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Attorneys for Plaintiff Armando Diaz-Garcia,
individually, and on behalf of all other similarly situated employees

SUPERIOR COURT OF STATE OF CALIFORNIA
FOR THE COUNTY ORANGE-CIVL COMPLEX CENTER

ARMANDO DIAZ-GARCIA, as an individual,
and on behalf of all other similarly situated
employees,

Plaintiff,

VS.

AWESOME PRODUCTS, INC., a California corporation and DOES 1-50, inclusive,

Defendant.

JOSE ELIAS BARAJAS, individually, and on behalf of all others similarly situated,

Plaintiff,

VS.

AWESOME PRODUCTS, INC., a California corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 30-2021-01193589-CU-OE-CXC
Consolidated with Case No.: 30-2021-
01217438-CU-OE-CXC

DECLARATION OF ARMOND M. JACKSON IN SUPPORT OF PLAINTIFF DIAZ-GARCIA'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Date: October 6, 2023
Time: 1:30 PM
Dept: CX103

Complaint Filed: April 2, 2021
Trial Date: None Set

**DECLARATION OF ARMOND M. JACKSON IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

1 1. I am an attorney licensed to practice law before all courts of the State of California. I am
2 an attorney for Jackson Law, A Professional Law Corporation, and attorney of record for
3 Plaintiff Armando Diaz-Garcia. (referred to herein as “Plaintiff”). I have personal knowledge of
4 everything stated below and could and would competently testify thereto if sworn.

5 2. I submit this Declaration in support of Plaintiffs’ motion for preliminary approval of class
6 action settlement.

7 3. During the litigation, I interviewed Mr. Diaz-Garcia and determined he was a suitable
8 plaintiff based upon his experience of being subjected to Defendant’s purported Labor Code
9 violations and his concern to hold the Defendants accountable for any alleged liability for such
10 violations. By initiating this lawsuit against a former employer, Mr. Diaz-Garcia subjected
11 himself to reputational risk. Throughout the course of this litigation, Mr. Diaz-Garcia assisted
12 this office in preparing the complaint. Mr. Diaz-Garcia also made himself available on an “on
13 call” basis to answer any questions regarding the case and approve any settlement. Mr. Diaz-
14 Garcia also continuously provided my office with updated information concerning the
15 Defendants’ business operations.
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17 4. On April 2, 2021, Armando Diaz-Garcia filed claims alleging violations regarding (1)
18 failure to pay minimum wages; (2) failure to pay overtime wages; (3) failure to pay timely
19 wages; (4) unlawfully received wages; (5) failure to provide meal breaks; (6) failure to provide
20 rest breaks; (7) failure to maintain accurate wage statements; (8) failure to pay timely wages
21 upon termination; and (9) unlawful business practices. On May 26, 2021, Plaintiff amended his
22 Complaint to add a claim for violation of the California Private Attorneys General Act.

23 5. Over the course of this litigation, my office participated in a mediation on this matter to
24 ultimately achieve the settlement pending approval before this Court now. Once the settlement
25 was achieved, my office further participated in the drafting and execution of the settlement
26 agreement.
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1 6. On June 6, 2023, given the pending claims between both cases, Plaintiff Mr. Diaz-Garcia
2 along with Plaintiff Jose Elias Barajas filed a consolidated amended complaint which now seeks
3 preliminary approval on.

