

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Ave., Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorneys for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads, Amanda Johnson,
9 Suzanne Lansford, Joe Ortiz, Kevin Robinson,
10 Janet Tinoco, and David Velasco

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JAN 18 2017

Sherri R. Carter, Executive Officer/Clerk

By MARISOL VARGAS, Deputy

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

14 Richard Barajas, Felicia Bovenkerk,
15 Timothy Collins, Becky Eads,
Amanda Johnson, Suzanne Lansford, Joe
16 Ortiz, Kevin Robinson, Janet Tinoco,
and David Velasco appearing on behalf
17 of themselves and all others similarly
situated,

18 Plaintiffs,

19 v.

20 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC, Prestige
21 Management LLC, Smart Management
& Co., Inc., Secret River, Inc., Central
22 Valley QSR, Inc., G Maroni Company,
Inc., Caljax, Inc., C Food Concepts,
23 Inc., Aksan United Fortune, Inc.,
Cardinal Appliance & Hardware, Inc.,
24 Maritime Management Company,
Marlu Investment Group, Anton Lutfi,
25 Stephen Lutfi, Nader Lutfi and DOES 1
through 10, inclusive,

26 Defendants.
27
28

Case No. BC630452

**COMPENDIUM OF CLASS MEMBER
DECLARATIONS IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Date: February 9, 2017

Time: 2:00 p.m.

Dept: 322

Judge: Hon. William F. Highberger

1 Plaintiffs and putative Class Representatives Richard Barajas, Felicia Bovenkerk,
2 Timothy Collins, Becky Eads, Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
3 Robinson, Janet Tinoco, and David Velasco (“Plaintiffs”) present herewith the following
4 declarations in support of their Motion for Preliminary Approval of Class Action
5 Settlement:

- 6 1. Declaration of Richard Barajas
- 7 2. Declaration of Felicia Bovenkerk
- 8 3. Declaration of Timothy Collins
- 9 4. Declaration of Becky Eads
- 10 5. Declaration of Amanda Johnson
- 11 6. Declaration of Suzanne Lansford
- 12 7. Declaration of Joe Ortiz
- 13 8. Declaration of Kevin Robinson
- 14 9. Declaration of Janet Tinoco
- 15 10. Declaration of David Velasco

16
17 DATED: January 17, 2017

THE GRAVES FIRM

18
19 By: 

ALLEN GRAVES

20 Attorney for Plaintiffs

21 Richard Barajas, Felicia Bovenkerk, Timothy Collins,
22 Becky Eads, Amanda Johnson, Suzanne Lansford,
23 Joe Ortiz, Kevin Robinson, Janet Tinoco, and
24 David Velasco

25
26
27
28

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Avenue, Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
9 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
10 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
14 Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet
15 Tinoco, and David Velasco appearing
on behalf of themselves and all others
16 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC,
20 Prestige Management LLC, Smart
Management & Co., Inc., Secret
21 River, Inc., Central Valley QSR, Inc.,
G Maroni Company, Inc., Caljax, Inc.,
22 C Food Concepts, Inc., Aksan United
Fortune, Inc., Cardinal Appliance &
23 Hardware, Inc., Maritime
Management Company, Marlu
24 Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
25 DOES 1 through 10, inclusive,

26 Defendants
27
28

CASE NO. BC630452

**DECLARATION OF RICHARD BARAJAS
IN SUPPORT OF MOTION FOR AN
ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Richard Barajas, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer. I have had telephone meetings with my attorney. I am familiar with
8 the pleadings and mediation in this case.

9 3. I worked at a Sears Home Appliance Showroom franchise operated by one
10 or more Marlu companies from April 2013 until February 2014. Other than the two
11 claims that are unique to Jack in the Box brand franchises, I observed each type of
12 violation alleged in this lawsuit first hand and saw how each affected my fellow
13 employees.

14 4. Through the lawsuit I have taken an active role, communicating with my
15 attorneys and working to understand all of the issues in the lawsuit.

