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CARLOS CHACON

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

CARLOS CHACON, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

EXEMPLIS LLC, a California limited liability
company; and DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2020-01157341-CU-OE-CXC

*[Assigned for All Purposes to Hon. Randall J.
Sherman, CX105]*

**DECLARATION OF ELIZABETH NGUYEN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR SETTLEMENT APPROVAL OF CLAIMS
BROUGHT UNDER THE PRIVATE
ATTORNEYS GENERAL ACT AND
REASONABLE ATTORNEYS' FEES, COSTS,
AND ENHANCEMENT AWARD**

Date: August 27, 2021

Time: 10:00 a.m.

Dept.: CX105

Reservation No.: 73578931

Complaint Filed: August 27, 2020

Trial Date: None Set

DECLARATION OF ELIZABETH NGUYEN IN SUPPORT OF PLAINTIFF'S MOTION FOR SETTLEMENT
APPROVAL OF CLAIMS BROUGHT UNDER THE PRIVATE ATTORNEYS GENERAL ACT AND REASONABLE
ATTORNEYS' FEES, COSTS, AND ENHANCEMENT AWARD

1 I, ELIZABETH NGUYEN, declare as follows:

2 1. I am a shareholder of the law firm Lidman Law, APC, and counsel for the named Plaintiff
3 Carlos Chacon (“Plaintiff”) in the above-captioned matter. I am a member in good standing of the bar
4 of the State of California and am admitted to practice in this Court. I have personal knowledge of the
5 facts stated in this declaration and could testify competently to them if called upon to do so.

6 2. I am a 2005 graduate of Loyola Law School. During law school, I worked as an extern
7 for the Honorable Erithe A. Smith, U.S. Bankruptcy Court for the Central District of California. Also
8 while in law school, I worked as a law clerk in the Enforcement Unit of the Office of the Chief Trial
9 Counsel for the State Bar of California.

10 3. Since graduating from law school, my practice has focused almost exclusively on
11 employment litigation. In October 2007, I began working as an associate attorney at the international
12 law firm of Littler Mendelson P.C., at its Los Angeles office, which according to its website is the
13 “largest law firm in the world exclusively devoted to representing management in employment,
14 employee benefits and labor law matters.”

15 4. In June 2012, I left Littler Mendelson to work at the Los Angeles office of Reed Smith
16 LLP. During my employment at Reed Smith, I worked exclusively in the labor and employment
17 practice group. In June 2013, I returned to Littler Mendelson as an associate attorney, was promoted to
18 Shareholder in 2015, and was elevated to participating Shareholder in 2017. Since October 2007, my
19 practice has been and continues to be exclusively labor and employment law, with a strong emphasis
20 on wage and hour class actions venued in both state and federal courts. During this time period and my
21 legal career in general, I also worked on a number of single and multi-plaintiff wage and hour matters
22 as well. During my employment at Littler Mendelson, I was a member of its Class Action Practice
23 Group.

24 5. During my employment at Littler Mendelson, I played a significant role in the class
25 actions that I was staffed on, and was primarily responsible for managing the litigation both in my role
26 as a Senior Associate and as a Shareholder. In particular, I received a wide-array of wage and hour
27 class action experience performing the following types of tasks: drafting demurrers, motions to strike
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1 and/or dismiss; removing actions from state court to federal court; drafting and responding to written
2 discovery; drafting and opposing discovery related motions; arguing discovery related motions; drafting
3 motions to consolidate related matters; interviewing putative class members and obtaining declarations
4 in connection with class certification; drafting oppositions to motions for class certification; conducting
5 exposure analyses to assess the strengths and weaknesses of asserted claims, the likelihood of prevailing
6 at class certification and potential damages resulting from such claims; drafting mediation briefs;
7 serving as the primary contact to in-house counsel; deposing named plaintiffs and putative class
8 members; deposing retained expert witnesses; and defending the depositions of corporate witnesses. I
9 also was involved in the negotiations and settlements of many large wage and hour class actions. In
10 short, I played an integral role in all aspects of litigation from the inception of a matter through and
11 beyond class certification. I also supervised the work of several associate attorneys who were staffed
12 on the same wage and hour class actions.

