent, etc.), provide for their own expenses, and in most cases pay the out-of-pocket expenses incurred on the plaintiff's behalf. And the prospect of a court-awarded fee does not greatly reduce the risk posed by these cases. In many cases, the prospect is nothing more than a potential that never materializes. First, you must win the case to get a court-awarded fee; even those cases that seem strongest at the onset can be lost and sometimes are lost. Second, there are always the pitfalls and unforeseen obstacles that arise along the way, such as settlement offers that the client may accept without ensuring that we receive a reasonable fee or changes in the law that substantially affect the merits of the case, or other uncertainties involving the client. Finally, there is the great risk inherent in advancing tens if not hundreds of thousands of dollars in out-of-pocket expenses. If that money were to be invested in some sort of financial investment, then one would expect a reasonable rate of return on that investment. Here, however, the best we can hope to recover is our money, and then only if we are substantially successful; if we are not, all or part of this "investment" can be lost.

8. PAGA Counsel is well acquainted with the contingent-fee market throughout California, particularly as it pertains to PAGA and class action litigation. PAGA Counsel has negotiated numerous contingency-fee agreements with plaintiffs, both as individuals and as representatives in class-action and PAGA suits. Many of those agreements required that counsel receive a fee under certain scenarios that exceeds one-third of the recovery.

9. Counsel in contingency-fee cases have received attorneys' fees exceeding one-third of the gross settlement amount. *See Crandall v. U-Haul* (Los Angeles County Super. Ct., Case No. BC178775), the Honorable Steven Czuleger awarded a 40% attorney fee request in an overtime-exemption class action; in *Bushnell v. Cremar, Inc.* (Orange County Super. Ct., Case No. 657778), the Honorable Donald E. Smallwood awarded attorneys' fees in the amount of 38%; in *Abzug v. Kerkorian CA000981* (Los Angeles County Super. Ct., November 1990), the Honorable R. William Schoettler awarded a 45% fee; in *Haitz v. Meyer, et al.*, (Alameda County Super. Court, 8-20-1990

No. 572968-3), the court awarded a 40% fee; in *Elliott v. Clothestime* (Orange County Super. Ct., Case No. 01-CC00333) the Honorable Jonathan Cannon awarded a 40% fee in a wage-and-hour class action which had not yet proceeded to the class certification stage; in both *Rippee v. Boston Market Corporation*, Case No.: 05 CV 1359 BTM (JMA) and *Barile v. Boston Market Corporation*, Case No.: 05 CV 1360 BTM (JMA), the Honorable Judge Barry T. Moskowitz awarded a 40% fee to plaintiffs' counsel in wage-and-hour class actions that had not proceeded to the class-certification stage.

10. Moreover, PAGA Counsel spent substantial time on this matter. Aside from drafting the initial complaint, PAGA Counsel has researched the applicable law and potential defenses, amended the pleadings, conducted discovery, reviewed and analyzed time and pay records, wage statements, time entries, wage and hour policies, meal and rest break policies, employment handbooks, Plaintiff's personnel file, relevant policies and other documentation, constructed a penalties model based on interpretations of California law, reviewed information provided by Defendant at the mediation, engaged in meet and confer efforts with Defendant, and revised the settlement agreement, among other tasks. PAGA Counsel conservatively estimates that it invested at least **123.7 hours** of attorney time in this matter.

11. PAGA Counsel charges rates in line with the prevailing market rates in the Los Angeles area for attorneys of comparable experience and skill handling complex litigation.

12. California Courts have applied the Laffey Matrix with adjustments to the specific California locality where the Counsel's office is located based on "Locality Pay Tables." (*Syers Properties III, Inc. v. Rankin* (2014) 226 Cal.App.4th 691, 695-696 [affirming fee award based on Laffey Matrix with upward 9 percent rate adjustment from D.C. area compared to San Francisco Bay Area based on Locality Pay Tables]; *In re HPL Techs., Inc., Secs. Litig.* (N.D. Cal. April 22, 2005, No. C-02-3510 VRW) 365 F.Supp.2d 912, 921-922 [using Laffey Matrix with upward adjustment of 9 percent for San Francisco based on difference between D.C. Area's +15.98 locality pay compared to San Francisco's +26.39 percent locality pay differential from the federal courts' "Judiciary Salary Plan Pay Tables."].)