16 5. Based on everything I know about this case, I feel strongly that we did the
17 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
18 reasonable, and in the best interests of the class. In particular, I think getting paid soon
19 and avoiding the delay that would be required to have a trial is very valuable to the people
20 in the class.

21

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct. Executed this 3rd day of December 2016 at Baldwin Park,
24 California.

25

26

27

28



RICHARD BARAJAS

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
3 E-mail: allen@gravesfirm.com
4 JACQUELINE TREU (SB#247927)
5 E-mail: jacqueline@gravesfirm.com
6 122 N. Baldwin Avenue, Main Floor
7 Sierra Madre, CA 91024
8 Telephone: (626) 240-0575
9 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
9 Timothy Collins, Becky Eads,
10 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
11 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
14 Timothy Collins, Becky Eads,
15 Amanda Johnson, Suzanne Lansford,
16 Joe Ortiz, Kevin Robinson, Janet
17 Tinoco, and David Velasco appearing
18 on behalf of themselves and all others
19 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
20 LC, Inc., Marlu Stockton LLC,
21 Prestige Management LLC, Smart
22 Management & Co., Inc., Secret
23 River, Inc., Central Valley QSR, Inc.,
24 G Maroni Company, Inc., Caljax, Inc.,
25 C Food Concepts, Inc., Aksan United
26 Fortune, Inc., Cardinal Appliance &
27 Hardware, Inc., Maritime
28 Management Company, Marlu
Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO. BC630452

DECLARATION OF FELICIA BOVENKERK IN SUPPORT OF MOTION FOR AN ORDER:

- (1) PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF NOTICE OF SETTLEMENT AND CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Felicia Bovenkerk, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer Marlu. I have had multiple telephone meetings with my attorney. I
8 am familiar with the pleadings and mediation in this case.

9 3. I worked at a Jack in the Box franchise operated by one or more Marlu
10 companies from 2010 until 2013. During that time I observed each type of violation
11 alleged in this lawsuit first hand and saw how they affected my fellow employees.

12 4. Through the lawsuit I have taken an active role, communicating with my
13 attorneys and working to understand all of the issues in the lawsuit.

14 5. Based on everything I know about this case, I feel strongly that we did the
15 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
16 reasonable, and in the best interests of the class. In particular, I think getting paid soon
17 and avoiding the delay that would be required to have a trial is very valuable to the people
18 in the class.

19
20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct. Executed this ___ day of December 2016 at Turlock,
22 California.

23
24 
25 FELICIA BOVENKERK
26 12-2-2016

27
28

Collins Decl.

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Avenue, Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
9 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
10 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
14 Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet
15 Tinoco, and David Velasco appearing
on behalf of themselves and all others
16 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC,
20 Prestige Management LLC, Smart
Management & Co., Inc., Secret
21 River, Inc., Central Valley QSR, Inc.,
G Maroni Company, Inc., Caljax, Inc.,
22 C Food Concepts, Inc., Aksan United
Fortune, Inc., Cardinal Appliance &
23 Hardware, Inc., Maritime
Management Company, Marlu
24 Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
25 DOES 1 through 10, inclusive,

26 Defendants
27
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CASE NO. BC630452

**DECLARATION OF TIMOTHY COLLINS
IN SUPPORT OF MOTION FOR AN
ORDER:**

**(1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**

**(2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**

**(3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**

**(4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017

Time: 2:00 p.m.

Dept.: 322

Judge: Hon. William F. Highberger

1 I, Timothy Collins, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer. I have had numerous telephone meetings with my attorney. I am
8 familiar with the pleadings and mediation in this case.

9 3. I worked at a Sizzler franchise operated by one or more Marlu companies
10 from October 2014 until April 2015. Other than the two claims that are unique to Jack in
11 the Box brand franchises, I observed each type of violation alleged in this lawsuit first
12 hand and saw how each affected my fellow employees.

