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Attorneys for Plaintiffs and the Putative Class

(Additional counsel for Plaintiffs Listed on Signature Page)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CURTIS MARKSON, MARK
MCGEORGE, CLOIS MCCLENDON,
and ERIC CLARK, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

CRST INTERNATIONAL, INC., CRST
EXPEDITED, INC.; C.R. ENGLAND,
INC., WESTERN EXPRESS, INC.,
SCHNEIDER NATIONAL CARRIERS,
INC., SOUTHERN REFRIGERATED
TRANSPORT, INC., COVENANT
TRANSPORT, INC., PASCHALL
TRUCK LINES, INC., STEVENS
TRANSPORT, INC., and DOES 1-10,
inclusive,

Defendants.

CASE NO.: 5:17-cv-01261-SB (SPx)

**DECLARATION OF ROBERT J.
WASSERMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES AND COSTS**

Judge: Hon. Stanley Blumenfeld, Jr.
Date: July 29, 2022
Time: 8:30 a.m.
Location: Courtroom 6C
350 West 1st Street
Los Angeles, CA 90012

Discovery Cutoff Date: 7/2/2021
Pretrial Conference Date: TBD
Trial Date: TBD

1 I, Robert J. Wassermann, Esq., declare as follows:

2 1. I am an attorney licensed to practice law before this Court and the federal
3 and state courts of California and Illinois. I am over 18 years of age. I have personal
4 knowledge of the facts set forth in this declaration and could and would testify
5 competently to them.

6 2. I am a shareholder in the law firm of Mayall Hurley, P.C., co-counsel of
7 record (along with Susman Godfrey L.L.P., Ackermann & Tilajef, P.C., and Melmed Law
8 Group P.C.) for Plaintiffs Curtis Markson, Mark McGeorge, Clois McClendon, and Eric
9 Clark (“Plaintiffs” or “Class Representatives”) and the proposed settlement class (the
10 “Class”) in the above-captioned matter. I submit this Declaration in support of Plaintiffs’
11 Motions for Final Approval of Class Action Settlement (forthcoming) and Attorneys’
12 Fees and Costs (filed herewith).

13 3. I have no knowledge of the existence of any conflicting interests between
14 my firm and any of its attorneys and our co-counsel on the one hand, and Plaintiffs or any
15 other Class Member, on the other.

16 4. The Court has preliminarily approved the class action settlements between
17 Plaintiffs and Defendants PASCHALL TRUCK LINES, INC. (“PTL”), SCHNEIDER
18 NATIONAL CARRIERS, INC. (“SNC”), COVENANT TRANSPORT, INC. (“CT”),
19 SOUTHERN REFRIGERATED TRANSPORT, INC. (“SRT”), WESTERN EXPRESS,
20 INC. (“WE”), and STEVENS TRANSPORT, INC. (“ST”) (the “Settling Defendants”)
21 (collectively with Plaintiffs, the “Parties”). See Orders preliminarily approving the
22 settlement (the “PA Orders”) (Docs. 562 and 590).

23 **Attorney Experience and Contributions**

24 5. As demonstrated by our numerous successes in class actions, Susman
25 Godfrey L.L.P., Mayall Hurley P.C., Ackermann & Tilajef, P.C. and Melmed Law Group
26 P.C. are experienced and skilled law firms with experience representing employees in
27 California class actions.

1 6. Given the risks inherent in litigation and the defenses asserted, I believe that
2 the Settlements before the Court for final approval are fair, adequate, reasonable, and are
3 in the best interest of the Class Members. Moreover, continued litigation would be costly,
4 time consuming, and uncertain in outcome, particularly given this Court’s denial of class
5 certification as to the Non-Settling Defendants. By contrast, the Settlements ensure
6 timely, meaningful relief to the Class.

7 7. I have actively participated in every facet of this litigation since day one.
8 This has included, but not been limited to, client intake, pre-litigation investigation and
9 research, drafting and reviewing the pleadings, preparing and propounding written
10 discovery, taking depositions, drafting and opposing motions, attending hearings, and
11 preparing for / participating in the meditations that helped secure these settlements.

12 8. William J. Gorham, III, Nicholas F. Scardigli, and Vladimir J. Kozina, who
13 respectively have 32, 15, and 10 years of legal experience, also worked diligently on this
14 case, as did our legal assistants and paralegals.

15 9. The following is a more detailed summary of the experience and
16 contributions of the attorneys associated with our firm on this case:

17 a. I, Robert J. Wassermann, received a B.A. from the University of
18 California San Diego in June 2005. In December 2007, I received a J.D. from Thomas
19 Jefferson School of Law. In 2008, I became a member of the State Bar of California. In
20 2013, I became a member of the State Bar of Illinois. I have been an attorney with Mayall
21 Hurley P.C. since 2008. I became a Shareholder in 2014. I served as the firm’s Director
22 of Human Resources from July 2015 through July 2020. Since that time, I have served
23 as the Firm’s Director of Marketing. I have practiced almost exclusively plaintiffs’
24 employment litigation for more 10 years. I have been selected as a “Rising Star” by Super
25 Lawyers Magazine, recognizing the top 2.5 percent of California attorneys, every year
26 since 2016.

27 ///

28 ///

1 b. William J. Gorham, III, received a B.A. from the University of the
2 Pacific. In 1990, he received a J.D., Magna Cum Laude, from Santa Clara University
3 School of Law. In December of 1990, he became a member of the State Bar of California.
4 Mr. Gorham has been an attorney with Mayall Hurley P.C. since January of 1993. He
5 became a Shareholder in 1998 and has served as its President and Chief Executive Officer
6 since 2010. Mr. Gorham has practiced in civil litigation since 1990, and has been
7 involved in employment litigation for more than 30 years. Mr. Gorham has been selected
8 as a “Super Lawyer” by Super Lawyers Magazine every year since 2020.

