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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

ERIN JONES and MATTHEW SHACHNO,
individuals, and on behalf of other members
of the general public similarly situated;

Plaintiffs,

vs.

MARRIOTT INTERNATIONAL, INC., as
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 30-2021-01183306-CU-OE-CXC

Honorable Melissa McCormick
Department CX104

CLASS ACTION

**DECLARATION OF BRIAN J. ST. JOHN
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Date: April 11, 2024
Time: 2:00 p.m.
Department: CX104

Complaint Filed: February 8, 2021
Trial Date: None Set

DECLARATION OF BRIAN J. ST. JOHN

I, Brian J. St. John, 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 Erin Jones and Matthew Shachno (together, "Plaintiffs") 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.

EXPERIENCE AND ADEQUACY OF LAWYERS *for* JUSTICE, PC

EDUCATION

2. Since October 2008, 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, the firm is attorney of record in over a dozen 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 the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. During a relatively short time, in association with other law firms, Lawyers *for* Justice, PC has recovered millions of dollars on behalf of thousands of individuals in California. Below is a summary of the experience and qualifications of the attorneys at Lawyers *for* Justice, PC who most recently and primarily have been responsible for the representation of Plaintiffs in connection with the resolution of above-captioned matter. Additional attorney and non-attorney staff have also worked on the above-captioned matter.

3. Edwin Aiwazian 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 training in dispute resolution and negotiation from the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree program. In addition, he has

1 previously served as a pro bono mediator for the Los Angeles County Superior Court. In October
2 of 2000, he obtained a Litigation Paralegal Certificate from the UCLA Extension Program. During
3 the summer of 2000, he studied Legal Writing at Harvard University. From approximately
4 September 2002 to approximately December 2002, he served as a Judicial Extern to the Honorable
5 Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit. From
6 approximately June 2002 to approximately August 2002, he served as a Judicial Extern to the
7 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
8 In December of 2004, he obtained a license to practice law from the California State Bar. Since
9 in or around October of 2008, through his work at Lawyers *for* Justice, PC, he has almost
10 exclusively focused on the prosecution of consumer and employment class actions, involving
11 wage-and-hour claims, race discrimination, unfair business practices, or consumer fraud. While
12 employed by Lawyers *for* Justice PC, he has argued over one hundred (100) motions, taken or
13 defended over one hundred fifty (150) depositions, prepared dozens of expert witnesses for
14 deposition or trial, and attended over one hundred seventy-five (175) mediations. Together with
15 other attorneys at the firm, and in many cases in conjunction with co-counsel, he has successfully
16 litigated cases involving the executive, administrative, and other overtime exemptions to the State
17 of California and federal overtime compensation requirements. Under his supervision, Lawyers
18 *for* Justice, PC has successfully obtained class certification by contested motion practice in
19 approximately fifteen (15) cases in the last decade and litigated over 1,000 class action or
20 representative action cases.

21 4. Arby Aiwarzian is a Member and Shareholder of Lawyers *for* Justice, PC. He
22 received his Bachelor of Arts degree from University of California, Los Angeles and graduated
23 magna cum laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School.
24 From approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the
25 Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District.
26 From approximately August 2008 to approximately December 2008, he served as a Judicial Extern
27 to the Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit.
28 He was admitted to practice law in California in 2010. He is admitted to practice before all courts

of the State of California and all United States District Courts in the State of California. He has worked on many wage-and-hour class action and representative action cases, taking the lead in taking and defending depositions, arguing motions, and attending mediations. He has played an integral role in preparing matters for class certification, including and not limited to, successful certification of a class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No. BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No. BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No. RG13680477). Under his and Edwin Aiwasian's supervision, dozens of class action or representative cases have resulted in settlements that have been granted court approval, including and not limited to, those listed in paragraph 7 herein. He has worked on over one hundred (100) class action or representative action cases which have resulted in settlement.

5. Joanna Ghosh is a Senior Member of Lawyers for Justice, PC. She received a Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of Science degree from the London School of Economics in 2007, and a Juris Doctor degree from Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010) and in New York (since 2013) and is also admitted to practice in all U.S. District Courts in California, the U.S. Bankruptcy Court for the Central District of California, and the U.S. Supreme Court. She has taken and defended dozens of depositions and successfully handled motion practice in class action cases regarding discovery (including and not limited to, regarding class contact information), class certification (both contested class certification and stipulated class certification), arbitration agreements, coordination, intervention. She has successfully handled briefing and oral argument on appeal and obtained notable decisions regarding the Private Attorneys General Act and employer efforts to compel arbitration, e.g., *Betancourt v. Prudential Overall Supply*, 9 Cal.App.5th 439 (Cal. Ct. App., Mar. 7, 2017), cert. denied (Cal., May 24, 2017), cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court*, 8 Cal.5th 175 (2019). She also has extensive experience with class action and/or representative action settlements. Under her, Edwin Aiwasian, and Arby Aiwasian's supervision, the firm has handled the class certification and court approval process for hundreds of class action and/or representative action matters that

1 have successfully resolved. She is a member of the California Employment Lawyers Association.

