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JEFFREY MAXWELL

11
12 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
13 **COUNTY OF FRESNO**

14 JEFFREY A. MAXWELL, on behalf of
15 himself and a class of others similarly situated,

16 Plaintiff,

17 vs.

18
19 CRAWFORD & COMPANY, a Georgia
Corporation; BROADSPIRE SERVICES
20 INC., a Delaware Corporation; BROADSPIRE
INSURANCE SERVICES, INC., a New York
21 Corporation, and DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.
24

CASE NO.: 16CECG02457

25 **NOTICE OF MOTION AND MOTION**
26 **FOR ATTORNEYS' FEES, COSTS AND**
27 **SERVICE AWARD**

28 **Hearing**

Date: March 15, 2021

Time: 3:30 p.m.

Judge: D. Tyler Tharpe

Location: Dept. 501

Date Filed: August 1, 2016

Trial Date: Not Set

1 TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

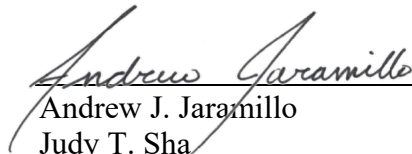
2 YOU ARE HEREBY NOTIFIED THAT at 3:30 p.m. on March 15, 2021, or as soon
3 thereafter as the matter can be heard, in Department 501 of the of the above-entitled Court,
4 before the Honorable D. Tyler Tharpe, Plaintiff Jeffrey Maxwell (“Plaintiff”) will, and hereby
5 does, move for an order awarding attorneys’ fees, litigation expenses (i.e. costs), and a service
6 award for Plaintiff.

7 This Motion is brought in accordance with the Court’s Preliminary Approval Order and
8 California Rules of Court, rule 3.769. This Motion is based on this Notice, the accompanying
9 Memorandum of Points and Authorities, the Declarations of Andrew J. Jaramillo (including
10 attached declarations of Judy Sha, Sean Nguyen, and Scott Cooper), Morris Nazarian, and
11 Jeffrey Maxwell, the Class Action Settlement Agreement on file with this Court (“Agreement”),
12 and the complete files and records in this action.

13 Because all parties have agreed to the proposed class settlement, this motion is not
14 opposed by Defendants Crawford & Company, Broadspire Services, Inc, and Broadspire
15 Insurance Services, Inc.

16
17 Dated: December 6, 2021

ALTUS LAW FIRM

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20 Andrew J. Jaramillo
21 Judy T. Sha
22 Attorneys for Plaintiff
23 JEFFREY MAXWELL
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21 Corporation, and DOES 1 THROUGH 50,
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23 Defendants.

CASE NO.: 16CECG02457

24
25 **MEMORANDUM OF POINTS AND**
26 **AUTHORITIES IN SUPPORT OF**
27 **MOTION FOR ATTORNEYS' FEES,**
28 **COSTS AND SERVICE AWARD**

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I. INTRODUCTION

Class Counsel successfully negotiated a class action settlement which provides for a common fund settlement to be paid by Defendants Crawford & Company, Broadspire Services, Inc, and Broadspire Insurance Services, Inc (collectively the "Defendants") to the Class in the amount of Three Million Eight Hundred and Fifty Thousand Dollars and Zero Cents (\$3,850,000.00) (the "Maximum Settlement Amount"). (See Class Action Settlement Agreement ("Agreement") at ¶¶ 3.5.1 - 3.5.5.)¹ As part of the settlement, the parties agreed to an award of attorneys' fees equal to one-third of the Gross Settlement Amount as their Class Counsel Fees Payment. (Agreement at ¶ 3.5.1.2.) By this motion, Class Counsel respectfully requests approval of an award of the Class Counsel Fees Payment in an amount equal to one-third of the Gross Settlement Amount. (Decl. Jaramillo at ¶15(a).)

For the reasons stated below, the requested attorneys' fees are fair and reasonable in light of the excellent work Class Counsel performed and the results they achieved in this case. The requested award of one-third of the value of the Three Million Eight Hundred and Fifty Thousand Dollars and Zero Cents (\$3,850,000.00) non reversionary settlement is reasonable and appropriate under both methods of reviewing fee awards approved by the California Courts: the percentage of the fund method and the lodestar/multiplier method. The requested fee is within the typical range for class settlements and is supported by Class Counsel's lodestar which exceeds the requested award.

The requested attorneys' fee award is fair compensation for undertaking such complex, risky and time-consuming litigation performed solely on a contingent basis. In a similar wage and hour class action, *Laffitte v. Robert Half International, Inc.*, 1 Cal. 5th 480 (2016), the California Supreme Court affirmed an award of attorneys' fees equal to 1/3 of the common fund, which correlated to the lodestar with a multiplier of 2.03 to 2.13. Here, the requested fee is the same percentage but is almost equal to the lodestar incurred by class counsel, necessitating a multiplier of just 1.07. To be sure, the reasonableness of this attorneys' fee award is confirmed

¹ The Agreement was submitted to this Court with the Motion for Preliminary Approval and Motion for Final Approval.

1 by reference to the lodestar incurred in the action, which currently is \$1,202,060, with additional
2 work to be performed. (See Decl. Jaramillo at ¶6 and Exhibits 1-4 thereto; see Decl. Nazarian at
3 ¶19 and Exhibit C to the declaration.) As a result, the requested award is supported by the
4 overall lodestar incurred with a multiplier of just 1.07 and is therefore reasonable under *Laffitte*.²

5 Plaintiff Jeffrey Maxwell also request that the Court approve the agreed-upon payment of
6 \$10,000 for actual litigation expenses incurred as well as \$15,000 for Class Representative
7 Jeffrey Maxwell as his Service Award for being a Class Representative. The requested service
8 awards fall within the range of awards in wage-and-hour cases approved by California courts and
9 is appropriate here given the risks and litigation burdens Plaintiff faced as the Class
10 Representative and the awards approved in other cases. Plaintiff does not anticipate that any
11 Class Member will submit any objection to this request for attorneys' fees, litigation expenses,
12 and the Class Representative Service Award.

13 II. THE ATTORNEYS' FEES REQUESTED ARE FAIR AND REASONABLE

14 In defining a reasonable fee, the Court should mimic the marketplace for cases involving
15 a significant contingent risk such as this one. (Decl. Jaramillo at ¶4(b).) Our legal system places
16 unique reliance on private litigants to enforce substantive provisions of employment law through
17 class actions. See *Gentry v. Sup. Ct.*, 42 Cal. 4th 443, 450-6 (2007) (confirming the public
18 importance of private enforcement of overtime laws through class actions). Therefore, attorneys
19 providing these substantial benefits should be paid an award equal to the amount negotiated in
20 private bargaining that takes place in the legal market place. *Deposit Guaranty Nat. Bank,*
21 *Jackson, Miss. v. Roper*, 445 U.S. 326, 338, reh'g. denied, 446 U.S. 947 (1980). "When a fee is
22 set by a court rather than by contract, the object is to set it at a level that will approximate what
23 the market would set. . . . The judge, in other words, is trying to mimic the market in legal
24

25 ² See *Laffitte, supra*, 1 Cal. 5th at 487 (approving 1/3 fee award with 2 multiplier); *Pellegrino v.*
26 *Robert Half Intern., Inc.*, 182 Cal.App.4th 278 (2010) (in class actions reasonable multipliers of
27 2.0 to 4.0 are often applied and affirming 1.75 multiplier); *Wershba v. Apple Computer*, 91 Cal.
28 App. 4th 224, 255 (2001) ("multipliers can range from 2 to 4 or even higher."); *In re Sutter*
Health Uninsured Pricing Cases, 171 Cal.App.4th 495, 512 (2009) (affirming multiplier of 2.52
as "fair and reasonable"); *Chavez v. Netflix, Inc.*, 162 Cal.App.4th 43, 66 (2008) (affirming
multiplier of 2.53 as well within the approved range of 2 to 4).

1 services.” *Gaskill v. Gordon*, 160 F.3d 361, 363 (7th Cir. 1998). The “percentage of the fund
2 method more accurately reflects the results achieved.” *Laffitte*, 1 Cal. 5th at 439; *see also Lealao*
3 *v. Beneficial California, Inc.*, 82 Cal.App.4th 19, 49-50 (2000) (“attempting to award the fee that
4 informed private bargaining, if it were truly possible, might have reached.” A fee award should
5 approximate a “percentage fee [] freely negotiated in comparable litigation.”)

6 When this case was brought, the result was uncertain. Defendants’ practices at issue
7 here had been in place for years. Defendants’ numerous defenses to the merits of the case and to
8 class certification created difficulties with proof and complex legal issues for Class Counsel to
9 overcome. Here, a number of defenses asserted by Defendants present serious threats to the
10 claims of the Plaintiff and the other Class Members. Defendants asserted that their practices
11 complied with all applicable Labor laws. For example, Defendants contend that employees were
12 paid for all time worked, including overtime, despite Plaintiff arguing that he and Class Members
13 were required, pressured and/ or knowingly permitted to work off-the clock to complete tasks in
14 a timely fashion. Defendants argued that the meal breaks were provided, and that any missed or
15 late meals periods were voluntary. Defendants could also argue that the Supreme Court decision
16 in *Brinker v. Superior Court*, 53 Cal. 4th 1004 (2012), weakened Plaintiff’s claims, on liability,
17 value, and class certifiability as to the meal and rest period claims. Defendants could also contest
18 class certification by arguing injury and good faith were case by case determinations that
19 precluded class certification. Plaintiff is aware of cases where class certification of similar claims
20 was denied. *See e.g. Ferguson v. Randy's Trucking, Inc.*, 2016 U.S. Dist. LEXIS 32719 (E.D.
21 Cal. 2016) (denying certification of regular rate claim); *Santos v. TWC Admin. LLC*, 2014 U.S.
22 Dist. LEXIS 199358 (C.D. Cal. 2014); *Ugas v. H&R Block Enterprises, LLC*, 2012 U.S. Dist.
23 LEXIS 156359 (C.D. Cal. 2012) 2012 WL 5230297 at *5 (court grants defendants’ motion to
24 decertify meal break class); *Wren v. RGIS Inventory Specialists*, 256 F.R.D. 180, 208 (N.D. Cal.
25 2009) (“individualized inquiries will be necessary, at least as to the California class, to determine
26 the reason meal breaks were missed and whether they were waived”). Give this, if the Actions
27 were not settled, Plaintiff would be unable to obtain class certification and thereby not recover on
28 behalf of any employees other (Decl. Jaramillo at ¶16(e).)

1 The Settlement was possible only because Class Counsel was able to persuade
2 Defendants that there was an appreciable risk that Class Counsel would prevail on the factual
3 and legal issues underlying liability, obtain class certification through trial, and overcome
4 difficulties in proof as to monetary relief. Class Counsel was pursuing a difficult and risky claim
5 against Defendants where previous similar actions had failed to establish liability, failed to
6 obtain class certification and/or failed to obtain monetary recovery for all employees. Class
7 Counsel was only able to negotiate a fair and favorable settlement after years of conducting
8 investigations, conducting contentious formal and informal discovery, conducting discovery
9 motion work, prevailing on a Motion for Curative Action (*i.e.* invalidating class action waivers
10 signed by putative class members) and filing multiple discovery motions and engaging in a
11 thorough review and analysis of the relevant documents and data. Class Counsel was also
12 experienced with the claims at issue here, as Class Counsel previously litigated and settled
13 similar claims in other actions. Accordingly, the agreement to settle did not occur until Class
14 Counsel successfully moved this Court to invalidate a class action waiver (thereby maximizing
15 the class size) and possessed sufficient information to make an informed judgment regarding the
16 likelihood of success on the merits and the results that could be obtained through further
17 litigation. (Decl. Jaramillo at ¶16(f).)

18 To represent the Class on a contingent fee basis, Class Counsel also had to forego
19 compensable hourly work on other cases to devote the necessary time and resources to this
20 contingent case. (Decl. Jaramillo at ¶16(g).) In so doing, Class Counsel gave up the hourly
21 work that a firm can bank on for the risky contingent fee work in this case which could have paid
22 Class Counsel nothing. *Powers v. Eichen*, 229 F.3d 1249, 1256 (9th Cir. 2000).

23 **III. THE FEE AWARD IS A REASONABLE PERCENTAGE OF THE TOTAL VALUE**
24 **CREATED FOR THE BENEFIT OF THE CLASS**

25 Class Counsel seeks an attorney fee award for their successful prosecution and resolution
26 of this action, calculated as one-third of the total value of the common fund created by the
27 Settlement. In cases such as this one, the Courts have long recognized that an appropriate
28 method for determining the award of attorneys' fees is based on a percentage of the total value of

1 benefits afforded to class members by the settlement. *Laffitte*, 1 Cal.5th at 494 ("the percentage
2 method has been generally approved in common fund cases"); *Boeing Co. v. Van Gemert*, 444
3 U.S. 472, 478 (1980); *Paul, Johnson, Alston & Hunt v. Graulity*, 886 F.2d 268, 272 (1989);
4 *Vincent v. Hughes Air West, Inc.*, 557 F.2d 759, 769 (9th Cir. 1977). The awarding of a fee
5 based on a percentage of the common fund recovered is to "spread litigation costs
6 proportionately among all the beneficiaries so that the active beneficiary does not bear the entire
7 burden alone." *Vincent v. Hughes Air West, Inc.*, *supra*, 557 F.2d at 769.

8 The settlement value here is \$3,850,000, and a one-third fee award is reasonable and
9 within the range of commonly awarded fees. Accordingly, Class Counsel reasonably requests
10 \$1,283,333 for attorneys' fees as a percentage (1/3) of the common fund created for the benefit
11 of the Class in accordance with the terms of the Agreement. Notably, this is an all-in common
12 fund settlement without a reversion to the Defendant.

13 **A. In a Common Fund Case, an Award Based Upon the Percentage of the Fund**
14 **Is Appropriate**

15 California courts have been expressly authorized to award attorneys' fees so as "to ensure
16 that the fee awarded is within the range of fees freely negotiated in the legal marketplace in
17 comparable litigation." *Lealao v. Beneficial Cal., Inc.*, *supra*, 82 Cal.App.4th at 50.³ As *Lealao*
18 explained, in a representative action, courts must consider the amount of attorney fees typically
19 negotiated in comparable litigation. *Id.* at 47 ("in defining a "reasonable fee" in such
20 representative actions the law should 'mimic the market'"); *see also, Apple Computer, Inc. v.*
21 *Sup. Ct.*, 126 Cal.App.4th 1253, 1270 (2005) (observing that "attorney fees awarded under the
22 common fund doctrine are based on a 'percentage-of-the-benefit' analysis").

23 In *Laffitte*, the California Supreme Court recently confirmed that the percentage of the
24 fund method is properly used in a common fund case:

25 We join the overwhelming majority of federal and state courts in holding that
26 when class action litigation establishes a monetary fund for the benefit of the class
27

28

³ Unless otherwise indicated, all emphasis is added.

1 members, and the trial court in its equitable powers awards class counsel a fee out
2 of that fund, **the court may determine the amount of a reasonable fee by**
3 **choosing an appropriate percentage of the fund created.**

4 *Laffitte*, 1 Cal.5th at 503.

5 The recognized advantages of the percentage method-including relative ease of
6 calculation, alignment of incentives between counsel and the class, a better approximation of
7 market conditions in a contingency case, and the encouragement it provides counsel to seek an
8 early settlement and avoid unnecessarily prolonging the litigation (*see pt. I, ante; Lealao, supra*,
9 82 Cal.App.4th at 48-49; *Rawlings v. Prudential-Bache Properties, Inc., supra*, 9 F.3d at 516).
10 The percentage method is a valuable tool that should not be denied our trial courts. *Id.*

11 The Supreme Court in *Laffitte* approved the trial court's reliance on a percentage method
12 for the calculation of the fee award, and ultimately affirmed the fee award that was one-third
13 (1/3) of the common fund. *Id.* at 504.

14 The Court in *Laffitte* indicated that the trial courts may use a "lodestar cross-check" to
15 double check the reasonableness of the percentage fee award. *Id.* In *Laffitte*, the Supreme Court
16 affirmed the propriety of a lodestar cross-check where the multiplier exceeded 2. Here, the
17 current lodestar cross-check fully supports the percentage fee award because Class Counsel are
18 seeking an award at a similar percentage which equates to an amount that less than the overall
19 lodestar incurred.

20 Because the Settlement in this case is a pure common fund case, and the percentage of
21 the fund is the comparable marketplace for fee awards in common fund cases, *Laffitte* and
22 *Lealao* support an award based upon the percentage of the common fund. As noted above, a
23 one-third fee award is within the commonly awarded range for common fund cases, which
24 establishes the requested award as reasonable. *See e.g., Chavez v. Netflix, Inc.*, 162 Cal.App.4th
25 43, 66 n.11 (2008) ("[e]mpirical studies show that, regardless whether the percentage method or
26 the lodestar method is used, fee awards in class actions average around one-third of the
27 recovery"); *Singer v. Becton Dickinson and Co.*, 2010 WL 2196104, at *8 (S.D. Cal. 2010)
28 (approving attorney fee award of 33.33% of the common fund and holding that award was

1 similar to awards in three other wage and hour class action cases where fees ranged from 33.33%
2 to 40%); *In re California Indirect Purchaser X-Ray Film Antitrust Litigation*, Case No. 960886,
3 1998 WL 1031494, at *3, *9 (Alameda Sup. Ct. Oct. 22, 1998) (awarding 30% fee and citing 11
4 actions in which California trial courts had awarded 30% fee awards or greater); *Cicero v.*
5 *DirecTV, Inc.*, 2010 WL 2991486, at *6 (C.D. Cal. 2010) (“a review of California cases in other
6 districts reveals that courts usually award attorneys' fees in the 30-40% range in wage and hour
7 class actions that result in recovery of a common fun[d] under \$10 million”); *Rodman v. Safeway*
8 *Inc.*, 2018 U.S. Dist. LEXIS 143867 (N.D. Cal. 2018) (citing an empirical study of fee awards
9 showing that the average award was 28.7% where the settlement fund was between \$750,000 and
10 \$1.75 million).

11 Moreover, Plaintiff’s request for a fee equal to one-third of the settlement amount was
12 disclosed to Class Members in the Notice. No Class Member submitted an objection to the
13 settlement or to Class Counsel’s fee request.

14 Under the particular circumstances of this case - the contingent nature of the case; the
15 result achieved in the face of the risks of not certifying the case through trial, including not being
16 able to demonstrate class-wide damages or losing one or more claims at trial; the experience and
17 skill employed by Class Counsel; the positive support the Settlement has received from Class
18 Members; and the absence of any objections to either the Settlement or the amount of the
19 requested attorneys' fees - the requested fee award is fair and reasonable.

20 Furthermore, as discussed below, the use of the lodestar cross-check in this case further
21 supports the reasonableness of the percentage fee award as it falls well below the range approved
22 in Laffitte. *See also Taylor v. Fedex Freight, Inc.*, 2016 U.S. Dist. LEXIS 142202 (E.D. Cal.
23 2016) (following Laffitte to approve 30% fee award with cross-check lodestar multiplier of
24 2.26); *Emmons v. Quest Diagnostics Clinical Labs., Inc.*, 2017 U.S. Dist. LEXIS 27249 (E.D.
25 Cal. 2017) (following Laffitte to approve 33% fee award with cross-check lodestar multiplier of
26 1.7); *Rodman v. Safeway Inc.*, 2018 U.S. Dist. LEXIS 143867 (N.D. Cal. 2018) (approving fee
27 award of 28% which correlated to a 1.74 multiplier of the lodestar).

1 **B. The Fee Award Is Supported by Class Counsel’s Lodestar**

2 The reasonableness of the requested attorneys’ fee of one-third equal to \$1,283,333 is
3 also established by reference to Class Counsel’s lodestar in this matter. The contemporaneous
4 billing records for Class Counsel evidence that as of December 5, 2021, Class Counsel’s total
5 lodestar is \$\$1,202,060, with additional fees still to be incurred to complete final approval and
6 the settlement process. (Decl. Jaramillo at ¶6 and Exhibits 1-4 thereto and Declaration of Morris
7 Nazarian). The requested fee award is therefore equivalent to Class Counsel’s total lodestar with
8 a multiplier of just 1.07. Because the fee request is roughly equivalent (i.e. only 7% higher) than
9 the overall lodestar incurred, this request is more reasonable than what was expressly approved
10 in *Laffitte*, and is far less than the multipliers approved in other cases. As a result, this Court
11 may conclude under *Laffitte* that the requested award is fair and reasonable and is justified under
12 California law.⁴

13 In a common fund settlement “[t]he lodestar method is merely a cross check on the
14 reasonableness of a percentage figure”. *Vizcaino, supra*, 290 F.3d at 1050, n.5. In this case,
15 consideration of Class Counsel’s overall lodestar as a cross-check to the percentage figure
16 strongly supports the reasonableness of the requested fee award. In addition, Class Counsel will
17 be performing additional work over the next couple months that is not included in this current
18 lodestar amount, including finalizing the final approval motion, attending the hearing on final
19 approval, finalizing the orders and judgment, and managing the settlement. Using Class
20 Counsel’s lodestar as a cross-check establishes the reasonableness of the requested fee award.

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23
24 ⁴ Class Counsel’s hourly rates used in the lodestar are also reasonable. Class Counsel’s hourly
25 rates have been approved by courts throughout California,. See Decl. Jaramillo at ¶6; Decl. Cooper
26 at ¶9. Finally, the reasonableness of Class Counsel’s hourly rates is further confirmed by
27 comparing such rates with the rates of comparable counsel practicing complex and class litigation
28 **well over six years ago** – as detailed in the National Law Journal Billing Survey. See *Zest IP
Holdings, LLC v. Implant Direct MFG., LLC*, 2014 U.S. Dist. LEXIS 167563 (S.D. Cal. 2014)
(finding that “Mayer Brown’s \$775 average billing rate for partners” and “Mayer Brown’s \$543
average associate billing rate” are reasonable rates when compared within 21 other firms practicing
in the Southern District of California.)

1 **C. The Fee Award is Supported By 1) the Results Achieved; 2) the Risk, 3) the**
2 **Skill Required, 4) the Contingent Nature of the Fee and 5) Awards in Similar Cases**

3 Courts consider a five-part test in approving a reasonable percentage fee award in
4 common fund cases: (1) the results achieved; (2) the risk of litigation; (3) the skill required and
5 the quality of work; (4) the contingent nature of the fee and the financial burden carried by the
6 plaintiffs; and (5) awards made in similar cases. *In re Omnivision Technologies, Inc.*, 2007 WL
7 4293467 at *9 (N.D.Cal., Dec 06, 2007). Here, all of these five factors strongly support an award
8 of the requested in this case.

9 1. The Results Achieved

10 “The overall result and benefit to the class from the litigation is the most critical factor in
11 granting a fee award.” *Omnivision*, 2007 WL 4293467 at *9; *see also In re Heritage Bond Litig.*,
12 2005 U.S. Dist. LEXIS 13627, at *27-28 (C.D. Cal. 2005). Class Counsel obtained an excellent
13 result in this case for the Class Members. More than 400 Class Members are receiving a
14 payment from this Settlement. The Settlement provides monetary benefits to the Class Members
15 that are superior to those recovered in similar wage and hour class actions. The Settlement is
16 particularly advantageous to the Class because the proceeds will be distributed with certainty, as
17 opposed to waiting additional years for an uncertain, or possibly, less favorable result.

18 2. Risks of Litigation

19 “The risk that further litigation might result in Plaintiff not recovering at all, particularly
20 a case involving complicated legal issues, is a significant factor in the award of fees.”
21 *Omnivision*, 2007 WL 4293467 at *9.

22 At the time this case was brought, the result was far from certain. Defendants’ practices
23 at issue here had been in place for years. Defendants’ numerous defenses to the merits of the
24 case and to class certification created difficulties with proof and complex legal issues for Class
25 Counsel to overcome. Here, a number of defenses asserted by Defendants present serious threats
26 to the claims of the Plaintiff and the other Class Members. Defendants asserted that its practices
27 complied with all applicable Labor laws. For example, Defendants contended that employees
28 were paid their commissions and that compensation was properly included in the overtime

1 calculation. Defendants argued that the meal breaks were provided, and that any missed or late
2 meals periods were voluntary. Defendants could also argue that the Supreme Court decision in
3 *Brinker v. Sup. Ct.*, 53 Cal. 4th 1004 (2012), weakened Plaintiff's claims, on liability, value, and
4 class certifiability as to the meal and rest period claims. There was also a significant risk that, if
5 the Actions were not settled, Plaintiff would be unable to obtain class certification and thereby
6 not recover on behalf of any employee other than themselves. If successful, Defendants'
7 defenses could eliminate or substantially reduce any recovery to the Class. While Plaintiff
8 believe that these defenses could be overcome, Defendant maintains these defenses have merit
9 and therefore present a serious risk to recovery for the Class. (Decl. Jaramillo at ¶16(e).)

10 All of these were substantial risks any of which could have resulted in the Class receiving
11 nothing if the claims were litigated to trial. This factor therefore also supports an enhancement
12 of the fee award, making the requested fee equal only to the benchmark undeniable reasonable.

13 3. The Skill Required and the Quality of Work

14 Practice in the area of wage and hour class action litigation requires skill, knowledge and
15 experience in two distinct subsets of the law. Expertise in one does not necessarily translate into
16 expertise in the other. Class Counsel must have expertise in both. The issues presented in this
17 case required more than just a general appreciation of wage and hour law and class action
18 procedure because this area of practice is still developing as evidenced by the Supreme Court's
19 decision in *Brinker Restaurant Corp. v. Sup. Ct.*, 53 Cal. 4th 1004 (2012) and the Ninth Circuit's
20 decision in *Sakkab v. Luxxotica Retail N. Am., Inc.*, 803 F.3d 425 (9th Cir. 2015), which Class
21 Counsel personally argued. (Decl. Jaramillo at ¶¶ 3-6, 13-15)

22 The Settlement was possible only because Class Counsel was able to convince
23 Defendants that Plaintiff could potentially prevail on the contested issues regarding liability,
24 achieve class certification, overcome difficulties in proof as to monetary relief and take the case
25 to trial if need be. In successfully navigating these hurdles Class Counsel displayed the
26 necessary skills in both wage and hour and class action litigation. The high quality of the Class
27 Counsel's work in this case was mandated by the vigorous defense presented by counsel for
28 Defendants. Class Counsel was required to invest substantial time and resources in

1 investigation, litigation, discovery, the determination of potential damages and communicating
2 with and responding to opposing counsel's and class members' requests and inquiries. (Decl.
3 Jaramillo at ¶ 16(f).)

4 4. The Contingent Nature of the Fee and the Financial Burden

5 There is a substantial difference between the risk assumed by attorneys being paid by the
6 hour and attorneys working on a contingent fee basis. The attorney being paid by the hour can
7 go to the bank with his fee. *Powers, supra*, 229 F.3d at 1256. The attorney working on a
8 contingent basis can only log hours while working without pay towards a result that will
9 hopefully entitle him to a marketplace contingent fee taking into account the risk and other
10 factors of the undertaking. *Id* at 1257. Otherwise, the contingent fee attorney receives nothing.
11 *Id.*

12 In this case, the nature of the fee was wholly contingent. Class Counsel subjected
13 themselves to this contingent fee market risk in this all or nothing contingent fee case wherein
14 the necessity and financial burden of private enforcement makes the requested award
15 appropriate. This case was litigated on a contingent basis over the last four years, with all of the
16 concomitant risk factors inherent in such an uncertain undertaking. (Decl. Jaramillo at ¶16(c).)
17 **Counsel retained on a contingency fee basis, whether in private matters or in class action**
18 **litigation, are entitled to a premium above their hourly rate in order to compensate for**
19 **both the risks and the delay in payment.** *See e.g. Stanger v. China Elec. Motor, Inc.*, 812 F.3d
20 734 (9th Cir. 2016) (courts "must" apply a risk enhancement); *Stetson v. Grissom*, 821 F.3d
21 1157, 1166 (9th Cir. 2016) (abuse of discretion not to apply risk multiplier). The simple fact is
22 that despite the most vigorous and competent of efforts, success is never guaranteed. *McKittrick*
23 *v. Gardner*, 378 F.2d 872, 875 (4th Cir.1967). Indeed, if counsel is not adequately compensated
24 for the risks inherent in difficult class actions, competent attorneys will be discouraged from
25 prosecuting similar cases. *Steiner v. BOC Financial Corp.*, 1980 U.S. Dist. LEXIS 14561 at *6-
26 *7 (S.D.N.Y. 1980). Class Counsel has previously invested in cases which resulted in no
27 recovery, and here Class Counsel is recovering a fee award that is roughly equivalent to their
28 lodestar – well below what was approved in *Laffitte*. (Decl. Jaramillo at ¶16 (d).)

1 Class Counsel were required to advance all costs in this litigation. Especially in this type
2 of litigation, where Defendants and their attorneys are well funded, this can prove to be very
3 expensive and risky. Accordingly, because the risk of advancing costs in this type of litigation
4 can be significant, it is therefore cost prohibitive to many attorneys. The financial burdens
5 undertaken by Plaintiff and Class Counsel in prosecuting this action on behalf of the Class were
6 very substantial. To date, Class Counsel advanced more than \$10,086.40 in costs which could
7 not have been recovered if this case had been lost. (Decl. Jaramillo at ¶16 (h).) Plaintiff also
8 undertook the risk of liability for Defendants' costs had this case not succeeded, as well as other
9 potential negative financial ramifications from having come forward to sue Defendants on behalf
10 of the Class. Accordingly, the contingent nature of the fee and the financial burdens on Class
11 Counsel and on Plaintiff also support the requested awards.

12 5. Awards in Similar Cases

13 The attorneys' fees requested by Class Counsel are within the range of fees awarded in
14 comparable cases. A review of class action settlements over a period of 10 years shows that the
15 courts have historically awarded fees in the range of 20% to 50%, depending upon the
16 circumstances of the case. *In re Warner Communications Sec. Lit.*, 618 F.Supp. 735, 749-50 (S.D.
17 N.Y. 1985). Class Counsels' requested fees are one-third of the total value of the case, a
18 percentage well within the range of reasonableness given the excellent results obtained for the
19 Class, the risks undertaken, and the skill of the prosecution. *See Vizcaino, supra*, 290 F.3d at
20 1047-49 (approving 28% attorneys' fee award as reflecting "the standard contingency fee for
21 similar cases"). In *In re Warner Communications*, Judge Keenan concluded that percentage fees
22 in common fund cases range from 20% to 50%. *Id.* at 618 F.Supp. at 749-50; *see also Knight v.*
23 *Red Door Salons, Inc.*, 2009 U.S. Dist. LEXIS 11149, *17 (N.D. Cal 2009) ("nearly all common
24 fund awards range around 30%").

25 The class action award obtained by Class Counsel in similar employment actions
26 throughout the state bear out the reasonableness of a fee and costs award equivalent to one-third
27 of the total settlement value. As recently as on August 19, 2021, in *Arnold v. OSF International,*
28 *Inc.* (Case No. CIVDS1705798, Superior Court of the State of California, County of San

1 Bernardino), Judge David Cohn preliminarily awarded to Class Counsel a fee equal to 1/3 of the
2 common fund on similar wage and hour class action. As another example, on February 1, 2019,
3 in *Jamison v. Fitness 19 CA 121, LLC et al.*, (Case No. FCS046697, Superior Court of the State
4 of California, County of Solano), Honorable Michael Mattice awarded a fee equal to 1/3 of the
5 common fund. Decl. Jaramillo at ¶ 17.)

6 An attorneys' fee award equal to one-third of the common fund in this case is therefore
7 reasonable in light of the fees that have been awarded in other similar cases as set forth above.

8 **IV. CLASS COUNSEL'S COSTS WERE REASONABLY INCURRED**

9 As part of the Agreement at paragraph 1.5, the parties agreed that "Class Counsel costs
10 shall not exceed Ten thousand Dollars and zero Cents (\$10,000.00)." (Decl. Jaramillo at ¶ 20.)

11 Class Counsel requests reimbursement for incurred litigation expenses and costs in the
12 amount of \$10,000 based upon Class Counsel's billing records, which evidence that counsel
13 incurred total litigation expenses in the total amount of \$10,086.40 – more than the amount
14 requested. This requested award is less than the cost allocation in the Agreement. These
15 litigation expenses include the expenses incurred for filing fees, mediation fees, delivery charges,
16 travel expenses, legal research charges, postage, attorney service charges, litigation support
17 vendors, and court call charges, all of which are costs normally billed to and paid by the client.⁵
18 The details of the litigation expenses incurred are set forth the declarations submitted by Class
19 Counsel and were reasonably incurred by Class Counsel in the prosecution of the action. (See
20 Decl. Jaramillo at ¶20 and Exhibit 1 thereto; Decl. of Nazarian at ¶ 20 and Exhibit D to the
21 declaration.) Because these costs were reasonable and necessary to the successful prosecution of
22 these claims, the request is reasonable and should be granted.

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25
26 ⁵ Nontaxable costs are properly awarded where authorized by the parties' agreement. *Stetson*,
27 2016 U.S. App. LEXIS 8638, at *11. Accordingly, "[e]xpenses such as reimbursement for travel,
28 meals, lodging, photocopying, long-distance telephone calls, computer legal research, postage,
courier service, mediation, exhibits, documents scanning, and visual equipment are typically
recoverable." *Rutti v. Lojack Corp., Inc.*, 2012 WL 3151077, at *12 (C.D. Cal. 2012).

