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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

UVALDO CHAVEZ, individually, and on) Case No.: 22STCV34521
behalf of other members of the general public)
similarly situated,)

Plaintiffs,
v.

**DECLARATION OF VARTAN MADOYAN IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION
AND PAGA SETTLEMENT**

BORRMANN METAL CENTER, a California) Date: July 18, 2024
corporation; and DOES 1 through 100,) Time: 10:00 a.m.
inclusive,)
Judge: Hon. Elaine Lu
Department: 9

Defendants.

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I, Vartan Madoyan, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers *for* Justice, PC, attorneys of record for Plaintiff Uvaldo Chavez (“Plaintiff”). The facts set forth in this declaration are within my personal knowledge or based on information and belief, and if called as a witness, I could and would competently testify thereto.

EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC

2. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the prosecution of consumer and employment class actions, involving wage-and-hour claims, race discrimination, unfair business practices, or consumer fraud. Currently, Lawyers *for* Justice, PC is attorney of record in dozens of employment-related putative class actions in both state and federal courts in the State of California. Lawyers *for* Justice, PC is comprised of attorneys who focus on litigating complex wage-and-hour class and Private Attorneys General Act (“PAGA”) representative actions. The firm has successfully litigated cases involving nearly every aspect of California wage and hour law, including payment of overtime and minimum wages, provision of meal and rest breaks and/or premiums wages for same, timely payment of wages, provision of compliant wage statements, reimbursement of business expenses, executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements, PAGA claims, and sister statutes under federal law. Lawyers *for* Justice, PC has recovered (sometimes in association with other law firms) millions of dollars on behalf of thousands of individuals in California. Below is a summary of the experience and qualifications of attorneys at Lawyers *for* Justice, PC (additional staff have also worked on the matter).

3. Edwin Aiwasian is the Managing Member and Shareholder of Lawyers *for* Justice, PC. He received his Bachelor of Arts degree from Pepperdine University in April of 1999 and earned a Juris Doctor degree from Pepperdine University School of Law in May of 2004. He has extensive formal education and training in dispute resolution and negotiation from the Straus Institute for Dispute

1 Resolution as part of its Masters in Dispute Resolution degree program. In addition, he has previously
2 served as a pro bono mediator for the Los Angeles County Superior Court. In October of 2000, he
3 obtained a Litigation Paralegal Certificate from the UCLA Extension Program. During the summer of
4 2000, he studied Legal Writing at Harvard University. From approximately September 2002 to
5 approximately December 2002, he served as a Judicial Extern to the Honorable Kim McLane Wardlaw
6 of the United States Court of Appeals for the Ninth Circuit. From approximately June 2002 to
7 approximately August 2002, he served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the
8 California Court of Appeal for the Second Appellate District. In December of 2004, he obtained a
9 license to practice law from the California State Bar. Since in or around October of 2008, through his
10 work at Lawyers *for* Justice, PC, he has almost exclusively focused on the prosecution of consumer
11 and employment class actions. While employed by Lawyers *for* Justice PC, he has argued over one
12 hundred (100) motions, taken or defended over one hundred fifty (150) depositions, prepared dozens
13 of expert witnesses for deposition or trial, and attended over one hundred seventy-five (175)
14 mediations. Together with other attorneys at the firm, and in some cases in conjunction with co-
15 counsel, he has successfully litigated cases involving the executive, administrative, and other overtime
16 exemptions to the State of California and federal overtime compensation requirements. Under his
17 supervision, Lawyers *for* Justice, PC has successfully obtained class certification by contested motion
18 practice in approximately fifteen (15) cases in the last decade and litigated over 1,000 class action or
19 representative action cases.
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21 4. Arby Aiwazian is a Member and Shareholder of Lawyers *for* Justice, PC. He received
22 his Bachelor of Arts degree from University of California, Los Angeles and graduated magna cum
23 laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From
24 approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the Honorable
25 Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. From
26 approximately August 2008 to approximately December 2008, he served as a Judicial Extern to the
27 Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit. He was
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1 admitted to practice law in California in 2010. He is admitted to practice before all courts of the State
2 of California and all United States District Courts in the State of California. He has worked on many
3 wage-and-hour class action and representative action cases, taking the lead in taking and defending
4 depositions, arguing motions, and attending mediations. He has played an integral role in preparing
5 matters for class certification, including and not limited to, successful certification of a class in *Upson*
6 *v. Sur La Table* (Los Angeles County Superior Court Case No. BC424012), *Montazemi v. Regus*
7 *Management* (Los Angeles County Superior Court Case No. BC478769), and *Abdulhaqq v. Urban*
8 *Outfitters* (Alameda County Superior Court Case No. RG13680477). Under his supervision, dozens of
9 class action or representative cases have resulted in settlements that have been granted court approval,
10 including and not limited to, those listed in paragraph 7 herein. He has handled over one hundred and
11 fifty (150) mediations and worked on over two hundred and fifty (250) class action or representative
12 action cases which have resulted in settlement.