4 7. I have been a California-licensed attorney since November 2011. I began my career in
5 law while still in law school when I served as a law clerk for the Pedersen Law & Dispute and
6 Resolution Corporation (“PLDRC”), handling employment-related litigation matters. While
7 clerking for PLDRC I analyzed and organized discovery documents and researched employment
8 litigation issues such as Sexual Harassment, Race Discrimination and Wrongful Termination. I
9 worked as an associate attorney at Pedersen McQueen between March 2013 through January
10 2017 almost exclusively engaging in employment matters representing employees. I have
11 litigated several wage and hour case to trial and currently litigating or have litigated cases valued
12 in the six and seven-figure dollar range, including representative actions. I had primary
13 responsibility for approximately 20 litigation matters on average throughout my employment at
14 PLDRC and Pedersen McQueen and Pedersen Law. I regularly practice in state court and
15 sometimes federal court. As an associate, my responsibilities included carrying primary case
16 responsibility which includes tasks like taking depositions, conducting damages analysis,
17 analyzing discovery documents, conducting client intake, developing discovery and litigation
18 strategies, participating in mediations and arbitrations, engaging in settlement negotiations, trial
19 preparation and trial work, as well as other responsibilities that commonly coincide with
20 managing cases from start to finish. I have been a member of local bar associations, including
21 the Orange County Bar Association, as well as the State Bar of California and American Bar
22 Association and served in a number of leadership roles at all levels. Most notably, I served as a
23 Committee Member of the Orange County Bar Association Young Lawyers’ Education
24 Committee and Social Committee.
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26 8. In January 2017, I officially started my own practice Jackson Law, APC. Throughout my
27 career, I have litigated above 100 employment cases, including wage and hour representative
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1 actions to resolution byway of settlement, default or trial. Throughout my legal career, I have
2 been appointed class counsel on several class actions in Los Angeles Superior Court and other
3 courts throughout California. Based upon my experience, I believe the benefit conferred by the
4 proposed Settlement is eminently fair and reasonable, and is in the best interests of the Class
5 Members because (1) of the monetary benefits to the Class Members and (2) avoiding the risk,
6 delay, and uncertainty of continued litigation.

7 9. Below is a non-exhaustive list of prior wage and hour representative actions on which I
8 have served as lead or co-counsel.

9 1. *Kim v. FNS, Inc.*, Los Angeles Superior Court, Case No. BC 578015

10 2. *Demery v. Pacific Rim Capital Alliance Corporation et al.*, San Diego Superior Court,
11 Case No. 37-2017-00003415-CU-OE-CTL

12 3. *Goldbaum v. Dollarsmart et al.*, San Diego Superior Court, 30-2015-000077437-CU-
13 WT-CLT

14 4. *Hernandez v. Personnel Staffing Group, LLC et al.*, Orange County Superior Court,
15 Case No. 30-2017-00899277-CU-OE-CXC

16 5. *Sanchez, et al v. Pueblo Restaurant, Inc. dba Casa Torres*, Los Angeles Superior
17 Court, Case No. BC697241

18 6. *Augusto v. HIOG Management Services, LLC, et al.*, San Bernardino Superior Court,
19 Case No. CIVDS1610431

20 7. *Mendoza v. McNeal, Duckworth and McNeal, Inc.*, Orange County Superior Court,
21 Case No. 30-2017-00899290-CU-OE-CXC

22 8. *Ortiz v. Bayside Insurance Associates, Inc. et al*, Orange County Superior Court, Case
23 No. 30-2016-00895669-CU-OE-CXC

