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

DIEN TRUONG, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

DS SERVICES OF AMERICA, INC., a
Delaware corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: FCS054399

[Assigned to the Hon. E. Bradley Nelson, Dept. 4]

**DECLARATION OF MAI TULYATHAN IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: March 29, 2021

Time: 9:00 a.m.

Dept.: 4

ADDITIONAL ATTORNEYS

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Attorneys for Plaintiff, the Class, and Aggrieved Employees

1 I, Mai Tulyathan, hereby declare and state as follows:

2 1. I am an attorney at law, duly admitted to practice before all Courts in the State of
3 California and am a member of the law firm Diversity Law Group, P.C., one of the attorneys of
4 record for Plaintiff Dien Truong (“Plaintiff”), in the above-entitled action. I have personal
5 knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I
6 could and would competently do so.

7 2. Based on their own independent investigation and evaluation, the Parties and their
8 respective counsel are of the opinion that settlement for the consideration and terms set forth in
9 the Settlement Agreement is fair, reasonable, and adequate and is in the best interests of the
10 Class and Defendant in light of all known facts and circumstances and the expenses and risks
11 inherent in litigation.

12 3. I am one of the primary attorneys on this matter. My qualifications are as
13 follows: I received my JD from Loyola Law School in 2017. I received the First Honors Award
14 in Legal Research and Writing, First Honors Award in Appellate Advocacy, and First Honors
15 Award in Civil Litigation Practicum I for achieving the highest grade in those classes. During
16 law school, I was a Staff Editor for Loyola Law Review. I was also an extern at the U.S. District
17 Court, Central District of California, for the Honorable Christina A. Snyder, and a certified law
18 clerk at the San Diego County District Attorney’s Office, Collaborative Courts Division, and the
19 Los Angeles County District Attorney’s Office, Consumer Protection and Environmental Crimes
20 Division. In 2016, I participated in Loyola Law School’s Scott Moot Court Competition, where I
21 placed Top 16 and was awarded the Top Ten Brief Award. In 2017, I participated in the
22 Employment Rights Clinic, an extension of the Division of Labor Standards Enforcement created
23 to investigate retaliation complaints. Upon graduation from law school, I was admitted to the
24 California Bar in December 2017.

25 4. I am currently an associate at the law firm Diversity Law Group, P.C., an
26 employment law firm that has handled numerous wage and hour class and individual actions, on
27 both plaintiff and defense sides. The firm currently has cases in numerous state courts, including
28 the Santa Clara Superior Court, Los Angeles Superior Court, Orange County Superior Court, San

1 Diego County Superior Court, Monterey County Superior Court, as well as the United States
2 District Courts for the Central, Northern, Southern, and Eastern Districts of California.

3 5. I am currently handling numerous wage and hour class action and PAGA
4 lawsuits, including *Magadia v. Wal-Mart Associates, Inc., et al.* (Case Number 5:17-cv-00062-
5 LHK); *Garcia v. Wal-Mart Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD);
6 *Hernandez v. Wells Fargo Bank, N.A.* (Case Number 16CV299319); *Lao v. H & M Hennes &*
7 *Mauritz, L.P.* (Case Number 5:16-cv-333 EJD); *Arroyo v. Int'l Paper Company* (Case Number
8 5:17-cv-06211-BLF); *Baker v. California Forensic Medical Group, Inc., et al.*, Judicial Council
9 Coordination Proceeding No. 4999 (Lead Case No. 17CV003723); *Markham v. Quik Stop*
10 *Markets, Inc.* (Case Number 19CV341582); *Arrington v. Automatic Data Process Insurance*
11 *Agency, Inc.* (Case Number 30-2019-01099994-CU-OE-CXC); and *Garcia v. Apex Systems,*
12 *LLC, et al.* (Case Number RG19014709).

13 6. In 2018, I argued before the California Court of Appeal, Second Appellate
14 District, in the case of *Lee v. California Commerce Club, Inc.* (California Court of Appeal Case
15 Number B276171, LASC Case Number BC596924), and *Perez v. Standard Drywall, Inc.*
16 (California Court of Appeal Case Number A146819, Alameda Sup. Ct. No. RG15761142). In
17 that same year, I also assisted the firm in successfully obtaining class certification and partial
18 summary judgment by the United States District Court, Central District of California in the case
19 of *Magadia v. Wal-Mart Associates, Inc.* (Case Number 17-CV-00062-LHK). I third chaired the
20 bench trial in that same case in December 2018, and obtained a \$102 million judgment for the
21 class against Walmart.

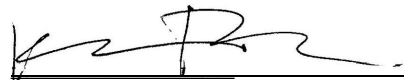
22 7. I have also been approved as class counsel in numerous other wage/hour class
23 actions. Most recently, I was approved as class counsel in the cases *Garcia v. Wal-Mart*
24 *Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD), *Richert v. Samaritan, LLC, et al.*
25 (Case Number 17CV314186), *Song v. THC – Orange County, Inc.* (Case No. 8-17-cv-965-JLS
26 (DFM)), and *Hernandez v. Wells Fargo Bank National Ass'n, et al* (Case No. 16-CV-299319).
27 Moreover, I was granted final approval as class counsel in *California Forensic Medical Group*
28 *Wage and Hour Cases* (Case No. JCCP4999), *Valles v. Community Hospital of the Monterey*

1 *Peninsula* (Case No. 17CV003452), *Chavez v. Hugo Boss Retail, Inc.* (Case No. 18CV322644),
2 and *Hernandez v. Wells Fargo Bank National Ass'n, et al* (Case No. 16-CV-299319).

3 8. My co-counsel and I will adequately represent the Class Members in this action.
4 Plaintiff's Counsel have and will zealously represent Plaintiff and the Class and pursue this
5 lawsuit to its conclusion.

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

8 Executed on March 3, 2021, at Los Angeles, California.

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12 Mai Tulyathan
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