

BIBIYAN LAW GROUP, P.C.

Vedang J. Patel (SBN 328647)

vedang@tomorrowlaw.com

Triana Henderson (SBN 359833)

thenderson@tomorrowlaw.com

1460 Westwood Boulevard

Los Angeles, California 90024

Tel: (310) 438-5555; Fax: (310) 300-1705

Attorneys for Plaintiff KAMAYA DUNN,
as an aggrieved employee, and on behalf of
all other aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

KAMAYA DUNN, as an aggrieved employee,
and on behalf of all other aggrieved employees
under the Labor Code Private Attorneys'
General Act of 2004,

Plaintiff,

v.

CORINTHIAN INTERNATIONAL
PARKING LA, INC., a California corporation;
and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: 22STCV19143

*[Assigned for all purposes to the Hon. William
F. Highberger, Dept. 10]*

**DECLARATION OF DAVID D. BIBIYAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5
6

7
8
9

O

1
2
3
4
5
6
7

8

90

1
2

3

4
5
6
7

8

1 8. I am an active member of the California Employment Lawyers' Association
2 ("CELA"). I am one of its founding members and actively remain a member of its Reverse
3 Auctions Subcommittee; in doing so, I serve as a mediator between other plaintiffs' counsel who
4 bring overlapping class actions. I have also attended various Continuing Legal Education courses
5 pertaining to advocacy on behalf of employees.

6 9. I also created the content for, helped organize, and served as the Moderator for the
7 2023 California Complex Symposium Wage and Hour/PAGA Section, a Continuing Legal
8 Education seminar and forum featuring four respected Judges serving in the Complex Divisions
9 of their respective county Superior Courts. In addition, my firm served as a sponsor of that event.

10 10. Not only have I practiced almost exclusively in this field for years and have
11 contributed to the legal education curriculum for attorneys practicing within it, I am also a
12 published author in the Daily Journal as a contributor in the Wage and Hour and PAGA context,
13 including, in December 15, an article entitled: "PAGA: What's Gone, What's Left and What's
14 Next." I have also been a quoted source in multiple other publications, including in article
15 published by Bloomberg Law dated November 1, 2023, entitled: "Adidas, Home Depot Sued in
16 Test Cases on Job Ad Pay Transparency."

17 11. My firm has the experience, resources, and means necessary to allow us to provide
18 adequate representation as PAGA Counsel to all aggrieved employees in this litigation. With
19 approximately 30 attorneys, as well as supporting staff consisting of paralegals and legal
20 assistants, my office has the capacity to represent hundreds of thousands of class members, bring
21 forth efficient resolution of class actions and PAGA actions, engage in complex litigation, file
22 contested motions for class certification, and engage in trial practice.

23 12. My office has filed contested motions for class certification in the past and have
24 been appointed Class Counsel by the Superior Court of California in the past for purposes of
25 certifying a class for settlement purposes. Some examples of Actions in which I was appointed
26 Class Counsel for include:

27 • *Santoyo v. Consolidated Foundries, Inc.*, Case No. BC612298, California Superior
28 Court, County of Los Angeles, Honorable Judge Ann I. Jones, presiding;

