

02/20/2025

James M. Kim, Clerk of the Court

By: K. Keeton, Deputy

1 John G. Yslas (SBN 187324)
john.yslas@wilshirelawfirm.com
2 Samantha A. Smith (SBN 233331)
samantha.smith@wilshirelawfirm.com
3 Jeffrey C. Bils (SBN 301629)
jeffrey.bils@wilshirelawfirm.com
4 Aram Boyadjian (SBN 334009)
aram.boyadjian@wilshirelawfirm.com
5 Andrew Sandoval (SBN 346996)
andrew.sandoval@wilshirelawfirm.com

WILSHIRE LAW FIRM

3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff Jens Hiersemann, individually,
and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

JENS HIERSEMANN, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

HOG ISLAND OYSTER COMPANY, INC., a
California corporation; and DOES 1 through
10, inclusive,

Defendants.

Case No.: CV0000309

*Assigned for all purposes to:
Hon. Sheila S. Lichtblau, Dept. H*

**DECLARATION OF JONATHAN
MELMED IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

1 I, Jonathan Melmed, hereby declare as follows:

2 1. I am an attorney licensed to practice law before this court and the federal and state
3 courts of California. I am over 18 years of age. Except for those facts stated on information and
4 belief, I have personal knowledge of the facts set forth in this declaration and if called upon to
5 testify, could and would testify competently thereto.

6 2. I am a founding shareholder in the law firm of Melmed Law Group P.C., which
7 serves as the attorneys of record for Plaintiff Hernandito Perez-Perez (“Plaintiff Perez-Perez”) in
8 the related action of *Perez-Perez v. Hog Island Oyster Company, Inc.* (San Francisco Sup. Ct., No.
9 CGC-23-609836) (the “*Perez-Perez* Action”).

10 3. Plaintiff Perez-Perez joins the motion of Plaintiff Jens Hiersemann (“Plaintiff”)
11 seeking preliminary approval of the settlement—titled *Class Action and PAGA Settlement*
12 *Agreement* (“Settlement”)—between the named plaintiffs in both actions and Defendant Hog
13 Island Oyster Company, Inc. (“Defendant”). Plaintiff and Plaintiff Perez-Perez (together,
14 “Plaintiffs”), along with their counsel (respectively, Wilshire Law Firm and Melmed Law Group
15 P.C.), have executed a joint prosecution agreement designating Wilshire Law Firm as lead counsel
16 in the actions. The joint prosecution agreement involved a fee split between the two firms, of which
17 Plaintiffs have each consented in writing and in a manner that complies with rule 1.5.1 of the Rules
18 of Professional Conduct.

19 4. After comprehensive arm’s-length settlement discussions with experienced defense
20 counsel, Plaintiffs and Defendant entered into the Settlement resolving the claims of the putative
21 Class Members and Aggrieved Employees. The Settlement seeks to fully release and discharge
22 Defendant from the claims brought against it in both actions. The Settlement contemplates a non-
23 reversionary gross settlement amount of \$825,000 (“Gross Settlement Amount”) to be paid to the
24 Class, as that Class is defined in Plaintiff’s Motion for Preliminary Approval of Class Action and
25 PAGA Settlement (“Motion for Preliminary Approval”).

26 5. My law firm has spent considerable time and effort, and advanced significant
27 litigation costs, in prosecuting the *Perez-Perez* Action against Defendant with no guarantee of
28 payment, and will continue to do so through final approval. I believe that, because the Settlement

1 is fair and reasonable, was negotiated at arm's length between counsel following extensive
2 investigation and discovery, was reached after participation in a full-day mediation, it should be
3 preliminarily approved.

4 6. I have no knowledge of the existence of any conflicting interests between my firm
5 and any of its attorneys, on the one hand, and Plaintiff or any other Class Member, on the other. I
6 and the attorneys at my firm have vigorously prosecuted the *Perez-Perez* Action and have the
7 financial resources to handle this case.

8 **I. Experience in Wage-and-Hour Litigation**

9 7. Throughout my career, I have gained significant experience regarding the
10 obligations and burdens of representing a class. This knowledge has allowed me and my firm,
11 Melmed Law Group P.C., to successfully represent plaintiffs in many class actions in the past
12 years. As noted, numerous state and federal courts in California have found that my firm is
13 competent and capable of representing as Class Counsel large classes like the one here at issue.

14 8. In 2007, I received a B.A. from New York University, in New York, New York. In
15 2012, I received a J.D. from Loyola Law School, Los Angeles. I became a member of the Bar of
16 the State of California in June of 2013.

