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Hollister, California 95023
Telephone: (831) 531-4214

Attorneys for Plaintiffs Central Williams and Precious Thomas

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

TERESA ALEXANDER, on behalf of herself and
all "aggrieved employees" pursuant to Labor Code
§ 2698 *et seq.*,

Plaintiffs,

v.

CAREER SYSTEMS DEVELOPMENT
CORPORATION, a Delaware Corporation and
DOES 1 through 10, inclusive,

Defendants.

Case No. 34-2020-00278027

*Assigned to the Hon. Richard K. Sueyoshi, Dept.
53*

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF MOTION FOR AN ORDER
APPROVING SETTLEMENT OF CLAIMS
BROUGHT PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT OF 2004**

Date: September 28, 2022

Time: 1:30 p.m.

Dept.: 53

Reservation No.: 2661792

Complaint Filed: May 6, 2020

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I, Max W. Gavron, declare as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of
 nia and am a member of the law firm of the Diversity Law Group, P.C., one of the attorneys of
 for Plaintiffs Central Williams and Precious Thomas (together, “Plaintiffs”) in the above-entitled
 I have personal knowledge of the matters set forth herein, and if called upon as a witness to
 thereto, I could and would competently do so.

WILLIAMS/THOMAS PROCEDURAL HISTORY

2. Central Williams (“Plaintiff Williams”) was employed by Defendant Career Systems
 Development Corporation (“Defendant”) as a non-exempt employee from about September 2019,
 until July 2021.

3. On October 19, 2021, Plaintiff Williams submitted written notice under Labor Code § 226 (the “Williams PAGA Notice”) to the Labor and Workforce Development Agency (“LWDA”) Defendant. A true and correct copy of the Williams PAGA Notice is attached herewith as **Exhibit A**. As set forth in the Williams PAGA Notice, Plaintiff Williams alleged that Defendant failed to provide accurate, itemized wage statements, in violation of California Labor Code § 226(a).

4. Precious Thomas (“Plaintiff Thomas”) was employed by Defendant as a non-exempt employee from about February 2020, through July 2021.

5. On December 1, 2021, Plaintiff Thomas submitted written notice under Labor Code § 226(a) (the “Thomas PAGA Notice”) to the LWDA and Defendant. A true and correct copy of the Thomas PAGA Notice is attached herewith as **Exhibit B**. As set forth in the Thomas PAGA Notice, Plaintiff Thomas alleged that Defendant failed to provide accurate, itemized wage statements, in violation of California Labor Code § 226(a).

6. On January 6, 2022, Plaintiffs filed a representative action complaint against Defendant Superior Court of California, County of Sacramento, Case No. 34-2022-00313560 (the *Thomas/Thomas* Action”). The complaint alleges a single cause of action for violation of Labor Code *et seq.*, the Private Attorneys General Act (“PAGA”), based on the facts described in Plaintiff’s and Plaintiff Thomas’ PAGA Notices. Plaintiffs also filed a putative class action complaint

1 premised on the same claims, which was subsequently dismissed because of an arbitration agreement
2 that Defendant contended included a class action waiver.

3 7. After the filing of the *Williams/Thomas* Action, counsel for Plaintiffs became aware of a
4 related action named *Teresa Alexander v. Career Systems Development Corporation*, Superior Court of
5 California, County of Sacramento, Case No. 34-2020-00278027 (the “*Alexander* Action”).

6 8. The parties in the *Alexander* Action and *Williams/Thomas* Action subsequently agreed to
7 participate in a global mediation with Lou Marlin, Esq., a respected and experienced mediator
8 knowledgeable of both the wage and hour laws and representative claims at issue in this action.

9 9. Defendant has not yet filed an answer the Plaintiffs’ representative action complaint.