1 **V. THE REQUESTED SERVICE AWARD IS REASONABLE**

2 Plaintiff respectfully submits that for his service as the class representative, he should be
3 awarded the agreed-upon Class Representative Service Award of \$15,000 in accordance with the
4 Agreement for his time, risk and effort on behalf of the Class. (Agreement at ¶ 1.34.)
5 Defendants have agreed to this payment to the Class Representative and there have been no
6 objections to the requested Class Representative Service Payment. The Declaration of Jaramillo,
7 at ¶23, provides a list of equivalent service awards approved in California, which further
8 supports the request in this case. Plaintiff also submitted a declaration in support of this request.
9 (See Declaration of Jeffrey Maxwell in Support of Motion for Preliminary Approval of Class
10 Settlement, E-Filed August 2, 2021 (“Decl. Maxwell”), ¶ 19)

11 As the representative of the Class, Plaintiff performed his duty to the Class admirably and
12 without exception. Plaintiff worked extensively with Class Counsel over the course of the
13 litigation, responding to numerous requests, searching for documents, working with Class
14 Counsel, preparing for deposition, and reviewing the settlement documentation. (Decl. Jaramillo
15 at ¶ 21.) As set forth in the Agreement, Plaintiff is also providing a comprehensive release as
16 part of the Settlement, far beyond the class release, which releases all potential claims by the
17 Plaintiff for which he is receiving no other compensation. Plaintiff’s declaration details his
18 involvement, stress and risks he undertook as a result of this lawsuit. Plaintiff also assumed the
19 serious risk that he might possibly be liable for costs and fees to Defendants, as well as the
20 reputational risk of being “blacklisted” by other future employers for having filed a class action
21 on behalf of fellow former employees. (See Decl. Jaramillo at ¶24.) Without Plaintiff’s
22 participation, cooperation and information, no other fellow employees would be receiving any
23 benefit. (*Id.*)

24 The payment of service awards to a successful class representative is appropriate and the
25 amount of \$15,000 is well within the currently awarded range for similar settlements. *See e.g.*
26 *Mathein v. Pier 1 Imps.*, 2018 U.S. Dist. LEXIS 71386, 168 Lab. Cas. (CCH) P36,620 (E.D. Cal.
27 2018) (approving two service awards of \$12,500 each); *Holman v. Experian Info. Solutions, Inc.*,
28 2014 U.S. Dist. LEXIS 173698 (approving \$10,000 service award where class member recovery

1 was \$375); *Rausch v. Hartford Fin. Servs. Grp.*, 2007 U.S. Dist. LEXIS 14740, 2007 WL
2 671334 (D. Or. Feb. 26, 2007) (approving award of \$10,000 where class member recoveries
3 were as little as \$150); *Bellinghausen v. Tractor Supply Co.*, 306 F.R.D. 245, 268 (N.D. Cal.
4 2015) (approving \$10,000 award); *Ontiveros v. Zamora*, 303 F.R.D. 356, 366 (E.D. Cal. 2014)
5 (awarding \$15,000 where the plaintiff brought a class claim in lieu of bringing an individual
6 action). Indeed, other courts have awarded much higher service awards. *See Van Vranken v.*
7 *Atlantic Richfield Co.*, 901 F.Supp. 294, 299-300 (N.D. Cal. 1995)(incentive award of \$50,000);
8 *Glass v. UBS Fin. Servs.*, 2007 U.S. Dist. LEXIS 8476 at *51-*52 (N.D.Cal. 2007) (awarding
9 \$25,000 service award in overtime wage class action); *Cook v. Niedert*, 142 F.3d 1004, 1016 (7th
10 Cir. 1998)(affirming \$25,000 service award to class representative in ERISA case).

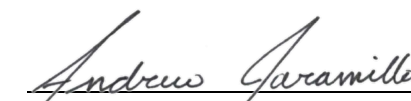
11 Plaintiff's efforts in bringing the lawsuit have conferred a significant monetary benefit to
12 hundreds of other Class Members. Accordingly, Class Counsel respectfully request that the
13 Court approve the requested Class Representative Service Payment in accordance with the
14 Agreement.

15 **VI. CONCLUSION**

16 Based on the foregoing, Class Counsel respectfully requests approval of the application
17 for award of attorneys' fees to Class Counsel in the amount of \$1,283,333 (equal to one-third of
18 the common fund and supported by Class Counsel's lodestar with a negative multiplier), an
19 award of litigation expenses in the amount of \$10,000, and approval of the requested service
20 award for the Class Representative. As part of this award, Class Counsel will finish the
21 prosecution of this action including final approval, the management of the Settlement,
22 disbursement of funds, final accounting and defense of an appeal, if any, without a subsequent
23 attorneys' fee request.

24 Dated: December 6, 2021

ALTUS LAW FIRM

25
26 
27 Andrew J. Jarapillo
28 Attorneys for Plaintiff
JEFFREY MAXWELL

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11
12 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
13 **COUNTY OF FRESNO**

14
15 JEFFREY A. MAXWELL, on behalf of
himself and a class of others similarly situated,
16
17 Plaintiff,

18 vs.

19 CRAWFORD & COMPANY, a Georgia
Corporation; BROADSPIRE SERVICES
20 INC., a Delaware Corporation; BROADSPIRE
INSURANCE SERVICES, INC., a New York
21 Corporation, and DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.
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28

) **CASE NO.: 16CECG02457**
) **Assigned for all purposes to**
) **Hon. D. Tyler Tharpe**
) **Department 501**

) **DECLARATION OF ANDREW**
) **JARAMILLO IN SUPPORT OF MOTION**
) **FOR AWARD OF ATTORNEYS' FEES,**
) **COST AND SERVICE AWARD**

) **Hearing**

) **Date: March 15, 2022**

) **Time: 3:30 p.m.**

) **Location: Dept. 501**

) **Date Filed: August 1, 2016**

) **Trial Date: Not Set**

1 I, Andrew J. Jaramillo, declare as follows:

2 1. I am an attorney with Altus Law Firm and counsel of record for Plaintiff Jeffrey
3 Maxwell in this matter. As such, I am fully familiar with the facts, pleadings and history of this
4 matter. The following facts are within my own personal knowledge, and if called as a witness, I
5 could testify competently to the matters stated herein. I am a member in good standing of the bar
6 of the State of California and am admitted to practice in this Court. I have personal knowledge of
7 the facts stated in this declaration and would testify competently to them if called upon to do
8 so. I submit this declaration in support of the motion by Plaintiff Jeffrey Maxwell (“Plaintiff”)
9 for an award of attorneys’ fees and litigation expenses in connection with services rendered in
10 the above-entitled action and the requested service award for the class representative. A true and
11 correct copy of the Joint Stipulation Regarding Class Action Settlement And Release
12 (“Agreement”) is attached to the Motion for Final Approval filed concurrently herewith.

13 2. The Law Offices of Morris Nazarian and Altus Law Firm are Class Counsel in
14 this action. While the Law Offices of Morris Nazarian has participated in this litigation and has
15 performed work on behalf of Plaintiff since the inception of this litigation, Altus Law Firm
16 became the primary Class Counsel representing Plaintiff in early 2018 and has been performing a
17 significant amount of work on behalf of Plaintiff for multiple years.

18 3. Altus Law Firm is qualified to handle this litigation because its attorneys are
19 experienced in litigating Labor Code violations in both individual and class and collective action
20 cases. Over the course of the litigation spanning multiple years, primarily three attorneys in my
21 firm have worked on this matter: Judy Sha, Sean Nguyen and myself.

22 4. My current billing rate is \$750.00 per hour which, based on my skill and
23 experience, is entirely reasonable. I received my law degree from Stanford University Law
24 School in 1998 and my undergraduate degree, *magna cum laude*, from UC Irvine in 1995. I was
25 admitted to the State Bar of California in December 1998 and have been an active member in
26 good standing continuously since then. I have concentrated my practice exclusively in
27 employment litigation since I was admitted to the Bar. I began my legal career in the
28 Employment Department of Payne & Fears, LLP, in Irvine, California. While at Payne & Fears,

1 I specialized in a range of labor and employment disputes, including those involving wage-and-
2 hour violations (individual and class action). I successfully resolved these disputes in state and
3 federal courts (at both the trial and appellate levels), before various administrative agencies, and
4 through alternative dispute resolutions. Importantly, I was responsible for the day-to-day
5 management of numerous wage-and-hour class and representative actions at a given time. In
6 2013, I established Altus Law Firm. Since then, I have represented numerous employees in
7 disputes with their employers, including wage-and-hour class and representative actions. In
8 addition, Altus Law Firm is actively and continuously practicing in employment litigation,
9 principally representing plaintiffs, in both individual and collective actions, in Superior Courts
10 throughout the State.

11 5. My colleague Judy Sha’s current billing rate is \$700.00 per hour which, based on
12 her skill and experience, is entirely reasonable. A declaration by Judy Sha in support of this
13 Motion wherein she sets forth her skills, experience, her billing rate and the hours she has
14 performed and invoiced in this Action is attached hereto as Exhibit 2 to this declaration.

15 6. My colleague Sean Nguyen’s current billing rate is \$750.00 per hour which, based
16 on his skill and experience, is entirely reasonable. A declaration Sean Nguyen in support of this
17 Motion wherein he sets forth his skills, experience, his billing rate and the hours he has
18 performed and invoiced in this Action is attached hereto as Exhibit 3 to this declaration.

19 7. The hours submitted with this declaration are solely for work performed on behalf
20 of the class alleged in the above-entitled California action and not any other state or federal
21 matter.

22 8. Collectively, The Law Offices of Morris Nazarian and Altus Law Firm have
23 performed, among other things, the following general tasks related to this matter:

- 24 • Performed client intake and interviews;
- 25 • Performed initial investigation and evaluation of the case;
- 26 • Conducted the research necessary for case evaluation;
- 27 • Drafted PAGA Notices;
- 28 • Drafted, prepared, and filed the class action complaint and its amendments;

- Participated in attorneys' conferences with three different defense law firms that have represented Defendants (Defendants' have changed counsel of record two times);
- Received, reviewed and responded to correspondence;
- Received, reviewed and responded to informal discovery;
- Received, reviewed and responded to formal discovery;
- Multiple meet and confer sessions regarding discovery (depositions, discovery responses, Belaire-West notices, etc.);
- Drafted, reviewed and filed motions and related pleadings (multiple *ex parte* applications, motions to compel discovery, motion for corrective action);
- Traveled to and prepared for numerous court appearances;
- Reviewed orders from the court;
- Traveled to, prepared for and attended an unsuccessful mediation;
- Negotiated the settlement in this case;
- Drafted, reviewed and filed papers concerning the settlement in this case; and
- Coordinated approval of settlement in this case with opposing counsel.

9. The total number of hours spent on this litigation by Altus Law Firm over the last four years is 1,267.40 hours through December 3, 2021. I anticipate Altus Law Firm incurring another 50 hours to draft and file the Motion for Final Approval of Class Settlement and a subsequent 5 hours to prepare for and attend the hearing on the Motion set for March 15, 2022. The total lodestar fee on those hours calculated at hourly rates reflecting those currently earned in the market place is \$914,430. This amount is summarized as follows:

| Attorney | Year Admitted | Hours Billed | Hourly Rate | Total Fees | Attachment |
|------------------|---------------|----------------|-------------|------------------|------------|
| Andrew Jaramillo | 1998 | 432.6 | \$750 | \$324,450 | 1 |
| Judy Sha | 2008 | 722.4 | \$700 | \$505,680 | 2 |
| Sean Nguyen | 2000 | 112.4 | \$750 | \$84,300 | 3 |
| TOTALS | | 1,267.4 | | \$914,430 | |

1 10. Attached hereto as Exhibit 1 is a true and correct copy of an itemized invoice for
2 attorney's fees and costs incurred by me in the Action. All of the time attributed to me on Exhibit
3 1 was performed by me, and the time indicated is the actual time spent on each task rounded to
4 the nearest one-tenth of an hour. With respect to the records of fees, costs, and expenses
5 regarding each individual case file in the office, I am the custodian of those records.

6 11. Attached hereto as Exhibit 2 is the Declaration of Judy Sha, which includes an
7 itemized invoice for attorney's fees incurred by her in the Action.

8 12. Attached hereto as Exhibit 3 is the Declaration of Sean Nguyen, which includes
9 an itemized invoice for attorney's fees incurred by him in the Action.

10 13. Additionally, attached hereto as Exhibit 4 is the Declaration of Scott Cooper,
11 which includes an itemized invoice for attorney's fees and costs incurred by him and his
12 associate in the Action. Scott Cooper was co-Class Counsel in this matter prior to my firm's
13 engagement (from 2016 until 2017 when he ceased private practice as part of being elevated to
14 the bench). Mr. Cooper's firm incurred a total of \$72,780 in attorneys' fees and \$187.51 in costs.
15 Pursuant to an agreement among Class Counsel, and with full approval of the Class
16 Representative, Mr. Cooper will receive five percent (5%) of the total attorneys' fees award.

17 14. Class Counsel have extensive class litigation experience in the area of
18 employment class actions, particularly wage and hour claims. Class Counsel litigated similar
19 wage and hour class action cases against other employers on behalf of employees. The issues
20 presented in this case required more than just a general appreciation of wage and hour law and
21 class action procedure as this area of practice is still developing as evidenced by the Supreme
22 Court's decision in *Brinker Restaurant Corp. v. Sup. Ct.*, 53 Cal. 4th 1004 (2012), and in the
23 Ninth Circuit's decision in *Sakkab v. Luxxotica Retail N. Am., Inc.*, 803 F.3d 425 (9th Cir. 2015).
24 It is this level of experience which enabled the firm to undertake the instant matter and to
25 successfully combat the extensive resources of Defendants and their capable and experienced
26 counsel. On account of the concerted and dedicated effort this case required in order to properly
27 handle and prosecute, Class Counsel were precluded from taking on other cases and clients and
28 had to turn away other cases with strong potential to generate fees.

1 **The Attorneys' Fees Requested Are Fair and Reasonable And Should Be Approved**

2 15. The Agreement For the Payment of Fees and Expenses Is Appropriate and Should
3 Be Enforced.

4 (a) Class Counsel successfully negotiated a class action settlement which provides for a
5 common fund settlement to be paid by Defendants Crawford & Company, Broadspire Services,
6 Inc, and Broadspire Insurance Services, Inc. (collectively the "Defendants") to the Class in the
7 amount of Three Million Eight Hundred and Fifty Thousand Dollars and Zero Cents
8 (\$3,850,000.00) (the "Gross Settlement Amount"). (See Agreement at ¶¶1.17.). As part of the
9 settlement, the parties agreed to an award of attorneys' fees equal to one-third of the Gross
10 Settlement Amount as their Class Counsel Fees Payment. (Agreement at ¶3.5.1.2.) By this
11 motion, Class Counsel respectfully requests approval of an award of the Class Counsel Fees
12 Payment in an amount equal to one-third of the Gross Settlement Amount.

13 (b) In the class action context, that means "attempting to award the fee that informed
14 private bargaining, if it were truly possible, might have reached." Here, informed arms-length
15 bargaining between experienced Class Counsel and Defendants resulted in Defendant bargaining
16 Class Counsel's fee award to an amount that is less than of the Gross Settlement Amount. Such
17 bargaining is obviously the best measure of the market for fees. Moreover, fee awards in
18 common fund settlements as this one have resulted in higher fees than the sum sought by Class
19 Counsel herein, further reflecting the accurate market value of the award requested.

20 (c) The requested fee award, agreed to by the parties as part of the Settlement, should be
21 approved. The requested fee award was bargained for during arms' length adversarial bargaining
22 by counsel for each of the parties as part of the Settlement.

23 16. Class Counsel's Fee Award Is Properly Calculated as a Percentage of the Total
24 Value Created for the Benefit of the Class

25 (a) As part of the settlement, the parties agreed to an award of attorneys' fees equal to one
26 third of the Gross Settlement Amount, which equals One Million Two Hundred Eighty-Three
27 Thousand Three Hundred Three-Two Dollars and Zero Cents (\$1,283,333.00) for attorneys'
28 fees. As part of the Agreement, Defendants also agreed that Class Counsel will also be paid

1 reasonable litigation expenses incurred as per Class Counsel's billing statement from the Gross
2 Settlement Amount not to exceed \$10,000. Finally, Defendant also agreed that Class
3 Representative Jeffrey Maxwell can be awarded a service award in accordance with the
4 Agreement.

5 (b) In defining a reasonable fee, the Court should mimic the marketplace for cases
6 involving a significant contingent risk such as this one. Our legal system places unique reliance
7 on private litigants to enforce substantive provisions of employment law through class actions.
8 Therefore, attorneys providing these substantial benefits should be paid an award equal to the
9 amount negotiated in private bargaining that takes place in the legal market place.

10 (c) There is a substantial difference between the risk assumed by attorneys being paid by
11 the hour and attorneys working on a contingent fee basis. The attorney being paid by the hour
12 can go to the bank with his fee. The attorney working on a contingent basis can only log hours
13 while working without pay towards a result that will hopefully entitle him or her to a market
14 place contingent fee taking into account the risk and other factors of the undertaking. Otherwise,
15 the contingent fee attorney receives nothing. In this case, Class Counsel subjected themselves to
16 this contingent fee market risk in this all or nothing contingent fee case wherein the necessity and
17 financial burden of private enforcement makes the requested award appropriate. The contingent
18 fee practices of Class Counsel do not accommodate the investment of unnecessary time in a case.
19 This case was litigated on a contingent basis with all of the concomitant risk factors inherent in
20 such an uncertain undertaking. Indeed, I am aware of other similar cases where the court
21 dismissed the class allegations or denied class certification. Under such circumstances, courts
22 have held that a risk multiplier must be applied to the fee award.

23 (d) Here, the contingent nature of the fee award, both from the point of view of eventual
24 settlement and the point of view of establishing eligibility for an award, also warrant the
25 requested fee award. A number of difficult issues, the adverse resolution of any one of which
26 could have doomed the successful prosecution of the action, were present here. Attorneys' fees
27 in this case were not only contingent but risky, with a very real chance that Class Counsel would
28

1 receive nothing at all for their efforts, having devoted time and advanced costs. Class Counsel
2 has previously invested in cases which resulted in no recovery.

3 (e) At the time this case was brought, the result was far from certain. Defendants’
4 practice at issue here had been in place for years. Defendants’ numerous defenses to the merits of
5 the case and to class certification created difficulties with proof and complex legal issues for
6 Class Counsel to overcome. Here, a number of defenses asserted by Defendants present serious
7 threats to the claims of the Plaintiffs and the other Class Members. Defendants asserted that their
8 practices complied with all applicable Labor laws. For example, Defendants contend that
9 employees were paid for all time worked, including overtime, despite Plaintiff arguing that he
10 and Class Members were required, pressured and/ or knowingly permitted to work off-the clock
11 to complete tasks in a timely fashion. Defendants argued that the meal breaks were provided, and
12 that any missed or late meals periods were voluntary. Defendants could also argue that the
13 Supreme Court decision in *Brinker v. Superior Court*, 53 Cal. 4th 1004 (2012), weakened
14 Plaintiff’s claims, on liability, value, and class certifiability as to the meal and rest period claims.
15 Defendants could also contest class certification by arguing injury and good faith were case by
16 case determinations that precluded class certification. Plaintiff is aware of cases where class
17 certification of similar claims was denied. *See e.g. Ferguson v. Randy's Trucking, Inc.*, 2016
18 U.S. Dist. LEXIS 32719 (E.D. Cal. 2016) (denying certification of regular rate claim); *Santos v.*
19 *TWC Admin. LLC*, 2014 U.S. Dist. LEXIS 199358 (C.D. Cal. 2014); *Ugas v. H&R Block*
20 *Enterprises, LLC*, 2012 U.S. Dist. LEXIS 156359 (C.D. Cal. 2012) 2012 WL 5230297 at *5
21 (court grants defendants’ motion to decertify meal break class); *Wren v. RGIS Inventory*
22 *Specialists*, 256 F.R.D. 180, 208 (N.D. Cal. 2009) (“individualized inquiries will be
23 necessary, at least as to the California class, to determine the reason meal breaks were missed
24 and whether they were waived”). Give this, if the Actions were not settled, Plaintiff would be
25 unable to obtain class certification and thereby not recover on behalf of any employees other than
26 themselves.

27 (f) The Settlement was possible only because Class Counsel was able to persuade
28 Defendants that there was an appreciable risk that Class Counsel would prevail on the factual

1 and legal issues underlying liability, obtain class certification through trial, and overcome
2 difficulties in proof as to monetary relief. Class Counsel was pursuing a difficult and risky claim
3 against Defendants where previous similar actions had failed to establish liability, failed to
4 obtain class certification and/or failed to obtain monetary recovery for all employees. Class
5 Counsel was only able to negotiate a fair and favorable settlement after years of conducting
6 investigations, conducting contentious formal and informal discovery, conducting discovery
7 motion work, prevailing on a Motion for Corrective Action (*i.e.* invalidating class action waivers
8 signed by putative class members) and filing multiple discovery motions and engaging in a
9 thorough review and analysis of the relevant documents and data. Class Counsel was also
10 experienced with the claims at issue here, as Class Counsel previously litigated and settled
11 similar claims in other actions. Accordingly, the agreement to settle did not occur until Class
12 Counsel successfully moved this Court to invalidate a class action waiver (thereby maximizing
13 the class size) and possessed sufficient information to make an informed judgment regarding the
14 likelihood of success on the merits and the results that could be obtained through further
15 litigation.

16 (g) To represent the Class on a contingent fee basis, Class Counsel had to forego
17 compensable hourly work on other cases to devote the necessary time and resources to this
18 contingent case. In so doing, Class Counsel gave up the hourly work that a firm can bank on for
19 the risky contingent fee work in this case which could have paid Class Counsel nothing.

20 (h) Class Counsel were required to advance all costs in this litigation. Especially in this
21 type of litigation where the corporate defendants and their attorneys are well funded, this can
22 prove to be very expensive and risky. Accordingly, because the risk of advancing costs in this
23 type of litigation can be significant, it is therefore cost prohibitive to many attorneys. The
24 financial burdens undertaken by Class Representative and Class Counsel in prosecuting this
25 action on behalf of the Class were very substantial. To date, Class Counsel collectively advanced
26 more than \$10,000 in costs which could not have been recovered if this case had been lost. The
27 Class Representative undertook the risk of liability for Defendants' costs had this case not
28 succeeded, as well as other potential negative financial ramifications from having come forward

1 to sue Defendants on behalf of the Class. Accordingly, the contingent nature of the fee and the
2 financial burdens on Class Counsel and the Class Representative also support the requested
3 award.

4 (i) In a common fund settlement “[t]he lodestar method is merely a cross-check on the
5 reasonableness of a percentage figure.” *Vizcaino v. Microsoft Corp.*, 290 F.3d 1043, 1050, n.5
6 (9th Cir. 2002). In this case, the reasonableness of the requested attorneys’ fee of one-third of the
7 common fund equaling \$1,283,333 is established by reference to Class Counsel’s lodestar in this
8 matter. The contemporaneous billing records for all Class Counsel evidence that as of December
9 5, 2021, Class Counsel’s current total lodestar is \$1,202,060, with additional fees still to be
10 incurred. The requested fee award is therefore almost equal to Class Counsel’s overall lodestar,
11 representing a multiplier of less than 1.07, which is less than the multiplier approved in *Laffitte*
12 and lower than multipliers awarded in other cases. As a result, this Court should appropriately
13 conclude that an award which compares favorably to Class Counsel’s overall lodestar is fair and
14 reasonable and is justified under California law.

15 (j) Counsel retained on a contingency fee basis, whether in private matters or in
16 representative litigation of this sort, is entitled to a premium beyond his standard, hourly,
17 noncontingent fee schedule in order to compensate for both the risks and the delay in payment
18 for the simple fact that despite the most vigorous and competent of efforts, success is never
19 guaranteed. Indeed, if counsel is not adequately compensated for the risks inherent in difficult
20 class actions, competent attorneys will be discouraged from prosecuting similar cases to the
21 detriment of the public.

22 17. As recently as on August 19, 2021, in *Arnold v. OSF International, Inc.* (Case No.
23 CIVDS1705798, Superior Court of the State of California, County of San Bernardino), Judge
24 David Cohn awarded to Class Counsel a fee equal to 1/3 of the common fund on similar wage
25 and hour class action. As another example, on February 1, 2019, in *Jamison v. Fitness 19 CA*
26 *121, LLC et al.*, (Case No. FCS046697, Superior Court of the State of California, County of
27 Solano), Honorable Michael Mattice awarded a fee equal to 1/3 of the common fund.

1 18. As of December 5, 2021, Altus Law Firm incurred lodestar totaling \$914,430 in
2 this matter. I have reviewed my firm’s lodestar in this matter and believe the charges are
3 reasonable and were reasonably necessary to the conduct of the case. From March 2018 through
4 December 3, 2021, my firm has worked more than 1,267 hours prosecuting these claims with the
5 attorneys’ hourly fee rates for attorneys ranging from \$700 to \$750. A detailed breakdown of the
6 fees and the services performed by the firm on this case is attached hereto as Exhibits 1
7 (Jaramillo invoice), 2 (Sha invoice) and 3 (Nguyen invoice). In addition, former counsel, Scott
8 Cooper has provided a declaration with a breakdown of the fees and services performed by his
9 firm amounting to \$72,780, attached hereto as Exhibit 4. The Law Offices of Morris Nazarian,
10 co-counsel in this Action, incurred lodestar of \$214,850.00, for over 329 hours of work. (*See*
11 *Declaration of Morris Nazarian and Exhibit A to same.*) Combining all of this lodestar results in
12 a total current lodestar for Class Counsel in the amount of \$1,202,060 for over 1,708 hours of
13 work. In addition, Class Counsel will be performing additional work, including finalizing the
14 motion for final approval, attending the hearing on final approval, finalizing the orders and
15 judgment and monitoring completion of the settlement process.

16 19. The rates charged by my firm are in line with the prevailing rates of attorneys in
17 the local legal community for similar work and, if this were a commercial matter, these are the
18 charges that would be made and presented to the client. These hourly rates have been approved
19 by Court’s throughout California, including the Courts in the Superior Court of California. In
20 fact, on August 19, 2021, in *Jamison v. Fitness 19 CA 121, LLC et al.*, (Case No. FCS046697,
21 Superior Court of the State of California, County of Solano), Honorable Michael Mattice
22 approved Class Counsel’s rate. Finally, the reasonableness of Class Counsel’s hourly rates is
23 further confirmed by comparing such rates with the rates of comparable counsel practicing
24 complex and class litigation as detailed in the National Law Journal Billing Survey. *See e.g. Zest*
25 *IP Holdings, LLC v. Implant Direct MFG., LLC*, 2014 U.S. Dist. LEXIS 167563 (S.D. Cal.
26 2014) (finding that “Mayer Brown’s \$775 average billing rate for partners” and “Mayer Brown’s
27 \$543 average associate billing rate” are reasonable rates when compared within 21 other firms
28 practicing in the Southern District of California.) This survey is useful to show that Class

1 Counsel's rates are in line with the comparable rates of the defense counsel that opposes these
2 types of class claims, such as Mayer Brown noted above who is defense counsel in cases
3 currently being prosecuted by Class Counsel. In another example, Sheppard Mullin Richter &
4 Hampton, charges rates as high as \$875 for partners and \$535 for associates. Similarly, Paul
5 Hastings, charges between \$900 and \$750 for partners and \$755 and \$335 for associates. Thus,
6 the rates charged by Class Counsel for comparable work are less than these examples, and are
7 therefore undoubtedly reasonable. Therefore, the requested fee award as a percentage of the fund
8 is supported by the overall lodestar incurred with reasonable multiplier of just 1.07, which is less
9 than the multiplier approved in *Laffitte* and lower than the multiplier approved in other cases.
10 The requested award is therefore reasonable viewed by the Lodestar/Multiplier cross-check.

11 Costs

12 20. As part of the Agreement at paragraph 1.5, the parties agreed that
13 "Class Counsel costs shall not exceed Ten thousand Dollars and zero Cents (\$10,000.00)." Class
14 Counsel requests reimbursement for incurred litigation expenses and costs in the amount of
15 \$10,000, based upon Class Counsel's billing records, which evidence that counsel incurred total
16 litigation expenses in the total amount of \$10,086.40, consisting of \$5,091.80 in expenses
17 incurred by Law Offices of Morris Nazarian (Declaration of Morris Nazarian at ¶ 20 and Exhibit
18 D), \$4,807.09 in expenses incurred by the Altus Law Firm and \$187.51 in expenses incurred by
19 The Cooper Law Firm. This requested award is less than the actual amount of incurred costs.
20 These litigation expenses include the expenses incurred for filing fees, mediation fees, expert
21 fees, delivery charges, travel expenses, legal research charges, postage, attorney service charges,
22 litigation support vendors, and CourtCall charges, all of which are costs normally billed to and
23 paid by the client. Additionally, Class Counsel expects to incur additional costs for CourtCall
24 charges for the final approval hearing and any other conferences set by the Court. The costs in
25 the amount of \$10,086.40 were reasonably incurred by Altus Law Firm and the Law Offices of
26 Morris Nazarian, and by prior counsel, Scott Cooper, in the prosecution of this matter and are set
27 forth in detail in the contemporaneous billing records attached hereto as Exhibits 1 and 4 and to
28 the Declaration of Morris Nazarian.

1 **Service Award**

2 21. I respectfully request that for his service as the class representative, Plaintiff
3 Jeffrey Maxwell be awarded the agreed Class Representative Service Award of \$15,000 in
4 accordance with the Agreement for his time, risk and effort as the class representative on behalf
5 of the Class. (Agreement at ¶ 1.34.) Defendants have agreed to this payment to the Class
6 Representative and do not expect any objections to the requested Class Representative Service
7 Payment. As the representative of the Class, Plaintiff performed his duty to the Class admirably
8 and without exception. Plaintiff worked extensively with Class Counsel over the course of the
9 litigation, responding to numerous requests, searching for documents, working with Class
10 Counsel, preparing for deposition, and reviewing the settlement documentation. As set forth in
11 the Agreement, Plaintiff is also providing a comprehensive release as part of the Settlement, far
12 beyond the class release, which releases all potential claims by the Plaintiff for which he is
13 receiving no other compensation.

14 22. The Declaration of Jeffrey Maxwell e-filed on August 2, 2021 in support of
15 Plaintiff’s Motion for Preliminary Approval of Class Settlement details his involvement, stress
16 and risks he undertook as a result of this lawsuit. Plaintiff also assumed the serious risk that he
17 might possibly be liable for costs and fees to Defendants, as well as the reputational risk of being
18 “blacklisted” by other future employers for having filed a class action on behalf of fellow former
19 employees. Without the Plaintiff’s participation, cooperation and information, no other fellow
20 employees would be receiving any benefit.

21 23. The payment of service awards to a successful class representative is appropriate
22 and the amount of \$15,000 is well within the currently awarded range for similar settlements.
23 The requested award is also reasonable by reference to the amounts that other California courts
24 have found to be reasonable in wage and hour class action settlements: *See e.g. Ontiveros v.*
25 *Zamora*, 303 F.R.D. 356, 366 (E.D. Cal. 2014) (\$15,000 service award where the plaintiff
26 brought a class claim); *Jamison v. Fitness 19 CA 121, LLC et al.*, (Case No. FCS046697,
27 Superior Court of the State of California, County of Solano) (\$15,000 service award where the
28 plaintiff brought similar overtime claims) (Class Counsel also represented the class in this case);

1 *Mathein v. Pier 1 Imps.*, 2018 U.S. Dist. LEXIS 71386, 168 Lab. Cas. (CCH) P36,620 (E.D. Cal.
2 2018) (approving two service awards of \$12,500 each); *Holman v. Experian Info. Solutions, Inc.*,
3 2014 U.S. Dist. LEXIS 173698 (approving \$10,000 service award where class member recovery
4 was \$375); *Rausch v. Hartford Fin. Servs. Grp.*, 2007 U.S. Dist. LEXIS 14740, 2007 WL
5 671334 (D. Or. Feb. 26, 2007) (approving award of \$10,000 where class member recoveries
6 were as little as \$150). Indeed, other courts have awarded much higher service awards. *See Van*
7 *Vranken v. Atlantic Richfield Co.*, 901 F.Supp. 294, 299-300 (N.D. Cal. 1995)(incentive award of
8 \$50,000); *Glass v. UBS Fin. Servs.*, 2007 U.S. Dist. LEXIS 8476 at *51-*52 (N.D.Cal.
9 2007)(awarding \$25,000 service award in overtime wage class action); *Cook v. Niedert*, 142 F.3d
10 1004, 1016 (7th Cir. 1998)(affirming \$25,000 service award to class representative in ERISA
11 case).

