

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

Norman B. Blumenthal (SBN 068687)
Kyle R. Nordrehaug (SBN 205975)
Aparajit Bhowmik (SBN 248066)
2255 Calle Clara
La Jolla, California 92037
Telephone: (858) 551-1223
Facsimile: (858) 551-1232
Email: kyle@bamlawca.com
Website: www.bamlawca.com

ACKERMANN & TILAJEF, P.C.

Craig J. Ackermann, Esq. (SBN 229832)
cja@ackermanntilajef.com
315 South Beverly Drive, Suite 504
Los Angeles, California 90035
Telephone: (310) 277-0614
Facsimile: (310) 277-0635

EMPLOYMENT RIGHTS LAWYERS, APC

Amir H. Seyedarshi (SBN 301656)
6380 Wilshire Boulevard, Suite 1602
Los Angeles, California 90048
Telephone: (424) 777-0964

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

JACQUELYN CRANTON and KATRENA
ARNOLD, individuals, on behalf of themselves
and on behalf of all persons similarly situated,

Plaintiffs,

vs.

GROSSMONT HOSPITAL CORPORATION, a
California Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **37-2022-00001574-CU-OE-CTL**
[Consolidated with Case No.
37-2022-00024671-CU-OE-CTL]

**DECLARATION OF AMIR
SEYEDFARSHI IN SUPPORT OF
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing Date: March 29, 2024
Hearing Time: 9:30 a.m.

Judge: Hon. Gregory W. Pollack
Dept.: 71
Action Filed: January 13, 2022
Trial Date: Not set

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

INTRODUCTION

1. I am an attorney licensed to practice law before this Court and the federal and state courts of California, and New York. I am a member of the bar of the Ninth Circuit Court of Appeals. I am over 18 years of age. I have personal knowledge of the facts set forth in this declaration and could and would competently to them.

2. I am the founding shareholder of Employment Rights Lawyers, APC (“Co-Class” or “Plaintiffs’ Counsel”), attorneys of record (along with Blumenthal Nordrehaug Bhowmik De Blouw LLP and Ackermann & Tilajef) for Plaintiff Jacquelyn Cranton and Katrena Arnold (the “Class”) and the settlement class (the “Class”) in the above-captioned matter. I have no knowledge of any conflicting interests between my firm and any of its attorneys and our co-counsel, Blumenthal Nordrehaug Bhowmik De Blouw LLP and Ackermann & Tilajef, on the one hand, and any or any other Class Member, on the other.

3. On May 3, 2021, my firm, along with Ackermann & Tilajef, filed the case entitled, *Madden v. Grossmont Hospital Corporation*, San Diego County Superior Court, Case No. 37-019533-CU-OE-CTL. The instant action was then filed on January 13, 2022 by Blumenthal Nordrehaug Bhowmik De Blouw LLP. Shortly thereafter, my firm entered into a joint prosecution with Blumenthal Nordrehaug Bhowmik De Blouw LLP and Ackermann & Tilajef, for the pending *Madden* action and instant action.

4. After engaging in productive settlement discussions, including a full-day mediation, Plaintiff Class and Defendant Grossmont Hospital Corporation (“Defendant”) entered into a Class Action and Settlement Agreement (the “Settlement Agreement”) resolving the claims of the proposed Plaintiff Class. The Settlement, conditioned on preliminary approval by this Court, seeks to fully resolve and discharge Defendant from claims brought against it in this matter. In exchange, Defendant has agreed to pay the non-reversionary Gross Settlement Amount (“GSA”) of \$5,950,000 to settle the wage-and-hour claims of the settlement class members. The Net Settlement Amount (i.e. the GSA less deductions for attorneys’ fees (up to \$1,983,333.33), litigation costs (up to \$70,000), settlement administration costs (up to \$55,000), PAGA penalties (\$120,000), and Plaintiffs’ Service Awards (totaling up to \$25,000))

1 will be distributed pro rata to the participating Class Member. The settlement will be distributed on a
2 checks-cashed basis, such that all Class Members who do not affirmatively opt-out will automatically
3 receive their settlement shares, without the need to submit a Claim Form. Based on my experience as a
4 class action attorney with over 25 years of employment law experience, including my experience
5 litigating and resolving other similar wage and hour Class and PAGA actions, I can attest that the
6 settlement obtained here is fair and reasonable and in the best interests of the Class.

