

Larry W. Lee (State Bar No. 228175)
Kwanporn “Mai” Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

William L. Marder (State Bar No. 170131)
Polaris Law Group LLP
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214
(831) 634-0333 facsimile

Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

FAHEEM KHAN, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

AMY’S KITCHEN, INC., a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: SCV-266127

(Assigned to the Hon. Arthur A. Wick,
Courtroom 17)

**DECLARATION OF MAI TULYATHAN IN
SUPPORT OF PLAINTIFF’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: March 10, 2021

Time: 3:00 p.m.

Dept.: 17

Complaint Filed: March 4, 2020

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I, Mai Tulyathan, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, counsel of record for Named Plaintiff Faheem Khan (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The settlement was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and conducted extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling. The Parties reviewed and analyzed necessary data pertaining to the class members and the number of wage statements, as well as Defendant Amy's Kitchen, Inc.'s ("Defendant") wage statement policies and practices. The Parties also participated in a full day of private mediation with Louis Marlin, Esq.

4. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on Class Counsel's independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arms' length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

5. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with my office’s contact information, where they could seek further information regarding the class settlement, further information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Claims Administrator, and how to update their address.

6. Any remaining monies from uncashed settlement checks will be distributed to Legal Aid At Work. Plaintiff's counsel does not have any relationship with or connection or to

1 said organization.

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

15 8. I am currently an associate at the law firm Diversity Law Group, P.C., an
16 employment law firm that has handled numerous wage and hour class and individual actions, on
17 both plaintiff and defense sides. The firm currently has cases in numerous state courts, including
18 the Santa Clara Superior Court, Los Angeles Superior Court, Orange County Superior Court, San
19 Diego County Superior Court, Monterey County Superior Court, as well as the United States
20 District Courts for the Central, Northern, Southern, and Eastern Districts of California. I am
21 currently handling numerous wage and hour class action and PAGA lawsuits, including *Magadia*
22 *v. Wal-Mart Associates, Inc., et al.* (Case Number 5:17-cv-00062-LHK); *Garcia v. Wal-Mart*
23 *Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD); *Hernandez v. Wells Fargo Bank,*
24 *N.A.* (Case Number 16CV299319); *Lao v. H & M Hennes & Mauritz, L.P.* (Case Number 5:16-
25 *cv-333 EJD*); *Arroyo v. Int'l Paper Company* (Case Number 5:17-cv-06211-BLF); *Baker v.*
26 *California Forensic Medical Group, Inc., et al.*, Judicial Council Coordination Proceeding No.
27 4999 (Lead Case No. 17CV003723); *Markham v. Quik Stop Markets, Inc.* (Case Number
28 19CV341582); *Westmoreland v. KinderCare Education LLC* (Case Number CGC-19-573125);

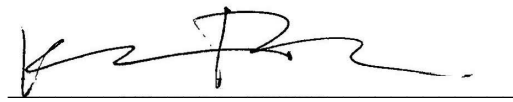
1 *Arrington v. Automatic Data Process Insurance Agency, Inc.* (Case Number 30-2019-01099994-
2 CU-OE-CXC); *Garcia v. Apex Systems, LLC, et al.* (Case Number RG19014709).

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

12 10. I have also been approved as class counsel in numerous other wage/hour class
13 actions. Most recently, I was approved as class counsel in the cases *Garcia v. Wal-Mart*
14 *Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD), *Richert v. Samaritan, LLC, et al.*
15 (Case Number 17CV314186), *Song v. THC – Orange County, Inc.* (Case No. 8-17-cv-965-JLS
16 (DFM)), and *Hernandez v. Wells Fargo Bank National Ass’n, et al* (Case No. 16-CV-299319).
17 Moreover, I was granted final approval as class counsel in *Lao v. H & M Hennes & Mauritz, L.P.*
18 (Case No. 5:16:cv-333 EJD), *Abarca v. El Estero Car Wash, Inc. et al* (Case No. 18CV003398),
19 *Valles v. Community Hospital of the Monterey Peninsula* (Case No. 17CV003452), *Chavez v.*
20 *Hugo Boss Retail, Inc.* (Case No. 18CV322644), and *Hernandez v. Wells Fargo Bank National*
21 *Ass’n, et al* (Case No. 16-CV-299319).

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

24 Executed on this 16th day of February 2021, at Los Angeles, California.

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26 _____
27 Mai Tulyathan
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