17 9. From 2012 through 2014, I was an associate attorney at Von Behren & Hunter, LLP
18 ("VBH") in Manhattan Beach, California. At VBH, I litigated complex commercial litigation
19 matters where I represented life and health insurers in in bad faith, ERISA, breach of contract, and
20 related disputes. At VBH, I also represented and assisted in the representation of hotels, restaurants
21 and real estate development groups in state and federal commercial litigation, including class
22 action cases (see, e.g., *Daniel Flannery Vs McCormick & Schmicks Seafood Restaurants*, Los
23 Angeles County Superior Court, Case No. BC487942).

24 10. From February 2015 through the present, I have been a founding and managing
25 shareholder in the firm of Melmed Law Group P.C. where I represent thousands of employees in
26 wage and hour class actions, and other employment-related matters. Melmed Law Group P.C. has
27 extensive experience in the litigation of complex cases, including California-wide class actions. I
28

1 am also an active of member of the plaintiff's employment bar association called the California
2 Employment Lawyers Association.

3 11. In addition to the instant case, I have served as class counsel in a variety of wage
4 and hour class actions. I, along with the attorneys at my firm, have developed extensive litigation
5 experience in complex employment litigation matters, particularly in California class actions
6 representing employees, such as:

- 7 • Blan v. Button Transportation, Inc., Case No. FCS045949, Solano County
8 Superior Court (final approval granted on December 8, 2016) (Hon. Michael
9 Mattice);
- 10 • Plimpton et al. v. Gordon Trucking, Inc., Case No. CIVDS1511918, San
11 Bernardino County Superior Court (final approval granted on February 16, 2017)
12 (Hon. Donald Alvarez);
- 13 • Cleary v. Penske Truck Leasing Co., L.P., Case No. CIVDS1600144, San
14 Bernardino County Superior Court (final approval granted on February 8, 2017)
15 (Hon. Janet M. Frangie);
- 16 • Upton v. Coremark International, Inc., Case No. CGC 15-549348, San Francisco
17 County Superior Court (final approval granted on May 10, 2017) (Hon. Curtis
18 E.A. Karnow);
- 19 • Mark Broner v. Michael Dusi Trucking, Inc., Case No. 16CVP-0044, San Luis
20 Obispo County Superior Court (final approval granted on March 15, 2017) (Hon.
21 Donald G. Umhofer);
- 22 • Anthony Riley v. Pacific Tank Lines, Inc., Case No. CIVDS1603263, San
23 Bernardino County Superior Court (final approval granted on March 28, 2017)
24 (Hon. John M. Pacheco);
- 25 • Alex Pena v. Inner Valley Transport, Inc., Case No. BCV-100625-LHB, Kern
26 County Superior Court (final approval granted on May 5, 2017) (Hon. Thomas S.
27 Clark);
28

- 1 • William Haynes v. Reliable Trucking, Inc., Case No. C16-01237, Contra Costa
- 2 County Superior Court (final approval granted on May 26, 2017) (Hon. Barry P.
- 3 Goode);
- 4 • Ramirez v. Castlewood West, LLC, Case No. 16CV01137, Monterey County
- 5 Superior Court (final approval granted on May 18, 2017) (Hon. Lydia Villarreal);
- 6 • Tami Long v. Covenant Transport, Inc., Case No. 1:15-cv-278, Eastern District of
- 7 Tennessee, Chattanooga Division (final approval granted on April 28, 2017) (Hon.
- 8 Travis R. McDonough);
- 9 • Bruce Waddell v. Dalton Trucking, Inc., Case No. CIVDS1603262, San
- 10 Bernardino County Superior Court (final approval granted on August 7, 2017)
- 11 (Hon. John M. Pacheco);
- 12 • Nigel Davis v. Western Merchandise Express, Inc., Case No. BCV-16-101216,
- 13 Kern County Superior Court (final approval granted on April 26, 2017) (Hon.
- 14 Sidney P. Chapin);
- 15 • Nigel Davis v. Transforce, Inc., Case No. BCV-16-101393, Kern County Superior
- 16 Court (final approval granted on June 5, 2017) (Hon. Thomas S. Clark);
- 17 • Elson et al v. Covey Auto Express, Inc., Case No. STK-CV-UOE-2016-0009114,
- 18 San Joaquin County Superior Court, (final approval granted on September 18,
- 19 2017) (Hon. Linda L. Lofthus);
- 20 • Jarrod P. Asplund v. White Timber Industries, Inc., Case No. 16-2-00870-5,
- 21 Cowlitz County Superior Court (Washington State) (final approval granted on
- 22 September 13, 2017) (Hon. Michael Evans);
- 23 • Ruben Campos v. Black Eagle Trucking, Inc., Case No. 37-2016-00023781-CU-
- 24 OE-CTL, San Diego County Superior Court (final approval granted on August 25,
- 25 2017) (Hon. Timothy Taylor);
- 26 • John Powers v. Estenson Logistics, LLC, Case No. CIVDS1602295, San
- 27 Bernardino County Superior Court (final approval granted on July 12, 2017) (Hon.
- 28 David Cohn);

