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JCL LAW FIRM, APC

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Attorneys for Plaintiff DANIEL JACOBS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

DANIEL JACOBS, on behalf of himself, and
others similarly situated,

Plaintiff,

v.

RUSH MEDIA COMPANY, LLC, a Wisconsin
limited liability company; XLT
MANAGEMENT SERVICES, INC. an Illinois
corporation; and DOES 1-50, inclusive,

Defendants.

Case No: 20STCV32350

**DECLARATION OF JEAN-CLAUDE
LAPUYADE, ESQ. IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT**

Hearing Date: November 12, 2021

Hearing Time: 10:30 AM

Honorable Judge Daniel J. Buckley
Department 1

Trial Date: Not Set

Action Filed: August 25, 2020

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 competently
3 testify to the following facts from my own personal knowledge. I am an attorney-at-law and the owner
4 of the law firm of JCL LAW FIRM, APC (hereinafter "Class Counsel"). I am counsel of record for
5 Plaintiff DANIEL JACOBS in his representative capacity on behalf of the State of California and other
6 Aggrieved Employees, (hereafter "Plaintiff") in this wage and hour class action filed against RUSH
7 MEDIA COMPANY, LLC and XLT MANAGEMENT SERVICES, INC., (hereinafter collectively
8 "Defendants").

9 2. Class Counsel in this matter has extensive class action experience in multiple fields and
10 has represented tens-of-thousands of persons in class actions. Counsel has previously litigated similar
11 wage and hour class actions involving similar meal and rest period violations. Class Counsel has been
12 approved as class counsel in similar wage and hour class actions throughout the State of California,
13 including in the Superior Court for the County of San Bernardino. As such, courts throughout the
14 California have deemed Class Counsel experienced and knowledgeable in this area of law. Class
15 Counsel has participated in every aspect of the settlement discussions and has concluded the settlement
16 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 multi-
21 party product liability matters. The Firm currently consists of myself, Jean-Claude Lapuyade, Esq.
22 (Partner/Owner), Eduardo Garcia (Associate), Tesla Stone (Paralegal), and Leilani Edmunds (Legal
23 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 litigation
26 like this matter, and employment matters in general. Additionally, I have extensive complex mass tort
27 litigation experience and complex construction product liability experience. I can, will and have

adequately represented the interests of the Plaintiff, the State of California and the Aggrieved Employees throughout this action.

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

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

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

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

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

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

e. *Salazar v. Frontier Auto Sales Inc., dba Frontier Toyota*, Los Angeles Superior Court, Case No. 19STCV20382 (November 24, 2020 – Hon. John P. Doyle appointed the JCL

1 Law Firm, APC as class counsel and approved a class and PAGA settlement for, *inter alia*,
2 missed meal and rest periods.)

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

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

11 h. *Frazier v. ASA Carlton, Inc.*, San Diego Superior Court Case No. 37-2019-
12 00036147 (October 9, 2020 Hon. Kenneth Medel appointed the JCL Law Firm as Class Counsel
13 and granted final approval of wage and hour class action for off-the-clock work.)

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

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

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

24 l. *Moreno v. Dash Lube, et al.*, United States District Court, Southern District of
25 California, Case No. 18cv1922 DMS (AHG) (December 13, 2019 – Granted class certification
26 of Labor Code Section 226 claim and appointed JCL Law Firm, APC, as Class Counsel.)
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t. *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior Court Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed JCL Law Firm, APC, as Class Counsel and granted final approval for a wage and hour class action settlement involving claims for on duty meal and rest periods.);

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

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

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

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

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

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

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

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

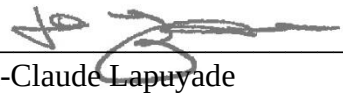
9. Finally, I have published appellate experience in *William Blanchette et al., v. The Superior Court of Imperial County, (GHA Enterprises)*, 8 Cal.App.5th 521.

10. Consequently, I was named to the prestigious Thomson Reuters, Super Lawyers, Rising Star in 2015, 2016, 2017 and, again, in 2018. According to Thomson Reuters, the Super Lawyers,

1 Rising Star list recognizes the top 2.5% of eligible attorneys. (see
2 https://www.superlawyers.com/about/selection_process.html.)

3 I declare under the penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct. Executed this 18th day of October 2021, at San Diego, California.

5 **JCL LAW FIRM, APC**

6 By: 
7 Jean-Claude Lapuyade
8 Attorneys for Plaintiff
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