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Attorneys for Plaintiffs and the Class

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

TIFFANY BRITTON, individually, and on
behalf of other members of the general
public similarly situated; KAYJHONNIE
SMITH, individually, and on behalf of other
members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

vs.

MOUNTAIN VALLEY CHILD AND
FAMILY SERVICES, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: CU0000023

Honorable S. Robert Tice-Raskin
Department 6

**DECLARATION OF EDWIN AIWAZIAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT AND
MOTION FOR ATTORNEYS' FEES,
ATTORNEYS' EXPENSES, AND
SERVICE AWARDS**

Hearing Date: January 19, 2024
Hearing Time: 10:00 a.m.
Dept: 6

Complaint Filed: April 19, 2022
FAC Filed: June 12, 2023
Trial Date: None Set

DECLARATION OF EDWIN AIWAZIAN

I, Edwin Aiwarzian, 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 Plaintiffs and the Class in the above-captioned action. 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.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On October 13, 2023, in Department 6 of the above-entitled Court, the Honorable S. Robert Tice-Raskin preliminarily approved the Stipulation of Settlement of Class and PAGA Action and Release of Claims (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into by Plaintiffs Tiffany Britton (“Plaintiff Britton”) and Kayjhonnie Smith (“Plaintiff Smith”) (together, “Plaintiffs”) and Defendant Mountain Valley Child and Family Services, Inc. (“Defendant”), and conditionally certified the Class for settlement purposes. The Court also preliminarily appointed Plaintiffs Tiffany Britton and Kayjhonnie Smith to represent the Class (together, “Class Representatives”) and preliminarily appointed and designated Lawyers *for* Justice, PC, JCL Law Firm, APC, and Zakay Law Group, APLC as counsel for the Class (collectively, “Class Counsel”). The Court approved and ordered the mailing of the Proposed Notice of Pendency of Class Action Settlement and Final Hearing Date (“Notice Packet”), and approved the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Apex Class Action, LLC (“Settlement Administrator”) to serve as the third-party administrator and handle the notice and settlement administration process.

WORK PERFORMED BY CLASS COUNSEL

3. Several other attorneys and staff members at Lawyers *for* Justice, PC and I have been actively engaged in the litigation of this matter from the inception of the above-captioned action, filed on April 19, 2022. Lawyers *for* Justice, PC actively participated in the litigation of the matter, including and not limited to, preparing the pleadings, case strategy, undertaking investigation and formal and informal discovery, performing legal research, and conducting

1 claims evaluation and analysis. Since joining forces with and associating in JCL Law Firm,
2 APC and Zakay Law Group, APLC as co-counsel in the above-captioned action, we have
3 worked cooperatively with them to strategize and prosecute the case. Our work with them has
4 been a coordinated and combined effort. Ultimately, Class Counsel's efforts and the efforts of
5 Plaintiffs have been successful in reaching the Settlement.

6 4. Before initiating the case, Lawyers *for* Justice, PC conducted extensive
7 investigation and research into the facts and circumstances underlying the pertinent factual and
8 legal issues and applicable law. This required thorough discussions and interviews between
9 attorneys at our firm and Plaintiff Britton, and research into the various legal issues involved in
10 the case, namely, the current state of the law as it applied to class certification, off-the-clock
11 theory, meal and rest periods, wage-and-hour enforcement, Plaintiff Britton's claims and
12 allegations, and potential defenses. After conducting initial investigation, our firm determined
13 that Plaintiff Britton's claims were well-suited for class action treatment owing to what appeared
14 to be a common course of conduct affecting a similarly situated group of current and former
15 non-exempt employees of Defendant in the State of California, who were not properly
16 compensated for, *inter alia*, all hours worked, non-compliant meal and rest periods, and
17 unreimbursed business expenses.

