

Jonathan M. Genish (SBN 259031)
Barbara DuVan-Clarke (SBN 259268)
bdc@blackstonepc.com
Danielle Ling GruppChang (SBN 313881)
dgruppchang@blackstonepc.com
P.J. Van Ert (SBN 234858)
pjvanert@blackstonepc.com
Annabel F. Blanchard (SBN 258135)
ablanchard@blackstonepc.com
BLACKSTONE LAW, APC
8383 Wilshire Boulevard, Suite 745
Beverly Hills, California 90211
Telephone: (310) 622-4278 / Fax: (855) 786-6356

Attorneys for Plaintiffs Ly Hai, Shawn Farden,
Roman Mayne, and Christianna Yousif

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

LY HAI, on behalf of himself, those similarly
situated, and/or aggrieved California-based
nonexempt employees,

Plaintiff,

vs.

SUNROAD HS AUTO, INC.; AND DOES 1
THROUGH 100, INCLUSIVE,

Defendants.

Case No.: 37-2022-00025788-CU-OE-CTL

Honorable Judy S. Bae
Department C-62

**DECLARATION OF PLAINTIFF
SHAWN FARDEN IN SUPPORT OF
MOTION FOR APPROVAL OF
PAGA SETTLEMENT**

Date: March 28, 2025
Time: 9:10 a.m.
Dept: C-62

Complaint Filed: June 30, 2022
FAC Filed: October 17, 2024
Trial Date: Not Set

DECLARATION OF SHAWN FARDEN

I, Shawn Farden, declare and state as follows:

1. I am over the age of eighteen (18) and a resident of the State of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by one or more of the Defendants Sunroad Auto LLC, Sunroad HS Auto, Inc., Sunroad CV Auto, Inc., Sunroad MV Auto, Inc., and Sunroad EC Auto, LLC (formerly known as Sunroad BCV Auto, Inc. dba BMW of El Cajon (“Defendants”) as a non-exempt “sales executive” from approximately August 2018 to approximately December 2022.

3. Because I thought the practices at Defendants may not be lawful, I decided to seek legal advice about my work experiences at Defendants and about joining a lawsuit to obtain relief for my grievances. I contacted Blackstone Law, APC and spoke with their attorneys. I wanted to take steps to make sure Defendants were held accountable for not properly compensating their employees for all hours worked and for non-compliant meal and rest breaks. After speaking with the attorneys, I also investigated representative action lawsuits on my own. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my situation, representative action lawsuits under the Private Attorneys General Act (“PAGA”), and what it meant to join a PAGA action so that I understood what I was considering doing.

4. I have regularly conferred with my attorneys regarding the case as part of my responsibilities as a PAGA representative. This process included searching for and providing documents concerning my employment with Defendants, answering any questions my attorneys had about the documents, providing information regarding the company’s practices and the duties of other non-exempt employees, and helping my attorneys develop a strategy as to what additional documents and information they could seek to obtain from Defendants.

5. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained. I made myself available to answer any questions my attorneys had about Defendants’ practices and treatment of their

1 employees whenever they needed me. I responded to them as quickly as possible and gave them as
2 much information as I could.

3 6. I understood that in the event this matter did not settle and proceeded with trial, I would
4 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
5 responsibilities that are necessary for this lawsuit.

6 7. I know that I took a sizeable risk by pursuing this lawsuit for several reasons. First, I
7 understood that if I lost, I would potentially have to pay the costs in the lawsuit. I also understood
8 there was a risk of losing any job and/or income due to the time that I would have to spend fulfilling
9 my responsibilities in this matter, including having to attend the trial, if needed. Most importantly, I
10 believe that by pursuing this case, I have taken a significant risk because future employers can easily
11 find out that I sued my prior employer, and that may negatively impact my ability to find employment
12 within this industry – and even outside of it – in the future. In contrast, the other employees who will
13 be receiving money from this lawsuit did not have to file a claim or take the risk that I took in bringing
14 this action.

15 8. I reviewed the settlement agreement, discussed the settlement agreement with my
16 attorneys, and asked them questions before signing it.

17 9. I believe that I have done everything that my attorneys have asked of me and tried, to
18 the best of my ability, to seek relief for the PAGA Employees and the State of California. I have spent
19 approximately 35-40 hours participating in this case as described above. I believe my efforts helped
20 get the result obtained in this case.

21 10. I understand that any resolution of this lawsuit on a representative basis is subject to
22 court approval, and any settlement must be designed in the best interest of the State of California and
23 the PAGA Employees. At all times throughout the course of this litigation I have considered the
24 interests of the State and the PAGA Employees and put them before my own personal interests.

25 11. I understand that incentive or enhancement awards are discretionary and intended to
26 compensate named plaintiffs for: the quality and quantity of the work done on behalf of the class and
27 other employees, the financial and/or reputational risk undertaken in bringing the class and/or PAGA
28 action, and an acknowledgment of the benefits resulting from the representative's actions. I believe

1 my work in this matter is meritorious on these points for the reasons set forth above.

2 12. I respectfully request that the Court approve and award me a Service Award in the
3 amount of \$7,500.00 for my efforts and active participation in the case and for the broader, general
4 release of all claims that I have or may have against Defendants in connection with the settlement.
5 Taking into consideration the time that I dedicated to this case, I believe that this amount is reasonable.

6 13. I understand that Blackstone Law, APC, JCL Law Firm and Zakay Law will share the
7 attorneys' fees in this matter. I agreed to this in writing. I understand that the amount of attorneys'
8 fees will not increase as a result of this fee sharing.

9 14. I am not related to anyone associated with Blackstone Law, APC, JCL Law Firm or
10 Zakay Law.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing
12 is true and correct. Executed on 03/04/2025, at San Diego, California.

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15 SHAWN FARDEN
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