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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

VALERIA RODRIGUEZ, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

JOHN BEAN TECHNOLOGIES
CORPORATION, a Delaware corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: BCV-20-101913-JEB

[Assigned for all purposes to the Hon. J. Eric
Bradshaw, Dept. J]

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

Date: June 6, 2022

Time: 8:30 a.m.

Dept.: J

Complaint Filed: August 17, 2020

FAC Filed: August 18, 2021

Trial Date: None

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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 Valeria Rodriguez (“Plaintiff”). I have personal knowledge of the facts set forth below and 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 the settlement on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The Settlement Agreement was the product of negotiations between highly able experienced attorneys on both sides who possessed the relevant data and extensive legal knowledge with which they had carefully analyzed. The Parties engaged in arm's length negotiations at all times with a highly experienced and known wage-and-hour mediation, Michael J. Loeb, and continued further negotiations facilitated by Mr. Loeb for several months.

4. Class Counsel engaged in extensive factual investigation before settling, exchanging informal discovery before mediation. In connection with mediation, Class Counsel reviewed class data, payroll data, and information pertaining to Defendant's sick leave premium pay, and wage statement policies and practices. Class Counsel subsequently retained the services of an expert to evaluate and calculate the potential class and PAGA damages available in this case.

5. I have spent significant time researching and pursuing the claims that have been in this action. Based on my 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 involved in litigation. The settlement was negotiated at arms' length and was facilitated by an independent and neutral mediator. Thus, this settlement should be granted final approval.

6. The Court preliminary approved this settlement on February 14, 2022, directing the Settlement Administrator to prepare and mail the first round of class notice and scheduling the hearing for final approval of the settlement (the "Preliminary Approval Order"). As directed by the Court, the Settlement Administrator

1 selected by the Parties—Phoenix Settlement Administrators—distributed the Class Notice to
2 215 Class Members. Class Counsel believes that the positive results after mailing of the Class
3 Notice support confirmation of the Court’s preliminary approval of the settlement with final
4 approval of the settlement. The settlement has a significantly high participation rate of 99.53
5 percent. In light of this positive response from Class Members, an inference can be made that
6 the Class supports the Court’s Preliminary Approval Order finding that the Settlement
7 Agreement is fair and reasonable.

8 7. There were no objections to the amount of attorneys’ fees or litigation costs that
9 Class Counsel seeks in this case and for which Plaintiff asks the Court for final approval.

10 8. Timely notice of the PAGA settlement was provided to the California Labor and
11 Workforce Development Agency (“LWDA”) pursuant to Cal. Lab. Code section 2699(1)(2) and
12 no objections to the Settlement by the LWDA were received by Plaintiff’s Counsel.

13 9. Any remaining monies from uncashed settlement checks will be distributed to
14 the *cy pres* recipient Asian Americans Advancing Justice – Los Angeles (AAJC), a legal and
15 civil rights non-profit organization that provides free legal aid to low-income communities with
16 a focus on Asian Americans, Native Hawaiians, and Pacific Islanders, in accordance with
17 C.C.P. § 384. Plaintiff’s Counsel does not have any relationship with or connection to said
18 organization.

19 10. I am one of the primary attorneys on this matter. My qualifications are as
20 follows: I received my JD from Loyola Law School in 2017. I received the First Honors Award
21 in Legal Research and Writing, First Honors Award in Appellate Advocacy, and First Honors
22 Award in Civil Litigation Practicum I for achieving the highest grade in those classes. During
23 law school, I was a Staff Editor for Loyola Law Review. I was also an extern at the U.S. District
24 Court, Central District of California, for the Honorable Christina A. Snyder, and a certified law
25 clerk at the San Diego County District Attorney’s Office, Collaborative Courts Division, and the
26 Los Angeles County District Attorney’s Office, Consumer Protection and Environmental
27 Crimes Division. In 2016, I participated in Loyola Law School’s Scott Moot Court Competition,
28 where I placed Top 16 and was awarded the Top Ten Brief Award. In 2017, I participated in

1 the Employment Rights Clinic, an extension of the Division of Labor Standards Enforcement
2 created to investigate retaliation complaints. Upon graduation from law school, I was admitted
3 to the California Bar in December 2017.

