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9 Attorneys for Plaintiff HAROUTYOUN KIOUDJIAN
10 on behalf of himself and others similarly situated

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

13 HAROUTYOUN KIOUDJIAN, an
individual, on behalf of himself and others
14 similarly situated,

15 Plaintiffs,

16 vs.

17 BODY VISION JEWELRY, INC., a
California corporation; and DOES 1 through
18 50, inclusive,

19 Defendants.

Case No.: 20STCV13964

CLASS ACTION

Assigned for All Purposes To:

Hon. Ann I. Jones
Department 11, Spring Street Courthouse

**DECLARATION OF ALVIN B. LINDSAY
IN SUPPORT OF PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT
AGREEMENT AND RELEASE**

*[Filed concurrently with Notice of Motion and
Motion; Memorandum of Points and Authorities;
Declaration of David Yeremian; and [Proposed]
Order]*

Date: TBD
Time: TBD
Department 11

Complaint Filed: April 9, 2020
First Amended Complaint: August 4, 2020
Trial Date: None Set

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1 on behalf of hundreds of thousands of employees.

2 4. I graduated from Whittier Law School, and have been practicing in California for
3 over 18 years. I was Executive Editor of the Whittier Law Review, was a Scribes Award winner,
4 and served as a judicial extern to the Honorable David G. Sills, presiding justice of the California
5 Court of Appeal, 4th District, Division 3. During my second year in law school, I began clerking
6 full time for the well-respected intellectual property boutique firm, Fulwider Patton, in Los
7 Angeles, California. When I graduated, I became an attorney with the firm and served there for
8 five years, and was active in the Inns of Court. My practice focused on intellectual property
9 prosecution and litigation, and I spent the majority of my time representing clients in patent
10 infringement litigation. I also served in a similar capacity for the San Francisco firm, King &
11 Kelleher, for three years, and appeared predominantly in the Central and Northern District of
12 California Courts prosecuting and defending patent infringement actions.

13 5. Prior to attending law school, I graduated from the United States Military Academy
14 at West Point. I then served as an Army Officer for 10 years in the Corps of Engineers, in various
15 stateside and overseas postings. I was a combat engineer company commander, was stationed in
16 Germany when the Berlin Wall fell, and am a veteran of Operation Desert Shield/Desert Storm. I
17 also served in the Reserves and advanced to the rank of Major.

18 6. Since 2010, I have been the senior attorney responsible for the day to day litigation
19 of well over 100 wage and hour class and representative actions on behalf of employee class
20 members and aggrieved employees. I have had numerous contested class action cases certified,
21 and have secured settlements for many millions of dollars for our clients. I am experienced and
22 qualified to evaluate the class and representative claims, to evaluate settlement versus trial on a
23 fully informed basis and to evaluate the viability of the defenses. I enjoy being an attorney, and
24 especially being a complex civil litigator focusing on class and representative action proceedings. I
25 value the fact that what we do is a profession, and I value the professional relationships I have
26 developed with my fellow plaintiffs' counsel and the attorneys from the well-respected corporate
27 defense firms we litigate against on a daily basis.

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1 7. David Yeremian & Associates, Inc. is well-qualified and has ample experience,
2 knowledge, and resources to act as counsel and represent Plaintiff and the putative Class and
3 Subclasses and aggrieved employees in this action. Our practice is exclusively focused on
4 employment matters, with the majority of focus being devoted to litigating wage, hour, and
5 working-conditions violations on a class-wide basis. Further background on our firm is addressed
6 in the Yeremian Declaration.

7 8. My participation in wage and hour class and representative action litigations in
8 California has included extensive preparation, development of a thorough knowledge of the legal
9 issues related to certification and liability, and full immersion and participation in the mediation
10 and negotiation process. I am therefore experienced in the type of class and representative action
11 litigation involving violations of California's wage and hour laws which are the subject of this
12 action. To that end, for example, I was asked by the California Employment Lawyers Association
13 to draft an amicus brief, which contributed to the California Supreme Court's decision in *Alvarado*
14 *v Dart Container Corp. of California*, 4 Cal. 5th 542 (2018).