12 24. The requested service award is also reasonable in light of the reputational risk that
13 Plaintiff assumed in bringing this action against his current employer. The Class Representative
14 has even put any employment prospects at risk by becoming a class representative as the fact that
15 a lawsuit “is searchable on the internet and may become known to prospective employers when
16 evaluating” him for employment. *Guippone v. BH S&B Holdings, LLC*, 2011 U.S. Dist. LEXIS
17 126026, *20 (S.D.N.Y. Oct. 28, 2011). Employers routinely screen employee candidates to
18 determine whether they have ever filed a suit against other employers, allowing them to screen
19 out the litigious candidates. An entire industry exists that allows employers to run extensive
20 background searches on potential employees. Companies who provide these services specifically
21 highlight the fact that their services allows employers to weed out litigious employment
22 candidates. Reliable Plant outlines ways that employers can "get a sense of whether a prospective
23 employee is likely to sue" the employer, through background checks and other means, to screen
24 out these employees. [www.reliableplant.com/Read/6959/a-solution-to-fear-of-hiring-litigious-](http://www.reliableplant.com/Read/6959/a-solution-to-fear-of-hiring-litigious-employees)
25 [employees](http://www.reliableplant.com/Read/6959/a-solution-to-fear-of-hiring-litigious-employees). Onicra Credit Rating Agency of India states: "Background screening has become a
26 necessity in today's litigious society." Back Track Screening also represents: "In today's litigious
27 culture, employers simply cannot afford to hire employees who will put their company at risk."
28 <http://www.btscreening.com/wp-content/uploads/2012/09/Screening-101.pdf>. PreciseHire also

1 offers employment screening and similarly warns: "with today's business climate being
2 extremely competitive and highly litigious, conducting pre employment background checks has
3 become a necessity." [https://precisehireblog.
4 wordpress.com/2013/11/21/pre-employment-background-checks-have-become-a-busines-
5 necessity/.](https://precisehireblog.wordpress.com/2013/11/21/pre-employment-background-checks-have-become-a-business-necessity/)

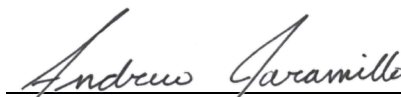
6 25. As a result, Class Counsel respectfully requests approval of the application for
7 award of attorneys' fees to Class Counsel in the amount of \$1,283,333 (equal to one-third of the
8 common fund and less than Class Counsel's lodestar), an award of litigation expenses in the
9 amount of \$10,000, and approval of the requested service payment of \$15,000 to Plaintiff as the
10 Class Representative.

11 26. In accordance with California Rules of Court, rule 3.769, I make the following
12 Disclosure: The attorneys' fees awarded shall be allocated 72.5% to Altus Law Firm, 22.5% to
13 the Law Offices of Morris Nazarian, and 5% to former class counsel, Scott Cooper.

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct. Executed at Irvine, California.

16
17 Dated: December 5, 2021

ALTUS LAW FIRM

18
19 

20 Andrew J. Jaramillo
21 Attorneys for Plaintiff
22 JEFFREY MAXWELL
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24
25
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27
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EXHIBIT 1

| Date | Hours | Description | Rate (\$) | Billable (\$) | User |
|---------|-------|---|-----------|---------------|------------------|
| 2/1/18 | 0.5 | Call with Morris Nazarian about status of action, claims, etc. | \$750.00 | \$375.00 | Andrew Jaramillo |
| 2/1/18 | 1.4 | Initial analysis of claims in lawsuit and compile brief list of tasks to be accomplished | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 2/28/18 | 0.5 | Analyze list of documents needed from defendants for potential mediation | \$750.00 | \$375.00 | Andrew Jaramillo |
| 3/6/18 | 0.7 | Review and revise association of counsel agreement | \$750.00 | \$525.00 | Andrew Jaramillo |
| 3/7/18 | 0.2 | Introductory email exchange with client | \$750.00 | \$150.00 | Andrew Jaramillo |
| 3/28/18 | 0.5 | Draft lengthy email to opposing counsel regarding mediation and informatl discovery | \$750.00 | \$375.00 | Andrew Jaramillo |
| 2/22/18 | 2 | Further analyze claims and defenses in action, including detailed review and analysis of documents in file | \$750.00 | \$1,500.00 | Andrew Jaramillo |
| 2/23/18 | 4.6 | Continue detailed review and analysis of claims, including client documents | \$750.00 | \$3,450.00 | Andrew Jaramillo |
| 2/26/18 | 0.4 | Review and analyze email from Morris Nazarian regarding informal discovery | \$750.00 | \$300.00 | Andrew Jaramillo |
| 2/28/18 | 0.3 | Prepare for and attend call with opposing counsel regarding stipulation to push back class certification deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 3/5/18 | 0.5 | Further analyze documents needed from defendants for mediation | \$750.00 | \$375.00 | Andrew Jaramillo |
| 3/13/18 | 0.1 | Review and analyze email from client regarding association of counsel | \$750.00 | \$75.00 | Andrew Jaramillo |
| 3/15/18 | 0.4 | Communications with co-counsel regarding possible mediation and settlement position | \$750.00 | \$300.00 | Andrew Jaramillo |
| 3/17/18 | 0.5 | Draft substitution of counsel documents | \$750.00 | \$375.00 | Andrew Jaramillo |
| 3/27/18 | 0.3 | Review and analyze email from opposing counsel regarding anticipated discovery and potential mediation | \$750.00 | \$225.00 | Andrew Jaramillo |
| 3/27/18 | 0.5 | Communications with co-counsel regarding anticipated discovery and potential mediation | \$750.00 | \$375.00 | Andrew Jaramillo |
| 3/27/18 | 0.3 | Review and revise stipulation to continue class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 3/28/18 | 0.5 | Draft lengthy email to opposing counsel responding to email re discovery, class certification and Belaire West notice | \$750.00 | \$375.00 | Andrew Jaramillo |
| 3/29/18 | 0.7 | Analyze alternative workweek schedule and impact on overtime claims | \$750.00 | \$525.00 | Andrew Jaramillo |
| 3/29/18 | 1.2 | Review defendants' document productions to date | \$750.00 | \$900.00 | Andrew Jaramillo |
| 3/30/18 | 1.8 | Briefly review defendants' responses to written discovery and meet and subsequent meet and confer letters from co-counsel | \$750.00 | \$1,350.00 | Andrew Jaramillo |
| 3/30/18 | 0.3 | Email exchange with opposing counsel re stip to continue class cert | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/2/18 | 0.4 | Revise stipulation to continue class cert | \$750.00 | \$300.00 | Andrew Jaramillo |
| 4/2/18 | 0.2 | Communications with opposing counsel re stipulation to continue class cert | \$750.00 | \$150.00 | Andrew Jaramillo |
| 4/3/18 | 0.4 | Additional email exchanges with opposing counsel re stipulation to continue class cert | \$750.00 | \$300.00 | Andrew Jaramillo |
| 4/4/18 | 0.4 | Call with opposing counsel re stipulation to continue class cert | \$750.00 | \$300.00 | Andrew Jaramillo |
| 4/4/18 | 1.3 | Continue review and analysis of defendants' document production | \$750.00 | \$975.00 | Andrew Jaramillo |
| 4/4/18 | 0.6 | Research and follow up email to opposing counsel regarding broad right to discovery under PAGA | \$750.00 | \$450.00 | Andrew Jaramillo |
| 4/5/18 | 0.3 | Revise stipulation to continue class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/5/18 | 0.4 | Communications with co-counsel and opposing counsel re stipulation to continue class cert deadline | \$750.00 | \$300.00 | Andrew Jaramillo |
| 4/6/18 | 0.3 | Further communications with co-counsel and opposing counsel re stipulation to continue class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/6/18 | 0.3 | Call with client re status of action | \$750.00 | \$225.00 | Andrew Jaramillo |

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|---------|---|----------|------------|------------------|
| 4/6/18 | 1.3 Review and analyze plaintiff's paystub spreadsheet | \$750.00 | \$975.00 | Andrew Jaramillo |
| 4/13/18 | 0.3 File stipulation re class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/13/18 | 0.4 Analyze rejected stipulation and communications with opposing counsel re same | \$750.00 | \$300.00 | Andrew Jaramillo |
| 4/17/18 | 0.2 Further communications with opposing counsel regarding rejected stipulation | \$750.00 | \$150.00 | Andrew Jaramillo |
| 4/18/18 | 0.2 Refile rejected stipulation to continue class cert deadline | \$750.00 | \$150.00 | Andrew Jaramillo |
| 4/24/18 | 0.6 Review court's website for class cert deadline and follow up with call to court clerk and communications with opposing and co-counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 4/30/18 | 0.3 Further communications with opposing counsel regarding informal discovery and company's meal period policy | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/19/18 | 0.5 Review and analyze company's meal period policy for compliance with California law | \$750.00 | \$375.00 | Andrew Jaramillo |
| 5/1/18 | 0.2 Further communications with opposing counsel re meal period policy and informal discovery | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/2/18 | 0.2 Further communications with opposing counsel re meal period policy and informal discovery | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/3/18 | 0.7 Prepare for and attend call with opposing counsel re meal period policy and informal discovery | \$750.00 | \$525.00 | Andrew Jaramillo |
| 5/3/18 | 0.3 Review and analyze email exchange between co-counsel and client regarding off the clock work | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/4/18 | 0.4 Review and analyze email from opposing counsel regarding exchange from September 2017 about punch detail reports and punch detail report itself | \$750.00 | \$300.00 | Andrew Jaramillo |
| 5/7/18 | 0.3 Review and analyze amended PAGA notice and email to opposing counsel | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/10/18 | 0.8 Research potential mediators and dates and discuss with co-counsel | \$750.00 | \$600.00 | Andrew Jaramillo |
| 5/17/18 | 1.3 Analyze impact of non-discretionary bonuses on regular rate for overtime | \$750.00 | \$975.00 | Andrew Jaramillo |
| 5/25/18 | 0.7 Review and analyze opposing counsel's changes to Belaire West notice | \$750.00 | \$525.00 | Andrew Jaramillo |
| 5/27/18 | 0.2 Email opposing counsel regarding suggested changes to Belaire West notice | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/23/18 | 0.6 Discuss impact of possible change of defense counsel on prosecution of case with co-counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 5/29/18 | 1 Revise Belaire-West notice and circulate to co-counsel | \$750.00 | \$750.00 | Andrew Jaramillo |
| 5/30/18 | 0.5 Call with co-counsel regarding changes to Belaire West notice | \$750.00 | \$375.00 | Andrew Jaramillo |
| 5/30/18 | 0.3 Email revised BW notice to opposing counsel and follow up discussion | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/31/18 | 0.5 Prepare for and attend call with opposing counsel re BW notice and related issues | \$750.00 | \$375.00 | Andrew Jaramillo |
| 6/6/18 | 0.8 Review and analyze email from opposing counsel re change in defense representation and discuss impact with co-counsel | \$750.00 | \$600.00 | Andrew Jaramillo |
| 6/4/18 | 0.4 Revise list of informal discovery needed | \$750.00 | \$300.00 | Andrew Jaramillo |
| 5/30/18 | 1.4 Research court procedure re informal discovery conference and begin drafting statement | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 6/13/18 | 0.5 Email opposing counsel regarding immediate deadlines and stipulation to extend as well as filing IDC statement | \$750.00 | \$375.00 | Andrew Jaramillo |
| 6/13/18 | 0.6 Review email from new opposing counsel and research | \$750.00 | \$450.00 | Andrew Jaramillo |
| 6/13/18 | 0.2 Email exiting opposing counsel and email new opposing counsel to set up phone call re outstanding issues | \$750.00 | \$150.00 | Andrew Jaramillo |

| | | | | |
|---------|--|----------|------------|------------------|
| 6/14/18 | 0.7 Prepare for and attend call with new opposing counsel regarding outstanding issues such as informal discovery conference and class cert deadline | \$750.00 | \$525.00 | Andrew Jaramillo |
| 6/19/18 | 1.4 Substantially revise IDC statement | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 6/19/18 | 0.4 Communications with opposing counsel regarding informal discovery conference and mediation | \$750.00 | \$300.00 | Andrew Jaramillo |
| 6/21/18 | 0.4 Discuss with co-counsel status if IDC and Belaire-West notice | \$750.00 | \$300.00 | Andrew Jaramillo |
| 6/21/18 | 0.6 Research potential mediators proposed by opposing counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 6/22/18 | 0.3 Review and analyze email from opposing counsel re BW notice and need for IDC to resolve dispute | \$750.00 | \$225.00 | Andrew Jaramillo |
| 6/22/18 | 0.4 Analyze whether to extend mediation with Todd Smith | \$750.00 | \$300.00 | Andrew Jaramillo |
| 6/22/18 | 0.4 Email opposing counsel re lack of progress and mediation | \$750.00 | \$300.00 | Andrew Jaramillo |
| 6/29/18 | 1.7 Review and analyze opposition to request for IDC and begin drafting reply | \$750.00 | \$1,275.00 | Andrew Jaramillo |
| 7/10/18 | 0.9 Analyze amendment to complaint pursuant to 2nd amended PAGA notice | \$750.00 | \$675.00 | Andrew Jaramillo |
| 7/12/18 | 1.3 Review and analyze documents produced informally in advance of mediation | \$750.00 | \$975.00 | Andrew Jaramillo |
| 7/12/18 | 0.4 Review and analyze court's order re hearing on IDC hearing and discuss with co-counsel | \$750.00 | \$300.00 | Andrew Jaramillo |
| 7/12/18 | 0.4 Call with opposing counsel regarding Belaire West notice and follow up emails | \$750.00 | \$300.00 | Andrew Jaramillo |
| 7/12/18 | 0.2 Call court to take IDC off calendar | \$750.00 | \$150.00 | Andrew Jaramillo |
| 7/13/18 | 0.2 Communications with opposing counsel re class administrator for BW notice | \$750.00 | \$150.00 | Andrew Jaramillo |
| 7/16/18 | 0.5 Communications with opposing counsel and co-counsel re class administrator and class size | \$750.00 | \$375.00 | Andrew Jaramillo |
| 7/16/18 | 0.7 Analyze defendant's position that only putative class members are liability examiners and communicate with co-counsel re same | \$750.00 | \$525.00 | Andrew Jaramillo |
| 7/16/18 | 0.5 Further communications with opposing counsel regarding class member definition | \$750.00 | \$375.00 | Andrew Jaramillo |
| 7/18/18 | 0.6 Further communications with opposing counsel regarding class member definition | \$750.00 | \$450.00 | Andrew Jaramillo |
| 7/18/18 | 2.1 Draft supplemental IDC statement | \$750.00 | \$1,575.00 | Andrew Jaramillo |
| 7/18/18 | 0.2 Call with court clerk re personal appearance at IDC | \$750.00 | \$150.00 | Andrew Jaramillo |
| 7/18/18 | 1.2 Review and analyze opposition to supplemental IDC statement | \$750.00 | \$900.00 | Andrew Jaramillo |
| 7/18/18 | 0.9 Handle filing and courtesy copy delivery of IDC documents | \$750.00 | \$675.00 | Andrew Jaramillo |
| 7/19/18 | 5.8 Travel to Fresno for IDC Conference | \$750.00 | \$4,350.00 | Andrew Jaramillo |
| 7/20/18 | 3.2 Prepare for and attend IDC Conference | \$750.00 | \$2,400.00 | Andrew Jaramillo |
| 7/20/18 | 6.5 Travel from IDC conference | \$750.00 | \$4,875.00 | Andrew Jaramillo |
| 7/24/18 | 0.3 Communications with former class counsel re removal from service list | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/27/18 | 0.3 Further email exchanges following up with opposing counsel regarding BW notice and motion to compel deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/28/18 | 0.3 Emails with opposing counsel re cancellation of mediation and continuance of class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/30/18 | 0.8 Review email from opposing counsel re refusal to include other adjusters in BW notice distribution list and analyze with co-counsel | \$750.00 | \$600.00 | Andrew Jaramillo |
| 7/30/18 | 0.3 Email opposing counsel re motion to compel and class cert deadlines | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/30/18 | 1.1 Review and revise second sets of interrogatories and document demands to defendants | \$750.00 | \$825.00 | Andrew Jaramillo |

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| 7/31/18 | 0.4 Review and analyze email from opposing counsel refusing to stipulate to extension of class cert deadline | \$750.00 | \$300.00 | Andrew Jaramillo |
| 7/31/18 | 0.3 Draft email to opposing counsel re motion to compel and meet and confer re first set of written discovery | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/3/18 | 3.4 Draft motion to compel interrogatory response as it pertains to BW notice | \$750.00 | \$2,550.00 | Andrew Jaramillo |
| 8/6/18 | 0.3 Communications with opposing counsel regarding motion to compel deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/9/18 | 0.7 Analyze possibility of ex parte motion re class cert deadline and discuss with co-counsel | \$750.00 | \$525.00 | Andrew Jaramillo |
| 8/14/18 | 0.2 Review and analyze email from opposing counsel re meet and confer on discovery | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/15/18 | 4.8 Continue drafting ex parte papers to continue class cert | \$750.00 | \$3,600.00 | Andrew Jaramillo |
| 8/15/18 | 0.3 Communications with opposing counsel and co-counsel re defendant's reversal and stip to continuance | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/16/18 | 1.4 Draft stip to continuance of class cert deadline | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 8/16/18 | 0.3 Communications with opposing counsel re continuance of class cert | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/22/18 | 0.2 Further communications with opposing counsel re continuance of class cert stip | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/22/18 | 0.6 Communications with co-counsel re interrogatories propounded to defendants on which we will not provide extension to respond | \$750.00 | \$450.00 | Andrew Jaramillo |
| 8/30/18 | 0.2 Review and analyze substitution of counsel form | \$750.00 | \$150.00 | Andrew Jaramillo |
| 9/14/18 | 1.1 Review and revise meet and confer letters re written discovery to defendants | \$750.00 | \$825.00 | Andrew Jaramillo |
| 6/19/18 | 3.2 Extensive research for IDC statement | \$750.00 | \$2,400.00 | Andrew Jaramillo |
| 9/20/18 | 0.6 Review and analyze email containing arbitration rollout from defendants to putative class members | \$750.00 | \$450.00 | Andrew Jaramillo |
| 9/20/18 | 2.7 Research authority related to defendants' rollout of arbitration agreement to putative class members and analyze impact | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 9/26/18 | 0.7 Communications with co-counsel and opposing counsel regarding arbitration agreement and accompanying statements to class members | \$750.00 | \$525.00 | Andrew Jaramillo |
| 9/28/18 | 2.7 Review and analyze arbitration agreement and related rollout papers, including disclosure of class action and compare to court-sanctioned rollout in Bararsani case | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 9/28/18 | 2.1 Further research on legality of rollout out arbitration agreements in middle of class action lawsuit and comparison to settlement offers as in Pick up Stix case | \$750.00 | \$1,575.00 | Andrew Jaramillo |
| 10/1/18 | 0.3 Call with co-counsel re ex parte application to stop arbitration rollout | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/3/18 | 3.2 Substantially revise ex parte application re arbitration agreement | \$750.00 | \$2,400.00 | Andrew Jaramillo |
| 10/16/18 | 1.4 Revise ex parte application re arbitration agreement | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 10/17/18 | 2.5 Finalize ex parte application and serve on opposing counsel | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 10/18/18 | 2.2 Prepare for and attend ex parte hearing re arbitration rollout | \$750.00 | \$1,650.00 | Andrew Jaramillo |
| 10/24/18 | 0.4 Review and analyze co-counsel's meet and confer email to opposing counsel | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/30/18 | 0.6 Prepare for and attend meet and confer call with opposing counsel re defendants' written discovery responses | \$750.00 | \$450.00 | Andrew Jaramillo |
| 1/14/19 | 0.5 Multiple communications with co-counsel and opposing counsel regarding number of class members and BW notice | \$750.00 | \$375.00 | Andrew Jaramillo |
| 1/16/19 | 0.4 Review and analyze revised BW notice | \$750.00 | \$300.00 | Andrew Jaramillo |

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| 1/17/19 | 0.8 Further analysis of BW notice and discussions with co-counsel re problems with defendants' position | \$750.00 | \$600.00 | Andrew Jaramillo |
| 2/5/19 | 1 Review and revise meet and confer letters on defendants' responses to interrogatories and RFPs | \$750.00 | \$750.00 | Andrew Jaramillo |
| 1/30/19 | 1.4 Review and analyze defendants' supplemental responses to interrogatories and document demands as well as job descriptions produced | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 2/5/19 | 0.2 Call with opposing counsel re motion to compel discovery responses deadline | \$750.00 | \$150.00 | Andrew Jaramillo |
| 2/7/19 | 0.2 Follow up email to opposing counsel re motion to compel discovery responses | \$750.00 | \$150.00 | Andrew Jaramillo |
| 3/12/19 | 0.2 Communications with opposing counsel regarding motion to compel discovery and possible mediation | \$750.00 | \$150.00 | Andrew Jaramillo |
| 3/14/19 | 0.4 Communications with opposing counsel regarding extension of time on motion to compel discovery and motion for class cert | \$750.00 | \$300.00 | Andrew Jaramillo |
| 3/14/19 | 0.5 Research mediator proposed by defense counsel | \$750.00 | \$375.00 | Andrew Jaramillo |
| 4/2/19 | 0.2 Call with opposing counsel re stipulation to continue deadlines | \$750.00 | \$150.00 | Andrew Jaramillo |
| 4/5/19 | 1.3 Draft stipulation to continue deadlines and email to opposing counsel | \$750.00 | \$975.00 | Andrew Jaramillo |
| 4/5/19 | 0.7 Gather signatures on stipulation and file | \$750.00 | \$525.00 | Andrew Jaramillo |
| 4/10/19 | 0.3 Refile rejected stip | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/12/19 | 0.6 Discuss continued deadlines with opposing counsel and possible mediation | \$750.00 | \$450.00 | Andrew Jaramillo |
| 7/1/19 | 0.6 Review and analyze court's order re change of judge and research same | \$750.00 | \$450.00 | Andrew Jaramillo |
| 2/28/19 | 0.3 Call with opposing counsel regarding defendants' arbitration agreement rollout and follow up emails | \$750.00 | \$225.00 | Andrew Jaramillo |
| 2/28/19 | 1.3 Review and analyze case law defense counsel sent supporting the rollout of arbitration agreements to class members | \$750.00 | \$975.00 | Andrew Jaramillo |
| 3/12/19 | 0.4 Communications with opposing counsel and mediation | \$750.00 | \$300.00 | Andrew Jaramillo |
| 8/13/19 | 1.1 Review and analyze status of action and discuss needed action items with co-counsel | \$750.00 | \$825.00 | Andrew Jaramillo |
| 8/14/19 | 0.2 Review and analyze email from co-counsel to defense counsel regarding progress of case | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/15/19 | 0.6 Additional discussions with opposing counsel regarding possible mediation with class members who did not sign arbitration agreements | \$750.00 | \$450.00 | Andrew Jaramillo |
| 5/2/19 | 0.7 Further discussions with opposing counsel regarding possible mediation with class members who signed arb agreements | \$750.00 | \$525.00 | Andrew Jaramillo |
| 2/5/20 | 4.2 Travel to and from mediation | \$750.00 | \$3,150.00 | Andrew Jaramillo |
| 2/5/20 | 8.5 Prepare for and attend mediation | \$750.00 | \$6,375.00 | Andrew Jaramillo |
| 8/22/19 | 2.1 Analyze efficacy of mediating without class members who signed arbitration agreements | \$750.00 | \$1,575.00 | Andrew Jaramillo |
| 8/26/19 | 0.8 Analyze email from opposing counsel regarding number of class members who did not sign arbitration agreements and whether it makes sense to still mediate | \$750.00 | \$600.00 | Andrew Jaramillo |
| 8/27/19 | 1.4 Analyze and identify problems with data provided by defendants and mediation without class members who signed arbitration agreements | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 9/5/19 | 0.9 Analyze emails between co-counsel and opposing counsel regarding data on class members to be provided prior to mediation | \$750.00 | \$675.00 | Andrew Jaramillo |

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| 9/10/19 | 0.7 Discuss with co-counsel defendants' position on data to be provided in advance of mediation, class certification deadline, declarations from defense witnesses re work weeks for all putative class members | \$750.00 | \$525.00 | Andrew Jaramillo |
| 9/11/19 | 0.5 Research mediators suggested by defense counsel | \$750.00 | \$375.00 | Andrew Jaramillo |
| 9/16/19 | 0.8 Further analysis of potential mediators | \$750.00 | \$600.00 | Andrew Jaramillo |
| 9/18/19 | 0.4 Review and revise stipulation to continue hearing dates | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/24/19 | 0.5 Review and revise email to opposing counsel regarding documents and data needed for mediation | \$750.00 | \$375.00 | Andrew Jaramillo |
| 10/9/19 | 0.8 Review and analyze declaration from company representative re class members who signed arbitration agreements v those who did not and discuss with co-counsel | \$750.00 | \$600.00 | Andrew Jaramillo |
| 10/11/19 | 0.7 Analyze defense counsel's position re providing contact information for putative class members and data to be provided in advance of mediation | \$750.00 | \$525.00 | Andrew Jaramillo |
| 10/18/19 | 0.2 Review and analyze letter from mediator Lichtman's office | \$750.00 | \$150.00 | Andrew Jaramillo |
| 10/22/19 | 0.5 Review and revise declaration of company representative re putative class members for distribution to defense counsel | \$750.00 | \$375.00 | Andrew Jaramillo |
| 11/1/19 | 0.5 Further analysis of defendants' position re declaration about class members | \$750.00 | \$375.00 | Andrew Jaramillo |
| 11/15/19 | 0.3 Discussion with co-counsel about moving forward with mediation on 12/18 | \$750.00 | \$225.00 | Andrew Jaramillo |
| 11/20/19 | 5.3 Begin reviewing and analyzing wage and hour data for the class produced in pdf format | \$750.00 | \$3,975.00 | Andrew Jaramillo |
| 11/20/19 | 0.6 Analyze problems with usability of pdf format for defendant's document production and refusal to provide in electronic spreadsheets and possible cancellation of mediation | \$750.00 | \$450.00 | Andrew Jaramillo |
| 11/21/19 | 0.3 Further communications with opposing counsel regarding class wage and hour data in usable format | \$750.00 | \$225.00 | Andrew Jaramillo |
| 12/5/19 | 4.7 Detailed review of file and preparation of mediation brief | \$750.00 | \$3,525.00 | Andrew Jaramillo |
| 12/8/19 | 5.3 Continue research and drafting sections of mediation brief | \$750.00 | \$3,975.00 | Andrew Jaramillo |
| 12/10/19 | 1.4 Analyze impact of missing data for class on ability to mediate | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 12/10/19 | 1.5 Analyze pay data for 50+ adjusters and add to earlier attempted analysis of pdf data to begin preparation of exposure analysis | \$750.00 | \$1,125.00 | Andrew Jaramillo |
| 12/10/19 | 0.8 Analyze whether to continue mediation in light of missing data | \$750.00 | \$600.00 | Andrew Jaramillo |
| 12/11/19 | 0.7 Analyze potential new mediation dates and impact on class cert deadline | \$750.00 | \$525.00 | Andrew Jaramillo |
| 12/12/19 | 0.4 Additional analysis of mediation dates | \$750.00 | \$300.00 | Andrew Jaramillo |
| 12/16/19 | 0.5 Revise stipulation to continue class cert deadline | \$750.00 | \$375.00 | Andrew Jaramillo |
| 1/24/20 | 0.5 Analyze defense counsel's request for a settlement demand in advance of mediation | \$750.00 | \$375.00 | Andrew Jaramillo |
| 1/29/20 | 0.4 Communications with JAMS re mediation payment and briefs | \$750.00 | \$300.00 | Andrew Jaramillo |
| 1/30/20 | 4.3 Draft and revise mediation brief | \$750.00 | \$3,225.00 | Andrew Jaramillo |
| 1/31/20 | 5.7 Continue drafting and revising mediation brief | \$750.00 | \$4,275.00 | Andrew Jaramillo |
| 2/1/20 | 1.6 Analyze co-counsel's revisions to mediation brief and further revise | \$750.00 | \$1,200.00 | Andrew Jaramillo |
| 2/3/20 | 1.1 Finalize mediation brief and email to JAMS | \$750.00 | \$825.00 | Andrew Jaramillo |
| 2/20/20 | 0.6 Follow up discussions with opposing counsel and co-counsel about settlement prospects | \$750.00 | \$450.00 | Andrew Jaramillo |
| 2/13/20 | 0.5 Further communications with opposing counsel about possible settlement | \$750.00 | \$375.00 | Andrew Jaramillo |
| 2/4/20 | 7.4 Prepare for mediation tomorrow, including outline of arguments and damages analysis | \$750.00 | \$5,550.00 | Andrew Jaramillo |
| 1/21/20 | 4.5 Continue detailed analysis of pay and punch detail data for adjusters and preparation of exposure analysis | \$750.00 | \$3,375.00 | Andrew Jaramillo |

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| 1/25/20 | 3.8 Continue analysis of pay and punch detail data for adjusters and preparation of exposure analysis | \$750.00 | \$2,850.00 | Andrew Jaramillo |
| 1/27/20 | 4.4 Continue preparation of exposure analysis | \$750.00 | \$3,300.00 | Andrew Jaramillo |
| 1/29/20 | 6 Continue preparation of exposure analysis | \$750.00 | \$4,500.00 | Andrew Jaramillo |
| 2/1/20 | 7 Continue preparing detailed exposure analysis | \$750.00 | \$5,250.00 | Andrew Jaramillo |
| 2/2/20 | 8.3 Continue preparing exposure analysis | \$750.00 | \$6,225.00 | Andrew Jaramillo |
| 1/28/20 | 6.5 Continue preparing exposure analysis | \$750.00 | \$4,875.00 | Andrew Jaramillo |
| 1/26/20 | 4 Prepare exposure analysis | \$750.00 | \$3,000.00 | Andrew Jaramillo |
| 1/22/20 | 2.6 Continue preparation of exposure analysis | \$750.00 | \$1,950.00 | Andrew Jaramillo |
| 1/24/20 | 7 Continue detailed analysis of wage and hour data of class for exposure analysis to use at mediation | \$750.00 | \$5,250.00 | Andrew Jaramillo |
| 12/14/19 | 4 Analyze wage and hour data for exposure analysis | \$750.00 | \$3,000.00 | Andrew Jaramillo |
| 12/17/19 | 6.3 Analyze wage and hour data of class members and continue preparing exposure analysis | \$750.00 | \$4,725.00 | Andrew Jaramillo |
| 1/18/20 | 2 Legal research for mediation on regular rate of pay for overtime claims | \$750.00 | \$1,500.00 | Andrew Jaramillo |
| 1/18/20 | 2.5 Legal research on recent settlements in cases with similar claims | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 1/20/20 | 2.7 Research and analysis of Bararsani v. Coldwell Banker case and similar cases regarding arbitration agreements provided to current class members | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 9/28/18 | 4 Begin drafting motion regarding defendants' rollout of arbitration agreements | \$750.00 | \$3,000.00 | Andrew Jaramillo |
| 3/3/18 | 4.5 Detailed analysis of file, including pleadings, discovery, document productions | \$750.00 | \$3,375.00 | Andrew Jaramillo |
| 3/4/18 | 4 Continue analysis of discovery and document productions | \$750.00 | \$3,000.00 | Andrew Jaramillo |
| 2/24/20 | 0.4 Discuss motion to compel and/or motion for corrective action with Judy Sha | \$750.00 | \$300.00 | Andrew Jaramillo |
| 2/25/20 | 0.6 Further analysis of motion to compel and/or motion for corrective action | \$750.00 | \$450.00 | Andrew Jaramillo |
| 3/5/20 | 0.3 Communications with co-counsel re motion to compel and/or motion for corrective action | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/3/20 | 0.7 Communications with court's law and motion clerk and co-counsel regarding motion to compel and for corrective action as well as current class certification deadline | \$750.00 | \$525.00 | Andrew Jaramillo |
| 4/20/20 | 0.3 Communications with opposing counsel regarding status action, including class cert deadline and anticipated motions | \$750.00 | \$225.00 | Andrew Jaramillo |
| 4/23/20 | 0.5 Further communications with opposing counsel regarding status action, including class cert deadline and anticipated motions | \$750.00 | \$375.00 | Andrew Jaramillo |
| 5/1/20 | 0.6 Analyze latest general court order re resetting and continuing hearing dates and discuss with co-counsel in light of defendants' refusal to stipulate to extend class cert deadline | \$750.00 | \$450.00 | Andrew Jaramillo |
| 5/1/20 | 0.1 Communications with mediator regarding settlement numbers and positions exchanged at mediation | \$750.00 | \$75.00 | Andrew Jaramillo |
| 5/1/20 | 0.3 Communications with co-counsel regarding settlement numbers and positions exchanged at mediation | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/12/20 | 0.4 Research on local procedures filing motions under emergency and general orders, including emailing motions to research attorneys | \$750.00 | \$300.00 | Andrew Jaramillo |
| 5/10/20 | 3.2 Review and revise multiple motions to compel responses to interrogatories | \$750.00 | \$2,400.00 | Andrew Jaramillo |
| 5/11/20 | 2.7 Continue to review and revise multiple motions to compel responses to interrogatories | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 5/13/20 | 0.8 File multiple motions to compel interrogatory responses | \$750.00 | \$600.00 | Andrew Jaramillo |