13 6. Although not exhaustive, below is a list of many of the wage and hour class and PAGA
14 actions that I performed substantial work on while I was an Associate and/or Shareholder at Littler
15 Mendelson:

16 ► *Branch v. PM Realty Group, Inc.* Case No. BC575759, Los Angeles Superior Court,
17 County of Los Angeles, Honorable Ann Jones, presiding.

18 ► *Herrera v. Pharmavite, LLC*, Case No. BC599201, Los Angeles Superior Court, County
19 of Los Angeles, Honorable Judge Carolyn Kuhl, presiding.

20 ► *Dugan v. Stoneledge Furniture, LLC*, Case No. 16-cv-01125-PA-FFMx, United States
21 District Court, Central District of California, Honorable Judge Percy Anderson, presiding.

22 ► *Klune v. Stoneledge Furniture, LLC*, Case No. 14-cv-03986-PA-FFMx, United States
23 District Court, Central District of California, Honorable Judge Percy Anderson, presiding.

24 ► *Diaz v. ABM Industries, Inc.; Ampco Parking*, Case No. BC362932, California Superior
25 Court, County of Los Angeles, Honorable Judge Jane Johnson, presiding.¹

26 ► *Adams v. Luxottica Retail North America, Inc.*, Case No. 07CC01346, California
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28 ¹ This matter was consolidated and litigated collectively with Case Nos. BC380923, BC 381523 and BC 406663.

1 Superior Court, County of Orange, Honorable Judge Thierry Patrick Colaw, presiding.

2 ▶ *Page v. Luxottica Retail North America, Inc.*, Case No. FCS041512, California Superior
3 Court, County of Solano, Honorable Judge Paul Berman, presiding.

4 ▶ *Parker v. FedEx National LTL, Inc.*, Case No. 11-CV-006380-DSF-FFM, United States
5 District Court, Central District of California, Honorable Judge Dale Fischer, presiding.

6 ▶ *Cordova v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx, United States
7 District Court, Central District of California, Honorable Judge Margaret Morrow, presiding.

8 ▶ *Bernal v. Comerica Bank, et al.*, Case No. 11-cv-01298-JAH-BGS, United States
9 District Court, Central District of California, Honorable Judge Margaret Morrow, presiding.

10 ▶ *Granata v. Comerica Bank, et al.*, Case No. 37-2011-00086316-CU-OE-CTL,
11 California Superior Court, County of San Diego, Honorable Judge Jeffrey B. Barton, presiding.

12 ▶ *Mathews v. Comerica Bank, et al.*, Case No. 111CV194781, California Superior Court,
13 County of Santa Clara.

14 ▶ *Gallegos v. Comerica Bank, et al.*, Case No. BC455515, California Superior Court,
15 County of Los Angeles, Honorable Judge Terry Green, presiding.

16 ▶ *Rumohr v. Comerica Bank, et al.*, Case No. CGC-11-508433, California Superior Court,
17 County of San Francisco.

18 ▶ *Robertson v. FedEx National LTL, Inc.*, Case No. 09-CV-05016-DSF-FFM, United
19 States District Court, Central District of California, Honorable Judge Dale Fischer, presiding.

20 ▶ *Wittman v. FedEx National LTL, Inc.*, Case No. 09-CV-03663-DSF-FFM, United States
21 District Court, Central District of California, Honorable Judge Dale Fischer, presiding.

