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Attorneys for Plaintiff Andrea Rodriguez

[Additional Counsel on the Next Page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ANDREA RODRIGUEZ, individually, and
on behalf of other aggrieved employees
pursuant to the California Private Attorneys
General Act; RAJVEER KAUR, individually, and
on behalf of other aggrieved employees pursuant to
the California Private Attorneys General Act;
Plaintiff,

vs.

KAN DI KI, LLC, a California limited
liability company; and DOES 1 through 100,
inclusive,
Defendants.

Case No.: 21BBCV004466

Honorable Jared D. Moses
Department P

**DECLARATION OF KRISTEN M. AGNEW
IN SUPPORT OF PLAINTIFFS' MOTION
FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT (CAL.
LABOR CODE § 2698, ET SEQ.)
SETTLEMENT AGREEMENT AND
AWARD OF ATTORNEYS' FEES AND
COSTS, GENERAL RELEASE FEE, AND
SETTLEMENT ADMINISTRATION
COSTS**

Reservation ID: 115837372268
Date: April 1, 2025
Time: 8:30 a.m.
Department: P

Complaint Filed: May 6, 2021
FAC Filed: December 13, 2024
Trial Date: None Set

Larry W. Lee (SBN 228175)
Kristen M. Agnew (SBN 247656)
DIVERSITY LAW GROUP, P.C.
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Los Angeles, California 90071
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Kelsey A. Webber (SBN 303721)
Shaelyn A. Stewart (SBN 335149)
WEBBER & EGBERT EMPLOYMENT LAW, P.C.
1610 R Street, Suite 300
Sacramento, CA 95811
Telephone: (916) 588-0683

Attorneys for Plaintiff Rajveer Kaur

DECLARATION OF KRISTEN M. AGNEW

I, Kristen M. Agnew, hereby declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff Rajveer Kaur ("Plaintiff Kaur"). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

PROCEDURAL HISTORY OF THE KAUR ACTION

2. On or about July 14, 2021, Plaintiff Kaur submitted a written notice to the California Labor & Workforce Development Agency ("LWDA") of defendants TridentCare, Trident Holding Company, LLC and Kan Di Ki, LLC (collectively, "Defendants") violations of Labor Code sections 201, 202, 203, 226, 226.7, 512, and 2802, pursuant to Labor Code § 2698, *et seq.* (the "PAGA Notice"). The PAGA Notice was sent by U.S. Certified Mail to Defendants and submitted to the LWDA by way of online submission on the LWDA's website. Aside from confirmation of receipt of the PAGA Notice, the LWDA did not respond to the PAGA Notice. Attached hereto as **Exhibit 1** is a true and correct copy of the PAGA Notice.

3. On August 10, 2021, Plaintiff Kaur filed a class action complaint for damages against Defendants, in the Superior Court of the State of California for the County of Sacramento, captioned *Rajveer Kaur v. Tridentcare*, Civ. A. No. 34-2021 00306024 ("*Kaur Action*"). In the original complaint, Plaintiff Kaur alleged class claims predicated on the Labor Code violations alleged in the PAGA Notice.

4. After receipt of the complaint, counsel for Defendants informed my office of the existence of a signed arbitration agreement containing a class action waiver. Defense counsel provided my office with a copy of the arbitration agreement. After review of the agreement, my co-counsel and I determined that the arbitration agreement appeared to be enforceable. As such, the class claims were not viable.

5. On September 15, 2021, Plaintiff Kaur filed a First Amended Complaint removing all class claims and adding a single cause of action for the violation of the Private

Attorneys General Act.

6. On or about November 19, 2021, Defendants filed a demurrer in the *Kaur* Action, and requested that the Court stay the matter because it involved the same group of employees and same alleged violations of the Labor Code as an earlier-filed lawsuit, *Rodriguez v. TridentCare, et al.*, Los Angeles Superior Court Case No. 21BBCV00446 (“*Rodriguez* Action”). Plaintiff Kaur opposed the demurrer. Ultimately, the Court stayed the *Kaur* Action pending a resolution of *Rodriguez* Action.

7. Following the execution of the Private Attorneys General Act Settlement Agreement and Release (“Settlement Agreement” or “Settlement”) and the filing of the operative First Amended Complaint in the *Rodriguez* Action, Plaintiff Kaur dismissed the *Kaur* Action without prejudice.