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14 5. Joanna Ghosh is a Senior Member of Lawyers *for* Justice, PC. She received a Bachelor
15 of Arts degree from California State University, Los Angeles in 2006, a Master of Science degree from
16 the London School of Economics in 2007, and a Juris Doctor degree from Georgetown University Law
17 Center in 2010. She is admitted to practice in California (since 2010) and in New York (since 2013)
18 and is also admitted to practice in all U.S. District Courts in California, the U.S. Bankruptcy Court for
19 the Central District of California, and the U.S. Supreme Court. She has taken and defended dozens of
20 depositions and successfully handled motion practice in class action cases regarding discovery
21 (including and not limited to, regarding class contact information), class certification (both contested
22 class certification and stipulated class certification), arbitration agreements, coordination, and
23 intervention. She has successfully handled briefing and oral argument on appeal and obtained notable
24 decisions regarding the Private Attorneys General Act and employer efforts to compel arbitration, e.g.,
25 *Betancourt v. Prudential Overall Supply* (Cal. Ct. App., Mar. 7, 2017) 9 Cal.App.5th 439, cert. denied
26 (Cal., May 24, 2017), cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court* (2019) 8
27 Cal.5th175. She has significant experience with class actions, including and not limited to working on
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1 cases to obtain class certification through contested motion practice and working on cases in the post-
2 certification stage (e.g., post-certification discovery, appeal, statistical sampling and pilot study, and
3 trial preparation in conjunction with co-counsel in a case involving a certified class consisting of
4 approximately 2,600 individuals). She also has extensive experience with class action and/or
5 representative action settlements, and has handled this process in over three hundred (300) cases. Under
6 her, Edwin Aiwazian, and Arby Aiwazian's supervision, the firm has handled the class certification
7 and court approval process for hundreds of class action and/or representative action matters that have
8 successfully resolved. She is a member of the California Employment Lawyers Association.

