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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

DARIUS YOUNG, individually, and on behalf
of all others similarly situated,

Plaintiff,

v.

M. ARTHUR GENSLER JR. & ASSOCIATES,
INC., a California corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No.: 22STCV07284

CLASS ACTION

*[Assigned for all purposes to Hon. Lawrence
P. Riff, Dept. 07]*

**DECLARATION OF DARIUS YOUNG IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

*[Filed concurrently with: Plaintiff's Notice of
Motion and Motion for Preliminary Approval
of Class Action Settlement, Memorandum of
Points and Authorities; Declarations of Justin
F. Marquez and Julie Green in Support of
Motion; and [Proposed] Order Granting
Motion.]*

PRELIMINARY APPROVAL HEARING

Date: May 2, 2023

Time: 10:00 a.m.

Dept: 7

Complaint filed: February 28, 2022
FAC filed: July 25, 2022

DECLARATION OF DARIUS YOUNG

I, Darius Young, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this Declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this Declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this Declaration. Before signing this Declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of M. Arthur Gensler Jr. & Associates, Inc. (“Gensler”). I worked at Gensler from approximately September 2021 to November 2021 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Gensler’s policies and practices that have been alleged as unlawful in the Class Action Complaint (“Complaint”) and Private Attorneys General Act (“PAGA”) Notice sent to Gensler and the Labor & Workforce Development Agency (“LWDA”).

4. I have actively participated in the litigation of this action. Prior to the commencement of this case, I provided Wilshire Law Firm and my attorneys a detailed account of the facts related to my employment with Gensler, including, but not limited to, my belief that Gensler had a policy and practice of not providing its employees with California compliant meal and rest periods and requiring its employees to work “off-the-clock” prior to clocking in for the workday, during meal periods, and after clocking out for the workday. Additionally, I provided my counsel with wage statement documentation in support of the claims brought against Gensler. These documents, along with the anecdotes I shared regarding my employment, assisted my attorneys in understanding the policies and practices at Gensler. I also regularly communicated with my attorneys and staff members of Wilshire Law firm via telephone and text messages.

5. My attorneys explained to me the risks and benefits of bringing forward a class action matter. I understood the risks, both professionally and financially, associated with pursuing

1 a class action case and acting as the Class Representative. I further understood that pursuing the
2 case as a class action, rather than individually, meant that it would take substantially longer as a
3 result of the multi-step approval process as mandated by the California Courts. Although I was
4 made aware that there was a possibility that I could receive nothing at the end, I believed that it
5 was important to ensure that Gensler followed the law with respect to all of its hourly-paid, non-
6 exempt employees. Additionally, I understood that it was my responsibility to act in the best
7 interests of the Class and not just myself. In that respect, I understood my duties and
8 responsibilities to the proposed Class and carried out and will continue to carry out those duties as
9 necessary.

10 6. Throughout the course of the litigation, I maintained constant communication with
11 my attorneys and discussed pertinent matters relevant to the lawsuit. I asked questions when I
12 wanted to know what was being done to advance the interests of the Class or simply wanted an
13 update regarding the case. I understood that a recovery would not only benefit me but would
14 benefit my fellow coworkers as well. At all times, I made myself available to answer any questions
15 that my attorneys had about my employment. This was especially true leading up to and during
16 the mediation that took place on September 21, 2022. In preparation for the mediation, I had
17 extensive conversations with my attorneys regarding the nuanced issues that we were going to
18 advance during the negotiation process with the mediator. During the mediation session, I was
19 available to speak with my attorneys, answer any questions that arose, and provide any additional
20 documentation that was necessary to assist the settlement discussions.

21 7. On or about December 2, 2022, I reviewed the Stipulation of Class and PAGA
22 Action Settlement and Release (“Settlement Agreement”) in full and discussed all the terms with
23 my attorneys. My attorneys answered all the questions I had regarding the Settlement Agreement.
24 I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength
25 of the class claims and Gensler’s defenses. That same day, I signed the Settlement Agreement.

26 8. I estimate that I spent approximately 30 hours searching for and collecting
27 documents related to my employment, speaking with my attorneys throughout the litigation,
28 helping my attorneys prepare for mediation, discussing the particulars and reasonableness of the

1 settlement, and reviewing/signing documents related to the settlement.

2 I declare under penalty of perjury, under the laws of the State of California and the United
3 States of America, that the foregoing is true and correct.

4 Executed on 1/26/2023 at LA, California.

DocuSigned by:

DARIUS YOUNG

Darius Young

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

Darius Young v. M. Arthur Gensler Jr. & Associates
22STCV07284

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is ssespene@wilshirelawfirm.com.

On January 26, 2023, I served the foregoing **DECLARATION OF DARIUS YOUNG IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Lisa M. Bowman
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Attorneys for Defendant

- (X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.
- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

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

Executed on January 26, 2023, at Los Angeles, California.


Sandy S. Sespene