18 5. Collectively, Class Counsel investigated the veracity, strength, and scope of the
19 claims, and worked on preparing the case for class certification and trial, prior to reaching the
20 Settlement. This matter has involved extensive and ongoing investigations, research into legal
21 and factual issues, and formal and informal discovery. Class Counsel reviewed and analyzed a
22 volume of information, documents, and data obtained from Plaintiffs, Defendant, and other
23 sources, researched applicable law, and undertook analyses and calculations of the value of
24 claims, damages, and penalties exposure. Class Counsel propounded multiple sets of written
25 discovery requests in various forms and reviewed Defendant's objections and responses thereto.
26 Class Counsel also met and conferred with Defendant's counsel on numerous occasions, e.g., to
27 discuss issues relating to the pleadings, case management, court proceedings, discovery and
28 production of various information, documents, and data in the course of litigation and mediation

1 and settlement negotiations, and mediation and settlement negotiations. Other work that Class
2 Counsel performed included, and was not limited to, case strategy and analysis; drafting,
3 reviewing, and revising the pleadings and motion-related papers; case management; claims
4 assessment and evaluation; and preparing for and attending mediation and settlement
5 negotiations.

6 6. As outlined herein, the parties have conducted significant investigations,
7 litigation, and discovery in this matter. The volume of information, documents, and data
8 obtained from Plaintiffs, Defendant, and other sources provided a critical understanding of the
9 nature of the work performed by putative class members and aggrieved employees, as well as
10 Defendant's operations and employment policies, practices, and procedures. The information,
11 documents, and data were used in analyzing liability, damages, and penalties valuation issues in
12 connection with all phases of the litigation, and ultimately, in connection with the mediation and
13 settlement negotiation process. Accordingly, sufficient investigation and review of information
14 have taken place in order for the parties to be adequately informed of the nature and extent of
15 the claims, and to enable all parties to fully evaluate the Settlement for its fairness, adequacy,
16 and reasonableness.

17 7. Plaintiffs move for an award of attorneys' fees to Class Counsel in the amount of
18 \$133,333.33, which is one-third (1/3) of the Gross Settlement Amount of \$400,000.00. Pursuant
19 to the contingency-fee agreement entered into by and between Plaintiff Britton and Lawyers *for*
20 Justice, PC, Plaintiff Britton has agreed to a contingency fee of at least thirty-five percent (35%)
21 of the recovery.

22 8. The attorneys' fees that are sought are commensurate with: (1) the risk that Class
23 Counsel took in commencing the case; (2) the time, effort, and expense that Class Counsel
24 dedicated to the case; (3) the skill and determination that Class Counsel have shown; (4) the
25 results that Class Counsel have achieved throughout the litigation of the case; (5) the value of
26 the settlement that Class Counsel have achieved; and (6) the other cases that Class Counsel have
27 turned down in order to devote their time and efforts to the case.

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1 9. I am aware that common and acceptable rates for contingency representation in
2 wage and hour class and representative action litigation are normally in the range from 33.3%
3 to 50%.

4 10. While not necessarily required to be demonstrated because the percentage fee is
5 proper for this settlement, Class Counsel have incurred many hours of work in connection with
6 prosecuting the case, such that the award of attorneys' fees is also justified under a lodestar
7 analysis. Attorneys at Lawyers for Justice, PC have spent a total of **136.40 hours** performing
8 tasks and obtaining recovery in this matter. Attached hereto as "**EXHIBIT A**" is an Attorney
9 Task and Time Chart for Lawyers for Justice, PC that sets forth in detail the nature of the legal
10 services provided by attorneys at the firm, and the time incurred in performing those services.
11 The hours attributable to Lawyers for Justice, PC include work done by several other attorneys
12 at the firm and myself. Additionally, separate from the hours of work referenced herein and in
13 the attached chart, Lawyers for Justice, PC had litigation support personnel actively engaged in
14 assisting with the prosecution of this matter.

