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10 Attorneys for Plaintiff ALBERT THOMPCKINS,
11 individually and on behalf of all others similarly situated

12 [Additional Counsel On Next Page]

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF LOS ANGELES**
15

16 ALBERT THOMPCKINS and NATALIE
17 KATIE BERNICE JOHNSON, Individually
and on behalf of the general public as private
18 attorney general,

19 **Plaintiffs,**

20 v.
21

22 HOST INTERNATIONAL INC., dba HMS
HOST, a Delaware Corporation; and DOES
23 1-50, inclusive,
24

CASE NO.: 21STCV20440

Hon. Theresa M. Traber
Dept. 47 (Stanley Mosk)

**DECLARATION OF DAVID D. BIBIYAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND
REPRESENTATIVE ACTION
SETTLEMENT**

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Attorneys for Plaintiff: NATALIE KATIE BERNICE JOHNSON and on behalf of herself and all
6 others similarly situated

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DECLARATION OF DAVID D. BIBIYAN

1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California and I am the principal of Bibiyan Law Group, P.C., counsel of record for plaintiff Natalie Katie Bernice Johnson (“Plaintiff”) and all others similarly situated and aggrieved. As such, I am familiar with the file in this matter and, if called as a witness, I could and would competently testify to the following facts of my own personal knowledge.

Adequacy of Class Counsel

2. I am an experienced class action attorney, have been appointed as class counsel in other class actions, and have a successful track record in litigating class actions.

3. I graduated with a Bachelor of Arts degree from the University of California, Los Angeles in 2009.

4. I received my Juris Doctorate from The University of Chicago Law School in 2012.

5. After practicing for several years as a member of Cohen & Lord, P.C., practicing in an amorphous range of civil litigation on behalf of both Plaintiff and defendants, I opened a law firm in 2014 with a concentration in representation of employees against employers to recover unpaid wages and vindicate harassment, discrimination and retaliation in various contexts.

6. I am an active member of the California Employment Lawyers’ Association (“CELA”), one of only a few members of its Reverse Auctions Subcommittee and serve as a mediator between other Plaintiff’ counsel who bring overlapping class actions. I have also attended various Continuing Legal Education courses pertaining to advocacy on behalf of employees.

7. My firm has the experience, resources and means necessary to allow us to provide

1 adequate representation as Class Counsel to all class members in this litigation.

2 8. I have filed contested motions for class certification in the past and have been
3 appointed Class Counsel by the Superior Court of California in the past. Some examples of
4 Actions in which I was appointed Class Counsel include:

5 • *Santoyo v. Consolidated Foundries, Inc.*, Case No. BC612298, California Superior
6 Court, County of Los Angeles, Honorable Judge Ann I. Jones, presiding.

7 • *Arendsdorff v. Stanley Steamer International, Inc.*, Case No. BC681368, California
8 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos, presiding.

9 • *Barreto v. Don Roberto Jewelers, Inc.*, Case No. BC495451, California Superior Court,
10 County of Los Angeles, Honorable Ann I. Jones, presiding.

11 • *Junior Amilcar Laguna Gonzalez v. Takaaki Koyama*, Case No. BC641998, Los Angeles
12 Superior Court, Honorable Elihu M. Berle, presiding.

13 • *Rios v. Nongshim America, Inc.*, Case No. CIVDS1807390, California Superior Court,
14 County of San Bernardino, Honorable David S. Cohn, presiding.

15 • *Stoddard v. Molded Fiber Glass – West*, Case No. 1517758, California Superior Court,
16 County of San Bernardino, Honorable David S. Cohn, presiding.

17 • *Mata v. Sahara Scaffold, Inc.*, Case No. CIVDS1810785, California Superior Court,
18 County of San Bernardino, Honorable David S. Cohn, presiding.

19 • *Carrasco v. Pure Dental Solutions*, Case No. BC645995, Los Angeles Superior Court,
20 Honorable Kenneth R. Freeman, presiding.

21 • *Gonzalez v. Gochez, et al.*, Case No. BC648729, Los Angeles Superior Court, Honorable
22 Maren Nelson, presiding.

23 • *Montoya v. Superior Paving Co.*, Case No. CIVDS1833422, County of San Bernardino,
24 Honorable David S. Cohn, presiding.

25 • *Lopez v. Norred & Associates, Inc.*, Case No. CIVDS1824109, California Superior
26 Court, County of San Bernardino, David S. Cohn, presiding.