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| 5/18/20 | 2.7 Draft ex parte application to continue class cert deadline | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 5/18/20 | 0.3 Lengthy ex parte notice via email to opposing counsel | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/19/20 | 0.8 Multiple communications with opposing counsel and co-counsel regarding continuation of class cert deadline | \$750.00 | \$600.00 | Andrew Jaramillo |
| 5/19/20 | 0.4 Further review and analyze court's general order dated 4/30 for impact on outstanding and anticipated motions | \$750.00 | \$300.00 | Andrew Jaramillo |
| 5/19/20 | 0.2 Review and revise joint stip to continue class cert deadline | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/19/20 | 0.4 Further review and revise joint stip to continue class cert deadline | \$750.00 | \$300.00 | Andrew Jaramillo |
| 5/19/20 | 0.2 Revise proposed order in ex parte application based on defendants' stipulation | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/19/20 | 0.3 File ex parte application to continue class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/19/20 | 0.3 Further communications with opposing counsel regarding service and joint stip | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/19/20 | 0.3 File joint stip and order re class cert | \$750.00 | \$225.00 | Andrew Jaramillo |
| 5/27/20 | 0.2 Communications with opposing counsel regarding status of action | \$750.00 | \$150.00 | Andrew Jaramillo |
| 5/28/20 | 0.6 Additional settlement discussions with opposing counsel and co-counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 6/8/20 | 0.2 Communications with co-counsel regarding continued hearing dates on motions to compel | \$750.00 | \$150.00 | Andrew Jaramillo |
| 6/22/20 | 1 Review and analyze oppositions to motions to compel | \$750.00 | \$750.00 | Andrew Jaramillo |
| 6/22/20 | 1.3 Search for notices from court that were mailed to wrong address; review and analyze notices; communicate with opposing counsel regarding notices and continued hearing date for motion for corrective action | \$750.00 | \$975.00 | Andrew Jaramillo |
| 6/29/20 | 2.5 Draft, review and revise motion for corrective action | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 6/23/20 | 3.6 Draft portion of motion for corrective action | \$750.00 | \$2,700.00 | Andrew Jaramillo |
| 6/30/20 | 2.4 Continue drafting and revising motion for corrective action papers | \$750.00 | \$1,800.00 | Andrew Jaramillo |
| 7/3/20 | 1.8 Continue drafting and revising motion for corrective action papers | \$750.00 | \$1,350.00 | Andrew Jaramillo |
| 7/5/20 | 2.1 Continue revising motion for corrective action | \$750.00 | \$1,575.00 | Andrew Jaramillo |
| 7/8/20 | 1.1 Final review of motion for corrective action | \$750.00 | \$825.00 | Andrew Jaramillo |
| 7/8/20 | 0.4 File motion for corrective action | \$750.00 | \$300.00 | Andrew Jaramillo |
| 7/9/20 | 0.3 Analyze new Kec v. Superior Court case and impact on prosecuting PAGA claim in spite of arbitration agreement | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/18/20 | 1.3 Review and analyze opposition to motion for corrective action | \$750.00 | \$975.00 | Andrew Jaramillo |
| 7/21/20 | 1.9 Review and revise reply on motion for corrective action | \$750.00 | \$1,425.00 | Andrew Jaramillo |
| 7/22/20 | 2.5 Further review and revise reply on motion for corrective action | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 7/23/20 | 0.3 File reply on motion for corrective action | \$750.00 | \$225.00 | Andrew Jaramillo |
| 7/29/20 | 1.4 Begin preparing for oral argument on motions to compel | \$750.00 | \$1,050.00 | Andrew Jaramillo |
| 7/29/20 | 0.5 Review and analyze court's tentative ruling on motions to compel and discuss with co-counsel | \$750.00 | \$375.00 | Andrew Jaramillo |
| 7/29/20 | 0.5 Communications with opposing counsel regarding extension of class cert deadline, PMK deposition, and Belaire-West notice | \$750.00 | \$375.00 | Andrew Jaramillo |
| 7/30/20 | 0.9 Review and revise PMK deposition notice topics and discuss same with opposing counsel | \$750.00 | \$675.00 | Andrew Jaramillo |
| 7/31/20 | 0.8 Further revise PMK deposition notice and send to opposing counsel along with lengthy email re same | \$750.00 | \$600.00 | Andrew Jaramillo |
| 8/3/20 | 0.3 Review, sign and file stip to continue class cert deadline | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/4/20 | 0.2 refile stip to continue class cert deadline | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/17/20 | 0.3 Communications with opposing counsel and co-counsel regarding PMK deposition and objections thereto | \$750.00 | \$225.00 | Andrew Jaramillo |

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| 8/18/20 | 0.5 Review and analyze objections to PMK deposition | \$750.00 | \$375.00 | Andrew Jaramillo |
| 8/19/20 | 1.2 Begin preparing for oral argument on motion for corrective action | \$750.00 | \$900.00 | Andrew Jaramillo |
| 8/19/20 | 0.2 Search court's docket for tentative ruling and analyze same | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/24/20 | 3 Prepare for oral argument, including review and analysis of court's tentative ruling and defendants' anticipated counter-arguments | \$750.00 | \$2,250.00 | Andrew Jaramillo |
| 8/25/20 | 4.4 Continue preparing for and appear at oral argument on motion for corrective action | \$750.00 | \$3,300.00 | Andrew Jaramillo |
| 8/25/20 | 1.5 Strategize and plan next steps to move case forward, including Belaire West Notice to all class members, meet and confer re PMK topics and depo dates | \$750.00 | \$1,125.00 | Andrew Jaramillo |
| 8/27/20 | 0.3 Call with court's clerk regarding forthcoming ruling on motion for corrective action and communicate with co-counsel re same | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/27/20 | 0.2 Communications with opposing counsel regarding PMK topics and BW notice | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/28/20 | 0.2 Further communications with opposing counsel regarding PMK topics and BW notice | \$750.00 | \$150.00 | Andrew Jaramillo |
| 8/28/20 | 0.4 Analyze co-counsel's email to opposing counsel regarding PMK topics and Belaire West notice and discuss same | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/1/20 | 1.6 Review and analyze court's order on motion for corrective action and impact on class size and exposure; discuss same with opposing counsel and co-counsel | \$750.00 | \$1,200.00 | Andrew Jaramillo |
| 9/4/20 | 1.2 Communications with opposing counsel and co-counsel regarding renewed settlement discussions and data needed from defendants to revise settlement demand | \$750.00 | \$900.00 | Andrew Jaramillo |
| 9/4/20 | 0.4 Review and revise curative notice to class members who signed arbitration agreements | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/4/20 | 1.5 Extensive analysis with co-counsel about impact of including class members who signed arbitration agreements, data needed for revised exposure analysis, etc. | \$750.00 | \$1,125.00 | Andrew Jaramillo |
| 9/4/20 | 0.4 Draft detailed email to Ben Gipson re data needed for renewed settlement demand that includes class members who signed arb agreements | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/4/20 | 0.3 Further revise draft curative notice | \$750.00 | \$225.00 | Andrew Jaramillo |
| 9/9/20 | 0.5 Calls with opposing counsel and co-counsel re data needed for revised exposure analysis | \$750.00 | \$375.00 | Andrew Jaramillo |
| 9/10/20 | 0.4 Further revise curative notice | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/16/20 | 0.8 Review and analyze court's minute order re curative notice and BW notice and discuss same with co-counsel and opposing counsel | \$750.00 | \$600.00 | Andrew Jaramillo |
| 9/17/20 | 0.2 Review and analyze stip to continue class cert dates | \$750.00 | \$150.00 | Andrew Jaramillo |
| 9/24/20 | 0.3 Communications with co-counsel regarding data from defendants for revised settlement demand / exposure analysis | \$750.00 | \$225.00 | Andrew Jaramillo |
| 9/25/20 | 0.4 Communications with opposing counsel and co-counsel regarding data from defendants for revised settlement demand / exposure analysis and administrator for Belaire West notice | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/2/20 | 1.3 Review and analyze email from opposing counsel containing updated data re workweeks and discuss with opposing counsel and co-counsel | \$750.00 | \$975.00 | Andrew Jaramillo |
| 10/6/20 | 1.4 Draft ex parte application to enforce court's order and for sanctions | \$750.00 | \$1,050.00 | Andrew Jaramillo |

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| 10/7/20 | 3.5 | Revise and serve ex parte application to enforce court's order and for sanctions | \$750.00 | \$2,625.00 | Andrew Jaramillo |
| 10/7/20 | 1.3 | Multiple communications with opposing counsel regarding ex part application and withdrawal of same on condition that BW notice and curative notice go out by end of week | \$750.00 | \$975.00 | Andrew Jaramillo |
| 10/8/20 | 0.2 | Review email from class action administrator re Belaire West notice | \$750.00 | \$150.00 | Andrew Jaramillo |
| 10/9/20 | 0.6 | Review and analyze defendants' curative notice and talking points re same and discuss with co-counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 10/9/20 | 0.3 | Communications with opposing counsel re Belaire West notice list | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/9/20 | 0.3 | Research new opposing counsel | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/12/20 | 0.4 | Further communications with Ben Gipson regarding BW notice and curative notice and dispute over recipients of each | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/13/20 | 0.3 | Compare summary of claims in issued notice to court's order | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/13/20 | 0.4 | Review notices and confirm with administrator that they are cleared to mail | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/13/20 | 0.3 | Further communications with Ben Gipson regarding dispute re BW notice and curative notice as well as arbitration agreement language | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/15/20 | 0.3 | Call with new opposing counsel regarding status of action | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/16/20 | 0.4 | Discuss status of action with co-counsel, including settlement strategy and discussions with plaintiff / class rep | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/16/20 | 0.3 | Briefly review and analyze letter from opposing counsel regarding PMK topics | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/19/20 | 2.5 | Review and analyze payroll and workweek data from mediation and apply to revised numbers of workweeks and data for class members who signed arbitration agreements | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 10/20/20 | 6.8 | Continue revised exposure analysis | \$750.00 | \$5,100.00 | Andrew Jaramillo |
| 10/21/20 | 0.2 | Email revised settlement demand to opposing counsel | \$750.00 | \$150.00 | Andrew Jaramillo |
| 10/20/20 | 6.8 | Finalize exposure analysis and discuss with co-co-counsel | \$750.00 | \$5,100.00 | Andrew Jaramillo |
| 10/29/20 | 0.3 | Communications with opposing counsel and co-counsel regarding plaintiff's exposure analysis and impact on revised settlement demand | \$750.00 | \$225.00 | Andrew Jaramillo |
| 11/2/20 | 0.2 | Communications with opposing counsel regarding plaintiff's exposure analysis and impact on revised settlement demand | \$750.00 | \$150.00 | Andrew Jaramillo |
| 11/4/20 | 0.2 | Communications with opposing counsel regarding settlement discussions | \$750.00 | \$150.00 | Andrew Jaramillo |
| 11/5/20 | 0.7 | Further communications with opposing counsel and co-counsel regarding settlement discussions | \$750.00 | \$525.00 | Andrew Jaramillo |
| 11/9/20 | 0.4 | Further communications with opposing counsel regarding settlement discussions | \$750.00 | \$300.00 | Andrew Jaramillo |
| 11/11/20 | 1.2 | Telephone call and subsequent lengthy email to opposing counsel regarding settlement position and concerns with data produced by defendants | \$750.00 | \$900.00 | Andrew Jaramillo |
| 11/12/20 | 0.8 | additional telephone call and subsequent lengthy email to opposing counsel regarding settlement position and concerns with data produced by defendants | \$750.00 | \$600.00 | Andrew Jaramillo |
| 11/12/20 | 0.7 | Prepare new settlement demand based on revised number of workweeks for the class represented by defense counsel | \$750.00 | \$525.00 | Andrew Jaramillo |
| 11/12/20 | 0.3 | Discussions with co-counsel regarding expectations of plaintiff / class counsel in settlement | \$750.00 | \$225.00 | Andrew Jaramillo |
| 11/13/20 | 3.4 | Review and conduct detailed analysis of defendants' settlement offer and terms of memorandum of understanding; further analyze with co-counsel | \$750.00 | \$2,550.00 | Andrew Jaramillo |

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| 11/13/20 | 2.8 | Revise MOU and communicate same to opposing counsel in telephone calls and email | \$750.00 | \$2,100.00 | Andrew Jaramillo |
| 11/17/20 | 0.6 | Call with opposing counsel regarding settlement and follow up email | \$750.00 | \$450.00 | Andrew Jaramillo |
| 11/18/20 | 3.3 | Multiple discussions and emails with opposing counsel re settlement, revisions to MOU, and analysis of same | \$750.00 | \$2,475.00 | Andrew Jaramillo |
| 11/19/20 | 0.7 | Further discussions re settlement with opposing counsel | \$750.00 | \$525.00 | Andrew Jaramillo |
| 11/19/20 | 0.8 | Review and analyze declaration of defendants regarding data on which settlement is based and revised MOU | \$750.00 | \$600.00 | Andrew Jaramillo |
| 11/21/20 | 0.3 | Communications with co-counsel and opposing counsel regarding signatures on MOU | \$750.00 | \$225.00 | Andrew Jaramillo |
| 12/7/20 | 0.2 | Review and revise notice of settlement | \$750.00 | \$150.00 | Andrew Jaramillo |
| 12/15/20 | 0.3 | Briefly review and analyze joint stip re stay of action | \$750.00 | \$225.00 | Andrew Jaramillo |
| 12/18/20 | 0.3 | Communications with co-counsel and opposing counsel re stip to stay action | \$750.00 | \$225.00 | Andrew Jaramillo |
| 12/23/20 | 1 | Discuss with co-counsel apparent errors in class data provided by defendants and analyze same | \$750.00 | \$750.00 | Andrew Jaramillo |
| 1/14/21 | 0.4 | Communications with opposing counsel and co-counsel regarding missing information for class members | \$750.00 | \$300.00 | Andrew Jaramillo |
| 1/21/21 | 1.3 | Review and revise long form settlement agreement | \$750.00 | \$975.00 | Andrew Jaramillo |
| 1/27/21 | 0.8 | Prepare for and attend call with opposing counsel regarding changes to settlement agreement | \$750.00 | \$600.00 | Andrew Jaramillo |
| 2/8/21 | 1 | Review and analyze revised settlement agreement and names of class members received from defendants | \$750.00 | \$750.00 | Andrew Jaramillo |
| 3/15/21 | 0.7 | Further review and revise settlement agreement | \$750.00 | \$525.00 | Andrew Jaramillo |
| 3/22/21 | 0.3 | Communications with court and opposing counsel regarding upcoming hearing re dismissal | \$750.00 | \$225.00 | Andrew Jaramillo |
| 3/24/21 | 1 | Attend hearing per CRC 3.1385 | \$750.00 | \$750.00 | Andrew Jaramillo |
| 4/3/21 | 2.5 | Review and revise motion for preliminary approval of class action settlement | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 4/5/21 | 3.7 | Continue revising motion for preliminary approval of class action settlement | \$750.00 | \$2,775.00 | Andrew Jaramillo |
| 4/9/21 | 1.6 | Review and analyze revised settlement agreement and exhibits received from defense counsel | \$750.00 | \$1,200.00 | Andrew Jaramillo |
| 4/12/21 | 2 | Final revisions to motion for preliminary approval and settlement documents | \$750.00 | \$1,500.00 | Andrew Jaramillo |
| 4/13/21 | 0.7 | Review and analyze defendants' suggestions to motion for preliminary approval | \$750.00 | \$525.00 | Andrew Jaramillo |
| 4/13/21 | 2.5 | Finalize all documents for preliminary approval motion and file | \$750.00 | \$1,875.00 | Andrew Jaramillo |
| 4/14/21 | 1 | Draft and file supplemental declaration to motion for preliminary approval | \$750.00 | \$750.00 | Andrew Jaramillo |
| 5/4/21 | 2.7 | Prepare for oral argument on preliminary approval motion, including review and analysis of court's tentative ruling | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 5/4/21 | 0.8 | Analyze whether to request oral argument or submit on tentative ruling on motion for preliminary approval; prepare game plan for re-filing motion | \$750.00 | \$600.00 | Andrew Jaramillo |
| 5/14/21 | 0.2 | Communications with opposing counsel and co-counsel re new preliminary approval hearing date | \$750.00 | \$150.00 | Andrew Jaramillo |
| 7/13/21 | 1.1 | Communications with opposing counsel and co-counsel re defendants' desire to roll out a new arbitration agreement and analyze same | \$750.00 | \$825.00 | Andrew Jaramillo |
| 7/27/21 | 1.7 | Revise preliminary approval motion papers per court's last tentative ruling | \$750.00 | \$1,275.00 | Andrew Jaramillo |
| 7/30/21 | 2.1 | Continue revising preliminary approval motion papers per court's last tentative ruling | \$750.00 | \$1,575.00 | Andrew Jaramillo |

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|---------------|--|----------|---------------------|------------------|
| 8/2/21 | 0.3 Discuss defendants' suggestions re preliminary approval motion with opposing counsel | \$750.00 | \$225.00 | Andrew Jaramillo |
| 8/2/21 | 2.3 Final revisions to preliminary approval motion and file | \$750.00 | \$1,725.00 | Andrew Jaramillo |
| 8/20/21 | 2.7 Substantially revise motion for attorneys' fees | \$750.00 | \$2,025.00 | Andrew Jaramillo |
| 8/23/21 | 0.3 Prepare for preliminary approval hearing and review court's tentative ruling continuing | \$750.00 | \$225.00 | Andrew Jaramillo |
| 9/20/21 | 0.4 Review and analyze court's tentative ruling on preliminary approval motion; call court to request oral argument | \$750.00 | \$300.00 | Andrew Jaramillo |
| 9/21/21 | 2 Prepare for and attend hearing on preliminary approval motion, including detailed analysis of timeframes per settlement agreement | \$750.00 | \$1,500.00 | Andrew Jaramillo |
| 9/24/21 | 0.3 Further communications with opposing counsel and co-counsel regarding defendants' request to roll out arbitration agreement | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/6/21 | 0.4 Communications with opposing counsel regarding preliminary approval hearing and documents to be filed | \$750.00 | \$300.00 | Andrew Jaramillo |
| 10/14/21 | 1.1 Analyze court's order after hearing dated 10/6/2021 to determine what additional tasks need to be performed; communicate with opposing counsel and co-counsel regarding same | \$750.00 | \$825.00 | Andrew Jaramillo |
| 10/15/21 | 0.3 Additional communications with opposing counsel re class definition | \$750.00 | \$225.00 | Andrew Jaramillo |
| 10/15/21 | 1.2 Draft and revise supplemental declaration for preliminary approval | \$750.00 | \$900.00 | Andrew Jaramillo |
| 10/27/21 | 0.4 Review and analyze court's ruling granting preliminary approval and discuss with opposing and co-counsel | \$750.00 | \$300.00 | Andrew Jaramillo |
| 11/5/21 | 0.6 Call with opposing counsel regarding formula for distribution of PAGA payment to class members; discuss same with co-counsel | \$750.00 | \$450.00 | Andrew Jaramillo |
| 11/8/21 | 0.2 Review email exchange with class administrator re administration | \$750.00 | \$150.00 | Andrew Jaramillo |
| 11/10/21 | 0.4 Further discussions with opposing counsel regarding formula for distribution of PAGA payment to class members | \$750.00 | \$300.00 | Andrew Jaramillo |
| 11/10/21 | 0.3 Analyze email from class administrator re timeframe and key dates for distribution | \$750.00 | \$225.00 | Andrew Jaramillo |
| 11/10/21 | 0.3 Analyze email from opposing counsel regarding number of class members | \$750.00 | \$225.00 | Andrew Jaramillo |
| 11/24/21 | 0.8 Review and analyze stipulation re changes to preliminary approval order | \$750.00 | \$600.00 | Andrew Jaramillo |
| 11/29/21 | 2.1 Continue drafting and revising attorneys' fees motion | \$750.00 | \$1,575.00 | Andrew Jaramillo |
| 12/3/21 | 1.2 Revisions to attorneys' fees motion | \$750.00 | \$900.00 | Andrew Jaramillo |
| Totals | 432.6 | | \$324,450.00 | |

Activities Export

12/06/2021

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|---|---|---------------------|------|-----------|-------------------|---------------|
| 10/18/2021 | \$ | E107 Delivery services/ messengers: Attorney service fee for filing revised declaration in support of preliminary approval motion ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 17.60 | - | 17.60 |
| 09/21/2021 | \$ | E118 Litigation support vendors: Courtcall fee for preliminary approval motion ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 94.00 | - | 94.00 |
| 08/03/2021 | \$ | E107 Delivery services/ messengers: Attorney service fee for filing preliminary approval motion ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 79.75 | - | 79.75 |
| 04/19/2021 | \$ | E107 Delivery services/ messengers: Filing fees for preliminary approval motion ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 101.35 | - | 101.35 |
| 03/26/2021 | \$ | E112 Court fees: Courtcall appearance fee for Hearing re settlement ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 94.00 | - | 94.00 |
| 12/16/2020 | \$ | E112 Court fees: Filing fees for Notice of Settlement ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 13.55 | - | 13.55 |
| 09/17/2020 | \$ | E112 Court fees: Court fees for filing Plaintiff's revisions to curative notice | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., | Andrew Jaramillo | 1.00 | 13.55 | - | 13.55 |

\$0.00 **\$4,807.09**

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Activities Export

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|------------------|------|-----------|-------------------|-------------------|
| | | ● Unbilled | et al. | | | | | |
| 08/25/2020 | \$ | E118 Litigation support vendors: CourtCall fees for hearing on motion for corrective action. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 94.00 | - | 94.00 |
| 08/13/2020 | \$ | E112 Court fees: Court fees for filing of motion for corrective action in July ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 63.75 | - | 63.75 |
| 08/04/2020 | \$ | E107 Delivery services/ messengers: Filing fees for stipulation to continue class certification motion, including e-service on parties and \$20 fee to court ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 46.65 | - | 46.65 |
| 07/24/2020 | \$ | E107 Delivery services/ messengers: Filing fees for reply on motion for corrective action ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 35.10 | - | 35.10 |
| 07/09/2020 | \$ | E107 Delivery services/ messengers: Filing fees for motion for corrective action and proof of service ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 23.50 | - | 23.50 |
| 05/26/2020 | \$ | E107 Delivery services/ messengers: Electronic filing fees for discovery motions ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 134.70 | - | 134.70 |
| | | | | | | | \$0.00 | \$4,807.09 |
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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|---------------------|-------|-----------|-------------------|---------------|
| 05/26/2020 | \$ | E107 Delivery services/ messengers: Electronic filing fees for ex parte application ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 74.70 | - | 74.70 |
| 05/26/2020 | \$ | E107 Delivery services/ messengers: Electronic filing fees for stipulation and order ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 14.55 | - | 14.55 |
| 05/26/2020 | \$ | E112 Court fees: Electronic filing fees for notice of change of address ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 13.55 | - | 13.55 |
| 02/05/2020 | \$ | E121 Arbitrators/mediators: Mediator's fees ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 2,725.00 | - | 2,725.00 |
| 02/05/2020 | \$ | E109 Local travel: Mileage to and from mediation ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 86.00 | 0.56 | - | 48.16 |
| 02/05/2020 | \$ | E109 Local travel: Parking at mediation ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 8.40 | - | 8.40 |
| 04/11/2019 | \$ | E107 Delivery services/ messengers: Filing fees for stipulation and order ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 34.70 | - | 34.70 |
| 04/10/2019 | \$ | E107 Delivery services/ | Maxwell v. Crawford & Co., | Andrew | 1.00 | 12.95 | - | 12.95 |

Activities Export

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|---------------------|------|-----------|-------------------|---------------|
| | | messengers: Filing fees for stipulation and order ● Unbilled | et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Jaramillo | | | | |
| 04/08/2019 | \$ | E107 Delivery services/ messengers: Filing fees for stipulation and order ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 56.25 | - | 56.25 |
| 10/22/2018 | \$ | E107 Delivery services/ messengers: Attorney service fees for delivering courtesy copies of ex parte papers to judge's chambers ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 50.00 | - | 50.00 |
| 10/19/2018 | \$ | E107 Delivery services/ messengers: Attorney service fees for stipulation to continue class certification deadline ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 11.95 | - | 11.95 |
| 10/19/2018 | \$ | E112 Court fees: Court filing fees for stipulation to continue class certification deadline ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 23.75 | - | 23.75 |
| 10/18/2018 | \$ | E107 Delivery services/ messengers: Attorney service filing fee for ex parte application ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 11.95 | - | 11.95 |
| 10/18/2018 | \$ | E112 Court fees: Court filing fee for ex parte application ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 63.75 | - | 63.75 |

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|------------------|------|-----------|-------------------|-------------------|
| 10/18/2018 | \$ | E118 Litigation support vendors: Courtcall fee for telephonic appearance at hearing on plaintiff's ex parte application ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 86.00 | - | 86.00 |
| 07/20/2018 | \$ | E110 Out-of-town travel: Hotel in Fresno for pretrial discovery conference (540 miles x \$.56 per mile) ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 127.91 | - | 127.91 |
| 07/20/2018 | \$ | E110 Out-of-town travel: Mileage for trip to Fresno for pretrial discovery conference (540 miles x \$.56 per mile) ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 302.40 | - | 302.40 |
| 07/19/2018 | \$ | E111 Meals: Dinner during trip to Fresno for pretrial discovery conference ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 43.00 | - | 43.00 |
| 07/18/2018 | \$ | E107 Delivery services/ messengers: Attorney service fee for filing pretrial discovery conference statement ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 26.50 | - | 26.50 |
| 07/18/2018 | \$ | E107 Delivery services/ messengers: Attorney service fee for filing supplemental pretrial discovery conference statement ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 110.00 | - | 110.00 |
| | | | | | | | \$0.00 | \$4,807.09 |
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12/06/2021

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|---|---|------------------|------|-----------|-------------------|-------------------|
| 06/22/2018 | \$ | E108 Postage: Postage for documents mailed to opposing counsel ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 0.47 | - | 0.47 |
| 05/07/2018 | \$ | E107 Delivery services/messengers: Attorney service fees for filing pretrial discovery conference request ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 50.00 | - | 50.00 |
| 05/01/2018 | \$ | E107 Delivery services/messengers: Attorney service fee for filing joint stipulation to continue class cert hearing and delivery of courtesy copy to chambers ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Andrew Jaramillo | 1.00 | 99.65 | - | 99.65 |
| | | | | | | | \$0.00 | \$4,807.09 |
| | | | | | | | 0.0h | 0.0h |

EXHIBIT 2

1 LAW OFFICES OF MORRIS NAZARIAN
Morris Nazarian (230275)
2 1875 Century Park East, Suite 1790
3 Los Angeles, California 90064
Tel: (310) 284-7333

4 ALTUS LAW FIRM
5 Andrew J. Jaramillo (198303)
6 Sean T. Nguyen (206245)
7 Judy T. Sha (261432)
5 Park Plaza, Suite 200
Irvine, California 92614
8 andrew.jaramillo@altuslawfirm.com
9 Tel: (949) 346-3391

10 Attorneys for Plaintiff
JEFFREY MAXWELL

11
12 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
13 **COUNTY OF FRESNO**

14
15 JEFFREY A. MAXWELL, on behalf of
himself and a class of others similarly situated,
16
17 Plaintiff,

18 vs.

19 CRAWFORD & COMPANY, a Georgia
Corporation; BROADSPIRE SERVICES
20 INC., a Delaware Corporation; BROADSPIRE
INSURANCE SERVICES, INC., a New York
21 Corporation, and DOES 1 THROUGH 50,
22 INCLUSIVE,
23 Defendants.

) **CASE NO.: 16CECG02457**
) **Assigned for all purposes to**
) **Hon. D. Tyler Tharpe**
) **Department 501**

) **DECLARATION OF JUDY SHA IN**
) **SUPPORT OF MOTION FOR AWARD**
) **OF ATTORNEYS' FEES, COST AND**
) **SERVICE AWARD**

) **Hearing**

) **Date: March 15, 2022**
) **Time: 3:30 p.m.**
) **Location: Dept. 501**

1 I, Judy Sha, declare as follows:

2 1. I am an attorney with Altus Law Firm and counsel of record for Plaintiff Jeffrey
3 Maxwell in this matter. As such, I am fully familiar with the facts, pleadings and history of this
4 matter. The following facts are within my own personal knowledge, and if called as a witness, I
5 could testify competently to the matters stated herein. I am a member in good standing of the bar
6 of the State of California and am admitted to practice in this Court. I have personal knowledge of
7 the facts stated in this declaration and would testify competently to them if called upon to do
8 so. I submit this declaration in support of the motion by Plaintiff Jeffrey Maxwell (“Plaintiff”)
9 for an award of attorneys’ fees and litigation expenses in connection with services rendered in
10 the above-entitled action and the requested service award for the class representative. I

11 2. This case is taken on contingency rather than hourly. My hourly rate, reasonable
12 for this community and my experience and the nature of this litigation, is \$700 an hour.

13 3. I am a 2008 graduate of University of California, Los Angeles School of Law.
14 During law school, I completed a judicial externship with the Honorable Kimberly M. Wardlaw,
15 Federal Judge for the United States Court of Appeals for the Ninth Circuit. I also completed a
16 separate judicial externship with the Honorable Virginia A. Phillips, District Judge for the United
17 States District Court for the Central District of California. In addition, during law school, I
18 worked as a law clerk for the pre-eminent appellate firm of Greines, Martin, Stein and Richland
19 LLP, located in Los Angeles, California.

20 4. Since graduating from law school in 2008, my practice has focused almost
21 exclusively on employment litigation with established law firms and subsequently under my own
22 law firm. I began my legal career as an associate attorney with Hirschfeld Kraemer LLP, an
23 employment defense firm. I then continued my legal career at Ogletree, Deakins, Nash, Smoak
24 & Stewart, P.C., a national employment defense firm. I subsequently continued my legal career
25 as an associate attorney in the Employment Law Department of Dorsey & Whitney, LLP, an
26 international general practice firm. In 2016, I left Dorsey & Whitney, LLP and started an Of
27 Counsel position at Altus Law Firm while simultaneously starting my own employment law
28

1 firm. Throughout my legal practice, I have consistently worked on numerous single and multi-
2 plaintiff employment matters.

3 5. Over the span of over 14 years, I have litigated numerous California wage and
4 hour class actions as Class Counsel and also as counsel for Defendants. I have specialized
5 knowledge and experience in the wage and hour claims brought by the Class Representative and
6 class in this instant Action. This specialized knowledge and knowledge was a significant
7 contributing factor to obtaining preliminary approval of this class action settlement.

8 6. I believe that my proposed hourly rate of \$700 is reasonable in light of my skills
9 and employment litigation experience and fee awards to other attorneys of similar experience in
10 the Central District of California. *See Blum v. Stenson*, 465 U.S. 886, 895 (1984) (lodestar
11 should be based on using hourly rates that are “the prevailing market rates in the relevant
12 community”). “Courts may find hourly rates reasonable based on evidence of other courts
13 approving similar rates or other attorneys engaged in similar litigation charging similar rates.”
14 *See Parkinson v. Hyundai Motor Am.*, 796 F. Supp. 2d 160, 1172 (C.D. Cal. 2010). Courts in this
15 district have approved similar hourly rates for attorneys with similar experience as Class
16 Counsel. *See, e.g., Gonzalez v. USF Reddaway, Inc.*, Case No. 5:10-CV-01514-AHM-OP (C.D.
17 Cal. April 30, 2012) (approving hourly rate of \$700 for an attorney with 10.8 years in practice in
18 wage and hour class action settlement); *Castro v. UPS Ground Freight, Inc.*, Case No. CV 08-
19 4898 ODW (CWx) (C.D. Cal. September 10, 2009) (approving hourly rate of \$500 for 2003 law
20 school graduate in wage and hour class action settlement for work performed in 2008);
21 *Charlebois v. Angels Baseball LP*, Case No. SACV 10-0853 DOC (ANx), 2012 WL 2449849 at
22 *5 (C.D. Cal. May 30, 2012) (in 2012, approving hourly rate of \$450 for attorney with six years
23 of experience for work performed in 2011); *Plows v. Rockwell Collins, Inc.*, Case No. SACV 10-
24 1936 DOC (MANx) (C.D. Cal. August 6, 2012) (approval billable rate of \$475 for 2004 law
25 school graduate in wage and hour class action settlement for work performed in 2011).

26 7. The most recent fee award in employment class action litigation I have received
27 was in the lawsuit entitled *Jamison v. Fitness 19 CA 121, LLC*, Case No. FCS046697 where the
28

1 court approved an hourly rate of \$575 on a motion for final approval of a class action settlement.
2 This fee award was granted back in January 2019, nearly three years ago.

3 8. Attached hereto as **Exhibit A** is a true and correct copy of an **itemized invoice** for
4 attorney's fees incurred by me in the Action. All of the time attributed to me on Attachment 1
5 was performed by me, and the time indicated is the actual time spent on each task rounded to the
6 nearest one-tenth of an hour.

7 9. As reflected in the itemized invoice (Exhibit A), I have been intimately
8 involved in the investigation, litigation and settlement of this case as Class Counsel from early
9 2018.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. Executed at Irvine, California.

