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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA, HAYWARD HALL OF JUSTICE

DANIELA ARBELAEZ ACEVEDO and
MYRELLA THOMAS, as individuals, and on
behalf of themselves and on behalf of all
persons similarly situated,

Plaintiffs,

v.

ACES 2020 I, LLC, a Limited Liability
Company; and DOES 1 through 50, inclusive,

Defendants.

Case No. 24CV061880

ASSIGNED FOR ALL PRE-TRIAL
PURPOSES TO
HON. VICTORIA KOLAKOWSKI
DEPARTMENT 518

**DECLARATION OF ARIEL
KUMPINSKY IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL**

Date: December 12, 2024
Time: 2:30 p.m.

Action Filed: January 30, 2024
Trial Date: Not Set

I, Ariel Kumpinsky, declare as follows:

1. I have personal knowledge of the following facts and, if called as a witness, could and would testify competently thereto.

2. I am the Managing Director of Disputes, Claims, and Investigations at Stout Risius Ross, LLC (“Stout”). Stout offers a variety of services, including data analytics.

3. Stout contracted with Defense Counsel to perform work on behalf of ACES in this action.

4. I have worked extensively with ACES representatives to compile all time and

1 payroll records of ACES' non-exempt employees who performed work in California from at least
2 January 1, 2022 through June 15, 2024.

3 5. As part of the settlement in the above-entitled action, ACES has agreed to identify
4 all individuals who qualify as settlement class members, who are defined as “all individuals who
5 were employed by Defendant and classified as a non-exempt employee in the State of California at
6 any time during the Class Period, except any named plaintiff in the matter *Allen v. ACES 2020 I,*
7 *LLC et. al.*, Superior Court for the County of Contra Costa, Case No. C23-00916. The Class
8 Period is defined as “the period of time from January 1, 2022 through the earlier of preliminary
9 approval or November 5, 2024.” ACES has further agreed to calculate the number of full time
10 equivalent weeks worked by all the settlement class members combined during the Class Period.

6. In October of 2024, my staff reviewed ACES' business records to determine the number of settlement class members and to determine the number of weeks worked by the settlement class members during the Class Period. Based on that review, approximately 7,539 individuals qualify as settlement class members. Based on the records in my possession which run through June 15, 2024, I project that between 135,064 and 138,861 full time equivalent workweeks will have been worked by class members between January 1, 2022 and November 5, 2024. I have reviewed the underlying data and believe the calculations are accurate.

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

20 Executed on this 8th day of November, 2024, at Austin, Texas.

Signed by:

Ariel Kumpinsky

AA6488FF4A3D416
ARIEL KUMPIŃSKY