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Counsel for Plaintiffs
AMANDA NUNEZ AND MARLISHA JAMES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

AMANDA NUNEZ and MARLISHA L.
JAMES, individuals, on behalf of themselves and
on behalf of all persons similarly situated,

Plaintiff,

vs.

UNIVERSITY HEALTHCARE ALLIANCE, a
Corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 23-CIV-05931

**DECLARATION OF JAMES R.
HAWKINS IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Hearing Date: January 27, 2026

Hearing Time: 2:00 p.m.

Dept: 4

Judge: Hon. Nancy LK. Fineman

Action Filed: December 14, 2023

1 I, James Hawkins, declare as follows:

2 1. I am an attorney, duly licensed to practice before all the Courts of the State of
3 California and I am the principal of James Hawkins, APLC, counsel of record for Plaintiffs
4 Amanda Nunez and Marlisha James (“Plaintiffs”) in this action. I have personal knowledge of the
5 facts set forth below, and if called to testify regarding them, I could and would do so competently.

6 2. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval
7 of Class Settlement.

8 3. In 1993, I graduated from the University of California, Los Angeles with a
9 Bachelor of Arts Degree. Following graduation, I attended Whittier Law School. In 1996, while
10 a full-time law student, I was also a full-time Judicial Extern for the Honorable Consuelo B.
11 Marshall, United States District Court, Central District. After approximately five months of
12 service for Judge Marshall, I became a full-time extern for the United States Attorney’s Office,
13 Central District of California. My externship lasted for approximately five months. Thereafter, in
14 1997, I graduated from Whittier Law School. The same year, I was admitted to practice law in
15 the State of California.

16 4. From 1997-2007, I was a named partner at Hawkins & Sofonio, a law firm based
17 out of Irvine, California. At Hawkins & Sofonio, I pioneered the employment department
18 litigating Plaintiffs related employment issues such as: Wrongful Termination, Age
19 Discrimination, Disability, Wage and Hour and Sexual Harassment claims. Through the success
20 and experience I obtained litigating employment related matters, I commenced the Wage and
21 Hour division of our employment department in 2002. Since then, I have spent the vast majority
22 of my practice litigating wage and hour class actions.

23 5. In 2007, I incorporated my wage and hour class action practice as James Hawkins
24 APLC. Since its inception, this law firm has been exclusively involved in class action and
25 complex litigation. In 2009, I opened an additional office in Miami, Florida, prosecuting wage
26 and hour class actions. I have been lead or co-lead counsel in all of the cases listed below.

27 6. I have a great deal of experience in wage and hour class action litigation. I have
28 been certified and approved as class counsel in many other wage/hour class actions, and I am

1 currently litigating numerous others before this Court and others. Although not an all-inclusive
2 list, over the years I have prosecuted the following class action matters as lead and/or co-lead
3 counsel, all of which implicated similar law and facts to those associated with this Action:

- 4 a. *Mojica v. Compass Group, Inc., et. al.* USDC Central District, Case No. 8:13-cv-
5 01754. Wage and Hour Class Action case seeking past wages for meal and rest
6 break violations for production workers in the State of California. Plaintiffs’
7 Counsel preliminarily appointed as Class Counsel. Case settled. Final approval
8 granted, and funds fully disbursed.
- 9 b. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-
10 04554. Wage and Hour Class Action case seeking past wages for “off the clock”,
11 overtime and meal and rest break violations for production workers in the State of
12 California. Plaintiffs’ Counsel appointed as Lead Counsel. Case settled, Final
13 Approval granted, no objections and funds fully distributed.
- 14 c. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.
15 Wage and Hour Class Action case seeking past wages for meal and rest period
16 violations for retail employees in the State of California. Plaintiffs’ counsel
17 appointed co-lead counsel. Case settled, Final Approval granted, no objections and
18 funds fully distributed.
- 19 d. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.
20 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal
21 and rest period violations for retail employees in the State of California. Plaintiffs’
22 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no
23 objections and funds fully distributed.
- 24 e. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County
25 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past
26 wages for overtime, meal and rest break violations for driver employees in the
27 State of California. Stipulation for “binding arbitration.” Arbitration Award for
28

