

1 **DAVID YEREMIAN & ASSOCIATES, INC.**

2 David Yeremian (SBN #226337)
3 Roman Shkodnik (SBN #285152)
4 535 N. Brand Blvd., Suite 705
5 Glendale, CA 91203
6 Telephone: (818) 230-8380
7 Facsimile: (818) 230-0308

8 Attorneys for Plaintiff Vivian Ly

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

VIVIAN LY, on behalf of herself and others
similarly situated,

Plaintiff,

vs.

PRIME COMMS RETAIL, LLC, a Delaware
limited liability company; and DOES 1
through 50, inclusive

Defendants.

Case No.: 34-2020-00281668

**DECLARATION OF ROMAN SHKODNIK
IN SUPPORT OF PLAINTIFFS' MOTION
TO APPROVE PAGA SETTLEMENT;**

Date: November 16, 2021

Time: 9:00 a.m.

Place: Dept. 54

Reservation No. 2591498

Judge: Hon. Christopher E. Krueger

Dept.: 54

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1. I am an attorney licensed and admitted to practice before all courts of the State of California and the United States District Courts for the Central, Southern, Eastern and Northern Districts of California. I have personal knowledge of the facts herein, and if called as a witness I could and would competently testify to them.

3. I received my Bachelor of Arts in history and political science from the University of California, Los Angeles, in 2007. I then earned my Juris Doctorate from Loyola Law School in May of 2011. Upon graduating from law school, I have exclusively focused my practice on representing employees including in wage-and-hour class actions.

5. To provide the Court with an overview of the work done by Class Counsel in this case, I provide a detailed summary of the hours I have invested in this action as **Exhibit 1**. As detailed in **Exhibit 1**, I have spent approximately **80** hours on this matter.

Executed this 12th day of October 2021 at Glendale, California.

Roman Shkodnik

EXHIBIT 1

Tasks Performed	Atty Hours Est.	Date range
<u>1. Pre-Filing and Investigation Tasks –</u> • Complaint research and research case law and other cases, and research Defendant Prime Comms Retail, LLC, “ Defendant “ and its operations and prior litigations • Confer with client and review documents with client, including personnel file request and production – send records request and confer with Client and Defendant regarding personnel file • set up file and documents, including atty-client agreement, responsibilities of a class rep. and wage statements and personnel file documents • Research California Secretary of State filings for Defendant • Conduct factual and legal research into the merits of Plaintiff’s claims • Researching similar wage class actions • Conduct multiple conferences discussing the facts and allegations with Plaintiff, addressing conduct of litigation, time frame for events and initial actions to commence litigation.	20	April 2020 – July 2020
<u>2. Filing the Complaint and Drafting and Sending the LWDA Letter Notice and Filing Amended Complaint</u> • Conduct further research regarding Defendant and policies and practices and confer with client and draft detailed file notes • Draft Class Action Complaint and allegations • Draft LWDA Letter and correspondence to LWDA and Defendant re: PAGA Notice and claims and facts and theories and grounds for recovering civil penalties. • Confer and correspond with client regarding Complaint and review and approval of factual allegations and attend to filing	10	July 2020