12
13 Dated: December 6, 2021

ALTUS LAW FIRM

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15 

16 _____
17 Judy Sha
18 Attorney for Plaintiff
19 JEFFREY MAXWELL
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EXHIBIT A

Judy Sha, Esq.
5 Park Plaza
Suite 200
Irvine, CA 92614

Maxwell v. Crawford & Company et al.
Case No.: 16CECG02457

INVOICE FOR LEGAL SERVICES RENDERED

| Date | Description | Time | Rate |
|-------------------|---|-------------|-------------|
| 2/15/18-2/20/18 | Review and analyze class action complaint, discovery requests and discovery responses conducted thus far in case, key correspondence between the parties, attorney notes and memorandum, court deadlines and discovery dates set by the parties; strategize and take notes regarding the same | 20.8 | \$700 |
| 2/18/2018 | Legal research regarding other employment lawsuits brought against Defendants by current/former employees | 3.7 | \$700 |
| 2/20/2018 | Legal research regarding meal period waivers and investigation into meal period waivers at issue in this case | 3.4 | \$700 |
| 2/25/2018 | Strategize regarding pushing out certification deadline | 0.8 | \$700 |
| 2/26/2018 | Review and analyze list of informal discovery sought by co-counsel | 1.3 | \$700 |
| 2/28/2018 | Review and analyze opposing counsel's response to the request for informal discovery | 0.3 | \$700 |
| 3/5/2018 | Strategize regarding how far back to push certification deadline and what parameters should be set with opposing counsel regarding discovery that must be provided/conducted | 1.4 | \$700 |
| 3/5/2018 | Review e-mail from S. Nguyen regarding other informal discovery that should be sought | 0.2 | \$700 |
| 3/13/2018 | Strategize regarding potential mediators to propose to opposing counsel, proper response to opposing counsel's request for opening demand, need for informal discovery. | 1.3 | \$700 |
| 4/4/2018 | Communications with A. Jaramillo regarding Maxwell's supervisor | 0.4 | \$700 |
| 4/12/2018 | Communications with Plaintiff to set up another phone call | 0.2 | \$700 |
| 4/13/2018 | Prepare for and interview with Plaintiff to collect more details and to ask questions | 3.3 | \$700 |
| 4/23/2018 | Review and analyze documents newly provided by client | 1.8 | \$700 |
| 04/23/18-05/07/18 | Communications with several mediators in an effort to schedule a mediation that works for all parties | 2.3 | \$700 |
| 5/3/18-5/4/18 | Prepare for and phone conference with opposing counsel to discuss mediation, deadlines, discovery, liability, Belaire-West notice | 2.8 | \$700 |
| 5/7/2018 | Draft e-mail memorializing key issues discussed and/or agreed to between the parties and review and analyze Belaire West notice prior to sending to opposing counsel | 1.3 | \$700 |
| 5/7/2018 | Communications with client regarding ongoing developments at the workplace, such as fear of retaliation, and internal communications regarding the same and strategy regarding the same. | 1.9 | \$700 |

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|-------------------|--|-----|-------|
| 05/09/18-05/21/18 | Communications with several mediators in an effort to schedule a mediation that works for all parties | 2.3 | \$700 |
| 5/10/2018 | Internal strategy regarding mediators and following up with opposing counsel and send email following up on action items and send email regarding mediators | 1.4 | \$700 |
| 5/11/2018 | Review response email from opposing counsel and internal communications regarding the same | 0.4 | \$700 |
| 6/12/2018 | Review email from DLA Piper LLP formally announcing itself as the new defense counsel for Defendants; research of new opposing counsel; internal strategy regarding the same and implications on litigation | 1.3 | \$700 |
| 6/13/2018 | Communications with Jeffrey Maxwell to answer questions and concerns | 0.7 | \$700 |
| 6/20/2018 | Research procedure for moving to compel discovery in Fresno Superior Court | 0.8 | \$700 |
| 6/21-22/18 | Draw, review and revise Request for Pretrial Conference | 2.8 | \$700 |
| 6/28/2018 | Review and analyze Defendants' opposition to Request for Pretrial Conference | 1.7 | \$700 |
| 7/18/2018 | Efforts to address issues with e-filing | 0.4 | \$700 |
| 7/20/2018 | Internal communications regarding Pretrial Discovery Conference | 0.6 | \$700 |
| 8/30/2018 | Review communications regarding substitution of counsel filing | 0.2 | \$700 |
| 9/20/2018 | Review and analyze communications from Plaintiff regarding Defendants' rolling out arbitration agreement with class action waiver and attached documents regarding the same circulated by Defendants to putative class members; internal communications and strategy regarding the same | 2.3 | \$700 |
| 9/20/2018 | Review communications regarding substitution of counsel filing | 0.4 | \$700 |
| 9/24/2018 | Review and analyze cases relating to issue of Defendants rolling out arbitration agreements with class action waivers to putative class members after class action has commenced; internal strategy regarding the same | 3.5 | \$700 |
| 9/27/2018 | Review and analyze communications from opposing counsel regarding details of Defendants' roll out of arbitration agreements with class action waivers along with documents provided to putative class members; internal discussions and strategy regarding same | 3.8 | \$700 |
| 10/16/2018 | Internal communications regarding logistics of appearance for upcoming ex parte and providing notice of same to opposing counsel | 0.8 | \$700 |
| 10/17/2018 | Review and revise draft ex parte Application for Order Invalidating Post-Litigation Arbitration Agreements and Restraining Defendants From Further Improper ex parte Contac with Putative Class Members | 5.8 | \$700 |
| 10/31/2018 | Internal communications and strategy regarding opposing counsel's position that Defendant will not agree to provide certain supplemental responses and will not issue Belaire-West Notices to certain putative class members based on the argument that that they are not similarly situated | 1.3 | \$700 |
| 11/9/2018 | Review and analyze correspondence to opposing counsel regarding phone conference among parties on October 31, 20218 and Plaintiffs' response to Defendants' position | 0.4 | \$700 |
| 11/15/2018 | Review and analyze opposing counsel's communication regarding need for additional time to supplement discovery responses; internal strategy regarding the same | 0.4 | \$700 |
| 11/19/2018 | Review and analyze communications to and from opposing counsel regarding discovery extensions as well as following up on issues previously raised | 0.7 | \$700 |
| 12/5/2018 | Review communications to and from opposing counsel regarding supplemental discovery responses | 0.4 | \$700 |
| 12/17-18/2018 | Internal communications regarding motion to compel deadlines and review communications to opposing counsel regarding the same | 0.4 | \$700 |

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| 1/14/2019 | Review and analyze communications to and from opposing counsel regarding Defendants' disagreement on whether certain adjusters are included in the putative class and class numbers; internal discussions and strategy regarding the same | 2.3 | \$700 |
| 1/16/2019 | Prepare for and internal communications regarding strategy and analysis of class numbers, class coverage, informal discovery and motion to compel deadlines and review communications to opposing counsel regarding the same | 1.9 | \$700 |
| 1/17/2019 | Review and analyze draft communication to opposing counsel regarding follow up on multiple meet and confer correspondence, to meet and confer on class information and discovery on class, including Plaintiff's position that the Belaire-West notice must go out to all putative class members irrespective of whether they signed an arbitration agreement; internal strategy and communications in preparation for the same | 1.9 | \$700 |
| 1/27/2019 | Review and analyze communications to opposing counsel regarding Defendants' failure to provide promised supplemental responses | 0.2 | \$700 |
| 1/28/2019 | Review and analyze opposing counsel's response to letter regarding Defendants' failure to provide promised supplemental responses | 0.2 | \$700 |
| 1/29/2019 | Review and analyze Defendants' supplemental discovery responses (RFP, set 2, Special Interrogatories, sets 2 & 3); strategize regarding the same | 3.8 | \$700 |
| 2/3/2019 | Internal discussions regarding opposing counsel's position regarding discovery on today's phone call | 0.3 | \$700 |
| 2/4/19-2/5/19 | Review, analyze and strategize on whether Plaintiff should move forward on compelling responses to three sets of discovery; review and revise meet and confer correspondence regarding the same | 2.3 | \$700 |
| 2/7/2019 | Research local rules on informal discovery conference; review and analyze communications between the parties regarding motion to compel deadline, informal discovery conference. | 0.7 | \$700 |
| 2/19/19-2/21/19 | Internal communications regarding Defendants' failure to provide supplemental discovery responses and need to move to compel | 0.3 | \$700 |
| 3/11/19-3/13/19 | Internal communications regarding upcoming deadlines and strategy | 0.5 | \$700 |
| 3/14/19-3/15/19 | Review and analyze communications to opposing counsel regarding stipulations to postpone deadlines, discussions of mediators and class data; internal communications regarding the same | 0.8 | \$700 |
| 3/14/19-3/15/19 | Research mediator proposed by Defendants; internal discussions regarding the same | 1.3 | \$700 |
| 4/1/2019 | Internal communications regarding strategy, upcoming deadlines. | 0.3 | \$700 |
| 4/2/19-4/4/19 | Draft and finalize Stipulation to Continue Class Certification | 0.8 | \$700 |
| 6/19/2019 | Interview with putative class member | 1.8 | \$700 |
| 6/25/2019 | Internal communications regarding strategy, upcoming deadlines | 1.3 | \$700 |
| 7/1/19-7/3/19 | Review notice of reassignment to Judge Alan M. Simpson; research Judge Simpson and internal discussions regarding the same | 3.4 | \$700 |
| 7/11/2019 | Communications with putative class member | 0.7 | \$700 |
| 8/9/19-8/12/19 | Review and analyze prior correspondence with opposing counsel and discovery to draft meet and confer letter regarding outstanding issues in preparation for motion to compel; internal discussions regarding the same | 5.4 | \$700 |
| 8/13/2019 | Coordinate speaking with potential witness | 0.3 | \$700 |
| 08/14/19-8/15/19 | Meet and confer with opposing counsel regarding disagreement on terms of going to mediation and disagreement on Plaintiffs' recitation of procedural history in meet and confer letter; internal discussions regarding the same and discussion of strategy moving forward | 2.3 | \$700 |
| 8/22/2019 | Meet and confer with opposing counsel regarding class information and needed | 0.4 | \$700 |

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| 8/21/2019 | Prepare for and interview with witness and putative class member; analyze and strategize regarding the same | 2.8 | \$700 |
| 8/25/2019 | Internal communications regarding Defendants' defenses/strategy, update on class data provided by Defendants, and analysis of what relevant data still has yet to be produced. | 0.8 | \$700 |
| 9/10/2019 | Prepare for and meet and confer call with opposing counsel regarding stipulations and class data; look for missing document from employee handbook | 1.1 | \$700 |
| 9/10/19-9/18/19 | Contact list of mediators for their availability | 0.9 | \$700 |
| 9/14/19-9/18/19 | Meet and confer with opposing counsel regarding mediators, mediation dates and mediation location and conditions of what must be informally produced to keep mediation | 1.3 | \$700 |
| 9/24/2019 | Communications with opposing counsel asking for update on Defendants' position | 0.5 | \$700 |
| 09/18-19/2019 | Review and revise Stipulation to Continue Deadline to File Plaintiff's Motion for Class Certification and Hearing Date; ensuring stipulation is filed | 1.8 | \$700 |
| 9/25/2019 | Meet and confer regarding split on mediation | 0.3 | \$700 |
| 9/28/2019 | Review email from opposing counsel to JAMS | 0.2 | \$700 |
| 9/29/2019 | Internal discussions regarding update of case | 0.5 | \$700 |
| 10/31/2019 | Communications with mediator's office regarding upcoming mediation | 0.4 | \$700 |
| 10/28/2019 | Review and analyze opposing counsel's communications regarding Defendants' decision against signing the declaration as revised and Defendant's new position on class data; internal discussion regarding impact on strategy | 0.9 | \$700 |
| 11/1/2019 | Review and analyze opposing counsel's communications that Defendants have again decided against providing the declaration discussed by parties; draft response to same outlining necessary conditions that must be met to attend mediation and offering alternatives to address concerns of Defendants; meet and confer with opposing counsel; internal strategy regarding the same | 3.8 | \$700 |
| 11/5/2019 | Following up with opposing counsel on prior discussion | 0.3 | \$700 |
| 11/12/2019 | Internal strategy regarding Defendants' failure to provide data as expected; draft meet and confer correspondence to opposing counsel addressing what must be done in advance of mediation cancellation deadline | 0.9 | \$700 |
| 11/15/2019 | Internal discussions regarding what information must be provided by Defendants prior to mediation | 0.5 | \$700 |
| 11/15/19-11/19/19 | Review and analyze time records of subcategory of adjusters informally produced by Defendants | 4.6 | \$700 |
| 11/19/2019 | Meet and confer with opposing counsel regarding the appropriate format of wage information | 0.4 | \$700 |
| 11/20/2019 | Meet and confer with opposing counsel regarding Plaintiff's need to have data in usable format in order for Plaintiff to attend mediation | 1.4 | \$700 |
| 11/21/2019 | Following up with Plaintiff regarding issue of format of data and timeline of when other missing class data will be provided; internal communications regarding the same | 1.9 | \$700 |
| 11/21/19-11/25/2019 | Review and analyze pay records of certain adjusters informally produced by Defendants | 14.8 | \$700 |
| 11/25/2019 | Meet and confer with opposing counsel on when remaining data will be provided | 0.5 | \$700 |
| 12/3/2019 | Further meet and confer with opposing counsel on when remaining data will be provided | 0.5 | \$700 |

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| 12/2/19-12/10/19 | Review and analyze pleadings, discovery responses, class data/information, interview notes, correspondence, and documents for the purpose of drafting mediation brief; legal research | 15.5 | \$700 |
| 12/10/19-12/28/19 | Draft mediation brief | 18.6 | \$700 |
| 12/9/19-12/20/19 | Interview Plaintiff and other witnesses regarding factual allegations | 8.4 | \$700 |
| 12/10/2019 | Communications with opposing counsel regarding missing/incomplete data; internal strategy regarding the same | 2.8 | \$700 |
| 12/10/2019 | Review and analyze pay data of sub group of adjusters | 6.8 | \$700 |
| 12/11/19-12/13/19 | Meet and confer with opposing counsel regarding possibility of rescheduling mediation again to allow Defendants additional time to produce class information; communications with mediator's office and the parties regarding potential new dates; finalize new date for mediation and coordinate logistics regarding same | 2.8 | \$700 |
| 12/12/2019 | Review and analyze pay records of supplementally produced records of certain category of adjusters | 8.9 | \$700 |
| 12/18/19-12/20/19 | Review and analyze pay records of newly supplementally produced records of certain category of adjusters of BSI | 7.6 | \$700 |
| 12/20/19-12/24/19 | Review and analyze pay records of newly supplementally produced records of certain category of adjusters of BSI | 7.6 | \$700 |
| 1/21/2020 | Interview of new potential witness; internal discussion of information shared by witness | 1.4 | \$700 |
| 1/24/20-1/27/20 | Communications with opposing counsel regarding Defendants requiring an opening demand for Defendants to attend mediation; internal strategy and discussion regarding the same | 2.5 | \$700 |
| 01/29/20-1/31/20 | Communications with mediator's office regarding mediation brief | 0.3 | \$700 |
| 1/31/2020 | Prepare for and interview with Plaintiff regarding updated facts and to discuss factual details, update on upcoming mediation, discuss strategy | 2.3 | \$700 |
| 1/31/2020 | Review and analyze new documents provided by Plaintiff and incorporate into mediation brief | 3.5 | \$700 |
| 2/3/2020 | Revise and finalize mediation brief | 2.7 | \$700 |
| 3/2/2020 | Prepare for and call with Plaintiff regarding update and strategy after failed mediation | 1.3 | \$700 |
| 2/15/20-2/20/20 | Draft Motions to Compel Further Responses to Requests for Production of Documents by Crawford & Broadspire | 15.7 | \$700 |
| 2/20/20-2/24/20 | Draft Motions to Compel Further Responses to Special Interrogatories by Crawford and Broadspire | 18.2 | \$700 |
| 4/1/2020 | Communications with Court re calendaring and docket during COVID pandemic | 0.3 | \$700 |
| 4/2/2020 | Research impact of COVID related limitations on California courts | 1.2 | \$700 |
| 4/3/2020 | Internal discussions regarding implication of court limited hours/closures on case, motions, and deadline for certification | 0.9 | \$700 |
| 4/27/2020 | Internal discussion regarding updates to the case, including strategy on communications with opposing counsel and settlement posture | 1.4 | \$700 |
| 5/1/2020 | Internal communications and strategy regarding responding to Defendants' request for parties' most recent settlement posture, possible second mediation and next steps on settlement negotiations | 1.3 | \$700 |
| 5/13/20--5/18/20 | Draft Plaintiff's ex parte Application to Continue the Currently Set Deadline for Filing of the Class Certification Motion and Related Deadlines | 15.4 | \$700 |

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| 5/14/20-5/15/20 | Multiple communications with the Court to calendar ex parte appearance; internal discussions regarding the Court's elevated standard for ex parte hearings during the pandemic | 0.7 | \$700 |
| 5/18/2020 | Draft and send ex parte notice to opposing counsel notifying Defendants of Plaintiff's basis for seeking ex parte relief | 0.8 | \$700 |
| 5/19/2020 | Review opposing counsel's response to Plaintiff's ex parte notice; internal strategy regarding same; draft response to Defendant's correspondence to further meet and confer on necessity of ex parte application | 0.9 | \$700 |
| 5/19/2020 | Continued negotiations with opposing counsel regarding terms of joint stipulation to eliminate and/or narrow the scope of the need for ex parte relief | 0.6 | \$700 |
| 5/19/2020 | Draft, revise and finalize Joint stipulation to Continue Deadline to File Plaintiff's Motion for Class Certification and Hearing Date; calculate motion deadlines and review litigation calendar | 2.8 | \$700 |
| 5/19/2020 | Communications with the Court regarding ex parte | 0.3 | \$700 |
| 5/19/2020 | Prepare for and attend ex parte hearing and internal discussions regarding the same | 2.2 | \$700 |
| 6/19/2020 | Review and analyze Defendant's Opposition to Motions to Compel Further Special Interrogatories and supporting documents (Declaration and Request for Judicial Notice); draft outline of Reply | 2.3 | \$700 |
| 6/22/2020 | Internal communications regarding belated receipt of Notice of Calendaring Setting due to change in address and discuss implications of rescheduled hearing date for two motions | 0.5 | \$700 |
| 6/22/2020 | Review correspondence to opposing counsel regarding rescheduling of hearing of motions to July 30, 3030 | 0.2 | \$700 |
| 07/5/20-7/8/20 | Review and revise Motion for Corrective Action ; further legal research for more factually applicable legal authority and legal authority within the same jurisdiction; review and revise supporting declaration; finalize for filing | 28 | \$700 |
| 7/9/2020 | Fix issues related to efilings of Motion for Corrective Action | 0.5 | \$700 |
| 7/9/2020 | Review new court case <i>Kev v. Superior Court</i> and its holding that PAGA collective action cannot be waived | 0.3 | \$700 |
| 7/18/20-7/22/20 | Draft, review and finalize Reply Motions to Compel Further Responses to Special Interrogatories by Crawford and Broadspire and related supporting pleadings | 13.4 | \$700 |
| 7/17/2020 | Review and analyze Defendant's Opposition to Motion for Corrective Action, Request for Judicial Notice, Declaration of B. Gipson; draft outline of Defendant's Reply to the Motion for Correction Action | 4.8 | \$700 |
| 7/18/2020 | Prepare for and internal communications regarding review and analysis of Defendant's Opposition to Motion for Corrective Action, Request for Judicial Notice, Declaration of B. Gipson and strategy of how to respond and coordination of drafting Reply | 2.3 | \$700 |
| 7/17/20-7/23/20 | Draft, review and finalize Reply to Motion for Corrective Action | 15.6 | \$700 |
| 7/19/20-7/23/20 | Review and analyze sections on standing and the amount offered to putative class members for the purposes of the Reply Motion for Corrective Action | 3.4 | \$700 |
| 7/29/2020 | Prepare for oral argument of Motions to Compel Further Responses to Special Interrogatories by Crawford and Broadspire and Motion for Corrective Action | 1.3 | \$700 |
| 7/29/2020 | Review and analyze Court's tentative ruling re Motions to Compel Further Responses to Special Interrogatories by Crawford and Broadspire; strategy on how to obtain discovery in light of the same | 1.8 | \$700 |
| 7/29/2020 | Internal communications to strategize on communications with opposing counsel regarding discovery and class cert. deadline and Belaire-West Notice; review communications to opposing counsel regarding the same | 1.2 | \$700 |

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| 7/28/20-7/31/20 | Draft, review and revise PMK deposition notices of three separate Defendants with 29 categories of topics and request for documents | 13.3 | \$700 |
| 7/31/2020 | Internal communications to strategize timing of PMK deposition notices, possible objections to the same and its impact on Belaire-West process and upcoming Court's ruling on Motion for Corrective Action on August 20, 2020; review communications to opposing counsel regarding the same | 1.2 | \$700 |
| 8/3/2020 | Review and revise Joint Stipulation to Continue Class Certification Deadline and Proposed Order; review litigation calendar; internal discussion regarding same | 2.8 | \$700 |
| 8/4/2020 | Draft ex parte application to continue certification deadline | 1.8 | \$700 |
| 8/9/2020 | Internal communications regarding upcoming hearing | 0.4 | \$700 |
| 8/14/2020 | Internal discussion regarding ex parte application; communications with opposing counsel regarding Plaintiff moving forward with ex parte application | 0.7 | \$700 |
| 8/15/2020 | Internal communications regarding opposing counsel's offer to continue certification deadline in exchange for mootng the ex parte issue for now | 0.4 | \$700 |
| 8/16/2020 | Review and revise proposed stipulation to continue class certification deadlines | 0.9 | \$700 |
| 8/17/2020 | Internal strategy regarding Defendants' failure to provide objections to the PMK deposition notice and need to reschedule PMK deposition accordingly; review communications to opposing counsel regarding the same | 0.5 | \$700 |
| 8/17/2020 | Review and analyze Defendants' Objections and Responses to Notice of Taking Deposition of Persons Most Knowledgeable and Request for Documents; strategize regarding implications of objections and how to move forward | | |
| 8/19/2020 | Review Court's Notice that the hearing for Motion for Corrective Action is continued to August 25 | 0.2 | \$700 |
| 8/24/2020 | Review and analyze Court's lengthy and detailed tentative ruling on Motion for Corrective Action; internal communications and strategy regarding the tentative ruling in preparation for oral argument and response to anticipated arguments by Defendants | 2.8 | \$700 |
| 8/24/2020 | Strategize on next steps in anticipation of the Court adopting its tentative ruling and draft outline | 1.2 | \$700 |
| 8/25/2020 | Internal communications regarding oral argument of the Motion for Corrective action; internal strategy regarding the Court's posture, opposing counsel's posture, possible outcomes, settlement discussions, and upcoming litigation tasks. | 2.6 | \$700 |
| 8/25/2020 | Research regarding opposing counsel's possible appeal of anticipated decision by the Court | 1.7 | \$700 |
| 8/27/2020 | Review communications with opposing counsel regarding PMK deposition, Belaire-West notice. | 0.3 | \$700 |
| 8/28/2020 | Prepare for and call with opposing counsel to meet and confer on the issue of Plaintiff's Third Amended Notice of Deposition of Persons Most Knowledgeable of Crawford & Company, Broadspire Services Inc., and Broadspire Services, Inc. and Request for Production of Documents | 3.3 | \$700 |
| 8/28/2020 | Draft letter to opposing counsel memorializing meet and confer attempt and Plaintiff's position on key points at issue | 0.9 | \$700 |
| 8/28/2020 | Internally update team on Plaintiff's effort to meet and confer with Defendant, plans moving forward and likely result of efforts to meet and confer | 0.5 | \$700 |
| 9/1/2020 | Communications with opposing counsel regarding their commitment to produce Persons Most Knowledgeable for each topic noticed by Plaintiff; plan accordingly | 0.5 | \$700 |

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| 9/4/2020 | Meet and confer with opposing counsel regarding Defendants' anticipated production of documents in response to Plaintiff's notice; follow-up on Defendant's available dates for depositions in consideration of litigation deadlines | 0.6 | \$700 |
| 9/4/2020 | Meet and confer with opposing counsel regarding Defendants' delay in sending out <i>Belaire-West</i> notices | 0.7 | \$700 |
| 9/4/2020 | Internal communications and strategy of what additional class data is needed for the additional class members for the purposes of revising calculation of damages | 0.6 | \$700 |
| 9/4/2020 | Review existing class data and determine what certain class data must be updated and produced | 1.2 | \$700 |
| 9/4/2020 | Internal communications and strategy regarding other possible class actions against Defendants | 0.7 | \$700 |
| 9/4/20-9/5/20 | Review and analyze Defendants' draft <i>Belaire-West</i> notice, draft revisions to same based on Court's prior Order limiting Defendants' scope of communications to class members and legal research on proper scope, and discuss internally regarding the same | 2.7 | \$700 |
| 9/9/2020 | Internal communications regarding phone call with opposing counsel regarding Defendants' draft <i>Belaire-West</i> notice | 0.5 | \$700 |
| 9/9/2020 | Review and analyze further revisions to the <i>Belaire-West</i> notice | 0.4 | \$700 |
| 9/9/2020 | Review and analyze Defendants' offer of producing certain individuals on certain dates in response to Plaintiff's PMK deposition notice; respond to Defendants by asserting need for earlier dates, offering alternative arrangement and asking for clarification on Defendants' intention to testify on designated topics; internal communications updating the team of the same | 1.4 | \$700 |
| 9/9/2020 | Meet and confer regarding Defendants' agreement to provide topic by topic breakdown, plan to send out curative notice and <i>Belaire-West</i> notice and provide additional work week information | 0.5 | \$700 |
| 9/15/2020 | Follow-up with opposing counsel regarding outstanding discovery items | 0.3 | \$700 |
| 9/15/2020 | Internal strategy regarding Defendants' continued failure to produce discovery, send out <i>Belaire-West</i> notice, curative notice and to produce deponents properly subpoenaed and how to address this delay including motion work and filing a joint stipulation to continue class certification deadlines | 1.3 | \$700 |
| 9/16/2020 | Review and analyze the Court's approval of the curative notice and <i>Belaire-West</i> notice; internal strategy regarding moving the matter forward accordingly | 0.5 | \$700 |
| 9/16/2020 | Communications with opposing counsel regarding Court's approval of curative notice and <i>Belaire-West</i> notice | 0.2 | \$700 |
| 9/17/2020 | Review and revise joint stipulation to continue class certification related deadlines and finalize for filing; internal discussions regarding the same | 1.4 | \$700 |
| 9/24/2020 | Communications with opposing counsel to meet and confer regarding upcoming Person Most Knowledgeable deposition and Defendants' need to provide class data for supplemental class members | 1.4 | \$700 |
| 9/24/2020 | Review Court's granting of Joint Stipulation and review new deadlines and dates | 0.3 | \$700 |
| 9/24/2020 | Internal communications regarding supplemental damages calculations | 0.4 | \$700 |
| 10/2/2020 | Continued meet and confer with opposing counsel regarding PMK depositions; <i>Belaire-West</i> notice and curative notice being sent out; and supplemental class data for damages calculations. | 0.5 | \$700 |
| 10/2/2020 | Draft notice to opposing counsel of Plaintiff's intention to request a Pretrial Discovery Conference to move to compel/enforce the Court's Order due to Defendants' failure to follow through with PMK depositions; <i>Belaire-West</i> notice and curative notice being sent out; and supplemental class data for damages calculations. | 0.4 | \$700 |

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| 10/2/2020 | Look into available dates for Motion to Compel and prerequisite for Pretrial Discovery Conference; coordinate schedules internally | 0.5 | \$700 |
| 10/2/2020 | Review opposing counsel's response to Plaintiff's notice of intent to pursue motion to compel/enforce Court's Order and provide response to the same | 0.8 | \$700 |
| 10/5/2020 | Internal analysis of supplemental class data provided by Defendants | 1.2 | \$700 |
| 10/5/2020 | Analysis of Defendants' request for a 10-day stipulation on complying with Court's Order to send out curative notice | 0.9 | \$700 |
| 10/5/2020 | Meet and confer with opposing counsel regarding need for dates and topics for each corporate representative that will be produced for deposition | 0.3 | \$700 |
| 10/05/20-10/06/20 | Analysis of opposing counsel's position that previously provided class data needs to be corrected; review and analyze previously provided class data to assess opposing counsel's position | 2.3 | \$700 |
| 10/6/2020 | Review and revise ex parte Notice to Defendants | 0.6 | \$700 |
| 10/6/2020 | Communications with the Court's law and motion department regarding ex parte application | 0.5 | \$700 |
| 10/6/2020 | Internal communications regarding logistics and timing of the ex parte application | 0.5 | \$700 |
| 10/6/2020 | Internal strategy regarding showing of irreparable harm for the purposes of ex parte application | 0.7 | \$700 |
| 10/7/2020 | Communications with opposing counsel regarding Defendants' efforts to address Plaintiff's concerns set forth in ex parte application; internal communications regarding Defendants' request to take ex parte off calendar | 1.4 | \$700 |
| 10/7/2020 | Communications with opposing counsel securing written commitments | 0.4 | \$700 |
| 10/7/2020 | Contact Court to take ex parte application off calendar and update parties accordingly | 0.4 | \$700 |
| 10/7/2020 | Review and analyze Defendants' communications regarding the parameters of sending out Curative Notice | 1.2 | \$700 |
| 10/7/2020 | Review and help finalize draft Curative Notices | 1.3 | \$700 |
| 10/9/2020 | Internal discussions regarding Defendants' notice of changing its legal team; research regarding new counsel | 0.8 | \$700 |
| 10/9/2020 | Meet and confer with opposing counsel regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.4 | \$700 |
| 10/10/2020 | Meet and confer with opposing counsel regarding Plaintiff's intention to submitting a Pretrial Request for Discovery Conference | 0.4 | \$700 |
| 10/10/2020 | Contact Court regarding potential Motion to Compel dates | 0.4 | \$700 |
| 10/10/2020 | Draft/revise Pretrial Request for Discovery Conference | 1.8 | \$700 |
| 10/13/2020 | Review and finalize Belaire-West notice and Opt-Out Postcard | 0.5 | \$700 |
| 10/13/2020 | Communications with class representative | 0.5 | \$700 |
| 10/13/2020 | Meet and confer with opposing counsel regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.4 | \$700 |
| 10/13/2020 | Coordinate with settlement administrators | 0.4 | \$700 |
| 10/13/2020 | Meet and confer with opposing counsel regarding Defendants' position regarding exclusion of certain individuals from curative notice | 0.4 | \$700 |
| 10/15/2020 | Coordinate upcoming call with new counsel for Defendants; continued meet and confer with opposing counsel regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.6 | \$700 |
| 10/15/2020 | Continued meet and confer with opposing counsel regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.3 | \$700 |
| 10/15/2020 | Communications with putative class members | 2.8 | \$700 |
| 10/16/2020 | Prepare for and conference call with new legal team for Defendants to meet and confer regarding outstanding discovery issues, settlement and upcoming deadlines | 1.9 | \$700 |

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|------------------|--|------|-------|
| 10/16/2020 | Communications with class representative regarding updates | 0.9 | \$700 |
| 10/16/2020 | Review and analyze notices sent to current employees by Defendants | 0.4 | \$700 |
| 10/16/2020 | Review and analyze Defendants' response to Plaintiff's meet and confer regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.7 | \$700 |
| 10/16/2020 | Review and analyze Defendants' response to Plaintiff's meet and confer regarding unresolved issues regarding depositions of Persons Most Knowledgeable | 0.7 | \$700 |
| 10/21/2020 | Internal strategy and discussion of Plaintiff's updated demand; communications with opposing counsel regarding same | 1.9 | \$700 |
| 10/29/2020 | Review opposing counsel's response to updated demand; strategy regarding the same | 0.5 | \$700 |
| 11/1/20-11/6/20 | Communications with putative class members | 9.8 | \$700 |
| 11/2/20-11/18/20 | Prepare for the depositions of Persons Most Knowledgeable for Crawford and Broadspire, including exhibits | 23.4 | \$700 |
| 11/2/2020 | Prepare for and attend meet and confer call with Defendants regarding depositions of Persons Most Knowledgeable, inclusive of topics and documents to be produced, and settlement | 3.4 | \$700 |
| 11/2/2020 | Internal strategy and discussion regarding conference call with opposing counsel and steps moving forward | 1.2 | \$700 |
| 11/5/2020 | Communications with class representative regarding updates and settlement | 0.5 | \$700 |
| 11/05-06/20 | Review and analyze Defendants' summary of meet and confer efforts from the week; review personal notes from meet and confer sessions send response to opposing counsel regarding the same | 1.8 | \$700 |
| 11/6/2020 | Prepare for and phone conference with opposing counsel to negotiate settlement and to meet and confer regarding outstanding discovery | 1.9 | \$700 |
| 11/9/2020 | Communications with class representative regarding updates and settlement | 0.4 | \$700 |
| 11/9/2020 | Legal research and draft meet and confer correspondence to Defendants regarding outstanding discovery issues, particularly depositions of Persons Most Knowledgeable and documents and data to be produced | 4.8 | \$700 |
| 11/11/2020 | Review prior discovery responses by Defendants in preparation for the depositions of Persons Most Knowledgeable | 3.8 | \$700 |
| 11/11/2020 | Internal strategy and calculation of revised demand and support/basis for the calculations | 1.7 | \$700 |
| 11/12/2020 | Review and finalize communications with opposing counsel regarding revised demand and support/basis for the calculations | 0.3 | \$700 |
| 11/12/2020 | Prepare for and communications with class counsel regarding settlement and possible conditions to settlement and his continued fears of retaliation by Defendants | 3.9 | \$700 |
| 11/12/2020 | Review and analyze Defendants' offer of settlement and corresponding memorandum of understanding | 0.8 | \$700 |
| 11/13/2020 | Internal discussion regarding Defendants' offer of settlement | 1.8 | \$700 |
| 11/13/2020 | Review and analyze Defendants' draft of memorandum of understanding and outline key issues; internal discussions regarding same | 2.4 | \$700 |
| 11/13/2020 | Revise Defendants' draft of memorandum of understanding for circulation | 2.5 | \$700 |
| 11/13/2020 | Internal communications about presenting response to Defendants' offer of settlement along with deadlines that must be met if settlement is not promptly reached | 1.2 | \$700 |
| 11/16/2020 | Prepare for and conference with Defendants regarding settlement negotiations; internal discussions regarding the same | 1.8 | \$700 |