24 9. *Paramo v. Quest Nutrition LLC et al.*, Los Angeles County Superior Court, Case No.
25 BC609306
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- 1 10. *Luis v. Second Street Corporation dba Huntley House Hotel*, Los Angeles County
2 Superior Court, Case No. BC691018
- 3 11. *Venegas, at al. v. Bergen Shippers Corp, et al*, Los Angeles County Superior Court,
4 Case No. BC715217
- 5 12. *Bernal v. Bristol Equity Partners LP et al*, Orange County Superior Court, Case No.
6 30-2016-00854699-CU-OE-CXC
- 7 13. *Rowe v. Rasier-CA, LLC*, Orange County Superior Court,
8 Case No. 30-2018-00989673-CU-OE-CXC
- 9 14. *Abarca v. Habit Restaurants, LLC, The et al*, Orange County Superior Court, Case
10 No. 30-2016-00840385-CU-OE-CJC
- 11 15. *Radilla v. States Logistics Services, Inc.*, Orange County Superior Court,
12 Case No. 30-2018-00978231-CU-WT-CJC
- 13 16. *Rodriguez v. Lampson Sewing Incorporated et al*, Orange County Superior Court,
14 Case No. 30-2017-00900653-CU-OE-CJC
- 15 17. *January v. Discovery Management Inc. et al*, Los Angeles Superior Court,
16 Case No. BC635918
- 17 18. *Angel Hernandez v. Merchants Landscape Services, Inc. et al.*, Los Angeles Superior
18 Court, Case No. BC674131
- 19 19. *Quezada v. Garden Fresh Restaurant Corp. et al*, Orange County Superior Court,
20 Case No. 30-2016-00840321-CU-OE-CJC
- 21 20. *Munoz v. Batten Down, Inc. et al*, Los Angeles County Superior Court, Case No.
22 BC617880
- 23 21. *Salgado v. Resort at Pelican Hill, LLC et al*, Orange County Superior Court, Case
24 No. 30-2016-00840386-CU-OE-CJC
- 25 22. *Darmawati v. Westview Services Inc.*, Orange County Superior Court, Case No. 30-
26 2015-00795449-CU-OE-CJC
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- 1 23. *Escobar v. Westcoast Textiles, Inc. et al*, Orange County Superior Court,
2 Case No. 30-2018-00979111-CU-OE-CXC
- 3 24. *Diaz-Garcia v. Express Fashion Operations, LLC*, Orange County Superior Court,
4 Case No. 30-2017-00900648-CU-OE-CXC
- 5 25. *Diaz-Garcia v. Express Fashion Operations, LLC*, Orange County Superior Court,
6 Case No. 8:19-cv-00564
- 7 26. *Plascencia v. RM HQ, LLC, dba Real Mex Restaurants*, Orange County Superior
8 Court, Case No. 30-2017-00926015-CU-OE-CXC
- 9 27. *Casas v. PC Hospitality et al.*, Orange County Superior Court,
10 Case No. 30-2016-00877489-CU-OE-CXC
- 11 28. *Leon v. SWH Mimi's Café, LLC*, Orange County Superior Court,
12 Case No. 30-2018-00978815-CU-OE-CXC
- 13 29. *Quintanilla v. Southwest Wine & Spirits, LLC*, Los Angeles Superior Court, Case No.
14 BC653817
- 15 30. *Fabiola Rodriguez v. Second Floor Food, Drinks and Art, LLC*, Orange County
16 Superior Court, Case No. 30-2018-00981362-CU-WT-CXC
- 17 31. *Santisteban v. Rod Fraser Enterprises, Inc. et al*, Orange County Superior Court,
18 Case No. 30-2017-00904202-CU-OE-CXC
- 19 32. *Milano v. Lev Tambor dba Distractions Lounge*, Orange County Superior Court,
20 Case No. 30-2018-00966582-CU-WT-CXC
- 21 33. *Ajin v. Lymi, Inc*, Los Angeles County Superior Court, Case No. BC696168
- 22 34. *Recinos v. Pacific American Fish Co., et al*, Los Angeles Superior Court,
23 Case No. BC710735
- 24 35. *Valle-Valdez v. St. Jude Hospital Yorba Linda, et al*, Orange County Superior Court,
25 Case No. 30-2015-00795457-CU-OE-CJC
- 26 36. *Juarez v. Arakelian Enterprises, Inc., et al*, Los Angeles Superior Court,
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Case No. BC710736

37. *Solarzano v. T&J Fresh Co. dba Chomp Sushi*, Orange County Superior Court,
Case No. 30-2018-00981299-CU-OE-CXC

38. *Taylor v. G.I. Trucking Company dba Estes West et al*, Los Angeles Superior Court,
Case No. BC722778

39. *Rendon v. L & L Foods Holdings, LLC, et al*, Orange County Superior Court, Case
No. 30-2018-00982745-CU-OE-CXC

40. *Magana v. Zara USA, Inc., et al*, Orange County Superior Court,
Case No. 8:18-cv-02249-AG (ADSx)

41. *Flores v. ABM Industry Groups, LLC et al*, Orange County Superior Court,
Case No. 30-2018-00971152-CU-WT-CJC

42. *Diaz v. Macy's West Stores, Inc. dba Macy's*, Central District of California,
Case No. SACV19-00303 ODW (MAAx)

43. *Aguirre v. Shelfmaster el al*, Orange County Superior Court, 30-2015-00787557-CU-
OE-CJC

44. *Goldman v. Encore Energy, Inc.*, Los Angeles County Superior Court, BC606773

45. *Munoz v. 8947 Sunset Pizza, LLC et al.*, Los Angeles Superior Court,
Case No. BC646999.

46. *Ramos v. Tagtime, Inc.*, Los Angeles Superior Court, Case No. 21STCP00903

10. By engaging in a thorough investigation and evaluation of Plaintiffs' claims, I can opine that the Settlement, for the consideration and on the terms set forth in the Stipulation, is fair, reasonable, and adequate and is in the best interests of the Class Members in light of all known facts and circumstances, including the risk of significant delay and uncertainty associated with litigation, various defenses asserted by Defendant.