9 c. Nicholas F. Scardigli received a B.A. from Duke University in 2002.
10 In 2006, he received a J.D. from Emory University School of Law. Mr. Scardigli worked
11 as a Deputy District Attorney in the San Joaquin County District Attorney’s Office from
12 2007 through 2009, before joining Mayall Hurley, P.C. in late 2009. Mr. Scardigli
13 became a Shareholder in 2010. He has also practiced almost exclusively plaintiff’s
14 employment litigation for more 10 years. Mr. Scardigli has been selected as a “Rising
15 Star” by Super Lawyers Magazine each year from 2013 to 2020.

16 d. Vladimir J. Kozina obtained a B.S. degree in Molecular Biology from
17 the University of California, San Diego in 2001. In 2005 he obtained a M.S. degree from
18 the University of the Pacific in Biological Sciences in 2005. Mr. Kozina attended the
19 Laurence Drivon School of law from 2008 through 2012, graduating as Valedictorian.
20 He was admitted to practice in California in 2012 and joined Mayall Hurley, P.C. that
21 same year. Mr. Kozina became a shareholder in 2020. He has been selected as a “Rising
22 Star” by Super Lawyers Magazine every year since 2020.

23 10. My law firm, Mayall Hurley P.C. has pursued this action aggressively, and
24 many other similar class, collective, and representative actions.

25 11. For instance, *Epinoza v. Love’s Country Stores of California, Inc.*, San
26 Bernardino County Superior Court, Case No. CIVDS2016481; *Wilk v. Skechers U.S.A.,*
27 *Inc.*, United States District Court, Central District of California Case No. 5:18-cv-01921;
28 *Mcgee v. Brosnan Risk West Coast*, San Mateo County Superior Court Case No. 19-CV-

1 04464; *Botti v. SAFE Credit Union*, Sacramento County Superior Court Case No. 34-
2 2019-00261736; *Mediodia v. SoCal Jet Services, Inc.*, Los Angeles County Superior
3 Court Case No. 18STCCV09751; *Flores v. Dart Container Corp., et al*, Eastern District
4 of California Case No. 2:19-cv-00083-WBS-EFB; *Rodriguez v. J-M Manufacturing, Inc.*,
5 San Joaquin County Superior Court Case No. STK-CV-UOE-2019-6065; *Arata v. Cozad*
6 *Trailer Sales, LLC*, San Joaquin County Superior Court Case No. STK-CV-UOE-2020-
7 1774; *Modica v. Iron Mountain Information Management Svcs., Inc.*, United States
8 District Court, Eastern District of California Case No. 2:19-cv-00370-TLN-JDP; *Magee*
9 *v. Thyssenkrupp Materials, N.A., et al.*, Alameda County Superior Court Case No.
10 RG19027231; *Basinger v. Il Palio Restaurant Group, Inc.*, San Diego County Superior
11 Court Case No. 37-2018-00004296-CU-OE-CTL; *Pacheco v. Bushfire Grill, Inc., et al*,
12 United States District Court, Southern District of California, Case No. 3:18-cv-01696-
13 JAH-WVG; *Wise v. ULTA Salon, Cosmetics & Fragrance, Inc.*, United States District
14 Court, Eastern District of California, Case No. 1:17-cv-00853-DAD-EPG; *Fernando and*
15 *Kalaveras v. Burroughs, Inc.*, Alameda County Superior Court, Case No. RG18906875;
16 *Mansur v. Owens-Brockway Glass Container, Inc.*, San Joaquin County Superior Court,
17 Case No. STK-CV-UOW-2018-14631; *Alderson v. Alameda County Agricultural Fair*
18 *Association*, Alameda County Superior Court, Case No. RG18912654; *Terry v. Mare*
19 *Island Dry Dock, LLC*, Solano County Superior Court, Case No. FCS051650; *Mettler,*
20 *Bender, and Rojas v. Les Schwab Tire Centers of California, Inc.*, San Joaquin County
21 Superior Court, Case No. STK-CV-UOE-2018-476; *Escalera v. La Tapatia Mexican*
22 *Market, Inc.*, San Joaquin County Superior Court, Case No., ST-CV-UOE-2017-5296;
23 *Garcia, et al. v. HMS Host USA, Inc.*, United States District Court, Northern District of
24 California, Case No. 17-cv-03069-RS; *Ali v. Sutter Valley Medical Foundation, Inc.*,
25 Sacramento County Superior Court, Case No. 34-2017-00217486; *Grady, et al. v. People*
26 *2.0 dba The Hire Source, et al.*, San Joaquin County Case No. STK-CV-UOE-2017-
27 13867; *Kumar v. Forty Niners Stadium Management Company*, Santa Clara County
28 Superior Court, Case No. 17CV3121427; *Gast v. Flooring Liquidators, Inc.*, Stanislaus

