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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF STANISLAUS

RACHEL V. CORREIA, an individual;
REBEKAH MEDINA, an individual; and on
behalf of all others similarly situated,

Plaintiffs,

v.

GALLO GLASS COMPANY., a Nevada
corporation; NIGEL DART, an individual; and
DOES 1 through 100, inclusive,

Defendants.

CASE NO.: CV-21-006459

[Assigned for all purposes to the Hon. Sonny
S. Sandhu, in Dept. 24]

**DECLARATION OF DAVID D. BIBIYAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE
ACTION SETTLEMENT AND
PROVISIONAL CLASS
CERTIFICATION FOR SETTLEMENT
PURPOSES ONLY**

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1 • *Arendsdorff v. Stanley Steamer International, Inc.*, Case No. BC681368, California
2 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos, presiding;
3 • *Barreto v. Don Roberto Jewelers, Inc.*, Case No. BC495451, California Superior Court,
4 County of Los Angeles, Honorable Ann I. Jones, presiding;
5 • *Junior Amilcar Laguna Gonzalez v. Takaaki Koyama*, Case No. BC641998, California
6 Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
7 • *Rios v. Nongshim America, Inc.*, Case No. CIVDS1807390, California Superior Court,
8 County of San Bernardino, Honorable David S. Cohn, presiding;
9 • *Stoddard v. Molded Fiber Glass – West*, Case No. 1517758, California Superior Court,
10 County of San Bernardino, Honorable David S. Cohn, presiding;
11 • *Mata v. Sahara Scaffold, Inc.*, Case No. CIVDS1810785, California Superior Court,
12 County of San Bernardino, Honorable David S. Cohn, presiding;
13 • *Carrasco v. Pure Dental Solutions*, Case No. BC645995, California Superior Court,
14 County of Los Angeles, Honorable Kenneth R. Freeman, presiding;
15 • *Gonzalez v. Gochez, et al.*, Case No. BC648729, California Superior Court, County of
16 Los Angeles, Honorable Maren Nelson, presiding;
17 • *Montoya v. Superior Paving Co.*, Case No. CIVDS1833422, California Superior Court,
18 County of San Bernardino, Honorable David S. Cohn, presiding;
19 • *Lopez v. Norred & Associates, Inc.*, Case No. CIVDS1824109, California Superior
20 Court, County of San Bernardino, David S. Cohn, presiding;
21 • *Noyola v. Lacren, LLC*, Case No. BC717024, California Superior Court, County of Los
22 Angeles, Hon. Anthony Mohr, presiding;
23 • *Luciano, et al. v. O’Tasty Foods, Inc., et al.*, Case No. BC711988, California Superior
24 Court, County of Los Angeles, Honorable Maren Nelson, presiding;
25 • *Gordon v. Hospice Source, LLC*, Case No. 34-2018-00250022-CU-OE-GDS, California
26 Superior Court, County of Sacramento, Honorable Christopher E. Krueger, presiding;
27 • *Barragan v. Refrigeration Supplies Distributor*, Case No. 19STCV09312, California
28 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;

1 • *Ramirez v. Acre Gourmet, Inc.*, Case No. CGC-19-575117, California Superior Court,
2 County of San Francisco, Honorable Andrew Y.S. Cheng, presiding;
3 • *Villafuerte v. Bay Alarm Company*, Case No. BC689110, California Superior Court,
4 County of Los Angeles, Honorable Amy D. Hogue, presiding;
5 • *Cazares v. Areas USA LAX, LLC*, Case No. 19STCV08209, California Superior Court,
6 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
7 • *Magana v. Castlerock Environmental, Inc., et al.*, Case No. 19STCV38353, California
8 Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;
9 • *Chilel v. Sushi California, Inc.*, Case No. 19STCV08209, California Superior Court,
10 County of Los Angeles, Honorable Ann I. Jones, presiding;
11 • *Malone v. Orange Courier, Inc., et al.*, Case No. 30-2016-00763474, California Superior
12 Court, County of Orange, Honorable Glenda Sanders, presiding;
13 • *Rivera v. Talamo Food Services, Inc.*, Case No. 19CV355856, California Superior Court,
14 County of Santa Clara, Honorable Patricia M. Lucas, presiding;
15 • *Olguin v. Cal Central Harvesting, Inc.*, Case No. 18CV03860, California Superior Court,
16 County of Santa Barbara, Honorable James F. Rigali, presiding;
17 • *Pence v. Sober Living by the Sea, Inc.*, Case No. 2018-00988742, California Superior
18 Court, County of Orange, Honorable Randall J. Sherman, presiding;
19 • *Franco v. Vincent Rags, Inc.*, Case No. 20STCV07768, California Superior Court,
20 County of Los Angeles, Honorable Ann I. Jones, presiding;
21 • *Cabral v. Miller Castings, Inc.*, Case No. 19STCV39556, California Superior Court,
22 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding.
23 • *Bolanos v. Texas Roadhouse, Inc.*, Case No. 19STCV39556, California Superior Court,
24 County of Los Angeles, Honorable Sunshine Sykes, presiding;
25 • *Rodriguez v. Scott A. Humphreys, Inc.*, Case No. 30-2021-01184556-CU-OE-CXC,
26 California Superior Court, County of Ventura, Honorable Matthew P. Guasco, presiding; and
27 • *Torres v. Primal Pet Foods, Inc.* Case No. FCS054783, California Superior Court,
28 County of Solano, Honorable Wendy G. Getty, presiding.