13 4. Through the lawsuit I have taken an active role, communicating with my
14 attorneys and working to understand all of the issues in the lawsuit.

15 5. Based on everything I know about this case, I feel strongly that we did the
16 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
17 reasonable, and in the best interests of the class. In particular, I think getting paid soon
18 and avoiding the delay that would be required to have a trial is very valuable to the people
19 in the class.

20

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed this ___ day of December 2016 at Santa Clara,
23 California.

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12/8/16 
TIMOTHY COLLINS

Eads Decl.

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Avenue, Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
9 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
10 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
14 Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet
15 Tinoco, and David Velasco appearing
on behalf of themselves and all others
16 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC,
20 Prestige Management LLC, Smart
Management & Co., Inc., Secret
21 River, Inc., Central Valley QSR, Inc.,
G Maroni Company, Inc., Caljax, Inc.,
22 C Food Concepts, Inc., Aksan United
Fortune, Inc., Cardinal Appliance &
23 Hardware, Inc., Maritime
Management Company, Marlu
24 Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
25 DOES 1 through 10, inclusive,

26 Defendants
27
28

CASE NO. BC630452

**DECLARATION OF BECKY EADS IN
SUPPORT OF MOTION FOR AN ORDER:**

**(1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**

**(2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**

**(3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**

**(4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017

Time: 2:00 p.m.

Dept.: 322

Judge: Hon. William F. Highberger

1 I, Becky Eads, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al*. The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my employer Marlu. I have had both in-person and telephone meetings with my attorney.
8 I am familiar with the pleadings and mediation in this case and attended the full day
9 mediation that led to the settlement. I have participated in all stages of this litigation.

10 3. I have worked at a Jack in the Box franchise operated by one or more Marlu
11 companies from August 2011 until present. During that time I observed each type of
12 violation alleged in this lawsuit first hand and saw how they affected my fellow
13 employees.

14 4. My participation in this lawsuit included reviewing the pleadings in this
15 case and attending the all-day mediation that finally led to a settlement in this matter. I
16 have been required to take time off from work to participate in this lawsuit.

17 5. Through the lawsuit I have taken an active role, communicating with my
18 attorneys and working to understand all of the issues in the lawsuit.

19 6. Based on everything I know about this case, I feel strongly that we did the
20 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
21 reasonable, and in the best interests of the class. In particular, I think getting paid soon
22 and avoiding the delay that would be required to have a trial is very valuable to the people
23 in the class.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Executed this 3 day of December 2016 at Chico,
26 California.

27 

28 BECKY EADS

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
3 E-mail: allen@gravesfirm.com
4 JACQUELINE TREU (SB#247927)
5 E-mail: jacqueline@gravesfirm.com
6 122 N. Baldwin Avenue, Main Floor
7 Sierra Madre, CA 91024
8 Telephone: (626) 240-0575
9 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
9 Timothy Collins, Becky Eads,
10 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
11 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
14 Timothy Collins, Becky Eads,
15 Amanda Johnson, Suzanne Lansford,
16 Joe Ortiz, Kevin Robinson, Janet
17 Tinoco, and David Velasco appearing
18 on behalf of themselves and all others
19 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
20 LC, Inc., Marlu Stockton LLC,
21 Prestige Management LLC, Smart
22 Management & Co., Inc., Secret
23 River, Inc., Central Valley QSR, Inc.,
24 G Maroni Company, Inc., Caljax, Inc.,
25 C Food Concepts, Inc., Aksan United
26 Fortune, Inc., Cardinal Appliance &
27 Hardware, Inc., Maritime
28 Management Company, Marlu
Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO. BC630452

**DECLARATION OF AMANDA JOHNSON
IN SUPPORT OF MOTION FOR AN
ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Amanda Johnson, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer Marlu. I have had multiple telephone meetings with my attorney. I
8 am familiar with the pleadings and mediation in this case.