- Gerald W. Harris et al v. Jerry DeBriae Logging Co., Inc., Case No. 16-2-00402-5, Cowlitz County Superior Court (final approval granted on June 7, 2017) (Hon. Stephen M. Warning);
- Christopher P. Young v. First Class Service Trucking Company, Inc., Case No. STK-CV-2016-10381, San Joaquin County Superior Court (final approval granted on December 8, 2017) (Hon. Elizabeth Humphreys);
- Hugues v. The Morning Star Trucking Company, LLC, et al. Case No. CV16-1215, Yolo County Superior Court, (final approval granted on August 3, 2017);
- Oscar Torres et al v. Salinas Farm Labor Contractor, Inc., Case No. 2018173, Stanislaus County Superior Court (final approval granted on December 19, 2017) (Hon. Roger M. Beauchesne);
- Christopher P. Young v. First Class Service Trucking, Inc., Case No. STK-CV-UOE-2016-10381, San Joaquin County Superior Court (final approval granted January 2, 2018) (Hon. Elizabeth Humphreys);
- Rocco Isabella v. Equinox Holdings, Inc., Case No. BC578960, Los Angeles Superior Court (final approval granted on January 4, 2018) (Hon. Ann I. Jones);
- Erick Grumm v. T.J.S. Leasing & Holding, Co., Inc., Case No. DR160492, Humboldt County Superior Court (final approval granted on February 6, 2018) (Hon. Kelly L. Neel);
- Robins, Jr., et al. v. Versa Logistics, LLC, Case No. BC644321, Los Angeles Superior Court, (final approval granted on March 26, 2018) (Hon. Carolyn B. Kuhl);
- Chavez v. Shamrock Foods Company, Case No. 5:17-cv-00731-SVW-AFM, US District Court, Central District of California, (final approval granted on April 11, 2018) (Hon. Stephen V. Wilson);
- Diaz, et al. v. Absolute West, LLC, Case No. BC647126, Los Angeles Superior Court (final approval granted on April 19, 2018) (Hon. Maren E. Nelson);

- Herman v. Andrus Transportation Services, Inc., Case No. EDCV 16-02365 AG (DTBx), US District Court, Central District of California, (final approval granted on May 14, 2018) (Hon. Andrew J. Guilford);
- Hernandez v. J.V.C. Truck Lines, Inc., Case No. CIVDS1714857, San Bernardino Superior Court, (final approval granted on May 22, 2018) (Hon. Brian S. McCarville);
- Happell v. Hercules Forwarding, Inc., Case No. BC639636, Los Angeles Superior Court (final approval granted on June 14, 2018) (Hon. Carolyn B. Kuhl);
- Medina v. Timmerman Starlite Trucking, Inc., Case No. 2023292, Stanislaus County Superior Court, (final approval granted on June 15, 2018) (Hon. Roger M. Beauchesne);
- Jarel Brown v. Saks & Company, LLC, Case No. 2:17-cv-04210 (SJO), US District Court, Central District of California, (final approval granted on July 16, 2018) (Hon. S. James Otero);
- Flores v. Aqua Terra Culinary, Inc., Case No. 17CV002672, Monterey County Superior Court, (final approval granted on July 18, 2018) (Hon. Lydia Villarreal);
- Myers v. LBC Limited Partnership, Case No. CIVDS1715068, San Bernardino Superior Court, (final approval granted on July 25, 2018) (Hon. Janet M. Frangie);
- Westphal v. New York Life Insurance Company, Case No. SCV0040562, Placer County Superior Court, (final approval granted on August 30, 2018) (Hon. Michael W. Jones);
- Hollis v. Union Pacific Railroad Company, Case No. 5:17-cv-02449-JGB, US District Court, Central District of California (final approval granted on September 17, 2018) (Hon. Jesus G. Bernal);
- Cheifer v. WHGM, Inc., Case No. LC104900, Los Angeles Superior Court (final approval granted on September 21, 2018) (Hon. Rupert A. Byrdsong);