10 **MEDIATION**

11 10. In connection with mediation, the parties conducted informal discovery, including
12 reviewing the production of payroll data and information pertaining to Defendant’s pertinent payroll
13 policies and practices. Defendant produced data relevant to the potential value of the claims, including
14 the number of alleged aggrieved employees and pay periods encompassed by the allegations of the
15 *Alexander* and *Williams/Thomas* complaints. Using the data provided by Defendant, counsel for
16 Plaintiffs performed a comprehensive damages analysis in advance of mediation.

17 11. On April 19, 2022, all parties engaged in an all-day mediation session before Mr. Marlin.
18 During the mediation, counsel zealously advocated on behalf of their respective clients. The parties
19 gained valuable insight and exchanged significant information about their respective positions. After a
20 full day of arm’s-length negotiations, the parties agreed to a global settlement of the *Alexander* and
21 *Williams/Thomas* Actions and executed a memorandum of understanding.

22 12. On or about May 24, 2022, the parties executed the PAGA Settlement Agreement
23 (“Settlement Agreement”) resolving all claims alleged in the *Alexander* and *Williams/Thomas* Actions.

24 13. The Settlement Agreement was the product of arm’s length negotiations between highly
25 able and experienced attorneys on all sides who possessed the relevant data and extensive legal research
26 which they had carefully analyzed. Plaintiffs’ counsel engaged in extensive factual investigation before
27 settling. Based on this information and my experience litigating these types of actions, I believe that the
28 proposed settlement is fair, reasonable, and fulfills the goals of the PAGA.

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15. My firm has a great deal of experience in wage and hour litigation and has been approved as counsel in a number of class and PAGA actions.

deal of experience in wage and hour litigation and has been approved
PAGA actions.

16. I am one of the primary attorneys on this matter. My qualifications are as follows: I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, magna cum laude. I was in the top 5% of my class. During my time at Southwestern, I was a Notes and Comments Editor on the Southwestern Law Review. I also received awards for achieving the highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States District Court for the Central District. Immediately after law school, I taught several courses at Southwestern, including Principles of Legal Analysis and Legal Methods. I taught those courses for approximately four years.

18. From February 2016, through Fall 2017, I practiced at the international law firm of Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50 companies in Multi-District Litigation primarily in the product liability sphere. I also successfully drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary judgment decision regarding trade secret issues, in addition to working in several other practice groups.

4

1 photocopy costs, and postage. Attached hereto as **Exhibit C** is a copy of costs my firm has incurred in
2 connection with the prosecution of this lawsuit.

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

5 Executed on this 25th day of July 2022, at Los Angeles, California.

6 
7 Max W. Gavron

EXHIBIT A

CENTRIAL WILLIAMS

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

October 18, 2021

VIA ONLINE FILING

California Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612

Re: Williams v. Career Systems Development Corporation

To Whom It May Concern:

This correspondence shall constitute as my written notice under Labor Code § 2699.3 of claims against my former employer Career Systems Development Corporation (“Defendant” or “the Company”). Specifically, I allege as follows:

1. The Company violated Labor Code § 226(a) by failing to provide accurate, itemized wage statements to me and other similarly situated aggrieved employees. Specifically, every wage statement issued by the Company did not identify the applicable pay period start. Rather, every wage statement issued to all employees only identified a “Period End” date.

The address for Defendant is as follows:

Career Systems Development Corporation
75 Thruway Park Drive
Suite 100
West Henrietta, NY 14586

Please contact my attorney Larry W. Lee at the above address/phone number if you have any questions regarding this matter.

Sincerely,

DocuSigned by:

6E62C299E97D4D6
Central Williams

Cc: Career Systems Development Corporation (via certified mail)

EXHIBIT B

PRECIOUS THOMAS

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

November 24, 2021

VIA ONLINE FILING

California Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612

Re: Thomas v. Career Systems Development Corporation

To Whom It May Concern:

This correspondence shall constitute as my written notice under Labor Code § 2699.3 of claims against my former employer Career Systems Development Corporation (“Defendant” or “the Company”). Specifically, I allege as follows:

1. The Company violated Labor Code § 226(a) by failing to provide accurate, itemized wage statements to me and other similarly situated aggrieved employees. Specifically, every wage statement issued by the Company did not identify the applicable pay period start. Rather, every wage statement issued to all employees only identified a “Period End” date. In addition, whenever overtime wages were paid the wage statements did not identify any applicable rate of pay for such overtime wages.