4 11. I am currently an associate at the law firm Diversity Law Group, P.C., an
5 employment law firm that has handled numerous wage and hour class and individual actions, on
6 both plaintiff and defense sides. The firm currently has cases in numerous state courts, including
7 the Santa Clara Superior Court, Los Angeles Superior Court, Orange County Superior Court,
8 San Diego County Superior Court, Monterey County Superior Court, as well as the United
9 States District Courts for the Central, Northern, Southern, and Eastern Districts of California. I
10 have handled and am currently handling numerous wage and hour class action and PAGA
11 lawsuits, including *Magadia v. Wal-Mart Associates, Inc., et al.* (Case Number 5:17-cv-00062-
12 LHK); *Garcia v. Wal-Mart Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD);
13 *Arroyo v. Int'l Paper Company* (Case Number 5:17-cv-06211-BLF); *Baker v. California*
14 *Forensic Medical Group, Inc., et al.*, Judicial Council Coordination Proceeding No. 4999 (Lead
15 Case No. 17CV003723); *Westmoreland v. KinderCare Education LLC* (Case Number CGC-19-
16 573125); *Arrington v. Automatic Data Process Insurance Agency, Inc.* (Case Number 30-2019-
17 01099994-CU-OE-CXC); *Martin v. Wells Fargo Bank* (Case Number 19-cv-01969-JAK).

18 12. In 2018, I argued before the California Court of Appeal, Second Appellate
19 District, in the case of *Lee v. California Commerce Club, Inc.* (California Court of Appeal Case
20 Number B276171, LASC Case Number BC596924), and *Perez v. Standard Drywall, Inc.*
21 (California Court of Appeal Case Number A146819, Alameda Sup. Ct. No. RG15761142). In
22 that same year, I also assisted the firm in successfully obtaining class certification and partial
23 summary judgment by the United States District Court, Central District of California in the case
24 of *Magadia v. Wal-Mart Associates, Inc.* (Case Number 17-CV-00062-LHK). I third chaired
25 the bench trial in that same case in December 2018.

26 13. I have also been certified as part of the court's orders granting class certification
27 and/or approved as class counsel as part of class/PAGA settlement approval process in
28 numerous other wage/hour class actions. Most recently, I was certified and/or approved as class

1 counsel in the cases *Garcia v. Wal-Mart Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-
2 MDD), *Richert v. Samaritan, LLC, et al.* (Case Number 17CV314186), *Song v. THC – Orange*
3 *County, Inc.* (Case No. 8-17-cv-965-JLS (DFM)), and *Hernandez v. Wells Fargo Bank National*
4 *Ass’n, et al* (Case No. 16-CV-299319). Moreover, I was granted final approval as class counsel
5 in *Lao v. H & M Hennes & Mauritz, L.P.* (Case No. 5:16:cv-333 EJD), *Abarca v. El Estero Car*
6 *Wash, Inc. et al* (Case No. 18CV003398), *Valles v. Community Hospital of the Monterey*
7 *Peninsula* (Case No. 17CV003452), *Chavez v. Hugo Boss Retail, Inc.* (Case No. 18CV322644),
8 *Hernandez v. Wells Fargo Bank National Ass’n, et al* (Case No. 16-CV-299319); *Baker v.*
9 *California Forensic Medical Group, Inc., et al.*, Judicial Council Coordination Proceeding No.
10 4999 (Lead Case No. 17CV003723); *Mendez v. Falcon Trading Company* (Case No.
11 19CV004512); *Truong v. DS Services of America, Inc.* (Case No. FCS054399).

12 14. My office has incurred costs in the amount of \$12,302.82. The costs are all
13 litigation related costs, including filing and service fees, court fees, CourtCall fees, postage fees,
14 costs associated with mediation, and expert fees. Attached hereto as **Exhibit A** is copy of the
15 costs incurred in connection with prosecution of this lawsuit.