27 • *Noyola v. Lacren, LLC*, Case No. BC717024, California Superior Court, County of Los
28 Angeles, Hon. Anthony Mohr, presiding.

1 • *Luciano, et al. v. O'Tasty Foods, Inc., et al.*, Case No. BC711988, California Superior
2 Court, County of Los Angeles, Honorable Maren Nelson, presiding.

3 • *Gordon v. Hospice Source, LLC*, Case No. 34-2018-00250022-CU-OE-GDS, California
4 Superior Court, County of Sacramento, Honorable Christopher E. Krueger, presiding.

5 • *Barragan v. Refrigeration Supplies Distributor*, Case No. 19STCV09312, California
6 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;

7 • *Ramirez v. Acre Gourmet, Inc.*, Case No. CGC-19-575117, California Superior Court,
8 County of San Francisco, Honorable Andrew Y.S. Cheng, presiding.

9 • *Villafuerte v. Bay Alarm Company*, Case No. BC689110, California Superior Court,
10 County of Los Angeles, Honorable Amy D. Hogue, presiding.

11 • *Cazares v. Areas USA LAX, LLC*, Case No. 19STCV08209, California Superior Court,
12 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding.

13 • *Magana v. Castlerock Environmental, Inc., et al.*, Case No. 19STCV38353, California
14 Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding.

15 • *Chilel v. Sushi California, Inc.*, Case No. 19STCV08209, California Superior Court,
16 County of Los Angeles, Honorable Ann I. Jones, presiding.

17 • *Malone v. Orange Courier, Inc., et al.*, Case No. 30-2016-00763474, California Superior
18 Court, County of Orange, Honorable Glenda Sanders, presiding.

19 • *Rivera v. Talamo Food Services, Inc.*, Case No. 19CV355856, California Superior Court,
20 County of Santa Clara, Honorable Patricia M. Lucas, presiding.

21 • *Olguin v. Cal Central Harvesting, Inc.*, Case No. 18CV03860, California Superior Court,
22 County of Santa Barbara, Honorable James F. Rigali, presiding.

23 • *Pence v. Sober Living by the Sea, Inc.*, Case No. 2018-00988742, California Superior
24 Court, County of Orange, Honorable Randall J. Sherman, presiding.

25 • *Franco v. Vincent Rags, Inc.*, Case No. 20STCV07768, California Superior Court,
26 County of Los Angeles, Honorable Ann I. Jones, presiding.

27 • *Cabral v. Miller Castings, Inc.*, Case No. 19STCV39556, California Superior Court,
28 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding.

- 1 • *Bolanos v. Texas Roadhouse, Inc.*, Case No. 19STCV39556, California Superior Court,
2 County of Los Angeles, Honorable Sunshine Sykes, presiding.
- 3 • *Rodriguez v. Scott A. Humphreys, Inc.*, Case No. 30-2021-01184556-CU-OE-CXC,
4 California Superior Court, County of Ventura, Honorable Matthew P. Guasco, presiding.
- 5 • *Torres v. Primal Pet Foods, Inc.* Case No. FCS054783, California Superior Court,
6 County of Solano, Honorable Wendy G. Getty, presiding.
- 7 • *Hanson v. Zapata Nuccio, Inc.*, Case No. 20STCV28951, California Superior Court,
8 County of Los Angeles, Honorable Elihu M. Berle, presiding.
- 9 • *Molina v. Avibank Mfg, Inc.*, Case No. 20STCV03910, California Superior Court,
10 County of Los Angeles, Honorable John P. Doyle, presiding.
- 11 • *Cetina v. Lawry's Restaurants, Inc.*, Case No. 19STCV05201, California Superior Court,
12 County of Los Angeles, Honorable Amy D. Hogue, presiding;
- 13 • *Luna v. Pronto California General Agency, LLC*, Case No. 19STCV39951, California
14 Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding.
- 15 • *Alvarez v. Kazak-Mars, Inc.*, Case No. 20STCV42587, California Superior Court,
16 County of Los Angeles, Honorable Elihu M. Berle, presiding.
- 17 • *Noe v. My Pillow, Inc.* Case No. CIVDS 2011360, California Superior Court, County of
18 San Bernardino, Honorable David Cohn, presiding.
- 19 • *Nunez v. 2751 West Coast Acquisition Company*, Case No. 30-2020-01145215-CU-
20 OE-CXC, California Superior Court, County, County of Orange, Honorable Randall J. Sherman,
21 Presiding.
- 22 • *Smith v. McMillen Enterprises, Inc.*, Case No. CV-20-002938, California Superior Court,
23 County of Stanislaus, Honorable John R. Mayne, presiding.
- 24 • *Turner v. Plant Prefab Inc., et al.*, Case No. CIVDS2017517, California Superior Court,
25 County of San Bernardino, Honorable David Cohn, presiding.
- 26 • *Duran v. Fresh Select, LLC*, Case No. VCU284892, California Superior Court, County
27 of Tulare, Honorable Bret Hillman, presiding.
- 28 • *Reynoso, et al. v. Cream of the Crop AG Service, Inc.*, Case No. VCU278847, California