1 • *Hanson v. Zapata Nuccio, Inc.*, Case No. 20STCV28951, California Superior Court,
2 County of Los Angeles, Honorable Elihu M. Berle, presiding;
3 • *Molina v. Avibank Mfg, Inc.*, Case No. 20STCV03910, California Superior Court,
4 County of Los Angeles, Honorable John P. Doyle, presiding;
5 • *Cetina v. Lawry's Restaurants, Inc.*, Case No. 19STCV05201, California Superior Court,
6 County of Los Angeles, Honorable Amy D. Hogue, presiding;
7 • *Luna v. Pronto California General Agency, LLC*, Case No. 19STCV39951, California
8 Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
9 • *Alvarez v. Kazak-Mars, Inc.*, Case No. 20STCV42587, California Superior Court,
10 County of Los Angeles, Honorable Elihu M. Berle, presiding;
11 • *Noe v. My Pillow, Inc.* Case No. CIVDS 2011360, California Superior Court, County of
12 San Bernardino, Honorable David Cohn, presiding;
13 • *Nunez v. 2751 West Coast Acquisition Company*, Case No. 30-2020-01145215-CU-OE
14 CXC, California Superior Court, County of Orange, Honorable Randall J. Sherman, presiding;
15 • *Smith v. McMillen Enterprises, Inc.*, Case No. CV-20-002938, California Superior Court,
16 County of Stanislaus, Honorable John R. Mayne, presiding;
17 • *Turner v. Plant Prefab Inc., et al.*, Case No. CIVDS2017517, California Superior Court,
18 County of San Bernardino, Honorable David Cohn, presiding;
19 • *Duran v. Fresh Select, LLC*, Case No. VCU284892, California Superior Court, County
20 of Tulare, Honorable Bret Hillman, presiding;
21 • *Reynoso, et al. v. Cream of the Crop AG Service, Inc.*, Case No. VCU278847, California
22 Superior Court, County of Tulare, Honorable Bret Hillman, presiding;
23 • *Michel v. Universal Waste Systems, Inc.*, Case No. 19STCV46181, California Superior
24 Court, County of Los Angeles, Honorable David S. Cunningham presiding;
25 • *Jungers v. U.S. Borax Inc., et al.*, Case No. BCV-21-10003, California Superior Court,
26 County of Kern, Honorable Bernard C. Barmann Jr. presiding.
27 • *Fortune v. Amoroso Limited Partnership, et al.*, Case No. 20STCV25874, California
28 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;

1 • *Montoya, et al. v. Remo, Inc.* Case No. 20STCV34614, California Superior Court,
2 County of Los Angeles, Honorable Maren Nelson presiding;

3 • *Rincon, et al. v. New-Indy Tripaq, LLC, et al.* Case No. 20STCV17118, California
4 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;

5 • *De Leon v. Wismettac Asian Foods, Inc.* Case No. 19STCV18172, California Superior
6 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

7 • *Tapia v. Mercer Foods, Inc.* Case No. CV-21-000020, California Superior Court, County
8 of Stanislaus, Honorable Sonny S. Sandhu presiding;

9 • *Molina v. Reser's Fine Foods, Inc.* Case No. 37-2021-00013052-CU-OECTL, California
10 Superior Court, County of San Diego, Honorable Eddie C. Sturgeon presiding;

11 • *Reyes v. Imperial Sprinkler Supply, Inc.* Case No. 30-2020-01167748-CU-OE-CXC,
12 California Superior Court, County of Los Angeles, Honorable Peter Wilson presiding;

13 • *Zavala, et al. v. PLS Check Cashers, Inc.* Case No. 20STCV42586, California Superior
14 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

15 • *Paz v. Hill Brothers Chemical Company.* Case No. 20STCV48279, California Superior
16 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

17 • *Garcia v. Inwesco Incorporated.* Case No. 20STCV46833, California Superior Court,
18 County of Los Angeles, Honorable Carolyn B. Kuhl presiding.

