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*[Additional Counsel on Next Page]*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF RIVERSIDE**

DAWN BABBE, individually, and on behalf of  
other members of the general public similarly  
situated and as an aggrieved employee pursuant to  
the Private Attorneys General Act ("PAGA"),

Plaintiff,

vs.

MFI RECOVERY CENTER, a California non-  
profit corporation; and DOES 1 through 10,  
inclusive,

Defendants.

ALMA BUENO, BRANDON OARE, and HELEN  
YVONNE FRENCH, individually, and on behalf  
of other members of the general public similarly  
situated,

Plaintiffs,

vs.

MFI RECOVERY CENTER, a California  
corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No.: CVRI2103146  
*Consolidated with Case No.: CVRI2200393*

Honorable Harold W. Hopp  
Department 1

**CLASS ACTION**

**DECLARATION OF FRANCIS A.  
DIGIACCO IN SUPPORT OF  
PLAINTIFFS' MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION AND PAGA  
SETTLEMENT**

Date: July 13, 2026  
Time: 8:30 a.m.  
Department: Dept. 1

Babbe Complaint Filed: June 18, 2021  
Babbe FAC Filed: October 7, 2021  
Bueno Complaint Filed: January 28, 2022  
Trial Date: None Set

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Andrew E. Hillier (SBN 295779)  
Francis A. DiGiacco (SBN 265625)  
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*Attorneys for Plaintiff DAWN BABBE*

**DECLARATION OF FRANCIS A. DIGIACCO**

I, Francis A. DiGiacco, declare and state as follows:

1. I am an attorney at law, duly licensed to practice before all courts of the State of California, and attorney of record for Plaintiff Dawn Babbe in this action. I have personal knowledge of the facts contained herein, and, if called as a witness, could and would competently testify to their veracity.

2. This declaration is submitted in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement.

**EXPERIENCE**

3. I graduated from the University of San Diego School of Law in 2009 and was admitted to practice in California that same year. I began my law practice as an Associate Attorney for Robbins Geller Rudman & Dowd LLP, where my practice focused on securities class action litigation on behalf of shareholders. I then worked as an Assistant United States Attorney in the Southern District of California on the Organized Crime Drug Enforcement Task Force, where I investigated and prosecuted international drug trafficking organizations. During my time at the United States Attorney's Office, I prosecuted hundreds of federal criminal cases involving drug smuggling and human trafficking, taking several of those cases to trial. I am now a partner of Hillier DiGiacco LLP, where I focus on representing employees that have been wronged by their employer in single plaintiff, representative actions, and class action. Most recently, on October 2, 2023, the Honorable Elihu M. Berle of the Superior Court of California, County of Los Angeles, confirmed our firm as class counsel in *Gallegos v. Children's Institute, Inc.*, Lead Case No. 21STCV19276 and on April 14, 2023, the Honorable Ethan P. Schulman of the Superior Court of California, County of San Francisco, confirmed our firm as class counsel in *Dharni v. Dentsu McGarry Bowen LLC, et al.*, Case No. CGC-21-590170.

4. Our co-counsel in this case, Jeffrey R. Krinsk of Finkelstein & Krinsk LLP, has used his 48 years of law practice to assist in this case. Mr. Krinsk has effectively prosecuted and managed a host of class actions for his firm over the last twenty-five years. His decades of experience in class actions enables him to effectively supervise and evaluate the case.

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**ATTORNEYS' FEES AND COSTS**

5. The Settlement Administrator provides for attorneys' fees of up to thirty-five percent of the Gross Settlement, i.e., \$402,500.00. This is fair and reasonable to compensate Class Counsel for the work they have done to prosecute this Action, the risk they assumed in committing to litigate the case on a contingent basis, the benefit achieved for the Class, and the continued time and expense that Class Counsel will incur if the Court grants preliminary approval, including supervising the notice process, preparing motions for final approval and attorneys' fees, costs, and a class representative award, and ensuring the proper distribution of the settlement fund should the Court grant final approval.

6. Class Counsel agreed to represent Plaintiffs on behalf of the proposed class on a contingent basis, and agreed to advance all litigation costs, including expert costs that are necessary to effectively litigate a data-intensive, large-scale case like this one. If Defendant had prevailed, our significant financial outlays would have been lost, and the substantial time we spent on behalf of the proposed class would have been uncompensated.

7. If the Court grants Preliminary Approval and authorizes the dissemination of Notice of the settlement to the Class, Class Counsel will file a Motion for Final Approval of the Class Action Settlement. In that motion, Counsel will describe in detail their lodestar, including the time spent by each attorney, a detailed description of the categories of work performed and time spent on each category, and other information and authority to allow the Court to assess the reasonableness of the fees requested.

8. The Settlement Agreement's award of litigation costs of not more than \$18,000.00 for commonly reimbursed out-of-pocket costs incurred by Class Counsel, including filing and process-serving fees, expenses related to court appearances, copying, legal and other research charges, mediation fees, and the like. Class Counsel will submit a detailed report of their actually incurred costs in support of their Motion for Final Approval of Class Action Settlement.

9. The request for Service Awards of \$10,000.00 to each Named Plaintiff are reasonable and fair. The Service Awards are intended to compensate Plaintiffs for the critical role they played in this case and the time, effort, and risks they undertook in securing the result

1 obtained on behalf of the Class. In agreeing to serve as class representatives, Plaintiffs formally  
2 agreed to accept the responsibility of representing the interests of all Class Members. They  
3 collected and provided numerous documents and diligently assisted Class Counsel in the  
4 investigation and prosecution of the case. They assisted in preparing and evaluating the case for  
5 mediation and provided Class Counsel with guidance to evaluate and approve the proposed  
6 settlement on behalf of the Settlement Class. Plaintiffs' participation and assistance were critical  
7 to the success of this litigation and the enforcement of Labor Code protections. Without their  
8 commitment to come forward and serve as the Class Representatives, this litigation, which  
9 enforces the protections of the California Labor Code, would not have been brought. The Named  
10 Plaintiffs are also granting Defendant a general release of all claims, which is far broader than  
11 the release being given by the members of the Class. If Preliminary Approval is granted,  
12 Plaintiffs will be submitting a declaration describing the time they spent and the work they  
13 performed as Class Representative in conjunction with the Motion for Final Settlement  
14 Approval.

15 I declare under the penalty of perjury under the laws of the State of California that the  
16 foregoing is true and correct. Executed on April 9, 2026 in San Diego, California.

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Francis A. DiGiacco