FAIRNESS OF THE SETTLEMENT

8. Based on my independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Aggrieved Employees and the State of California, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The Settlement Agreement was the product of arm’s length negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed.

ATTORNEY QUALIFICATIONS

9. My qualifications are as follows: I was the 2003 recipient of the Spelman Presidential Scholarship to Emory University School of Law. During law school, I was a summer associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta office of the Equal Employment Opportunity Commission. I received my J.D. from Emory University in 2006 and was admitted to the California Bar in December 2006. Following law school, I was an associate at Sonnenschein from September 2006 to May 2009.

10. Since 2009, my primary area of practice has been employment litigation. I have practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I

1 was an associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate,
2 and then senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP
3 from June 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of
4 fortune 500 companies in employment litigation in both state and federal courts, as well as
5 before government agencies, including the California Department of Labor. My practice
6 included the defense of single plaintiff and multi-plaintiff lawsuits involving claims under the
7 California Fair Employment and Housing Act, the California Labor Code and the Fair Labor
8 Standards Act. I also handled a number of wage and hour class actions.

9 11. As an associate at Ogletree and Seyfarth, I served as the lead associate on a
10 number of wage and hour class actions, including *Martha Cardenas v. Gold's Gym*, Los
11 Angeles County Superior Court Case No. BC445112; *Nathaniel Werner v. Crown Equipment*
12 *Corporation*, Los Angeles County Superior Court Case No. BC439428; *Christopher Williams*
13 *v. Allstate Insurance Co.*, Los Angeles County Superior Court Case No. BC382577; *Hwang v.*
14 *Caltech*, Los Angeles County Superior Court Case No. BC464894; *Melissa Roberts v. Zale*
15 *Delaware, Inc.*, Los Angeles Superior Court Case No. BC523610; *Michael Oliver v. Konica*
16 *Minolta Business Solutions U.S.A., Inc.*, Santa Clara County Superior Court Case No. 114-CV-
17 263183; *Tessa Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino Superior
18 Court Case No CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-02006;
19 *Tapia v. Zale Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess et*
20 *al v. Tesoro Refining and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

21 12. I also second chaired two jury trials where I represented the prevailing
22 defendant. Both cases involved employees who brought claims against their former employers
23 pursuant to the Fair Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton*
24 *Aerospace LLC et al*, Los Angeles County Superior Court Case No. BC401543; and *Richard*
25 *Gulden v. Pratt & Whitney Rocketdyne Inc. et al.*, Los Angeles County Superior Court Case
26 No. BC468909.

27 13. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time
28 handling employment cases. I primarily represent employees.

14. I have been approved as class counsel in numerous wage/hour class actions that have been granted class certification and final approval, including: *Antonio Becerra-Mata v. PSC Industrial Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal So v. Owens-Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609; *Sarah Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-16-CV-294904; *Shannon Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court Case No. 17CV306751; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court Case No. 18CV00191; *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Cody Wirbick v. Sundt Construction, Inc.*, U.S. District Court for the Eastern District of California Case No. 2:19-cv-02067-MCE-CKD; *Jose Vasquez Ruiz v. Perdue Foods, LLC*, Sonoma County Superior Court Case No. SCV 264649; *Delmer Wood III v. Reeve Trucking Company Inc.*, San Joaquin Superior Court Case No. STK-CV-UOE-2018-0004414; *Eric Chavez v. Converse, Inc.*, U.S. District Court for the Northern District of California Case No. 15-cv-03746-NC; *Jharett Siron v. Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-00527959-CU-OE-VTA; *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara Superior Court Case No. 19CV345211; and *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582.

15. I have served as lead trial counsel on class and representative PAGA bench trials, in which the plaintiffs were the prevailing parties.

LITIGATION COSTS

16. Diversity Law Group represents virtually all of its employment law clients on a contingency fee basis. Pursuant to this arrangement, Diversity Law Group has borne all of the risks and costs of litigation, and will not receive any compensation until recovery is obtained.

17. Diversity Law Group has incurred costs in the amount of \$3,088.60. The costs are all litigation-related costs, including court filing fees, postage, and research expenses.

Attached hereto as **Exhibit 2** is a copy of costs Diversity Law Group has incurred in connection with the prosecution of this lawsuit.