1 Superior Court, County of Tulare, Honorable Bret Hillman, presiding.

2 • *Michel v. Universal Waste Systems, Inc.*, Case No. 19STCV46181, California Superior

3 Court, County of Los Angeles, Honorable David S. Cunningham presiding.

4 • *Jungers v. U.S. Borax Inc., et al.*, Case No. BCV-21-10003, California Superior Court,

5 County of Kern, Honorable Bernard C. Barmann Jr. presiding.

6 • *Fortune v. Amoroso Limited Partnership, et al.*, Case No. 20STCV25874, California

7 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding.

8 • *Montoya, et al. v. Remo, Inc.* Case No. 20STCV34614, California Superior Court,

9 County of Los Angeles, Honorable Maren Nelson presiding.

10 • *Rincon, et al. v. New-Indy Tripaq, LLC, et al.* Case No. 20STCV17118, California

11 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding.

12 • *De Leon, et al. v. Wismettac Asian Foods, Inc.* Case No. 19STCV18172, California

13 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding.

14 • *Tapia v. Mercer Foods, Inc.* Case No. CV-21-000020, California Superior Court,

15 County of Stanislaus, Honorable Sonny S. Sandhu presiding.

16 • *Molina v. Reser's Fine Foods, Inc.* Case No. 37-2021-00013052-CU-OECTL, California

17 Superior Court, County of San Diego, Honorable Eddie C. Sturgeon presiding.

18 • *Reyes v. Imperial Sprinkler Supply, Inc.* Case No. 30-2020-01167748-CU-OE-CXC,

19 California Superior Court, County of Los Angeles, Honorable Peter Wilson presiding.

20 • *Zavala, et al. v. PLS Check Cashers, Inc.* Case No. 20STCV42586, California Superior

21 Court, County of Los Angeles, Honorable Elihu M. Berle presiding.

22 • *Paz v. Hill Brothers Chemical Company.* Case No. 20STCV48279, California Superior

23 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding.

24 • *Garcia v. Inwesco Incorporated.* Case No. 20STCV46833, California Superior Court,

25 County of Los Angeles, Honorable Carolyn B. Kuhl presiding.

26 • *Guevara v. J&K Culver, LLC, et al.* Case No. 19STCV39951, California Superior Court,

27 County of Los Angeles, Honorable Elihu M. Berle presiding.

28 • *Hamilton v. Michael Kors Stores, Inc. et al.*, Case No. 19STCV37061, California

1 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding.
2 • *Arzooian v. A&M Administration, LLC, et al.* Case No. 21STCV05576, California
3 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding.
4 • *Santos, et al. v. Maruzen of America, Inc.,* Case No. 19STCV37662, California
5 Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding.
6 • *Schaffino v. M.O. Dion & Sons., Inc., et al.,* Case No. 20STCV38023, California
7 Superior Court, County of Los Angeles, Honorable Gail Killefer presiding.
8 • *Moreno v. Santa Paula Post Acute, LLC, et al.* Case No. 21STCV12533, California
9 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding.
10 • *Singer v. Desert Area Resources and Training,* Case No. BCV-21-101093, California
11 Superior Court, County of Kern, Honorable Thomas S. Clark presiding.
12 • *Clarizio v. Guard-Systems, Inc.,* Case No. 21STCV28667, California Superior Court,
13 County of Los Angeles, Honorable Armen Tamzarian presiding.
14 • *Guzman v. Freschco Painters, Inc.,* Case No. 21STCV04683, California Superior
15 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding.
16 • *Koutny v. PAE Aviation and Technical Services, LLC,* Case No. 21C-0106, California
17 Superior Court, County of Kings, Honorable Melissa R. D’Morias presiding
18 • *Rodriguez v. Pacifica Trucks, LLC,* Case No. 20STCV37576, California Superior
19 Court, County of Los Angeles, Honorable Stuart Rice presiding.
20 • *Ramos v. AEGIS Treatment Centers, LLC,* Case No. 20STCV41429, California
21 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding.
22 • *Valdez v. Integrated Building Services, Inc.* Case No. 20STCV37793, California
23 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding.
24 • *Harris v. America One Security, Inc.* Case No. 21STCV01399, California Superior
25 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
26 • *Moreno v. M&J Seafood Company, Inc.* Case No. 22STCV03341, California Superior
27 Court, County of Los Angeles, Honorable William F. Highberger presiding;
28 • *Corrales v. Q&B Foods, Inc.* Case No. 20STCV40885, California Superior Court,

