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16 *Attorneys for Plaintiffs and the Putative Class*

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **COUNTY OF SAN BERNARDINO**

19 **SARAH P. ESPINOZA,**

20 **Plaintiffs,**

21 **vs.**

22 **LOVE'S COUNTRY STORES OF**
23 **CALIFORNIA;**
24 **and DOES 1-100, inclusive,**

25 **Defendants.**

Case No.: CIVDS2016481

**DECLARATION OF JEAN-CLAUDE
LAPUYADE, ESQ. IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: November 16, 2021
Time: 9:00 a.m.
Dept.: S-26
Judge: Hon. David Cohn

1 I, Jean-Claude Lapuyade, Esq., declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would
3 competently testify to the following facts from my own personal knowledge. I am an attorney-at-
4 law and the owner of the JCL LAW FIRM, APC (hereinafter "Class Counsel"). I am co-counsel for
5 Plaintiffs and putative class representatives Sarah Espinoza ("Espinoza") and Estefania Renteria
6 ("Renteria"), individually and on behalf of other members of the general public similarly situated
7 and on behalf of aggrieved employees pursuant to the Private Attorneys General Act ("PAGA")
8 (collectively, "Plaintiffs").

9 2. Class Counsel in this matter has extensive class action experience in multiple fields
10 and has represented tens-of-thousands of persons in class actions. Counsel has previously litigated
11 similar wage and hour class actions involving similar meal and rest period violations. Class
12 Counsel has been approved as class counsel in similar wage and hour class actions throughout the
13 State of California, including in the Superior Court for the County of San Bernardino. As such,
14 courts throughout the California have deemed Class Counsel experienced and knowledgeable in this
15 area of law. Class Counsel has participated in every aspect of the settlement discussions and has
16 concluded the settlement is fair, adequate and reasonable and in the best interests of the Class.

17 3. Plaintiff, the Settlement Class Members and the Aggrieved Employees are represented
18 by competent and experienced counsel to pursue their claims. I established the JCL Law Firm, APC
19 ("Firm"), in 2010. The Firm is a boutique plaintiff firm representing aggrieved employees and
20 consumers throughout California in wage and hour class actions, PAGA Actions and complex
21 multi-party product liability matters. The Firm currently consists of myself, Jean-Claude Lapuyade,
22 Esq. (Partner/Owner), Eduardo Garcia (Associate), Tesla Stone (Paralegal), and Leilani Edmunds
23 (Legal Secretary).

24 4. I am qualified to represent the Plaintiff, the State of California and the Aggrieved
25 Employees. I have extensive experience with wage and hour class and representative actions
26 litigation like this matter, and employment matters in general. Additionally, I have extensive
27 complex mass tort litigation experience and complex construction product liability experience. I
28

1 can, will and have adequately represented the interests of the Plaintiff, the State of California and
2 the Aggrieved Employees throughout this action.

3 5. I have represented consumers and employees in California class actions, and complex
4 multi-party product liability actions exclusively for more than 14 years. I have been in practice as a
5 plaintiff's civil litigation attorney since April 2007.

6 6. I have significant class counsel and collective action counsel experience. I served as
7 class and/or collective (PAGA) counsel in, among other cases, the following matters:

8 a. *Munoz v. AMTCR, Inc.*, San Bernardino Superior Court Case No.
9 CIVDS2001914 (August 24, 2021 – Hon. David Cohn approved a \$1.85 million dollar wage
10 and hour class and PAGA action for, among other things, inaccurate itemized wage
11 statements, and appointed the JCL Law Firm, APC as Class Counsel.)

12 b. *Rodriguez v. RSI Home Products, Inc.*, San Bernardino Superior Court Case
13 No. CIVDS2023354 (July 30, 2021 – Hon. David Cohn approved a \$1.45 million class and
14 PAGA settlement for, *inter alia*, failure to comply with piece-rate laws, and appointed the
15 JCL Law Firm, APC as Class Counsel)

16 c. *Jer Vang v. Bridge Property Management*, Alameda County Superior Court,
17 Case No RG19047434 (January 8, 2021 – Hon. Winifred Smith approved a class and PAGA
18 settlement for, *inter alia*, unpaid off the clock work. The JCL Law Firm, APC acted as class
19 counsel for the settlement class and as representative PAGA counsel the State of California
20 and the Aggrieved Employees.)

