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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BENITO

JOE BETANCUR, as an individual and on  
behalf of all others similarly situated,

Plaintiffs,

v.

PRIDE CONVEYANCE SYSTEMS, INC.,  
a California corporation; and DOES 1  
through 50, inclusive,

Defendants.

CASE NO. CU-21-00022

**DECLARATION OF DENNIS S. HYUN IN  
SUPPORT OF PLAINTIFF'S MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: 11/13/2024

Time: 3:30 PM a.m/p.m.

Dept.: 1

1 I, Dennis S. Hyun, hereby declare and state as follows:

2 1. I am an attorney at law duly admitted to practice before all courts in the State of  
3 California and am a member of the law firm of the Hyun Legal, APC, one of the attorneys of  
4 record for Plaintiff Joe Betancur (“Plaintiff”) in the above-entitled action.

5 2. I have personal knowledge of the matters set forth herein, and if called upon as a  
6 witness to testify thereto, I could and would competently do so.

7 3. I am one of the primary attorneys on this matter. My qualifications are as follows:  
8 I received my JD from Loyola Law School in 2002. I was named to the Dean’s Honor List from  
9 2000-2002. During law school, I was a Senior Research Editor for Loyola International &  
10 Comparative Law Review. I was also a research assistant for Professor Levenson, an extern at  
11 the U.S. District Court for the Honorable Audrey B. Collins, and a clerk at the U.S. Attorney’s  
12 Office, Criminal Division. I also served as a summer law clerk at the white-collar criminal  
13 defense firm, Lightfoot, Vandeveld, *et al.*, which became part of Crowell & Moring LLP. Upon  
14 graduation from law school, I served as a research attorney in the Los Angeles County Superior  
15 Court for the Hon. J. Stephen Czuleger, the Hon. Owen Lee Kwong, the Hon. Laurie D. Zelon,  
16 and the Hon. Joanne B. O’Donnell. After my clerkship ended, I practiced as a labor and  
17 employment associate for the next 8 years, including most recently as a senior associate at  
18 Seyfarth Shaw LLP, as well as DLA Piper LLP (US), and Morgan, Lewis & Bockius LLP. I am  
19 currently a shareholder in the law firm Hyun Legal, APC.

20 4. My primary practice has been employment law throughout my entire private  
21 career. I have handled a number of wage and hour matters including class actions and individual  
22 actions, on behalf of plaintiffs and defendants. I have a practice that encompasses cases in the  
23 Orange County Superior Courts, the Los Angeles County Superior Courts, the San Diego County  
24 Superior Courts, the United States District Courts for the Southern, Central, Northern and Eastern  
25 Districts of California, the California Court of Appeal, and the Ninth Circuit.

26 5. I have served as Class Defense Counsel in a number of wage and hour class  
27 actions, including but not limited to: *Bradley v. Networkers Int’l, LLC*, 211 Cal. App. 4th  
28 1129 (2012); *Chiu v. Citrix Systems, Inc.*, C.D. Cal. Case No. SACV11-01121 DOC (RNBx);

1 *Hodge v. Aon Insurance*, Los Angeles Sup. Ct. Case No. BC 265725; *Hoyng v. Aon Insurance*,  
2 Los Angeles Sup. Ct. Case No. BC 377184; *Jimenez v. Allstate Ins. Co.*, C.D. Cal. Case No.  
3 CV10-08486 JAK (FFMx); *Marino v. BP West Coast Products*, Los Angeles Sup. Ct. Case No.  
4 BC 357987; *McEntee v. Ryland Homes*, Los Angeles Sup. Ct. Case No. BC 390868; *McKinstry v.*  
5 *Accenture*, C.D. Cal. Case No. SACV11-1335 DOC (ANx); *Munoz v. Decron Properties*, Los  
6 Angeles Sup. Ct. Case No. BC387644; and *Rodriguez v. BP West Coast Products*, Los Angeles  
7 Sup. Ct. Case No. BC 350736. As defense counsel, I have taken over 50 class member and  
8 individual/representative plaintiff depositions. I have drafted class certification and  
9 decertification papers, including in *Bradley*, which was initially affirmed by the Court of Appeal,  
10 but reversed pursuant to *Brinker v. Superior Court*, 53 Cal. 4th 1003 (2012).