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|--------------------|--|-----|-------|
| 11/17/2020 | Communications with class representative to provide update on settlement discussions | 0.4 | \$700 |
| 11/17/2020 | Review and analyze Defendants' correspondence memorializing earlier conference call | 0.4 | \$700 |
| 11/17/2020 | Review and analyze Defendants' revised Memorandum of Understanding; internal discussions regarding the same | 2.1 | \$700 |
| 11/18/2020 | Finalize Plaintiff's revisions to the revised Memorandum of Understanding and review correspondence to Defendants regarding the same | 1.6 | \$700 |
| 11/19/2020 | Review and analyze communications from Defendants regarding conditions to settlement | 0.3 | \$700 |
| 11/19/2020 | Review and analyze Declaration of Jones confirming the data underlying parties' settlement discussion and Defendants' further revisions to the Memorandum of Understanding | 1.9 | \$700 |
| 11/20/20-11/21/20 | Coordinate signing by Plaintiff and Plaintiff's counsel of Memorandum of Understanding; correspondence to opposing counsel regarding same | 1.2 | \$700 |
| 11/20/20-11/21/20 | Prepare for and communications with Plaintiff regarding Memorandum of Understanding | 1.3 | \$700 |
| 11/23/2020 | Follow up with opposing counsel regarding signatures by Defendants and their counsel | 0.2 | \$700 |
| 12/2/2020 | Follow up with opposing counsel regarding signatures by Defendants and their counsel | 0.2 | \$700 |
| 12/7/2020 | Contact Court and coordinate Hearing on Preliminary Approval of Class Action Settlement and update team and calendaring | 0.6 | \$700 |
| 12/7/2020 | Research proper Notice of Settlement procedure for class action in Fresno Superior Court and contact Court with questions | 1.3 | \$700 |
| 12/7/2020 | Complete Notice of Settlement Form | 0.4 | \$700 |
| 12/9/2020 | Internal strategy regarding next steps, including joint request to stay the action | 0.5 | \$700 |
| 12/9/2020 | Communications with opposing Counsel regarding Notice of Settlement, Joint Request to Stay Action and long form agreement | 0.3 | \$700 |
| 12/14/2020 | Communications with class representative regarding updates | 0.4 | \$700 |
| 12/14/20--12/18/20 | Review and revise Joint Stipulation to Stay Case; coordinate changes | 1.2 | \$700 |
| 12/15/2020 | Communications with class member regarding the litigation and possible settlement; internal discussions regarding the same | 1.4 | \$700 |
| 12/22/2020 | Communications with class representative regarding new issue | 0.3 | \$700 |
| 12/23/2020 | Review, analyze and revise long form settlement agreement proposed by Defendants; internal discussions regarding the same | 3.8 | \$700 |
| 12/23/2020 | Meet and confer with opposing counsel regarding status of long form agreement and comprehensiveness of class member list | 0.5 | \$700 |
| 12/28/2020 | Communications with class representative regarding updates | 0.4 | \$700 |
| 1/2/21-1/5/21 | Prepare for and communications with class representative discussing long form settlement agreement and potential changes | 1.7 | \$700 |
| 1/2/21-1/5/21 | Additional review and revisions to draft long form settlement agreement | 4.9 | \$700 |
| 1/2/21-1/5/21 | Internal discussions regarding review and revisions to draft long form settlement agreement | 1.6 | \$700 |
| 1/13/2021 | Communications with class member regarding case and settlement | 0.8 | \$700 |
| 1/14/2021 | Internal strategy regarding impact of newly identified individuals on settlement and escalator clause | 0.4 | \$700 |
| 1/21/2021 | Finalize review and revisions to Defendant's long form settlement agreement; internal discussions regarding the same | 2.5 | \$700 |
| 01/21/21-1/22/21 | Prepare for and communications with class representative regarding long form settlement agreement | 0.6 | \$700 |

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|-------------------|--|------|-------|
| 1/27/2021 | Communications with opposing counsel regarding long form settlement agreement | 0.4 | \$700 |
| 1/29/2021 | Prepare for and meet and confer with opposing counsel regarding Defendants' response to Plaintiff's revisions to the long form agreement; internal discussions regarding the same | 1.3 | \$700 |
| 3/13/21-3/15/21 | Review and analyze Defendants' new changes to the long form agreement; make further revisions to Defendants' proposed changes; internal discussions regarding same | 5.6 | \$700 |
| 3/22/2021 | Internal coordination of Motion to Dismiss Hearing | 0.4 | \$700 |
| 3/22/2021 | Internal discussions regarding Notice of Settlement in relation to CRC 3.138 | 0.6 | \$700 |
| 03/22/21-04/2/21 | Draft Motion for Preliminary Approval of Class (such as Notice, Points and Authorities, Declaration, and Proposed Order) | 80 | \$700 |
| 04/8/21-4/13/2021 | Review, analyze and make changes to Exhibits A-D (Notice to Class Members, Third Party Administrator Agreement, Proposed Order Granting Final Approval of Class Settlement, Proposed Order Granting Preliminary Approval of Class Action Settlement) to long form settlement agreement/Joint Stipulation re Class Action Settlement and Release; internal discussions regarding the same | 6.8 | \$700 |
| 4/12/2021 | Communications with class representative regarding Defendants' latest round of edits to the long form agreement | 0.4 | \$700 |
| 4/13/2021 | Review, analyze and finalize Defendants' changes to the Motion for Preliminary Approval and related papers | 1.3 | \$700 |
| 4/13/2021 | Communications with opposing counsel regarding review and changes to Exhibits A-D | 0.8 | \$700 |
| 4/13/2021 | Review, revise and finalize Motion for Preliminary Approval of Class Settlement for filing | 8.6 | \$700 |
| 5/4/2021 | Review and analyze Court's tentative ruling regarding Motion for Preliminary Approval of Class Settlement and internal communications and strategy regarding the same | 1.8 | \$700 |
| 5/17/21-5/27/21 | Communications with the Court to schedule hearing dates for revised preliminary approval of class settlement, motion for attorneys' fees and final approval of class settlement; internal discussions regarding scheduling and logistics | 0.7 | \$700 |
| 7/12/2021 | Internal communications regarding Defendants' desire to communicate with class members; research regarding the same and internal discussions | 3.6 | \$700 |
| 7/28/21-8/2/21 | Review and revise draft declaration of Jeffrey Maxwell in Support of Motion for Preliminary Approval and coordinate his review of the same | 2.3 | \$700 |
| 7/30/2021 | Review and analyze Court's tentative ruling denying Plaintiff's Motion for Preliminary Approval of Class Settlement; internal discussions and strategy regarding the tentative ruling and how to address concerns raised by the Court; legal research regarding the same | 3.2 | \$700 |
| 7/28-8/1/21 | Review and revise draft declaration of Jeffrey Maxwell in Support of Motion for Preliminary Approval and coordinate his review of the same and obtain his signature | 4.3 | \$700 |
| 7/28-8/2/21 | Draft, review, revise and finalize Plaintiff's Revised Motion for Preliminary Approval of Class Settlement, and supporting declaration of Andrew Jaramillo to address deficiencies identified by the Court | 3.3 | \$700 |
| 8/2/2021 | Internal communications regarding Plaintiff's Revised Motion for Preliminary Approval of Class Settlement | 1.3 | \$700 |
| 8/2/2021 | Prepare for and conference call with opposing counsel regarding Defendants' comments to Motion for Preliminary Approval of Class Settlement | 0.7 | \$700 |
| 8/23/2021 | Prepare for oral argument on Revised Motion for Preliminary Approval of Class Settlement; review Court's order pushing out hearing | 0.4 | \$700 |
| 9/4/21-9/19/21 | Draft Plaintiff's Motion for Attorneys' Fees, Costs and Service Award and supporting documents | 15.4 | \$700 |

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| 9/20/2021 | Prepare for oral argument on Revised Motion for Preliminary Approval of Class Settlement; review Court's tentative ruling denying Revised Motion for Preliminary Approval of Class Settlement and draft outline of issues to address/seek clarification during oral argument | 2.8 | \$700 |
| 9/20/2021 | Prepare for and internal communications regarding Court's tentative ruling denying Revised Motion or Preliminary Approval of Class Settlement | 1.1 | \$700 |
| 9/20/2021 | Communications with opposing counsel regarding Court's tentative ruling denying Revised Motion for Preliminary Approval of Class Settlement | 0.6 | \$700 |
| 9/20/2021 | Contact the Court to set oral argument | 0.3 | \$700 |
| 9/21/2021 | Strategy and communications internally and with opposing counsel regarding motion and hearing dates and how to adjust in light of need for additional motion work | 1.4 | \$700 |
| 9/21/2021 | Prepare for and internal strategy to prepare for oral argument on Court's denial of Revised Motion for Preliminary Approval of Class Settlement | 0.8 | \$700 |
| 9/21/2021 | Sit in on oral argument re Court's denial of Revised Motion for Preliminary Approval of Class Settlement | 0.6 | \$700 |
| 9/21/2021 | Internal communications regarding next steps forward | 0.4 | \$700 |
| 9/30/2021 | Review and analyze Court's minute order re Revised Motion for Preliminary Approval of Class Settlement; internal strategy regarding request for further clarification | 0.8 | \$700 |
| 10/1/21-10/4/21 | Draft revised Declaration of Jeffrey Maxwell in Support of Motion for Preliminary Approval of Class Settlement and prepare exhibits in support of the same | 3.8 | \$700 |
| 10/14/2021 | Review and analyze Court's new minute order re Revised Motion for Preliminary Approval of Class Settlement | 0.6 | \$700 |
| 10/14/2021 | Communications regarding deficiencies identified by the Court and how to address the same in light of the minute order | 1.9 | \$700 |
| 10/14/2021 | Prepare prospective exhibits in support of Supplemental Declaration of Andrew Jaramillo for filing and draft revisions to the same declaration | 2.5 | \$700 |
| 11/5/2021 | Internal communications regarding PAGA calculations | 0.7 | \$700 |
| 11/8/2021 | Review communications with Settlement Administrator | 0.3 | \$700 |
| 11/10/2021 | Review communications with Settlement Administrator | 0.6 | \$700 |
| 11/10/2021 | Communications with opposing counsel regarding Court orders | 0.3 | \$700 |
| 11/18/2021 | Review and analyze communications from Settlement Administrator regarding preliminary calculations, mailing documents and instructions | 1.8 | \$700 |
| 11/29/2021 | Review and finalize Joint Stipulation Regarding Request for the Court to Sign Proposed Order Granting Class Action Settlement and Notice Procedures | 0.6 | \$700 |
| 11/29/2021 | Review and revise Proposed Preliminary Approval Order | 2.3 | \$700 |
| 11/29/21-11/30/21 | Finalize Proposed Preliminary Approval Order | 0.8 | \$700 |
| 11/30/21-12/5/21 | Review and revise Plaintiff's Motion for Attorneys' Fees, Costs and Service Award and supporting documents | 4.3 | \$700 |
| 11/30/21-12/5/21 | Start drafting Preliminary Approval of Class Action Settlement and supporting declarations | 13.2 | \$700 |

Total Hours:

753.6

Hourly Rate:

\$700

Total Invoice:

\$527,520.00

EXHIBIT 3

1 LAW OFFICES OF MORRIS NAZARIAN
Morris Nazarian (230275)
2 1875 Century Park East, Suite 1790
3 Los Angeles, California 90064
Tel: (310) 284-7333

4 ALTUS LAW FIRM
5 Andrew J. Jaramillo (198303)
6 Sean T. Nguyen (206245)
7 Judy T. Sha (261432)
5 Park Plaza, Suite 200
Irvine, California 92614
8 andrew.jaramillo@altuslawfirm.com
9 Tel: (949) 346-3391

10 Attorneys for Plaintiff
JEFFREY MAXWELL

11
12 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
13 **COUNTY OF FRESNO**

14
15 JEFFREY A. MAXWELL, on behalf of)
himself and a class of others similarly situated,)
16)
Plaintiff,)

17)
18 vs.)

19 CRAWFORD & COMPANY, a Georgia)
Corporation; BROADSPIRE SERVICES)
20 INC., a Delaware Corporation; BROADSPIRE)
INSURANCE SERVICES, INC., a New York)
21 Corporation, and DOES 1 THROUGH 50,)
22 INCLUSIVE,)

23 Defendants.)
24)
25)
26)
27)
28)

CASE NO.: 16CECG02457
Assigned for all purposes to
Hon. D. Tyler Tharpe
Department 501

DECLARATION OF SEAN NGUYEN IN
SUPPORT OF MOTION FOR AWARD
OF ATTORNEYS' FEES, COST AND
SERVICE AWARD

Hearing

Date: March 15, 2022
Time: 3:30 p.m.
Location: Dept. 501

1
2 I, Sean Nguyen, declare as follows:

3
4 1. I am an attorney with Altus Law Firm and counsel of record for Plaintiff Jeffrey
5 Maxwell in this matter. As such, I am fully familiar with the facts, pleadings and history of this
6 matter. The following facts are within my own personal knowledge, and if called as a witness, I
7 could testify competently to the matters stated herein. I am a member in good standing of the bar
8 of the State of California and am admitted to practice in this Court. I have personal knowledge of
9 the facts stated in this declaration and would testify competently to them if called upon to do
10 so. I submit this declaration in support of the motion by Plaintiff Jeffrey Maxwell (“Plaintiff”)
11 for an award of attorneys’ fees and litigation expenses in connection with services rendered in
12 the above-entitled action and the requested service award for the class representative. A true and
13 correct copy of the Joint Stipulation Regarding Class Action Settlement And Release
14 (“Agreement”) is attached hereto as Exhibit #1.

15 2. The Law Offices of Morris Nazarian and Altus Law Firm are Class Counsel in
16 this action. While the Law Offices of Morris Nazarian has participated in this litigation and has
17 performed work on behalf of Plaintiff since the inception of this litigation, Altus Law Firm
18 became the primary Class Counsel representing Plaintiff and has been performing a significant
19 amount of work on behalf of Plaintiff for multiple years.

20 3. My current billing rate is \$750.00 per hour which, based on my skill and
21 experience, is entirely reasonable. I received my law degree from UCLA School of Law in 1999
22 and my undergraduate degree, also from UCLA, in 1996. I was admitted to the State Bar of
23 California in February 2000 and have been an active member in good standing continuously
24 since then. I have concentrated my practice exclusively in employment litigation since I was
25 admitted to the Bar.

26 4. I began my legal career by serving as a Research Attorney in Los Angeles
27 Superior Court until 2001, when I joined the law firm of Payne & Fears, LLP, in Irvine,
28 California. While at Payne & Fears, I practiced both business litigation and labor and

1 employment law, including those involving wage-and-hour violations (individual and class
2 action). In 2007, I became an in-house attorney at Home Depot handling employment law for
3 thirteen different Western States and was primarily responsible for handling class action
4 lawsuits, including more than two dozen wage-and-hour class or collective action matters, for the
5 company. In 2017, I joined Altus Law Firm. Since then, I have represented numerous employees
6 in disputes with their employers, including wage-and-hour class and representative actions. In
7 addition, Altus Employment Counsel is actively and continuously practicing in employment
8 litigation, principally representing plaintiffs, in both individual and collective actions, in Superior
9 Courts throughout the State.

10 5. The hours submitted with this declaration are solely for work performed on behalf
11 of the class alleged in the above-entitled California action and not any other state or federal
12 matter.

13 6. Collectively, The Law Offices of Morris Nazarian and Altus Law Firm have
14 performed, among other things, the following general tasks related to this matter:

- 15 • Performed client intake and interviews;
- 16 • Performed initial investigation and evaluation of the case;
- 17 • Conducted the research necessary for case evaluation;
- 18 • Drafted PAGA Notices;
- 19 • Drafted, prepared, and filed the class action complaint and its amendments;
- 20 • Participated in attorneys' conferences with three different defense law firms that have
21 represented Defendants (Defendants' have changed counsel of record two times);
- 22 • Received, reviewed and responded to correspondence;
- 23 • Received, reviewed and responded to informal discovery;
- 24 • Received, reviewed and responded to formal discovery;
- 25 • Multiple meet and confer sessions regarding discovery (depositions, discovery responses,
26 Belaire-West notices, etc.);
- 27 • Drafted, reviewed and filed motions and related pleadings (multiple *ex parte* applications,
28 motions to compel discovery, motion for curative action);

- 1 • Traveled to and prepared for numerous court appearances;
- 2 • Reviewed orders from the court;
- 3 • Traveled to, prepared for and attended an unsuccessful mediation;
- 4 • Negotiated the settlement in this case;
- 5 • Drafted, reviewed and filed papers concerning the settlement in this case; and
- 6 • Coordinated approval of settlement in this case with opposing counsel.

7 7. Attached hereto as Exhibit 1 is a true and correct copy of an itemized invoice for
8 attorney's fees incurred by me in the Action. All of the time attributed to me on Exhibit 2 was
9 performed by me, and the time indicated is the actual time spent on each task rounded to the
10 nearest one-tenth of an hour. With respect to the records of fees, costs, and expenses regarding
11 each individual case file in the office, I am the custodian of those records.

12 8. Class Counsel have extensive class litigation experience in the area of
13 employment class actions, particularly wage and hour claims. Class Counsel litigated similar
14 wage and hour class action cases against other employers on behalf of employees. The issues
15 presented in this case required more than just a general appreciation of wage and hour law and
16 class action procedure as this area of practice is still developing as evidenced by the Supreme
17 Court's decision in *Brinker Restaurant Corp. v. Sup. Ct.*, 53 Cal. 4th 1004 (2012), and in the
18 Ninth Circuit's decision in *Sakkab v. Luxxotica Retail N. Am., Inc.*, 803 F.3d 425 (9th Cir. 2015).
19 It is this level of experience which enabled the firm to undertake the instant matter and to
20 successfully combat the extensive resources of Defendants and their capable and experienced
21 counsel. On account of the concerted and dedicated effort this case required in order to properly
22 handle and prosecute, Class Counsel were precluded from taking on other cases and clients and
23 had to turn away other cases with strong potential to generate fees.

24 //
25 //
26 //
27 //
28 //

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed at Irvine, California.

3
4 Dated: December 6, 2021

ALTUS LAW FIRM

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6 










7
8

9 Sean Nguyen
Attorneys for Plaintiff
JEFFREY MAXWELL

Activities Export

12/06/2021

12:42 PM

| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|---|---|---|-------------|----------------|-----------|-----------------------|------------------------------|
| 09/17/2021 |  | A103 Draft/revise L160 Settlement/ Non-Binding ADR: Prepare declaration in support of motion for attorneys fees and enter revise time entries to conform for motion.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 5.50h | 750.00 | - | 4,125.00 |
| 11/13/2020 |  | A105 Communicate (in firm) L430 Written Motions and Submissions: Multiple discussions with Andrew and Julie re settlement discussions and rev drafts of MOUs from 11/16 to 11/19  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 5.50h | 750.00 | - | 4,125.00 |
| 11/13/2020 |  | A105 Communicate (in firm) L430 Written Motions and Submissions: Multiple discussions with Andrew and Julie re settlement and workweek issues during week of 11/9 to 11/13; rev correspondence from Defendants' attorneys re same.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 3.50h | 750.00 | - | 2,625.00 |
| 09/11/2020 |  | A104 Review/analyze L430 Written Motions and Submissions: Research re defendants' litigation history and whether there are relevant class or collective actions that could affect Maxwell issues.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 4.50h | 750.00 | - | 3,375.00 |
| 09/04/2020 |  | A104 Review/analyze L430 Written Motions and Submissions: Rev numerous email correspondence | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., | Sean Nguyen | 0.50h | 750.00 | - | 375.00 |
| | | | | | 112.40h | | \$0.00 0.0h | \$84,300.00 112.4h |

Activities Export

12/06/2021

12:42 PM

| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|-------------|----------------|-----------|-------------------|--------------------|
| | | re PMK depositions. ● Unbilled | et al. | | | | | |
| 08/25/2020 | ⌚ | A104 Review/analyze L430 Written Motions and Submissions: Meet with Andrew and Judy re hearing on motions; analyze next steps ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.50h | 750.00 | - | 1,125.00 |
| 08/24/2020 | ⌚ | A104 Review/analyze L430 Written Motions and Submissions: Review and analyze court's tentative ruling on motions for corrective action and discovery motions; telephone call with Andrew and Judy re same and strategize for oral argument on motions. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 3.50h | 750.00 | - | 2,625.00 |
| 08/11/2020 | ⌚ | A104 Review/analyze L430 Written Motions and Submissions: Analyze and calendar class certification deadlines. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 0.80h | 750.00 | - | 600.00 |
| 07/23/2020 | ⌚ | A104 Review/analyze L430 Written Motions and Submissions: Finalize replies to motions to compel further responses to discovery ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 3.30h | 750.00 | - | 2,475.00 |
| 07/19/2020 | ⌚ | A104 Review/analyze L430 Written Motions and Submissions: Draft portions of Reply to Motion for Corrective Action; research re supporting authorities to | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 3.50h | 750.00 | - | 2,625.00 |
| | | | | | 112.40h | | \$0.00 | \$84,300.00 |
| | | | | | | | 0.0h | 112.4h |

Activities Export

12/06/2021

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|---|---|-------------|----------------|-----------|-----------------------|------------------------------|
| | | arguments raised by Ds, including taking judicial notice of unpublished opinions and deficient notice issues in Belaire-West notice. ● Unbilled | | | | | | |
| 07/18/2020 | ⌵ | A104 Review/analyze L430 Written Motions and Submissions: Draft portions of Reply to Motion for Corrective Action; research re supporting authorities to arguments raised by Ds, including taking judicial notice of unpublished opinions and deficient notice issues in Belaire-West notice. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 5.50h | 750.00 | - | 4,125.00 |
| 07/17/2020 | ⌵ | A104 Review/analyze L430 Written Motions and Submissions: Review and analyze Defendants' opposition to motion for corrective action; meet with Andrew Jaramillo and Judy Sha to discuss strategy. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 4.50h | 750.00 | - | 3,375.00 |
| 07/13/2020 | ⌵ | A104 Review/analyze L430 Written Motions and Submissions: Review prior motions to compel against defendants to assist with replies ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 2.00h | 750.00 | - | 1,500.00 |
| 07/09/2020 | ⌵ | A103 Draft/revise L430 Written Motions and Submissions: Rev court order re filing issues; revised | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., | Sean Nguyen | 1.20h | 750.00 | - | 900.00 |
| | | | | | 112.40h | | \$0.00 0.0h | \$84,300.00 112.4h |

Activities Export

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|------|--|---|-------------|----------------|-----------|-------------------|--------------------|
| | | filing on motion for corrective action. ● Unbilled | et al. | | | | | |
| 07/08/2020 | ⌵ | Finalize motion for corrective action, supporting evidence and documents. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 8.50h | 750.00 | - | 6,375.00 |
| 07/07/2020 | ⌵ | Revise and shorten motion for corrective action; research supporting issues including voicing of releases. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 14.00h | 750.00 | - | 10,500.00 |
| 07/06/2020 | ⌵ | Revise and review Motion for Corrective Action; draft Jaramillo declaration in support and prepare supporting exhibits. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 8.50h | 750.00 | - | 6,375.00 |
| 07/05/2020 | ⌵ | Draft Motion for Corrective Action and to invalidate releases. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 9.30h | 750.00 | - | 6,975.00 |
| 07/04/2020 | ⌵ | Draft portions of Motion for Corrective Action; research re Bararsani issues and reliance on superior court decisions; research re misleading statements in Belaire West notices and contacts with putative class members. ● Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 8.50h | 750.00 | - | 6,375.00 |
| | | | | | 112.40h | | \$0.00 | \$84,300.00 |
| | | | | | | | 0.0h | 112.4h |

Activities Export

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|---|---|---|-------------|----------------|-----------|-----------------------|------------------------------|
| 07/03/2020 |  | Draft portions of Motion for Corrective Action; research re related issues for class notices and procedural issues; research re related PAGA violations in notices.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 3.80h | 750.00 | - | 2,850.00 |
| 07/02/2020 |  | Revise motion for corrective action and filing issues.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.40h | 750.00 | - | 1,050.00 |
| 05/19/2020 |  | Prepare stipulations to continue deadlines  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 0.80h | 750.00 | - | 600.00 |
| 05/13/2020 |  | Finalize motions to compel for filing and communicate with court re same.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.10h | 750.00 | - | 825.00 |
| 05/12/2020 |  | Work on motions to compel; review and revise motions.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 2.20h | 750.00 | - | 1,650.00 |
| 08/13/2019 |  | Internal strategy meeting and discussions re case issues  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 0.80h | 750.00 | - | 600.00 |
| 03/12/2019 |  | Internal strategy meeting and analysis re post-mediation issues and class certification issues.  Unbilled | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.20h | 750.00 | - | 900.00 |
| | | | | | 112.40h | | \$0.00 0.0h | \$84,300.00 112.4h |

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| Date | Type | Description | Matter | User | Qty | Rate (\$) | Non-billable (\$) | Billable (\$) |
|------------|---|--|---|-------------|----------------|-----------|-----------------------|------------------------------|
| 09/18/2018 |  | Analysis and research re Broadspire's new arbitration agreement and offer to employees; internal discussions re same.  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.40h | 750.00 | - | 1,050.00 |
| 04/16/2018 |  | Review and revise associational agreement.  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 0.30h | 750.00 | - | 225.00 |
| 04/13/2018 |  | Multiple emails and telephone calls with cocounsel re case issues.  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 0.70h | 750.00 | - | 525.00 |
| 03/29/2018 |  | Research re legal issues, off-the-clock work and alternative schedules  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.10h | 750.00 | - | 825.00 |
| 03/14/2018 |  | Telephone conference with co-counsel and internal meetings re Maxwell case and to do items.  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 1.50h | 750.00 | - | 1,125.00 |
| 02/08/2018 |  | Review & analyze Maxwell case files.  | Maxwell v. Crawford & Co., et al.-00073-Nazarian Maxwell v. Crawford & Co., et al. | Sean Nguyen | 2.00h | 750.00 | - | 1,500.00 |
| | | | | | 112.40h | | \$0.00 0.0h | \$84,300.00 112.4h |

EXHIBIT 4

1 I, Scott B. Cooper, declare as follows:

2 1. Until December 29, 2017, I was an attorney duly licensed to practice law in
3 the State of California. I was the managing attorney at The Cooper Law Firm, P.C. and co-
4 counsel for Plaintiff Jeffrey Maxwell in the above-captioned matter.

5 2. I am over the age of 18, and if called as a witness, I would testify truthfully to
6 the matters set forth in this Declaration. All of the matters set forth herein are within my
7 personal knowledge, except those matters that are stated to be upon information and belief.
8 As to such matters, I believe them to be true.

9 **Background and Experience**

10 3. From December 13, 1994 through December 29, 2017, I was admitted in
11 good standing to practice as an attorney in the State of California. On various dates after
12 December 1994, I was admitted to practice in the State of Georgia; the Ninth Circuit Court
13 of Appeals; the Eleventh Circuit Court of Appeals; the United States District Courts for the
14 Central, Northern, Southern, and Eastern Districts of California; and the United States
15 District Court for the Northern District of Georgia. I have never been subject to discipline
16 by any state bar.

17 4. On November 2, 2017, I was appointed by Governor Brown to become a
18 judge in the Orange County Superior Court. On December 29, 2017, I ceased practicing law
19 and was sworn into office.

20 5. I received my undergraduate degree with highest distinction (*summa cum*
21 *laude*) from U.C. Berkeley in 1991 and my law degree with honors from the University of
22 Chicago Law School in 1994. Following law school, I was a judicial clerk for The
23 Honorable Alicemarie H. Stotler in the U.S. District Court for the Central District of
24 California. I then joined Latham & Watkins, where I practiced in the litigation department
25 for almost four years before leaving to pursue plaintiff's trial work, which I did from 1999
26 until I stopped practicing in 2017.

27 6. From 1999 through 2006, my practice was focused on representing plaintiffs
28 in product liability cases, primarily those involving defects in automobiles. These were

1 complex cases that routinely involved the production and analysis of thousands of pages of
2 documents, multiple technical experts from both sides, hundreds of thousands of dollars in
3 litigation costs, and multi-week trials. During that time, my partners and I prosecuted cases
4 against virtually all of the major automobile manufacturers, including Ford, General Motors,
5 Chrysler, Nissan, Toyota, Kia, and Hyundai, and tried cases in multiple states, including
6 Texas, Florida, and Georgia.

7 7. Since early 2007, my practice had been focused almost exclusively on class
8 action cases, primarily those involving wage and hour claims. At the time I transitioned to
9 the bench, I had been appointed as class counsel or co-class counsel in more than 80 class
10 actions in state and federal courts, both through contested motions for class certification and
11 motions for approval of class action settlements. These cases resulted in substantial
12 monetary recoveries for hundreds of thousands of employees. I prosecuted wage and hour
13 class actions against defendants such as AT&T, Bank of America, Brinks, Cisco Systems,
14 Experian, Home Depot, The Gap, Kmart, Kraft Foods, MetLife, Morgan Stanley, Petco,
15 Ralphs, Rockwell Collins, T-Mobile, Toys-R-Us, and Western Digital, among others.

16 8. I was appointed to serve on the Plaintiffs' Steering Committee and as Liaison
17 Counsel in the federal multi-district litigation over the Sprouts Farmers Market employee
18 data breach. *In re Sprouts Farmers Market Incorporated Employee Data Security Breach*
19 *Litigation*, Case No. MDL 16-02731-PHX DLR (D. Ariz.). I was also appointed co-lead
20 counsel in a wage and hour class action involving five related cases and at least ten law
21 firms representing the plaintiffs. *Brihn v. PJ of Orange County One, L.P.*, Case No. 30-
22 2010-000386818-CU-CR-CXC, and consolidated cases (Orange County Superior Court).

23 9. I was asked to speak, and presented topics, at multiple wage & hour and class
24 action litigation seminars. These included a two-day annual wage and hour conference in
25 Los Angeles organized by Bridgeport Continuing Education, a two-day seminar and
26 conference organized by the Consumer Attorneys of the Inland Empire and Orange County
27 Trial Lawyers Association (where I presented on arbitration agreements and class actions),
28 an employment class action MCLE meeting organized by the Orange County Bar

1 Association's Labor and Employment Law Section, and wage and hour seminar hosted by
2 the Orange County Trial Lawyers Association. I was also invited to speak on wage and hour
3 claims at the 2012 annual convention and MCLE seminar for the Consumer Attorneys of
4 California.

5 10. I was named to the Southern California Rising Stars list from 2004 through
6 2009 and was named to the Southern California Super Lawyers list every year from 2010
7 until I stopped practicing.

8 11. I am a Past President of the Orange County Trial Lawyers Association and
9 served for three years on the Board of Governors of the Consumer Attorneys of California. I
10 completed a three-year term on the Board of Directors for the Orange County Bar
11 Association in 2010.

12 12. While I was practicing, other attorneys routinely associated my firm on wage
13 and hour class actions due to my expertise.

14 **Attorneys' Fees and Costs**

15 13. At the time I closed my practice, I had been a lawyer for over 23 years, and I
16 billed at a rate of \$750 per hour. As mentioned above, I had recognized expertise and
17 experience in efficient class action adjudication and resolution. My firm and my co-counsel
18 prosecuted this case on a pure contingency basis, meaning we would not recover any fees
19 unless we successfully resolved the matter and obtained a recovery.

20 14. In January 2017, I changed my rate from \$700 to \$750 per hour. In cases that
21 received final approval after January 2017, the following courts fully approved the fee
22 requests in which I billed at the \$750 rate: *Jones v. Abercrombie & Fitch Trading*
23 *Company*, Case No. 2:15-cv-00105 JGB (Ex) (C.D. Cal., Nov. 2018); *Birdsell v. The Geo*
24 *Group, Inc.*, Case No. CIVDS 1613061 (San Bernardino County Superior Court, October
25 2018); *Gonzales v. Bed Bath & Beyond, Inc.*, Case No. BC559797 (Los Angeles County
26 Superior Court, October 2018); *Matthews v. eHealthinsurance Services, Inc.*, Case No.
27 2017-1-CV-305656 (Santa Clara County Superior Court, September 2018); *Jimenez v.*
28 *O'Reilly Automotive, Inc.*, Case No. SACV 12-310 AG (JPRx) (C.D. Cal., June 2018);

1 *Pichardo et al. v. Silverado Senior Living, Inc.*, Case No. BC541042 (Los Angeles County
2 Superior Court, June 2018); *Reed v. Pasadena Hospital Association*, Case No. BC582952
3 (Los Angeles County Superior Court, March 2018); *Roberts v. Marshalls of CA, LLC*, Case
4 No. 13-cv-04731-MEJ (N.D. Cal., January 2018); *Serrano v. Valley Inventory Services, Inc.*,
5 Case No. CIVDS 1419050 (San Bernardino County Superior Court, November 2017);
6 *Dunigan v. Paramount Residential Mortgage Group, Inc.*, Case No. RIC1310073 (Riverside
7 County Superior Court, October, 2017) (Court confirmed arbitrator's order granting final
8 approval of class action settlement, including the award of fees); *Florer v. T-Mobile USA,*
9 *Inc.*, Case No. PSC1403326 (Riverside Superior Court, September 2017); *Overton v.*
10 *Armour-Eckrich Meats, LLC*, Case No. CIVDS 1501325 (San Bernardino County Superior
11 Court, September 2017); *Miceli v. International Coffee & Tea, LLC*, Case No. BC557239
12 (Los Angeles Superior Court, May 2017); *Townsend et al. v. Blue Diamond Growers*, Case
13 No. CV 14-958-4 (Washington County, Arkansas Circuit Court, March 2017); *Nguyen v.*
14 *Pharmerica Corporation et al.*, Case No. 30-2014-00716072-CU-OE-CXC (Orange County
15 Superior Court, Jan. 2017). My rate was \$700 per hour for two years before that change,
16 and courts in the following wage and hour class actions fully approved fee requests in which
17 I billed at that rate: *Sawyer v. Retail Data, LLC*, Case No. 30-2014-00753767-CU-OE-CXC
18 (Orange County Superior Court, Jan. 2017); *Laumea v. Performance Food Group, Inc.*,
19 Case No. CIVDS1407509 (San Bernardino Superior Court, Dec. 2016); *Gonzalez et al. v.*
20 *SFFI Company, Inc. et al.*, Case No. CIVDS1504287 (San Bernardino Superior Court, Dec.
21 2016); *DeLeon et al. v. Westlake Services, LLC*, Case No. BC 526750 (Los Angeles County
22 Superior Court, Nov. 2016); *Rebolledo v. Tilly's, Inc. et al.*, Case No. 30-2012-006162900-
23 CU-OE-CXC (Orange County Superior Court, Nov. 2016); *Bowers Companies Wage and*
24 *Hour Cases*, Judicial Council Coordination Proceeding No. 4620 (Orange County Superior
25 Court, Sept. 2016); *Garcia v. Evoqua Water Technologies, LLC*, Case No. RIC 1412022
26 (Riverside County Superior Court, Aug. 2016); *Rodriguez v. Burlington Coat Factory*, Case
27 No. CV13-02426 DDP (RZx) (C.D. Cal., April 2016); *Casey v. Ecolab, Inc. et al.*, Case No.
28 30-2014-00753644-CU-OE-CXC (Orange County Superior Court, Jan. 2016); *Durroh v.*

1 *East West Bank*, Case No. BC528860 (Los Angeles Superior Court, Dec. 2015); *Deaver v.*
2 *BBVA Compass Consulting and Benefits, Inc.*, Case No. 13-cv-0222-JSC (N.D. Cal., Dec.
3 2015); *Parra et al. v. Aero Port Services, Inc.*, Case No. BC483451 (Los Angeles Superior
4 Court, April 2015); *O'Brien et al. v. Pizza Hut of Southeast Kansas, Inc. et al.*, Case No
5 MCC 1301030 (Riverside Superior Court, March 2015).