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10 6. I, Vartan Madoyan, am a Member of Lawyers *for* Justice, PC. I received my Bachelor
11 of Arts degree in Economics from the University of California, San Diego in 2007, and a Juris Doctor
12 degree from Loyola Law School in 2011, graduating with Cum Laude and Order of the Coif honors. I
13 am admitted to practice before all courts in the State of California and all U.S. District Courts in
14 California. I externed for the Honorable Victoria S. Kaufman of the United States Bankruptcy Court,
15 Central District of California, from June 2009 to August 2009. I externed for the Honorable Gary A.
16 Feess of the United States District Court, Central District of California, from January 2010 to May
17 2010. From 2011 through and including the present, I have practiced almost exclusively on complex
18 wage and hour class action and PAGA action matters in California. From October 2011 to June 2013,
19 I was an Associate at Littler Mendelson's Century City, California office, working for one of the largest
20 employer-side labor and employment law firms in the United States. From July 2013 to March 2014,
21 I was an Associate at Sheppard, Mullin, Richter & Hampton's Century City, California office. From
22 March 2014 to July 2023, I worked as an Associate and then as Counsel at Baker Hostetler LLP's Los
23 Angeles office. From August 2023 to the present, I have been a Member of Lawyers *for* Justice, PC.
24 I have taken and defended dozens of depositions and have successfully handled motion practice in class
25 action and PAGA cases regarding discovery (including and not limited to motions regarding class
26 contact information), class certification (both contested class certification and stipulated class
27 certification), dispositive motions, arbitration agreements, coordination, and intervention. I have
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1 successfully handled a complex wage and hour class action and PAGA case through a trial verdict in
2 the matter of *Estrada v. Royalty Carpet Mills*, Orange County Superior Court, Case No. 30-2013-
3 00692890. I have also successfully handled briefing on appeal regarding employer efforts to compel
4 arbitration. *TitleMax of Cal. v. Pena*, California Court of Appeals for the Fifth District, Case No.
5 F084706 (Cal. Ct. App. March 28, 2023) (unpublished decision). Further, I have extensive experience
6 with settlements of class actions and PAGA actions and have handled and supervised this process in
7 over seventy-five (75) cases.

8 ***EXAMPLES OF RESULTS IN WAGE-AND-HOUR CLASS ACTION AND REPRESENTATIVE***
9 ***ACTION CASES***

10 7. What follows are just a few examples of the type of results Lawyers *for* Justice, PC
11 (“LFJ”) has achieved on behalf of its clients:

12 a) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
13 and-hour class action against a major property management company involving allegations of
14 misclassification of various “manager” positions. On September 20, 2010, the court granted final
15 approval of the class action settlement. The Los Angeles County Superior Court Case Number is
16 BC400414.

17 b) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
18 and-hour class action against a national retailer of household items involving allegations of
19 misclassification of the “Assistant Store Manager” position. On October 28, 2010, the court granted
20 final approval of the class action settlement. The Los Angeles County Superior Court Case Number is
21 BC413498.

22 c) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
23 and-hour class action against a national property management company involving allegations of
24 misclassification of the “Property Manager” position. On May 23, 2012, the court granted final
25 approval of the class action settlement. The Los Angeles County Superior Court Case Number is
26 BC430918.
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1 d) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
2 and-hour class action against a national retailer involving allegations of misclassification of the “Store
3 Manager” position. On June 10, 2011, the court granted plaintiffs’ motion for class certification. On
4 August 26, 2013, the court granted final approval of the class action settlement. The Los Angeles
5 County Superior Court Case Number is BC424012.

6 e) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-
7 and-hour class and PAGA representative action against a bank, involving allegations of
8 misclassification of the “Assistant Branch Manager” position. On August 27, 2013, the court granted
9 final approval of the class and PAGA representative action settlement. The Kern County Superior
10 Court Case Number is S-1500-CV-273194-LHB.

11 f) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-
12 and-hour class and PAGA representative action against a national wholesale distributor of plumbing
13 and builder supplies, involving allegations of misclassification of multiple salaried “manager”
14 positions. On May 22, 2014, the court granted final approval of the class and PAGA representative
15 action settlement. The Sacramento County Superior Court Case Number is 34-2012-00136285.

16 g) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-
17 and-hour class action against a multinational corporation that provides global workplace solutions,
18 involving allegations of misclassification of the “Operations Manager” position. On September 16,
19 2014, the court granted plaintiff’s motion for class certification. The Los Angeles County Superior
20 Court Case Number is BC478769.

21 h) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-
22 and-hour class and PAGA representative action against a national retailer of household items, on behalf
23 of hourly-paid or non-exempt employees. On May 27, 2015, the court granted final approval of the
24 class and PAGA representative action settlement. The San Francisco County Superior Court Case
25 Number is CGC-13-532344.
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1 i) LFJ, in association with co-counsel therein, represented the plaintiff in a wage-
2 and-hour class and PAGA representative action involving allegations of misclassification of the
3 salaried residential “Property Manager” position. On September 17, 2015, the court granted plaintiff’s
4 motion for class certification. On October 20, 2017, the court granted final approval of the class and
5 PAGA representative action settlement. The Los Angeles County Superior Court Case Number is
6 BC474784.