9 3. I worked at a Little Caesar's franchise operated by one or more Marlu
10 companies in 2015. Other than the two claims that are unique to Jack in the Box brand
11 franchises, I observed each type of violation alleged in this lawsuit first hand and saw how
12 each affected my fellow employees.

13 4. Throughout the lawsuit I have taken an active role, communicating with my
14 attorneys and working to understand all of the issues in the lawsuit.

15 5. Based on everything I know about this case, I feel strongly that we did the
16 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
17 reasonable, and in the best interests of the class. In particular, I think getting paid soon
18 and avoiding the delay that would be required to have a trial is very valuable to the people
19 in the class.

20
21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed this 5th day of December 2016 at Shingle
23 Springs, California.

24
25 
26 AMANDA JOHNSON

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28

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Avenue, Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
9 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
10 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
14 Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet
15 Tinoco, and David Velasco appearing
on behalf of themselves and all others
16 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC,
20 Prestige Management LLC, Smart
Management & Co., Inc., Secret
21 River, Inc., Central Valley QSR, Inc.,
G Maroni Company, Inc., Caljax, Inc.,
22 C Food Concepts, Inc., Aksan United
Fortune, Inc., Cardinal Appliance &
23 Hardware, Inc., Maritime
Management Company, Marlu
24 Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
25 DOES 1 through 10, inclusive,

26 Defendants
27
28

CASE NO. BC630452

**DECLARATION OF SUZANNE
LANSFORD IN SUPPORT OF MOTION
FOR AN ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Suzanne Lansford, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer. I have had multiple telephone meetings with my attorney. I am
8 familiar with the pleadings and mediation in this case.

9 3. I worked at a Church's Chicken franchise operated by one or more Marlu
10 companies from 2009 until January 2015. Other than the two claims that are unique to
11 Jack in the Box brand franchises, I observed each type of violation alleged in this lawsuit
12 first hand and saw how each affected my fellow employees.

13 4. Through the lawsuit I have taken an active role, communicating with my
14 attorneys and working to understand all of the issues in the lawsuit.

15 5. Based on everything I know about this case, I feel strongly that we did the
16 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
17 reasonable, and in the best interests of the class. In particular, I think getting paid soon
18 and avoiding the delay that would be required to have a trial is very valuable to the people
19 in the class.

20

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed this 5 day of December 2016 at Citrus Heights,
23 California.

24

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SUZANNE LANSFORD

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
3 E-mail: allen@gravesfirm.com
4 JACQUELINE TREU (SB#247927)
5 E-mail: jacqueline@gravesfirm.com
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8 Telephone: (626) 240-0575
9 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
9 Timothy Collins, Becky Eads,
10 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
11 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
14 Timothy Collins, Becky Eads,
15 Amanda Johnson, Suzanne Lansford,
16 Joe Ortiz, Kevin Robinson, Janet
17 Tinoco, and David Velasco appearing
18 on behalf of themselves and all others
19 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
20 LC, Inc., Marlu Stockton LLC,
21 Prestige Management LLC, Smart
22 Management & Co., Inc., Secret
23 River, Inc., Central Valley QSR, Inc.,
24 G Maroni Company, Inc., Caljax, Inc.,
25 C Food Concepts, Inc., Aksan United
26 Fortune, Inc., Cardinal Appliance &
27 Hardware, Inc., Maritime
28 Management Company, Marlu
Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO. BC630452

**DECLARATION OF JOE ORTIZ IN
SUPPORT OF MOTION FOR AN ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Joe Ortiz, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the
3 matters of *Barajas v. Marlu Restaurant Group, Inc. et al* and *Ortiz v. Marlu Restaurant*
4 *Group, Inc. et al*. The following is based upon my personal knowledge and, if called as a
5 witness, I could and would competently testify thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer Marlu. I have had numerous in-person and telephone meetings with
8 my attorney. I am familiar with the motions, discovery, and mediation in this case and in
9 my federal case which is also being resolved as a result of the settlement. I have
10 participated in all stages of this litigation.