6 15. While this case was pending, my firm employed an associate attorney,
7 Samantha A. Smith, who was admitted to the California Bar in 2004 and billed at a rate of
8 \$450 per hour during the time she worked on this case. From 2004 through the time Ms.
9 Smith stopped working for my firm in late October 2017, Ms. Smith focused her practice
10 almost exclusively on representing individuals – including employees and consumers – in
11 complex litigation against some of America’s largest companies. She had successfully
12 prosecuted numerous class actions involving wage and hour violations, consumer fraud,
13 unfair competition, securities fraud, antitrust, asbestos exposure, and defective products.

14 16. Given its size, my firm could only properly litigate a limited number of cases
15 at a time and, as a result, was precluded from accepting and/or working on other meritorious
16 cases due to the work necessary to prosecute this case.

17 17. A timesheet for my firm’s work on this case, providing detailed explanations
18 of tasks performed and hours expended, is attached hereto as Exhibit A. All of these tasks
19 were reasonable and necessary to the prosecution of the case. As shown on the timesheet,
20 Ms. Smith and I worked a total of 111.2 hours on this case. Based on the hourly rates
21 discussed above, my firm’s “lodestar” in this matter is \$72,780.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

Exhibit A

THE COOPER LAW FIRM, P.C.
Timesheet

Case: *Maxwell v. Crawford & Co. and Broadspire Services, Inc.* **Attorneys:** **Rates:**

Hours: 111.2 **Scott B. Cooper (SBC):** \$750

Fees: \$72,780 **Samantha A. Smith (SAS):** \$450

| <u>Date</u> | <u>Timekeeper</u> | <u>Description</u> | <u>Hours</u> | <u>Rate</u> | <u>Total</u> |
|-------------|-------------------|---|--------------|-------------|--------------|
| 12/13/16 | SBC | Review and prep emails w/co-counsel re potential case; review documents re same | 3.7 | \$750 | \$2,775 |
| 12/14/16 | SBC | Legal research and document review regarding potential case | 4.4 | \$750 | \$3,300 |
| 12/28/16 | SBC | Emails with co-counsel regarding conference call to discuss case | 0.2 | \$750 | \$150 |
| 12/30/16 | SAS | TC w/co counsel and client | 1.0 | \$450 | \$450 |
| 12/30/16 | SBC | Conference call with co-counsel and client re potential case | 1.0 | \$750 | \$750 |
| 1/18/17 | SBC | Prep email regarding case status | 0.1 | \$750 | \$75 |
| 1/26/17 | SAS | Review case file and documents and draft amended page letter with additional claims; forward to co counsel for review/comment | 2.0 | \$450 | \$900 |
| 1/31/17 | SAS | Draft supplemental LWDA letter re add'l allegations; email exchange w/co counsel re same | 1.2 | \$450 | \$540 |
| 1/31/17 | SBC | Review and revise draft PAGA letter; legal research re claims and defenses; review documents and factual research regarding defendant and job classifications | 6.4 | \$750 | \$4,800 |
| 2/1/17 | SBC | Prep emails regarding CMC and notice of association | 0.3 | \$750 | \$225 |
| 2/3/17 | SBC | Prep and review emails regarding CMC statement and Notice of Association | 0.2 | \$750 | \$150 |
| 2/7/17 | SAS | Review/analyze def's discovery responses; draft and circulate memo to co counsel re same | 2.3 | \$450 | \$1,035 |
| 2/8/17 | SAS | Research and preparation in advance of CMC | 1.2 | \$450 | \$540 |
| 2/8/17 | SBC | Prep and review emails regarding CMC requirements; review file and prep email regarding PAGA letter; review and prep email regarding discovery review; review documents in discovery; participate in CMC; prep and review emails re case status and dates | 7.5 | \$750 | \$5,625 |

| | | | | | |
|---------|-----|--|-----|-------|---------|
| 2/9/17 | SAS | Draft supp PAGA letter re wage statement violations re proper legal entity | 1.3 | \$450 | \$585 |
| 2/9/17 | SBC | Review amended PAGA letter; factual and legal research regarding same; prep and review emails regarding same | 3.4 | \$750 | \$2,550 |
| 2/10/17 | SAS | Edit meet and confer letter re extensive deficient discovery responses, circulate edits and comments to co counsel for review | 3.5 | \$450 | \$1,575 |
| 2/10/17 | SBC | Review draft meeting confer letter; review discovery responses; prep and respond to emails regarding same | 2.9 | \$750 | \$2,175 |
| 2/20/17 | SBC | Review and respond to emails regarding motion to compel | 0.2 | \$750 | \$150 |
| 2/21/17 | SBC | Review minute order regarding motion for class certification and defendant's letter regarding discovery and plaintiff's meeting confer letter; review and respond to discovery regarding same; review and research alternative work schedule issues and prep emails regarding same | 5.1 | \$750 | \$3,825 |
| 2/22/17 | SBC | Review and prep email regarding motion to compel deadline | 0.1 | \$750 | \$75 |
| 2/23/17 | SBC | Review and respond to emails regarding PAGA letter | 0.1 | \$750 | \$75 |
| 2/24/17 | SAS | Edit draft Supp PAGA letter, circulate to co counsel for review/comment/edit | 0.7 | \$450 | \$315 |
| 2/24/17 | SBC | Review and revise draft PAGA letter; review and respond to emails regarding same; legal research regarding same | 2.8 | \$750 | \$2,100 |
| 2/27/17 | SBC | Review and prep email regarding motion to compel | 0.1 | \$750 | \$75 |
| 3/6/17 | SAS | Email exchange w/ co-counsel re discovery | 0.3 | \$450 | \$135 |
| 3/6/17 | SBC | Review draft discovery to defendant Broadspire; legal and factual research regarding same; review and respond to email regarding same | 2.1 | \$750 | \$1,575 |
| 3/15/17 | SAS | Email exchange w/ co-counsel re draft discovery requests; email exchange w/ co-counsel re meet and confer letter from defense counsel | 0.5 | \$450 | \$225 |
| 3/15/17 | SBC | Prep and review emails regarding status of discovery; review file materials regarding same; review correspondence from defense counsel; research regarding same; respond to emails regarding same; prep email regarding service of complaint on LWDA | 3.8 | \$750 | \$2,850 |
| 3/16/17 | SAS | Email exchange w/co counsel re def. counsel's m/c re discovery and related discovery issues. | 0.2 | \$450 | \$90 |
| 3/17/17 | SAS | Edit draft discovery responses from co-counsel, circulate for further review/comment | 1.4 | \$450 | \$630 |
| 3/17/17 | SBC | Review draft responses to discovery; prep email regarding same | 0.8 | \$750 | \$600 |

| | | | | | |
|---------|-----|--|-----|-------|---------|
| 3/20/17 | SAS | Finalize discovery for service; TC w/ co-counsel re same | 1.3 | \$450 | \$585 |
| 3/20/17 | SBC | Review and respond to email regarding draft discovery responses | 0.1 | \$750 | \$75 |
| 3/21/17 | SBC | Review correspondence from defense counsel regarding discovery; review discovery responses regarding same; review and respond to email regarding same; review verifications and prep email regarding same | 1.4 | \$750 | \$1,050 |
| 3/31/17 | SBC | Review and respond to email regarding discovery issues; review file materials regarding same | 0.7 | \$750 | \$525 |
| 4/4/17 | SBC | Review file materials and documents regarding claims and defenses; legal research regarding same; review discovery and emails regarding same; prep email regarding same | 4.3 | \$750 | \$3,225 |
| 4/10/17 | SBC | Review documents produced by defendant; prep email regarding same | 0.6 | \$750 | \$450 |
| 4/11/17 | SBC | Review and respond to email regarding documents produced by defendant | 0.1 | \$750 | \$75 |
| 4/14/17 | SAS | TC w/ co-counsel re status of case and discovery; email exchange w/ co-counsel re same | 0.7 | \$450 | \$315 |
| 4/14/17 | SBC | Review and analyze documents produced by defendant; review file materials and correspondence regarding claims and discovery; prepare and respond to emails regarding documents and discovery; prep for and participate in conference call with co-counsel regarding case status and claims and discovery | 6.6 | \$750 | \$4,950 |
| 4/17/17 | SAS | Research and begin draft of FAC | 1.5 | \$450 | \$675 |
| 4/17/17 | SBC | Review and respond to emails regarding case status, deadlines, and discovery | 0.2 | \$750 | \$150 |
| 4/18/17 | SAS | Finish draft FAC and forward to co-counsel for review/edit; review draft discovery from co-counsel, MTG. w/ co-counsel re same, email re same | 2.5 | \$450 | \$1,125 |
| 4/18/17 | SBC | Review and respond to emails regarding draft discovery; review draft discovery; review file materials regarding same | 0.5 | \$750 | \$375 |
| 4/21/17 | SAS | TC w/ co-counsel re status of discovery | 0.5 | \$450 | \$225 |
| 5/2/17 | SAS | F/up w/ co-counsel re meet and confer re discovery responses | 0.5 | \$450 | \$225 |
| 5/4/17 | SAS | TC w/former employee; creates notes of conversation and save to file | 0.5 | \$450 | \$225 |
| 5/5/17 | SAS | TC w/ co-counsel re status of meet and confer re discovery; draft partial m/c letter and forward to co-counsel for review/comment; f/up w/ co-counsel re edits to FAC | 2.3 | \$450 | \$1,035 |
| 5/9/17 | SBC | Review and revise first amended complaint; research regarding same; prepare email regarding same | 3.3 | \$750 | \$2,475 |

| | | | | | |
|---------|-----|---|-----|-------|---------|
| 5/10/17 | SAS | Review edits to draft FAC, finalize draft and forward to co-counsel for review; review draft letter to def. counsel re stipulation to amend complaint and file FAC | 2.2 | \$450 | \$990 |
| 5/12/17 | SAS | Review email from co-counsel re discovery deadlines; calendar accordingly | 0.5 | \$450 | \$225 |
| 5/24/17 | SBC | Review and respond to email regarding proposed discovery extensions | 0.1 | \$750 | \$75 |
| 6/6/17 | SBC | Review defendant's responses to discovery and prep email regarding same; prep email regarding motion to compel the line | 1.3 | \$750 | \$975 |
| 6/20/17 | SAS | Review meet and confer letter from def. counsel; circulate email to co-counsel re strategy and analysis | 1.3 | \$450 | \$585 |
| 6/21/17 | SBC | Review and respond to email regarding potential discovery | 0.1 | \$750 | \$75 |
| 6/23/17 | SBC | Review and respond to emails regarding motion to compel deadline; conference with opposing counsel regarding same; review notification from the court in prepare email regarding same | 0.5 | \$750 | \$375 |
| 7/13/17 | SBC | Review and respond to email regarding PMK deposition notice; review notice and file materials regarding same | 0.7 | \$750 | \$525 |
| 7/18/17 | SAS | Edit draft PMK depo notice; forward to co-counsel for review/comment; f/up w co-counsel re meet and confer efforts re depo dates | 1.3 | \$450 | \$585 |
| 7/25/17 | SBC | Review/revise PMK deposition notice; review file materials and research regarding same; review and respond to emails regarding same | 3.9 | \$750 | \$2,925 |
| 7/26/17 | SAS | Review edits and comments to PMK depo notice by co-counsel; made additional edits and re-circulate | 0.8 | \$450 | \$360 |
| 7/27/17 | SBC | Review and respond to email regarding PMK deposition notice | 0.1 | \$750 | \$75 |
| 7/28/17 | SAS | TC w/co-counsel re case strategy and deadlines | 0.5 | \$450 | \$225 |
| 8/17/17 | SBC | Review and respond to emails regarding deposition dates | 0.1 | \$750 | \$75 |
| 8/23/17 | SBC | Prep email regarding deposition dates | 0.1 | \$750 | \$75 |
| 8/31/17 | SAS | Prep pre-depo materials and forward to client for review | 1.2 | \$450 | \$540 |
| 8/31/17 | SBC | Review and respond to emails regarding preparation for client's deposition | 0.3 | \$750 | \$225 |
| 9/5/17 | SAS | TC w/client re depo; review documents produced by D; MTG w/co-counsel re upcoming depositions; email to def counsel re same | 1.7 | \$450 | \$765 |
| 9/6/17 | SBC | Review email to defense counsel regarding plaintiff's deposition; review time records; prep email regarding same | 0.8 | \$750 | \$600 |

| | | | | | |
|----------|-----|--|--------------|-------|-----------------|
| 9/7/17 | SBC | Prep email regarding wage orders and required records | 0.1 | \$750 | \$75 |
| 9/8/17 | SBC | Email exchange with defense counsel regarding plaintiff's deposition and time records; review and analyze time records produced by defendant | 3.5 | \$750 | \$2,625 |
| 9/12/17 | SAS | Email exchange w/def counsel re depo dates; email exchange w/client re same | 0.5 | \$450 | \$225 |
| 9/12/17 | SBC | Review and respond to emails regarding rescheduling deposition | 0.2 | \$750 | \$150 |
| 9/18/17 | SBC | Review and respond to email regarding case management deadlines | 0.1 | \$750 | \$75 |
| 9/21/17 | SBC | Review stipulation to continue class cert deadline; leave voicemail regarding suggested edits; prep email regarding same | 0.3 | \$750 | \$225 |
| 9/27/17 | SBC | Prep email regarding stipulation and proposed order to continue class certification online | 0.1 | \$750 | \$75 |
| 9/29/17 | SBC | Prep email regarding proposed order to continue class certification deadline | 0.1 | \$750 | \$75 |
| 10/7/17 | SBC | Review and respond to emails regarding rescheduling PMK deposition | 0.1 | \$750 | \$75 |
| 10/9/17 | SBC | Review and respond to email regarding rescheduled depositions | 0.1 | \$750 | \$75 |
| 10/13/17 | SBC | Prep and review emails regarding deposition dates | 0.1 | \$750 | \$75 |
| 11/9/17 | SBC | Review and respond to email regarding rescheduling depositions and costs associated therewith | 0.1 | \$750 | \$75 |
| | | Totals | 111.2 | | \$72,780 |

Exhibit B

8:46 AM

12/04/20

Cash Basis

The Cooper Firm
Account QuickReport
All Transactions

| Type | Date | Name | Memo | Paid Amount | Balance |
|------------------------------|------------|---------------|----------------------|---------------|---------------|
| Advanced Client Costs | | | | | |
| Broadspire | | | | | |
| Credit Card Charge | 02/04/2017 | Courtcall | Legal & Professional | 86.00 | 86.00 |
| Credit Card Charge | 02/10/2017 | One Legal LLC | Legal & Professional | 9.95 | 95.95 |
| Credit Card Charge | 02/10/2017 | One Legal LLC | Legal & Professional | 9.95 | 105.90 |
| Credit Card Charge | 02/14/2017 | One Legal LLC | Legal & Professional | 13.55 | 119.45 |
| General Journal | 02/25/2017 | Stamps.com | Postage | 1.34 | 120.79 |
| General Journal | 08/25/2017 | Stamps.com | Postage | 4.20 | 124.99 |
| Credit Card Charge | 09/28/2017 | One Legal LLC | Legal & Professional | 34.62 | 159.61 |
| General Journal | 10/25/2017 | Stamps.com | Postage | 2.80 | 162.41 |
| General Journal | 10/31/2017 | | Copier Costs | 22.05 | 184.46 |
| General Journal | 12/31/2017 | | Westlaw Charges | 3.05 | 187.51 |
| Total Broadspire | | | | 187.51 | 187.51 |
| Total Advanced Client Costs | | | | 187.51 | 187.51 |
| TOTAL | | | | 187.51 | 187.51 |

1 **LAW OFFICES OF MORRIS NAZARIAN**

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3 monazarian@yahoo.com
4 1875 Century Park East, Suite 1790
5 Los Angeles, California 90067
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12 5 Park Plaza, Suite 200
13 Irvine, California 92614
14 andrew.jaramillo@altuslawfirm.com
15 Tel: (949) 346-3391

16 Attorneys for Plaintiff
17 JEFFREY MAXWELL

18 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

19 **COUNTY OF FRESNO**

20 JEFFREY A. MAXWELL, on behalf of
21 himself and a class of others similarly situated,
22 Plaintiff,

23 vs.

24 CRAWFORD & COMPANY, a Georgia
25 Corporation; BROADSPIRE SERVICES
26 INC., a Delaware Corporation; BROADSPIRE
27 INSURANCE SERVICES, INC., a New York
28 Corporation, and DOES 1 THROUGH 50,
INCLUSIVE,

Defendants.

CASE NO.: 16CECG02457
Assigned for all purposes to
Hon. D. Tyler Tharpe
Department 501

**DECLARATION OF MORRIS
NAZARIAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing

Date: August 24, 2021

Time: 3:30 p.m.

Location: Dept. 501

Date Filed: August 1, 2016

Trial Date: Not Set

1 I, Morris Nazarian, declare as follows:

2 1. I am an attorney at law duly licensed to practice law before the California State
3 Courts and the Central District of California. I am one of the attorneys for Plaintiff Jeffrey
4 Maxwell (“Plaintiff”) in the above-captioned matter.
5

6 2. I have been involved with this litigation since its inception and have personal
7 knowledge of all the matters set forth herein, and if called upon, I could and would testify to the
8 following:
9

10 3. All of the factual representations made in the accompanying Plaintiff’s Motion
11 for Final Approval of Class Action Settlement (“Motion”) are true to the best of my knowledge,
12 and I am providing this declaration in support thereof.

13 4. I have no knowledge of the existence of any conflict of interest between me and
14 my office and the Named Plaintiff, on the one hand, and any settlement class member, on the
15 other hand.
16

17 5. I am the principal of The Law Offices of Morris Nazarian. I prosecuted this class
18 action lawsuit with co-counsel, Altus Law Firm (“Class Counsel”). Along with my co-counsel,
19 I assisted in drafting the complaint and filing this class action lawsuit, prosecuting it and
20 reaching the settlement with Defendants Crawford & Company (“Crawford”), Broadspire
21 Services Inc. (“Broadspire”) and Broadspire Insurance Services, Inc. (“Broadspire Insurance”)
22 (collectively “Defendants”) (“Settlement Agreement” or “Settlement”).
23

24 6. My co-counsel and I combined our experience and skill to investigate, bring and
25 litigate this matter to a successful conclusion. By the time the Settlement was reached, we had
26 conducted a significant amount of formal and informal discovery to sufficiently assess the
27 strengths and weaknesses of the Class Claims. I have significant experience in the handling of
28

1 class actions and complex litigation matters. The combination of our two firms permitted us to
2 dedicate, whenever necessary, the full extent of our respective resources necessary to
3 accomplish the various goals in prosecuting this action, including preparing full discovery,
4 contacting and communicating with Plaintiff, Putative Class Members and other witnesses,
5 analyzing voluminous employment records and data, including time sheets, and wage statements
6 and preparing for the settlement negotiations and mediation.
7

8 7. Throughout this litigation, I have worked with my co-counsel to avoid
9 unnecessary duplication of efforts. We have actively litigated this case, including attending
10 telephonic client meetings; conducting formal and informal discovery, conducting legal research
11 and factual investigation; analyzing voluminous records; participating in case strategy and
12 analysis; drafting, reviewing, and revising pleadings and discovery requests; reviewing
13 Defendants' discovery responses; and preparing for and attending court proceedings and
14 mediation.
15

16 8. The required skills and experience necessary to properly litigate this case is
17 evident not only in the results achieved, but also in the steps undertaken to achieve those results.
18 Defendants retained well-respected counsel to represent their defenses and denied liability.
19 Defendants also denied that they violated any wage and hour laws, as alleged, and claimed that
20 they had no liability whatsoever in this matter.
21

22 9. I am admitted in good standing to practice as an attorney in the State of
23 California; the Ninth Circuit Court of Appeals; and the United States District Courts for the
24 Central, Northern, Southern, and Eastern Districts of California. I have never been subject to
25 discipline by any state bar.
26

27 10. I received my undergraduate degree with highest distinction (*summa cum laude*)
28

1 from U.C.L.A and my law degree from the University of Arizona, School of Law. Following
2 law school, I joined United Employees Law Group, where I practiced in the litigation
3 department for almost three years before leaving to pursue plaintiffs trial work, which I have
4 been doing exclusively for approximately 13 years.

5
6 11. I have worked almost exclusively in labor and employment law since
7 establishing my own law practice approximately 13 years ago. Along with substantial practice
8 in various FEHA cases involving wrongful termination and discrimination, I represent
9 numerous plaintiffs in both individual and class wage and hour actions. I am currently lead
10 counsel or joint lead counsel on several putative wage and hour class actions, ranging in
11 potential value from the low six figures to the mid nine figures. I am/was currently the sole, lead
12 counsel in the following class action matters: Omar Rivera, et al. v. Luxfer Inc, Inc., et al.
13 (United States District Court, Central District of California, Case No. 5:13- cv-01560-jgb-dtb);
14 Jeanine Colle, et al. v. LA Courier Service Corp., et al., (Los Angeles Superior Court Case No.
15 BC528863); Berry v. Global Shield Security, Inc., (Los Angeles Superior Court Case No.
16 BC437401); Heather Yoo v. Roth Staffing Companies, L.P., et al., (Los Angeles Superior Court
17 Case No BC419492); Hector Hogan, et al. v. Sky Sports, Inc., et al.; (Los Angeles Superior
18 Court Case No. BC402060); Marcia Meiado v. Bossa Nova, Inc., (Los Angeles Superior Court
19 Case No. BC437174); Tiffany Welch v. Pacifica Seafood Restaurant, L.P., et al., (Riverside
20 County Superior Court Case No. INC1203721); Kimberli Prampin v. Harold& Belle's Jefferson,
21 Inc., (Los Angeles Superior Court Case No BC435754); Teal Montgomery, et al. v. Noble
22 House Palm Springs, LLC, (Riverside County Superior Court Case No. INC 1303299); Jerrod
23 Finder v. Leprino Foods Company, et al., a wage and hour class action currently pending in the
24 U.S. District Court, Eastern District of California, Fresno Division, Case No. 1: 13-cv-02059-A
25
26
27
28

1 WI-BAM; Erika Clarke v. Ambuserve, Inc, et al, (Los Angeles Superior Court Case No.
2 BC682537); Glenn Guiling v. Allstate Floral, Inc. (Los Angeles Superior Court Case No.
3 BC667530); Charlene Duniga, et al., v. Paramount Residential Mortgage Group, et al,”
4 (Riverside County Superior Court Case No. RIC1310073); Jennifer Cook, et al. v. Kimberly T.
5 Lee, et al. (Riverside County Superior Court Case No. RIC 1820196); Kymberlee Arnold v.
6 OSF International, Inc., (San Bernardino County Superior Court Case No. CIVDS81705798)

8 12. In accepting this case, I bore considerable risk. This case was taken on
9 contingency. There is a substantial difference between the risk assumed by attorneys being paid
10 by the hour and attorneys working on a contingent fee basis. The attorney being paid by the hour
11 can go to the bank with his fee. The attorney working on a contingent basis can only log hours
12 while working without pay towards a result that will hopefully entitle him to a marketplace
13 contingent fee taking into account the risk and other factors of the undertaking. Otherwise, the
14 contingent fee attorney receives nothing. In this case, I subjected myself to this contingent fee
15 market risk in this all or nothing contingent fee case wherein the necessity and financial burden
16 of private enforcement makes the requested award appropriate. My contingent fee practices do
17 not accommodate the investment of unnecessary time in a case. This case was litigated on a
18 contingent basis with all of the concomitant risk factors inherent in such an uncertain
19 undertaking.
20
21
22

23 13. The financial risks undertaken by my office in this litigation also justify the
24 requested fee award. My office agreed to represent Plaintiff in this class action solely on a
25 contingency fee basis. There was no guarantee that I would recoup my fees or costs. I have not
26 received any payment for my time or expenses, which I began incurring since the inception of
27 this case, and for which I will not be paid until after the settlement and this request for fees is
28

1 given final approval by the Court.

2 14. Prior to drafting, filing and serving the Complaint, I spent a considerable amount
3 of time communicating with Plaintiff concerning the claims alleged, gathering documentation,
4 and negotiating with Plaintiff a retainer agreement. I also undertook extensive pre-filing
5 investigation, including without limitation, reviewing and analyzing Defendant's policies and
6 practices and other lawsuits filed against Defendant, including searching public filings and
7 online documents. I also conducted legal research regarding the applicable and changing law of
8 Plaintiff's claims. Throughout this litigation, I have continued to monitor, research, and review
9 such materials. Based on my investigation, I identified strong foundation for alleging that
10 Defendants had violated the California Labor Codes and applicable Wage Orders as it related to
11 Plaintiff and the class. At the same time, I recognized that any litigation of this type would
12 involve significant risk.

15 15. I have personally worked on many other class actions in which courts have
16 awarded Class Counsel attorneys' fees of at least 33% of the maximum settlement value.

18 16. I was admitted to the California Bar in 2004 and my currently bill at a rate of
19 \$650.00 per hour has been approved by The Honorable Sharon Waters of the Riverside Superior
20 Court and Hon. David C. Velasquez, Ret., which is the same hourly rate I am requesting here.
21 As mentioned above, I have recognized expertise and experience in efficient class action
22 adjudication and resolution. I believe my rate is commensurate and consistent with the rates of
23 the law firms that routinely defend the cases that Class Counsel bring. My office prosecuted this
24 case on a pure contingency basis, meaning my office does not recover any fees unless we
25 successfully resolve the matter and obtain a recovery. Thus, we have not yet received any fees
26 and have advanced all costs. By contrast, defense firms are able to bill their clients on a monthly
27
28

1 basis.

2 17. Based on my experience, involvement in many class actions, and settlement of
3 such actions, my hourly rates charged are within the range of rates charged by attorneys of
4 equivalent experience and skill, who practice class action litigation¹. These rates are all
5 consistent with the normal rates charges in Los Angeles or attorneys and other legal staff of
6 comparable experience and skill level and they are consistent with the rates set forth on the
7 Laffey Matrix. The rates in the Matrix can be seen here: <http://www.laffeymatrix.com/see.html>.

8
9 18. My rate is comparable to those judicially approved for other plaintiff's firms. See,
10 e.g., Richard v. Ameri-Force Mgmt. Servs., Inc., Case No. 37-2008-00096019 (San Diego
11 Super. Ct., August 27, 2010) (\$695 to \$750 an hour for partners); Barrera v. Gamestop Corp.,
12 Case No. CV 09-1399 (C.D. Cal. Nov. 29, 2010) (\$700 an hour for partners); and Anderson v.
13 Nextel Retail Stores, LLC, Case No. CV 07-4480 (C.D. Cal. June 20, 2010) (\$655 to \$750 an
14 hour for partners).
15

16
17 19. A timesheet for my work on this case, providing explanations of tasks performed
18 and hours expended, is being lodged with the Court for in camera review concurrently with the
19 filing of this Declaration. All of these tasks were reasonable and necessary to the prosecution of
20 the case. As shown on the timesheet, as of the date of this Declaration, I have worked a total of
21 approximately 329 hours and 34 min hours on this case. There is additional time that I worked
22 on this matter for which I did not state in the attached exhibit. This amount does not reflect the
23 additional work that will have performed by the time of the hearing on Plaintiffs' motions for
24
25

26 ¹ "Affidavits of the plaintiffs' attorney and other attorneys regarding prevailing fees in the
27 community, and rate determinations in other cases, particularly those setting a rate for the
28 plaintiffs' attorney, are satisfactory evidence of the prevailing market rate." United Steelworkers
of Am. v. Phelps Dodge Corp., 896 F.2d 403, 407 (9th Cir. 1990).