15 11. The work performed in this matter, the background of our firm, as well as the
16 individual backgrounds, training, and experience of the attorneys who worked on this matter, in
17 litigating complex wage-and-hour cases, and in particular, employment class actions and
18 representative actions, support a reasonable blended hourly rate of compensation at the rate of
19 at least \$650 per hour for work performed by Lawyers for Justice, PC. Lawyers for Justice, PC
20 has been awarded attorneys' fees, compensating the firm at the rate of at least \$650 per hour for
21 legal services performed, by courts granting approval of settlements in other wage-and-hour
22 class action and/or representative action cases: final approval of the class and representative
23 action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court
24 Case No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved
25 compensation at the rate of \$936.47 per hour; final approval of the class and representative
26 action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court
27 Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved
28 compensation at the rate of \$919.57 per hour; final approval of the class action settlement in

1 *Thereasa Carrozzella v. Basalite Concrete Products, LLC* (Sacramento County Superior Court
2 Case No. 34-2017-00220214-CU-OE-GDS) was granted on February 21, 2020, and the award
3 of attorneys' fees involved compensation at the rate of \$766.05 per hour; final approval of the
4 class and representative action settlement in *Alice Rutledge, et al. v. Healthport Technologies,*
5 *LLC* (Alameda County Superior Court Case No. RG16835813) was granted on June 11, 2019,
6 and the award of attorneys' fees involved compensation at the rate of \$764.82 per hour; final
7 approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp.*
8 (Sonoma County Superior Court Case No. SCV258764) was granted on February 6, 2019, and
9 the award of attorneys' fees involved compensation at the rate of \$855.96 per hour; final
10 approval of the class and representative action settlement in *Stanley Bland, et al. v. Telecare*
11 *Corporation* (Alameda County Superior Court Case No. RG16811450) was granted on
12 November 21, 2018, and the award of attorneys' fees involved compensation at the rate of
13 \$831.38 per hour; final approval of the class and representative action settlement in *Maryjo*
14 *Ungerbuhler Anderson v. Boyett Petroleum* (Stanislaus County Superior Court Case No.
15 2020582) was granted on May 15, 2018, and the award of attorney's fees involved compensation
16 at the rate of \$780.77 per hour; and final approval of the class and representative action
17 settlement in *Demetrius Camarillo v. Blue Diamond Growers* (Sacramento County Superior
18 Court Case No. 34-2015-00175871) was granted on June 30, 2017, and the award of attorneys'
19 fees involved compensation at the rate of \$845.64 per hour.

20 **ADEQUACY OF LAWYERS for JUSTICE, PC**

21 **EDUCATION**

22 12. In May of 2004, I graduated from *Pepperdine University School of Law* with a
23 Juris Doctor degree. I have extensive formal training in dispute resolution and negotiation from
24 the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree
25 program. In addition, I have previously served as a *pro bono* mediator for the Los Angeles
26 County Superior Court. In October of 2000, I obtained a Litigation Paralegal Certificate from
27 the *UCLA Extension Program*. During the summer of 2000, I studied Legal Writing at *Harvard*
28 *University*. In April of 1999, I obtained a Bachelor of Arts degree in Communication with a

concentration in Natural Sciences from *Pepperdine University*.

JUDICIAL EXTERNSHIPS

13. From approximately September 2002 to approximately December 2002, I served as a Judicial Extern to the Honorable Kim McLane Wardlaw of the *United States Court of Appeals for the Ninth Circuit*. From approximately June 2002 to approximately August 2002, I served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the *California Court of Appeal for the Second Appellate District*.

LITIGATION AND CLASS ACTION AND REPRESENTATIVE ACTION EXPERIENCE

14. In December of 2004, I obtained a license to practice law from the California State Bar.

15. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the prosecution of consumer and employment class and representative actions, involving wage-and-hour claims, race discrimination, unfair business practices or consumer fraud. Currently, Lawyers *for* Justice, PC is the attorney of record in well over a dozen employment-related putative class actions in both state and federal courts in the State of California. Lawyers *for* Justice, PC has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. In association with other law firms, Lawyers *for* Justice, PC has recovered millions of dollars on behalf of thousands of individuals in California.

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

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

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

1 Court Case Number is BC400414.

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

7 c) LFJ, in association with co-counsel therein, represented the plaintiffs in a
8 wage-and-hour class action against a national property management company involving
9 allegations of misclassification of the “Property Manager” position. On May 23, 2012, the court
10 granted final approval of the class action settlement. The Los Angeles County Superior Court
11 Case Number is BC430918.

