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

GILBERTO RODRIGUEZ, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

CARDINAL PAINT AND POWDER, INC., a
Nevada corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 20STCV14711

*[Assigned for all purposes to the Hon. Yvette M.
Palazuelos, Dept. SSC-9]*

**DECLARATION OF SCOTT M. LIDMAN IN
SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 12, 2021
Time: 10:00 a.m.
Dept.: SSC-9

Complaint Filed: April 15, 2020
Trial Date: None

1 I, SCOTT M. LIDMAN, declare as follows:

2 1. I am a shareholder and principal of the law firm Lidman Law, APC, and counsel for the
3 named Plaintiff Gilberto Rodriguez (“Plaintiff”) and the proposed Class in the above-captioned matter. I
4 am a member in good standing of the bar of the State of California and am admitted to practice in this
5 Court. I have personal knowledge of the facts stated in this declaration and could testify competently to
6 them if called upon to do so.

7 2. I am a 1998 graduate of Santa Clara University School of Law, where I graduated summa
8 cum laude. During law school, I worked as a summer associate for the international employment law firm
9 of Littler Mendelson, P.C., located in Los Angeles, California.

10 3. Since graduating from law school, my practice has focused exclusively on employment
11 litigation. In September 1998, I began working as an associate attorney at the international law firm of
12 Littler Mendelson P.C., at its Los Angeles office, which according to its website is the largest law firm in
13 the world exclusively devoted to representing management in employment, employee benefits and labor
14 law matters.

15 4. In 2000, I left Littler Mendelson to work at the Los Angeles office of Jones Day, which
16 was at the time one of the largest international firms in the world. During my employment at Jones Day,
17 I worked exclusively in the labor and employment department. In or around 2003, I went to work at the
18 law firm of Loeb & Loeb, again working exclusively in the Labor & Employment department. In 2008, I
19 returned to Littler Mendelson, was promoted to Shareholder in 2009, and from 2008 until the end of 2017,
20 I practiced exclusively labor and employment law, with a strong emphasis and most of my time working
21 on wage and hour class actions venued in both state and federal courts. During that time and my legal
22 career in general, I also worked on a number of single and multi-plaintiff wage and hour matters as well.

23 5. During my employment at Littler Mendelson, I played a significant role in the class actions
24 that I was staffed on, and ran many on my own both as an Of Counsel and as a Shareholder. In particular,
25 I received a wide-array of wage and hour class action experience performing the following types of tasks:
26 drafting demurrers, motions to strike and/or dismiss; removing actions from state court to federal court;
27 drafting and responding to written discovery; drafting and opposing discovery related motions; arguing
28 discovery related motions; drafting motions to consolidate related matters; interviewing putative class

1 members and obtaining declarations in connection with class certification; drafting oppositions to motions
2 for class certification; drafting motions for decertification following class certification; conducting
3 exposure analyses to assess the strengths and weaknesses of asserted claims, the likelihood of prevailing
4 at class certification and potential damages resulting from such claims; drafting mediation briefs; serving
5 as the primary contact to in-house counsel; deposing named plaintiffs and putative class members;
6 deposing retained expert witnesses; and defending the depositions of corporate witnesses. I also was
7 involved in the negotiations and settlements of many large wage and hour class actions. In short, I played
8 an integral role in all aspects of litigation from the inception of a matter through and beyond class
9 certification. I also supervised the work of several junior attorneys who were staffed on the same wage
10 and hour class actions.

11 6. Although not exhaustive, below is a list of many of the wage and hour class and PAGA
12 actions that I performed substantial work on while I was a shareholder at Littler Mendelson:

13 ► *Ortega v. J.B. Hunt Transport, Inc.*, Case No. 07-cv-8336-RGK-AFMx, United States
14 District Court, Central District of California, Honorable Gary Klausner, presiding .

15 ► *Aceves v. J.B. Hunt Transport, Inc.*, Case No. CIVDS1306133, California Superior Court,
16 County of San Bernardino, Honorable Michael Sachs, presiding.

17 ► *Moreno v. J.B. Hunt Transport, Inc.*, Case No. BC388612, California Superior Court,
18 County of Los Angeles, Honorable Mel Red Recana, presiding.

19 ► *Newcomb v. J.B. Hunt Transport, Inc.*, Case No. RG16815734, California Superior Court,
20 County of Alameda, Honorable Winifred Smith, presiding.

21 ► *Vaquero v. Stoneledge Furniture, LLC, et al.*, Case No. 12-cv-08590-PA-MAN, United
22 States District Court, Central District of California, Honorable Percy Anderson, presiding.