1 County Superior Court, Case No. 2026223; *Russell v. KeHe Distributors, Inc.*, United
2 States District Court, Eastern District of California, Case No. 2:17-at-00592; *Smith v.*
3 *Wal-Mart Stores, Inc. et al.*, United States District Court, Northern District of California,
4 Case No. 3:16-cv-02832-JD; *Titus v. The Martin-Brower, LLC*, United States District
5 Court, Eastern District of California, Case No. 2:17-cv-00558-JAM-GGH; *Hugues v. The*
6 *Morning Star Trucking Company, LLC, et al.*, Yolo County Superior Court Case No.
7 CV16-1215; *Ahmed v. Beverly Health and Rehabilitation Services, Inc., et al.*, United
8 States District Court, Eastern District of California, Case No. 2:16-cv-01747-WBS-KJN;
9 *Guzman-Padilla, et al. v. Gerard Van De Pol, et al.*, United States District Court, Eastern
10 District of California, Case No. 2:17-cv-00196-JAM-KJN; *Jaime v. Walt Disney Parks*
11 *and Resorts U.S., Inc.*, United States District Court, Central District of California, Case
12 No. SACV 15-01618-CJC(DFMx); *Stevens v. Suncrest Solar, Inc.*, Fresno County
13 Superior Court, Case No. 16CECG03355; *Cardoza v. Blazona Concrete Construction,*
14 *Inc.*, Alameda County Superior Court Case No. RG17866256; *Maasrani v. Waterton*
15 *Hospitality Management*, San Mateo County Superior Court, Case No. 17CIV05470;
16 *Huynh v. Parker-Hannifin Corporation*, Stanislaus County Superior Court, Case No.
17 2022325; *Moser v. O'Connor Woods Housing Corporation*, San Joaquin County
18 Superior Court, Case No. STK-CV-UOE-2014-0009861; *Bastami v. Semiconductor*
19 *Components Industries, LLC*, Santa Clara County Superior Court, Case No. 16cv297447;
20 *Davis v. Balfour Beatty Infrastructure, Inc.*, Los Angeles County Superior Court, Case
21 No. BC592580; *Van Lith v. iHeartmedia + Entertainment, Inc. et al.*, United States
22 District Court, Eastern District of California, Case No. 1-16-cv-00066-SKO; *Clark v.*
23 *Arrow Sign Co.*, San Joaquin County Superior Court, Case No. STK-CV-UOE-2016-
24 6457, and *Moreno v. B.R. Funsten & Co.*, Solano County Superior Court Case No.
25 FCS046149, all wage-and-hour class actions with claims similar to the instant matter.
26 Not including this matter, we have several other wage-and-hour class actions currently
27 pending final approval in which we have been preliminarily approved as class counsel.
28 My law firm and I have also represented plaintiffs in numerous representative

1 employment actions, settlements in which have been approved by multiple California and
2 federal courts, and are currently prosecuting dozens more.

3 12. Mayall Hurley, P.C. has also obtained class and/or conditional certification
4 in a number of cases, including *Liu v. QNAP, Inc.*, Los Angeles County Superior Court
5 Case No. 19PSCV00668; *Bice v. Vensure HR, Inc., et al.*, San Joaquin County Superior
6 Court, Case No. STK-CU-UOE-2016-1264; *Perez et al. v. Abbate Family Farms Limited*
7 *Partnership et al.*, San Joaquin County Superior Court, Case No. 39-2012-00288653-
8 CU-OE-STK, *Wilk v. Skechers U.S.A., Inc.*, United States District court, Central District
9 of California, Case No. 5-18-CV-01921-JGB-SP; *Titus v. Paramount Equity Mortgage,*
10 *LLC*, United States District Court, Eastern District of California, Case No. 2:17-cv-
11 00349-MCE-KJN; and *Solati v. RPM Mortgage, LLC*, Solano County Superior Court
12 Case No. FCS048401.

13 13. I am also currently lead counsel or co-lead counsel in approximately 20
14 employment class and collective action cases and a handful of PAGA representative
15 cases.

16 Attorneys' Fees

17 14. Plaintiffs now seek final approval of the Settlement, including Class
18 Counsel's award of attorneys' fees in the amount of 25% of the Settlement amount (i.e.
19 \$2,437,500) to be shared amongst the law firms representing the Class. The Settlement
20 Agreements provide for attorneys' fees of up to 25% of the value of the settlement,
21 including non-cash relief. Accordingly, Class Counsel is actually seeking less than 25%
22 of the value of the settlement when taking into account the non-monetary relief.

23 15. In standard, single-plaintiff wage-and-hour cases, Mayall Hurley, P.C.
24 routinely charges a contingent fee at or above 25% of the gross recovery. Therefore, had
25 we negotiated individual retainer agreements with the Class Members in this action, we
26 would have expected equal to or more than we are presently requesting attorneys' fees.

27 16. Throughout the litigation of this case, my firm worked tirelessly and without
28 compensation (or any promise of compensation) to obtain the settlements reached. Work

1 performed on this matter necessarily required Mayall Hurley P.C. to forego other
2 profitable work.

3 17. At all times during the pendency of this action, Mayall Hurley, P.C. has
4 operated under a computerized billing system. On all cases, including this case, attorneys
5 and paralegals entered their time worked on the case contemporaneously with the work
6 done. Each billing entry is identified by the initials of the timekeeper performing the
7 work, the date the work was performed, a description of the work performed, the time
8 worked, the assigned hourly rate for the timekeeper, and the total value of the work
9 performed. These records accurately reflect the hours our attorneys and paralegals have
10 worked on this case, during which we sought to efficiently manage, staff, assign, and
11 divide the work between our respective attorneys and to avoid duplication of effort. All
12 of these hours worked were reasonably and necessarily expended on this litigation.

13 18. The hourly rates of individual attorneys vary depending upon his or her level
14 of experience, with more experienced attorneys billed at higher rates. The customary
15 hourly rate my office charges in plaintiff's employment class action cases ranges from
16 \$381/hr (for an associate with 2 years' experience) to \$915/hr (for a senior partner with
17 more than 30 years of experience), are commensurate with the rates of practitioners with
18 similar experience in plaintiffs' wage-and-hour class actions within the California legal
19 market, and have also been approved by numerous federal and state courts across the
20 state.¹

21 _____
22
23 ¹ See e.g., *Wilk v. Sketchers U.S.A., Inc.*, United States District Court, Case No. 5:18-cv-01921, Order
24 (1) GRANTING Plaintiffs' Motion for Final Approval of Class Action Settlement (Dkt. No. 81); and
25 GRANTING Plaintiffs' Motion for Attorneys' Fees (Dkt. No. 79), March 3, 2022, (approving fee
26 request of 30% at identical rates based upon the Laffey Matrix); *Mcgee v. Brosnan Risk West Coast*, San
27 Mateo County Superior Court, Case No. 19-CV-04464, Judgment and Order Granting Plaintiff's
28 Unopposed Motion for Final Approval of Class and Representative Action Settlement and Release, and
Motion for Attorneys' Fees, Cost and Service Payment, December 20, 2021 (approving fee request at
rates based upon the Laffey Matrix with multiplier of 2.56); *Ali v. Sutter Gould Medical Foundation,
Inc.*, Sacramento County Superior Court Case No. 34-2017-00217486, Order Granting Final Approval
of Class Action Settlement, May 30, 2019 (approving fee request at rates based upon the Laffey Matrix