11 6. Currently, I am and/or was lead plaintiff's counsel in the following wage and hour  
12 class or representative actions: *Asad v. Chevron Stations, Inc.*, Los Angeles Sup. Ct. Case No.  
13 BC470198; *Barrera v. Home Depot (USA), Inc.*, N.D. Cal. Case No.: C 12 5199 LHK (HRL);  
14 *Bararsani v. Coldwell Banker*, Los Angeles Sup. Ct. Case No. BC495767; *Barreras v. Michaels*  
15 *Stores, Inc.*, N.D. Cal. Case No. C12-04474 PJH; *Brown v. CVS Pharmacy, Inc.*, C.D. Cal. Case  
16 No. 2:15-cv-07631-PSG-PJW; *Chatman v. RMI Int'l, Inc.*, Los Angeles Sup. Ct. Case No. BC  
17 495755; *Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-NC; *Dynabursky v.*  
18 *AlliedBarton, LLC, et al.*, C.D. Cal. Case No. 8:12-cv-02210-JLS-RNB; *Gonzales v. Wells Fargo*  
19 *Bank, N.A.*, Los Angeles Sup. Ct. Case No. BC502826; *Lao v. H&M Hennes & Mauritz*, N.D. Cal.  
20 Case No. 5:16-cv-333 EJD; *Lee v. The Pep Boys Manny Moe & Jack of California*, Los Angeles  
21 Sup. Ct. Case No. BC 496075; *Magadia v. Wal-Mart Assocs.*, N.D. Cal. Case No. 5:17-cv-00062-  
22 LHK; *Naranjo v. Bank of America, N.A.*, N.D. Cal. Case No. C 14-02748 LHK; *Ortegon-Ramirez*  
23 *v. Cedar Fair*, Santa Clara Sup. Ct. Case No. 1-13-CV-254098; *Pace v. PetSmart, Inc.*, C.D. Cal.  
24 Case No. SACV13-500 DOC; *Rodriguez v. NIKE Retail Services, Inc.*, N.D. Cal. Case No. 5:14-  
25 CV-1508 BLF; *Stafford v. Brink's, Incorporated*, Case No. CV 14-01352 MWF (PLAx) and *Vass*  
26 *v. Gardner Trucking*, San Joaquin Sup. Ct. Case No. 39-2013-294819-CU-OE-STK. Additionally,  
27 in *Chavez*, Case No. 15-cv-03746-NC, *Dynabursky* Case No. 8:12-cv-02210-JLS-RNB, *Pace*, Case  
28 No. SACV13-500 DOC, *Rodriguez*, Case No. 5:14-CV-1508 BLF, *Stafford*, Case No. 14-01352  
MWF (PLAx), *Gonzales*, Los Angeles Sup. Ct. Case No. BC502826, and *Magadia*, Case No. 5:17-

1 cv-00062-LHK, I was certified as class counsel pursuant to the plaintiff's motion for class  
2 certification. Further, in *Stafford* and *Magadia*, we tried these certified class claims via bench trial  
3 and prevailed. In *Magadia*, we obtained a \$102 million judgment for the class against Walmart,  
4 but was reversed by the Ninth Circuit. Moreover, I have been approved as class counsel in  
5 connection with numerous class settlements.

6 7. Each side has apprised the other of their respective factual contentions, legal  
7 theories and defenses, resulting in extensive arms' length negotiations taking place among the  
8 Parties. Based on their own independent investigation and evaluation, the Parties and their  
9 respective counsel are of the opinion that the Settlement for the consideration and on the terms set  
10 forth in the Joint Stipulation of Class Action Settlement and Release of Claims ("Joint  
11 Stipulation," or "Settlement Agreement") are fair, reasonable, and adequate and the settlement is  
12 in the best interests of the Class and Defendant Pride Conveyance, Inc. ("Defendant") in light of  
13 all known circumstances and the expenses and risks inherent in litigation. Plaintiff is aware that  
14 Defendant may raise defenses on the reduction of PAGA penalties and that these arguments could  
15 be persuasive to the Court. Thus, even if Plaintiff were to successfully prove his claims at trial,  
16 there is a possibility that the Court may only award a small percentage of the maximum PAGA  
17 penalties, as the Court has discretion to do so. The Maximum Settlement Amount was premised  
18 with these risks in mind associated with the possibility of the Court denying class certification,  
19 refusing to award waiting time penalties, and significantly reducing Plaintiff's PAGA penalties,  
20 along with other attendant risks.

21 8. Plaintiff and Plaintiff's counsel are adequate representatives in that they have no  
22 conflicts with the class and will adequately represent the class. My only relationship with  
23 Plaintiff is the attorney-client relationship in this matter.

24 I declare under penalty of perjury under the laws of the State of California and the United  
25 States that the foregoing is true and correct.

26 Executed on September 16, 2024, at Los Angeles, California.

27   
28 Dennis S. Hyun