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Attorneys for Plaintiff PRISCILLA LOPEZ, in a Representative capacity only, and on behalf of other members of the general public similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF IMPERIAL

PRISCILLA LOPEZ, in a Representative capacity only, and on behalf of other members of the general public similarly situated

Plaintiff

v.

GEO SECURE SERVICES, LLC, a Florida Limited Liability Company; and DOES 1-10, inclusive

Defendants

CASE NO. ECU002060

DECLARATION OF ZOE YUZNA

Date: January 5, 2023

Time: 8:30 a.m.

Dept.: 7

Judge: Hon. Jeffrey B. Jones

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1 7. The PAGA Notices include violations of law pled in the Class Action, in addition to a
2 request for penalties for failure to comply with various Labor Code sections.

3 8. **Hendrickson Lawsuit.** On June 28, 2021, more than 65 days after the date of the
4 Hendrickson PAGA Notice without any response from the LWDA, Plaintiff Hendrickson a filed a
5 complaint in the Superior Court of California for the County of San Bernardino, Case Number
6 CIVSB2118376, alleging causes of action against Defendant for: (1) failure to pay overtime wages; (2)
7 failure to pay minimum wages; (3) failure to provide meal periods; (4) failure to provide rest periods (5)
8 waiting time penalties; (6) wage statements violations; (7) failure to produce personnel file; and (8) PAGA
9 (“Hedrickson Action”). Hendrickson also asserted wrongful termination and Fair Employment and
10 Housing Act claims, which were moved to arbitration and later dismissed.

11 9. **Bell Lawsuit.** On September 27, 2021, more than 65 days after the date of the Bell PAGA
12 Notice without any response from the LWDA, Plaintiff Bell filed a filed a complaint in the Superior Court
13 of California for the County of San Bernardino, Case Number CIVSB2124811, alleging causes of action
14 against Defendant for: (1) failure to pay overtime wages; (2) failure to pay minimum wages; (3) failure to
15 provide meal periods; (4) failure to provide rest periods (5) waiting time penalties; (6) wage statements
16 violations; (7) failure to produce personnel file; and (8) PAGA (“Bell Action”). Bell also asserted
17 wrongful termination and Fair Employment and Housing Act claims, which Bell later dismissed.
18 Defendant removed the Bell Action to the District Court of California – Central District, Case No. 5:21-
19 cv-01927-JGB-KK.

20 10. **Mediation and Discovery.** Plaintiffs and Defendant (the “Parties”) agreed to mediate the
21 disputes and, in preparation thereof, Plaintiffs obtained through informal discovery: (1) time and payroll
22 records for the estimated 2,172 Class Members during the period from April 11, 2020 through the date of
23 mediation (“Class Period”); (2) data points, including average rates of pay total hours worked during the
24 Class Period; (3) the number of pay periods worked during the Class Period; (4) the number of
25 terminated/separated Class Members eligible for waiting time penalties and their dates of
26 separation/termination; (5) the number of workweeks worked by specified Class Members (“Aggrieved
27 Employees”) during the PAGA period; (6) the number of former Aggrieved Employees; (7) the number
28 of pay periods in the Wage Statement/PAGA Period; (8) policy documents purporting to reflect

1 Defendants' relevant policies and practices in effect during the Class Period; (9) Defendants' definition
2 of a workweek and work day; (10) a list of all locations in California where Defendants employed Class
3 Members during the Class Period; (11) the number of clock-in stations available to Class Members during
4 the Class Period; (12) a list of job titles held by Class Members during the Class Period, as well as written
5 descriptions of each; and (13) Defendant's employment policies applicable to Plaintiffs' employment,
6 including but not limited to wage and hour, pay, and timekeeping policies (in addition to Plaintiffs' earlier
7 produced personnel, time and payroll records from Defendant).

8 11. On August 18, 2022, the Parties, including the other individual plaintiffs and their counsel,
9 participated in an all-day mediation presided over by Deborah Crandall Saxe, Esq., a well-regarded
10 mediator experienced in mediating complex labor and employment matters, but did not reach a settlement.

11 12. On December 21, 2022, the Parties, including the other individual plaintiffs and their
12 counsel, participated in a second all-day mediation presided over by Lisa Klerman, Esq., also a well-
13 regarded mediator experienced in mediating complex labor and employment matters. Again, the Parties
14 did not reach a settlement despite robust negotiations.

15 13. On August 1, 2023, the Parties participated in a third all-day mediation presided over by
16 Katherine Edwards, Esq., a well-regarded mediator experienced in mediating complex labor and
17 employment matters. The third all-day mediation led to settlement of the actions.

18 Adequacy of Counsel

19 14. My experience in wage and hour class action litigation is described below, including my
20 previous role as an attorney for the California Labor Commissioner, Division of Labor Standards
21 Enforcement, where I was responsible for enforcing California wage and hour laws on behalf of workers.
22 My colleague Aaron N. Colby, founding principal of Colby Law Firm, PC, also has substantial experience
23 in handling wage and hour cases, class actions and other complex litigation. We have engaged in
24 significant pre-litigation investigation, witness interviews, formal and informal discovery, damages
25 analysis, and other litigations on behalf of Plaintiff and the putative class and aggrieved parties.

26 15. Between the two of us, Aaron N. Colby and I have handled 13 class action cases through
27 final approval. Additionally, when I was an attorney with the plaintiff's-side employment law firm,
28 Hadsell Stormer Renick and Dai LLP, I was a member of the team handling the appeal in the *Chinese*

1 *Daily News* class action (*Wang v. Chinese Daily News* (C.D. Cal. 2005) 231 F.R.D. 602). Together, we
2 have handled more than 100 lawsuits involving wage-and-hour claims, including PAGA claims.

3 16. Our practice is dedicated to plaintiff's-side employment litigation, with the majority of our
4 involving wage and hour claims. The firm has already invested significantly in the investigation,
5 litigation, and resolution of this case, and will continue to devote the necessary resources to bring the
6 matter through final approval and conclusion.

7 17. Currently, Colby Law Firm is acting as counsel in tens of wage and hour class and
8 representative PAGA actions.

9 18. Defendant's attorneys are skilled and sophisticated lawyers, with significant class action
10 experience. Akerman LLP (counsel to Defendant) is a national law firm ranked among the 100 largest
11 firms in the United States by *The American Lawyer*. Defendants' attorneys defended their client
12 vigorously throughout the litigation.

13 19. After a thorough investigation and settlement discussions, with co-counsel, we arrived at
14 terms that we believe to be in the best interest of both the class members and the parties.

15 20. Should the Court refuse to grant preliminary approval of this Settlement, many class
16 members may be denied recourse for Defendant's alleged violations.

17 21. For these reasons, as well as the reasons provided in the declarations of co-counsel, I
18 believe that class counsel are sufficiently experienced and qualified to evaluate the class members' claims
19 and viability of Defendant's defenses.

20 22. I believe, and as further set out in the declarations of co-counsel, the settlement presented
21 here only resulted after having engaged in extensive informal and formal discovery and investigation, and
22 is the product of hard-fought litigation and extensive arm's-length negotiations.

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1 23. I believe, based on my experience as class and representative counsel, that the Settlement
2 is fair, reasonable, adequate and in the best interests of class members. Therefore, I recommend this
3 settlement.

4 I declare under penalty of perjury under the laws of the state of California that the foregoing is
5 true and correct this December 5, 2023 at Pasadena, California.

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11 Zoe Yuzna
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