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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 MERCED

KALAINA A. DULA, an individual, on behalf
of herself, and on behalf of all persons
similarly situated,

Plaintiff,

v.

2 KINGS GAMING, INC., a California
corporation; and DOES 1-50, inclusive,

Defendants.

Case No: 20CV-02289

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

Hearing Date: April 6, 2022
Hearing Time: 8:15 a.m.

Honorable Judge Brian McCabe
Department 8

Trial Date: Not Set
Action Filed: August 12, 2020

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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
3 competently testify to the following facts from my own personal knowledge. I am an attorney-
4 at-law and the owner of the JCL LAW FIRM, APC (hereinafter “Class Counsel”). I am co-
5 counsel for Plaintiff KALAINA A. DULA.

6 2. This declaration is being submitted in support of Plaintiff’s Motion for Preliminary
7 Approval of Class Action Settlement.

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

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

24 5. 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
26 litigation like this matter, and employment matters in general. Additionally, I have extensive
27 complex mass tort litigation experience and complex construction product liability experience. I
28

1 can, will and have adequately represented the interests of the Plaintiff, the State of California
2 and the Aggrieved Employees throughout this action.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 n. *Hill v. Stemak Holdings, Ltd.*, San Diego Superior Court Case No., 37-
6 2018-00000747 (January 28, 2020 – Hon. Kenneth Medel appointed JCL Law Firm, APC
7 as class counsel and granted final approval of wage and hour class action for unpaid
8 overtime.)

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

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

19 q. *Moschetto v. Pillow Global, Inc.* San Diego Superior Court, Case No. 37-
20 2017-00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL LAW
21 Firm, APC, as Class Counsel and granted final approval for a wage and hour wage class
22 action settlement involving misclassified house cleaners.)

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

26 s. *Terrado et al., v. Accredited Debt Relief, LLC*, San Diego County Superior
27 Court Case No. 37-2018-00014181-CU-OE-CTL (February 8, 2019 – Hon. Gregory W.
28

1 Pollock appointed JCL Law Firm, APC as Class Counsel and granted final approval for a
2 wage and hour class action settlement for meal and rest period violations);

3 t. *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior
4 Court Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed JCL
5 Law Firm, APC, as Class Counsel and granted final approval for a wage and hour class
6 action settlement involving claims for on duty meal and rest periods.);

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

9 v. *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-
10 00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal and
11 rest periods)

12 w. *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No.
13 37-2016-00012373-CU-OE-CTL (2017 - Certified and settled class action for employee
14 misclassification);

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

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

19 z. *Burns v. Shalom, LLC*, San Diego Superior Court, Case No., 37-2013-
20 00058356-CU-BT-CTL (2015 - certified and settled class action for unlawful housing
21 practices arising out of Civil Code Section 1940.1);

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

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

26 10. Finally, I have published appellate experience in *William Blanchette et al., v. The*
27 *Superior Court of Imperial County, (GHA Enterprises)*, 8 Cal.App.5th 521.
28

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

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 7th day of March 2022, at San Diego, California.

JCL LAW FIRM, APC

By: 
Jean-Claude Lapuyade
Attorneys for Plaintiff