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Attorneys for Plaintiffs Adams and Tatum

[Additional Counsel Listed on Following Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MERCED

JASON ADAMS, RAUL ALVARADO, EMMA
SARWAR, SERGIO RODRIGUEZ, and
SHENITA TATUM, as private attorneys general
and as an individual and on behalf of all others
similarly situated,

Plaintiffs,

vs.

SCHOLLE IPN PACKAGING, INC., a Nevada
corporation; SCHOLLE PACKAGING, INC., a
Nevada corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 20CV-02350

**DECLARATION OF SIMON L. YANG IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: May 8, 2025
Time: 8:15 a.m.
Department: 8

Complaint Filed: August 17, 2020
FAC Filed: August 30, 2024

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LIPPSMITH LLP
7 555 S. Flower Street, Suite 3000
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8 Tel: (213) 344-1820 / Fax: (213) 513-2495
9 Attorneys for Plaintiffs Alvarado, Sarwar, and Rodriguez

1 I, Simon L. Yang, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and, with the law firm
3 Diversity Law Group, P.C., am counsel of record for Plaintiffs Adams and Tatum . I make this
4 declaration on the basis of my own personal knowledge, except as to those matters stated on information
5 and belief and, as to those matters, I believe them to be true. If called as a witness, I could testify
6 competently as to the facts stated in this declaration.

7 2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with
8 my office’s contact information, where they could further seek information regarding the class
9 settlement, leave questions for the Administrator, and update their address. There were no objections to
10 the amount of attorneys’ fees or litigation costs that Class Counsel seek in this case and for which
11 Plaintiffs ask the Court for final approval.

12 3. Class Counsel engaged in extensive factual investigation before settling, including the
13 exchange of formal and informal discovery and class data. This allowed Plaintiffs to conduct a full
14 damage analysis. The Agreement was the product of negotiation between highly able and experienced
15 attorneys on both sides who possessed the relevant data and extensive legal research which they had
16 carefully analyzed.

17 4. The settlement in the case at bar warrants approval and carries a presumption of fairness.
18 As previously noted in the application for Preliminary Approval, this current settlement was negotiated
19 at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the
20 Class Members as a whole.

21 5. My firm has a great deal of experience in wage and hour class action litigation and has
22 been approved as class counsel in a number of class actions.

23 6. I am one of the primary attorneys on this matter. My qualifications are as follows: After
24 completing my undergraduate education at The Wharton School at the University of Pennsylvania in
25 2004 with concentrations in Management and Human Resources, I continued studying labor and
26 employment issues by enrolling in post-graduate education at the School of Labor and Employment
27 Relations at the University of Illinois. I determined before enrolling in law school that I wanted to
28 practice labor and employment law in California. I thus received my J.D. from UCLA School of Law in

2008. During law school, I spent the summer of 2006 with the National Labor Relations Board, Region 21, and the summer of 2007 with the law firm of Seyfarth Shaw LLP in 2007.

7. Upon graduating from law school in 2008, I practiced labor and employment law at Seyfarth Shaw LLP, a well-regarded labor and employment firm. I was elevated to partner in 2019. My practice focused on wage and hour class, collective, and representative actions, with a particular emphasis on matters involving the Labor Code Private Attorneys General Act of 2004 (“PAGA”). During my time with Seyfarth Shaw LLP, I was a primary attorney on numerous wage and hour class, collective, and representative actions that resulted in published opinions, including for example, *Ehret v. WinCo Foods, LLC*, 26 Cal. App. 6th 1 (2018) (affirming summary judgment in PAGA action based on absence of meal period violations in light of collectively bargained waiver of meal periods on shifts of not more than six hours), and *Ruelas v. Costco Wholesale Corp.*, 67 F. Supp. 3d 1137 (C.D. Cal. Sept. 8, 2014) (obtaining dismissal of wage statement allegations in PAGA representative action). I was also able to obtain experience litigating representative claims or wage and hour matters through trial and appeal. *E.g.*, *Velazquez v. Costco Wholesale Corp.*, 603 Fed. App’x 584 (9th Cir. Mar. 25, 2015) (reversing award of waiting-time penalties based on lack of evidence supporting any willful failure to pay wages); *Ward v. Costco Wholesale Corp.*, 552 Fed. App’x 631 (9th Cir. Jan. 9, 2014) (affirming bench-trial judgment in favor of defendant against named plaintiff and 18 opt-in plaintiffs in collective action with involving deductions from final paychecks). I also litigated class certification on numerous matters. *E.g.*, *Martinez v. Guess?, Inc.*, Los Angeles Superior Court Case No. BC 498326 (obtaining denial of class certification on behalf of retail employees alleging bag check claims).

8. Based on my experience in wage and hour class, collective, and representative actions, I have been interviewed and quoted in articles published in the Northern California Record about legislative efforts to reform PAGA. I also have published articles on myriad topics relevant to wage and hour class and representative action litigation, including for example articles on California kin care requirements in *Employee Relations Law Journal* (Vol. 36, No. 2), the extraterritorial application of California employment laws in *The Recorder* (134RD Year No. 28), and California meal and rest break laws in *California Transportation News*, a publication of the California Construction Trucking Association.