12 d) LFJ, in association with co-counsel therein, represented the plaintiffs in a
13 wage-and-hour class action against a national retailer involving allegations of misclassification
14 of the “Store Manager” position. On June 10, 2011, the court granted plaintiffs’ motion for class
15 certification. On August 26, 2013, the court granted final approval of the class action settlement.
16 The Los Angeles County Superior Court Case Number is BC424012.

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

22 f) LFJ, in association with co-counsel therein, represented the plaintiff in a
23 wage-and-hour class and PAGA representative action against a national wholesale distributor
24 of plumbing and builder supplies, involving allegations of misclassification of multiple salaried
25 “manager” positions. On May 22, 2014, the court granted final approval of the class and PAGA
26 representative action settlement. The Sacramento County Superior Court Case Number is 34-
27 2012-00136285.

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

6 h) LFJ, in association with co-counsel therein, represented the plaintiff in a
7 wage-and-hour class and PAGA representative action against a national retailer of household
8 items, on behalf of hourly-paid or non-exempt employees. On May 27, 2015, the court granted
9 final approval of the class and PAGA representative action settlement. The San Francisco
10 County Superior Court Case Number is CGC-13-532344.

11 i) LFJ, in association with co-counsel therein, represented the plaintiff in a
12 wage-and-hour class and PAGA representative action involving allegations of misclassification
13 of the salaried residential “Property Manager” position. On September 17, 2015, the court
14 granted plaintiff’s motion for class certification. On October 20, 2017, the court granted final
15 approval of the class and PAGA representative action settlement. The Los Angeles County
16 Superior Court Case Number is BC474784.

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

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

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

7 m) LFJ represented the plaintiff in a PAGA representative action against a
8 real estate and property management company, on behalf of non-exempt employees. On
9 November 4, 2016, the court granted approval of the PAGA representative action settlement.
10 The Orange County Superior Court Case Number is 30-2015-00775439-CU-OE-CXC.

11 n) LFJ, in association with co-counsel therein, represented the plaintiffs in a
12 wage-and-hour class and PAGA representative action against a full-service bank, on behalf of
13 non-exempt employees. On November 18, 2016, the court granted final approval of the class
14 and PAGA representative action settlement. The San Francisco County Superior Court Case
15 Number is CJC-13-004839 and the Judicial Council Coordination Proceeding Number is 4839.

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

20 p) LFJ, on behalf of the plaintiff and respondent in a PAGA representative
21 action, successfully opposed in the trial court, and briefed and argued an appeal with respect to
22 the employer’s motion to compel arbitration, which resulted in a published opinion by the
23 California Court of Appeal in favor of employees. *Roberto Betancourt v. Prudential Overall*
24 *Supply* (Cal. App. 4th Dist., Mar. 7, 2017) 9 Cal.App.5th 439, review denied, cert. denied (U.S.
25 Supreme Court Docket No. 17-254). The Riverside County Superior Court Case Numbers are
26 RIC1503952 and RICJCCP5046, and the Judicial Council Coordination Proceeding Number is
27 5046.

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

r) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-and-hour class and PAGA representative action against a manufacturer of food service industry supplies on behalf of non-exempt employees. On April 14, 2017, the court granted final approval of the class and PAGA representative action settlement. The Orange County Superior Court Case Number is 30-2015-00810013-CU-OE-CXC.

s) LFJ, in association with co-counsel therein, represented the plaintiffs in a wage-and-hour class and PAGA representative action against a lumber and hardware company on behalf of non-exempt employees. On April 26, 2017, the court granted final approval of the class and PAGA representative action settlement. The Orange County Superior Court Case Number is 30-2014-00747750-CU-OE-CXC.

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

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

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

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

5 x) LFJ represented the plaintiffs in a wage-and-hour class and PAGA
6 representative action against a manufacturer of plastic containers on behalf of non-exempt
7 employees. On October 31, 2017, the court granted final approval of the class and PAGA
8 representative action settlement. The Los Angeles County Superior Court Case Number is
9 BC577233.