7 **ATTORNEY EXPERIENCE**

8 5. In 2006, I received my JD cum laude from Sorbonne Law School, in Paris, France. In
9 2007, I received my first LLM in Private International law from Sorbonne Law School, in Paris,
10 France. In 2011, I received an LLM from Fordham Law School in New York, NY. In 2015, I
11 obtained my third LLM from UCLA School of Law, in Los Angeles, CA, focusing on dispute
12 resolution. I am a member of the New York Bar (2012) and California Bar (2014).

13 6. In 2015, I externed for the Honorable Laurence Rubin at California Court of Appeal,
14 Second District. From March 2018 until January 2020, I was an associate attorney at Rastegar Law
15 Group, APC in Torrance, CA, a prominent plaintiff's side employment law firm in southern
16 California with over 20 years of experience. At Rastegar Law Group, I litigated complex class
17 action litigation matters where I represented thousands of employees in wage and hour lawsuits
18 against major California employers.

19 7. From April 2020 through the present, I have been the founding and managing
20 shareholder in the firm of Employment Rights Lawyers, APC where I represent hundreds of
21 employees in wage and hour class actions, and other employment-related matters. Employment
22 Rights Lawyers, APC represents also individual plaintiffs in discrimination and wrongful
23 termination lawsuits against employers.

24 8. In addition to the instant case, I have served as class counsel in over two dozen wage
25 and hour class actions while working at Rastegar Law Group, APC. I, along with my former
26 supervisor, Farzad Rastegar, have developed extensive experience in litigating class action and
27 representative employment matters in California such as Adrian Castillo v. Tacos El Gordo De
28 Tijuana, Case No. 37-2017-00035220-CU-OE-CTL), San Diego Superior Court (Judge John

1 Meyer); Andres Arce v. Tree Pros, Inc., Case No. CIVDS1812557, San Bernardino Superior
2 Court, (Judge David Cohn); Carlos Arteaga et al. v. B. W. Hotel, Case No. BC708551, Los
3 Angeles Superior Court, (Judge William Highberger); Timothy Azzopardi et al. v. Select
4 Marketing Group, Inc., Case No. BC718262, (Judge Richard Fruin); Maria Martinez v. Los Reyes
5 Mexican Food, Case No. 37-2018-00059715-CU-OE-CTL, San Diego Superior Court (Judge Joel
6 Wohlfeil); Isabel Chavez v. Habitat Restoration Sciences Inc., Case No. 37-2018-00059030-CU-
7 OE-CTL, San Diego Superior (Judge Richard Whitney);

8 9. My firm has been approved to be Class Counsel in the following classes: Abu Dayyeh
9 et al. v. Guidance Residential LLC, Case Number BCV-20-102367, Kern County, (Judge Thomas
10 Clark); Courtney Johnson v. Eric Young Corporation, Case Number 56-2021-00551031-CU-OE-
11 VTA, Ventura county, (Judge Ronda McKaig); Grecia Zamora v. Namar Food Inc., Case Number
12 20STCV35904, Los Angeles County, (Judge William Highberger); Katrina Keller v. Select
13 Funding Inc., Case number 53-2021-00550033-CU-OE-VTA, (Judge Ronda McKaig); Daniel
14 Davenport et al. v. Krezman Electric Inc., Case Number 34-2020-00287380-CU-OE-GDS,
15 Sacramento County, (Judge Christopher Krueger); Joshua Rhodes et al. v. Coastal Trucking, 37-
16 2021-00011509-CU-OE-CTL, San Diego County, (Judge Kenneth Medel); Rawlins v. Horizon
17 Education Limited, 37-2021-00022215-CU-OE-CTL, San Diego County, (Judge Caietti);
18 McKinney v. The Church of Jesus Christ, 37-2021-00025511-CU-OE-CTL, San Diego County,
19 (Judge Whitney); Rocha v. Lamb Chops Inc. BCV-20-102541, Kern County, (Judge J. Eric
20 Bradshaw); *Asiatico et al. v. Western Messenger Inc.*, Sacramento County, 34-2021-00307297-Cu-
21 OE-GDS, (Judge Lauri A Damrell); *Carlos Rosales Sanchez v. Vista Verde et al.*, King's County,
22 21C-0111, (Judge Melissa D'Morias); *Richard Thomas v. Delta Tech Inc.*, Solano County
23 FCS055980, (Judge Alesia Jones); *Hollie Ballard v. Tayani Md. Inc.*, Orange County 30-2020-
24 01172329-CU-OE-CXC, (Judge Peter Wilson); *Asiatico v. Elodie Inc.*, Alameda County
25 RG21090364, (Judge Evelio Grillo); *Monica Denton et al. v. Samuel Merritt University*, Placer
26 County, S-CV-0048133; *Zhang et al. v. Panrosa Enterprises, Inc.*, Riverside County,
27 CVRI2100391; *Nguyen v. Dominican University of California*, Solano County, FCS058423,
28 (Judge Alesia Jones); *Jose Manuel Alamo, et al. v. Lehr Brothers, Inc.*, Kern County,