1 19. As of the filing of Plaintiffs' Motion, Mayall Hurley, P.C.'s attorneys have
2 worked in excess of 1,315 hours in prosecuting this case. Insofar as this case is still being
3 litigated against the Non-Settling Defendants, I have endeavored to excise the hours
4 worked which clearly relate only to the Non-Settling Defendants (in particular to the
5 California wage and hour claims) and / or to the time period after the briefing of Plaintiffs'
6 motions for class certification (e.g., work done in conjunction with Plaintiffs' merits /
7 damages experts). The hours worked and hourly rate of each attorney at Mayall Hurley,
8 P.C. who has worked on this case is set forth in the chart below²:

9 _____
10
11 and with multiplier of more than 1.5); *Pacheco v. Bushfire Grill, Inc.*, United States District Court,
12 Southern District of California Case No. 3:18-CV-01696-JAH-WVG, Order Granting Final Approval of
13 Class Action Settlement and Granting Motion for Attorneys' Fees. Costs and Service Payment
14 (awarding 33 1/3% of common fund based on similar rates); *Grady and Duran v. People 2.0 dba The*
15 *Hire Source, et al.*, San Joaquin County Superior Court Case No. STK-CV-UOE-2017-13867, Order
16 Granting Plaintiff's Motion for Final Approval of Class Action Settlement, May 29, 2019, (approving
17 fee request at identical rates based upon the Laffey Matrix); *Kumar v. Forty Niners Stadium*
18 *Management Company, LLC*, Santa Clara County Superior Court, Case No. 17CV3121427, Order
19 Granting Final Approval of Class Action Settlement, Fees and Costs of Class Counsel, Service Payment
20 to Class Representative, Settlement Administration Costs, and Entering Final Judgment, March 29,
21 2019 (approving fee request at nearly identical rates based upon the Laffey Matrix); *Smith v. Wal-Mart*
22 *Stores, Inc.*, United States District Court, Northern District, Case No. 3:16-cv-02832-JD, Order of Final
23 Approval of Class Action Settlement and Judgment, Dkt. No. 86 filed September 21, 2018 (approving
24 fee request at nearly identical rates based upon the Laffey Matrix); *Ahmed v. Beverly Health and*
25 *Rehabilitation Services, Inc., et al.*, United States District Court of California, Eastern District, Case No.
26 2:16-1747-WBS-KJN, Memorandum and Order RE: Motion for Final Approval of Class Action
27 Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Service Payment, Dkt. No.
28 49, April 25, 2018 (approving fee request of one-third of the common fund at nearly identical rates
based upon the Laffey Matrix); *Hugues v. The Morning Star Trucking Company, LLC*, Yolo County
Superior Court Case No. CV-1215, Order Granting Final Approval of Class Action Settlement,
Attorneys' Fees, Costs, Service Payment and Final Judgment, August 3, 2017 (approving fee request at
nearly identical rates based on the Laffey Matrix and awarding multiplier of 1.407); *Davis v. Balfour*
Beatty Infrastructure, Inc., Los Angeles County Superior Court, Case No. BV592580, Order Granting
Final Approval of Class Action Settlement, Attorneys' Fees, Costs, Service Payment and Entering Final
Judgment, August 7, 2017 (approving fee request of one-third at nearly identical rates based on the
Laffey Matrix) and; *Jaime v. Walt Disney Parks and Resorts U.S., Inc.*, United States District Court,
Central District of California, Case No. SACV 15-01618-CJC(DFMx), Order Granting Plaintiff's
Motions for Final Approval of the Settlement Agreement and for Attorney Fees, Costs, and Service
Payment, Docket No. 34, June 26, 2017 (approving fee request at nearly identical rates based on the
Laffey Matrix and awarding a multiplier of 1.44).

² With litigation continuing against the Non-Settling Defendants and potentially privileged information contained therein, Mayall Hurley, P.C.'s consolidated billing records can be produced for in camera inspection if the Court desires.

<u>Timekeeper</u>	<u>Experience</u>	<u>Rate/Hour</u>	<u>Hours</u>	<u>Total</u>
Robert Wasserman (Shareholder)	2008	\$764	1,268.68	\$969,424.32
Nicholas J. Scardigli (Shareholder)	2007	\$764	5	\$3,820
Vladimir J. Kozina (Shareholder)	2012	\$676	22.10	\$14,939.60
William J. Gorham, III (Shareholder)	1990	\$915	19.50	\$17,842.50

Total:	1,315.28	\$1,006,026.42
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20. I anticipate Mayall Hurley P.C. and our Co-Counsel will incur several thousand dollars of additional attorneys’ fees in representing the Class through final judgment in this matter. This will include, but not be limited to, fielding additional Class inquires, preparing for and attending the Final Approval Hearing, and overseeing administration of the Settlement.

21. Class Members have been apprised of Plaintiffs’ request as well as their ability to review their moving papers on the Court’s website and the Administrator’s website, and to object to their request if they so desire.

22. As of the filing of Plaintiffs’ Fee Motion, not a single Class Member has objected to the attorneys’ fees sought by Class Counsel. Further, I have talked to numerous Class Members about the settlements since the Notice was mailed and none have expressed any objections to the fees sought by Class Counsel.

The Litigation Costs Sought by Class Counsel are Reasonable

23. Plaintiffs also seeks reimbursement for their litigation costs. To date, Mayall Hurley P.C. has incurred actual costs of more than \$516,083.53. These costs include including filing fees, process server fees, court reporter fees, postage,

1 computerized legal research charges, deposition fees, mediators' fees and expert fees, etc.
2 All of these costs were necessarily incurred in the efficient but diligent prosecution of
3 this action. See **Exhibit 1**. These entries were contemporaneously entered by staff
4 members responsible for recording the same. Insofar as this case is still being litigated
5 against the Non-Settling Defendants, I have endeavored to excise costs which clearly
6 relate only to the Non-Settling Defendants (in particular to the California wage and hour
7 claims). Mayall Hurley P.C. has kept contemporaneous and accurate costs records,
8 receipts and invoices, and will readily produce them to the Court, if ordered to do so.