21 d. *Johnson v. Volt Management Corp., Inc. et al.*, Los Angeles County Superior
22 Court, Case No. 19STCV16466 (December 11, 2020 – Hon. Amy Hogue approved a PAGA
23 Settlement negotiated on behalf of the State of California and the aggrieved employees by
24 the JCL Law Firm, APC.)

25 e. *Salazar v. Frontier Auto Sales Inc., dba Frontier Toyota*, Los Angeles
26 Superior Court, Case No. 19STCV20382 (November 24, 2020 – Hon. John P. Doyle
27 appointed the JCL Law Firm, APC as class counsel and approved a class and PAGA
28 settlement for, *inter alia*, missed meal and rest periods.)

1 f. *Villalobos v. Alterra Group, LLC et al.*, Los Angeles County Superior Court,
2 Case No. 19STCV19448 (November 11, 2020 – Hon. Richard Fruin approved a PAGA
3 Settlement for, *inter alia*, unreimbursed business expenses. The JCL Law Firm, APC acted
4 as counsel for the plaintiff, the State of California and the Aggrieved Employees.)

5 g. *Stevens et al., v. Bank of England*, San Diego County Superior Court Case
6 No. 37-2019-00018662-CU-OE-CTL (October 16, 2020 – Hon. John Meyer appointed JCL
7 Law Firm as Class Counsel and granted final approval of wage and hour class action for,
8 *inter alia*, off-the-clock work.)

9 h. *Frazier v. ASA Carlton, Inc.*, San Diego Superior Court Case No. 37-2019-
10 00036147 (October 9, 2020 Hon. Kenneth Medel appointed the JCL Law Firm as Class
11 Counsel and granted final approval of wage and hour class action for off-the-clock work.)

12 i. *Krake et al., v. Central Valley Diner, Inc.*, Placer County Superior Court Case
13 No. SCV0041645 (September 4, 2020 – Hon. Michael Jones appointed JCL Law Firm as
14 class counsel and granted final approval of wage and hour class action for meal period
15 violations.)

16 j. *Conner v. Ascendant Marketing, LLC et al.*, San Diego Superior Court Case
17 No. 37-2019-00026864-CU-OE-CTL (July 24, 2020 Hon. Joel Wohlfeil granted approval of
18 PAGA Settlement for, among other things, off-the-clock work. JCL Law Firm, APC acted
19 as lead counsel.)

20 k. *Guerrero v. Estancia Operations, LLC.*, San Diego Superior Court Case No.
21 37-2019-00028963 (August 25, 2020 – Hon. Katherine Bacal approved PAGA Settlement
22 for, *inter alia*, missed meal and rest periods. JCL LAW Firm, APC, acted as lead counsel.)

23 l. *Moreno v. Dash Lube, et al.*, United States District Court, Southern District
24 of California, Case No. 18cv1922 DMS (AHG) (December 13, 2019 – Granted class
25 certification of Labor Code Section 226 claim and appointed JCL Law Firm, APC, as Class
26 Counsel.)

27 m. *Perkins et al., v. Tahiti Enterprises, Inc., et al.*, Orange County Superior
28 Court Case No. 30-2016-00863095 (October 22, 2019 – Hon. Peter Wilson appointed JCL

1 Law Firm, APC, as Class Counsel and granted final approval for an unlawful housing class
2 action settlement arising out of Civil Code Section 1940.1.)

3 n. *Hill v. Stemak Holdings, Ltd.*, San Diego Superior Court Case No., 37-2018-
4 00000747 (January 28, 2020 – Hon. Kenneth Medel appointed JCL Law Firm, APC as class
5 counsel and granted final approval of wage and hour class action for unpaid overtime.)