The address for Defendant is as follows:

Career Systems Development Corporation
75 Thruway Park Drive
Suite 100
West Henrietta, NY 14586

Please contact my attorney Larry W. Lee at the above address/phone number if you have any questions regarding this matter.

Sincerely,

DocuSigned by:

FEBAC265800A480...
Precious Thomas

Cc: Career Systems Development Corporation (via certified mail)

EXHIBIT C

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Williams v. Career PAGA
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
70562	EXP	Linda Lee	1	1625.54	1625.54
1/6/2022		Atty Service			
WIP		Williams v. Career PAGA			
Attorney Service - Complaint					
70584	EXP	Linda Lee	1	73.10	73.10
1/12/2022		Atty Service			
WIP		Williams v. Career PAGA			
Attorney Service - Complaint Service					
70599	EXP	Linda Lee	1	57.21	57.21
1/18/2022		Atty Service			
WIP		Williams v. Career PAGA			
Attorney Service - POS of Summons					
71041	EXP	Olympia	1	62.21	62.21
2/16/2022		Atty Service			
WIP		Williams v. Career PAGA			
Attorney Service - Notice					
71189	EXP	Olympia	12	0.25	3.00
2/28/2022		Photocopies			
WIP		Williams v. Career PAGA			
Photocopies					
71190	EXP	Olympia	1	0.93	0.93
2/28/2022		Postage			
WIP		Williams v. Career PAGA			
Postage					
71696	EXP	Valeria Tril	1	59.21	59.21
4/20/2022		Atty Service			
WIP		Williams v. Career PAGA			
Attorney Service - Notice					
72006	EXP	Olympia	6	0.25	1.50
4/30/2022		Photocopies			
WIP		Williams v. Career PAGA			
Photocopies					

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DIVERSITY LAW GROUP
Slip Listing

Page 2

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
72007	EXP	Olympia	1	0.73	0.73
4/30/2022		Postage			
WIP		Williams v. Career PAGA			
Postage					
Grand Total					
			Billable	0.00	1883.43
			Unbillable	0.00	0.00
			Total	0.00	1883.43

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Williams v. Career CA
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
69439	EXP	Mariana Becerra	1	75.00	75.00
10/19/2021		Court fees			
WIP		Williams v. Career CA			
LWDA					
69684	EXP	Olympia	1	0.25	0.25
10/31/2021		Photocopies			
WIP		Williams v. Career CA			
Photocopies					
69685	EXP	Olympia	1	7.33	7.33
10/31/2021		Postage			
WIP		Williams v. Career CA			
Postage					
69835	EXP	Mariana Becerra	1	75.00	75.00
12/1/2021		Court fees			
WIP		Williams v. Career CA			
LWDA - Precious Thomas					
70288	EXP	Christine Choo	1	1640.21	1640.21
12/2/2021		Atty Service			
WIP		Williams v. Career CA			
Attorney Service - Complaint					
70561	EXP	Christine Choo	1	73.10	73.10
1/5/2022		Atty Service			
WIP		Williams v. Career CA			
Attorney Service - Complaint Service					
70604	EXP	Christine Choo	1	57.21	57.21
1/19/2022		Atty Service			
WIP		Williams v. Career CA			
Attorney Service - POS					
Grand Total					
			0.00		1928.10

7/25/2022
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DIVERSITY LAW GROUP
Slip Listing

Page 2

Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
	Unbillable	0.00		0.00
	Total	0.00		1928.10