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9 Hollister, California 95023
Telephone: (831) 531-4214

10 Attorneys for Plaintiffs Centrial Williams and Precious Thomas
11

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SACRAMENTO**

14 TERESA ALEXANDER, on behalf of herself and
all "aggrieved employees" pursuant to Labor Code
15 § 2698 *et seq.*,

16 Plaintiffs,

17 v.

18 CAREER SYSTEMS DEVELOPMENT
19 CORPORATION, a Delaware Corporation and
20 DOES 1 through 10, inclusive,

21 Defendants.
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27
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Case No. 34-2020-00278027

*Assigned to the Hon. Richard K. Sueyoshi, Dept.
53*

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF MOTION FOR AN ORDER
APPROVING SETTLEMENT OF CLAIMS
BROUGHT PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT OF 2004**

Date: September 28, 2022

Time: 1:30 p.m.

Dept.: 53

Reservation No.: 2661792

Complaint Filed: May 6, 2020

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1 premised on the same claims, which was subsequently dismissed because of an arbitration agreement
2 that Defendant contended included a class action waiver.

3 7. After the filing of the *Williams/Thomas* Action, counsel for Plaintiffs became aware of a
4 related action named *Teresa Alexander v. Career Systems Development Corporation*, Superior Court of
5 California, County of Sacramento, Case No. 34-2020-00278027 (the “*Alexander* Action”).

6 8. The parties in the *Alexander* Action and *Williams/Thomas* Action subsequently agreed to
7 participate in a global mediation with Lou Marlin, Esq., a respected and experienced mediator
8 knowledgeable of both the wage and hour laws and representative claims at issue in this action.

9 9. Defendant has not yet filed an answer the Plaintiffs’ representative action complaint.

10 MEDIATION

11 10. In connection with mediation, the parties conducted informal discovery, including
12 reviewing the production of payroll data and information pertaining to Defendant’s pertinent payroll
13 policies and practices. Defendant produced data relevant to the potential value of the claims, including
14 the number of alleged aggrieved employees and pay periods encompassed by the allegations of the
15 *Alexander* and *Williams/Thomas* complaints. Using the data provided by Defendant, counsel for
16 Plaintiffs performed a comprehensive damages analysis in advance of mediation.

17 11. On April 19, 2022, all parties engaged in an all-day mediation session before Mr. Marlin.
18 During the mediation, counsel zealously advocated on behalf of their respective clients. The parties
19 gained valuable insight and exchanged significant information about their respective positions. After a
20 full day of arm’s-length negotiations, the parties agreed to a global settlement of the *Alexander* and
21 *Williams/Thomas* Actions and executed a memorandum of understanding.

22 12. On or about May 24, 2022, the parties executed the PAGA Settlement Agreement
23 (“Settlement Agreement”) resolving all claims alleged in the *Alexander* and *Williams/Thomas* Actions.

24 13. The Settlement Agreement was the product of arm’s length negotiations between highly
25 able and experienced attorneys on all sides who possessed the relevant data and extensive legal research
26 which they had carefully analyzed. Plaintiffs’ counsel engaged in extensive factual investigation before
27 settling. Based on this information and my experience litigating these types of actions, I believe that the
28 proposed settlement is fair, reasonable, and fulfills the goals of the PAGA.

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1 hour class actions.

2 20. I am currently an associate at the law firm Diversity Law Group, P.C., an employment
3 law firm that has handled numerous wage and hour class and individual actions, on both plaintiff and
4 defense sides. My current practice focuses on employment matters involving both class actions, and
5 single plaintiffs. The firm currently has cases in the Los Angeles Superior Courts, the Orange County
6 Superior Courts, the San Diego County Superior Courts, and the United States District Courts for the
7 Central, Northern, and Eastern Districts of California. I am currently handling numerous wage and hour
8 class action lawsuits with the firm, including, but not limited to: *Agar v. Sensient Natural Ingredients*,
9 *LLC* (Case No. CV-19-001906, Stanislaus County Superior Court); *Cunningham, et al. v. Diverse*
10 *Business Solutions* (Case No. CIVDS1817095, San Bernardino County Superior Court); *Heredia v.*
11 *Eddie Bauer LLC* (Case No. 16CV300475, United States District Court, Northern District of California);
12 *Parsons v. Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court);
13 and *Coronel v. Pinnacle Agriculture* (Case No. 18CV004287, Monterey County Superior Court).

14 21. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
15 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28, 2019,
16 the Ninth Circuit issued a published decision, reversing and remanding in favor of our clients.
17 *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

18 22. I have also assisted the firm in numerous wage and hour class action mediations.

19 **LITIGATION COSTS**

20 23. My firm was retained based upon a contingency fee arrangement wherein Plaintiffs'
21 counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically,
22 had Plaintiffs failed to prevail, counsel for Plaintiffs would have spent a significant amount of time,
23 money and other resources without any benefit or return. For instance, my office has expended costs to
24 file the *Williams/Thomas* Action, effect service of process, pay mediation fees, and remit other
25 litigation-related costs. In addition, had Plaintiffs also failed to prevail in the present cases, Defendant
26 would have been able to seek costs in connection with their defense of the case.

27 24. Diversity Law Group requests costs in the amount of \$3,811.53. The costs are all
28 litigation-related costs, including court filing fees, mediation fees, CourtCall expenses, reproduction and

1 photocopy costs, and postage. Attached hereto as **Exhibit C** is a copy of costs my firm has incurred in
2 connection with the prosecution of this lawsuit.