10 y) LFJ, in association with co-counsel therein, represented the plaintiffs in a
11 wage-and-hour class and PAGA representative action against a bank on behalf of non-exempt
12 employees. On December 11, 2017, the court granted final approval of the class and PAGA
13 representative action settlement. The Los Angeles County Superior Court Case Number is
14 BC569646.

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

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

26 bb) LFJ, in association with co-counsel therein, represents the plaintiff in a
27 wage-and-hour class action against a container manufacturer, on behalf of non-exempt
28 employees. On October 15, 2018, the court granted the plaintiff's motion for class certification.

1 The Tulare County Superior Court Case Number is VCU264528.

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

7 dd) LFJ, in association with co-counsel therein, represented the plaintiff in a
8 PAGA representative action against a global provider of products and services to the energy
9 industry, on behalf of hourly-paid and non-exempt employees. On November 19, 2018, the
10 court granted approval of the PAGA representative action settlement. The Kern County
11 Superior Court Case Number is S-1500-CV-280215-SDC.

12 ee) LFJ, in association with co-counsel therein, represents the plaintiff in a
13 wage-and-hour class action against a parking company on behalf of non-exempt employees. On
14 September 3, 2019, the court granted the plaintiff's motion for class certification and certified a
15 class. The Santa Clara County Superior Court Case Number is 16CV292208 and the Judicial
16 Council Coordination Proceeding Number is 4886.

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

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

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

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

13 jj) LFJ, in association with co-counsel therein, represented the plaintiff in a
14 wage-and-hour class and PAGA representative action against a large national drug testing
15 laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the
16 plaintiff's motion for class certification and certified a class. On October 28, 2022, the court
17 granted final approval of the class and PAGA representative action settlement. The San Diego
18 County Superior Court Case Number is 37-2018-00019611-CU-OE-CTL.

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

25 ll) LFJ, in association with co-counsel therein, represented the plaintiffs in a
26 wage-and-hour class action against manufacturer and supplier of power products and services
27 on behalf of non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs'
28 motion for class certification and certified a class. On August 27, 2021, the court granted final

1 approval of the class action settlement. The San Diego County Superior Court Case Number is
2 37-2015-00025968-CU-OE-CTL.

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

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

12 **LITIGATION COSTS AND EXPENSES INCURRED BY**

13 **LAWYERS *for* JUSTICE, PC**

14 17. To date, Class Counsel have borne all of the risks and costs of litigation and will
15 not receive any compensation until a recovery is obtained in this matter. Lawyers *for* Justice,
16 PC seeks reimbursement of **\$2,145.94** in litigation costs and expenses incurred in this matter, as
17 reflected in "**EXHIBIT B**" attached hereto. These expenses were reasonable and necessary in
18 the prosecution of this matter and to obtain the Settlement.

19 **SERVICE AWARDS TO PLAINTIFFS**

20 18. In recognition of their efforts and work expended in the case and serving as the
21 Class Representatives, the Settlement provides for service awards in the amount of \$10,000.00
22 each to Plaintiffs (for a collective total of \$20,000.00). The requested service awards are fair
23 and appropriate. Plaintiffs spent a substantial amount of time and effort in providing relevant
24 documents, past employment records, and the facts and evidence necessary to attempt to prove
25 the allegations in the case. Plaintiffs were available whenever their attorneys needed them and
26 actively tried to obtain and provide information that would facilitate the pursuit of the class and
27 PAGA claims. Plaintiffs spent numerous hours speaking with their attorneys about their claims,
28 describing their work experiences with Defendant, and gathering, providing, and reviewing

documents. Accordingly, it is appropriate and just for Plaintiffs to each receive \$10,000.00 as a reasonable service award for their services in the case, in addition to their individual settlement payment.

19. I submit that the settlement is fair, reasonable, and adequate. In addition, the settlement is in the best interests of Plaintiffs, the Class, PAGA Class Members, and the State of California.

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

Executed this 21st day of December 2023, at Glendale, California.



Edwin Aiwanian

EXHIBIT A

TIFFANY BRITTON, ET AL. V. MOUNTAIN VALLEY CHILD & FAMILY SERVICES, INC.