- Hernandez-Chulo v. E&R Trucking, Inc., et al., Case No. 18CV-00882, Merced County Superior Court, (final approval granted on October 29, 2018) (Hon. Brian McCabe);
- Freeman v. Redwood Wise Riders, Inc., et al., Case No. FCS050140, Solano County Superior Court, (approval granted on December 4, 2018) (Hon. Wendy G. Getty);
- Ricci v. HSS, Inc., Case No. CVCV17-00967, Yuba County Superior Court, (final approval granted on December 4, 2018) (Hon. Stephen W. Berrier);
- Antonov, et al. v. GL HHR, Inc., et al., Case No. CIVDS1724725, San Bernardino Superior Court, (final approval granted on December 11, 2018) (Hon. David Cohn);
- Pena v. Keystone Freight Corp., Case No. VCU269897, Tulare County Superior Court, (final approval granted on January 14, 2019) (Hon. Melinda M. Reed);
- Westbrook v. Winco Holdings, Inc., Case No. RIC171068, Riverside County Superior Court, (final approval granted on January 17, 2019) (Hon. Raquel A. Marquez);
- Jackie Thompson v. Cheema Freightlines, LLC, Case No. STK-CV-UOE-2017-01011658, San Joaquin Superior Court, (final approval granted on February 6, 2019) (Hon. Roger Ross);
- Pazo v. Incredible Adventures, Case No. CGC-16-555971, San Francisco Superior Court, (final approval granted on February 25, 2019) (Hon. Anne-Christine Massullo);
- Reboucas v. Trans International Trucking, Inc., Case No. BC644182, Los Angeles Superior Court, (final approval granted on May 9, 2019) (Hon. Maren E. Nelson);
- Myers v. Jerome's Furniture Warehouse, Case No. CIVDS1710569, San Bernardino Superior Court (final approval granted on June 11, 2019) (Hon. Janet M. Frangie);

- Juarez v. Magic Laundry Services, Inc., et al., Case No. BC713767, Los Angeles Superior Court (approval granted on June 14, 2019) (Hon. William F. Highberger);
- Rangel v. Guard-Systems, Inc., Case No. 19STCV19613, Los Angeles Superior Court, (approval granted on June 18, 2019) (Hon. Yolanda Orozco);
- Castaing, et al. v. East Bay Automotive Company, et al., Case No. RG17879115, Alameda County Superior Court, (final approval granted on June 24, 2019) (Hon. Brad Seligman);
- Lopez Juarez v. Mike Lowrie Trucking, Inc., Case No. BCV-18-100177TSC, Kern County Superior Court (final approval granted on August 8, 2019) (Hon. Thomas S. Clark);
- Pia v. 5G's Automotive, Inc., Case No. VCU274628, Tulare County Superior Court, (final approval granted on September 6, 2019) (Hon. Brett D. Hillman);
- Burnham v. DGDGI, et al., Case No. 2018-1-CV-331434, Santa Clara Superior Court, (final approval granted on January 17, 2020) (Hon. Thomas E. Kuhnle);
- Thomas v. Commercial Protective Services, Inc., Case No. CIVDS1821925, San Bernardino Superior Court, (final approval granted on September 16, 2019) (Hon. David Cohn);
- Berbano, et al. v. Ingram Micro, Inc., Case No. CIVDS1826085, San Bernardino Superior Court, (final approval granted on September 17, 2019) (Hon. David Cohn);
- Guerra v. U.S. Polymers, Inc., Case No. CIVDS1829174, San Bernardino Superior Court, (approval granted on September 20, 2019) (Hon. David Cohn);
- Lopez-Urrutia v. Southwest V-Ditch Inc., Case No. CIVDS1833332, San Bernardino Superior Court, (final approval granted on October 16, 2019) (Hon. David Cohn);

- 1 • Guy v. California Lutheran University, Case No. 56-219-00524415-CU-OE-VTA,
2 Ventura County Superior Court, (final approval granted on November 6, 2019)
3 (Hon. Mark C. Borrell);
- 4 • Moseby v. Renzenberger, Inc., Case No. CIVDS1725125, San Bernardino
5 Superior Court, (final approval granted on November 7, 2019) (Hon, Janet M.
6 Frangie);
- 7 • Woodard v. AH 2005 Management, L.P., Case No. 18CV001986, Monterey
8 County Superior Court, (approval granted on November 21, 2019) (Hon Lydia M.
9 Villarreal);
- 10 • Ramirez v. William J. Wickwire M.D., Case No. CIVDS1913102, San Bernardino
11 Superior Court, (final approval granted on November 25, 2019) (Hon. David
12 Cohn);
- 13 • Lyons v. SAIA Motor Freight Line, LLC, Case No. CIVDS1828225, San
14 Bernardino Superior Court, (final approval granted on December 9, 2019) (Hon.
15 David Cohn);
- 16 • Baker v. Vallejo CJD, LLC, Case No. VCU273830, Tulare County Superior Court,
17 (final approval granted on December 16, 2019) (Hon. David C. Mathias);
- 18 • Tsao v. Giorgio Armani Corporation, Case No. 30-218-01000817-CU-OE-CXC,
19 Orange County Superior Court, (final approval granted on December 20, 2019)
20 (Hon. Peter J. Wilson);
- 21 • Martinez v. E&A Protective Services-Bravo, LLC, Case No. 1:18-cv-00658-BAM,
22 US District Court, Eastern District of California (final approval granted on
23 January 17, 2020) (Hon. Barbara A. McAuliffe);
- 24 • Cardoso v. Rogers & Rogers, Inc., et al., Case No. ECU000637, Imperial County
25 Superior Court, (final approval granted on January 27, 2020) (Hon. Brooks
26 Anderholt);