BCV20102932, (Judge Bernard C. Barmann); *Elizabeth Barragan, et al. v. Natrol, LLC and Vytalogy Wellness, LLC*, Ventura County, 56-2022-00567731-CU-OE-VTA, (Judge Benjamin Coats); *Lim v. Tokyo Teriyaki*, 20STCV39689, (Judge Kenneth Freeman); *Ayala v. Steele Canyon*, 30-2021- 01195684-CU-WT-CJC (Judge Peter Wilson); *Madden et al. v. Grossmont Hospital Corp.* 37-2021- 00019533-CU-OE-CTL (Judge Pollack); *Hipolito Hernandez v. Jakov Dulcich and Sons* BCV-20-102415 (Judge Clark); *Torres v. Fox Entertainment*, Los Angeles County 22STCV06823 (Judge Lawrence Riff); *Cervantes et al. v. Ronco Plastics Inc.*, Orange County 30-2022-01241548-CU-WT-CXC, (Judge Randall J. Sherman); *Ledesma et al. v. Obstetrix of California Inc.*, Santa Clara County 22CV398168 (Judge Theodore Zayner); *Manuel Fierros v. Colt Builders Corp.*, Stanislaus County, CV-22-003178 (Judge Sonny S. Sandhu); *Diaz et al. v. Greenview AG*, Kern County, BCV-21-101000 (Judge Thomas Clark); *Maria Lopez v. Harvest Fresh Market*, Orange County, 30-2021-01234823-CU-OE-CXC (Judge William Claster); *Cubley v. Medreach, Inc.*, San Diego County, 37-2023-00002230-CU-OE-CTL (Judge James Mangione); *Parekh et al. v. Collection Sites, Inc.* San Diego County, 37-2021-00045276-CU-OE-CTL (Judge Caietti).

10. Finally, since its inception, my firm has represented numerous individual employees in cases brought under various state and federal statutes, including the California Labor Code and the California Fair Employment and Housing Act and we have obtained favorable results in many of our individual cases.

ATTORNEYS' FEES AND COSTS

11. Through my practice, I have gained significant experience regarding the obligations and burdens of representing a class. This knowledge has allowed me and my firm, Employment Rights Lawyers, APC, to successfully represent plaintiffs in more than 50 class actions in the past years. As noted, numerous state and federal courts in California have found that my firm is competent and capable of representing classes similar to the one here at issue.

12. Under the terms of the Settlement Agreement, Class Counsel is requesting one-third of the \$5,950,000.00 Gross Settlement Amount agreed upon by the parties as the Settlement Amount. This

1 fee amount is fair, reasonable and well within the range of attorneys' fees awards in numerous similar
2 class action cases approved by various courts in California, including this court in several prior cases. It
3 is also consistent with the California Supreme Court precedent stating that fee requests up to 1/3 of the
4 common fund are presumptively reasonable. Moreover, if it becomes necessary to litigate this matter
5 further, my firm and our co-counsel have the financial resources and are prepared to devote whatever
6 time and effort are required to zealously advocate on behalf of Plaintiffs and the Class.

7 13. Class Counsel's request for reimbursement of litigation expenses of up to \$70,000 is also
8 reasonable.

9 14. The fee splitting agreement between Plaintiffs' counsel is as follows: 50% to Blumenthal
10 Nordrehaug Bhowmik De Blouw LLP; 25% to Ackermann & Tilajef, P.C.; and 25% to Employment
11 Rights Lawyers, APC. The named Plaintiffs have approved to the aforementioned fee-splitting
12 agreement in writing.

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

15 Executed on March 1, 2024 in Los Angeles, California.

16 By: 
Amir Seyedfarshi