2 6. I am a Member of Lawyers *for* Justice, PC. I received my Bachelor's degree from
3 the University of California, San Diego in 2010 and earned my Juris Doctor degree from the
4 University of California, Berkeley, School of Law in 2013. I was admitted to practice law in
5 California in 2015. I am admitted to practice before all courts of the State of California and all
6 federal district courts in the State of California. I have worked on many wage and hour class action
7 and PAGA representative matters, and my work has included, *inter alia*, researching and drafting
8 pleadings, administrative notice exhaustion, drafting, negotiating, and finalizing stipulations and
9 settlement agreements, engaging in motion practice, claims evaluation and analysis, and making
10 court appearances. Prior to working at Lawyers *for* Justice, PC, I spent several years working for
11 a boutique employment and labor law firm representing employers, and, in 2019 and 2020, I was
12 employed as general counsel for a DMHC licensed discount dental plan.

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

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

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

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

27 c) LFJ, in association with co-counsel therein, represented the plaintiffs in a
28 wage-and-hour class action against a national property management company involving

1 allegations of misclassification of the “Property Manager” position. On May 23, 2012, the court
2 granted final approval of the class action settlement. The Los Angeles County Superior Court
3 Case Number is BC430918.

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

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

14 f) LFJ, in association with co-counsel therein, represented the plaintiff in a
15 wage-and-hour class and PAGA representative action against a national wholesale distributor of
16 plumbing and builder supplies, involving allegations of misclassification of multiple salaried
17 “manager” positions. On May 22, 2014, the court granted final approval of the class and PAGA
18 representative action settlement. The Sacramento County Superior Court Case Number is 34-
19 2012-00136285.

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

25 h) LFJ, in association with co-counsel therein, represented the plaintiff in a
26 wage-and-hour class and PAGA representative action against a national retailer of household
27 items, on behalf of hourly-paid or non-exempt employees. On May 27, 2015, the court granted
28

1 final approval of the class and PAGA representative action settlement. The San Francisco County
2 Superior Court Case Number is CGC-13-532344.

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

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

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

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

25 m) LFJ represented the plaintiff in a PAGA representative action against a real
26 estate and property management company, on behalf of non-exempt employees. On November 4,
27 2016, the court granted approval of the PAGA representative action settlement. The Orange
28 County Superior Court Case Number is 30-2015-00775439-CU-OE-CXC.

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

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

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

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

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

27 s) LFJ, in association with co-counsel therein, represented the plaintiffs in a
28 wage-and-hour class and PAGA representative action against a lumber and hardware company on

1 behalf of non-exempt employees. On April 26, 2017, the court granted final approval of the class
2 and PAGA representative action settlement. The Orange County Superior Court Case Number is
3 30-2014-00747750-CU-OE-CXC.

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

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

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

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

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

26 y) LFJ, in association with co-counsel therein, represented the plaintiffs in a
27 wage-and-hour class and PAGA representative action against a bank on behalf of non-exempt
28 employees. On December 11, 2017, the court granted final approval of the class and PAGA

1 representative action settlement. The Los Angeles County Superior Court Case Number is
2 BC569646.

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

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

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

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

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

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

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

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

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

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

1 September 10, 2021, and throughout their pendency. Lawyer for Justice, PC joined forces with
2 other plaintiff's counsel Blumenthal Nordrehaug Bhowmik De Blouw LLP, who were pursuing
3 the representative PAGA Action entitled *Matthew Shachno, et al. v. Marriott International, Inc.*,
4 *San Diego County Superior Court Case No. 37-2020-00024021-CU-OE-CTL* ("Shachno I"),
5 which was commenced by Plaintiff Matthew Shachno ("Plaintiff Shachno") on July 7, 2020 and
6 the putative class action entitled *Matthew Shachno, et al. v. Marriott International, Inc.*, San Diego
7 County Superior Court Case No. 37-2022-00019579, which was commenced by Plaintiff Shachno
8 on May 23, 2022, and later removed by Defendant to the U.S. District Court for the Southern
9 District of California, Case No. 3:22-cv-01215 ("Shachno II"). On January 12, 2024, the Parties
10 filed a joint stipulation seeking leave to file an amended complaint in the above-captioned action
11 to add Plaintiff Shachno as a plaintiff and class representative. The above-captioned action, the
12 *Jones II* Action, the *Shachno I* Action, and the *Shachno II* Action are being resolved by way of the
13 settlement for which approval is being sought in the above-captioned action. We have worked
14 cooperatively with Blumenthal Nordrehaug Bhowmik De Blouw LLP to strategize and prosecute
15 the cases, and our work with them has been a coordinated and combined effort.