1 County of Los Angeles, Honorable Elihu Berle presiding;
2 • *Arteaga v. Demolition Specialist, Inc.* Case No. RIC2001133, California Superior Court,
3 County of Riverside, Honorable Harold Hopp presiding;
4 • *Vigil, et al. v. Capstone Turbine Corporation*, Case No. 20STCV32123, California
5 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
6 • *Ramirez v. Sea-Win, Inc.* Case No. 21STCV22026, California Superior Court, County
7 of Los Angeles, Honorable Lawrence P. Riff presiding;
8 • *Ortega Chavez v. Winpak Lane, Inc.* Case No. CIVSB2207313, California Superior
9 Court, County of San Bernardino, Honorable Jessica Morgan presiding;
10 • *Garcia v. American Licorice Company.* Case No. RG21107049, California Superior
11 Court, County of Alameda, Honorable Brad Seligman presiding;
12 • *Madrono v. Vitale Nursing, Inc, et al.*, Case No. 21STCV09845, California Superior
13 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding; and
14 • *Orellana v. Advanced Building Maintenance.* Case No. 34-2020-00286791-CU-OE-
15 GDS, California Superior Court, County of Sacramento, Honorable Jill Talley presiding.
16 • *Aguilar v. Bioness, Inc., et al.*, Case No. 21STCV41702, California Superior Court,
17 County of Los Angeles, Honorable Lawrence P. Riff presiding;
18 • *Antoine v. Pinky Beverly Hills, LLC., et al.* Case No. 19STCV44856, California
19 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
20 • *Phambui v. Fashion Marketing and Merchandising Group, Inc., et al.* Case No.
21 21STCV06634, Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
22 • *Ortega Chavez v. Winpak Lane, Inc., et al.* Case No. CIVSB2202274, California
23 Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
24 • *Carrasco v O.H. Barkhordar D.D.S., Inc., et al.* Case No. 22STCV21188, California
25 Superior Court, County of Los Angeles, Honorable Lawrence Riff presiding;
26 • *Correia v. Gallo Glass Company, et al.* Case No. CV-21-006459, California Superior
27 Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
28 • *Davis v. Beeline Import and Services, LLC, et al.* Case No. CIVSB2119287, California

1 Superior Court, County of San Bernardino, Honorable David Cohn presiding;

2 • *Angel Lopez v Innovative Coatings Technology Corporation dba Incotec, et al. Case No.*
3 *30-2020-01173245-CU-OE-CXC*, California Superior Court, County of Orange, Honorable Lon
4 Hurwitz presiding;

5 • *Lopez v UPM, Inc., et al. Case No. 20STCV36695*, California Superior Court, County of
6 Los Angeles, Honorable Lawrence P. Riff presiding;

7 • *Moreno v. Infiniti Group LLC., et al. Case No. CIVSB2223551*, California Superior
8 Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;

9 • *Kelley v. Applus Technologies, Inc., et al. Case No. CIVSB2204889*, California Superior
10 Court, County of San Bernardino, honorable Jessica Morgan presiding;

11 • *Hernandez v Bromley Foods, Inc., et al. Case No. 56-2021-00561326-CU-OE-VTA*,
12 California Superior Court, County of Ventura, Honorable Henr Walsh presiding;

13 • *Heredia v. Alan Smith Pool Plastering, Inc., et al. Case No. 30-2020-01163609-CU-OE-*
14 *CXC*, California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;