- Cesario Mora v. The Complete Logistics Company, Case No. CIVDS1833922, San Bernardino Superior Court, (final approval granted on February 10, 2020) (Hon. David Cohn);
- Lopez v. Ruiz Food Products, Inc., Case No. VCU 275105, Tulare County Superior Court, (final approval granted on March 10, 2020) (Hon. Bret D. Hillman);
- Jaurigue v. Knights of Columbus, Case No. CIVDS1824508, San Bernardino Superior Court, (final approval granted on July 10, 2020) (Hon. David Cohn);
- Amalia Lopez v. Unitek College NCP, LLC, Case No. BCV-19-102146, Kern County Superior Court, (final approval granted on July 15, 2020) (Hon. Stephen D. Schuett);
- Martin Ashe v. Farmers Insurance Group, Case No. 18STCV00453, Los Angeles Superior Court, (final approval granted on July 20, 2020) (Hon. Steven J. Kleinfeld);
- Martin, et al. v. Break the Floor Productions LLC, Case No. 37-2019-00029711-CU-OE-CTL, San Diego Superior Court, (final approval granted on October 23, 2020) (Hon. Kenneth J. Medel);
- Jesus H. Robles v. Winsford II Corporation, et al., Case No. CIVDS1902903, San Bernardino Superior Court, (final approval granted on November 3, 2020) (Hon. David Cohn);
- Juan Cazares Lopez v. RTS Holdings, LLC et al., Case No. CIVDS1934904, San Bernardino Superior Court (final approval granted on November 24, 2020) (Hon. David Cohn);
- Romero v. Carl Zeiss Meditec Production, Case No. CIVDS1907556, San Bernardino Superior Court, (final approval on December 3, 2020) (Hon. David Cohn);

- 1 • Soto v. Britz Farming Corp, Case No. 19CV04182, Merced County Superior
2 Court, (preliminary granted on June 17, 2020) (final approval granted on
3 December 8, 2020) (Hon. Brian L. McCabe);
- 4 • Martinez v. Global Sales & Warehousing, LLC, Case No. 56-2019-00534178-CU-
5 OE-VTA, Ventura County Superior Court, (final approval granted on December
6 18, 2020), (Hon. Matthew P. Guasco);
- 7 • Gaxiola, et al. v. Lloyd's Manufacturing Services, Inc. dba Calspas, Case No.
8 CIVDS1939269, San Bernardino Superior Court, (final approval granted on
9 February 2, 2021) (Hon. David Cohn);
- 10 • Ancona, et al. v. Populus Financial Group, Inc., dba Ace Cash Express, Case No.
11 19STCV41065, Los Angeles Superior Court, (approval granted on February 18,
12 2021) (Hon. Maurice A. Leiter);
- 13 • Elayda v. Physassist Scribes, Inc., Case No. CIVDS2002023, San Bernardino
14 Superior Court, (final approval granted on March 1, 2021) (Hon. David Cohn);
- 15 • Lee, et al. v. Home Delivery Logistics, Inc., et al., Case No. RG18927149,
16 Alameda County Superior Court, (final approval granted on March 2, 2021) (Hon.
17 Winifred Y. Smith);
- 18 • Pagh v. Wyndham Vacation Ownership, Inc., Case No. 8:19-cv-00812-JWH-
19 ADSx, US District Court, Central District of California, (final approval granted on
20 March 23, 2021) (Hon. John W. Holcomb);
- 21 • Robinson v. Paragon Systems, Inc., Case No. BC720142, (final approval granted
22 on April 1, 2021) (Hon. Elihu Berle);
- 23 • Lachman, et al. v. Berlitz Languages, Inc., Case No. 19STCV01533, Los Angeles
24 Superior Court, (final approval granted on April 1, 2021) (Hon. Carolyn Kohl);
- 25 • Murray v. Scelzi Enterprises, Inc., Case No. RIC2002545, Riverside County
26 Superior Court, (final approval granted on April 13, 2021);
- 27 • Ruiz v. SAIA Motor Freight Line, LLC, Case No. CIVDS2014796, San Bernardino
28 Superior Court, (final approval granted on May 19, 2021) (Hon. David Cohn);