23 ► *Vaquero v. Stoneledge Furniture, LLC, et al.*, Case No. BC388612, California Superior
24 Court, County of Los Angeles, Honorable Elihu Berle, presiding.

25 ► *Dugan v. Stoneledge Furniture, LLC*, Case No. 16-cv-01125-PA-FFMx, United States
26 District Court, Central District of California, Honorable Percy Anderson, presiding.

27 ► *Klune v. Stoneledge Furniture, LLC*, Case No. 14-cv-03986-PA-FFMx, United States
28 District Court, Central District of California, Honorable Percy Anderson, presiding.

1 ▶ *Diaz v. ABM Industries, Inc.; Ampco Parking*, Case No. BC362932, California Superior
2 Court, County of Los Angeles, Honorable Jane Johnson, presiding.

3 ▶ *Adams v. Luxottica Retail North America, Inc.*, Case No. 07CC01346, California Superior
4 Court, County of Orange, Honorable Thierry Patrick Colaw, presiding.

5 ▶ *Sakkab v. Luxottica Retail North America, Inc.*, Case No. 12-cv-00436-GPC-KSC, United
6 States District Court, Southern District of California.

7 ▶ *Page v. Oakley, Inc.*, Case No. FCS041512, California Superior Court, County of Solano,
8 Honorable Paul Berman, presiding.

9 ▶ *Ramirez v. Oakley, Inc.*, Case No. 30-2014-00731617-CU-OE-CJC California Superior
10 Court, County of Orange, Honorable William Claster, presiding.

11 ▶ *Ramirez v. Oakley, Inc.*, Case No. 30-2014-00723846-CU-DE-CXC, California Superior
12 Court, County of Orange, Honorable William Claster, presiding.

13 ▶ *Sierra v. Oakley, Inc.*, Case No. 13-cv-00319-AG-JPR, United States District Court,
14 Central District of California, Honorable Andrew Guilford, presiding.

15 ▶ *Cordova v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx, United States
16 District Court, Central District of California, Honorable Margaret Morrow, presiding.

17 ▶ *Cordova v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx, United States
18 District Court, Central District of California, Honorable Margaret Morrow, presiding.

19 ▶ *Khelghatian v. Comerica Bank, et al.*, Case No. 11-cv-7689-DSF-FFMx, United States
20 District Court, Southern District of California, Honorable John A. Houston, presiding.

21 ▶ *Babasa v. Comerica Bank, et al.*, Case No. 11-cv-0595-JAH-BGS, United States District
22 Court, Central District of California, Honorable Margaret Morrow, presiding.

23 ▶ *Bernal v. Comerica Bank, et al.*, Case No. 11-cv-01298-JAH-BGS, United States District
24 Court, Central District of California, Honorable Margaret Morrow, presiding.

25 ▶ *Khalili v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx, United States
26 District Court, Northern District of California.

27 ▶ *Granata v. Comerica Bank, et al.*, Case No. 37-2011-00086316-CU-OE-CTL, California
28 Superior Court, County of San Diego, Honorable Jeffrey B. Barton, presiding.

1 ▶ *Mathews v. Comerica Bank*, et al., Case No. 111CV194781, California Superior Court,
2 County of Santa Clara.

3 ▶ *Gallegos v. Comerica Bank, et al.*, Case No. BC455515, California Superior Court,
4 County of Los Angeles, Honorable Terry Green, presiding.

5 ▶ *Rumohr v. Comerica Bank, et al.*, Case No. CGC-11-508433, California Superior Court,
6 County of San Francisco.

7 ▶ *Smith v. Werner Enterprises*, Case No. 15-cv-02978-RS, United States District Court,
8 Northern District of California, Honorable Richard Seeborg, presiding.

9 7. In January 2018, I voluntarily resigned from Littler Mendelson in order to open my own
10 law firm, Lidman Law, APC, to represent employees with work-related claims, including primarily wage
11 and hour claims and almost exclusively on a class-action basis. I am the President and Shareholder of
12 Lidman Law. Currently, over ninety percent (90%) of my practice is dedicated exclusively to the
13 prosecution of wage and hour class actions, and I am currently responsible for prosecuting over sixty-
14 five (65) wage and hour class actions filed in State courts throughout California, with several of them
15 having been removed to Federal courts. I believe that my professional experience renders me more than
16 qualified to serve as class counsel in this lawsuit involving claims of underpaid overtime and minimum
17 wages, meal and rest period violations, and derivative penalty claims. Not only have I litigated dozens
18 of wage and hour cases throughout my career involving similar claims, including the wage and hour class
19 actions identified above, I have litigated similar claims from both plaintiff and defense perspectives. As
20 a result, I am able to realistically assess and evaluate the facts and legal arguments that can be made in
21 pursuit and defense of similar wage and hour claims, as well as those facts and arguments in support and
22 in opposition to class certification. Consequently, I am able to appreciate the significant risks,
23 uncertainties, and delay involved in wage and hour class action litigation.

