

Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Christine S. Lee (State Bar No. 339947)
christine@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa St., Suite 1250
Los Angeles, California 90071
(213) 488-6555
(213) 488-6554 facsimile

Attorneys for Plaintiff and the Aggrieved Employees

(Additional Counsel on Next Page)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

A.J. NICHOLAS BOLDING, as an
individual and on behalf of all others
similarly situated,

Plaintiff,

vs.

CARDINAL FINANCIAL COMPANY, a
Pennsylvania limited partnership; and
DOES 1 through 50, inclusive,

Defendants.

Case No. CIVSB2206543

[Assigned to the Hon. Jessica Morgan, Dept. S-26]

**DECLARATION OF DENNIS S. HYUN IN
SUPPORT OF PLAINTIFF'S MOTION TO
APPROVE SETTLEMENT AGREEMENT
PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT**

Date: July 1, 2023

Time: 8:30 a.m.

Dept.: S-26

Action Filed: March 22, 2022

Trial Date: Not Set

ADDITIONAL COUNSEL

William L. Marder (SBN 170131)
bill@polarislawgroup.com

POLARIS LAW GROUP

501 San Benito Street, Suite 200
Hollister, CA 95023
Telephone: (831) 531-4214
Facsimile: (831) 634-0333

Edward W. Choi, Esq. SBN 211334

LAW OFFICES OF CHOI & ASSOCIATES

515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
Telephone: (213) 381-1515
Facsimile: (213) 465-4885
Email: edward.choi@choiandassociates.com

Dennis S. Hyun (State Bar No. 224240)

HYUN LEGAL, APC

515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
Email: dhyun@hyunlegal.com

Attorneys for Plaintiff and the Aggrieved Employees

1 I, Dennis S. Hyun, hereby declare and state as follows:

2 1. I am an attorney at law duly admitted to practice before all courts in the State of
3 California and am a member of the law firm of the Hyun Legal, APC, one of the attorneys of
4 record for Plaintiff A.J. Nicholas Bolding (“Plaintiff”), in the above-entitled action.

5 2. I have personal knowledge of the matters set forth herein, and if called upon as a
6 witness to testify thereto, I could and would competently do so.

7 3. I am one of the primary attorneys on this matter. My qualifications are as
8 follows: I received my JD from Loyola Law School in 2002. I was named to the Dean’s Honor
9 List from 2000-2002. During law school, I was a Senior Research Editor for Loyola
10 International & Comparative Law Review. I was also a research assistant for Professor
11 Levenson, an extern at the U.S. District Court for the Honorable Audrey B. Collins, and a clerk
12 at the U.S. Attorney’s Office, Criminal Division. I also served as a summer law clerk at the
13 white-collar criminal defense firm, Lightfoot, Vandavelde, *et al.*, which became part of Crowell
14 & Moring LLP. Upon graduation from law school, I served as a research attorney in the Los
15 Angeles County Superior Court for the Hon. J. Stephen Czuleger, the Hon. Owen Lee Kwong,
16 the Hon. Laurie D. Zelon, and the Hon. Joanne B. O’Donnell. After my clerkship ended, I
17 practiced as a labor and employment associate for the next 8 years, including most recently as a
18 senior associate at Seyfarth Shaw LLP, as well as DLA Piper LLP (US) and Morgan, Lewis &
19 Bockius LLP. I am currently a shareholder in the law firm Hyun Legal, APC.

20 4. My primary practice has been employment law throughout my entire private
21 career. I have handled a number of wage and hour matters including class actions and individual
22 actions, on behalf of plaintiffs and defendants. I have a practice that encompasses cases in the
23 Orange County Superior Courts, the Los Angeles County Superior Courts, the San Diego County
24 Superior Courts, the United States District Courts for the Southern, Central, Northern and
25 Eastern Districts of California, the California Court of Appeal, and the Ninth Circuit.