13. I have knowledge about the hourly rates charged by Los Angeles attorneys and

paralegals. Based on the information I have, I believe that their stated hourly rates are reasonable and appropriate for Los Angeles attorneys and paralegals with comparable expertise, experience, and qualifications.

14. Working closely with the other attorneys and paralegals in my firm, including on motions for attorneys' fees, I am aware of the experience and achievements of the counsel involved in this matter as well as the rates which would be charged if our work was on an hourly basis. Based on this information, I believe that my rate and the rates of the attorneys and paralegals in my firm are reasonable, appropriate, and consistent with the market rate for attorneys with comparable expertise, experience, and qualifications.

15. As Senior Counsel, my current billing rate is $1,042.00 (licensed in 2017), and I spent approximately 27.4 hours in this matter with a lodestar amount of $37,512.00 (27.4 x $1,042.00).[1] Associate Attorney Aram Boyadjian's billing rate is $750.00 (licensed in 2021) and he spent approximately 18.5 hours on this case with a lodestar amount of $13,875. Former Associate Attorney Rose Sorial's billing rate was $1,325.00 (licensed in 2010) and she spent approximately 38.9 hours in this matter with a lodestar of $51,542.50. Senior Counsel Alvin Lindsay's billing rate is $1,687 (licensed in 2002) and he spent approximately 8.3 hours on this case with a lodestar of $14,002.10. Associate Attorney Tania Fonseca's billing rate is $1,019.00 (licensed in 2016) and she worked approximately 27.2 hours on this matter with a lodestar amount of $27,716.80. Senior Counsel Roman Shkodnik's billing rate is $1,345.00 and he spent one hour on this matter with a lodestar of $1,324.00. Senior Counsel Natalie Haritoonian's billing rate is $992.00 (licensed in 2018) and she spent roughly 2.4 hours on this matter with a lodestar amount of $2,308.80.

16. The total lodestar for D.Law's attorneys alone is $148,302.20, which far exceeds the fee request of $87,500.00 and requires **no multiplier**.

17. In light of the foregoing, the fee request in an amount equal to thirty-five percent (35%) of the settlement in this case is well within the bounds that have been established by the above-cited authority.

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[1] This formula is tracked for the subsequent attorney hours and rates in the instant paragraph.

EXPERIENCE AND VIEWS OF COUNSEL

18. D.Law (formerly known as Davtyan Law Firm) prosecutes wage and hour cases, including class actions and PAGA actions on behalf of employees and others who have had their rights violated. D.Law, either on its own or with co-counsel, is currently serving as plaintiffs' counsel of record in numerous wage and hour and employment class action and PAGA action cases pending in both state and federal court.

19. D.Law is well-qualified and has ample experience, knowledge, and resources to act as counsel and represent Plaintiffs and the Aggrieved Employees in this action. Our practice is exclusively focused on employment matters and representing plaintiffs in wage and hour actions with the same or similar causes of actions brought forth in the matter pending before this Court.

20. D.Law has litigated and successfully resolved many wage and hour class action cases involving failure to pay wages and derivative Labor Code claims and penalties. *See* e.g. *De La Rosa v. The Coca Cola Company, et al.* (Superior Court of California in Napa, 17CV000787), *Harvey v. Bed Bath & Beyond of California Limited Liability Company* (Superior Court of California in Alameda, RG17885153), *Paredes v. Bottling Group LLC, et. al.* (Superior Court of California in Kern), *Ramirez v. Harris Ranch Beef Company* (Superior Court of California in Fresno, 16CECG04103), *Gates v. Gate Gourmet, Inc. et. al.* (Southern District of California, 16-cv-01084-L-AGS), *Hargrave v. Antelope Valley Hospital* (Superior Court of California in Los Angeles, BC663252), *Ramirez v. Milton Roy et. al.* (Superior Court of California in Los Angeles, BC 632 276), *Hawkins v. AvalonBay Communities* (Superior Court of California in Santa Clara, 17CV316492), *Jones Tharpe et al. v. Sprint Corporation, et al.* (Superior Court of California in Los Angeles, BC644645), *Ortega et al. v. Nestle Waters North America, Inc., et al.* (Superior Court of California in Los Angeles, BC623610), *Schultz v. Jimbo's Natural Family, Inc.* (Superior Court of California in San Diego, 37-2017-00022348-CUE-OE-CTL), *Ambrose v. Victor Valley Global, et al.* (Superior Court of California in San Bernardino, CIVDS1709289), *Puerta-Gildardo v. Real Time Staffing Services LLC, et. al.* (Superior Court of California in Los Angeles, BC565445), *Vargo v. Pregis Innovative Packaging LLC* (Superior Court of California in Tulare, 270836), *Conlin v. Aegis Senior Communities LLC* (Northern District of California, 17-cv-05534-LHK), *Galarza v.*