6 o. *Shachno et al., v. KT Hotels, LLC, et al.* San Diego Superior Court Case No
7 Case No. 37-2018-00043601 (May 31, 2019 – Hon, Gregory Pollack appointed JCL Law
8 Firm, APC, as Class Counsel and granted preliminary approval for the wage and hour class
9 action settlement involving nearly 900 current and former employees. Final approval
10 scheduled for October 4, 2019)

11 p. *Almanza v. The Express Group, Inc.*, San Bernardino Superior Court Case
12 No. CIVDS1722542 (April 19, 2019 – Hon. David Cohn appointed the JCL Law Firm, APC,
13 as Class Counsel and granted final approval for a wage and hour class action settlement for
14 *inter alia*, missed meal and rest periods and independent contractor misclassification.)

15 q. *Moschetto v. Pillow Global, Inc.* San Diego Superior Court, Case No. 37-
16 2017-00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL LAW
17 Firm, APC, as Class Counsel and granted final approval for a wage and hour wage class
18 action settlement involving misclassified house cleaners.)

19 r. *Burke v. Friendship Hotel, LLC*, San Diego County Superior Court Case No.
20 37-2017-00022517-CU-OE-CTL (March 10, 2019 – final approval granted on for an
21 unlawful housing class action arising under Civil Code Section 1940.2)

22 s. *Terrado et al., v. Accredited Debt Relief, LLC*, San Diego County Superior
23 Court Case No. 37-2018-00014181-CU-OE-CTL (February 8, 2019 – Hon. Gregory W.
24 Pollock appointed JCL Law Firm, APC as Class Counsel and granted final approval for a
25 wage and hour class action settlement for meal and rest period violations);

26 t. *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior Court
27 Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed JCL Law
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1 Firm, APC, as Class Counsel and granted final approval for a wage and hour class action
2 settlement involving claims for on duty meal and rest periods.);

3 u. *Summerlin et al. v. Maplebear, Inc. dba Instacart*, Los Angeles Superior
4 Court Case No. BC603030 (2018 - certified and settled wage and hour class action.)

5 v. *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-
6 00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal and rest
7 periods)

8 w. *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No. 37-
9 2016-00012373-CU-OE-CTL (2017 - Certified and settled class action for employee
10 misclassification);

11 x. *Crawford v. Outlook Amusements, Inc.*, Los Angeles Superior Court Case No.
12 BC617160 (2017 - Certified and settled wage and hour class action.);

13 y. *Hernandez v. Sunglass Hut Trading, LLC*, San Bernardino Superior Court
14 Case No. CIVDS1505181 (2016 - Certified and settled wage and hour class action);

15 z. *Burns v. Shalom, LLC*, San Diego Superior Court, Case No., 37-2013-
16 00058356-CU-BT-CTL (2015 - certified and settled class action for unlawful housing
17 practices arising out of Civil Code Section 1940.1);

18 7. Since 2010, my firm has successfully resolved more than sixty (65) cases and
19 recovered nearly of \$100 million on behalf of the Firm's clients.

20 8. Since 2010, I have successfully tried two (2) cases to conclusion, each resulting in a
21 favorable verdict for the firm's clients.

22 9. Finally, I have published appellate experience in *William Blanchette et al., v. The*
23 *Superior Court of Imperial County, (GHA Enterprises)*, 8 Cal.App.5th 521.

24 10. Consequently, I was named to the prestigious Thomson Reuters, Super Lawyers,
25 Rising Star in 2015, 2016, 2017 and, again, in 2018. According to Thomson Reuters, the Super
26 Lawyers, Rising Star list recognizes the top 2.5% of eligible attorneys. (see
27 https://www.superlawyers.com/about/selection_process.html.)

1 I declare under the penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 22nd day of October 2021, at San Diego, California.

3 **JCL LAW FIRM, APC**

4 By: 
5 Jean-Claude Lapuyade
6 Attorneys for Plaintiffs
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