

1 BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP
NORMAN B. BLUMENTHAL (SB# 068687)
2 Norm@bamlawca.com
KYLE R. NORDREHAUG (SB# 205975)
3 kyle@bamlawca.com
APARAJIT BHOWMIK (SB# 248066)
4 AJ@bamlawca.com
2255 Calle Clara
5 La Jolla, CA 92037
Telephone: 1(858) 551-1223
6 Facsimile: 1(858) 551-1232

7 Attorneys for Plaintiffs
[Additional Counsel Listed on Next Page]

8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**

11 **IN RE: UNITED AIRLINES WAGE**
12 **AND HOUR CASES**

Included Actions:

13 **BROWN v. UNITED AIRLINES, INC.**
14 San Diego County Superior Court
Case No. 37-2019-00008533-CU-OE-CTL
15 (Lead Case) (filed on February 14, 2019)

16 **ROBINSON vs. UNITED AIRLINES, INC.**
17 Alameda County Superior Court
Case No. RG19014578
18 (filed on April 11, 2019)

19 **SANTOS vs. UNITED AIRLINES, INC.**
San Francisco County Superior Court
Case No. CGC-20-585926
20 (filed on August 12, 2020)

21 **SANTOS vs. UNITED AIRLINES, INC.**
San Francisco County Superior Court
Case No. CGC-20-587208
22 (filed on October 19, 2020)

Case No. **JCCP 5187**

**DECLARATION OF JAMES R.
HAWKINS IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: August 4, 2023
Time: 1:30 p.m.
Judge: Hon. Katherine Bacal
Dept.: 69

Complaint filed: February 14, 2019
Trial date: None set

1 MICHAEL NOURMAND (S.B. #198439)
2 mnourmand@nourmandlawfirm.com
3 JAMES A. DE SARIO (S.B. #262552)
4 jdesario@nourmandlawfirm.com
5 THE NOURMAND LAW FIRM, APC
6 8822 West Olympic Boulevard
7 Beverly Hills, CA 90211
8 Telephone: 310-553-3600
9 Facsimile: 310-553-3603

10 LAURENCE D. KING (S.B. #206423)
11 lking@kaplanfox.com
12 MATTHEW B. GEORGE (S.B. #239322)
13 mgeorge@kaplanfox.com
14 KAPLAN FOX & KILSHEIMER LLP
15 1999 Harrison Street, Suite 1560
16 Oakland, California 94612
17 Telephone: 415-772-4700
18 Facsimile: 415-772-4707

19 JAMES R. HAWKINS (S.B. #192925)
20 james@jameshawkinsaplc.com
21 CHRISTINA M. LUCIO (S.B. #253677)
22 christina@jameshawkinsaplc.com
23 JAMES HAWKINS APLC
24 9880 Research Drive, Suite 200
25 Irvine, CA 92618
26 Telephone: 949-387-7200
27 Facsimile: 949-387-6676

28 Shani O. Zakay (State Bar #277924)
shani@zakaylaw.com
ZAKAY LAW GROUP, APLC
5440 Morehouse Drive, Suite 5400
San Diego, CA 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203

Attorney for Plaintiffs

1 I, James Hawkins, declare as follows:

2 1. I am an attorney, duly licensed to practice before all the Courts of the State of
3 California and I am the principal of James Hawkins, APLC, counsel of record for Plaintiff Carlos
4 Santos (“Plaintiff”) in the Coordinated Action. I have personal knowledge of the facts set forth
5 below, and if called to testify regarding them, I could and would do so competently.

6 2. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval
7 of Class Action Settlement.