7 j) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
8 and-hour class and PAGA representative action against a national retailer of upscale hardware and
9 home furnishings, on behalf of non-exempt employees. On April 28, 2016, the court granted final
10 approval of the class and PAGA representative action settlement. The Los Angeles County Superior
11 Court Case Numbers are BC516795 and JCCP4794, and the Judicial Council Coordination Proceeding
12 Number is 4794.

13 k) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
14 and-hour class action against a national retailer of apparel and fashion accessories, on behalf of non-
15 exempt employees. On August 5, 2016, the court granted final approval of the class action settlement.
16 The Los Angeles County Superior Court Case Number is BC488069.

17 l) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
18 and-hour class action against a national retailer of apparel, accessories, and home products, involving
19 allegations of misclassification of the “Department Manager” position. On August 12, 2016, the court
20 granted the plaintiffs’ motion for class certification in part and certified a class. On August 6, 2019,
21 the court granted final approval of the class action settlement. The Alameda County Superior Court
22 Case Number is RG13680477.

23 m) LFJ represented the plaintiff in a PAGA representative action against a real
24 estate and property management company, on behalf of non-exempt employees. On November 4, 2016,
25 the court granted approval of the PAGA representative action settlement. The Orange County Superior
26 Court Case Number is 30-2015-00775439-CU-OE-CXC.
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1 n) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
2 and-hour class and PAGA representative action against a full-service bank, on behalf of non-exempt
3 employees. On November 18, 2016, the court granted final approval of the class and PAGA
4 representative action settlement. The San Francisco County Superior Court Case Number is CJC-13-
5 004839 and the Judicial Council Coordination Proceeding Number is 4839.

6 o) LFJ represented the plaintiffs in a wage-and-hour class and PAGA representative
7 action against a foodservice distributor, on behalf of non-exempt employees. On January 26, 2017, the
8 court granted final approval of the class and PAGA representative action settlement. The San
9 Bernardino County Superior Court Case Number is CIVDS1507260.

10 p) LFJ, on behalf of the plaintiff and respondent in a PAGA representative action,
11 successfully opposed in the trial court, and briefed and argued an appeal with respect to the employer's
12 motion to compel arbitration, which resulted in a published opinion by the California Court of Appeal
13 in favor of employees. *Roberto Betancourt v. Prudential Overall Supply* (Cal. App. 4th Dist., Mar. 7,
14 2017) 9 Cal.App.5th 439, review denied, cert. denied (U.S. Supreme Court Docket No. 17-254). The
15 Riverside County Superior Court Case Numbers are RIC1503952 and RICJCCP5046, and the Judicial
16 Council Coordination Proceeding Number is 5046.

17 q) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
18 and-hour class and PAGA representative action against a consumer packaging company, on behalf of
19 non-exempt employees. On March 10, 2017, the court granted final approval of the class and PAGA
20 representative action settlement. The Los Angeles County Superior Court Case Number is BC590429.

21 r) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
22 and-hour class and PAGA representative action against a manufacturer of food service industry supplies
23 on behalf of non-exempt employees. On April 14, 2017, the court granted final approval of the class
24 and PAGA representative action settlement. The Orange County Superior Court Case Number is 30-
25 2015-00810013-CU-OE-CXC.
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1 s) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
2 and-hour class and PAGA representative action against a lumber and hardware company on behalf of
3 non-exempt employees. On April 26, 2017, the court granted final approval of the class and PAGA
4 representative action settlement. The Orange County Superior Court Case Number is 30-2014-
5 00747750-CU-OE-CXC.