NOTICE TO LWDA

18. Concurrent with the filing of the Motion for Approval of the Settlement Agreement, my office uploaded a copy of the Motion, Settlement Agreement, and proposed order to the LWDA's website. Attached hereto as **Exhibit 3** is a true and correct copy of the submission confirmation.

GENERAL RELEASE FEE TO PLAINTIFF RAJVEER KAUR

19. For her broader individual waiver and release of claims with a California Civil Code Section 1542 waiver (set forth in Section 9(b) of the Settlement Agreement), the Settlement provides General Release Fees to Plaintiff Kaur in the amount of up to \$7,500.00 to be paid out of the Total Settlement Amount, subject to approval by the Court. The requested General Release Fee is fair and appropriate. It is also worth noting that Plaintiff Kaur has undertaken significant efforts and work to spearhead the pursuit of this matter. By initiating and pursuing this matter, Plaintiff Kaur stepped into the shoes of the State of California and undertook the responsibilities of serving in a representative capacity. Plaintiff Kaur has spent a substantial amount of time and effort discussing her employment with her counsel, gathering and producing relevant documents and information, and providing the facts and evidence necessary to attempt to prove the allegations. Plaintiff Kaur was available whenever her counsel needed her and actively tried to obtain and provide information that would facilitate the pursuit of the PAGA claim. Accordingly, it is appropriate and just for Plaintiff Kaur to receive a General Release Fee, in addition to any individual penalties payment she will receive as an aggrieved employee.

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

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4 Executed this 4th day of March 2025, at Los Angeles, California.

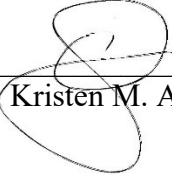
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EXHIBIT 1

RAJVEER KAUR

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

July 13, 2021

VIA ON-LINE FILING WITH LWDA AND CERTIFIED MAIL, RETURN RECEIPT
REQUESTED TO EMPLOYER

California Labor & Workforce Development Agency
Attn. PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
PAGA@dir.ca.gov

Re: Kaur v. TridentCare/Trident Holding Company, LLC/Kan Di Ki, LLC

To Whom It May Concern:

This correspondence shall constitute written notice under Labor Code section 2699.3 of the claims asserted on behalf of myself and all similarly situated aggrieved employees against my employer, TridentCare/Trident Holding Company, LLC/Kan Di Ki, LLC (the "Company"). I allege that the Company:

1. Violated Labor Code § 2802 by failing to pay all similarly situated aggrieved employees, including myself, all mileage expenses incurred due to driving our personal vehicles for work related purposes. First, for those employees who were required to drive their own vehicles for work-related purposes, including myself, such employees were reimbursed at \$0.42 cents per mile, which was not sufficient to cover all vehicle-related expenses. Second, the Company would deduct/disallow reimbursement of 40 miles driven on a daily basis.

2. Violated Labor Code §§ 226.7 and 512 by failing to provide all similarly situated aggrieved employees, including myself, with proper meal and rest breaks. Specifically, the Company required the employees to carry the Company's cell phones and to respond to any dispatch calls during meal and rest breaks. Further as a result of such violations, the Company violated Labor Code §§ 201-203 by not paying employees all of their meal and rest period premiums upon separation of employment due to the underpaid wages and Labor Code § 226(a) as the net/gross wages earned and hours worked shown on the wage statements were inaccurate due to the wage violations set forth above.

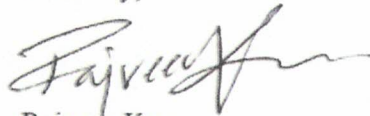
The address for the Company is as follows:

TridentCare/Trident Holding Company, LLC/Kan Di Ki, LLC
930 Ridgebrook Road
Sparks, MD 21152

July 13, 2021
Page 2

Please contact my attorney Larry W. Lee at the above address/phone number if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rajveer Kaur', with a stylized flourish at the end.