11. Attached hereto as **Exhibit A** is a true and correct copy of the cost entries maintained by my practice management software.

1 I declare under the penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on this 7th day of September 2023 in Irvine, California.
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5 /s/ Armond M. Jackson
6 Armond M. Jackson, Declarant
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EXHIBIT A

INVOICE

Company Logo

Jackson APC,

BILL TO

Armando Garcia Diaz
1670 west Broadway, Ste. 12C
Anaheim CA 92802

Invoice Number: 549
Invoice Date: 9/7/2023
Terms: 30

Due Date: **10/7/2023**
Amount Due: **\$5,790.73**
Invoice Start Date:
Invoice End Date:

TIME

Date	Description	Team Member	Code	Code 2	Rate	Hours	Total
							\$0.00

EXPENSES

Date	Description	Code	Code 2	Qty	Price	Unit	Total
01/19/21	Mailed out: Request Personnel File			1	0.65	1	0.65
02/23/21	PAGA -Certified Mailers			2	4.35	1	8.70
02/26/21	Mailed out Ltr of non compliance			1	0.51	1	0.51
04/06/21	One Legal Invoice#12881743			1	1,449.25	1	1,449.25
04/15/21	Certified Mail Receipts			2	4.15	1	8.30
05/27/21	One Legal Invoice_12990314			1	14.25	1	14.25
06/14/21	Janney and Janney Invoice 4586168			1	116.00	1	116.00
01/07/22	One Legal Invoice_13437578			1	14.25	1	14.25
01/11/22	One Legal Invoice_13441002			1	38.25	1	38.25

03/01/22	One Legal Invoice 13548095	1	76.25	1	76.25
05/10/22	One Legal Invoice 13711278	1	14.75	1	14.75
06/23/22	One Legal Invoice 13805208	1	34.75	1	34.75
07/29/22	Class Notice Simpluris Inv. No. 22130-P	1	500.00	1	500.00
01/05/23	Frank & Feder Mediation payment; File Number: 3764-4098	1	3,500.00	1	3,500.00
01/05/23	MAIL-OUT: Mediation payment	1	0.57	1	0.57
08/31/23	File Request for Dismissal (Projected)	1	14.25	1	14.25
					\$5,790.73

FLAT FEE

Date	Description	Code	Code 2	Qty	Price	Unit	Total
							\$0.00

Invoice Total:	\$5,790.73
Amount Paid:	(\$0.00)
Amount Due:	\$5,790.73

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not
4 a party to the within action; my business address is 1055 W. Seventh St., Suite 1880, Los Angeles,
California 90017. On **September 7, 2023**, I served the foregoing document described as:

5 **DECLARATION OF ARMOND M. JACKSON IN SUPPORT OF PLAINTIFF**
6 **DIAZ-GARCIA'S MOTION FOR PRELIMINARY APPROVAL OF CLASS**
ACTION SETTLEMENT

7 X by placing ___ the original X a true copy thereof enclosed in sealed envelope(s) addressed as
8 follows:

9 Christine D. Baran
10 Andrew C. Crane
11 Samantha E. Cardarelli
12 **FISHER & PHILLIPS LLP**
13 2050 Main Street, Suite 1000
14 Irvine, California 92614
15 cbaran@fisherphillips.com
16 acrane@fisherphillips.com
17 scardarelli@fisherphillips.com

Robert Mackey (SBN 125961)
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16320 Murphy Road
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Attorneys for Defendant Awesome
Products, Inc.

Attorneys for Defendant Awesome Products,
Inc.

Armond M. Jackson
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Irvine, California 92618
Email: ajackson@jacksonapc.com

Attorney for Plaintiff, Armando Diaz-Garcia

19 [✓] **BY U.S. MAIL:** I deposited such envelope in the mail at Los Angeles, California. The
20 envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the
21 firm's practice of collection and processing correspondence for mailing. Under that practice it
22 would be deposited with U.S. postal service on that same day with postage thereon fully
23 prepaid at Los Angeles, California in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than one day after date of deposit for mailing in affidavit.

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

25 Executed this, **September 7, 2023** at Los Angeles, California.

26 Janelle Jickain
27 Type or Print Name

/s/ Janelle Jickain
Signature