Kloeckner Metals Corporation (Central District of California, 2:17-cv-04910-FMO), *Estes v. L3 Technologies, Inc., et al.* (Southern District of California, 3:17-cv-02356-H-JMA), *Rowser v. Trunk Club, Inc.* (Central District of California, 2:17-cv-05064-DSF-RAO), *Leach v. The Claremont Colleges, Inc.* (Superior Court of California in Los Angeles, BC686451), *Vaesau v. PCT Enterprises, Inc. dba Precision Cabinets* (Superior Court of California, County of Contra Costa MSC18-02404), *Terry v. TF Louderback, Inc. dba Bay Area Beverage Company* (Superior Court of the State of California, County of Contra Costa, MSC18-00859), *Roach v. Westcare California, Inc.* (Superior Court of California in Kern County, BCV-17-102367-SDS), *Patton v. Church & Dwight Co., Inc.* (Central District of California, EDCV 18-903-MWF (KKx)), *Juarez v. ISL Employees, Inc.* (Superior Court of California in Madera, MCV074787), *Ferraro v. USC Verdugo Hill s Hospital, et al.* (Superior Court of California in Los Angeles, 18STCV09463), *Ford v. Account Control Technology, Inc., et al.* (Superior Court of California in Los Angeles, 19STCV09369), *Ornelas v. iStorage, et al.* (Superior Court of California in San Francisco, CGC-18-571421), *Martinez v. Ronpak, Inc.* (Superior Court of California in Riverside, RIC1901307), *Barrera et al. v. Exclusive Wireless, Inc.* (Superior Court of California in Stanislaus, 9000687), *Barajas v. Mancha Development Company LLC* (Superior Court of California in Orange County, 30-2018-00974707-CU-OE-CXC), *Prado v. IMAX Corporation dba IMAC Worldwide Home* (Superior Court of California in San Bernardino, CIVDS1820265), *Rodriguez v. ND Industries, Inc.* (Superior Court of California in Los Angeles, 19STCV38096), *Singletary v. Motel 6 Operating LP, et al.* (Southern District of California, 3:20-cv-0270-LAB-AHG), *Quizon v. CF Watsonville East, LLC, et al.* (Superior Court of California in Santa Cruz, 20CV01868), *Stephenson v. Bakersfield Dodge, Inc.* (Superior Court of California in Kern, BCV-20-102693), *Bacerra v. Hugo Boss Retail, Inc.* (Superior Court of California in San Diego, 37-2021-00002933-CU-OE-CTL), *Walker v. Ariat International, Inc.* (Superior Court of California in Alameda, HG19026439), *Orr v. Petvet Care Centers (California) Inc.* (Superior Court of California in Santa Clara, 19CV354063), *Jimenez v. OEC Distribution Services, Inc.* (Superior Court of California in San Bernardino, CIVDS1915743), *Virdi v. Absolute Security International* (Superior Court of California in San Bernardino, CIVDS 1909589), *Raj v. First Transit, Inc.* (Superior Court of

California in Sacramento, 34-2021-00295895-CU-OE-GDS), *Marchbanks v. Torrid Administration, Inc.* (Superior Court of California in San Diego, 37-2020-00008179-CU-OE-NC), among others.

