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Attorneys for Plaintiff TINA PICHON,
individually, and on behalf of others similarly situated

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

GERI GATES, individually and on behalf of
others similarly situated,

Plaintiff,

vs.

SD&A TELESERVICES, INC., a Georgia
corporation; and DOES 1 through 25,
inclusive,

Defendant(s).

Case No.: 23STCV29390
(Consolidated with Case Nos. 24STCV02771
and 23STCV224461)

Honorable Laura A. Seigle
Department 17

**DECLARATION OF LOUIS BENOWITZ IN
SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

DATE: April 17, 2026
TIME: 9:00 a.m.
DEPT: 17

Complaint Filed: November 30, 2023
Trial Date: Not Set

DECLARATION OF LOUIS BENOWITZ

I, LOUIS M. BENOWITZ, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and am an attorney of record for Plaintiff Tina Pichon ("Plaintiff") in her lawsuit against Defendant SD&A Teleservices, Inc. ("Defendant").

2. I make this Declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement. I make this Declaration based on my personal knowledge and if called to testify I could and would competently testify to the matters contained in this Declaration.

3. Based on my extensive experience in class and representative wage and hour litigation (as set forth herein), and for the reasons set forth in the accompanying Motion and the other supporting Declarations, I believe that the settlement in this case is fair, adequate, and reasonable, and thus warrants this Court's approval. With respect to this specific case, I have been involved in all critical respects of it since my initial intake with Plaintiff and fully participated in the mediation and discussions that led to the settlement and the finalization thereof.

4. I completed my undergraduate studies at Cornell University in Ithaca, New York, where I was admitted as a Pauline and Irving Tanner Dean's Scholar and earned a Bachelor of Arts degree in English in May of 2003. I completed my legal studies at Loyola Law School in Los Angeles, California, where I received a Juris Doctor degree in May of 2008 and graduated in the top 15% of my class. At Loyola Law School, I served as Research Editor on the Loyola of Los Angeles Entertainment Law Review, was a member of the Scott Moot Court Honors Board and the St. Thomas More Law Honor Society and was a research assistant to Professor Theodore Seto.

5. Since being admitted to the State Bar of California in February of 2009 after passing the California Bar Examination on my first attempt, I have almost exclusively practiced in the areas of civil litigation and employment law. I am a member of the California Employment Lawyers Association ("CELA"), and the vast majority of my work during my time in active legal practice has

1 consisted of wage and hour and other employment law cases on behalf of employees, with a few
2 sporadic matters on behalf of employers. I currently have numerous pending employment law cases
3 at various stages of litigation, many of which are wage and hour class actions.

4 6. With respect to wage and hour class actions specifically, a sampling of matters in
5 which I have been appointed as class counsel is as follows:

6 A. *Vang v. Burlington Coat Factory Warehouse Corp., et al.*, U.S. District
7 Court, Central District of California, No. 09-CV-8061-CAS (appointed
8 class counsel and granted final approval of settlement on behalf of retail
9 store employees in case involving, among other things, alleged vacation
10 pay forfeitures, failures to provide meal and rest periods, and failures to
11 pay overtime wages based on employee misclassification).

12 B. *Garcia v. Am. Gen. Fin. Mgmt. Corp., et al.*, U.S. District Court, Central
13 District of California, No. 09-CV-1916-DMG (appointed class counsel and
14 granted final approval of settlement on behalf of account managers in case
15 involving, among other things, alleged overtime miscalculations and meal
16 and rest period violations).

17 C. *Cerdenia v. USA Truck, Inc.*, U.S. District Court, Central District of
18 California, Case No. 10-CV-1489-JVS (appointed class counsel and
19 granted final approval of settlement on behalf of truck drivers).

20 D. *Jones v. Shred-It, Inc.*, U.S. District Court, Central District of California,
21 Case No. 2:11-cv-00526-SVW-FFM (appointed class counsel and granted
22 final approval of settlement on behalf of customer service representatives
23 and balers in case involving alleged off-the-clock work and meal and rest
24 period violations).

