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JCL LAW FIRM, APC

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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

DEBBIE FELIX, an individual; RICK
MALEAD, an individual, on behalf of
themselves, and on behalf of all persons
similarly situated, and in their representative
capacity on behalf of the State of California
and fellow Aggrieved Employees,

Plaintiffs,

vs.

TVI, INC., d.b.a. SAVERS, a Washington
corporation; and DOES 1 through 50,
Inclusive;

Defendants.

Case No: 21CV376407

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

Date: February 17, 2022
Time: 1:30 P.M.
Dept.: 1

Action Filed: February 24, 2021

I, Jean-Claude Lapuyade, Esq., declare as follows:

1. I am over eighteen years of age and if called as a witness, I could and would competently testify to the following facts from my own personal knowledge. I am an attorney-at-law and the owner of the JCL LAW FIRM, APC (hereinafter "Class Counsel"). I am co-counsel for Plaintiffs DEBBIE FELIX and RICK MELEAD.

2. This declaration is being submitted in support of Plaintiffs' Motion for Final Approval of Class and PAGA Action Settlement.

1 3. Class Counsel in this matter has extensive class action experience in multiple fields
2 and has represented tens-of-thousands of persons in class actions. Counsel has previously
3 litigated similar wage and hour class actions involving similar meal and rest period violations.
4 Class Counsel has been approved as class counsel in similar wage and hour class actions
5 throughout the State of California, including in the Superior Court for the County of San
6 Bernardino. As such, courts throughout the California have deemed Class Counsel experienced
7 and knowledgeable in this area of law. Class Counsel has participated in every aspect of the
8 settlement discussions and has concluded the settlement is fair, adequate and reasonable and in
9 the best interests of the Class.

10 4. Plaintiffs, the Settlement Class Members and the Aggrieved Employees are
11 represented by competent and experienced counsel to pursue their claims. I established the JCL
12 Law Firm, APC (“Firm”), in 2010. The Firm is a boutique plaintiff firm representing aggrieved
13 employees and consumers throughout California in wage and hour class actions, PAGA Actions
14 and complex multi-party product liability matters. The Firm currently consists of myself, Jean-
15 Claude Lapuyade, Esq. (Partner/Owner), Eduardo Garcia (Associate), Tesla Stone (Paralegal),
16 and Leilani Edmonds (Legal Secretary).

17 5. I am qualified to represent the Plaintiff, the State of California and the Aggrieved
18 Employees. I have extensive experience with wage and hour class and representative actions
19 litigation like this matter, and employment matters in general. Additionally, I have extensive
20 complex mass tort litigation experience and complex construction product liability experience. I
21 can, will and have adequately represented the interests of the Plaintiff, the State of California
22 and the Aggrieved Employees throughout this action.

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

26 7. I have significant class counsel and collective action counsel experience. I served
27 as class and/or collective (PAGA) counsel in, among other cases, the following matters:
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1 a. *Munoz v. AMTCR, Inc.*, San Bernardino Superior Court Case No.
2 CIVDS2001914 (August 24, 2021 – Hon. David Cohn approved a \$1.85 million dollar
3 wage and hour class and PAGA action for, among other things, inaccurate itemized wage
4 statements, and appointed the JCL Law Firm, APC as Class Counsel.)

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

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

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

18 e. *Salazar v. Frontier Auto Sales Inc., dba Frontier Toyota*, Los Angeles
19 Superior Court, Case No. 19STCV20382 (November 24, 2020 – Hon. John P. Doyle
20 appointed the JCL Law Firm, APC as class counsel and approved a class and PAGA
21 settlement for, *inter alia*, missed meal and rest periods.)

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

27 g. *Stevens et al., v. Bank of England*, San Diego County Superior Court Case
28 No. 37-2019-00018662-CU-OE-CTL (October 16, 2020 – Hon. John Meyer appointed

1 JCL Law Firm as Class Counsel and granted final approval of wage and hour class action
2 for, *inter alia*, off-the-clock work.)

3 h. *Frazier v. ASA Carlton, Inc.*, San Diego Superior Court Case No. 37-2019-
4 00036147 (October 9, 2020 Hon. Kenneth Medel appointed the JCL Law Firm as Class
5 Counsel and granted final approval of wage and hour class action for off-the-clock work.)