3. <u>Initial conferences and correspondence with Defendants' counsel and Initial scheduling conference and case initiation requirements.</u> • Review case initiation documents and conformed copies, and review initial Case Management Conference order and draft notice of CMC • Confer and correspond with process server regarding service on Defendant and status and documents to provide • Conduct multiple conferences with Client and exchange e-mails regarding ongoing experiences as a current employee of Defendant and evidencing claims • Continue compiling case documents from Plaintiff and case research regarding the applicable authorities and claims and Defendant's policies and operations • Conduct teleconferences and exchange correspondence regarding claims and Defendant and its operations and the case and claims • Confer with defense counsel regarding notice and acknowledgement • Draft multiple correspondences to Defense counsel regarding case and conference and appearance and discovery • Conduct further investigation into the claims, and conferences with client regarding same and documents supporting allegations. • Prepare draft of Amended Complaint to a PAGA claim • Prepare request to add Defendant Spring Communications Holdings LLC as a doe Defendant	10	July 2020 – March 2021
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4. <u>Potential ADR Discussions and informal discovery requests</u> • Confer with defense counsel and exchange e-mails regarding decision to proceed with mediation and status of discovery and how to approach in light of agreement • Draft and serve initial informal discovery requests and confer and correspond with Defendant’s counsel regarding them and responsive information and documents • Confer and correspond with Defendant Prime Comms Retail, LLC Defendant Spring Communications Holdings LLC “collectively Defendants” and mediators regarding mediator selection and availability and scheduling • Agree upon mediator and draft multiple e-mails and respond regarding scheduling • Book mediation and begin preparation after finalizing scheduling based on parties and counsel schedules and availability and that of the mediator • Confer with Plaintiff regarding mediation and availability, and review multiple correspondences from Plaintiff regarding ongoing claims and issues to address with Defendants • Draft stipulations and file all documents regarding conferences and case management dates and continuances for mediation. • Confer with statistical analysis expert regarding production and review and information and items needed to provide conclusions and recommendations and provide documents to him; discuss case claims and approach to damages	7	November 2020 – April 2021
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<u>5. Complete Initial Informal Discovery, Mediation Preparation, and Conduct Mediation and further discovery meet and confer –</u> • Draft correspondence with Defendants’ counsel and mediator regarding mediation and scheduling • Complete informal discovery and production of documents and Aggrieved Employees’ data • Review all production and file documents and policy documents and compile key exhibits and documents for mediation. • Confer and correspond with Defendants’ counsel regarding Aggrieved Employees’ data and numbers agreed upon and extrapolated for mediation. • Complete and draft calculations of Defendants’ potential liability exposure and summarize defenses to each and alleged bases for reduction in calculated numbers. • Provide Aggrieved Employees data and documents as necessary to expert and confer with expert regarding conclusions and numbers for Aggrieved Employees based on the provided information. • Conduct case law review and research regarding accurate wage statements. • Draft mediation brief, address background and procedure and discovery completed, address relevant policies of Defendants and each of Plaintiff’s claims, and the facts and law supporting them, and research and calculate potential estimated damages and penalties exposure. • Complete conferences with defense counsel regarding Settlement and general terms. • Draft correspondence following mediation with mediator and confer regarding continued efforts to finalize settlement terms. Agree to and address general terms for settlement and begin drafting agreement and Aggrieved Employees notice.	15	April 2021
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Detailed Time and Task Summary – Roman Shkodnik

<u>6. Finalizing Settlement Agreement and Terms</u> – • Draft and correspond with Defense counsel regarding Memorandum of Agreement and attend to finalizing and executing. • Draft stipulation to continue case management conference to complete Settlement Agreement and attend to filing. • Draft long form Settlement Agreement and conduct multiple conferences and correspondence with defense counsel regarding detailed terms and revisions. • Multiple correspondence and conferences with defense counsel regarding settlement terms and revisions and additions. • Draft Aggrieved Employees Notice and e-mails regarding same and finalizations after editing. • Confer with administrators and receive quotations and agree on estimate and administrator • Conduct multiple conferences with Plaintiff regarding Settlement and terms and responding to his questions and concerns. Address in detail with Plaintiff his ongoing employment and the implications of the Settlement and ensuring it does not impact his current employment status with Defendants • Finalize Settlement Agreement and attend to execution and confer and correspond with Plaintiff regarding same • Prepared stipulation to file consolidated complaint	10	April 2021 – August 2021
<u>7. Motion for PAGA Settlement Approval:</u> • Draft motion for PAGA approval of the Settlement and supporting documents and declarations and attend to filing. • Conduct multiple conferences and exchange correspondence with defense counsel regarding MPA documents and revisions as required	8	October 2021
TOTAL:	80 Hrs.	