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Attorneys for Plaintiff,
EDWARD GNAT, on behalf of himself and all similarly aggrieved employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

EDWARD GNAT, on behalf of himself and
all similarly aggrieved employees,

Plaintiff,

v.

QUINN COMPANY; and DOES 1 through
50, inclusive,

Defendants.

Case No. 20CV003431

**DECLARATION OF MAI TULYATHAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: February 23, 2024
Time: 8:30 a.m.
Dept.: 15

Action Filed: December 21, 2020
Trial Date: Not Set

1 **DECLARATION OF KWANPORN “MAI” TULYATHAN**

2 I, Kwanporn “Mai” Tulyathan, declare as follows:

3 1. I am an attorney at law, duly admitted to practice before all courts in the State of
4 California, and am a member of the law firm of the Diversity Law Group, P.C., counsel of
5 record for Plaintiff Edward Gnat (“Plaintiff”). I have personal knowledge of the facts set forth
6 below and if called to testify I could and would do so competently.

7 2. From the inception of the case, Plaintiff’s counsel have zealously represented the
8 interests of the Settlement Class. Plaintiff’s counsel have engaged in discovery as well as
9 significant meet and confer discussions with opposing counsel to obtain informal data and
10 documents and to discuss the merits of the claims on behalf of the Settlement Class. This
11 settlement was obtained for the benefit of the Settlement Class, as opposed to the individual
12 Class Representative.

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

16 4. My qualifications are as follows: I received my J.D. from Loyola Law School in
17 2017. I received the First Honors Award in Legal Research and Writing, First Honors Award
18 in Appellate Advocacy, and First Honors Award in Civil Litigation Practicum I for achieving
19 the highest grade in those classes. During law school, I was a Staff Editor for Loyola Law
20 Review. I was also an extern at the U.S. District Court, Central District of California, for the
21 Honorable Christina A. Snyder, and a certified law clerk at the San Diego County District
22 Attorney’s Office, Collaborative Courts Division, and the Los Angeles County District
23 Attorney’s Office, Consumer Protection and Environmental Crimes Division. In 2016, I
24 participated in Loyola Law School’s Scott Moot Court Competition, where I placed Top 16
25 and was awarded the Top Ten Brief Award. In 2017, I participated in the Employment
26 Rights Clinic, an extension of the Division of Labor Standards Enforcement created to
27 investigate retaliation complaints. Upon graduation from law school, I was admitted to the
28 California Bar in December 2017.

1 5. I am currently an associate at the law firm Diversity Law Group, P.C., an
2 employment law firm that has handled numerous wage and hour class and individual actions,
3 on both plaintiff and defense sides. The firm currently has cases in numerous state courts,
4 including the Santa Clara Superior Court, Los Angeles Superior Court, Orange County
5 Superior Court, San Diego County Superior Court, Monterey County Superior Court, as well
6 as the United States District Courts for the Central, Northern, Southern, and Eastern Districts
7 of California.

8 6. I am currently handling and/or have handled numerous wage and hour class
9 action and PAGA lawsuits.

10 7. In 2018, I argued before the California Court of Appeal, Second Appellate
11 District, in the case of *Lee v. California Commerce Club, Inc.* (California Court of Appeal
12 Case Number B276171, LASC Case Number BC596924), and *Perez v. Standard Drywall, Inc.*
13 (California Court of Appeal Case Number A146819, Alameda Sup. Ct. No. RG15761142). In
14 that same year, I also assisted the firm in successfully obtaining class certification and partial
15 summary judgment by the United States District Court, Northern District of California in the
16 case of *Magadia v. Wal-Mart Associates, Inc.* (Case Number 17-CV-00062-LHK). I third
17 chaired the bench trial in that same case in December 2018.

18 8. I have also been certified and/or approved as class counsel in numerous other
19 wage/hour class actions. Most recently, I was certified as class counsel in the cases *Garcia v.*
20 *Wal-Mart Associates, Inc., et al.* (S.D. Cal., Case Number 3:18-cv-00500-L-MDD), *Richert v.*
21 *Samaritan, LLC, et al.* (Santa Clara County Superior Court, Case Number 17CV314186), *Song*
22 *v. THC – Orange County, Inc.* (C.D. Cal., Case No. 8-17-cv-965-JLS (DFM)), *Hernandez v.*
23 *Wells Fargo Bank National Ass’n, et al* (Santa Clara County Superior Court, Case No. 16-CV-
24 299319), and *Sims v. QG Printing II, LLC, et al.* (C.D. Cal., Case No. ED CV 20-1632-DMG
25 (KKx)), as part of the courts’ orders granting class certification pursuant to Fed. R. Civ. P. 23
26 and California Code of Civil Procedure § 382.

27 9. Moreover, I was granted final approval as class counsel in *Lao v. H & M Hennes*
28 *& Mauritz, L.P.* (N.D. Cal., Case No. 5:16:cv-333 EJD), *Abarca v. El Estero Car Wash, Inc. et*

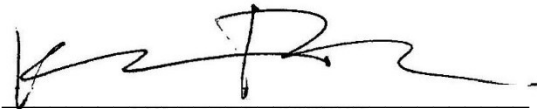
1 *al* (Monterey County Superior Court, Case No. 18CV003398), *Valles v. Community Hospital*
2 *of the Monterey Peninsula* (Monterey County Superior Court, Case No. 17CV003452),
3 *Hernandez v. Wells Fargo Bank National Ass'n, et al* (C.D. Cal., Case No. 16-CV-299319);
4 *Baker v. California Forensic Medical Group, Inc., et al.*, Judicial Council Coordination
5 Proceeding No. 4999 (Lead Case No. 17CV003723); *Mendez v. Falcon Trading Company*
6 (Monterey County Superior Court, Case No. 19CV004512).

7 10. I will adequately represent the Settlement Class Members in this action.
8 Plaintiff's counsel have and will zealously represent Plaintiff and the Settlement Class and
9 pursue this lawsuit to its conclusion. I have no conflicts with the Settlement Class and will
10 adequately represent the Settlement Class.

11 11. I have no conflicts of interest with the proposed *cy pres* recipient, Watsonville
12 Law Center.

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

15 Executed on this 30th day of January 2024, at Los Angeles, California.

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18 Kwanporn "Mai" Tulyathan
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