26 5. I have served as Class Defense Counsel in a number of wage and hour class
27 actions, including but not limited to: *Bradley v. Networkers Int’l, LLC*, 211 Cal. App. 4th
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1 1129 (2012); *Chiu v. Citrix Systems, Inc.*, C.D. Cal. Case No. SACV11-01121 DOC (RNBx);
2 *Hodge v. Aon Insurance*, Los Angeles Sup. Ct. Case No. BC 265725; *Hoyng v. Aon Insurance*,
3 Los Angeles Sup. Ct. Case No. BC 377184; *Jimenez v. Allstate Ins. Co.*, C.D. Cal. Case No.
4 CV10-08486 JAK (FFMx); *Marino v. BP West Coast Products*, Los Angeles Sup. Ct. Case No.
5 BC 357987; *McEntee v. Ryland Homes*, Los Angeles Sup. Ct. Case No. BC 390868; *McKinstry*
6 *v. Accenture*, C.D. Cal. Case No. SACV11-1335 DOC (ANx); *Munoz v. Decron Properties*, Los
7 Angeles Sup. Ct. Case No. BC387644; and *Rodriguez v. BP West Coast Products*, Los Angeles
8 Sup. Ct. Case No. BC 350736. As defense counsel, I have taken over 50 class member and
9 individual/representative plaintiff depositions. I have drafted class certification and
10 decertification papers, including in *Bradley*, which was initially affirmed by the Court of Appeal,
11 but reversed pursuant to *Brinker v. Superior Court*, 53 Cal. 4th 1003 (2012).

12 6. Currently, I am and/or was lead plaintiff's counsel in the following wage and hour
13 class or representative actions: *Asad v. Chevron Stations, Inc.*, Los Angeles Sup. Ct. Case No.
14 BC470198; *Barrera v. Home Depot (USA), Inc.*, N.D. Cal. Case No.: C 12 5199 LHK (HRL);
15 *Bararsani v. Coldwell Banker*, Los Angeles Sup. Ct. Case No. BC495767; *Barreras v. Michaels*
16 *Stores, Inc.*, N.D. Cal. Case No. C12-04474 PJH; *Brown v. CVS Pharmacy, Inc.*, C.D. Cal. Case
17 No. 2:15-cv-07631-PSG-PJW; *Chatman v. RMI Int'l, Inc.*, Los Angeles Sup. Ct. Case No. BC
18 495755; *Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-NC; *Dynabursky v.*
19 *AlliedBarton, LLC, et al.*, C.D. Cal. Case No. 8:12-cv-02210-JLS-RNB; *Gonzales v. Wells*
20 *Fargo Bank, N.A.*, Los Angeles Sup. Ct. Case No. BC502826; *Lao v. H&M Hennes & Mauritz*,
21 N.D. Cal. Case No. 5:16-cv-333 EJD; *Lee v. The Pep Boys Manny Moe & Jack of California*,
22 Los Angeles Sup. Ct. Case No. BC 496075; *Magadia v. Wal-Mart Assocs.*, N.D. Cal. Case No.
23 5:17-cv-00062-LHK; *Naranjo v. Bank of America, N.A.*, N.D. Cal. Case No. C 14-02748 LHK;
24 *Ortegon-Ramirez v. Cedar Fair*, Santa Clara Sup. Ct. Case No. 1-13-CV-254098; *Pace v.*
25 *PetSmart, Inc.*, C.D. Cal. Case No. SACV13-500 DOC; *Rodriguez v. NIKE Retail Services, Inc.*,
26 N.D. Cal. Case No. 5:14-CV-1508 BLF; *Stafford v. Brink's, Incorporated*, Case No. CV 14-
27 01352 MWF (PLAx) and *Vass v. Gardner Trucking*, San Joaquin Sup. Ct. Case No. 39-2013-

294819-CU-OE-STK. Additionally, in *Chavez*, Case No. 15-cv-03746-NC, *Dynabursky* Case No. 8:12-cv-02210-JLS-RNB, *Pace*, Case No. SACV13-500 DOC, *Rodriguez*, Case No. 5:14-CV-1508 BLF, *Stafford*, Case No. 14-01352 MWF (PLAx), *Gonzales*, Los Angeles Sup. Ct. Case No. BC502826, and *Magadia*, Case No. 5:17-cv-00062-LHK, I was certified as class counsel pursuant to the plaintiff's motion for class certification. Further, in *Stafford* and *Magadia*, we tried these certified class claims via bench trial and prevailed. In *Magadia*, we obtained a \$102 million judgment for the class against Walmart, which was reversed on appeal by the Ninth Circuit. Moreover, I have been approved as class counsel in connection with numerous class settlements.