1 final settlement approval, or the additional work that will be required to perform in overseeing
2 the settlement distribution process thereafter, which may include responding to class member
3 inquiries (which may continue long after final approval is granted, with respect to check
4 distribution and related issues). In addition, Class Counsel will perform a significant amount of
5 additional work on this matter over the next several months; including answering and
6 responding to Settlement Class member inquiries, sometimes about tax issues or other matters,
7 and monitoring distribution of awards to Settlement Class members. Based on the hourly rates
8 discussed above, my firm's "lodestar" in this matter is currently \$214,850.00. **Attached hereto
9 as Exhibit C is a true and correct copy of my timesheet for my work on this case.**
10

11
12 20. To date, my office has incurred \$5091.80 in litigation expenses prosecuting this
13 case. **Attached hereto as Exhibit D is a true and correct copy of my firm's litigation costs
14 and expenses. All of these expenses were reasonable and necessary to prosecuting the case.**

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.
17

18 Executed this 28th day of July, 2021, at Los Angeles, California

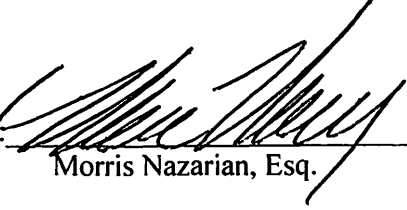
19
20
21 By: 
22 Morris Nazarian, Esq.
23
24
25
26
27
28

EXHIBIT “A”

Morris Nazarian, Esq. - Total Hours
Case Name: *Maxwell, et al. v. Crawford, et al.*
Case No. 16CECG02457

| Date | Activity | Time |
|-------------------------------|---|-----------------|
| 4.18.16 4.19.16 4.21.16 | Correspondence w. Client/ Prepare Retainer/ Legal Research | 3 hours 45 min |
| 5.4.16 | Correspondence w. Client and review documents | 45 min |
| 5.9.16 | Draft letter and review w. client | 1 hour 15 min |
| 5.10.16 | Mail Letter of Representation/ Correspondence w. Client | 10 min |
| 5.24.16 | Correspondence w. Client | 3 min |
| 5.31.16 | Review Correspondence from opposing counsel | 3 min |
| 6.1.16 | Review opposing counsel letter/ legal research/ review responsive documents | 4 hours 15 min. |
| 6.3.16 | Prepare draft of PAGA Notice/ Correspondence with client. | 3 hours 30 min |
| 6.13.16 6.14.16 | Review opposing counsel letter/ review responsive documents | 3 hours |
| 6.17.16 6.20.16 | Receipt of Certified Mail Receipt re PAGA Administrator and Defendants | 3 min |
| 6.18.16 | Review opposing counsel letter/ review responsive documents | 1 hours 45 min |
| 6.30.16 | Communication w. client | 10 min |
| 7.6.16 | Review Documents from opposing counsel | 5 min |
| 7.11.16 7.12.16 7.15.16 | Legal Research re Defendants/Draft Complaint | 8 hours 15 min |
| 7.21.16 | Communication w. opposing counsel | 35 min |

| | | |
|----------------------|---|---------------|
| 7.21.16 | Prepare pleadings and file w. Court | 1 hour 45 min |
| 8.2.16 | Review Notice of CMC and calendar dates | 5 min |
| 8.3.16 | Prepare Complaint Packet for service | 15 min. |
| 8.4.16 | Communication w. Client | 5 min |
| 8.11.16 | Review correspondence from client | 10 min |
| 8.19.16 | Review correspondence from client | 5 min |
| 8.22.16 | Review correspondence from client | 15 min |
| 8.23.16 | Correspondence from opposing counsel/ Research | 25 min |
| 8.24.16 | Review correspondence from client/Communication w. Client | 20 min |
| 8.29.16 | Correspondence from opposing counsel/ | 5 min |
| 8.30.16 | Communication w opposing counsel | 10 min |
| 9.22.16 | Review Answer filed by Defendants | 1 hour 15 min |
| 10.14.16 | Correspondence w. client | 15 min |
| 10.17.16 | Review legal filing filed by Defendants/Legal Research | 1 hour |
| 10.17.16 10.18.16 | Draft Plaintiff's Discovery | 6 hours |
| 10.21.16 | Draft and File Plaintiff's Notice of CMC | 10 min |
| 11.21.16 | Communication w. opposing counsel | 20 min |
| 11.22.16 | Review correspondence from opposing counsel | 5 min |
| 11.29.16 | Prepare Plaintiff's CMC Statement/ Posting Jury Fees/ Meet and Confer w. opposing counsel | 45 min |
| 12.19.16 | Review correspondence from co-counsel re PAGA Notice | 3 min |
| 12.28.16 | Communication w co-counsel/review notes/legal research | 40 min |
| 12.28.16 | Lodge Complaint w. DIR PAGA Unit | 15 min |

| | | |
|----------------------------------|--|----------------|
| 7.6.16 | Review correspondence from opposing counsel | 15 min |
| 11.29.16 and 11.30.16 | Prepare correspondence to opposing counsel/ prepare revised CMC statement | 1 hour 15 min. |
| 12.7.17 | CMC Hearing | 1 hour |
| 12.12.16 | Correspondence with opposing counsel | 5 min |
| 12.12.16 12.13.16 | Correspondence w co-counsel | 30 min |
| 12.16.16 | Review Court Order re continued CMC/Calendar event | 5 min |
| 12.19.16 12.20.16 | Correspondence with opposing counsel | 5 min |
| 12.21.16 12.22.16 12.28.16 | Correspondence w co-counsel | 5 min |
| 12.30.16 | Communication w. client | 35 min |
| 1.3.16 | Research re Defendants/Communication w. co-counsel | 15 min |
| 1.5.17 1.9.17 | Correspondence w co-counsel | 15 min |
| 1.19.17 1.20.17 | Review correspondence from opposing counsel/ calendar events/ review Defendants' discovery responses | 6 hours 15 min |
| 1.23.17 | Communication w. Co-counsel | 15 min |
| 1.31.17 | Review draft Amended PAGA Notice | 45 min |
| 2.1.17 2.2.17 | Communication w co-counsel/Review documents | 15 min |
| 2.1.17 | Prepare and file Amended CMC Statement | 30 min |
| 2.3.17 2.4.17 | Correspondence w. client | 5 min |
| 2.3.17 2.6.17 | Communication with co-counsel and review documents | 5 min |
| 2.6.17 | File pleadings | 10 min |
| 2.7.17 | Review correspondence from opposing counsel re discovery/calendar dates | 20 min |

| | | |
|-----------------------------|---|-----------------|
| 2.8.17 | Review local rules/ Communication w. co- counsel | 3 hour 45 min |
| 2.8.17 | CMC Hearing/calendar dates | 1 hour 15 min |
| 2.8.17 2.9.17 | Communication w. client | 2 hours 10 min |
| 2.9.17 | Review amended PAGA Notice | 35 min |
| 2.9.17 2.10.17 | Prepare and revise letter to Opposing Counsel re meet and confer | 3 hours 10 min. |
| 2.13.17 | Review documents provided by Plaintiff/Review Minute Order/ Communication w. co-counsel/research/ calendar events | 2 hour 15 min |
| 2.16.17 | Correspondence w. co- counsel | 5 min |
| 2.16.17 | Correspondence w. client | 1 hour 15 min |
| 2.20.17 | Review Correspondence from opposing counsel | 15 min |
| 2.21.17 | Correspondence w. co- counsel | 10 min |
| 2.22.2017 | Review message from opposing counsel and prepare correspondence to opposing counsel | 15 min. |
| 2.25.17 | Review Correspondence from opposing counsel | 5 min |
| 2.27.17 | Review correspondence from client | 45 min |
| 2.28.17 3.1.17 3.3.17 | Correspondence w. co- counsel | 3 min |
| 3.3.17 | Prepare and review correspondence with opposing counsel | 5 min |
| 3.3.17 | Prepare draft of Discovery to Defendant | 3 hours 15 min |
| 3.6.17 | Correspondence w. co- counsel | 3 min |
| 3.10.17 | Review Correspondence from opposing counsel | 20 min |
| 3.10.17 | Legal Research | 1 hour 15 min |
| 3.13.17 3.15.17 | Communication w. co- counsel | 35 min. |

| | | |
|--------------------------------------|---|----------------|
| 3.16.17 | | |
| 3.16.17 3.17.17 3.20.17 | Finalize Plaintiffs discovery responses/ Communication w co-counsel | 4 hours 15 min |
| 3.21.17 | Review documents provided by Defendant | 5 min |
| 3.30.17 | Prepare correspondence to opposing counsel | 10 min. |
| 3.31.17 | Review Correspondence with opposing counsel | 5 min. |
| 4.5.17 4.6.17 | Review Documents produced by Defendant | 5 hours 15 min |
| 4.14.17 | Communication w client Communication w co-counsel/Review Documents | 1 hour 25 min |
| 4.14.17 | Prepare Correspondence w. Opposing counsel | 15 min |
| 4.17.17 | Communication w. opposing counsel and prepare confirming letter | 15 min. |
| 4.18.17 4.21.17 | Correspondence w/ co-counsel/Finalize Plaintiff's discovery/mail documents | 45 min |
| 5.2.17 5.3.17 5.4.17 5.5.17 | Correspondence w/ co-counsel | 20 min |
| 5.5.17 | Prepare letter to Opposing Counsel re meet and confer/ legal research | 2 hour 45 min |
| 5.10.17 | Correspondence w/ co counsel/ Review proposed FAC | 45 min. |
| 5.11.17 | Finalize letter and attachments to opposing counsel/legal research/ phone call w opposing counsel | 1 hour |
| 5.15.17 5.16.17 5.18.17 | Correspondence w/ opposing counsel and co-counsel | 35 min. |
| 5.22.17 | File Pleading w. Court | |
| 5.24.17 | Correspondence w/ opposing counsel and co-counsel | 10 min. |
| 5.24.17 | Legal Research | 2 hour 10 min |
| 5.26.17 | Legal Research | 1 hour 45 min |

| | | |
|--|---|----------------|
| 6.4.17 | Review Communication w. class member | 45 min |
| 6.5.17 6.6.17 | Correspondence w/ opposing counsel | 3 min |
| 6.6.17 6.7.17 | Correspondence w/ opposing counsel and co-counsel/ Review Defendants Discovery responses/ Legal Research | 2 hour 35 min. |
| 6.7.17 | Prepare POS on FAC/ Serve FAC to opposing counsel and co-counsel/File w. Court | 45 min |
| 6.11.17 | Correspondence w/ co counsel | 5 min |
| 6.12.17 6.13.17 | Prepare Amended Summons to FAC/File w. Court/ Summons to FAC | 25 min |
| 6.16.17 | Review Notes from co-counsel re case | 40 min |
| 6.19.17 6.20.17 | Correspondence w/ co counsel | 15 min |
| 6.20.17 | Legal Research | 45 min |
| 6.21.17 | Prepare FAC to be served on Defendants | 25 min |
| 6.23.17 | Review correspondence from co-counsel w/ opposing counsel/ calendar new dates | 10 min. |
| 6.25.17 | Correspondence w/ co counsel | 15 min |
| 7.3.17 7.6.17 7.12.17 7.18.17 7.27.17 7.28.17 | Review/draft Notice of Deposition and Notice of Amended Deposition of Defendant/Correspondence w/ opposing counsel and co counsel | 4 hours 45 min |
| 8.1.17 8.2.17 8.4.17 8.8.17 8.10.17 | Correspondence w/ co counsel | 20 min |
| 8.23.17 | Correspondence w. client | 15 min |
| 8.25.17 8.31.17 | Correspondence w/ co counsel | 15 min |
| 8.31.17 | Review Documents related to client's deposition | 15 min |

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| 8.11.17 8.17.17 8.23.17 8.29.17 8.30.17 9.5.17 9.6.17 9.7.17 9.8.17 9.9.17 9.12.17 9.13.17 9.14.17 9.15.17 9.18.17 9.19.17 9.21.17 9.26.17 9.29.17 | Correspondences between co-counsel and opposing counsel/ Calendar dates/ Plaintiff's Notice of Deposition/ Review daily time records | 8 hours 15 min |
| 9.1.17 | Review correspondence from co-counsel to client/ Review Documents | 45 min |
| 9.22.17 | Review correspondence from co-counsel to opposing counsel/ Calendar | 35 min |
| 9.29.17 | Review correspondence from co-counsel to opposing counsel/ Calendar | 5 min |
| 10.7.17 10.8.17 10.9.17 10.12.17 10.13.17 10.18.17 10.20.17 11.8.17 11.9.17 11.10.17 | Review correspondence from co-counsel to opposing counsel/ reschedule depositions | 35 min. |
| 11.16.17 | Review Plaintiff's Third Amended Notice of Deposition of Defendant | 10 min. |
| 11.17.17 | Review Defendants Amended Notice of Deposition/ Calendar | 15 min |

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| 11.29.17 12.4.17 | Review correspondence from co-counsel to opposing counsel/ Calendar | 5 min. |
| 12.22.17 | Communication w. Client | 5 min |
| 1.2.18 1.3.18 1.4.18 | Correspondence w. co-counsel | 15 min |
| 1.17.18 1.24.18 1.26.28 1.29.18 2.4.18 2.5.18 2.7.18 2.21.18 2.26.18 | Communication w potential co-counsel | 1 hour 45 min |
| 1.26.18 | Review file from prior co-counsel | 2 hours |
| 1.28.17 | Prepare correspondence to opposing counsel | 1 hour 30 min. |
| 1.29.17 | Review pleading filed by co-counsel | 10 min |
| 1.30.18 | Communication w. opposing counsel | 20 min |
| 1.31.18 2.2.18 | Review file/email opposing counsel re missing docs/review bates docs | 2 hours 45 min |
| 2.8.18 | Correspondence to opposing counsel Prepare responsive documents | 1 hours 10 min |
| 2.8.18 | Prepare letter and Draft Belaire West Notice | 2 hours 15 min |
| 2.8.18 | Legal Research re invalidating release agreement/ex parte | 3 hours 25 min |
| 2.12.18 2.13.18 2.14.18 | Communication w opposing counsel re depo dates | 30 min |
| 2.20.18 | Communication w opposing counsel re informal discovery/mediation | 5 min |
| 2.21.18 | Communication w potential co-counsel | 30 min |

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| 2.22.18 | Prepare association agreement and email to co-counsel | 15 min |
| 2.26.18 2.28.18 | Correspondence w opposing counsel re informal discovery request/mediation | 1 hour 15 min |
| 2.26.18 | Correspondence w co-counsel | 3 min |
| 3.6.18 | Review revised association agreement | 10 min |
| 3.6.18 3.7.18 | Communication w. client | 20 min |
| 3.13.18 3.15.18 | Correspondence from client | 5 min |
| 3.14.18 | Legal Research re voiding releases | 2 hours 10 min |
| 3.14.18 3.15.18 3.16.18 | Communication w co-counsel | 1 hour |
| 3.15.18 | Correspondence w. opposing counsel | 10 min |
| 3.20.18 | File Pleadings w. Court/ Serve all counsel | 15 min |
| 3.20.18 3.21.18 | Review Stipulation/Correspondence w co-counsel and opposing counsel | 20 min |
| 3.26.18 | Review Defendants Notice of Unavailability/Calendar Dates | 5 min |
| 3.27.18 | Correspondence w opposing counsel | 20 min |
| 3.27.18 | Communication w co-counsel | 15 min |
| 3.28.28 | Review correspondence from co-counsel to opposing counsel | 15 min |
| 3.29.18 3.30.18 | Correspondence w co counsel and client | 45 min |
| 3.30.18 3.31.18 4.2.18 4.3.18 4.4.18 4.5.18 4.6.18 | Correspondence w opposing counsel and co-counsel/Review revised Stipulation | 1 hour 30 min |

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| 4.6.18 4.13.18 | Review correspondence from co-counsel re class members | 3 min |
| 4.13.18 | Review pleadings filed w. Court | 10 min |
| 4.16.18 | Correspondence from opposing counsel w. attachment | 3 min |
| 4.16.18 | Correspondence from co-counsel w. attachment | 3 min |
| 4.17.18 | File pleadings w. Court and calendar CMC/ Email co-counsel | 10 min |
| 4.24.18 | Review correspondence from co-counsel/Check court docket. | 10 min |
| 5.3.18 | Conference call w co-counsel and opposing counsel/ Prepare for Call. | 30 min |
| 5.3.18 | Review file and correspondence w prior co-counsel | 1 hour 15 |
| 5.7.18 5.11.18 5.16.18 | Review correspondence from co-counsel and opposing counsel/ Review potential mediators | 1 hour 30 min |
| 5.17.18 | Correspondence w. co-counsel/ Prepare Amended PAGA Letter and Filing w. DIR | 1 hour 45 min |
| 5.21.18 | Review correspondence from co-counsel and opposing counsel | 5 min |
| 5.25.18 | Correspondence from opposing counsel re revised Belaire West Notice | 45 min |
| 5.27.18 5.29.18 5.30.18 5.31.18 | Review correspondence from co-counsel and opposing counsel/ communication w co-counsel | 2 hour 15 min |
| 5.30.18 | Review correspondence from opposing counsel and co-counsel | |
| 6.6.18 | Correspondence from opposing counsel re new counsel | 5 min |

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| 6.6.18 | Correspondence from co-counsel to opposing counsel re IDC | 5 min |
| 6.11.18 | Review Public Records Request from DIR/ Legal Research/ Correspondence to co-counsel | 1 hours 45 min |
| 6.13.18 | Correspondence from co-counsel to opposing counsel re IDC/ Withdrawal of Defendants counsel | 10 min |
| 6.19.18 6.20.18 6.21.18 6.22.18 | Correspondence w. opposing counsel/ Review Request for Pretrial Discovery Conference/ File IDC w Court | 1 hour 30 min |
| 6.25.18 | File IDC w. Court | 15 min |
| 6.28.18 | Review Def. Opposition to IDC | 35 min |
| 7.10.18 7.11.18 | Correspondence w. co-counsel/ Review file and calendar dates | 10 min |
| 7.11.18 | Review letter and invoice re mediation/ Calendar | 20 min |
| 7.12.18 | Review Defendants IDC documents. Correspondence w opposing counsel/co-counsel | 3 hours 15 min |
| 7.12.18 7.13.18 | Correspondence between co-counsel and opposing counsel re Court Order re IDC/ Belaire West Notice/ Calendar dates | 35 min |
| 7.16.18 | Correspondence between co-counsel and opposing counsel re Belaire West Notice | 45 min |
| 7.18.18 | Review correspondence between opposing counsel to administrator re Belaire West Notice | 5 min |
| 7.18.18 | Review correspondence between co-counsel and opposing counsel/ Legal Research | 30 min |
| 7.18.18 | Review correspondence from co-counsel to opposing | 30 min |

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| | counsel re Supplemental IDC Conference and Def's Response | |
| 7.18.18 | Correspondence from co-counsel | 35 min |
| 7.20.18 | Prepare Plaintiff's Second Set of written discovery | 3 hours 45 min |
| 7.25.18 | Review correspondence between co-counsel to opposing counsel re Supplemental IDC Conference and Def's Response | 5 min |
| 7.25.18 | Review co-counsel's changes to Plaintiff's discovery | 15 min |
| 7.27.18 | Review correspondence between co-counsel to opposing counsel re Belaire West Notice | 5 min |
| 7.27.18 | Correspondence w. co-counsel | 3 min |
| 7.28.18 | Review correspondence between co-counsel to opposing counsel re Mediation | 3 min |
| 7.30.18 | Review correspondence between co-counsel to opposing counsel re scope of Belaire West Notice | 10 min |
| 7.30.18 | Serve Plaintiff's Second Set of Written Discovery/ Email to opposing counsel | 30 min |
| 7.31.18 | Correspondence w. opposing counsel re extension of class cert hearing | 5 min |
| 7.31.18 | Correspondence from opposing counsel re meet and confer/ review co-counsel reply | 30 min |
| 8.2.18 | Draft Plaintiff's Special Rogs (Set Three)' Legal Research/ Review co-counsel's revisions | 3 hours 45 min |
| 8.6.18 | Review correspondence between co-counsel and | 3 min |

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| | opposing counsel re extension | |
| 8.9.18 | Tickle file/ update email to opposing counsel re meet and confer | 10 min |
| 8.15.18 | Correspondence w. opposing counsel re meet and confer | 5 min |
| 8.15.18 | Correspondence from co-counsel | 3min |
| 8.16.18 8.17.18 8.20.18 | Review Stipulation to continue class cert deadlines/ correspondence between Plaintiff's counsel and opposing counsel | 20 min |
| 8.16.18 | Review correspondence from ILYM to opposing counsel | 3 min |
| 8.17.18 | Communication w. opposing counsel re meet and confer/ Follow up email (8.21.18) | 15 min |
| 8.21.18 | Correspondence w co-counsel | 3 min |
| 8.21.18 | Correspondence w opposing counsel | 3 min |
| 8.22.18 | Correspondence b/w co-counsel and opposing counsel | 5 min |
| 8.22.18 | Review Defendant Responses (Set two and three); email to co-counsel | 45 min |
| 8.23.18 | Correspondence and communication w opposing counsel re extension to Def. to respond to discovery | 2 hours 15 min |
| 8.29.18 | Correspondence from prior co-counsel re sub of attorney/ review documents | 30 min |
| 8.30.18 | Communication w. co-counsel | 10 min |
| 8.30.18 | Communication w. client | 20 min |
| 9.5.18 9.6.18 9.8.18 | Review Defendants Discovery Responses | 6 hours |
| 9.10.18 | Correspondence w co-counsel | 3 min |
| 9.14.18 | Correspondence to client | 3 min |

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| 9.14.18 9.17.18 9.18.18 | Draft Meet and Confer Letter to opposing counsel/ Calendar deadline | 4 hours 45 min |
| 9.20.18 | Correspondence from client | 15 min |
| 9.20.18 | Correspondence w co-counsel/ legal research | 1 hour 45 min |
| 9.20.18 | Correspondence w prior co-counsel | 10 min |
| 9.21.21 | Correspondence w. co-counsel | 10 min |
| 9.21.21 | Correspondence w client | 3 min |
| 9.21.18 | Review and file Pleadings w. Court | 15 min |
| 9.24.18 | Correspondence w. co-counsel | 3 min |
| 9.24.18 | Review correspondence plus discovery responses from opposing counsel re arbitration agreement/ legal research | 3 hours 15 min |
| 9.24.18 | Correspondence w opposing counsel re meet and confer | 5 min |
| 9.25.18 | Correspondence w. co-counsel | 3 min |
| 9.25.18 | Correspondence w. client | 3 min |
| 9.26.18 | Correspondence w. co-counsel | |
| 9.26.18 | Correspondence w. client | 5 min |
| 9.27.18 | Review correspondence from opposing counsel plus attachments | 2 hours |
| 9.30.18 | Correspondence from opposing counsel | 3 min |
| 10.01.18 | Correspondence w. co-counsel | 3 min |
| 10.2.18 | Review file/ Correspondence w. co-counsel | 3 min |
| 10.3.18 | Correspondence w. co-counsel/ Legal Research re post litigation arbitration | 2 hour 10 min |
| 10.3.18 | Legal Research re Arbitration Agreement /unenforceability | 2 hours 45 min |
| 10.3.18 | Draft Ex Parte Application | 5 hours 15 min |
| 10.5.18 | Revised Ex Parte Application | 2 hours 30 min |

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| 10.16.18 | Correspondence w co-counsel | 3 min |
| 10.16.18 | Prepare Ex Parte Letter | 25 min |
| 10.16.18 | Revise draft of Ex Parte Application | 1 hour 45 min |
| 10.17.18 | Revise draft of Ex Parte Application | 45 min |
| 10.17.18 | Correspondence w. co-counsel | 10 min |
| 10.17.18 | Review Def. opposition to Ex Parte Application | 3 hours 45 min |
| 10.17.18 | Correspondence from co-counsel to opposing counsel | 3 min |
| 10.17.18 | Correspondence w. co-counsel and review co-counsel revisions to ex parte application | 45 min |
| 10.17.18 | Correspondence from co-counsel to opposing counsel | 15 min |
| 10.18.18 | Correspondence w co-counsel | 3 min |
| 10.22.18 10.24.18 | Conversation w. opposing counsel/review documents/memorialize conversation by email. | 2 hours 15 min |
| 10.29.18 | Correspondence from opposing counsel/ Correspondence w co-counsel | 15 min |
| 10.31.18 | Communication w opposing counsel (11.9.18 Memorialize email) | 1 hour 15 min |
| 11.1.18 11.3.18 | Legal Research re Protective Order to Strike Arbitration Clauses | 7 hours 45 min |
| 11.15.18 11.16.18 11.19.18 12.5.18 12.17.19 12.18.19 1.10.19 1.14.19 1.16.19 1.17.19 1.22.19 | Correspondence w/ Opposing counsel and co-counsel re Def. supplemental responses to discovery/ Review/Draft Belaire West Notice/ Review Defendants revisions | 11 hours 45 min |

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| 1.27.19 1.28.19 1.29.19 | | |
| 2.4.19 2.5.19 | Review Def. discovery responses and draft and amil meet and confer letter to Defendant | 6 hours 10 min |
| 2.5.19 | Communication w. co-counsel/ Research | 45 min |
| 2.6.19 | Correspondence w. co-counsel | 3 min |
| 2.7.19 | Review correspondence from co-counsel to opposing counsel | 5 min |
| 2.13.19 | Review File/ Correspondence w. co-counsel | 15 min |
| 2.19.19 | Correspondence w. co-counsel | 3 min |
| 2.21.19 | Correspondence w opposing counsel | 5 min |
| 3.11.19 | Memorialize communication w. co-counsel | 20 min |
| 3.12.19 3.13.19 | Correspondence w. co-counsel | 5 min |
| 3.14.19 | Review correspondence between co-counsel and opposing counsel | 25 min |
| 3.14.19 | Research re mediators | 2 hours |
| 3.29.19 | Correspondence w. co-counsel | 5 min |
| 4.1.19 | Correspondence w. co-counsel | 5 min |
| 4.2.19 | Correspondence w. co-counsel | 5 min |
| 4.5.19 | Correspondence w. co-counsel | 5 min |
| 4.12.19 | Correspondence w. Court and co-counsel | 10 min |
| 5.21.19 | Correspondence w. co-counsel | 5 min |
| 6.3.19 | Correspondence w. client | 5 min |
| 6.19.19 | Correspondence w. co-counsel | 5 min |
| 6.20.19 | Correspondence w. co-counsel | 3 min |

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| 6.24.19 | Communication w. co-counsel | 5 min |
| 7.1.19 | Correspondence w. co-counsel/ Research re Judge | 1 hour 45 min |
| 7.2.19 | Correspondence w. co-counsel | 3 min |
| 7.11.19 | Correspondence w. client | 5 min |
| 7.12.19 | Correspondence w. co-counsel | 3 min |
| 8.12.19 | Review Draft letter to opposing counsel | 30 min |
| 8.13.19 | Correspondence w. co-counsel | 5 min |
| 8.13.19 | Correspondence w. client | 10 min |
| 8.14.19 | Correspondence between co-counsel and opposing counsel | 25 min |
| 8.15.19 | Correspondence between co-counsel and opposing counsel | 35 min |
| 8.22.19 | Correspondence between co-counsel and opposing counsel | 45 min |
| 8.23.19 | Correspondence between co-counsel and opposing counsel | 5 min |
| 8.26.19 | Correspondence w/ co-counsel | 45 min |
| 8.26.19 | Correspondence between co-counsel and opposing counsel | 5 min |
| 8.27.19 | Correspondence between co-counsel and opposing counsel | 1 hour 30 min |
| 8.28.19 | Correspondence between co-counsel and opposing counsel | 3 min |
| 8.29.19 | Correspondence between co-counsel and opposing counsel | 20 min |
| 9.5.19 | Correspondence between co-counsel and opposing counsel and compare to discovery responses | 1 hour 15 min |
| 9.9.19 | Correspondence between co-counsel and opposing counsel | 15 min |
| 9.10.19 9.11.19 | Correspondence w co-counsel | 5 min |
| 9.10.19 9.11.19 9.12.19 | Correspondence between co-counsel and opposing counsel | 20 min |
| 9.16.19 | Research re potential mediator | 30 min |

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| 9.16.19 | Correspondence w co-counsel | 20 min |
| 9.17.19 | Correspondence w co-counsel | 5 min |
| 9.18.19 | Correspondence w opposing counsel/Review Stipulation and Order | 35 min |
| 9.18.19 | Research re potential mediator | 30 min |
| 9.18.19 9.19.19 9.20.19 | Correspondence w opposing counsel | 20 min |
| 9.18.20 9.20.19 | Correspondence w co-counsel | 5 min |
| 9.20.19 9.21.19 | Review Stipulation and Order | 5 min |
| 9.24.19 9.25.19 9.26.19 9.27.19 | Correspondence w opposing counsel | 35 min |
| 10.3.19 10.4.19 10.7.19 | Correspondence w opposing counsel | 20 min |
| 10.9.19 | Correspondence w co-counsel | 15 min |
| 10.10.19 10.11.19 10.7.19 | Correspondence w opposing counsel | 20 min |
| 10.18.19 | Correspondence from mediator | 15 min |
| 10.31.19 | Correspondence from mediator | 5 min |
| 11.1.19 | Correspondence w co-counsel | 5 min |
| 11.1.19 11.5.19 11.12.19 11.14.19 | Correspondence w. opposing counsel | 25 min |
| 11.14.19 | Correspondence w co-counsel | 5 min |
| 11.15.19 | Correspondence from mediator | 3 min |
| 11.15.19 11.19.19 | Correspondence w co-counsel | 5 min |
| 11.19.19 | Correspondence from mediator | 3 min |

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| 11.15.19 11.19.19 11.20.19 | Correspondence w. opposing counsel | 45 min |
| 11.20.19 | Correspondence with mediator | 3 min |
| 11.21.19 | Correspondence w. opposing counsel | 10 min |
| 11.22.19 11.23.19 | Correspondence with mediator/Calendar | 5 min |
| 11.25.19 | Correspondence w. opposing counsel | 35 min |
| 12.4.19 | Correspondence from mediator | 5 min |
| 12.5.19 | Correspondence w. opposing counsel | 15 min |
| 12.5.19 | Correspondence from mediator | 5 min |
| 12.6.19 | Correspondence w. opposing counsel | 3 min |
| 12.8.19 | Correspondence w co-counsel/ Legal Research | 1 hour |
| 12.10.19 12.11.19 12.12.19 12.13.19 | Correspondence w. opposing counsel/Review Stipulation and Order re class cert | 35 min |
| 12.13.19 | Correspondence from mediator | 5 min |
| 12.16.19 12.17.19 | Correspondence w. opposing counsel | 5 min |
| 12.17.19 | Correspondence from mediator | 5 min |
| 12.24.19 | Correspondence from mediator | 5 min |
| 1.3.19 | Correspondence from mediator | 5 min |
| 1.13.20 | Correspondence w co-counsel | 15 min |
| 1.16.20 | Correspondence w co-counsel | 5 min |
| 1.21.20 | Correspondence w co-counsel | 5 min |
| 1.22.20 | Correspondence from mediator | 5 min |

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| 1.23.20 | Correspondence from mediator | 5 min |
| 1.29.20 | Correspondence w co-counsel | 3 min |
| 1.29.20 | Correspondence from mediator | 15 min |
| 1.31.19 | Review Mediation Brief | 2 hours 30 min |
| 1.31.20 | Correspondence from mediator | 10 min |
| 1.31.20 | Correspondence w co-counsel | 3 min |
| 1.31.19 | Revise Mediation Brief/ Exhibits/ Legal Research/ Correspondence w co-counsel | 4 hours |
| 2.3.20 | Correspondence with mediator | 15 min |
| 2.3.20 | Prepare for and attend Mediation | 9 hours |
| 2.4.20 | Correspondence from mediator | 3 min |
| 2.6.20 | Correspondence from mediator | 3 min |
| 2.10.20 | Correspondence w co-counsel | 3 min |
| 2.13.20 | Correspondence from mediator | 5 min |
| 2.28.20 | Correspondence from mediator | 5 min |
| 3.3.20 | Correspondence from mediator | 5 min |
| 3.5.20 | Correspondence from mediator | 5 min |
| 3.10.20 | Correspondence from mediator | 5 min |
| 4.1.20 | Correspondence from mediator | 5 min |
| 4.2.20 | Correspondence from mediator | 5 min |
| 4.3.20 | Correspondence w co-counsel/ Calendar | 15 min |
| 5.1.20 | Correspondence w co-counsel | 25 min |
| 5.5.20 | Correspondence from mediator | 5 min |

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| 5.18.20 5.19.20 | Correspondence w opposing counsel/ Review Stip and Order re class cert deadline | 45 min |
| 5.26.20 | Notice of Change of Address for co-counsel | 5 min |
| 6.19.20 | Review Opposition to Motion | 1 hour 35 min |
| 6.22.20 | Correspondence w opposing counsel | 15 min |
| 7.2.20 | Correspondence from opposing counsel | 5 min |
| 7.3.20 | Correspondence from mediator | 5 min |
| 7.6.20 | Correspondence w co-counsel | 3 min |
| 7.8.20 | Correspondence w co-counsel | 45 min |
| 7.17.20 | Review Def. opposition to Motion for Corrective Action | 2 hour 30 min |
| 7.23.20 | Review Reply ISO Motion to Compel | 1 hour 15 min |
| 7.23.20 | Plaintiff's Opposition to Defendants Request for Judicial Notice/Plaintiff's Reply ISO Motion for Corrective Action | 1 hour 45 min |
| 7.30.20 | Correspondence from opposing counsel/ Review Stip and Order | 15 min |
| 7.31.20 | Correspondence to opposing counsel/ Review PMK Depo Notice | 30 min |
| 8.3.20 | Correspondence to opposing counsel | 10 min |
| 8.5.20 | Correspondence from mediator | 5 min |
| 8.6.20 8.11.20 | Correspondence w co-counsel/ Calendar | 10 min |
| 8.17.20 | Correspondence w opposing counsel | 5 min |
| 8.17.20 | Review Def. objections to Deposition Notice | 30 min |
| 8.19.20 | Correspondence w co-counsel/ Calendar | 3 min |
| 8.24.20 | Review Court Tentative | 30 min |
| 8.24.20 | Correspondence from co-counsel | 25 min |

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| 8.27.20 | Correspondence from co-counsel | 3 min |
| 8.27.20 | Correspondence from co-counsel to opposing counsel | 10 min |
| 9.1.20 | Review Court Tentative | 45 min |
| 9.1.20 | Correspondence from co-counsel to opposing counsel | 15 min |
| 9.4.20 | Correspondence from co-counsel to opposing counsel | 45 min |
| 9.4.20 | Review Draft Curative Notice | 35 min |
| 9.9.20 | Correspondence from co-counsel to opposing counsel | 35 min |
| 9.9.20 | Correspondence from opposing counsel | 10 min |
| 9.9.20 | Review pleadings re Belaire West Notice filed w. Court Review Minute Order Legal research | 25 min. |
| 9.15.20 9.16.20 9.17.20 | Correspondence from co-counsel to opposing counsel | 45 min |
| 9.23.20 | Correspondence from mediator | 5 min |
| 9.24.20 9.25.20 9.30.20 10.1.20 10.2.20 10.5.20 10.6.20 10.7.20 10.8.20 10.9.20 10.12.20 10.13.20 10.14.20 10.15.20 10.16.20 10.20.20 10.23.20 10.30.23 11.11.20 11.12.20 11.13.20 11.17.20 | Correspondence from co-counsel and opposing counsel/ Calendar events/ Review weekly reports | 6 hours 30 min |

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| 11.18.20 11.19.20 11.21.20 | | |
| 11.19.20 | Review MOU | 1 hours 45 min |
| 12.7.20 12.9.20 12.11.20 12.23.20 | Correspondence from co-counsel and opposing counsel/ Review Notice of Settlement/ Notice of Appearance | 45 min |
| 1.5.21 1.18.21 1.21.21 1.27.21 2.4.21 2.8.21 2.19.21 3.9.21 3.15.21 3.22.21 4.5.21 4.8.21 4.12.21 4.13.21 4.14.21 4.19.21 6.22.21 | Correspondence from co-counsel and opposing counsel/Review Settlement Agreement/ Calendar Dates | 5 hours 45 min |
| 4.12.21 | Prepare Declaration ISO Motion for Preliminary Approval | 3 hours 15 min |
| | | TOTAL HOURS 329 hours 34 minutes \$ 214,850.00 (@ \$650.00) |

EXHIBIT “B”

Costs

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| 5.10.16 | Letter of Rep. Certified Letter | \$19.41 |
| 6.10.16 | PAGA Certified Mail | \$25.86 |
| 8.2.16 | Filing Fee | \$1,502.33 |
| 8.8.16 | Service Fee | \$180.00 |
| 10.18.16 | Postage | \$2.60 |
| 10.21.16 | Postage | \$4.82 |
| 10.24.16 | Filing Fee | \$25.00 |
| 11.29.16 | Filing Fee | \$150.00 |
| 11.29.16 | Service Fee | \$29.42 |
| 11.30.16 | Postage | \$1.35 |
| 11.30.16 | Filing Fee | \$25.00 |
| 12.1.16 | Court Call | \$86.00 |
| 2.1.2017 | Court Call | \$86.00 |
| 2.10.17 | Postage | \$2.80 |
| 3.20.17 | Postage | \$16.80 |
| 3.30.17 | Service Fee | 10.00 |
| 4.21.17 | Postage | \$6.72 |
| 5.19.17 | Filing Fee | \$10.00 |
| 5.22.17 | Filing Fee | \$34.79 |
| 6.6.17 | Postage | \$5.32 |
| 6.9.17 | Filing Fee | \$13.60 |
| 6.13.17 | Filing Fee | \$10.00 |
| 6.15.17 | Filing Fee | \$13.60 |
| 3.26.18 | Filing Fee | \$13.10 |
| 5.7.18 | Postage | \$20.01 |
| 6.27.18 | Filing Fee | \$13.10 |

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| 7.31.18 | Postage | \$4.94 |
| 8.2.18 | Service Fee | \$46.63 |
| 9.25.18 | Court filing | \$13.60 |
| N/A | Medaition | \$2,725.00 |
| | Total: | \$5091.80 |