15 • *Martinez Guzman v Freshco Painters Inc., et al. Case No. 21STCV04683*, California
16 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

17 • *Gomez Mireles v. USG Ceilings Plus, LLC., et al. Case No. 21STCV45606*, California
18 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

19 • *Garzon v. Mobile Hi-Tech Wheels, LLC., et al., Case No. 21STCV15396*, California
20 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

21 • *Dethrasavong v. ASI Computer Technologies, Inc., et al. Case No. 20STCV32312*,
22 California Superior Court, County of Contra Costa, Honorable Kenneth R. Freeman presiding;

23 9. I have also settled matters on a “PAGA Only” basis for aggrieved employees in the
24 past, including in:

25 • *Flores v. Delta Apparel, Inc.*, Case No. BC641499, California Superior Court, County
26 of Los Angeles, Honorable Daniel J. Buckley, presiding.

27 • *Segura v. CJ Foods Service Holdings USA, LLC*, Case No. 19STCV24918, California
28 Superior Court, County of Los Angeles, Honorable Maureen Duffy-Lewis, presiding.

1 • *Sierra v. Nexem-Allied, LLC*, Case No. 20STCV11281, California Superior Court,
2 County of Los Angeles, Honorable Randolph M. Hammock, presiding.

3 • *Nodal v. Sodexo, Inc.*, Case No. 20STCV40601, California Superior Court, County of
4 Los Angeles, Honorable Lawrence Riff, presiding.

5 • *Cooper v. Lucas Health Partners*, Case No. 20STCV20050, California Superior Court,
6 County of Los Angeles, Honorable Maren Nelson, presiding.

7 • *Herrera v. Greystar Management, LP, et al.*, Case No. 37-2020-00009672-CU-OE-CTL,
8 California Superior Court, County of San Diego, Honorable Carolyn Caietti, presiding.

9 • *Slater v. Jo-Ann Stores, LLC.*, Case No. 21STCV18454, California Superior Court,
10 County of Los Angeles, Honorable Maurice A. Leiter, presiding;

11 • *Bolanos v. Canoga Park Heating & Air Conditioning, Co., Inc.*, Case No.
12 21STCV12674, California Superior Court, County of Los Angeles, Honorable Yolanda Orozco,
13 presiding.

14 • *Granados v. Cosmetic Ideas, Inc.* Case No. 21STCV10797, California Superior Court,
15 County of Los Angeles, Honorable Richard L. Fruin, presiding.

16 • *Ruano v. DPC Woodwork, Inc.* Case No. 21STCV00408, California Superior Court,
17 County of Los Angeles, Honorable Jon R. Takasugi presiding.

18 • *Tarin v. TPS Solutions, Inc.*, Case No. 21STCV07844, California Superior Court,
19 County of Los Angeles, Honorable Maren E. Nelson presiding.

20 • *Hardy v. Texas Roadhouse Management Corp., et al.* Case No. CIVSB2222259,
21 California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;

22 • *Iraheta v Legacy Farmers, Inc., et al.* Case No. MSC21-00762, California Superior
23 Court, County of Los Angeles, Honorable Charles S. Treat presiding;

24 • *Landin v Central Janitors' Supply Co., Inc., et al.* Case No. CV-21-006391, California
25 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;

26 10. Currently, my firm is acting as counsel in tens of wage and hour class actions and
27 representative PAGA actions.

28 11. After a thorough investigation and settlement discussions, Class Counsel arrived at

1 terms that they viewed was in the best interest of both the class members and the parties.

2 12. Should the Court refuse to grant preliminary approval of this Settlement, many of
3 the Class Members may be denied any recourse for defendant's alleged violations.

4 13. For these reasons, as well as the reasons provided in the declarations filed
5 concurrently, I believe that Class Counsel are sufficiently experienced and qualified to evaluate the
6 class members' claims and viability of defendant's defenses.

7 14. I believe, and as further set out in the declarations filed concurrently, the settlement
8 presented here only resulted after having engaged in extensive informal and formal discovery and
9 investigation, and is the product of hard-fought litigation and extensive arm's-length negotiations.

10 15. I believe, based on my experience as class counsel, that the Settlement is fair,
11 reasonable, adequate and in the best interests of class members.

12 I declare under penalty of perjury under the laws of the state of California that the
13 foregoing is true and correct this July 29, 2025 at Los Angeles, California.

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/s/ David D. Bibiyan

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David D. Bibiyan

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