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

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

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

18 l. *Moreno v. Dash Lube, et al.*, United States District Court, Southern
19 District of California, Case No. 18cv1922 DMS (AHG) (December 13, 2019 – Granted
20 class certification of Labor Code Section 226 claim and appointed JCL Law Firm, APC,
21 as Class Counsel.)

22 m. *Perkins et al., v. Tahiti Enterprises, Inc., et al.*, Orange County Superior
23 Court Case No. 30-2016-00863095 (October 22, 2019 – Hon. Peter Wilson appointed
24 JCL Law Firm, APC, as Class Counsel and granted final approval for an unlawful
25 housing class action settlement arising out of Civil Code Section 1940.1.)

26 n. *Hill v. Stemak Holdings, Ltd.*, San Diego Superior Court Case No., 37-
27 2018-00000747 (January 28, 2020 – Hon. Kenneth Medel appointed JCL Law Firm, APC
28

1 as class counsel and granted final approval of wage and hour class action for unpaid
2 overtime.)

3 o. *Shachno et al., v. KT Hotels, LLC, et al.* San Diego Superior Court Case
4 No Case No. 37-2018-00043601 (May 31, 2019 – Hon. Gregory Pollack appointed JCL
5 Law Firm, APC, as Class Counsel and granted preliminary approval for the wage and
6 hour class action settlement involving nearly 900 current and former employees. Final
7 approval scheduled for October 4, 2019)

8 p. *Almanza v. The Express Group, Inc.*, San Bernardino Superior Court Case
9 No. CIVDS1722542 (April 19, 2019 – Hon. David Cohn appointed the JCL Law Firm,
10 APC, as Class Counsel and granted final approval for a wage and hour class action
11 settlement for *inter alia*, missed meal and rest periods and independent contractor
12 misclassification.)

13 q. *Moschetto v. Pillow Global, Inc.* San Diego Superior Court, Case No. 37-
14 2017-00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL LAW
15 Firm, APC, as Class Counsel and granted final approval for a wage and hour wage class
16 action settlement involving misclassified house cleaners.)

17 r. *Burke v. Friendship Hotel, LLC*, San Diego County Superior Court Case
18 No. 37-2017-00022517-CU-OE-CTL (March 10, 2019 – final approval granted on for an
19 unlawful housing class action arising under Civil Code Section 1940.2)

20 s. *Terrado et al., v. Accredited Debt Relief, LLC*, San Diego County Superior
21 Court Case No. 37-2018-00014181-CU-OE-CTL (February 8, 2019 – Hon. Gregory W.
22 Pollock appointed JCL Law Firm, APC as Class Counsel and granted final approval for a
23 wage and hour class action settlement for meal and rest period violations);

24 t. *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior
25 Court Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed JCL
26 Law Firm, APC, as Class Counsel and granted final approval for a wage and hour class
27 action settlement involving claims for on duty meal and rest periods.);
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1 u. *Summerlin et al. v. Maplebear, Inc. dba Instacart*, Los Angeles Superior
2 Court Case No. BC603030 (2018 - certified and settled wage and hour class action.)

3 v. *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-
4 00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal and
5 rest periods)

6 w. *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No.
7 37-2016-00012373-CU-OE-CTL (2017 - Certified and settled class action for employee
8 misclassification);

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

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

13 z. *Burns v. Shalom, LLC*, San Diego Superior Court, Case No., 37-2013-
14 00058356-CU-BT-CTL (2015 - certified and settled class action for unlawful housing
15 practices arising out of Civil Code Section 1940.1);

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

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

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

22 11. Consequently, I was named to the prestigious Thomson Reuters, Super Lawyers,
23 Rising Star in 2015, 2016, 2017 and, again, in 2018. According to Thomson Reuters, the Super
24 Lawyers, Rising Star list recognizes the top 2.5% of eligible attorneys. (see
25 https://www.superlawyers.com/about/selection_process.html.)

1 I declare under the penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 25th day of January 2022, at San Diego, California.

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4 **JCL LAW FIRM, APC**

5 By: 
6 Jean-Claude Lapuyade
7 Attorneys for Plaintiffs
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