1 Plaintiffs Class. Arbitration Award confirmed. Plaintiffs' counsel lead trial
2 counsel and class counsel.

- 3 f. *Gonzalez v. Superior Industries International, Inc.*, et al., Los Angeles County
4 Superior Court, Case No. BC 357912. Wage and Hour Class Action seeking past
5 wages for overtime, meal and rest breaks violations for production employees in
6 the State of California. Plaintiffs' counsel appointed as lead counsel. Case settled,
7 Final Approval granted, no objections and funds fully distributed.
- 8 g. *Acosta v. Fleetwood Travel Trailers of California, Inc.*, et al., Riverside County
9 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past
10 wages for overtime, meal and rest break violations for production employees in the
11 State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled,
12 Final Approval granted, no objections and funds fully distributed.
- 13 h. *Walker v. Sharkeez*, et al., Orange County Superior Court, Case No. 05CC00293.
14 Wage and Hour Class Action seeking past wages for unlawful deductions, meal
15 and rest break violations for restaurant employees in the State of California.
16 Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted
17 and funds fully distributed.
- 18 i. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case
19 No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime,
20 meal and rest break violations for security officers in the State of California.
21 Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final Approval
22 granted, no objections and funds fully distributed.
- 23 j. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court,
24 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action
25 seeking past wages for meal and rest break violations for security officers
26 employed by defendant in the State of California. Plaintiffs' counsel and co-
27 counsel. Case settled, Final Approval granted and funds fully distributed.
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- 1 k. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court,
2 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for
3 overtime, meal and rest break violations for housekeepers employed by defendant
4 in the State of California. Plaintiffs' counsel appointed as lead counsel. Case
5 settled, Final Approval granted, no objections and funds fully distributed.
- 6 l. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,
7 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal
8 and rest period violations for non-exempt employees employed by defendant in the
9 state of California. Case settled. Awaiting Preliminary Approval hearing.
10 Plaintiffs has petitioned the Court for Lead Counsel.
- 11 m. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL
12 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past
13 wages for field and branch employees of defendant in the State of California.
14 Plaintiffs' counsel appointed as lead counsel. Case settled and awaiting Final
15 Approval.
- 16 n. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.
17 05CC00128. Wage and Hour Class Action seeking past wages for restaurant
18 employees of defendant in the State of California. Plaintiffs' counsel appointed as
19 lead counsel. Case settled, Final Approval granted, no objections and funds fully
20 distributed.
- 21 o. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.
22 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest
23 break violations for security guards employed by defendant in the State of
24 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final
25 Approval granted, no objections and funds fully distributed.
- 26 p. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior
27 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal
28 and rest break violations for production employees employed by defendant in the

1 State of California. Plaintiffs' counsel appointed as lead counsel. Case settled,
2 Final Approval granted, no objections and funds fully distributed.

3 q. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case
4 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and
5 rest break violations for restaurant employees employed by defendant in the State
6 of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final
7 Approval granted, no objections and funds fully distributed.

8 r. *Osuna v. DFG Restaurants, Inc., et al.*, Los Angeles Superior Court, Case No. BC
9 330145. Wage and Hour Class Action seeking past wages of overtime for mis-
10 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of
11 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final
12 Approval granted, no objections and funds fully distributed.

13 s. *Burns v. Gymboree Operations, Inc., et al.*, San Francisco Superior Court, Case
14 No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal
15 and rest break violations for retail employees employed by defendant in the State
16 of California. Plaintiffs' counsel appointed lead counsel. Case settled, Final
17 Approval granted, no objections and funds fully distributed.

18 t. *Willems v. Diedrich Coffee, Inc., et al.*, Orange County Superior Court, Case No.
19 07CC00015. Wage and Hour Class Action seeking past wages of overtime for
20 mis-classification of managers employed by Defendant in the State of California.
21 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted,
22 no objections and funds fully distributed.