24 8. I have been appointed Class Counsel in: *Guardado v. Wesley Allen, Inc.*, Case No.
25 BC683027, California Superior Court, County of Los Angeles, Honorable Judge Carolyn B. Kuhl
26 presiding; *Rodriguez v. Satco, Inc.*, Case No. BC682137, California Superior Court, County of Los
27 Angeles, Honorable Judge Ann I. Jones presiding; *Ong v. Howard's Appliances, Inc.*, Case No. 30-2017-
28 00964213-CU-OE-CXC, California Superior Court, County of Orange, Honorable Judge William Cluster

1 presiding; *Hanke v. C&W Facility Services, Inc.*, Case No. CIVDS1814412, California Superior Court,
2 County of San Bernardino, Honorable Judge David Cohn presiding; *Molina v. Mader News, Inc.*, Case
3 No. BC685960, California Superior Court, County of Los Angeles, Honorable Judge Yvette M.
4 Palazuelos presiding; *Alvarez v. Salamander Fire Protection, Inc.*, Case No. BC688326, California
5 Superior Court, County of Los Angeles, Honorable Judge William F. Highberger presiding; *Rodriguez*
6 *v. H.F. Cox, Inc.*, Case No. BC653164, California Superior Court, County of Los Angeles, Honorable
7 Judge Carolyn B. Kuhl presiding; *Fregoso v. Amerigas Propane, Inc.*, Case No. BC697973, California
8 Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Teran v.*
9 *Western Plastics, Inc.*, Case No. RIC1722619, California Superior Court, County of Riverside,
10 Honorable Judge Sunshine Sykes presiding; *Villegas de Torres v. El Monte Superstore Inc.*, Case No.
11 BC688477, California Superior Court, County of Los Angeles, Honorable Judge Daniel J. Buckley
12 presiding; *Huynh v. Polypeptide Laboratories, Inc.*, Case No. BC680872, California Superior Court,
13 County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Guzman v. Century Blinds*, Case
14 No. RIC1723654, California Superior Court, County of Riverside, Honorable Judge Sunshine S. Sykes
15 presiding; *George v. Convergence Marketing*, Case No. CIVDS1901039, California Superior Court,
16 County of San Bernardino, Honorable Judge David S. Cohn presiding; *Coffee, et al. v. Flyers*
17 *Transportation Energy, LLC*, Case No. 34-2017-00222084, California Superior Court, County of
18 Sacramento, Honorable Judge Alan G. Perkins presiding; *Romero v. Fillmore Hospitality, LLC*, Case
19 No. BC705667, California Superior Court, County of Los Angeles, Honorable Judge Maren E. Nelson
20 presiding; *Wennerstrom, et al. v. Giant Inland Empire R.V. Center*, Case No. CIVDS1617291, California
21 Superior Court, County of San Bernardino, Honorable Judge David S. Cohn presiding; *Contreras, et al.*
22 *v. Letter Ride, LLC*, Case No. 37-2018-00020841-CU-OE-CTL, California Superior Court, County of
23 San Diego, Honorable Judge Eddie C. Sturgeon presiding; *Davis v. WeDriveU*, Case No. 18CV322578,
24 California Superior Court, County of Santa Clara, Honorable Judge Brian C. Walsh presiding; and *Acuna*
25 *v. Canton Food Co., Inc.*, Case No. BC685001, California Superior Court, County of Los Angeles,
26 Honorable Judge David S. Cunningham presiding.

27 9. As co-lead counsel for Plaintiff and the proposed Class, I have been intimately involved
28 in every aspect of this case from its inception through the present, and I believe that the proposed

1 Settlement is a favorable result for the Class under the circumstances presented. The details of the work
2 completed in this case by me, my firm and/or my co-counsel are set forth in the declaration of Elizabeth
3 Nguyen filed concurrently herewith.

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

6 Executed on June 23, 2021 at El Segundo, California.

7
8 

9 Scott M. Lidman