21. I am Senior Counsel at D.Law, Inc., where I manage a team of litigation associates and staff. I earned two Bachelor of Arts degrees from the University of California, Berkeley in (1) Political Science with an emphasis on International Relations and (2) Media Studies. I obtained my Juris Doctor degree from Southwestern Law School and am presently admitted to practice in all state courts of California and before all federal district courts in California. Since passing the bar in 2017, I have focused exclusively on wage-and-hour class action litigation, including PAGA matters. Over the years, I have secured multiple seven-figure settlements as recovery for California employees and have litigated class actions up to and past the certification stage. Currently, I am handling over twenty-five (25) class and PAGA matters in various courts throughout the State of California. I have been selected as a "Rising Star" by Super Lawyers for 2025-2026.

22. Associate Attorney Aram Boyadjian is a sixth-year attorney at D.Law and admitted to practice law in the State of California in 2021. Mr. Boyadjian graduated from the University of California, Los Angeles, with a Bachelor of Arts in Political Science. He obtained his Juris Doctor from Loyola Law School. During law school, he was a member of the student editorial board for the International and Comparative Law Review. Since January 2021, his practice has been exclusively focused on wage-and-hour class action litigation, including PAGA representative matters.

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23. Senior Counsel Alvin B. Lindsay graduated from the United States Military Academy at West Point and then served as an Army Officer for 10 years in the Corps of Engineers. He then earned his Juris Doctorate from Whittier Law School and has been practicing in California for over twenty years. Since 2010, he has exclusively focused his practice on representing employees including in wage-and-hour class and PAGA actions. During his career, he has represented employees in many wage-and-hour class and PAGA action lawsuits as lead or co-lead counsel (including in the Central, Southern, Eastern, and Northern Districts of California), and has been

successful in getting many contested class action cases certified and has secured class and PAGA settlements for many millions of dollars against a range of defendants, including Fortune 500 companies. He is experienced and qualified to evaluate the representative claims, to evaluate settlement versus trial on a fully informed basis, and to evaluate the viability of the defenses.

24. Former Associate Attorney Rose Sorial earned her bachelor's degree from Loyola Marymount University and her Juris Doctorate in 2006 from Trinity Law School. She has devoted the majority of her legal career to the practice of employment law and has been appointed as class counsel for many class and representative action settlements involving the gamut of wage-and-hour claims, including claims for failure to pay minimum wages, unpaid wages and overtime, inaccurate pay statements, and failure to pay timely wages - similar to claims at issue in the present matter.

25. Roman Shkodnik is Senior Counsel at D.Law and counsel of record for Plaintiff. He received his Bachelor of Arts in history and political science from the University of California, Los Angeles, in 2007. He then earned his Juris Doctorate from Loyola Law School in May of 2011. Upon graduating from law school, he has exclusively focused his practice on representing employees including in wage-and-hour class actions. During his career, he has represented employees in over 100 wage-and-hour class action lawsuits as lead or co-lead counsel (including in the Central, Southern, Eastern and Northern Districts of California), and he has obtained six and seven figure settlements against a range of defendants, including Fortune 500 companies. These cases have involved the gamut of wage-and-hour claims, including claims for failure to pay minimum wages, unpaid wages and overtime, inaccurate pay statements, and failure to pay timely wages - similar to claims at issue in the present matter. He is experienced and qualified to evaluate the representative claims, to evaluate settlement versus trial on a fully informed basis, and to evaluate the viability of the defenses.

26. Associate Attorney Tania Fonseca received her bachelor's degree from University of California, San Diego in 2011, and her Juris Doctor degree from California Western School of Law in 2015. Her entire professional career has focused on plaintiff's side employment law, and she has been previously appointed as class and PAGA counsel for many other wage and hour settlements in both California state and federal court.

27. Senior Counsel Natalie Haritoonian received her Bachelor of Arts in political science from the University of California, Los Angeles, in 2014. She then earned her Juris Doctorate from the University of Southern California, Gould School of Law in May of 2018. Upon graduating from law school, she has exclusively focused her practice on representing employees including in wage-and-hour class actions. She is experienced and qualified to evaluate the class and representative claims, having obtained six and seven figure settlements against a range of defendants, having been appointed as class counsel for dozens of other putative wage-and-hour class-action lawsuits pending in various state and federal jurisdictions throughout California. She is experienced and qualified to evaluate settlement versus trial on a fully informed basis, and to evaluate the viability of the defenses.