11 3. I worked at an Arby's franchise operated by one or more Marlu companies
12 from June 2013 until 2015. Other than the two claims that are unique to Jack in the Box
13 brand franchises, I observed each type of violation alleged in this lawsuit first hand and
14 saw how each affected my fellow employees.

15 4. My participation in this lawsuit included, reviewing a large number of
16 documents including a large number of my own telephone records, reviewing the
17 pleadings in this case, attending multiple meetings with my attorney and attending two all-
18 day mediations that finally led to a settlement in this matter. I have been required to take
19 time off from work to participate in this lawsuit.

20 5. Through the lawsuit I have taken an active role, communicating with my
21 attorneys and working to understand all of the issues in the lawsuit.

22 6. I have also been contacted by multiple former Marlu employees asking
23 about this lawsuit and have addressed those inquiries.


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1 7. Based on everything I know about this case, I feel strongly that we ~~did~~ the
2 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
3 reasonable, and in the best interests of the class. In particular, I think getting paid soon
4 and avoiding the delay that would be required to have a trial is very valuable to the people
5 in the class.

6
7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct. Executed this 5 day of December 2016 at Fullerton,
9 California.

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JOE ORTIZ

Robinson Decl.

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 JACQUELINE TREU (SB#247927)
E-mail: jacqueline@gravesfirm.com
4 122 N. Baldwin Avenue, Main Floor
5 Sierra Madre, CA 91024
Telephone: (626) 240-0575
6 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
9 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
10 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
14 Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet
15 Tinoco, and David Velasco appearing
on behalf of themselves and all others
16 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC,
20 Prestige Management LLC, Smart
Management & Co., Inc., Secret
21 River, Inc., Central Valley QSR, Inc.,
G Maroni Company, Inc., Caljax, Inc.,
22 C Food Concepts, Inc., Aksan United
Fortune, Inc., Cardinal Appliance &
23 Hardware, Inc., Maritime
Management Company, Marlu
24 Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
25 DOES 1 through 10, inclusive,

26 Defendants
27
28

CASE NO. BC630452

**DECLARATION OF KEVIN ROBINSON
IN SUPPORT OF MOTION FOR AN
ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Kevin Robinson, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 Marlu. I have had numerous telephone meetings with my attorney. I am familiar with the
8 pleadings and mediation in this case.

9 3. I have worked at a Church's Chicken franchise from 2009 until present that
10 was operated by one or more Marlu companies for much of my time there. Other than the
11 two claims that are unique to Jack in the Box brand franchises, I observed each type of
12 violation alleged in this lawsuit first hand and saw how each affected my fellow
13 employees.

14 4. Through the lawsuit I have taken an active role, communicating with my
15 attorneys and working to understand all of the issues in the lawsuit.

16 5. Based on everything I know about this case, I feel strongly that we did the
17 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
18 reasonable, and in the best interests of the class. In particular, I think getting paid soon
19 and avoiding the delay that would be required to have a trial is very valuable to the people
20 in the class.

21

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct. Executed this 2nd day of December 2016 at Sacramento,
24 California.

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KEVIN ROBINSON

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
3 E-mail: allen@gravesfirm.com
4 JACQUELINE TREU (SB#247927)
5 E-mail: jacqueline@gravesfirm.com
6 122 N. Baldwin Avenue, Main Floor
7 Sierra Madre, CA 91024
8 Telephone: (626) 240-0575
9 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
9 Timothy Collins, Becky Eads,
10 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
11 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
14 Timothy Collins, Becky Eads,
15 Amanda Johnson, Suzanne Lansford,
16 Joe Ortiz, Kevin Robinson, Janet
17 Tinoco, and David Velasco appearing
18 on behalf of themselves and all others
19 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
20 LC, Inc., Marlu Stockton LLC,
21 Prestige Management LLC, Smart
22 Management & Co., Inc., Secret
23 River, Inc., Central Valley QSR, Inc.,
24 G Maroni Company, Inc., Caljax, Inc.,
25 C Food Concepts, Inc., Aksan United
26 Fortune, Inc., Cardinal Appliance &
27 Hardware, Inc., Maritime
28 Management Company, Marlu
Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO. BC630452

**DECLARATION OF JANET TINOCO IN
SUPPORT OF MOTION FOR AN ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, Janet Tinoco, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer Marlu. I have had multiple telephone meetings with my attorney. I
8 am familiar with the pleadings and mediation in this case.