Rajveer Kaur

cc: TridentCare/Trident Holding Company, LLC/Kan Di Ki, LLC (via certified mail)

EXHIBIT 2



Diversity Law Group

515 South Figueroa Street, Suite 1250, Los Angeles, California, 90071

lwlee@diversitylaw.com

Invoice

Invoice #:10019

Invoice Date:01/16/2025

Terms:Upon Receipt

Due Date:01/16/2025

PO #:

Summary

Type	Description	Amount (\$)
Expenses		3088.60
Subtotal:		\$3,088.60

Discount: \$0.00

Total: \$3,088.60

Prior \$0.00

Balance:

Total Due: \$3,088.60



Invoice

Diversity Law Group

515 South Figueroa Street, Suite 1250, Los Angeles, California, 90071

lwlee@diversitylaw.com

Invoice #:10019

Invoice Date:01/16/2025

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PO #:

Details - Kaur, Rajveer v. TridentCare

Expenses

Category	Date	Expense Code	Description	Amount (\$)
	07/14/2021	E112 Court fees	LWDALWDA	75.00
	07/31/2021	Photocopies	PhotocopiesPhotocopies	0.50
	07/31/2021	E108 Postage	PostagePostage	6.96
	08/10/2021	Attorney Service	Attorney Service - ComplaintAttorney Service - Complaint	1640.45
	08/20/2021	Attorney Service	Attorney Service - Complaint Service	98.88
	08/20/2021	Attorney Service	Attorney Service - Complaint Service	42.25
	08/20/2021	Attorney Service	Attorney Service - Complaint Service	42.25
	08/27/2021	Attorney Service	Attorney Service - POSAttorney Service - POS	54.45
	09/07/2021	Attorney Service	Attorney Service - Notice of Complex	52.45
	09/07/2021	Attorney Service	Attorney Service - POSAttorney Service - POS	50.45
	09/15/2021	Attorney Service	Attorney Service - FACAttorney Service - FAC	53.45
	09/28/2021	Attorney Service	Attorney Service - Request for Dismissal	47.59
	09/30/2021	Photocopies	PhotocopiesPhotocopies	6.50
	09/30/2021	E108 Postage	PostagePostage	11.03
	01/25/2022	Attorney Service	Attorney Service - NoticesAttorney Service - Notices	62.21
	01/31/2022	Photocopies	PhotocopiesPhotocopies	4.00



Invoice

Diversity Law Group

515 South Figueroa Street, Suite 1250, Los Angeles, California, 90071

lwlee@diversitylaw.com

Invoice #:10019

Invoice Date:01/16/2025

Terms:Upon Receipt

Due Date:01/16/2025

PO #:

	01/31/2022	E108 Postage	PostagePostage	1.36
	03/22/2022	Attorney Service	Attorney Service - OppoAttorney Service - Oppo	114.96
	03/22/2022	E107 Delivery services/messenger	Federal ExpressFederal Express	32.55
	04/04/2022	Attorney Service	Attorney Service - NoticeAttorney Service - Notice	59.21
	04/07/2022	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	58.21
	04/30/2022	Photocopies	PhotocopiesPhotocopies	1.50
	04/30/2022	E108 Postage	PostagePostage	0.53
	10/26/2022	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	57.71
	01/11/2023	E106 Online research	Online Research from LASCONline Research from LASC	6.60
	01/11/2023	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	97.99
	04/12/2023	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	97.49
	07/12/2023	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	97.49
	10/12/2023	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	97.49
	01/22/2024	E112 Court fees	ACE E Filing - Notice of Dept Relocation	13.70
	01/17/2024	Attorney Service	Attorney Service - Joint CMSAttorney Service - Joint CMS	61.74
	05/01/2024	E112 Court fees	ACE E Filing - Joint CMSACE E Filing - Joint CMS	13.70
	07/19/2024	E112 Court fees	ACE E Filing - Joint CMSACE E Filing - Joint CMS	13.70
	12/27/2024	E112 Court fees	ACE E Filing - Request for Dismissal	14.25
Subtotal:				\$3,088.60
Tax:				\$0.00



Diversity Law Group

515 South Figueroa Street, Suite 1250, Los Angeles, California, 90071

lwlee@diversitylaw.com

Invoice

Invoice #:10019

Invoice Date:01/16/2025

Terms:Upon Receipt

Due Date:01/16/2025

PO #:

		Total:	\$3,088.60
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EXHIBIT 3

Erika Mejia

From: DIR PAGA Unit <no-reply@formassembly.com>
Sent: Wednesday, March 5, 2025 3:47 PM
To: Erika Mejia
Subject: Thank you for your Proposed Settlement Submission

03/05/2025 03:46:32 PM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Proposed Settlement

If you have questions or concerns regarding this submission or your case, please send an email to pagainfo@dir.ca.gov.

DIR PAGA Unit on behalf of
Labor and Workforce Development Agency

Website: http://labor.ca.gov/Private_Attorneys_General_Act.htm