9 **Plaintiffs' Service Awards**

10 24. The Settlements contemplate a service/enhancement award to each of the
11 Plaintiffs in an amount of \$25,000.00, to recognize the time and effort they expended on
12 behalf of the Class, including time spent in meetings with Class Counsel, in efforts in
13 gathering and providing documents, being available during the full-day mediations, the
14 acceptance of the financial risk in pursuing this litigation, and the fact that they entered
15 into releases that are broader than the Class releases. The Class would have received no
16 benefit from this action had it not been for the contributions of Plaintiffs.

17 25. Plaintiffs, who have worked diligently with Class Counsel throughout this
18 entire litigation, including taking countless calls with Class Counsel, being deposed
19 (twice in the case of Markson and McGeorge), participating actively in formal discovery,
20 and participating in the mediations and settlement negotiations that lead to the
21 Settlements with the Settling Defendants, should be rewarded for taking the initiative to
22 pursue these claims on behalf of their coworkers, and for their role in reaching a
23 substantial settlement providing for valuable monetary and non-monetary relief to the
24 Class. Further, in contrast to the more limited class release, Plaintiffs also agreed to a
25 more robust general release of their claims.

26 26. Finally, it is well established that plaintiffs in the employment context "face[]
27 the risk that new employers would learn that they were class representatives in a lawsuit
28 against their former employer and take adverse action against them. Moreover, each time

1 they change jobs, they will risk retaliation in the hiring process.” *Asare v. Change Grp.*
2 *of N.Y., Inc.* (S.D.N.Y. Nov. 18, 2013) No. 12 Civ. 3371(CM), 2013 WL 6144764, at *15.
3 Such is undoubtedly the case here where a Google search of Plaintiffs’ names and that of
4 CRST reveals—on the *first page of results*—that they have been engaged in
5 employment-related litigation against their former employers, information readily
6 available to any prospective employer. See **Exhibits 2, 3, 4 and 5**.

7
8 I declare under penalty of perjury under the laws of the United States and the State
9 of California that the foregoing is true and correct.

10
11 Executed on June 13, 2022 in Lodi, California.

12
13 /s/ Robert J. Wassermann
14 Robert J. Wasserman

Exhibit 1

LAW OFFICES

MAYALL HURLEY

A PROFESSIONAL CORPORATION

2453 GRAND CANAL BOULEVARD
SECOND FLOOR
STOCKTON, CALIFORNIA 95207-8253

Voice (209) 477-3833
Facsimile (209) 473-4818

June 7, 2022

Invoice Number 0

CURTIS LAMAR MARKSON (CLASS ACTION)

In the matter of: MARKSON V. CRST EXPEDITED, INC. - CONTINGENCY
Our file number: WAS 17006

Expenses

C001	05/12/2017		\$1,435.00
Invoice # WAS-17006			
05/12/2017	SAN BERNARDINO SUPERIOR COURT; Invoice # WAS-17006; Clerk/Court Filing Fees		\$1,435.00
E113	05/24/2017		\$68.00
Invoice # rowas.11267			
05/24/2017	VALPRO ATTORNEY SERVICES; Invoice # rowas.11267; Subpoena/Processor Fees		\$68.00
C006	06/13/2017		\$169.95
Invoice # 10945106			
06/13/2017	ONE LEGAL LLC; Invoice # 10945106; Process/Court Server Fees		\$169.95
C006	08/06/2018		\$170.00
08/06/2018	Process/Court Server Fees : RAPID LEGAL ,Inv.#2129189-02cc		\$170.00
C006	08/07/2018		\$170.00
08/07/2018	Process/Court Server Fees : RAPID LEGAL; #2129189-01cc		\$170.00
E113	08/15/2018		\$97.00
Invoice # rowas.17277			
08/15/2018	VALPRO ATTORNEY SERVICES; Invoice # rowas.17277; Subpoena/Processor Fees		\$97.00
E113	08/15/2018		\$111.55
Invoice # rowas.17278			
08/15/2018	VALPRO ATTORNEY SERVICES; Invoice # rowas.17278; Subpoena/Processor Fees		\$111.55
E124	09/04/2018		\$155.49
Invoice # ERIC CLARK			
09/04/2018	ERIC CLARK; Other: cell phone extraction		\$155.49
E113	09/06/2018		\$137.00
Invoice # rowas.17684			
09/06/2018	VALPRO ATTORNEY SERVICES; Invoice # rowas.17684;		\$137.00