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

18 Executed on this May 12th 2022 at Los Angeles, California.

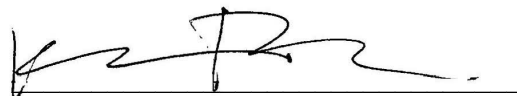
19 
20 Mai Tulyathan

EXHIBIT A

5/6/2022
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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip.Classification Open
Client (hand select) Include: Rodriguez, Valeria v. John Bea
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		
62953	EXP	Olympia	1	75.00	75.00
6/24/2020		Court fees			
WIP		Rodriguez, Valeria v. John Be			
LWDA					
63316	EXP	Olympia	3	0.25	0.75
6/30/2020		Photocopies			
WIP		Rodriguez, Valeria v. John Be			
Photocopies					
63317	EXP	Olympia	1	7.40	7.40
6/30/2020		Postage			
WIP		Rodriguez, Valeria v. John Be			
Postage					
63691	EXP	Olympia	1	1481.66	1481.66
8/17/2020		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Complaint					
63728	EXP	Olympia	1	3.60	3.60
8/25/2020		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - 170.6					
64350	EXP	Olympia	1	71.50	71.50
9/15/2020		Atty Service			
WIP		Rodriguez, Valeria v. John Be			
Attorney Service - Complaint Service					
64272	EXP	Olympia	1	3.60	3.60
10/1/2020		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - POS of Summons					
65882	EXP	Olympia	1	3.60	3.60
2/1/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint CMS					

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Slip ID Dates and Time Posting Status Description	Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
65889 EXP 2/2/2021 WIP Odyssey - Joint CMS	Olympia Court fees Rodriguez, Valeria v. John Be	1	3.60	3.60
66072 EXP 2/16/2021 WIP Courtcall	Larry W. Lee Court fees Rodriguez, Valeria v. John Be	1	94.00	94.00
66148 EXP 2/16/2021 WIP Odyssey - Notice of Ruling	Olympia Court fees Rodriguez, Valeria v. John Be	1	3.60	3.60
66359 EXP 3/11/2021 WIP JAMS Mediation	Olympia Arbitrators Rodriguez, Valeria v. John Be	1	6450.00	6450.00
67927 EXP 3/25/2021 WIP Federal Express	Olympia Delivery serv Rodriguez, Valeria v. John Be	1	33.55	33.55
66903 EXP 4/12/2021 WIP Econ One	Olympia Experts Rodriguez, Valeria v. John Be	1	1615.00	1615.00
67220 EXP 5/10/2021 WIP Econ One	Olympia Experts Rodriguez, Valeria v. John Be	1	1092.50	1092.50
67550 EXP 6/8/2021 WIP Econ One	Olympia Experts Rodriguez, Valeria v. John Be	1	546.25	546.25
67555 EXP 6/9/2021 WIP Odyssey - Joint CMS	Olympia Court fees Rodriguez, Valeria v. John Be	1	3.60	3.60
68150 EXP 7/9/2021 WIP Odyssey - Joint CMS	Erika Mejia Court fees Rodriguez, Valeria v. John Be	1	3.60	3.60

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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		
68542	EXP	Erika Mejia	1	24.20	24.20
8/17/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint Stip to file FAC					
68571	EXP	Erika Mejia	1	3.60	3.60
8/18/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - FAC					
68626	EXP	Erika Mejia	1	3.60	3.60
8/25/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint CMS					
68816	EXP	Olympia	1	0.25	0.25
8/31/2021		Photocopies			
WIP		Rodriguez, Valeria v. John Be			
Photocopies					
68817	EXP	Olympia	1	6.96	6.96
8/31/2021		Postage			
WIP		Rodriguez, Valeria v. John Be			
Postage					
68703	EXP	Mai Tulyathan	1	94.00	94.00
9/9/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Courtcall					
69747	EXP	Olympia	1	3.60	3.60
11/16/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Notice of Reassignment					
69800	EXP	Olympia	1	3.60	3.60
11/23/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint CMS					
69806	EXP	Olympia	1	3.60	3.60
11/24/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint CMS					
69919	EXP	Mai Tulyathan	1	94.00	94.00
12/9/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Courtcall					

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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		
70137	EXP	Christine Choo	1	65.40	65.40
12/20/2021		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - MPA					
70514	EXP	Olympia	1	3.60	3.60
1/28/2022		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - Joint CMS					
70781	EXP	Olympia	1	3.60	3.60
2/22/2022		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Odyssey - NOE					
71644	EXP	Olympia	1	500.00	500.00
5/6/2022		Court fees			
WIP		Rodriguez, Valeria v. John Be			
Final Approval Filing Fees					
Grand Total					
			Billable	0.00	12302.82
			Unbillable	0.00	0.00
			Total	0.00	12302.82