6 t) LFJ represented the plaintiff in a wage-and-hour class and PAGA representative
7 action against a property management company, on behalf of non-exempt employees. On June 14,
8 2017, the court granted final approval of the class and PAGA representative action settlement. The Los
9 Angeles County Superior Court Case Number is BC586234.

10 u) LFJ represented the plaintiff in a wage-and-hour class and PAGA representative
11 action against a food company on behalf of non-exempt employees. On June 30, 2017, the court granted
12 final approval of the class and PAGA representative action settlement. The Sacramento County
13 Superior Court Case Number is 34-2015-00175871.

14 v) LFJ represented the plaintiffs in a wage-and-hour class and PAGA representative
15 action against a chocolate company on behalf of non-exempt employees. On July 19, 2017, the court
16 granted final approval of the class and PAGA representative action settlement. The Alameda County
17 Superior Court Case Number is RG15764300.

18 w) LFJ represented the plaintiff in a PAGA representative action, against the parent
19 company of several restaurants, on behalf of hourly-paid, non-exempt employees. On October 18,
20 2017, the court granted approval of the PAGA representative action settlement. The Los Angeles
21 County Superior Court Case Number is BC569664.

22 x) LFJ represented the plaintiffs in a wage-and-hour class and PAGA representative
23 action against a manufacturer of plastic containers on behalf of non-exempt employees. On October
24 31, 2017, the court granted final approval of the class and PAGA representative action settlement. The
25 Los Angeles County Superior Court Case Number is BC577233.
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1 y) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
2 and-hour class and PAGA representative action against a bank on behalf of non-exempt employees.
3 On December 11, 2017, the court granted final approval of the class and PAGA representative action
4 settlement. The Los Angeles County Superior Court Case Number is BC569646.

5 z) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
6 and-hour class and PAGA representative action against a property management company on behalf of
7 hourly-paid and non-exempt employees. On January 4, 2018, the court granted final approval of the
8 class and PAGA representative action settlement. The Los Angeles County Superior Court Case
9 Number is JCCP4819 and the Judicial Council Coordination Proceeding Number is 4819.

10 aa) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
11 and-hour class and PAGA representative action against a global provider of flexible office space
12 solutions. On February 15, 2018, the court granted final approval of the class and PAGA representative
13 action settlement. The Los Angeles County Superior Court Case Number is BC498401.

14 bb) LFJ, in association with co-counsel therein, represents the plaintiff in a wage-
15 and-hour class action against a container manufacturer, on behalf of non-exempt employees. On
16 October 15, 2018, the court granted the plaintiff's motion for class certification. The Tulare County
17 Superior Court Case Number is VCU264528.

18 cc) LFJ represented the plaintiffs in a wage-and-hour class and PAGA representative
19 action against a behavioral health service provider on behalf of non-exempt employees. On November
20 13, 2018, the court granted final approval of the class and PAGA representative action settlement. The
21 Alameda County Superior Court Case Number is RG16811450.

22 dd) LFJ, in association with co-counsel therein, represented the plaintiff in a PAGA
23 representative action against a global provider of products and services to the energy industry, on behalf
24 of hourly-paid and non-exempt employees. On November 19, 2018, the court granted approval of the
25 PAGA representative action settlement. The Kern County Superior Court Case Number is S-1500-CV-
26 280215-SDC.
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1 ee) LFJ, in association with co-counsel therein, represents the plaintiff in a wage-
2 and-hour class action against a parking company on behalf of non-exempt employees. On September
3 3, 2019, the court granted the plaintiff's motion for class certification and certified a class. The Santa
4 Clara County Superior Court Case Number is 16CV292208 and the Judicial Council Coordination
5 Proceeding Number is 4886.

6 ff) LFJ, in association with co-counsel therein, represents the plaintiffs in a wage-
7 and-hour class and PAGA representative action against a bank on behalf of non-exempt employees.
8 On September 27, 2019, the court granted the plaintiffs' motion for class certification in part and
9 certified a class. The Alameda County Superior Court Case Number is RG15757606 and the Judicial
10 Council Coordination Proceeding Number is 4921.