Invoice number 0			
Subpoena/Processor Fees			
E113	09/12/2018	\$137.00	
Invoice # rowas.17684			
09/12/2018	VALPRO ATTORNEY SERVICES; Invoice # rowas.17684;		\$137.00
Subpoena/Processor Fees			
E127	09/18/2018	\$142.24	
09/18/2018	Uber / Lyft : LOS ANGELESrjw		\$142.24
E119	11/28/2018	\$1,666.67	
Invoice # WAS-17006			
11/28/2018	SUSAN GODFREY LLP - MULTI CLIENT TRUST ACCT.;		\$1,666.67
Invoice # WAS-17006; Experts / Elhauge			
E119	12/14/2018	\$1,666.67	
Invoice # WAS-17006			
12/14/2018	SUSAN GODFREY LLP - MULT CLIENT TRUST ACCOUNT;		\$1,666.67
Invoice # WAS-17006; Experts			
E107	12/21/2018	\$15.80	
12/21/2018	Delivery Services/Messengers : ONTRAC		\$15.80
C004	02/22/2019	\$533.96	
02/22/2019	Out of town Travel Expense : LOS ANGELES (Airfare)rjw		\$533.96
E111	02/25/2019	\$27.74	
02/25/2019	Out-of-town Travel & Meals : LOS ANGELESrjw		\$27.74
E125	02/25/2019	\$29.00	
02/25/2019	Parking @ Airport : SACRAMENTOrjw		\$29.00
E127	02/25/2019	\$3.00	
02/25/2019	Uber / Lyft		\$3.00
E127	02/25/2019	\$46.62	
02/25/2019	Uber / Lyft : LOS ANGELESrjw		\$46.62
E127	02/25/2019	\$28.15	
02/25/2019	Uber / Lyft : LOS ANGELESrjw		\$28.15
MILE	02/25/2019	\$60.90	
02/25/2019	Mileage to/from : SACRAMENTO AIRPORTrjw		\$60.90
E119	03/12/2019	\$10,000.00	
Invoice # WAS-17006			
03/12/2019	SUSMAN GODFREY LLP - MULTI CLIENT TRUST		\$10,000.00
ACCOUNT; Invoice # WAS-17006; Experts			
C004	08/05/2019	\$621.47	
08/05/2019	Out of town Travel Expense : LOS ANGELES (Airfare, uber,		\$621.47
meals, parking @ airport, etc.)rjw			
MILE	08/05/2019	\$60.32	
08/05/2019	Mileage to/from : SACRAMENTOrjw		\$60.32
E109	11/21/2019	\$69.53	
11/21/2019	Courier/Dropbox		\$69.53
E119	01/24/2020	\$13,333.33	
Invoice # WAS-17006			
01/24/2020	SUSMAN GODFREY LLP - OPERATING ACCOUNT; Invoice		\$13,333.33
# WAS-17006; Experts (Wire Transfer)rjw			
C011	02/07/2020	\$109.25	
02/07/2020	Postage / Certified Mail (19)		\$109.25
C011	02/10/2020	\$5.75	

Invoice number	0		Page 3
02/10/2020	Postage / Certified Mail		\$5.75
E107	02/14/2020	\$17.64	
02/14/2020	Delivery Svcs/Messengers : ONTRAC		\$17.64
E119	03/04/2020	\$16,667.67	
	Invoice # WAS-17006		
03/04/2020	SUSMAN GODFREY L.L.P - OPERATING ACCOUNT; Invoice # WAS-17006; Experts		\$16,667.67
E119	09/16/2020	\$25,000.00	
	Invoice # WAS-17006		
09/16/2020	SUSMAN GODFREY LLP - OPERATING ACCOUNT; Invoice # WAS-17006; Experts		\$25,000.00
E119	12/23/2020	\$25,000.00	
	Invoice # WAS-17006		
12/23/2020	SUSMAN GODFREY LLP - OPERATING ACCOUNT; Invoice # WAS-17006; Experts		\$25,000.00
E124	03/10/2021	\$83,333.34	
03/10/2021	SUSMAN GODFREY LLP - OPERATING ACCOUNT; Invoice # WAS-17006; Experts		\$83,333.34
C004	05/05/2021	\$1,291.58	
05/05/2021	Client travel expense : MCGEORGE/STOCKTON		\$1,291.58
C004	05/11/2021	\$1,801.34	
05/11/2021	Out of town Travel Expense : COSTA MESA (Airfare, hotel, uber, parking, mileage, meals, etc.)rjw		\$1,801.34
C004	05/26/2021	\$916.46	
05/26/2021	Client travel expense: CLARK/STOCKTON		\$916.46
C004	06/01/2021	\$1,349.06	
06/01/2021	Client travel expense : MCLENDON/STOCKTON		\$1,349.06
E119	07/14/2021	\$41,666.67	
	Invoice # WAS-17006		
07/14/2021	SUSMAN GODFREY LLP; Invoice # WAS-17006; Experts		\$41,666.67
C009	07/22/2021	\$39.44	
07/22/2021	Messenger/Delivery Fees : FEDEX		\$39.44
C004	08/05/2021	\$391.42	
08/05/2021	Out of town Travel Expense : LOS ANGELES (Airfare)rjw		\$391.42
C009	08/19/2021	\$37.52	
08/19/2021	Messenger/Delivery Fees : FEDEX		\$37.52
C007	08/23/2021	\$58,333.33	
	Invoice # WAS-17006		
08/23/2021	SUSMAN GODFREY, LLP; Invoice # WAS-17006; OPERATING ACCOUNT; EXPERTS		\$58,333.33
E119	09/29/2021	\$50,000.00	
	Invoice # WAS-17006		
09/29/2021	SUSMAN GODFREY, LLP; Invoice # WAS-17006; Experts		\$50,000.00
E119	10/28/2021	\$54,166.67	
	Invoice # WAS-17006		
10/28/2021	SUSMAN GODFREY, LLP; Invoice # WAS-17006; Experts		\$54,166.67
E119	12/14/2021	\$50,000.00	
	Invoice # WAS-17006		
12/14/2021	SUSMAN GODFREY, LLP; Invoice # WAS-17006; Experts		\$50,000.00

Invoice number 0

Page 4

E119	12/28/2021	\$75,000.00
Invoice # WAS-17006		

12/28/2021	SUSMAN GODFREY, LLP; Invoice # WAS-17006; Experts	\$75,000.00
	Total expenses:	\$516,083.53

Current charges: **\$516,083.53**

Summary:

Beginning prepaid cash balance:

Current prepaid cash balance:

Previous balance brought forward:

Payments applied:

\$0.00

Adjustments made:

Current Charges:

\$516,083.53

Discount

\$0.00

Total Amount Now Due:

\$516,083.53

Exhibit 2



Curtis Markson



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https://caselaw.findlaw.com › ... › CA Ct. App.

PEOPLE v. MARKSON - FindLaw Caselaw

Curtis Markson challenges his conviction, raising several issues involving the sentencing scheme set forth in the Three Strikes Law (Pen.Code, § 667, subd.

https://caselaw.findlaw.com › ... › CA Supreme Ct.