- Gallegos v. TST, Inc., Case No. CIVDS1933834, San Bernardino Superior Court, (final approval granted on May 20, 2021) (Hon. David Cohn);
- Cornejo v. Weidner Property Management LLC, Case No. CIVDS2016465, San Bernardino Superior Court, (final approval granted on May 25, 2021) (Hon. David Cohn);
- Garcia v. Construction Innovations Group, LLC, Case No. 34-2020-00285239, Sacramento County Superior Court, (final granted on May 25, 2021) (Hon. Shama H. Mesiwala);
- Aguirre v. Swinerton Builders, et al., Case No. CIVDS 1925363, San Bernardino Superior Court, (final approval granted on May 26, 2021) (Hon. David Cohn);
- Garcia v. Construction Innovations Group, LLC, Case No. 34-2020-00285239, Sacramento County Superior Court, (final granted on May 27, 2021) (Hon. Shama H. Mesiwala);
- Pease v. Wattrans, Inc., Case No. CIVDS1919832, San Bernardino Superior Court, (final approval granted on June 3, 2021) (Hon. Thomas Garza);
- Moreira v. University of Redlands, Case No. CIVDS1913813, San Bernardino Superior Court, (final approval granted on June 8, 2021) (Hon. David Cohn);
- Garcia, et al. v. Cardenas Markets, LLC, et al., Case No. CIVDS1917380, San Bernardino Superior Court, (final approval granted on July 1, 2021) (Hon. David Cohn).
- Robinzine, et al. v. Mohawk ESV, Inc., et al., Case No. CIVDS1930033, San Bernardino Superior Court, (final approval granted on July 7, 2021) (Hon. David Cohn);
- Cuevas v. Action Embroidery Corp., Case No. CIVDS2012230, San Bernardino Superior Court, (final approval granted on July 29, 2021) (Hon. David Cohn);
- Urquizo v. Santos Montemayor FLC, Inc., et al., Case No BCV-20-101587, Kern County Superior Court, (final granted on July 30, 2021) (Hon. Thomas S. Clark);

- 1 • Cartagena v. Impact Healthcare, et al., Case No. VCU283955, Tulare County
- 2 Superior Court, (approval granted on August 30, 2021) (Hon. David C. Mathias);
- 3 • Reveles v. Certis U.S.A. L.L.C., Case No. BCV-20-102315, Kern County Superior
- 4 Court, (final approval granted on October 4, 2021) (Hon. Bernard C. Barmann Jr.);
- 5 • Rico v. Western Mesquite Mines, Inc., et al., Case No. ECU000873, Imperial
- 6 County Superior Court, (final approval granted on October 14, 2021) (Hon. Jeffrey
- 7 B. Jones);
- 8 • Correa v. Newell Brands, Inc., et al., Case No. CIVDS1901381, San Bernardino
- 9 Superior Court, (final approval granted on October 29, 2021) (Hon. David Cohn);
- 10 • Gonzalez v. Frank Carson Landscape & Maintenance, Inc., Case No. 34-2020-
- 11 00289370, Sacramento Superior Court, (final approval granted on November 4,
- 12 2021) (Hon. Christopher E. Krueger);
- 13 • Nelson v. Hardwoods Specialty Products US LP, Case No. RG19046262, Alameda
- 14 County Superior Court, (final approval granted on November 18, 2021) (Hon.
- 15 Evelio Grillo);
- 16 • Lopez v. KLX Inc., et al., Case No. VCU275330, Tulare County Superior Court,
- 17 (final approval granted on November 30, 2021) (Hon. Bret Hillman);
- 18 • Golightly v. AMDA, Inc., Case No. 20STCV13173, Los Angeles Superior Court,
- 19 (final approval granted on December 1, 2021) (Hon. Amy D. Hogue);
- 20 • Bollinger-Felt, et all. v. Pacific Bells, LLC, Case No. CV-20-000680, Stanislaus
- 21 County Superior Court, (final approval granted on January 27, 2022) (Hon. Stacy
- 22 P. Speiller);
- 23 • Mahdian v. AG Laguna Hills, LLC dba Laguna Hills and Health Rehabilitation, et
- 24 al., Case No. 30-2019-01098085-CU-OE-CJC, Orange County Superior Court,
- 25 (approval granted on February 4, 2022) (Hon. Randall J. Sherman).
- 26 • Martinez, et al. v. East Coast/West coast Logistics, LLC, et al., Case No.
- 27 CIVDS1932745, San Bernardino Superior Court, (final approval granted on March
- 28 2, 2022) (Hon. David Cohn);