23 u. *Davila, et al. v. Beckman Coulter, Inc., et al.*, Orange County Superior Court, Case
24 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime,
25 meal and rest break violations for production workers employed by defendant in
26 the State of California. Plaintiffs' counsel appointed lead counsel. Cased settled,
27 Final Approval granted, no objections and funds fully distributed.
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- v. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court, Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations for production employees employed by defendant in the State of California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- w. *Coordination Proceeding Special Title [Rule 1550(b)] Wackenhut Wage and Hour Cases*, Los Angeles Superior Court, Case No. JCCP 4545. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations for security guards employed by defendant in the State of California. Certification granted. Plaintiffs' counsel appointed as co-lead counsel. Writ taken. Court stays action pending Appellate Court ruling. Court lifts stay.
- x. *Placencia v. Amcor Packaging Distribution, Inc.*, Orange County Superior Court, Case No. 30-2013-00694012-CU-OE-CXC. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations, and penalties on behalf of non-exempt production, maintenance, shipping, and receiving employees employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- y. *Trani v. Lisi Aerospace, et al.*, Los Angeles Superior Court, Case No. BC495527. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations, and penalties on behalf of non-exempt manufacturing employees employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- z. *Galvan v. Goodwin Co.*, Orange County Superior Court, Case No. 30-2013-00637062-CU-OE-CXC, Wage and Hour Class Action seeking past wages for meal period violations, and non-compliant wage statements on behalf of non-exempt production employees employed by Defendant in California. Plaintiffs'

counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.

- aa. *Reyes v. Bristol Fiberlite*, Orange County Superior Court, Case No. 30-2013-00653425-CU-OE-CXC. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations, inaccurate wage statements, and penalties on behalf of non-exempt employees employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- bb. *Gutierrez v. HMT Tank*, USDC Central Dist., Case No. CV14-1967-CAS(MANx). Wage and Hour Class Action seeking past wages for meal and rest period violations, failure to indemnify necessary expenses, inaccurate wage statements, and penalties on behalf of non-exempt employees working in positions related to servicing, refabricating and repairing storage tanks employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- cc. *Williams v. Il Fornaio America Corp.*, Sacramento County, Case No. 34-2011-0009616. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations, reimbursements, and penalties on behalf of non-exempt restaurant employees employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, and funds fully distributed.
- dd. *Aguilar v. 7-Eleven, Inc.*, Orange County, Case No. 30-2009-002687141-CU-OE-CXC. Wage and Hour Class Action seeking past wages for overtime, meal and rest period violations, and penalties on behalf of non-exempt retail clerks employed by Defendant in California. Plaintiffs' counsel appointed as lead counsel. Case settled. Final Approval granted, no objections and funds fully distributed.
- ee. *Madrigal v. Huntington Beach Market Broiler, Inc.*, Orange County, Case No. 30-2012-00611260. Wage and Hour Class Action seeking past wages for overtime,

1 meal and rest period violations, reimbursements, and penalties on behalf of non-
2 exempt employees employed by Defendant in California. Plaintiffs' counsel
3 appointed as lead counsel. Case settled. Final Approval granted, no objections and
4 funds fully distributed.

5 ff. *Vang v. Jazz Semiconductor, Inc.*, Orange County, Case no. 30-2011-00460278.
6 Wage and Hour Class Action seeking past wages for overtime, meal and rest
7 period violations, reimbursements, and penalties on behalf of non-exempt
8 production workers employed by Defendant in California. Plaintiffs' counsel
9 appointed as lead counsel. Case settled. Final Approval granted, no objections and
10 funds fully distributed.

11 gg. *Cano v. Financial Statement Services, Inc.*, Orange County, Case No. 30-2013-
12 00653349-CU-OE-CXC.

13 hh. *Gonzalez v. Quality Aluminum Force, LLC*, Orange County, Case No. 30-2015-
14 00817941-CU-OE-CXC.

15 ii. *Smith v. Space Exploration Technologies Corp.*, Los Angeles County Case No.
16 BC554258.

17 jj. *Madrigal v. Balda C Brewer, Inc.*, Orange County Case No. 30-2015-00820218-
18 CU-OE-CXC.

19 kk. *Mendez v. Liberty Glass Fabricators, Inc.*, Riverside County Case No. RIC
20 1800119.

21 ll. *Attia v. Neiman Marcus Group, Inc.*, United States District Court for the Central
22 District of California Case No. 8:16-cv-001504-DOC-FFM.

23 mm. *Vigueras v. Red Robin*, United States District Court for the Central District
24 of California Case No. 8:17-cv-1422-JVS-DFM.

25 nn. *Payne v. Marriott Ownership Resorts, Inc.*, San Diego County Case No. 37-2018-
26 00015175-CU-OE-CTL.

1 7. In sum, my firm has been lead or co-lead counsel in hundreds of cases since its
2 inception. We have recovered hundreds of millions of dollars for employees in the State of
3 California and millions for the State as well through PAGA.

