

Larry W. Lee (State Bar No. 228175)  
Max W. Gavron (State Bar No. 291697)  
Mai Tulyathan (State Bar No. 316704)  
**DIVERSITY LAW GROUP, P.C.**  
515 S. Figueroa St., Suite 1250  
Los Angeles, CA 90071  
(213) 488-6555  
(213) 488-6554 facsimile  
lwlee@diversitylaw.com  
mgavron@diversitylaw.com  
ktulyathan@diversitylaw.com

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

Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN MATEO**

DOMENIC CIARLANTI, as an individual  
and on behalf of all others similarly  
situated,

Plaintiff,

vs.

PROVIDENT CREDIT UNION, a  
California nonprofit corporation; and  
DOES 1 through 50, inclusive,

Defendants.

Case No.: 20-CIV-03398

(Assigned to the Honorable V. Raymond Swope,  
Dept. 23)

**DECLARATION OF MAX W. GAVRON IN  
SUPPORT OF PLAINTIFF'S MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: December 4, 2023

Time: 2:00 p.m.

Dept.: 23

Complaint Filed: August 11, 2020

FAC Filed: March 25, 2021

SAC Filed: May 20, 2022

Trial Date: None Set

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I, Max W. Gavron, 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 Plaintiff Domenic Ciarlanti (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel have zealously represented the interests of the Class. Class Counsel engaged in formal discovery and significant discussions with opposing counsel to obtain informal data and documents on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

3. Based on my review of all the documents and information, and on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

4. I am one of the primary attorneys on this matter. My qualifications are as follows: I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, magna cum laude. I was in the top 5% of my class. During my time at Southwestern, I was a Notes and Comments Editor on the Southwestern Law Review. I also received awards for achieving the highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States District Court for the Central District. Immediately after law school, I taught several courses at Southwestern, including Principles of Legal Analysis and Legal Methods. I taught those courses for approximately four years.

5. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately September 2013, through January 2016. I was third-chair in a federal court jury trial that resulted in a defense verdict in our client's favor on a \$21 million commercial breach of contract dispute. I also regularly litigated cases across the civil litigation spectrum, including employment matters.

6. From February 2016, through Fall 2017, I practiced at the international law firm of Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50 companies in Multi-District Litigation primarily in the product liability sphere. I also

1 successfully drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary  
2 judgment decision regarding trade secret issues, in addition to working in several other practice  
3 groups.

4 7. From September 2017, through September 2018, I served as a law clerk to a  
5 Judge sitting on the United States District Court, Central District of California. I regularly  
6 prepared bench memoranda, on cases involving all types of civil litigation, including regularly  
7 working on wage and hour class actions.

8 8. I am currently an associate at the law firm Diversity Law Group, P.C., an  
9 employment law firm that has handled numerous wage and hour class and individual actions, on  
10 both plaintiff and defense sides. My current practice focuses on employment matters involving  
11 both class actions, and single plaintiffs. The firm currently has cases in the Los Angeles Superior  
12 Courts, the Orange County Superior Courts, the San Diego County Superior Courts, and the  
13 United States District Courts for the Central, Northern, and Eastern Districts of California. I am  
14 currently handling numerous wage and hour class action lawsuits with the firm, including, but  
15 not limited to: *Agar v. Sensient Natural Ingredients, LLC* (Case No. CV-19-001906, Stanislaus  
16 County Superior Court); *Cunningham, et al. v. Diverse Business Solutions* (Case No.  
17 CIVDS1817095, San Bernardino County Superior Court); *Heredia v. Eddie Bauer LLC* (Case  
18 No. 16CV300475, United States District Court, Northern District of California); *Parsons v.*  
19 *Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court); and  
20 *Coronel v. Pinnacle Agriculture* (Case No. 18CV004287, Monterey County Superior Court).

21 9. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of  
22 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,  
23 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our  
24 clients. *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

25 10. I have also assisted the firm in numerous wage and hour class action mediations.

26 11. My co-counsel and I will adequately represent the Class Members in this action.  
27 Class Counsel have and will zealously represent Plaintiffs and the Class and pursue this lawsuit  
28 to its conclusion.

12. I have no conflicts with the Class and will adequately represent the Class.

13. I do not have any relationship with or connection to the California State Bar's Justice Gap Fund, the proposed *cy pres* beneficiary.

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

Executed on this 7<sup>th</sup> day of August 2023, at Los Angeles, California.

  
Max W. Gavron