11 gg) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-
12 and-hour class and PAGA representative action against a national retailer of apparel and fashion
13 accessories, on behalf of non-exempt employees. On October 9, 2019, the court granted the plaintiffs'
14 motion for class certification in part and certified a class. On May 14, 2021, the court granted final
15 approval of the class and PAGA representative action settlement. The Sacramento County Superior
16 Court Case Number is 34-2015-00175330-CU-OE-GDS.

17 hh) LFJ, in association with co-counsel therein, represents the plaintiff in a wage-
18 and-hour class and PAGA representative action against a medical equipment supplier on behalf of non-
19 exempt employees. On February 13, 2020, the court granted the plaintiff's motion for class certification
20 and certified a class. The San Bernardino County Superior Court Case Number is CIVDS1505744.

21 ii) LFJ, in association with co-counsel therein, on behalf of the plaintiff and
22 respondent in a PAGA representative action, successfully opposed in the trial court, and briefed and
23 argued an appeal with respect to the employer's motion to compel arbitration, resulting in a notable
24 decision from the California Supreme Court clarifying the law regarding PAGA claims, *ZB, N.A. v.*
25 *Superior Court* (2019) 8 Cal.5th 175. On February 21, 2020, the court granted approval of the PAGA
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1 representative action settlement. The San Diego County Superior Court Case Number is 34-2015-
2 00175330.

3 jj) LFJ, in association with co-counsel therein, represents the plaintiff in a wage-
4 and-hour class and PAGA representative action against a large national drug testing laboratory on
5 behalf of non-exempt employees. On February 21, 2020, the court granted the plaintiff's motion for
6 class certification and certified a class. The San Diego County Superior Court Case Number is 37-
7 2018-00019611-CU-OE-CTL.

8 kk) LFJ, in association with co-counsel therein, represents the plaintiffs in a wage-
9 and-hour class and PAGA representative action against a national retailer of sportswear, footwear, and
10 camping equipment on behalf of non-exempt employees. On March 16, 2020, the court granted in part
11 the plaintiff's motion for class certification and certified a class. The Riverside County Superior Court
12 Case Numbers are RIC1507504 and RICJCCP4930, and the Judicial Council Coordination Proceeding
13 Number is 4930.

14 ll) LFJ, in association with co-counsel therein, represents the plaintiffs in a wage-
15 and-hour class action against manufacturer and supplier of power products and services on behalf of
16 non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs' motion for class
17 certification and certified a class. The San Diego County Superior Court Case Number is 37-2015-
18 00025968-CU-OE-CTL.

19 mm) LFJ represents the plaintiff in a wage-and-hour class action against a nutritional
20 products manufacturer on behalf of non-exempt production line employees. On December 13, 2021,
21 the court granted the plaintiff's motion for class certification in part and certified a class. The Solano
22 County Superior Court Case Number is FCS051001.

23 nn) LFJ represents the plaintiffs in a wage-and-hour class action against a
24 manufacturer and distributor of commercial dish and glass cleaning machines and supplies for the
25 restaurant and hospitality industries, on behalf of hourly-paid or non-exempt employees. On July 13,
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1 2023, the court granted the plaintiffs’ motion for class certification and certified a class. The Los
2 Angeles County Superior Court Case Number is BC707670.

3 SUMMARY OF WORK PERFORMED

4 8. Several attorneys at Lawyers *for* Justice, PC have worked on this matter since the
5 inception of Plaintiff’s claims. Lawyers *for* Justice, PC has worked closely with JCL Law Firm, APC
6 and Zakay Law Group in the pursuit of Plaintiff’s case since they were associated in as co-counsel, and
7 our work with them has been a coordinated and combined effort. Together, Lawyers *for* Justice, PC,
8 JCL Law Firm, APC, and Zakay Law Group are referred to as “Class Counsel.”