PEOPLE v. MARKSON - FindLaw's Cases and Codes

Case opinion for CA Supreme Court PEOPLE v. MARKSON. Read the Court's full decision on FindLaw. ... PEOPLE, Respondent, v. Curtis MARKSON, Appellant.

https://www.leagle.com › decision

PEOPLE v. MARKSON | 78 Cal.Rptr.2d 703 (1998) | tr2d7031681

...

MARKSON. Email | Print | Comments (0). No. S051506. View Case. 78 Cal.Rptr.2d 703 (1998). 963 P.2d 244. PEOPLE, Respondent, v. Curtis MARKSON, Appellant.

https://www.nossaman.com › newsroom-news-highlight...

Drew Hansen, Seth Goldstein Highlighted for Denial of Class ...

Mar 21, 2022 — ... were recognized for their recent victory on behalf of C.R. England when class certification was denied in the Curtis Markson et al. v.

https://www.jdsupra.com › legalnews › another-truckin...

Another Trucking Co. Settles Out Of No-Poach Suit - JD Supra

Aug 26, 2021 — The case is Curtis Markson et al. v. CRST International Inc. et al., case number 5:17-cv-01261, in the U.S. District Court for the Central ...

https://www.facebook.com › people › Curtis-Markson

Curtis Markson | Facebook

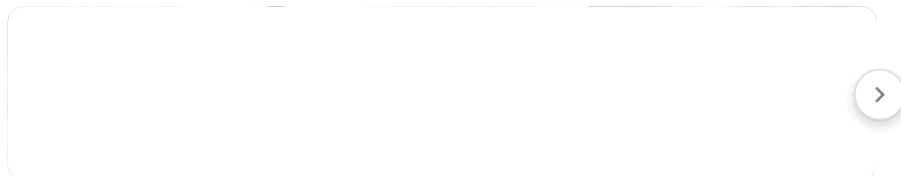
No workplaces to show. College. No schools to show. High school. Went to Hastings High School · Photos · See all photos. Others Named Curtis Markson.

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Curtis Markson et al v. CRST International, Inc. et al

Jun 22, 2017 — Curtis Markson et al v. CRST International, Inc. et al (5:17-cv-01261), California Central District Court, Filed: 06/22/2017 - PacerMonitor ...

Images for Curtis Markson



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Document 33 - file: R18.htm - SEC.gov

On August 2, 2018, **Curtis Markson**, et al. (collectively, "Markson"), filed a putative class action case in United States District Court, Central District of ...

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Exhibit 3



McGeorge v. CRST



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Parties for Curtis Markson v. CRST International, Inc., 5:17-cv-01261 — Brought to you by the RECAP Initiative and Free Law Project, a non-profit dedicated ...

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Curtis Markson et al v. CRST International, Inc. et al - Law360

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https://dockets.justia.com › docket › circuit-courts

Montoya, et al v. CRST Expedited, Inc., et al 21-1482 - Justia ...

Jun 29, 2021 — RENE TORRES, KELSEY HASTINGS, JERONICA BROWN, CURTIS MARKSON, MARK MCGEORGE, CLOIS MCCLENDON and ERIC CLARK · CRST INTERNATIONAL, INC. and...

https://dockets.justia.com › ... › Central District

Curtis Markson et al v. CRST International, Inc ... - Justia Dockets

Jun 22, 2017 — Curtis Markson et al v. CRST International, Inc. et al ... Search for this case: Curtis Markson et al v. CRST ... Plaintiff: Mark McGeorge.

https://www.leagle.com › decision › infdco20190620841

MARKSON v. CRST INTERNATI | Case No. 5:17... - Leagle.com

Jun 19, 2019 — CURTIS MARKSON, MARK McGEORGE, CLOIS MCCLENDON, and ERIC CLARK, individually and on behalf of all others similarly situated, Plaintiffs, v.

https://www.pacermonitor.com › public › case › Curtis_...

Curtis Markson et al v. CRST International, Inc. et al

Jun 22, 2017 — Curtis Markson et al v. CRST International, Inc. et al (5:17-cv-01261), California Central District Court, Filed: 06/22/2017 - PacerMonitor ...

https://unicourt.com › ... › U.S. Courts Of Appeals

Montoya, et al v CRST Expedited, Inc, et al | 21-1482 | Court ...

On 06/29/2021 Montoya filed a Labor - Labor Standard lawsuit against CRST ... Ill for Curtis Markson, Mark McGeorge, Clois McClendon and Eric Clark and ...

https://casetext.com › ... › 1st Cir. › D. MA › 2018 › May

Montoya v. CRST Expedited, Inc. - Casetext

May 24, 2018 — Read Montoya v. CRST Expedited, Inc., 311 F. Supp. 3d 411, see flags on bad law, and search Casetext's comprehensive legal database.

Missing: McGeorge | Must include: McGeorge

https://efile.iowaworkcomp.gov › decisions › decisions

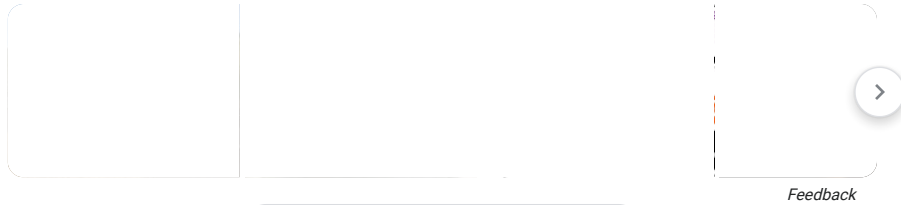
Decisions

Case Title	Case Number	Document Type
RAMIREZ, NAZARIO V. HY-VEE DISTRIBUTION CENTER	21000110.01	Decision - Deputy
LEWIS, CHAD V. HY-VEE, INC	19700629.01	Decision - Distric...
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Exhibit 4



McClendon v. CRST



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MARKSON v. CRST INTERNATI | Case No. 5:17... - Leagle.com

Jun 19, 2019 — CURTIS MARKSON, MARK McGEORGE, CLOIS McCLENDON, and ERIC CLARK, individually and on behalf of all others similarly situated, Plaintiffs, v.

