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11 Attorneys for ABEL ESCOBEDO and CHRISTOPHER
CARVER, on behalf of themselves, all others similarly
12 situated, and on behalf of the general public

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR THE COUNTY OF SAN DIEGO**

15 ABEL ESCOBEDO and CHRISTOPHER
16 CARVER on behalf of themselves, all others
17 similarly situated, and on behalf of the
general public,

18 Plaintiffs,

19 v.

20 MATHESON TRI-GAS, INC. an unknown
21 business entity; and DOES 1 through 25,
inclusive,

22 Defendant.
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Case No. 37-2020-00044507-CU-OE-CTL

**DECLARATION OF ZACHARY T. TYSON IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL
CERTIFICATION, APPROVAL OF CLASS
NOTICE, SETTING OF FINAL APPROVAL
HEARING DATE**

Date: March 3, 2023

Time: 8:30 a.m.

Judge: Hon. Ronald F. Frazier

Dept.: C-65

1 I, ZACHARY T. TYSON, declare as follows:

2 1. I am an attorney at law duly licensed to practice before all Courts of the State of California. I
3 am one of the attorneys in this matter. I am familiar with the facts and legal proceedings in this case
4 and have personal first-hand knowledge of the facts herein. If called as a witness, I could and would
5 competently testify to the facts stated herein.

6 2. This declaration is being submitted in support of the motion for preliminary approval of class
7 action settlement, conditional certification, approval of class notice and the setting of a final
8 approval hearing date.

9 3. I have practiced law in San Diego County for approximately 19 years.

10 4. My billable rate is \$650.00 dollars per hour for this type of contingency based fees.

11 5. My law firm practice is focused on employment litigation. I have experience litigating
12 employment representative class action and PAGA claims. I have tried approximately 15 matters to
13 verdict by jury, bench trial or arbitration.

14 6. In 2022, my law firm together with attorney Arthur Botham filed a representative PAGA and
15 class action against the Defendant in this matter. Thereafter, this matter was consolidated with a
16 related-case against Defendant.

17 7. Prior to mediation, I reviewed the documents submitted by defense counsel depicting the
18 composition of the class members. From that information Class Counsel was able to prepare a
19 mediation brief and damages model estimating the claims calculations during the relevant period.

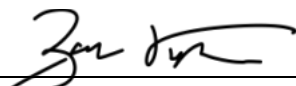
20 8. I believe the proposed class action settlement is fair and reasonable.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct and that this declaration was executed in San Diego, California.
23

24 Respectfully Submitted,

25 **Law Office of Zachary T. Tyson**

26
27 Date: February 3, 2023

Signed: 

Zachary T. Tyson
Attorney for Plaintiffs