Nevada County Superior Court Case No. CU0000023

ATTORNEY TASK AND TIME CHART

TASK	LAWYERS <i>for</i> JUSTICE, PC
Investigation and Research / Due Diligence	
Pre-Lawsuit Investigation of the Key Facts with a Focus on Class Certification Elements, Including Adequacy, Typicality, Superiority, Commonality, and Manageability	8.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Tiffany Britton’s (“Plaintiff Britton”) Claims and the Merits of the Claims of the Putative Class Members	7.90
Pre-Lawsuit Investigation of Potential Damages and Penalties Exposure of Defendant Mountain Valley Child & Family Services, Inc. (“Defendant”) with Respect to Plaintiff Britton and the Putative Class Members	7.20
Legal Research and Analysis of Decisions Regarding Latest Off-the-Clock, Meal and Rest Break, Wage Orders, Private Attorneys General Act (“PAGA”), and Class Certification in California, Including all New and Relevant DLSE Materials	7.50
Investigation of Defendant, Defendant’s Business Relationships, and the Industry in which Defendant Operates	3.40
Investigation of Defendant’s Organizational, Corporate, and Executive Reporting Structures as They Relate to the Employment and Management of the Putative Class Members and Aggrieved Employees	3.10

Investigation, Research, and Analysis Regarding Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues, to Evaluate Willfulness and Uniformity	2.90
Analysis of Competitors in Various Relevant Geographic Areas Within Which Defendant Operates, and Comparing and Contrasting Defendant's Policies, Practices, and Procedures with the Policies, Practices, and Procedures of Defendant's Competitors	3.80
Research and Investigation Re: Location(s), Division(s), and/or Department(s) Owned, Managed, Serviced, and/or Operated by Defendant in California During the Class Period, Including Layout, Configuration, and Differences Between Them (if applicable) to Assess Whether Individual Issues Predominate Over Common Issues	3.50
Comparative Analysis and Cross-Checking of All Available Job Postings, Job Reviews, and Other Reviews Regarding Defendant in Order to Determine Any Variation and Identify Job Duties and Responsibilities That Would be Susceptible to Being Performed Off-the-Clock or During Meal or Rest Breaks	3.10
Research and Investigation Re: Workforce, Staffing Models, and Staffing Levels at Locations at Which Putative Class Members and Aggrieved Employees Worked Throughout California	3.60
Research and Investigation Re: Defendant's Written and Non-Written Policies, Practices, and Procedures Relating to Operations and Hours, Service Offerings, Training, Patient Care, Timekeeping, Scheduling and Attendance, Meal and Rest Breaks, On Premises Breaks, Overtime Compensation, COVID-19 Health Screenings, Paperwork, Dress Code/Uniform, Footwear, PPE, Equipment/Supplies, Use of Personal Cell Phones, Use of Personal Vehicles, and Reimbursement of Business-Related Expenses	12.50
Research and Investigation Re: Various Software Programs, Systems, and Other Technology Defendant Uses to Conduct Its Everyday Business, with a Focus on What Documents (Both Paper and Electronic) Are Created in the Normal Course of Business Relating to Overtime Worked, Off-the-Clock Time Worked Pre/Post-Shift, and Time Worked During Meal Breaks	2.90

Research and Analysis of Potential Defenses Defendant May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies	6.50
Research and Investigation Re: Post- <i>Duran</i> vs. <i>U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose	3.20
Meet and Communicate with Plaintiff Tiffany Britton Throughout the Pendency of the Case	10.50
Investigate, Meet, Communicate with, and/or Conduct Interviews of Putative Class Members and Percipient Witnesses	6.50
Pleadings and Court Filings	
Draft Plaintiff Britton's Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on April 19, 2022)	7.10
Review Court's Notice - Case Management Conference (filed on April 20, 2022)	0.10
Review and Analyze Defendant's Answer to Complaint, and Research Affirmative Defenses in Defendant's Answer (served on May 20, 2022)	1.10
Draft Plaintiff Britton's Notice of Association of Counsel (filed June 9, 2022)	0.10
Review Defendant's Case Management Statement (served on July 5, 2022)	0.10
Review Court's Order – Pre-Trial (served on October 20, 2022)	0.10
Meet and Confer with Co-Counsel and Defendant's Counsel, and Draft, Revise, and/or Review Joint Status Conference Settlement (filed on June 2, 2023)	0.10
Draft, Revise, and/or Review Plaintiffs Tiffany Britton and Kayjohnnie Smith's (together, "Plaintiffs") First Amended Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on June 12, 2023)	0.20

