

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

Attorneys for Plaintiff and the Class
(Additional Counsel on Next Page)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

KAMLESH KRISHNA, as an individual
and on behalf of all others similarly
situated,

Plaintiffs,

v.

CEPHEID, a Corporation; and DOES 1
through 50, inclusive,

Defendants.

CASE NO. 22CV397316

[Assigned for all purposes to the Hon. Charles F.
Adams, Dept. 7]

**DECLARATION OF DENNIS S. HYUN IN
SUPPORT OF PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY APPROVAL**

Date: July 18, 2024
Time: 1:30 P.M.
Dept.: 7

Complaint Filed: April 26, 2022
FAC Filed: June 29, 2022
SAC Filed: January 5, 2023
Trial Date: None Set

ADDITIONAL COUNSEL FOR PLAINTIFF

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

William L. Marder, Cal Bar No. 170131
POLARIS LAW GROUP, LLP
501 San Benito Street, Suite 200
Hollister, California 95023
Telephone: 831.531.4214
Facsimile: 831.634.0333

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

DECLARATION OF DENNIS S. HYUN

I, Dennis S. Hyun, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, counsel of record for Plaintiffs Kamlesh Krishna and Rex Servania (“Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel has zealously represented the interests of the Class. Class Counsel exchanged written discovery and engaged in significant meet and confer discussions with opposing counsel to obtain informal data and documents on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

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

4. My primary practice has been employment law throughout my entire private career. I have handled a number of wage and hour matters including class actions and individual actions, on behalf of plaintiffs and defendants. I have a practice that encompasses cases in the Orange County Superior Courts, the Los Angeles County Superior Courts, the San Diego County Superior Courts,

1 the United States District Courts for the Southern, Central, Northern and Eastern Districts of
2 California, the California Court of Appeal, and the Ninth Circuit.

3 5. I have served as Class Defense Counsel in a number of wage and hour class actions,
4 including but not limited to: *Bradley v. Networkers Int'l, LLC*, 211 Cal. App. 4th 1129 (2012); *Chiu*
5 *v. Citrix Systems, Inc.*, C.D. Cal. Case No. SACV11-01121 DOC (RNBx); *Hodge v. Aon Insurance*,
6 Los Angeles Sup. Ct. Case No. BC 265725; *Hoyng v. Aon Insurance*, Los Angeles Sup. Ct. Case No.
7 BC377184; *Jimenez v. Allstate Ins. Co.*, C.D. Cal. Case No. CV10-08486 JAK (FFMx); *Marino v.*
8 *BP West Coast Products*, Los Angeles Sup. Ct. Case No. BC 357987; *McEntee v. Ryland Homes*,
9 Los Angeles Sup. Ct. Case No. BC 390868; *McKinstry v. Accenture*, C.D. Cal. Case No. SACV11-
10 1335 DOC (ANx); *Munoz v. Decron Properties*, Los Angeles Sup. Ct. Case No. BC387644; and
11 *Rodriguez v. BP West Coast Products*, Los Angeles Sup. Ct. Case No. BC 350736. As defense
12 counsel, I have taken over 50 class member and individual/representative plaintiff depositions. I
13 have drafted class certification and decertification papers, including in *Bradley*, which was initially
14 affirmed by the Court of Appeal, but reversed pursuant to *Brinker v. Superior Court*, 53 Cal. 4th
15 1003 (2012).

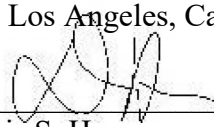
16 8. Currently, I am and/or was lead plaintiff's counsel in the following wage and hour
17 class or representative actions: *Asad v. Chevron Stations, Inc.*, Los Angeles Sup. Ct. Case No.
18 BC470198; *Barrera v. Home Depot (USA), Inc.*, N.D. Cal. Case No.: C 12 5199 LHK (HRL);
19 *Bararsani v. Coldwell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

1 DOC; *Rodriguez v. NIKE Retail Services, Inc.*, N.D. Cal. Case No. 5:14-CV-1508 BLF; *Stafford v.*
2 *Brink's, Incorporated*, Los Angeles County Superior Case No. BC532260 and *Vass v. Gardner*
3 *Trucking*, San Joaquin Sup. Ct. Case No. 39-2013-294819-CU-OE-STK. Additionally, in *Chavez*,
4 Case No. 15-cv-03746-NC, *Dynabursky* Case No. 8:12-cv-02210-JLS-RNB, *Pace*, Case No.
5 SACV13-500 DOC, *Rodriguez*, Case No. 5:14-CV-1508 BLF, *Stafford*, Case No. BC532260,
6 *Gonzales*, Los Angeles Sup. Ct. Case No. BC502826, and *Magadia*, Case No. 5:17-cv-00062-LHK,
7 I was certified as class counsel pursuant to the plaintiff's motion for class certification. Further, in
8 *Stafford* and *Magadia*, we tried these certified class claims via bench trial and prevailed. In
9 *Magadia*, we obtained a \$102 million judgment for the class against Walmart. Moreover, I have
10 been approved as class counsel in connection with numerous class settlements.

11 9. I support the settlement as fair, reasonable and adequate, and in the best interest of the
12 Class Members as a whole. Each side has apprised the other of their respective factual contentions,
13 legal theories and defenses, resulting in extensive arms' length negotiations taking place among the
14 Parties. Although, Plaintiff's attorneys are certain that they can prevail on class certification, as well
15 as on the merits, they recognize the inherent risks in drawn-out litigation, including that Plaintiff
16 could fail to establish liability. Based on their own independent investigation and evaluation, the
17 Parties and their respective counsel are of the opinion that the Settlement for the consideration and
18 on the terms set forth in the Class Action Settlement Agreement are fair, reasonable, and adequate
19 and the settlement is in the best interests of the Class and Defendant in light of all known
20 circumstances and the expenses and risks inherent in litigation.

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

23 Executed on this 25th day of June 2024, at Los Angeles, California.

24 
25 _____
26 Dennis S. Hyun
27
28