19 • *Guevara v. J&K Culver, LLC, et al.* Case No. 19STCV39951, California Superior
20 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

21 • *Hamilton v. Michael Kors Stores, Inc. et al.*, Case No. 19STCV37061, California
22 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding; and

23 • *Arzooian v. A&M Administration, LLC, et al.* Case No. 21STCV05576, California
24 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding.

25 9. I have also settled matters on a "PAGA Only" basis for aggrieved employees in the
26 past, including in:

27 • *Flores v. Delta Apparel, Inc.*, Case No. BC641499, California Superior Court, County
28 of Los Angeles, Honorable Daniel J. Buckley, presiding;

1 • *Segura v. CJ Foods Service Holdings USA, LLC*, Case No. 19STCV24918, California
2 Superior Court, County of Los Angeles, Honorable Maureen Duffy-Lewis, presiding;
3 • *Sierra v. Nexem-Allied, LLC*, Case No. 20STCV11281, California Superior Court,
4 County of Los Angeles, Honorable Randolph M. Hammock, presiding;
5 • *Nodal v. Sodexo, Inc.*, Case No. 20STCV40601, California Superior Court, County of
6 Los Angeles, Honorable Lawrence Riff, presiding;
7 • *Cooper v. Lucas Health Partners Inc.*, Case No. 20STCV20050, California Superior
8 Court, County of Los Angeles, Honorable Maren Nelson, presiding;
9 • *Herrera v. Greystar Management, LP, et al.*, Case No. 37-2020-00009672-CU-OE-
10 CTL, California Superior Court, County of San Diego, Honorable Carolyn Caietti, presiding;
11 • *Slater v. Jo-Ann Stores, LLC.*, Case No. 21STCV18454, California Superior Court,
12 County of Los Angeles, Honorable Maurice A. Leiter, presiding.
13 • *Bolanos v. Canoga Park Heating & Air Conditioning, Co., Inc.*, Case No.
14 21STCV12674, California Superior Court, County of Los Angeles, Honorable Yolanda Orozco,
15 presiding; and
16 • *Granados v. Cosmetic Ideas, Inc.* Case No. 21STCV10797, California Superior Court,
17 County of Los Angeles, Honorable Richard L. Fruin, presiding.

18 10. Currently, my firm is acting as counsel in tens of wage and hour class actions and
19 representative PAGA actions.

20 11. Jeffrey D. Klein has been a member of my law firm for over one (1) year but served
21 as Class Counsel on several of the actions on which I was named Class Counsel. Moreover, prior
22 to working with Bibiyan Law Group, P.C., he served as a senior associate of Lawyers for Justice,
23 P.C., where he practiced exclusively in litigation of wage-and-hour class actions and PAGA
24 actions, and where he brought and succeeded on multiple contested motions for class certification.

25 12. After a thorough investigation and settlement discussions, Class Counsel arrived at
26 terms that they viewed was in the best interest of both the Class Members and the Parties.

27 13. Should the Court refuse to grant preliminary approval of this Settlement, many of
28 the Class Members may be denied any recourse for defendants' alleged violations.

14. For these reasons, as well as the reasons provided in the declaration of my co-counsel, Kyle R. Nordrehaug, I believe that Class Counsel is sufficiently experienced and qualified to evaluate the class members' claims and viability of defendants' defenses.

15. I believe, and as further set out in the declaration of my co-counsel Kyle R. Nordrehaug, the settlement presented here only resulted after having engaged in extensive informal and formal discovery and investigation and is the product of hard-fought litigation and extensive arm's length negotiations.

16. I believe, based on my experience as Class Counsel, that the settlement is fair, reasonable, adequate and in the best interests of class members.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct this 16th day of March, 2023, at Beverly Hills, California.

David N. Bibiyan

David D. Bibiyan