Appearances	
Prepare for and Telephonically Attend Status Conference Re: Mediation (June 12, 2023)	0.60
Prepare for and Telephonically Attend Hearing on Plaintiffs' Motion(s) for Final Approval of Class Action Settlement, Attorneys' Fees, Attorneys' Expenses, and Service Awards (January 19, 2024) (Anticipated)	1.50
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Britton (served on November 24, 2021)	1.90
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Britton (served on December 15, 2021)	3.80
Review and Analyze Defendant's Responses to Plaintiff Britton's Special Interrogatories, Set One (served August 8, 2022)	0.10
Draft, Review, and/or Revise <i>Belaire-West</i> Administration Notice and Opt-Out Postcard, Ongoing Monitoring of <i>Belaire-West</i> Administration Notice Process and Weekly Reports (notice mailed September 8, 2022), and Review Non-Opt Out List (list received October 18, 2022, consisting of approximately 487 individuals and their contact information)	0.90
Letters and Correspondence	
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	3.50
Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiffs, Defendant, and Other Sources and Perform Evaluation of Claims and Damages and Penalties Analysis and Calculations in Connection with Settlement Negotiations and Mediation	12.50

Draft, Revise, Review, Negotiate, and/or Finalize Memorandum of Understanding (executed April 19, 2023)	0.20
Draft, Revise, Review, Negotiate, and/or Finalize Stipulation of Settlement of Class and PAGA Action Claims and Release of Claims (executed on July 17, 2023) and Notice of Pendency of Class Action Settlement and Final Hearing Date	0.50
Law and Motion	
Draft, Revise, and/or Review Plaintiffs' Notice of Motion for Preliminary Approval of Class Action and PAGA Settlement, Memorandum of Points and Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement, Declaration of Jean-Claude Lapuyade, Esq. in Support Thereof, Declaration of Shani O Zakay, Esq. in Support Thereof, Declaration of Tiffany Britton in Support Thereof, Declaration of Kayjhonnie Smith in Support Thereof, Declaration of Sean Hartranft in Support Thereof, and [Proposed] Order Granting Plaintiffs' Motion for Preliminary Approval of Class and PAGA Action Settlement (filed on August 22, 2023)	0.50
Review Defendants' Declaration of Michelle Milhous (served on August 24, 2023)	0.10
Draft Plaintiffs' Declaration of Joanna Ghosh in Support of Motion for Preliminary Approval of Class Action Settlement (filed on August 24, 2023)	1.20
Review Court's Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement (filed on October 13, 2023)	0.10
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Draft, Revise, and/or Review Plaintiffs' Motion(s) for Final Approval and Attorneys' Fees, Attorneys' Expenses, and Service Awards, Declaration of Jean-Claude Lapuyade in Support Thereof, Declaration of Shani O Zakay, Esq. in Support Thereof, Declaration of Edwin Aiwezian in Support Thereof, Declaration of Tiffany Britton, Declaration of Kayjhonnie Smith, and [Proposed] Order and Judgment (filed on December 21, 2023) (Anticipated)	3.50
Total Hours:	136.40

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Britton v. Mountain Valley Child Family Services

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
11/24/2021	U.S. Postmaster	Postage	7.38
4/19/2022	Legal Document Server, Inc.	Attorney Services	286.86
4/19/2022	Nevada County Superior Court	Complex Filing Fee	1,000.00
4/19/2022	Nevada County Superior Court	Complaint Filing Fee	435.00
4/30/2022	ProLegal	Attorney Services	232.80
6/10/2022	Legal Document Server, Inc.	Attorney Services	170.00
8/25/2023	Legal Document Server, Inc.	Attorney Services	13.90
Total:			<u><u>2,145.94</u></u>