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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF IMPERIAL

PRISCILLA LOPEZ,

Plaintiffs,

vs.

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

Defendants.

AND ALL CONSOLIDATED LITIGATIONS

Case No. ECU002060

**DECLARATION OF ZOE
YUZNA**

HEARING INFO

Date: May 9, 2024

Time: 8:30 a.m.

Judge: Hon. Jeffrey B. Jones

Dept.: 7

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request for penalties for failure to comply with various Labor Code sections.

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

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

10. **Mediation and Discovery.** Plaintiffs and Defendant (the “Parties”) agreed to mediate the disputes and, in preparation thereof, Plaintiffs obtained through informal discovery: (1) time and payroll records for the estimated 2,172 Class Members during the period from April 11, 2020 through the date of mediation (“Class Period”); (2) data points, including average rates of pay total hours worked during the Class Period; (3) the number of pay periods worked during the Class Period; (4) the number of terminated/separated Class Members eligible for waiting time penalties and their dates of separation/termination; (5) the number of workweeks worked by specified Class Members (“Aggrieved Employees”) during the PAGA period; (6) the number of former Aggrieved Employees; (7) the number of pay periods in the Wage Statement/PAGA Period; (8) policy documents purporting to reflect Defendants’ relevant policies and practices in effect during the Class Period; (9) Defendants’ definition

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

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

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

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

17 **Colby Law Firm Experience and Loadstar**

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

25 15. Between the two of us, Aaron N. Colby and I have handled 13 class action cases through
26 final approval. Additionally, when I was an attorney with the plaintiff's-side employment law firm,
27 Hadsell Stormer Renick and Dai LLP, I was a member of the team handling the appeal in the *Chinese*
28 *Daily News* class action (*Wang v. Chinese Daily News* (C.D. Cal. 2005) 231 F.R.D. 602). Together, we

1 have handled more than 100 lawsuits involving wage-and-hour claims, including PAGA claims.

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

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

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

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

14 20. Our office litigated this case vigorously for three years, culminating in the class settlement
15 that is before the Court. The hours our office has expended to date on the litigation presently totals 530
16 hours, excluding administrative time.

17 21. Our attorneys' hourly rate in this case is \$750 per hour for Aaron N. Colby and Zoe Yuzna
18 (approx. 494 hours). Paralegals are \$225 per hour (approx. 36 hours). This results in a total lodestar
19 amount of \$378,600. Our costs total \$9,838.68 for filing fees, mediation, and other administrative costs.
20 These fees and costs do not include additional fees and costs that will be incurred after submission of this
21 declaration. Based on our experience handling class action matters, we believe the requested fees and
22 costs are reasonable.

23 I declare under penalty of perjury under the laws of the state of California that the foregoing is
24 true and correct this April 17, 2024 at Los Angeles, California.

25 

26 _____
27 Zoe Yuzna
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