9 3. I worked at a Taco Bell franchise managed by one or more Marlu companies
10 from 2010 until 2014. Other than the two claims that are unique to Jack in the Box brand
11 franchises, I observed each type of violation alleged in this lawsuit first hand and saw how
12 each affected my fellow employees.

13 4. Through the lawsuit I have taken an active role, communicating with my
14 attorneys and working to understand all of the issues in the lawsuit.

15 5. Based on everything I know about this case, I feel strongly that we did the
16 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
17 reasonable, and in the best interests of the class. In particular, I think getting paid soon
18 and avoiding the delay that would be required to have a trial is very valuable to the people
19 in the class.

20

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed this 2 day of December 2016 at Petaluma,
23 California.

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JANET TINOCO

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
3 E-mail: allen@gravesfirm.com
4 JACQUELINE TREU (SB#247927)
5 E-mail: jacqueline@gravesfirm.com
6 122 N. Baldwin Avenue, Main Floor
7 Sierra Madre, CA 91024
8 Telephone: (626) 240-0575
9 Facsimile: (626) 737-7013

7 Attorney for Plaintiff
8 Richard Barajas, Felicia Bovenkerk,
9 Timothy Collins, Becky Eads,
10 Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin
11 Robinson, Janet Tinoco, and David Velasco

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES

13 Richard Barajas, Felicia Bovenkerk,
14 Timothy Collins, Becky Eads,
15 Amanda Johnson, Suzanne Lansford,
16 Joe Ortiz, Kevin Robinson, Janet
17 Tinoco, and David Velasco appearing
18 on behalf of themselves and all others
19 similarly situated

17 Plaintiffs,

18 v.

19 Marlu Restaurant Group, Inc., Marlu
20 LC, Inc., Marlu Stockton LLC,
21 Prestige Management LLC, Smart
22 Management & Co., Inc., Secret
23 River, Inc., Central Valley QSR, Inc.,
24 G Maroni Company, Inc., Caljax, Inc.,
25 C Food Concepts, Inc., Aksan United
26 Fortune, Inc., Cardinal Appliance &
27 Hardware, Inc., Maritime
28 Management Company, Marlu
Investment Group, Anton Lutfi,
Stephen Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO. BC630452

**DECLARATION OF DAVID VELASCO IN
SUPPORT OF MOTION FOR AN ORDER:**

- (1) PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE
SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT AND
CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL
APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

1 I, David Velasco, declare:

2 1. I am a competent adult, over the age of eighteen and a Plaintiff in the matter
3 of *Barajas v. Marlu Restaurant Group, Inc. et al.* The following is based upon my
4 personal knowledge and, if called as a witness, I could and would competently testify
5 thereto.

6 2. I am familiar with the work involved in prosecuting the Class Action against
7 my former employer Marlu. I have had numerous telephone meetings with my attorney. I
8 am familiar with the pleadings and mediation in this case.

9 3. I worked at an Arby's franchise operated by one or more Marlu companies
10 from 2013 until 2014. Other than the two claims that are unique to Jack in the Box brand
11 franchises, I observed each type of violation alleged in this lawsuit first hand and saw how
12 each affected my fellow employees.

13 4. Through the lawsuit I have taken an active role, communicating with my
14 attorneys and working to understand all of the issues in the lawsuit.

15 5. Based on everything I know about this case, I feel strongly that we did the
16 right thing by accepting the mediator's proposal. I believe that the settlement is fair,
17 reasonable, and in the best interests of the class. In particular, I think getting paid soon
18 and avoiding the delay that would be required to have a trial is very valuable to the people
19 in the class.