8 **Procedural Background**

9 3. On August 12, 2020, Plaintiff filed a putative class action complaint against
10 Defendant United Airlines, Inc. (“Defendant”) in San Francisco Superior Court (“Santos Action”)
11 for: (1) violation of the Fair Credit Reporting Act for failing to make proper disclosures; (2)
12 violation of the Fair Credit Reporting Act for failure to obtain proper authorization; (3) failure to
13 make proper disclosure in violation of ICRAA; (4) failure to make proper disclosure in violation
14 of CCRAA; (5) failure to o accurately pay overtime wages; failure to provide lawful meal
15 periods; (6) failure to authorize and permit rest periods; (7) failure to timely pay wages owed
16 upon separation from employment; (9) knowing and intentional failure to comply with itemized
17 wage statement provision; and (1) violation of unfair competition law (the “Santos Class
18 Action”).

19 4. On October 19, 2020, Plaintiff also filed a representative action complaint against
20 Defendant in the San Francisco Superior Court for civil penalties under the Private Attorneys’
21 General Act (“Santos PAGA Action”).

22 5. On June 28, 2021, Plaintiff Ella Brown filed a Petition for Coordination. The Court
23 granted the Petition and coordinated the Brown Action and the Robinson Act on December 10,
24 2021.

25 6. On April 11, 2022, the Court added the Santos Action to the coordinated action.

26 7. On December 6, 2022, the parties attended a second mediation session with
27 mediator David Rotman. After serious and informed arm’s length negotiations, Mr. Rotman issued
28

1 a mediator's proposal which was ultimately accepted by all parties that resulted in the proposed
2 settlement.

3 8. In light of the sharply contested legal and factual issues, the risks of continued
4 litigation, and substantial benefits to Class Members under the Settlement, I believe the terms and
5 conditions of this class settlement are fair and reasonable to all sides.

6 9. To date, my firm has incurred litigation costs of \$4,180.25 in the Santos Class
7 Action and Santos PAGA Action.

8 **Experience of Class Counsel**

9 10. In 1993, I graduated from the University of California, Los Angeles with a Bachelor
10 of Arts Degree. Following graduation, I attended Whittier Law School. In 1996, while a full-time
11 law student, I was also a full-time Judicial Extern for the Honorable Consuelo B. Marshall, United
12 States District Court, Central District. After approximately five months of service for Judge
13 Marshall, I became a full-time extern for the United States Attorney's Office, Central District of
14 California. My externship lasted for approximately five months. Thereafter, in 1997, I graduated
15 from Whittier Law School. The same year, I was admitted to practice law in the State of California.


16 11. From 1997 to 2007, I was a named partner at Hawkins & Sofonio, a law firm based
17 out of Irvine, California. At Hawkins & Sofonio, I pioneered the employment department litigating
18 plaintiff related employment issues such as: Wrongful Termination, Age Discrimination,
19 Disability, Wage and Hour and Sexual Harassment claims. Through the success and experience I
20 obtained litigating employment related matters, I commenced litigating Wage and Hour Class
21 Actions in 2002. Since then, I have spent the vast majority of my practice litigating Wage and
22 Hour Class Actions.

23 12. In 2007, I incorporated my wage and hour class action practice as James Hawkins,
24 APLC. Since its inception, this law firm has been exclusively involved in class action and complex
25 litigation. In 2009, I opened an additional office in Miami, Florida, prosecuting wage and hour
26 class actions. Since 2002, I have been lead or co-lead counsel in all of the cases listed in below.
27
28