15 9. The following are examples of some of my cases which have resulted in class
16 certification and favorable settlements for the employee class members and aggrieved employees I
17 have represented:

- 18 a. *Batres v. HMS Host USA, Inc. et al.*, CD Cal Case No. SACV 10-01458 CJC (AJWx)
19 (Hon. Cormac J. Carney);
- 20 b. *Barrera v Sodexo, Inc.*, CD Cal Case No. SACV 13-0817 AG (MANx) (Hon. Andrew
21 J. Guilford);
- 22 c. *Mojica v Compass Group, et al.*, CD Cal Case No. 8:13-cv-01754 DSF (AGR) (Hon.
23 Dale S. Fischer);
- 24 d. *Aguilar v 7-Eleven*, Orange County Superior Court, Case No. 30-2009-00268714-CU-
25 OE-CXC (Hon. Kim G. Dunning);
- 26 e. *Pedro M. Guerrero v. E-Recycling of California*, Orange County Superior Court Case
27 No. 30-2012-00552453-CU-OE-CXC (Hon. Gail A. Andler);

- 1 f. *Virginia Rodriguez v Exel Inc.*, San Bernardino County Superior Court, Case No.
2 CIVDS 1104594 (Hon. Bryan F. Foster)
- 3 g. *Palacios v LKQ Lakenor Auto & Truck Salvage, Inc., et al.*, Orange County Superior
4 Court, Case No. 30-2012-00552979-CU-OE-CXC (Hon. Steven L. Perk);
- 5 h. *Ayala et al. v Park Anaheim Health Care, LLC*, Orange County Superior Court, Case
6 No. 30-2013-00649442-CU-OE-CXC (Hon. Gail A. Andler);
- 7 i. *Daniel v Xerxes Corporation*, Orange County Superior Court, Case No. 30-2010-
8 00418048-CU-OE-CXC (Hon. Gail A. Andler);
- 9 j. *Magana v HVM L.L.C. et al.*, Orange County Superior Court Case No. 30-2011-
10 00468712-CU-OE-CXC (Hon. Gail A. Andler);
- 11 k. *Vo v Express Manufacturing, Inc.*, Orange County Case No. 30-2012-00552641-CU-
12 OE-CXC (Hon. Gail A. Andler);
- 13 l. *Yac v Paper Source Converting & Manufacturing*, Los Angeles Superior Court, Case
14 No. BC 472113 (Hon. Michael L. Stern);
- 15 m. *Bui v Sprint Corporation*, ED Cal Case No. 2:14-CV-02461-TLN-AC (Hon. Troy L.
16 Nunley);
- 17 n. *Munoz v Stine CC Inc (Chevron)*, (Hon. Lorna H. Brumfield), Kern County Superior
18 Court, S-1500-CV-283104-LHB;
- 19 o. *Alcaraz v County of San Bernardino*, San Bernardino County Superior Court, Case
20 No. CIVDS 1013508 (Hon. John M. Pacheco);
- 21 p. *Andrews v Stoneledge Furniture, LLC*, San Bernardino County Superior Court, Case
22 No. CIVDS 1706865 (Hon. David Cohn);
- 23 q. *Burson v Best Western All Suite, LLC*, Santa Cruz County Superior Court, Case No.
24 CV179684 (Hon. Paul M. Marigonda);
- 25 r. *Fernandez v Comforcare Senior Services, et al.*, San Diego County Superior Court,
26 Case No. 37-2015-00032396-CU-OE-CTL (Hon. Gregory W. Pollack);
- 27 s. *Quiroz, Haslett v SWH Corporation, dba Mimi's Café*, Orange County Superior
28 Court, Case No. 30-2011-00493645-CU-OE-CXC (Hon. William Claster);

