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RCSH OPERATIONS, INC.
And RUTH'S HOSPITALITY GROUP, INC.

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

Coordination Proceeding
Special Title (Rule 3.550)

RCSH WAGE AND HOUR CASES

Included Actions:

*Eddie Castillo, et al. v. RCSH Operations, Inc.,
et al.*, San Francisco County Superior Court
Case No. CGC-21-594237

Eddie Castillo v. RCSH Operations, Inc., et al.,
Los Angeles County Superior Court Case
No. 21SMCV01530

*Adrian Quiroz Guerrero, et al. v. Ruth's
Hospitality Group, Inc.*, Riverside County
Superior Court Case No. RIC1804127

*Amanda M. Patterson v. RCSH Operations,
Inc.*, Contra Costa County Superior Court
Case No. MSC21-02077

Case No.: JCCP5243

[Assigned for All Purposes to
Hon. Harold Harold W. Hopp, Dept. 1]

CLASS ACTION

**DECLARATION OF SABRINA A. SHADI
RE: PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: October 5, 2023
Time: 8:30 a.m.
Location: Dept. 1
Res. ID: Set by Court

Castillo Complaint	
Filed:	July 29, 2021
Castillo PAGA	
Complaint Filed:	Sept. 17, 2021
Patterson Complaint	
Filed:	Oct. 20, 2021
Guerrero Complaint	
Filed:	Feb. 26, 2018
Trial Date:	None Set

DECLARATION OF SABRINA L. SHADI

I, Sabrina A. Shadi, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am a partner of Baker & Hostetler LLP, attorneys of record for RCSH OPERATIONS, INC. and RUTH'S HOSPITALITY GROUP, INC. ("Defendants" and/or "RCSH" and "RHG") in the above-captioned related cases. I submit this declaration in support of Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Class Action Settlement (the "Motion") and in accordance with this Court's Class Action Case Management Order and the Riverside County Superior Court's Guidelines for Complex Litigation. I have personal knowledge of all of the facts and matters set forth herein and, if called upon to testify and placed under oath, I could and would do so competently and truthfully.

2. Defendants are requesting that the reference to "parents" remain in the definition of released parties. In or around June 2023, which is during the Class Period and PAGA Period for this matter, Darden Restaurants, Inc. ("Darden") acquired defendant RHG. It is Defendants' position that Darden should be released by the settlement Class members from "Released Class Claims" and "Released PAGA Claims," as those terms are defined in the parties' settlement agreement in this action. Defendants do not intend for the scope of the release given by the Class members to be expanded, but rather wish to protect Darden from claims that individuals may seek to pursue against Darden based on its status as RHG's parent company.

3. I am aware of the following later-filed, pending putative class action that asserts claims that will be extinguished or affected by this Court's approval of the Joint Stipulation and Class Action and PAGA Settlement Agreement (the "Settlement") entered into by plaintiffs Adrian Quiroz Guerrero, Anton Kaasa, Lucas Martin Arel, Eddie Castillo, on the one hand, and the Defendants, on the other hand (collectively, the "Parties"):

Joseph Richard Ortega v. RCSH Operations, Inc., dba Ruth's Chris Steakhouse, et al., Superior Court of the State of California for the County of Riverside, Case No. CVRI2204180, filed September 26, 2022, which is assigned to and pending before Judge Harold W. Hopp in Department 1 ("*Ortega*").

4. In *Ortega*, the plaintiff alleges putative class action claims for: (1) failure to pay minimum wages; (2) failure to pay overtime owed; (3) failure to provide lawful meal periods; (4)

1 failure to authorize and permit rest breaks; (5) failure to timely pay wages during employment; (6)
2 failure to timely pay wages owed upon separation from employment; (7) failure to reimburse
3 necessary expenses; (8) knowing and intentional failure to comply with itemized wage statement
4 provisions; (9) violation of the Unfair Competition Law. The *Ortega* complaint also seeks Civil
5 Penalties under the Private Attorneys General Act (Labor Code § 2698, *et seq.*). The *Ortega*
6 plaintiff brings his claims on behalf of himself and a putative class defined to include “all persons
7 who are or were employed by the Defendants as hourly paid, non-exempt workers at restaurants in
8 the State of California at any time from four years prior to the filing of this action through resolution
9 or trial of the matter.” Plaintiff also seeks to represent Class Members in nine subclasses which are
10 defined in the *Ortega* operative complaint to align with the first through ninth alleged causes of
11 action.

12 5. The claims alleged by Plaintiffs in this action completely overlap with and subsume
13 the *Ortega* plaintiff’s putative class action claims and class definitions. Accordingly, in *Ortega*,
14 Defendants informed the Court of this related action in Joint Case Management Statements filed
15 by the parties to that action. On March 6, 2023, *Ortega* was ordered related to the instant action
16 and reassigned to this Court. I am not aware of any other class, representative or other collective
17 action in any court in this or any other jurisdiction that asserts claims similar to those asserted in
18 this action on behalf of a class or group of individuals some or all of whom would also be class
19 members of the class defined in the Parties’ Settlement in this action.

20 6. I inquired with Marcy Norwood Lynch, Senior Vice President, General Counsel and
21 Corporate Secretary at RHGI via email and telephone, and she confirmed that there is no basis to
22 believe that either Defendant, or any officer, director or manager of Defendants, has any
23 relationship with the proposed cy pres recipient Inland Counties Legal Services, Inc.

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Executed on this 4th day of October 2023 at Santa Fe, New Mexico.

Sabrina L. Shadi, Esq.

PROOF OF SERVICE

I am employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11601 Wilshire Boulevard, Suite 1400, Los Angeles, CA 90025-0509.

On September 26, 2023, I served a copy of the within document(s): **DECLARATION OF SABRINA SHADI REGARDING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill in the care and custody of **FEDERAL EXPRESS** and causing the envelope to be delivered to an agent for delivery on the next business day.
- ☐ by placing document(s) listed above in the care and custody of Ace Attorney Services for personal delivery to the person(s) at the address(es) set forth below. Proof of service to be filed after completion of service.
- ☐ **VIA CASE ANYWHERE:** by electronic service via Case Anywhere for the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

SEE SERVICE LIST ATTACHED

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 26, 2023, at Los Angeles, California.

/s/

[Name]

SERVICE LIST

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