7. From the inception of the case, Plaintiff's counsel has zealously represented the interests of Plaintiff and the aggrieved employees. The settlement was obtained for the benefit of the aggrieved employees, as opposed to the individual Plaintiff. Based on my review of all the information, and based on my experience in wage and hour litigation, I believe this settlement to be fair, adequate, and reasonable.

8. To date, I have incurred approximately 33.8 hours in connection with the litigation of this lawsuit. Subject to and without waiving the attorney-client privilege and work-product doctrine, a breakdown of these hours is reflected in the spreadsheet attached as **Exhibit "A."**

9. I also anticipate spending an additional 10 hours through the approval hearing, including on matters such as preparing the Motion for Approval, review, research and reply to any objections filed to the settlement, further conferring with aggrieved employees regarding the case status, as well as post-final approval, including communicating with aggrieved employees and administering the settlement.

10. My current billing rate is at \$850.00 per hour. In cases approved in 2018 and 2019, the Santa Clara County Superior Court approved my hourly rate of \$700 in *Huertas v. Chevron Stations*, Santa Clara Sup. Ct. Case No. 17CV309996, and *Chavez v. Hugo Boss, Inc.*, Santa Clara Sup. Ct Case No. 18CV322644. In 2019, the Honorable David Cunningham

1 of the Los Angeles County Superior Court approved my hourly rate of \$700 in connection with
2 awarding attorneys' fees after we prevailed on the certified class action in *Stafford*, Case No.
3 BC532260. Since 2020, courts have approved my hourly rate of \$750.00, including in *Ricks v.*
4 *ConAm Mgmt. Corp.*, San Diego County Superior Court Case No. 37-2020-00001430-CU-OE-
5 CTL, *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case No.
6 16CV299319, *Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-NC, and *Lao v. H&M*
7 *Hennes & Mauritz*, N.D. Cal. Case No. 5:16-cv-333 EJD. Further, in 2017, Judge Gutierrez in
8 *Brown v. CVS* noted as follows when approving my hourly rate of \$650: "[t]he Court finds that,
9 given the type of work performed and the experience of counsel in this case, **Plaintiff's**
10 **attorneys performed in the upper quartile of similarly situated attorneys**, and so are entitled
11 to fees in the top range of that suggested by the Real Rate Report." *Brown v. CVS Pharmacy,*
12 *Inc.*, No. CV15-7631 PSG (PJWX), 2017 WL 3494297, at *8 (C.D. Cal. Apr. 24, 2017)
13 (emphasis added). As such, the total of my firm's attorney's fees through final approval is
14 expected to be \$37,230.00 (43.8 hours x \$850).

15 11. I have incurred \$72.00 in costs for Court Call fees. Attached as **Exhibit B** is a
16 true and correct copy of my firm's cost sheet.

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

19 Executed on April 22, 2024, at Los Angeles, California.

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21 
22 DENNIS S. HYUN
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EXHIBIT A

Description of Time	Amount
Review client documents	1.2
Review and revise complaint	2.5
Review and revise discovery requests	2.4
Review discovery responses	4.5
Review and revise joint case management statement	1.5
Review and revise mediation brief	3.4
Attend mediation	5.5
Review and revise memorandum of understanding	1.3
Review and revise motion for approval	3.5
Review and revise settlement agreement	4.7
Review and revise plaintiff declaration	1.1
Review and revise notice of paga settlement	0.9
Review and revise proposed judgment	1.3
	Total
	33.8

EXHIBIT B

Costs	Amount
Court call motion to compel	\$ 72.00