22 7. In January 2018, I voluntarily resigned from Littler Mendelson in order to start a law
23 firm with another former Littler Mendelson Shareholder, Scott M. Lidman, to represent employees
24 with work-related claims, including primarily wage and hour claims and almost exclusively on a class-
25 action basis. I am currently a Shareholder of Lidman Law, APC. Currently, over ninety percent (90%)
26 of my practice is dedicated exclusively to the prosecution of wage and hour class actions, and I am
27 currently responsible for prosecuting over sixty-five (65) wage and hour class actions filed in State
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1 courts throughout California, with several of them having been removed to Federal courts. I believe
2 that my professional experience renders me more than qualified to serve as class counsel in this lawsuit
3 involving claims of underpaid overtime and minimum wages, meal and rest period violations, and
4 derivative penalty claims. Not only have I litigated dozens of wage and hour cases throughout my
5 career involving similar claims, including the wage and hour class actions identified above, I have
6 litigated similar claims from both plaintiff and defense perspectives. As a result, I am able to
7 realistically assess and evaluate the facts and legal arguments that can be made in pursuit and defense
8 of similar wage and hour claims, as well as those facts and arguments in support and in opposition to
9 class certification. Consequently, I am able to appreciate the significant risks, uncertainties, and delay
10 involved in wage and hour class action litigation.

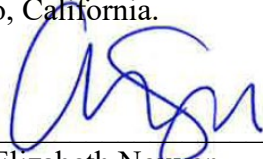
11 8. I have been appointed Class Counsel in *Guardado v. Wesley Allen, Inc.*, Case No.
12 BC683027, California Superior Court, County of Los Angeles, Honorable Judge Carolyn B. Kuhl
13 presiding; *Rodriguez v. Satco, Inc.*, Case No. BC682137, California Superior Court, County of Los
14 Angeles, Honorable Judge Ann I. Jones presiding; *Ong v. Howard's Appliances, Inc.*, Case No. 30-
15 2017-00964213-CU-OE-CXC, California Superior Court, County of Orange, Honorable Judge
16 William Claster presiding; *Hanke v. C&W Facility Services, Inc.*, Case No. CIVDS1814412, California
17 Superior Court, County of San Bernardino, Honorable Judge David Cohn presiding; *Molina v. Mader*
18 *News, Inc.*, Case No. BC685960, California Superior Court, County of Los Angeles, Honorable Judge
19 Yvette M. Palazuelos presiding; *Alvarez v. Salamander Fire Protection, Inc.*, Case No. BC688326,
20 California Superior Court, County of Los Angeles, Honorable Judge William F. Highberger presiding;
21 *Rodriguez v. H.F. Cox, Inc.*, Case No. BC653164, California Superior Court, County of Los Angeles,
22 Honorable Judge Carolyn B. Kuhl presiding; *Fregoso v. Amerigas Propane, Inc.*, Case No. BC697973,
23 California Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding;
24 *Teran v. Western Plastics, Inc.*, Case No. RIC1722619, California Superior Court, County of Riverside,
25 Honorable Judge Sunshine Sykes presiding; *Villegas de Torres v. El Monte Superstore Inc.*, Case No.
26 BC688477, California Superior Court, County of Los Angeles, Honorable Judge Daniel J. Buckley
27 presiding; *Huynh v. Polypeptide Laboratories, Inc.*, Case No. BC680872, California Superior Court,
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1 County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Coffee and Cabral v. Flyers*
2 *Transportation, LLC.*, Case No. 34-2017-00222084, California Superior Court, County of Sacramento,
3 Honorable Judge Alan G. Perkins presiding; *Guzman v. Century Blinds, Inc.*, Case No. RIC1723654,
4 California Superior Court, County of Riverside, Honorable Judge Sunshine Sykes presiding; *Acuna v.*
5 *Canton Food Co., Inc.*, Case No. BC685001, California Superior Court, County of Los Angeles,
6 Honorable Judge David S. Cunningham presiding, and *Contreras v. Worldwide Flight Services, Inc.*,
7 Case No. 2:18-cv-06036-PSG-SS, United States District Court, Central District of California,
8 Honorable Judge Philip S. Gutierrez presiding.

9 9. As co-lead counsel for Plaintiff, I have been intimately involved in every aspect of this
10 case from its inception through the present, and I believe that the proposed Settlement is a reasonable
11 result for the Aggrieved Employees.

12 10. The details of the work completed by my firm and/or my co-counsel are set forth in
13 the declaration of Scott M. Lidman filed concurrently herewith.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing is
15 true and correct. Executed on August 2, 2021, at El Segundo, California.

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18 Elizabeth Nguyen
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