20
21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed this 3 day of December 2016 at Lake Forest,
23 California.

24
25 
26 DAVID VELASCO

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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA)

3) ss:

4 COUNTY OF LOS ANGELES)

5 I am employed in the County of Los Angeles, State of California. I am over the age of 18,
6 and not a party to the within action. My business address is 122 N. Baldwin Ave., Main Floor,
7 Sierra Madre, CA 91024.

8 On January 18, 2017, I served the following document(s) described as:

- 9 **▪ COMPENDIUM OF CLASS MEMBER DECLARATIONS IN SUPPORT OF
10 MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
11 SETTLEMENT**

12 on the interested parties by placing a true copy thereof in a sealed envelope(s) addressed as
13 follows:

14 Shane Singh
15 Lewis Brisbois Bisgaard & Smith LLP
16 2020 W. El Camino Ave., Suite 700
17 Sacramento, CA 95833

18 Joshua Carlon
19 Lewis Brisbois Bisgaard & Smith LLP
20 633 W. Fifth St., Suite 4000
21 Los Angeles, CA 90071

22 **VIA OVERNIGHT MAIL:**

23 By delivering such document(s) to an overnight mail service or an authorized courier in a
24 sealed envelope or package designated by the express service courier addressed to the
25 person(s) on whom it is to be served.

26 **VIA U.S. MAIL:**

27 I am readily familiar with the firm's practice of collection and processing of correspondence
28 for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S.
postal service on January 18, 2017 with postage thereon fully prepaid, at Sierra Madre,
California.

VIA PERSONAL DELIVERY:

I delivered such documents to a professional messenger to be personally delivered by hand
today to the offices of the addressee(s) pursuant to CCP §1011.

VIA EMAIL:

I personally sent such document(s) via email to the known email address of the person(s) on
whom it is to be served before 5:00 p.m.

29 I declare under penalty of perjury under the laws of the State of California that the above
30 is true and correct and was executed on January 18, 2017, at Sierra Madre, California.

31 Justine Gray

32 Type or Print Name

33 Signature



34
35
36
37
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3) ss:
4 COUNTY OF LOS ANGELES)

5 I am employed in the County of Los Angeles, State of California. I am over the age of 18,
6 and not a party to the within action. My business address is 122 N. Baldwin Ave., Main Floor,
7 Sierra Madre, CA 91024.

8 On January 18, 2017, I served the following document(s) described as:

- 9 **▪ COMPENDIUM OF CLASS MEMBER DECLARATIONS IN SUPPORT OF
10 MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
11 SETTLEMENT**

12 on the interested parties by placing a true copy thereof in a sealed envelope(s) addressed as
13 follows:

14 Joshua Carlon
15 Lewis Brisbois Bisgaard & Smith LLP
16 633 W. Fifth St., Suite 4000
17 Los Angeles, CA 90071

18 **VIA OVERNIGHT MAIL:**

19 By delivering such document(s) to an overnight mail service or an authorized courier in a
20 sealed envelope or package designated by the express service courier addressed to the
21 person(s) on whom it is to be served.

22 **VIA U.S. MAIL:**

23 I am readily familiar with the firm's practice of collection and processing of correspondence
24 for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S.
25 postal service on January 18, 2017 with postage thereon fully prepaid, at Sierra Madre,
26 California.

27 **VIA PERSONAL DELIVERY:**

28 I delivered such documents to a professional messenger to be personally delivered by hand
to the offices of the addressee(s) pursuant to CCP §1011.

VIA EMAIL:

I personally sent such document(s) via email to the known email address of the person(s) on
whom it is to be served before 5:00 p.m.

I declare under penalty of perjury under the laws of the State of California that the above
is true and correct and was executed on January 18, 2017, at Sierra Madre, California.

Kevin Karr
Type or Print Name


Signature