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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MACKENSIE BIDDLE, JESSA
NALUZ, EVANGELINE D. GASTON,
individually, and on behalf of other
members of the general public similarly
situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General
Act;

Plaintiffs,

vs.

C & J CLARK RETAIL, INC., an
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 8:24-cv-01131-JWH-ADS

Honorable John W. Holcomb
Department 9D

CLASS ACTION

**CORRECTED DECLARATION OF
EVANGELINE D. GASTON IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: April 25, 2025
Time: 9:00 a.m.
Department: 9D

Complaint Filed: July 16, 2019
Action Removed: August 12, 2019
FAC Filed: August 21, 2019
SAC Filed: November 15, 2019
TAC Filed: January 6, 2021
4AC Filed: May 28, 2024
Trial Date: None Set

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1 premium pay for not being provided with the opportunity to take full, uninterrupted 10-minute
2 rest periods, either.

3 9. Before and during the course of litigation, I was actively involved in assisting my
4 attorneys to support the wage and hour claims asserted. My involvement began before the initial
5 complaint was filed wherein, I provided first-hand knowledge and documentation as to
6 Defendant's practices, their ownership and corporate structure, and their wage and hour policies
7 and practices.

8 10. Part of the information I relayed was with regard to Defendant's timekeeping policies
9 and practices and their meal and rest period policies and practices.

10 11. I provided them with all the documentation provided to me by Defendant during my
11 employment.

12 12. I assisted in reviewing time and payroll records with my attorneys and informed them
13 of Defendant's employment policies and whether those policies matched Defendant's practices.

14 13. My attorneys called me to ask me questions over several times throughout the
15 litigation and I contacted my attorneys several times to stay updated on the case and offer my
16 assistance on any matters I could be helpful with. I was also available for mediation by telephone,
17 during which I was available to be called to answer the questions posed by the mediators regarding
18 the asserted claims, as well as arguments raised by Defendant. In addition, I worked with my
19 attorneys over the next several weeks after mediation to understand and execute a long form
20 settlement agreement.

21 14. Over the past few months since the mediation has been resolved, I have stayed in
22 touch with my attorneys to ensure that there was no undue delay in payment for other class
23 members for whom I brought this Action.

24 15. I believe that, through the present, I have spent at least 47 hours in connection with
25 this matter, which included time spent having preliminary calls with my attorneys; doing an intake
26 with my attorneys; time spent searching for documents relating to my employment; time spent
27 reading and understanding the Settlement Agreement; time spent answering calls to discuss
28

1 Defendant's timekeeping, pay, meal and rest periods, and to review time and payroll records; time
2 spent discussing with my attorneys' Defendant's policies and practices; time spent on-call at
3 mediation; and time spent checking in on the status of the case, among other things. I also spent
4 time preparing this declaration to support Plaintiffs' Motion for Preliminary Approval of Class
5 and Representative Action Settlement.

6 16. I feel that by bringing this lawsuit, I could stand up for not only my rights but the
7 rights of other employees who suffered from the same unfair wage practices. I felt that current
8 employees might not want to share their experiences with Defendant since they feared losing their
9 jobs. This is certainly understandable as I, too, have to provide for myself and others.

10 17. By bringing this lawsuit, I have put the interests of the class ahead of my own.

11 18. I understood that I could possibly earn a small enhancement if this case resolved
12 favorably. I also knew that I could face retaliation from Defendant and backlash from former
13 coworkers who are loyal to Defendant. I have also had to provide a general release of claims to
14 Defendant as part of the settlement. My understanding, in addition, is that if I brought this case
15 individually, I may have earned more compensation individually and on a much quicker timeline
16 than the timeline to resolve this Action.

17 19. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class,
18 and, even more importantly, to put an end to what I believe are illegal practices on the part of
19 Defendant. I believe I have achieved both through this lawsuit and settlement.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct this 11/25, 2024, at Calimesa, California.

22 *Evangeline Gaston*

Evangeline Gaston (Nov 25, 2024 09:20 PST)

23 EVANGELINE D. GASTON