- 1 t. *Wells Fargo Bank Wage and Hour Cases*, Los Angeles County Superior Court, Case
2 No. JCCP No. 4702 (Hon. Kenneth R. Freeman);
- 3 u. *Loeza v JP Morgan Chase Bank NA*, SD Cal. Case No. 13-cv-00095-L-BGS (Hon. M.
4 James Lorenz);
- 5 v. *Cunningham v Leslie's Poolmart, Inc.*, CD Cal. Case NO. 13-cv-02122-CAS-CWx
6 (Hon. Christina A. Synder);
- 7 w. *Perez et al v. Irvine Capital Restaurant dba Capital Seafood Restaurant*, Orange
8 County Superior Court, Case No. 30-2016-00834023-CU-OE-CXC (Hon. Thierry
9 Patrick Colaw);
- 10 x. *Robarge et al. v DCOR, LLC*, Los Angeles County Superior Court, Case No.
11 BC630278 (Hon. Kenneth R. Freeman);
- 12 y. *Rubio v Sprint Corporation*, CD Cal. Case No. 2:17-cv-02231-SVW-GJS, (Hon.
13 Stephen V. Wilson);
- 14 z. *Tapia v Sterling Jewelers Inc.*, ND Cal. Case No. 5:14-cv-00624-EJD (Hon. Edward J.
15 Davila);
- 16 aa. *Thompson v The Standard Hotel*, Los Angeles County Superior Court, Case No.
17 BC597152 (Hon. Kenneth R. Freeman);
- 18 bb. *Ward v. JetSuite, Inc. et al.*, CD Cal. Case No. 8:16-cv-00584-AG-AS (Hon. Andrew
19 J. Guilford).
- 20 cc. *Rowser v. Trunk Club, Inc.*, CD Cal. Case No. 2:17-cv-05064-DSF-RAO (Hon. Dale
21 S. Fischer).
- 22 dd. *Rodriguez v PD Products, Inc.*, Los Angeles County Superior Court, Case No.
23 BC696710 (Hon. Mauren E. Nelson).
- 24 ee. *Basiliali v Allegiant Air, LLC*, CD Cal. Case No. 2:18-cv-3888 RGK (MRWx) (Hon.
25 R. Gary Klausner).
- 26 ff. *Hernandez v Fedex Ground Package System, Inc.*, ND Cal. Case No. 3:17-cv-02074-
27 VC (Hon. Vince G. Chhabria).
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- 1 gg. *Savinovich v Starbucks Corporation, Evolution Fresh, Inc. et al.*, Santa Cruz County
2 Superior Court, Case No. 17CV02050 (Hon. Paul Burdick).
- 3 hh. *Verdugo v Denali Water Solutions, LLC*, CD Cal Case No. 5:18-cv-00170-ODW
4 (SHK) (Hon. Otis D. Wright II).
- 5 ii. *Zepeda v MasTec Network Solutions, LLC, et al.*, CD Cal. Case No. 5:18-cv-00749-
6 VAP-SHK (Hon. Virginia A. Phillips).
- 7 jj. *Sanchez v Pacific Southwest Container, Inc.*, Stanislaus County Superior Court, Case
8 No. 2028679 (Hon. Marie Sovey Silveira).
- 9 kk. *Danelian v Medix Staffing Solutions, Inc. and City of Hope National Medical Center*,
10 Los Angeles County Superior Court, Case No. BC649846 (Hon. Kenneth R.
11 Freeman).
- 12 ll. *Sanchez v AM Retail Group*, ND Cal. Case No. 3:18-cv-00287-JCS (Hon. Joseph C.
13 Spero).

14 10. The above matters are not exhaustive, but provide samples of the types of class and
15 representative action litigations I have successfully resolved. David Yeremian & Associates, Inc.
16 is presently prosecuting approximately 100 class and representative action litigations in state and
17 federal courts across California, including multiple other cases in Los Angeles County. We also
18 have several actions that are in the stages of preliminary and final approval.

19 11. My experience in litigating employment wage and hour matters has been integral in
20 identifying legal issues, evaluating the strengths and weaknesses of a case, and generally
21 negotiating fair and reasonable class and representative action settlements. Practice in the narrow
22 field of wage and hour litigation requires skill and knowledge concerning the constantly evolving
23 substantive law (state and federal), as well as the procedural law of class and representative action
24 litigation. In this action, I am fully equipped to use the skills and knowledge I have developed
25 through a decade of prosecuting and defending wage and hour class actions to fairly and
26 adequately represent the interests of the Class and aggrieved employees. Therefore, based on my
27 resources, experience, and knowledge, I am well-qualified to act as class counsel and represent the
28 Plaintiff and the putative class members and aggrieved employees in this action.

12. As a result of my prior experience as class counsel in other wage and hour class and representative actions, I am fully aware of the responsibilities I would owe as counsel to the Settlement Class Members and aggrieved employees I represent. I have thoroughly investigated the claims asserted in this action, and I and our firm have remained committed to dedicating the resources necessary to represent the Settlement Class and vigorously pursue their claims. Based upon my experience and understanding of the claims and defenses in this action, I believe the settlement is fair, adequate and reasonable for the Class members and aggrieved employees and all involved, and that the Settlement is well within the range of reasonableness that would permit it to be finally approved. I am not aware of any conflict of interest between myself and Plaintiff or any other Class member that would interfere with my duties as Class Counsel or impede my representation.

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

Executed this 23rd day of February, 2021, at Glendale, California.

Chris Lee

Alvin B. Lindsay