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

5 Executed on this 25th day of July 2022, at Los Angeles, California.

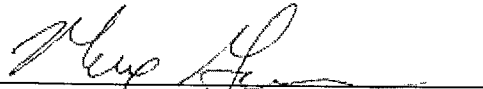
6 
7 Max W. Gavron

EXHIBIT A

CENTRIAL WILLIAMS

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

October 18, 2021

VIA ONLINE FILING

California Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612

Re: Williams v. Career Systems Development Corporation

To Whom It May Concern:

This correspondence shall constitute as my written notice under Labor Code § 2699.3 of claims against my former employer Career Systems Development Corporation (“Defendant” or “the Company”). Specifically, I allege as follows:

1. The Company violated Labor Code § 226(a) by failing to provide accurate, itemized wage statements to me and other similarly situated aggrieved employees. Specifically, every wage statement issued by the Company did not identify the applicable pay period start. Rather, every wage statement issued to all employees only identified a “Period End” date.

The address for Defendant is as follows:

Career Systems Development Corporation
75 Thruway Park Drive
Suite 100
West Henrietta, NY 14586

Please contact my attorney Larry W. Lee at the above address/phone number if you have any questions regarding this matter.

Sincerely,

DocuSigned by:

6E62C299E97D4D6
Central Williams

Cc: Career Systems Development Corporation (via certified mail)

EXHIBIT B

PRECIOUS THOMAS

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

November 24, 2021

VIA ONLINE FILING

California Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612

Re: Thomas v. Career Systems Development Corporation

To Whom It May Concern:

This correspondence shall constitute as my written notice under Labor Code § 2699.3 of claims against my former employer Career Systems Development Corporation (“Defendant” or “the Company”). Specifically, I allege as follows:

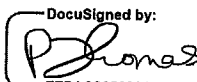
1. The Company violated Labor Code § 226(a) by failing to provide accurate, itemized wage statements to me and other similarly situated aggrieved employees. Specifically, every wage statement issued by the Company did not identify the applicable pay period start. Rather, every wage statement issued to all employees only identified a “Period End” date. In addition, whenever overtime wages were paid the wage statements did not identify any applicable rate of pay for such overtime wages.

The address for Defendant is as follows:

Career Systems Development Corporation
75 Thruway Park Drive
Suite 100
West Henrietta, NY 14586

Please contact my attorney Larry W. Lee at the above address/phone number if you have any questions regarding this matter.

Sincerely,

DocuSigned by:

FEBAC265800A480...
Precious Thomas

Cc: Career Systems Development Corporation (via certified mail)

EXHIBIT C

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Williams v. Career PAGA
Slip Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID Dates and Time Posting Status Description	Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
70562 EXP 1/6/2022 WIP Attorney Service - Complaint	Linda Lee Atty Service Williams v. Career PAGA	1	1625.54	1625.54
70584 EXP 1/12/2022 WIP Attorney Service - Complaint Service	Linda Lee Atty Service Williams v. Career PAGA	1	73.10	73.10
70599 EXP 1/18/2022 WIP Attorney Service - POS of Summons	Linda Lee Atty Service Williams v. Career PAGA	1	57.21	57.21
71041 EXP 2/16/2022 WIP Attorney Service - Notice	Olympia Atty Service Williams v. Career PAGA	1	62.21	62.21
71189 EXP 2/28/2022 WIP Photocopies	Olympia Photocopies Williams v. Career PAGA	12	0.25	3.00
71190 EXP 2/28/2022 WIP Postage	Olympia Postage Williams v. Career PAGA	1	0.93	0.93
71696 EXP 4/20/2022 WIP Attorney Service - Notice	Valeria Tril Atty Service Williams v. Career PAGA	1	59.21	59.21
72006 EXP 4/30/2022 WIP Photocopies	Olympia Photocopies Williams v. Career PAGA	6	0.25	1.50

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 2

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
72007	EXP	Olympia	1	0.73	0.73
4/30/2022		Postage			
WIP		Williams v. Career PAGA			
Postage					
Grand Total					
			Billable	0.00	1883.43
			Unbillable	0.00	0.00
			Total	0.00	1883.43

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Williams v. Career CA
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID Dates and Time Posting Status Description		Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
69439 10/19/2021 WIP LWDA	EXP	Mariana Becerra Court fees Williams v. Career CA	1	75.00	75.00
69684 10/31/2021 WIP Photocopies	EXP	Olympia Photocopies Williams v. Career CA	1	0.25	0.25
69685 10/31/2021 WIP Postage	EXP	Olympia Postage Williams v. Career CA	1	7.33	7.33
69835 12/1/2021 WIP LWDA - Precious Thomas	EXP	Mariana Becerra Court fees Williams v. Career CA	1	75.00	75.00
70288 12/2/2021 WIP Attorney Service - Complaint	EXP	Christine Choo Atty Service Williams v. Career CA	1	1640.21	1640.21
70561 1/5/2022 WIP Attorney Service - Complaint Service	EXP	Christine Choo Atty Service Williams v. Career CA	1	73.10	73.10
70604 1/19/2022 WIP Attorney Service - POS	EXP	Christine Choo Atty Service Williams v. Career CA	1	57.21	57.21
Grand Total		Billable	0.00		1928.10

7/25/2022
10:55 AM

DIVERSITY LAW GROUP
Slip Listing

Page 2

Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
	Unbillable	0.00		0.00
	Total	0.00		1928.10