- 1 • Aguilera v. Salmex Pizza, Inc., Case No. CIVDS2014336, San Bernardino
2 Superior Court, (approval granted on March 10, 2022) (Hon. David Cohn);
- 3 • Sotelo v. Cosmetix West, Case No. 19STCV28580, Los Angeles Superior Court,
4 (final approval granted on March 23, 2022) (Hon. Kenneth R. Freeman);
- 5 • Dulay v. Center for Social Dynamics, Case No. RG20055934, Alameda County
6 Superior Court, (final approval granted on April 7, 2022) (Hon. Frank Roesch);
- 7 • Pena v. Canyon Plastics, Inc., Case No. 20STCV34161, Los Angeles Superior
8 Court, (final approval granted on April 13, 2022) (Hon. Amy D. Hogue);
- 9 • Guerrero v. Advanced Vision Science, Inc., Case No. 18CV05341, Santa Barbara
10 Superior Court, (final approval granted on May 10, 2022) (Hon. Donna Geck);
- 11 • Velasco v. Jasmine Vineyards, Inc., Case No. BCV-19-101405, Kern County
12 Superior Court, (final approval granted on May 18, 2022) (Hon. Bernard C.
13 Barmann, Jr.);
- 14 • Sampson v. Diversified Conveyors International, LLC, Case No. CIVDS2018610,
15 San Bernardino Superior Court, (final approval granted on June 3, 2022) (Hon.
16 Rafael A. Arreola);
- 17 • Martinez v. Victorian Care Homes of the Monterey Peninsula, Inc., et al., Case No.
18 20CV002456, Monterey County Superior Court, (final granted on June 29, 2022)
19 (Hon. Thomas W. Wills);
- 20 • Lujano v. General Production Service of California, Inc., Case No. BCV-20-
21 102705, Kern County Superior Court, (final granted on July 6, 2022) (Hon.
22 Bernard C. Barmann Jr.)
- 23 • Avina v. Ravco Construction, Inc., Case No. 30-2020-01146748-CU-OE-CXC,
24 Orange County Superior Court, (final granted on September 16, 2022) (Hon.
25 Randall J. Sherman);
- 26 • Matus v. Flory Industries, Case No. CV-20-003117, Stanislaus County Superior
27 Court, (final approval granted on August 11, 2022) (Hon. John D. Freeland);
28

- 1 • *Garcia v. The Golden 1 Credit Union*, Case No. 34-2021-00293831, Sacramento
- 2 County Superior Court, (final approval granted on August 26, 2022) (Hon. Lauri
- 3 A. Damrell);
- 4 • *Torrez v. McKesson*, Case No. CIVDS1917976, San Bernardino Superior Court,
- 5 (final granted on November 2, 2022) (Hon. David Cohn);
- 6 • *Chong v. Team Volkswagon of Hayward Corporation*, Case No. RG21093235,
- 7 Alameda County Superior Court, (approval granted on November 10, 2022) (Hon.
- 8 Jeffrey Brand); and
- 9 • *Gonzalez v. Lief Organics, LLC*, Case No. 20STCV19371, Los Angeles Superior
- 10 Court, (final approval granted on December 9, 2022) (Hon. David Cunningham
- 11 III).

12 12. I, along with the attorneys and legal staff at my firm, and the attorneys and legal
13 staff at the firm of our co-counsel, Wilshire Law Firm, have diligently investigated and prosecuted
14 this case to a successful conclusion. Our work resulted in the creation of a significant and non-
15 reversionary settlement amount for the benefit of the Class Members. We avoided protracted
16 litigation by conducting considerable investigation before filing suit related to the class claims,
17 and efficiently communicated and exchanged information with defense counsel such that the
18 Parties could successfully settle the case after being fully informed of the merits of each sides'
19 position. As a result of our efforts, we were able to obtain the favorable Settlement Agreement for
20 the Class now before this Court for final approval. Because of the risks involved in litigating the
21 case, particularly the contested legal and factual issues, I and my co-counsel believe this settlement
22 is fair, reasonable, and favorable to the Class.

23 **II. Background**

24 13. On or about October 18, 2023, Plaintiff Perez-Perez filed the *Perez-Perez* Action,
25 alleging Defendant (1) failed to pay minimum wages; (2) failed to pay overtime wages; (3) failed
26 to pay accrued vacation wages; (4) failed to provide rest periods and pay miss rest period
27 premiums; (5) failed to provide meal periods and pay meal period premiums; (6) failed to maintain
28 accurate employment records; (7) failed to pay wages timely during employment; (8) failed to pay

all wages earned and unpaid at separation; (9) failed to indemnify all necessary business expenditures; (10) failed to furnish accurate itemized wage statements; and (11) violated California’s Unfair Competition Law, California Business and Professions Code section 17200, *et seq.*

14. On or about October 18, 2023, pursuant to Labor Code §2699.3, subd.(a), Plaintiff Perez-Perez gave notice to the LWDA and Defendant that Plaintiff Perez-Perez intended to proceed with a representative action under PAGA (LWDA-CM-948664-23). On November 6, 2024, after the 65-day statutory period passed, Plaintiff Perez-Perez amended his complaint to add a PAGA cause of action, alleging claims for penalties pursuant to Labor Code § 2699, *et seq.* The *Perez-Perez* Action is anticipated to be stayed pending approval of the Settlement.