9. In 2020 I left Seyfarth Shaw LLP and joined my current firm, Diversity Law Group, P.C., which also focuses on employment law. I have handled a number of wage and hour class and representative actions and continue litigating such matters in numerous Superior Courts and District Courts. From matters with both Seyfarth Shaw LLP and Diversity Law Group, P.C., I have successfully mediated the resolution of dozens of wage and hour class, collective, and representative actions. I have obtained class certification and been appointed class counsel in numerous matters. No court has ever found me to be inadequate class counsel.

10. My firm has incurred costs in the amount of \$9,671.11. The costs are all litigation related costs, including filing fees and mediation fees. Attached as **Exhibit A** is copy of the \$8,096.43 in costs my firm has incurred in connection with prosecution of Plaintiff Adam's lawsuit, and attached as **Exhibit B** is copy of the \$1,574.68 in costs my firm has incurred in connection with prosecution of Plaintiff Tatum's lawsuit.

11. On January 10, 2025, Plaintiffs uploaded the Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action Settlement to the LWDA's website. Concurrent with the filing of this motion, Plaintiffs also have uploaded the final approval motion to the LWDA.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 16th day of April 2025, at Pasadena, California.

Simon L. Yang

EXHIBIT A



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250,
Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice # 10077
Invoice Date 04/03/2025
Terms Upon Receipt
Due Date 04/03/2025
PO #

Summary- Adams, Jason v. Scholle Packaging, Inc. (1075.001)

Type	Description	Amount
Expenses		8096.43

Subtotal: \$8,096.43
Discount: -\$0.00
Subtotal after Discount: \$8,096.43
Taxable Subtotal: \$8,096.43
Tax: \$0.00
Total: \$8,096.43

Details - Adams, Jason v. Scholle Packaging, Inc. (1075.001)

Expenses

Category	Date	Expense Code	Description	Amount (\$)
	08/06/2020	E112 Court fees	LWDALWDA	75.00
	08/17/2020	E112 Court fees	Odyssey - ComplaintOdyssey - Complaint	1481.66
	08/31/2020	Photocopies	PhotocopiesPhotocopies	0.75
	08/31/2020	E108 Postage	PostagePostage	21.20
	09/17/2020	E112 Court fees	Odyssey - POS of SummonsOdyssey - POS of Summons	3.60
	09/09/2020	Attorney Service	Attorney Service - Complaint Service	68.50
	09/09/2020	Attorney Service	Attorney Service - Complaint Service	45.25
	02/05/2021	E112 Court fees	Odyssey - Plaintiff's CMSOdyssey - Plaintiff's CMS	3.60
	08/13/2021	E112 Court fees	Odyssey - CMSOdyssey - CMS	3.60
	08/16/2021	E112 Court fees	Odyssey - CMSOdyssey - CMS	3.60
	11/11/2021	E112 Court fees	Odyssey - Notice of Association of Counsel	3.60
	04/01/2022	E112 Court fees	Odyssey - CMSOdyssey - CMS	3.60
	12/29/2022	E121 Arbitrators/mediators	Judicate WestJudicate West	5583.33
	02/17/2023	E112 Court fees	Odyssey - CMSOdyssey - CMS	3.60
	01/31/2023	E108 Postage	PostagePostage	0.57



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Category	Date	Expense Code	Description	Amount (\$)
	07/12/2024	E112 Court fees	Odyssey - Stip to AmendOdyssey - Stip to Amend	24.20
	07/24/2024	E112 Court fees	Odyssey - NOEOdyssey - NOE	3.60
	08/30/2024	E112 Court fees	Odyssey - FACOdyssey - FAC	4.50
	08/31/2024	Photocopies	PhotocopiesPhotocopies	7.50
	08/31/2024	E108 Postage	PostagePostage	11.82
	12/12/2024	E112 Court fees	Odyssey - MPAOdyssey - MPA	65.40
	01/06/2025	E112 Court fees	Odyssey - Notice of Remote Appearance	5.95
	03/06/2023	E112 Court fees	CourtcallCourtcall	72.00
	07/18/2024	E112 Court fees	Est CostsEst Costs	300.00
Court Fees	04/03/2025		WIP	300.00
Subtotal:				\$8,096.43
Total:				\$8,096.43

EXHIBIT B



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250,
Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice # 10078
Invoice Date 04/03/2025
Terms Upon Receipt
Due Date 04/03/2025
PO #

Summary- Tatum, Shenita v. Scholle IPN Packaging, Inc. - CA (20061.001)

Type	Description	Amount
Expenses		1574.68

Subtotal: \$1,574.68
Discount: -\$0.00
Subtotal after Discount: \$1,574.68
Taxable Subtotal: \$1,574.68
Tax: \$0.00
Total: \$1,574.68

Details - Tatum, Shenita v. Scholle IPN Packaging, Inc. - CA (20061.001)

Expenses

Category	Date	Expense Code	Description	Amount (\$)
	08/25/2023	E112 Court fees	Odyssey - ComplaintOdyssey - Complaint	1481.66
	08/31/2023	Photocopies	PhotocopiesPhotocopies	0.25
	08/31/2023	E108 Postage	PostagePostage	8.53
	03/01/2024	E112 Court fees	Odyssey - Notice of Remote Appearance	3.60
	06/24/2024	E112 Court fees	Odyssey - Stip for DismissalOdyssey - Stip for Dismissal	3.60
	09/28/2023	E106 Online research	Online PortalOnline Portal	1.02
	09/28/2023	E106 Online research	Online PortalOnline Portal	1.02
	08/14/2023	E112 Court fees	LWDALWDA	75.00
Subtotal:				\$1,574.68
Total:				\$1,574.68