4 8. Our firm has served as class counsel in a number of significant wage and hour
5 settlements. Of particular note, in 2019, our firm was co-lead counsel in securing the largest wage
6 and hour class action settlement in California history at \$130,000,000.00. During this case,
7 plaintiffs appealed a decertification order. This case involved several appeals. The appellate
8 record amassed an extensive appellate record comprising a 23-volume joint appendix, a three-
9 volume reporters' transcript, five briefs, four letter briefs, two motions for judicial notice, a
10 motion to augment the record, and several additional letters informing the appellate court of new
11 legal authority issued after *Dukes*. The matter was argued to and submitted by the Court of
12 Appeal on September 15, 2016, and on November 21, 2016, the decertification order was reversed
13 and the case was remanded for further proceedings. (*Lubin v. The Wackenhut Corporation*
14 (*"Lubin"*), 5 Cal. App. 5th 960 (2016)). Wackenhut filed a petition for review of the Court of
15 Appeal decision to the California Supreme Court. The Supreme Court denied Wackenhut's
16 petition for review of *Lubin*. The Court of Appeal issued remittitur on April 10, 2017. Eventually
17 through more litigation, the parties were able to secure the \$130 million settlement that was
18 approved on October 21, 2019 by Judge Highberger in the Los Angeles Superior Court.

19 9. Additionally, in early 2020, our firm served as lead counsel in a class action jury
20 trial in the Central District of California involving the class and PAGA representative claims of
21 over 23,000 employees which successfully resolved in the midst of trial for \$8,500,000.00.

22 10. Our firm has settled many high-stakes class and representative actions. Hawkins'
23 settlements have directly compensated hundreds of thousands of California workers and
24 consumers. Hawkins' actions have also forced employers to modify their policies for the benefit
25 of employees including changing the compensation structure for certain employees and changing
26 practices to ensure that workers will be able to take timely rest and meal breaks. A leader in
27 prosecuting class and PAGA enforcement actions, Hawkins has secured millions of dollars for
28 workers and in civil penalties for the State of California.

1 11. Based on our experience, demonstrated competence, resources to prosecute the
2 claims at issue and reputation among our colleagues in the both the defense and plaintiffs' bar, I
3 respectfully submit our firm's experience in the field of wage and hour cases provides us the
4 ability to prosecute claims swiftly and often times without the need for protracted litigation.
5 Although, as demonstrated in the *Wackenhut* cases, we do not give up fighting for class members
6 when challenged and necessary.

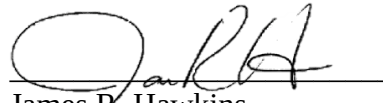
7 12. As is the case with many wage and hour cases, conditional class certification is
8 vastly superior to the litigation of numerous individual claims because most of the claims are too
9 small to litigate outside of the class context. As such, the superiority requirement is met for
10 purposes of conditional certification.

11 13. Further, based on our experience, we consider ourselves experienced and qualified
12 to evaluate the claims and viability of the defenses. Based on the history of this case and given our
13 firm's extensive experience as class and representative action employment and wage and hour
14 litigators, it is our view that the Settlement is fair, reasonable, and adequate, and in the best
15 interest of the Class.

16 14. On April 9, 2025, the parties attended a mediation session with mediator Tripper
17 Ortman. After a serious and informed arm's length negotiations, the mediation resulted in this
18 Settlement.

19 15. In light of the sharply contested legal and factual issues, the risks of continued
20 litigation, and substantial benefits to Class Members under the Settlement, the proposed
21 settlement is fair to the class, reasonable and more than adequate in view of (i) the strength of
22 Plaintiffs' claims and Defendant's defenses, (ii) the risk, expense, complexity and likely duration
23 of further litigation, (iii) the risk and difficulty of obtaining class certification and maintaining
24 class action status through trial, (iv) the total settlement amount of \$1,950,000 offered in
25 settlement allowing for significant individual recoveries by employees, (v) my experience with
26 similar settlements in wage and hour class actions that have received court approval, and (vi) the
27 fact that the settlement was the result of arms' length negotiations between experienced counsel
28 facilitated by Tripper Ortman, a respected neutral mediator.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct this 17th day of September, 2025, at Irvine, California.

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James R. Hawkins
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