28. The collective experience of the D.Law attorneys in litigating employment wage and hour matters has been integral in identifying legal issues, evaluating the strengths and weaknesses of a case, and generally negotiating fair and reasonable class and representative action settlements. This experience is helpful in assessing the reasonableness of settlements such as the one at issue here. Based on our experience, PAGA Counsel concluded that this lawsuit could not have been settled on better terms than provided under the present settlement agreement.

29. In sum, PAGA Counsel are experienced in employment class action and PAGA litigation and are adequate to represent the Aggrieved Employees in the instant action.

Costs

30. Per the Settlement Agreement, PAGA Counsel can request up to $30,000; however, D.Law only incurred costs in the amount of $2,333.72. The costs for D.Law Class Counsel's Cost Log is attached hereto as **Exhibit 1**. As I understand it, the combined costs requested by PAGA Counsel are still below the $30,000. PAGA Counsel incurred costs including, but not limited to, filing fees (e.g. complaint, stipulation, motions), service of process, and attorney-service costs for court filings, all of which were necessarily and reasonably incurred to prosecute this Action and achieve a settlement that significantly benefits the Aggrieved Employees.

31. I am not aware of any class or other representative action against Defendant in any other court that asserts claims similar to those alleged in the action being settled beyond those of my co-

counsel, Bibiyan Law Group, P.C.

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

Executed this 5th day of October, 2026 in Pasadena, California.

/s/ Arsiné Grigoryan
Arsiné Grigoryan, Esq.

EXHIBIT 1

Gandara v. Perfect 85 Degrees, Inc.

Litigation Costs

Expense Date		Memo		Provider		Amount Paid
5/21/2024		PAGA Letter Submission		Labor Workforce Development Agency		$75.00
5/29/2024		Summons and Complaint		Proceed		$1,491.70
5/30/2024		Service of Process - Perfect 85 Degrees C, Inc.		Proceed		$87.55
6/3/2024		Plaintiff's Peremptory Challenge		Proceed		$13.65
6/13/2024		POS of Summons - Perfect 85 Degrees C, Inc.		Proceed		$13.65
7/30/2024		First Amended Complaint		Proceed		$13.65
8/29/2024		Document Retrieval (Previous Case Complaint)		Superior Court of California - Alameda County		$15.00
8/29/2024		Document Retrieval (Minute Order re Judge Reassignment)		Superior Court of California - Orange County		$7.50
8/30/2024		Plaintiff's Notice of Case Management Conference & Judicial Reassignment		Proceed		$13.65
9/6/2024		Notice of Acknowledgement of Receipt - First Amended Complaint		Proceed		$13.65
9/23/2024		Joint Case Management Statement;Plaintiff's Notice of Change of Address		Proceed		$13.65
10/9/2024		Plaintiff's Association of Attorney		Proceed		$13.65
1/10/2025		Joint Case Management Statement		Proceed		$13.65
2/25/2025		Plaintiff's Association of Attorney		Proceed		$13.65
2/25/2025		Plaintiff's Association of Attorney		Proceed		$13.65
9/25/2025		Demand for Arbitration		Jams, Inc.		$411.96
10/21/2025		Document Retrieval - Topfiling Complaint		Superior Court of California - Alameda County		$9.50
10/22/2025		Plaintiff's Association of Attorney		Proceed		$13.71
1/8/2026		Joint Case Management Statement		Proceed		$13.71
1/22/2026		Plaintiff's Association of Attorney		Proceed		$13.71
2/17/2026		Plaintiff's Notice of Change of Address		Proceed		$13.71
3/25/2026		Letter to Client Re Memorandum of Understanding Certified Postage		Proceed		$16.75
6/17/2026		Joint Case Management Statement		Proceed		$13.71
10/1/2026		Joint Case Management Statement		Proceed		$13.71
				TOTAL		**$2,333.72**