9 9. Collectively, Class Counsel investigated the veracity, strength, and scope of the claims,
10 and worked on preparing Plaintiff’s action for class certification and trial, prior to reaching a settlement
11 in this action. Plaintiff’s action has involved extensive and ongoing investigations, research, and
12 informal discovery into legal and factual issues. Class Counsel obtained information from Plaintiff,
13 reviewed and analyzed a volume of information, documents, and data obtained from Plaintiff,
14 Defendants, and other sources, researched applicable law, and undertook analyses and calculations of
15 the value of claims, damages, and penalties exposure. Class Counsel requested and received a large
16 volume of documents and data for purposes of mediation, including timekeeping and payroll data for
17 class members and aggrieved employees, along with applicable employee handbooks, policies,
18 agreements, and other documents relevant to the litigation. Class Counsel met and conferred with
19 Defendants’ counsel on numerous occasions, e.g., to discuss issues relating to the pleadings, case
20 management, informal discovery and data, and production of information, documents, and data in the
21 course of litigation and mediation. Other work that Class Counsel performed included, and was not
22 limited to, case strategy and analysis; drafting, reviewing, and revising pleadings and motion-related
23 papers; case management; claims assessment and evaluation; and preparing for and attending court
24 proceedings, mediation, and settlement negotiations.

25 10. As outlined herein and in other declarations submitted in support of the Motion, the
26 parties have conducted significant investigation and informal discovery during the course of litigation
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1 and mediation. Class Counsel analyzed a large volume of information, documents, and data obtained
2 from Plaintiff, Defendants, and other sources. This information, documents, and data provided a critical
3 understanding of the nature of the work performed by class members and aggrieved employees,
4 timekeeping and payroll records for class members and aggrieved employees, as well as Defendants'
5 applicable employee handbooks, policies, agreements, and other documents which were used in
6 analyzing liability, damages, and penalties valuation issues in connection with the mediation and
7 settlement negotiation process. Accordingly, sufficient investigation and review of information has
8 taken place in order for the parties to be adequately informed of the nature and extent of the claims,
9 and to enable all parties to fully evaluate the settlement for its fairness, adequacy, and reasonableness.

10 11. After conducting significant investigation of the facts and law during the prosecution of
11 Plaintiff's action, counsel for the parties engaged in mediation and extensive settlement negotiations to
12 try to resolve Plaintiff's action. During all settlement discussions, the parties conducted their
13 negotiations at arm's length in an adversarial position. In the course of mediation and settlement
14 negotiations, the parties discussed all aspects of Plaintiff's action, including the risks and delays of
15 further litigation, class certification, and/or trial, the law relating to, *inter alia*, class certification, off-
16 the-clock theory, meal and rest periods, PAGA representative claims, and wage-and-hour enforcement,
17 as well as the evidence produced and analyzed, and the possibility of appeals, among other things.
18 Arriving at a settlement that was acceptable to all parties was not easy. After conducting extensive
19 investigations, discovery, and settlement negotiations, and with the aid of the mediator's evaluations,
20 the parties have agreed to resolve the class action and PAGA claims given the legal issues relating to
21 Plaintiff's principal claims, as well as the costs and risks to both sides that would attend further
22 litigation, and the real possibility of no recovery after years of litigation.

24 12. The settlement provides for a class representative Service Award to Plaintiff in an
25 amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00). The Service Award is fair
26 and appropriate in light of the time and effort that Plaintiff expended to bring and pursue his claims and
27 to assist Class Counsel with the litigation and settlement process. Plaintiff was also available whenever
28

1 his assistance was needed, actively tried to obtain and provide information, and spent a substantial
2 amount of time and effort providing the facts and evidence necessary to facilitate prosecution and
3 settlement of the action. Accordingly, in addition to the individual settlement payments to be made
4 under the settlement, it is appropriate and just for Plaintiff to receive a reasonable enhancement
5 payment for his services and for agreeing to provide Defendants a general release of all claims arising
6 out of his employment.

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

9 Executed on this 3rd day of May 2024 at Glendale, California.

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12 Vartan Madoyan
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