25 E. *Douglas v. California Credit Union*, Los Angeles Superior Court, Case
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1 No. BC445050 (appointed class counsel and granted final approval of
2 settlement on behalf of customer service representatives for overtime
3 miscalculation claims)

4 F. *Alvarez v. Gary Grace Enterprises, LP*, Marin Superior Court, Case No.
5 CIV 1002553 (appointed class counsel and granted final approval of
6 settlement on behalf of hair salon employees for overtime miscalculation
7 and related claims).

8
9 G. *Calderon v. Greatcall, Inc.*, San Diego Superior Court, Case No.
10 37-2010-00093743-CU-OE-CTL (appointed class counsel and granted
11 final approval of settlement on behalf of customer service employees in
12 case involving, among other things, alleged meal and rest period violations
13 and overtime calculation errors).

14 H. *Butler v. Lexxiom, Inc.*, San Bernardino Superior Court, Case No. CIVRS
15 1001579 (appointed class counsel and granted final approval of settlement
16 on behalf of debt resolution center employees in case involving, among
17 other things, alleged meal and rest period violations and overtime
18 calculation errors).

19
20 I. *Valencia v. SCIS Air Security Corp.*, Los Angeles Superior Court, Case
21 No. BC421485 (granted class certification through contested motion and
22 appointed class counsel in case on behalf of former security workers based
23 on late final wage payments in violation of Labor Code §§ 201–203; also
24 granted final of proposed class action settlement on behalf of certified
25 class).

26
27 J. *Sandoval v. Rite Aid Corp.*, Los Angeles County Superior Court, Case No.
28 BC431249 (granted class certification through contested motion and

1 appointed class counsel in case on behalf of former pharmacy employees
2 based on late final wage payments in violation of Labor Code §§ 201–203;
3 also granted final approval of class action settlement on behalf of certified
4 class).

5 7. In addition to the class actions for which I am currently, or have been, an attorney of
6 record, I have also performed work on several other wage and hour class action cases, including the
7 preparation of liability exposure analyses and settlement approval motions. Further, both before and
8 during law school, I worked as a law clerk for the Law Offices of Spivak and Harrison (now The
9 Spivak Law Firm), where the majority of my work consisted of law and motion and discovery in
10 California employment law cases.

12 8. Though not a traditional class action, I successfully prosecuted an eleven-day bench
13 trial with David Spivak, one of my co-counsels in this action, in the case of *Alina Ghrdilyan, et al. v.*
14 *RJ Financial, Inc., et al.*, Los Angeles Superior Court, Case No. BC430633 (2012), the Honorable
15 Ronald Sohigian presiding. To my knowledge, this is the first and only case to be successfully
16 prosecuted through trial in a non-class representative capacity under the Labor Code Private
17 Attorney Generals Act of 2004, Labor Code § 2698 *et seq.* on behalf of both named plaintiffs and
18 aggrieved employees against someone other than an employer for civil penalties including unpaid
19 wages. The case involves claims of unpaid overtime, unprovided rest and meal periods, unpaid
20 vacation, untimely interval and final wages, and unreimbursed expenses.

22 9. In addition to my experience in representing plaintiffs in class action litigation, I also
23 represented two of the defendants in the case of *Sam Jaicaman v. Mustafa Ertan Tuysuzoglu, et al.*,
24 Los Angeles Superior Court, Case No. BC467147. In that case, a putative wage and hour class action
25 alleging off-the-clock, meal and rest period, and related claims, I, along with counsel for other
26 defendants, successfully opposed the plaintiff's motion for class certification.

28 10. I authored and submitted an amicus curiae brief on behalf of CELA in support of the

1 plaintiffs and the certified class in the case of *Augustus v. ABM Security Services, Inc.* at both the
2 Court of Appeal and Supreme Court levels. The ultimate decision from the Supreme Court in favor
3 of the plaintiffs incorporates much of the reasoning and arguments set forth in my briefs.