1 13. Although not an all-inclusive list, the following cases sets forth many of the class
2 actions which I have handled as lead and/or co-lead counsel over the years: *Mojica v. Compass*
3 *Group, Inc., et al.* USDC Central District, Case No. 8:13-cv-01754; *Dao v. 3M Company, et al.*
4 USDC, Central District, Case No. CV-08-04554; *Ortiz v. Kmart*, USDC, Central District, Case
5 No. SACV 06-638 ODW; *Morgan v. Aramark Campus, LLC*, USDC, Central District, Case No.
6 SACV08-00412; *West v Iron Mountain Information Management, Inc, et. Al*, Los Angeles County
7 Superior Court, Case No. BC393709; *Gonzalez v. Superior Industries International, Inc., et al.*,
8 Los Angeles County Superior Court, Case No. BC 357912; *Acosta v. Fleetwood Travel Trailers*
9 *of California, Inc., et al.*, Riverside County Superior Court, Case No. RIC 440630; *Walker v.*
10 *Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293; *Padron v. Universal*
11 *Protection Service, et al.*, Orange County Superior Court, Case No. 05CC00013; *Martinez v.*
12 *Securitas Security Services USA, et al.*, Santa Clara Superior Court, Case No. 105-CV047499, et
13 al. J.C.C.P. No. 4460; *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior
14 Court, Case No. RIC 420909; *Ruiz, et al. v. Unisourse Worldwide, Inc., et al.*, USDC, Central
15 District, Case No. CV09-05848; *Herrador v. Culligan International Company, et al.*, USDC,
16 Central District, Case No. SACV 08-680; *Defries v. Domain Restaurants, et al.*, Orange County
17 Superior Court, Case No. 05CC00128; *Denton v. BLB Enterprises, Inc., et al.*, Orange County
18 Superior Court, Case No. 07CC01292; *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*,
19 Los Angeles Superior Court, Case No. BC411477; *McMurray v. Dave and Busters, Inc., et al.*,
20 Orange County Superior Court, Case No. 06CC00099; *Osuna v. DFG Restaurants, Inc., et al.*, Los
21 Angeles Superior Court, Case No. BC 330145; *Burns v. Gymboree Operations, Inc., et al.*, San
22 Francisco Superior Court, Case No. CGC-07-461612; *Willems v. Diedrich Coffee, Inc., et al.*,
23 Orange County Superior Court, Case No. 07CC00015; *Davila, et al. v. Beckman Coulter, Inc., et*
24 *al.*, Orange County Superior Court, Case No. 07CC01347; *Perez v. Naked Juice Company of*
25 *Glendora, Inc.*, Los Angeles Superior Court, Case No. BC387088; Coordination Proceeding
26 Special Title [Rule 1550(b)] *Wackenhut Wage and Hour Cases*, Los Angeles Superior Court, Case
27 No. JCCP 4545; *Placencia v. Amcor Packaging Distribution, Inc.*, Orange County Superior Court,
28

1 Case No. 30-2013-00694012-CU-OE-CXC; *Trani v. Lisi Aerospace, et al.*, Los Angeles Superior
2 Court, Case No. BC495527; *Galvan v. Goodwin Co.*, Orange County Superior Court, Case No.
3 30-2013-00637062-CU-OE-CXC; *Reyes v. Bristol Fiberlite*, Orange County Superior Court, Case
4 No. 30-2013-00653425-CU-OE-CXC; *Gutierrez v. HMT Tank*, USDC Central Dist., Case No.
5 CV14-1967-CAS(MANx); *Williams v. Il Fornaio America Corp.*, Sacramento County, Case No.
6 34-2011-0009616; *Aguilar v. 7-Eleven, Inc.*, Orange County, Case No. 30-2009-002687141-CU-
7 OE-CXC; *Madrigal v. Huntington Beach Market Broiler, Inc.*, Orange County, Case No. 30-2012-
8 00611260; *Vang v. Jazz Semiconductor, Inc.*, Orange County, Case no. 30-2011-00460278; *Cano*
9 *v. Financial Statement Services, Inc.*, Orange County, Case No. 30-2013-00653349-CU-OE-CXC;
10 *Gonzalez v. Quality Aluminum Force, LLC*, Orange County, Case No. 30-2015-00817941-CU-
11 OE-CXC; *Smith v. Space Exploration Technologies Corp.*, Los Angeles County Case No.
12 BC554258; *Madrigal v. Balda C Brewer, Inc.*, 30-2015-00820218-CU-OE-CXC.

13
14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct this 13 day of July, 2023, at Irvine, California.

16
17 
18 _____
19 James R. Hawkins
20
21
22
23
24
25
26
27
28