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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF LOS ANGELES**

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11 JONATHAN GIANNOULIS, et al.

Case No. BC596668

12 Plaintiff

**CLASS ACTION**

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14 v.

[Assigned for all purposes to The Honorable  
Maren E. Nelson, Spring Street Dept. 17]

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16 DIRECTV, LLC,

**DECLARATION OF TODD C. WERTS  
IN SUPPORT OF PLAINTIFFS'  
UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
AND PAGA ACTION SETTLEMENT  
AND FOR CERTIFICATION OF  
SETTLEMENT CLASS**

17 Defendant

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Date: April 25, 2022  
Time: 9:00 a.m.  
Dept: Spring Street Dept. 17  
Judge: Hon. Maren Nelson

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Action Filed: October 1, 2015  
Trial Date: N/A

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[Documents Filed Concurrently Herewith /  
attached]

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1 **DECLARATION OF TODD C. WERTS**

2 I, Todd C. Werts, declare as follows:

3 1. I am an attorney and partner of Lear Werts LLP. I am licensed to practice law in  
4 the States of Missouri (2001), Kansas (2002), and Arizona (2019). I have been admitted to practice  
5 before this court pro hac vice and am counsel to plaintiffs in this matter. I make this declaration in  
6 support of Plaintiffs’ Motion for Preliminary Approval of Class and PAGA Action Settlement and  
7 for Certification of Settlement Class. Unless stated otherwise, I have personal knowledge of the  
8 facts stated in this declaration and, if called to testify, could and would testify competently thereto.

9 2. Neither I, nor anyone associated with my law firm, have any interest or involvement  
10 in the governance or work of Legal Aid at Work.

11 3. One of my roles in this case, and in the prior related federal court actions was to  
12 coordinate electronic discovery and discovery regarding DIRECTV’s work order management  
13 system database, known as Siebel.

14 4. During this case, DIRECTV produced significant data from its Siebel system. This  
15 included every work order completed by a technician in California that was not directly employed  
16 by DIRECTV during the Class Period here. Each work order in the Siebel system is attributed to  
17 the Technician ID number (sometimes referred to as, “Tech ID”) that was last assigned to that  
18 work order. Within the data, the work orders are divided between “Closed” work orders and  
19 “Cancelled” work orders. A work order becomes closed when the satellite dish installation,  
20 service, or upgrade, is completed. Work orders are cancelled for a variety of reasons but,  
21 ultimately, it mean that the work was never completed.

22 5. During this case, and in all of the other related cases, we only considered the Closed  
23 work orders so as to not over estimate the amount of work performed by the technicians. The data  
24 showed 2,541,794 work orders as having been “Closed” during the class period here. Each work  
25 order “line” in the data has more than 20 fields of information including the assigned technician,  
26 the temporal window of time on a given day the work order is expected to be completed in, when  
27 the technician arrived at the customer’s location and when the work order was completed.

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1           6.       Plaintiffs' Counsel's assembled a team to review the data. I oversaw the team,  
2 which which included L. Scott Baggett, Ph.D., a Ph.D. statistician. Dr. Baggett served as an expert  
3 witness in the other related DIRECTV cases in federal court and likely would have been an expert  
4 witness here had further litigation become necessary.

5           7.       Our team summarized the data by individual Technician ID number, then reported  
6 the first and last week in which that Tech ID number performed a closed work order, the number  
7 of weeks a work order was closed by a given Tech ID, the number of weeks with four or more  
8 days in which work orders were closed, the number of weeks with seven days in which work orders  
9 were closed, and the total number of closed work orders attributable to each Tech ID.

10          8.       Based on our analysis, we learned the data included 4,001 unique Technician ID  
11 numbers attributed to closed work orders during the Class Period.

12          9.       Based on the data we had from prior DIRECTV litigations involving non-directly  
13 employed technicians like the class here, we determined that, on average, each individual had  
14 roughly 1.75 discrete Tech ID numbers. By dividing the total number of Tech IDs in the data  
15 (4,001) by this average (1.75), we calculated an estimate that there were 2,286 members in the  
16 class. This estimate was essentially confirmed by DIRECTV's estimate that there were 2,300  
17 members in the class.

18          10.      We also learned there were 2,314 unique Technician ID numbers in the data during  
19 the shorter PAGA time period.

20          11.      Again, dividing the total number of Tech IDs in the data during the PAGA time  
21 period (2,314) by the average (1.75), we calculated an estimate that there were 1,322, or roughly  
22 1,300 members in the PAGA class.

23          12.      Ultimately, DIRECTV produced data for each of the estimated 2,300 class  
24 members that encapsulates one hundred percent (100%) of the work orders at issue.

25          13.      Each of these records "identify" the class member recorded as having performed  
26 the work order by his or her TechID number.

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14. The Siebel database also includes a technician profile for each Tech ID that includes a first name, last name, one or more physical addresses, one or more telephone numbers, and typically one or more email addresses.

15. Because of the detailed information provided in the Siebel data it is easily sortable and each class members' work data from their time performing DIRECTV work orders is readily attributable to each person.

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

Dated: April 1, 2022

*/s/ Todd C. Werts*  
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Todd C. Werts