16 9. Before initiating the above-captioned action and the *Jones II* Action, Lawyers for
17 Justice, PC conducted extensive investigation and research into the facts and circumstances
18 underlying the pertinent factual and legal issues and applicable law. This required thorough
19 discussions and interviews between attorneys at our firm and Plaintiff Jones, and research into the
20 various legal issues involved in the case, namely, the current state of the law as it applied to class
21 certification, representative PAGA claims, off-the-clock theory, meal and rest periods, wage-and-
22 hour enforcement, Plaintiff Jones's claims and damages, and Defendant Marriott International,
23 Inc.'s ("Defendant") defenses. After conducting initial investigation, our firm determined that
24 Plaintiff Jones's claims were well-suited for class action and representative treatment owing to what
25 appeared to be a common course of conduct affecting a similarly situated group individuals who
26 are or have been employed by Defendant as hourly, nonexempt employees in California, who were
27 not properly compensated for, *inter alia*, all hours worked, non-compliant meal and rest periods,
28 and unreimbursed business expenses.

1 10. Collectively, Class Counsel investigated the veracity, strength, and scope of the
2 claims, and worked on preparing the cases for class certification and trial, prior to reaching the
3 Settlement. This matter has involved extensive and ongoing investigations, research into legal and
4 factual issues, and formal and informal discovery. Class Counsel obtained information,
5 documents, and data in the course of litigation and in connection with mediation and settlement
6 negotiations. Class Counsel reviewed and analyzed a volume of information, documents, and data
7 obtained from Plaintiffs, Defendant, and other sources, researched applicable law, and undertook
8 analyses and calculations of the value of claims, damages, and penalties exposure. Class Counsel
9 also met and conferred with Defendant's counsel on numerous occasions, e.g., to discuss issues
10 relating to the pleadings, case management, discovery and production of information, documents,
11 and data in the course of litigation and mediation and settlement negotiations, and mediation and
12 settlement negotiations. Other work that Class Counsel has performed includes, and is not limited
13 to, case strategy and analysis; drafting, reviewing, and revising the pleadings and motion-related
14 papers; claims assessment and evaluation; and preparing for and attending mediation and
15 settlement negotiations.

16 11. As outlined herein, the parties have conducted significant investigations and
17 exchange, review, and analysis of a volume of information, documents, and data obtained from
18 Plaintiffs, Defendant, and other sources during the course of litigating the cases and in connection
19 with mediation and settlement negotiations. This information, documents, and data provided a
20 critical understanding of the nature of the work performed by putative class members and
21 aggrieved employees, as well as Defendant's operations and employment policies, practices, and
22 procedures, and were used in analyzing liability, damages, and penalties valuation issues in
23 connection with all phases of the litigation, and ultimately, in connection with the mediation and
24 settlement negotiation process. Accordingly, sufficient investigation and review of information
25 has taken place in order for the parties to be sufficiently informed of the nature and extent of the
26 claims, and to enable all parties to fully evaluate the Settlement for its fairness, adequacy, and
27 reasonableness.

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1 12. After conducting significant investigation of the facts and law during the prosecution
2 of the case, counsel for the parties engaged in mediation and extensive settlement negotiations to
3 try to resolve the case. These efforts included participating in mediation conducted by Jeffrey
4 Krivis, Esq., a well-regarded mediator who is experienced in mediating complex labor and
5 employment matter. During all settlement discussions, the parties conducted their negotiations at
6 arm's length in an adversarial position. In the course of mediation and settlement negotiations,
7 the parties discussed and considered all aspects of the case, including the risks and delays of further
8 litigation, the risks to the parties of proceeding with class certification, and/or trial, the law relating
9 to class certification, off-the-clock theory, meal and rest periods, PAGA representative claims,
10 pre-emption, exemption, and wage-and-hour enforcement, as well as the evidence produced and
11 analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was
12 acceptable to the parties was not easy. After conducting extensive investigations and settlement
13 negotiations, and with the aid of the mediator's evaluation, the parties have agreed to resolve the
14 cases given the legal issues relating to Plaintiffs' principal claims, as well as the costs and risks to
15 both sides that would attend further litigation, and the real possibility of no recovery after years of
16 litigation.

17 13. The Settlement provides for Class Representative Service Payments in an amount
18 not to exceed Five Thousand Dollars (\$5,000.00) each to Plaintiffs. The contemplated service
19 payments are fair and appropriate in light of the time and effort that Plaintiffs expended to pursue
20 the case. Plaintiffs were available whenever Class Counsel needed them, actively tried to obtain
21 and provide information, and spent a substantial amount of time and effort providing the facts and
22 evidence necessary to facilitate the pursuit of the class and PAGA claims. Accordingly, it is
23 appropriate and just for Plaintiffs to each receive reasonable enhancement awards for their services
24 in the cases, in addition to their individual settlement payments under the Settlement.

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1 14. I submit that the Settlement is fair, reasonable, and adequate. In addition, the
2 Settlement is in the best interests of Plaintiffs, Class Members, the State of California, and
3 Aggrieved Employees.

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

6 Executed on this 12th day of January 2024, at Glendale, California.

7 

8 _____
 Brian J. St. John