III. Plaintiff Perez-Perez’s Service

15. At the time of final approval, Plaintiff Perez-Perez (together with Plaintiff) will request payment of an incentive award from the non-reversionary Gross Settlement Amount in the amount of \$10,000 each—in addition to whatever payment they are otherwise entitled to receive as Class Members and Aggrieved Employees. (Settlement Agreement, at p. 10.) The proposed incentive award is reasonable compensation given the time and effort that Plaintiff devoted to this case, the valuable assistance he provided to Class Counsel, and the fact that he signed a general release of claims that is broader than the release of the Class Members. (Settlement Agreement, at p. 10–11.)

16. Plaintiff Perez-Perez provided invaluable assistance to Class Counsel and the Class Members in this case, including providing factual background for mediation and the operative complaint, reviewing the relevant documents, participating in phone calls with Class Counsel, gathering highly relevant documents, discussed settlement strategy with counsel, and reviewing the settlement documents. Plaintiff agreed to participate in this case with no guarantee of personal benefit. Further, Plaintiff agreed to undertake the financial risk of serving as a class representative and exposed himself to the risk of negative publicity by anyone who opposed this case.

1 **IV. Our Firm's Costs**

2 17. A true and correct list of the expenses my firm has incurred to date is attached as
3 **Exhibit 1** to this declaration. The costs listed, which total \$13,685.25, were incurred in the course
4 of this hard-fought litigation and would have been charged to a fee-paying client.

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

7 Executed on February 6, 2025 at Los Angeles, California.

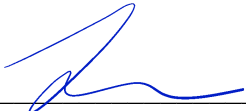
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Jonathan Melmed

EXHIBIT 1

(Melmed Law Group P.C.'s Costs to Date)

Expense Report

Perez v. Hog Island Oyster Company Inc.

Type	Description	Date	Cost
Postage	Mailing Fee - Personnel Records Requests	October 13, 2023	\$1.26
Postage	Certified Mailing Fee - PAGA Letters	October 19, 2023	\$29.19
PAGA	PAGA Filing Fee	October 19, 2023	\$75.00
Service of Process	First Legal Invoice, Service of Process - S&C	October 23, 2023	\$110.75
Court Filing Fees	First Legal Invoice, Filing - Proof of Service	October 23, 2023	\$8.00
Court Filing Fees	First Legal Invoice, Filing - Summons & Complaint	October 23, 2023	\$1,591.50
Court Filing Fees	First Legal Invoice, Filing - Application for Complex Designation	October 31, 2023	\$74.00
Court Filing Fees	First Legal Invoice, Filing - Proof of Service (rejected)	November 30, 2023	\$8.00
Court Filing Fees	First Legal Invoice, Filing - Proof of Service	December 8, 2023	\$35.00
Chambers Copy	First Legal Invoice, Chambers Copy - Joint CMC Statement	February 29, 2024	\$55.00
COurt Filing Fees	First Legal Invoice, Filing - Joint CMC Statement	February 29, 2024	\$37.00
Mediation Fees	Ortman Mediation Invoice - Mediation Fees	July 3, 2024	\$7,500.00
Chambers Copy	First Legal Invoice, Chambers Copy - Notice of Settlement	October 23, 2024	\$35.00
Court Filing Fees	First Legal Invoice, Filing - Notice of Settlement	October 23, 2024	\$40.80
Chambers Copy	First Legal Invoice, Chambers Copy - Proposed Order	October 23, 2024	\$95.15

Court Filing Fees	First Legal Invoice, Filing - Proposed Order	October 31, 2024	\$62.80
Chambers Copy	First Legal Invoice, Chambers Copy - FAC	October 31, 2024	\$41.00
Court Filing Fees	First Legal Invoice, Filing - Notice of Settlement	October 31, 2024	\$22.00
Court Filing Fees	First Legal Invoice, filing - First Amended Complaint, POS	November 8, 2024	\$42.00
Court Filing Fees	First Legal Invoice, Filing - FAC (Rejected)	November 8, 2024	\$37.00
Legal Work	Berger Consulting Group Invoice - Analysis	November 13, 2024	\$3,744.00
Court Filing Fees	First Legal Invoice, Filing - FAC, POS	November 15, 2024	\$40.80
Total			\$13,685.25