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Montoya, et al v. CRST Expedited, Inc., et al 21-1482 - Justia ...

Jun 29, 2021 — Plaintiff / Appellee: JUAN CARLOS MONTOYA, on behalf of himself and all others similarly situated, MAURICE SMITH, on behalf of himself and ...

https://dockets.justia.com › ... › Central District

Curtis Markson et al v. CRST International, Inc ... - Justia Dockets

Jun 22, 2017 — Plaintiff: Curtis Markson, Mark McGeorge, Eric Clark and Clois McClendon. Defendant: CRST International, Inc., CRST Expedited, Inc. doing ...

https://casetext.com › ... › WD NC › 2016 › July

CRST Dedicated Servs., Inc. v. Ingersoll-Rand Co. - Casetext

Jul 6, 2016 — Read CRST Dedicated Servs., Inc. v. Ingersoll-Rand Co., 194 F. ... McClendon , 498 U.S. 133, 137–38, 111 S.Ct. 478, 112 L.Ed.2d 474 (1990).

https://casetext.com › ... › Ct. App. › 2002 › September

McClendon v. City of Columbia, 305 F.3d 314 - Casetext

Because the district court awarded summary judgment to the Defendants-Appellees, we view the facts in the light most favorable to Plaintiff-Appellant Peter ...

https://www.freightwaves.com › news › two-divisions-o...

Two divisions of Covenant settle in big case by drivers ...

Aug 27, 2021 — The plaintiff, Cloud McClendon, was being trained by CRST, ... of what constitutes poaching versus fair, legal recruitment of drivers.

https://app.ediscoveryassistant.com › case_law › 36118-...

Markson v. CRST Int'l, Inc. - eDiscovery Assistant

v. CRST International, Inc., et al. Case No. ED CV 17-1261-SB (SPx) ... Robert J. Wasserman, Mayall Hurley PC, Stockon, CA, for Eric Clark, Clois McClendon.

https://unicourt.com › ... › U.S. Courts Of Appeals

Montoya, et al v CRST Expedited, Inc, et al | 21-1482 | Court ...

On 06/29/2021 Montoya filed a Labor - Labor Standard lawsuit against CRST ... III for Curtis Markson, Mark McGeorge, Clois McClendon and Eric Clark and ...

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Exhibit 5



Clark v. CRST



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Clark v. Super. Ct. - California Courts of Appeal Decisions

Mar 19, 2021 — Clark filed an administrative complaint with the Department of Fair Employment and Housing (DFEH) alleging ALSC committed various acts of ...

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CLARK v. BAKA, Case No. 4:07-cv-477-DPM - Casetext

After a three-week trial in February, a twelve-person jury returned a verdict in favor of Dr. Baka. The Court has entered judgment on that verdict. Document No.

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Curtis Markson et al v. CRST International, Inc. et al - Law360

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https://www.eeoc.gov > eeoc > litigation > briefs > crst2

Nos - US Equal Employment Opportunity Commission

CRST-Br. 53&n.14 (citing Adams v. O'Reilly Automotive, Inc., 538 F.3d 926 (8th Cir. 2008)). This means only that CRST could reasonably disbelieve a particular ...

https://www.courtlistener.com > opinion > clark-v-city-of-...

Clark v. City of Chicago, 410 NE2d 1025, 88 Ill. App. 3d 760

Sep 16, 1980 — Plaintiff, Rickey Clark, sustained multiple permanent physical injuries when a demolition crane's boom slipped from its base and fell on him. He ...

http://www.supremecourt.gov > DocketPDF PDF

Supreme Court of the United States

Oct 22, 2021 — v. YASSIR FAZAGA, ET AL., Respondents. ... CRST Van Expedited, Inc. v. E.E.O.C., ... choosing between them.1 Clark v. Martinez, 543 U.S..

20 pages

https://www.casemine.com > ... > 1993 > June

STUTZMAN v. CRST, INC | 997 F.2d 291 | 7th Cir. | Judgment | Law

...

STUTZMAN v. CRST, INC. KANNE, Circuit Judge. This diversity action stems from an automobile accident in Indiana between Lamar Stutzman, an Indiana resident, ...

https://www.chamberlitigation.com > scotus > files PDF

Supreme Court of the United States - US Chamber Litigation ...

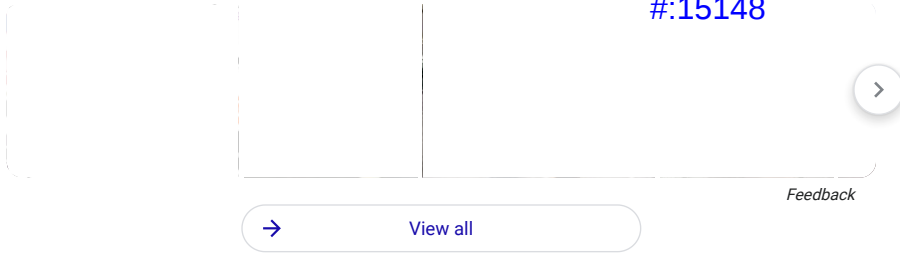
Mar 10, 2016 — CRST VAN EXPEDITED, INC., Petitioner, v. EQUAL EMPLOYMENT. OPPORTUNITY COMMISSION, Respondent. _____. On Writ of Certiorari to the United ...

http://uidecisions.iowaworkforcedevelopment.gov > browse

UI Decisions - Iowa Workforce Development

20 results — GERANAMO CLARK V. CRST VAN EXPEDITED INC. Appeal #: 16A-UI-06650-DL-T. Company: CRST VAN EXPEDITED INC. Decision type: Discharge.

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