4 11. I am also one of the counsel for the plaintiff in *Troester v. Starbucks Corp.*, which the
5 California Supreme Court resolved in favor of the plaintiff. I was involved in that case at all points
6 since its inception. In that case, the California Supreme Court decided that a *de minimis* exception
7 does not exist under California law as a defense to wage and hour claims (unlike under federal law)
8 and thus expanded the rights of employees in California.
9

10 12. I have also been counsel for the plaintiffs in two other successful appeals in
11 employment law cases. In *Alejandro Chavez v. Southern California Edison Co.*, Court of Appeal,
12 Second Appellate District, Division Two, Case No. B253514, a male-on-male sexual harassment
13 case, my co-counsel and I obtained a reversal of a defense verdict after trial based on an erroneous
14 jury instruction with respect to the standard for establishing that workplace harassment is “because
15 of” sex. In *Valencia v. SCIS Air Security Corporation*, Court of Appeal, Second Appellate District,
16 Division One, Case No. B255199, in a published opinion, my co-counsel and I obtained reversals of
17 a denial of class certification and a grant of summary adjudication based on the trial court’s drawing
18 of an erroneous conclusion with respect to Airline Deregulation Act preemption in a case centering
19 around alleged meal and rest period violations and related unpaid time.
20

21 13. I have also been a speaker on multiple occasions at conferences for the California
22 Employment Lawyers’ Association on wage and hour issues for which attendees received MCLE
23 credit. My speaking engagements have been as follows:

24 A. Rest Breaks Post-*Augustus*, *California Employment Lawyers’ Association 14th*
25 *Annual Advanced Wage and Hour Seminar*, May 2018
26

27 B. Penalties (and Claims) You Should Be Pleading, *California Employment*
28 *Lawyers’ Association 21st Annual Advanced Wage and Hour Seminar*, April

14. I have no conflicts of interest with the class or with the Class Representative. I am not related to the representative plaintiff. I have not previously represented Defendants in any matter. I do not represent opposing factions within the class in that all claims are predicated upon the same theories of liability and benefit all class members equally. In sum, I am well-suited to act as Class Counsel and will continue to vigorously represent the interests of the class.

15. I am not aware of any class, representative, or other collective action in any other court, in this, or any other jurisdiction, that asserts claims similar to those asserted in this action, on behalf of the class or group of individuals, some or all of whom would also be members of the class to find in this action. I have made a reasonable inquiry of the other members of my law firm to determine whether they are aware of any such similar actions. Based on these inquiries, I am aware of no such similar actions.

16. Benowitz Law Corporation has prosecuted this litigation solely on a contingent-fee basis, and has been completely at risk that it would not receive any compensation for prosecuting claims against the Defendant.

17. Benowitz Law Corporation has participated in this litigation and has performed work on behalf of Plaintiff since the inception of this litigation. The hours submitted with this declaration are solely for work performed on behalf of the class alleged in the above-entitled California action and not any other state or federal matter.

18. I performed, among other things, the following tasks related to this matter: analyzed initial client's claims; performed initial investigation inclusive of research necessary for case evaluation, and searched court records relative to possible competing cases. I participated in its mediation and settlement, reviewed all settlement papers along with orders from the Court, reviewed law and motion papers, and assisted with client liaison and other tasks assigned by lead counsel.

19. The hourly rate for my time is \$750.00 per hour which is my usual and customary

1 hourly rate charged for my services in similar complex class actions.

2 20. The total number of hours spent by me on this litigation is approximately 81 hours
3 through March 19, 2026.

4 21. My total lodestar amount through March 19, 2026 is \$60,750.

5 22. No charges have been included for paralegal or staff time spent on this matter and all
6 costs have been incurred by my co-counsel in this matter.

7
8 23. I believe that the Settlement is fair, adequate, and reasonable. The Settlement provides
9 substantial monetary benefits to Class Members and is a product of diligent efforts of Class Counsel
10 to obtain the best possible result for the Class Members. This Settlement was reached following
11 thorough legal and factual research and analysis, thorough review of extensive data relative to the
12 claims in the action, arduous settlement negotiations, and thorough investigation of the underlying
13 facts by the respective parties and review of records. The settlement negotiations were, at all times,
14 adversarial and non-collusive in nature. The proposed Settlement is within the range of
15 reasonableness, and Class Members have supported the Settlement.
16

17 24.

18 I declare under the penalty of perjury of the laws of the State of California that the foregoing
19 is true and correct.
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21 Executed on March 19, 2026 at Manhattan Beach, California.
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LOUIS BENOWITZ
Declarant