1 • *Arendsdorff v. Stanley Steamer International, Inc.*, Case No. BC681368, California
2 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos, presiding;
3 • *Barreto v. Don Roberto Jewelers, Inc.*, Case No. BC495451, California Superior Court,
4 County of Los Angeles, Honorable Ann I. Jones, presiding;
5 • *Junior Amilcar Laguna Gonzalez v. Takaaki Koyama*, Case No. BC641998, Los Angeles
6 Superior Court, Honorable Elihu M. Berle, presiding;
7 • *Rios v. Nongshim America, Inc.*, Case No. CIVDS1807390, California Superior Court,
8 County of San Bernardino, Honorable David S. Cohn, presiding;
9 • *Stoddard v. Molded Fiber Glass – West*, Case No. 1517758, California Superior Court,
10 County of San Bernardino, Honorable David S. Cohn, presiding;
11 • *Mata v. Sahara Scaffold, Inc.*, Case No. CIVDS1810785, California Superior Court,
12 County of San Bernardino, Honorable David S. Cohn, presiding;
13 • *Carrasco v. Pure Dental Solutions*, Case No. BC645995, Los Angeles Superior Court,
14 Honorable Kenneth R. Freeman, presiding;
15 • *Gonzalez v. Gochez, et al.*, Case No. BC648729, Los Angeles Superior Court, Honorable
16 Maren Nelson, presiding;
17 • *Montoya v. Superior Paving Co.*, Case No. CIVDS1833422, County of San Bernardino,
18 Honorable David S. Cohn, presiding;
19 • *Lopez v. Norred & Associates, Inc.*, Case No. CIVDS1824109, California Superior
20 Court, County of San Bernardino, David S. Cohn, presiding;
21 • *Noyola v. Lacren, LLC*, Case No. BC717024, California Superior Court, County of Los
22 Angeles, Hon. Anthony Mohr, presiding;
23 • *Luciano, et al. v. O'Tasty Foods, Inc., et al.*, Case No. BC711988, California Superior
24 Court, County of Los Angeles, Honorable Maren Nelson, presiding;
25 • *Gordon v. Hospice Source, LLC*, Case No. 34-2018-00250022-CU-OE-GDS, California
26 Superior Court, County of Sacramento, Honorable Christopher E. Krueger, presiding;
27 • *Barragan v. Refrigeration Supplies Distributor*, Case No. 19STCV09312, California
28 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;

1 • *Ramirez v. Acre Gourmet, Inc.*, Case No. CGC-19-575117, California Superior Court,
2 County of San Francisco, Honorable Andrew Y.S. Cheng, presiding;
3 • *Villafuerte v. Bay Alarm Company*, Case No. BC689110, California Superior Court,
4 County of Los Angeles, Honorable Amy D. Hogue, presiding;
5 • *Cazares v. Areas USA LAX, LLC*, Case No. 19STCV08209, California Superior Court,
6 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
7 • *Magana v. Castlerock Environmental, Inc., et al.*, Case No. 19STCV38353, California
8 Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;
9 • *Chilel v. Sushi California, Inc.*, Case No. 19STCV08209, California Superior Court,
10 County of Los Angeles, Honorable Ann I. Jones, presiding;
11 • *Malone v. Orange Courier, Inc., et al.*, Case No. 30-2016-00763474, California Superior
12 Court, County of Orange, Honorable Glenda Sanders, presiding;
13 • *Rivera v. Talamo Food Services, Inc.*, Case No. 19CV355856, California Superior Court,
14 County of Santa Clara, Honorable Patricia M. Lucas, presiding;
15 • *Olguin v. Cal Central Harvesting, Inc.*, Case No. 18CV03860, California Superior Court,
16 County of Santa Barbara, Honorable James F. Rigali, presiding;
17 • *Pence v. Sober Living by the Sea, Inc.*, Case No. 2018-00988742, California Superior
18 Court, County of Orange, Honorable Randall J. Sherman, presiding;
19 • *Franco v. Vincent Rags, Inc.*, Case No. 20STCV07768, California Superior Court,
20 County of Los Angeles, Honorable Ann I. Jones, presiding;
21 • *Cabral v. Miller Castings, Inc.*, Case No. 19STCV39556, California Superior Court,
22 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
23 • *Bolanos v. Texas Roadhouse, Inc.*, Case No. 19STCV39556, California Superior Court,
24 County of Los Angeles, Honorable Sunshine Sykes, presiding;
25 • *Rodriguez v. Scott A. Humphreys, Inc.*, Case No. 30-2021-01184556-CU-OE-CXC,
26 California Superior Court, County of Ventura, Honorable Matthew P. Guasco, presiding;
27 • *Torres v. Primal Pet Foods, Inc.* Case No. FCS054783, California Superior Court,
28 County of Solano, Honorable Wendy G. Getty, presiding;

1 • *Hanson v. Zapata Nuccio, Inc.*, Case No. 20STCV28951, California Superior Court,
2 County of Los Angeles, Honorable Elihu M. Berle, presiding;
3 • *Molina v. Avibank Mfg, Inc.*, Case No. 20STCV03910, California Superior Court,
4 County of Los Angeles, Honorable John P. Doyle, presiding;
5 • *Cetina v. Lawry's Restaurants, Inc.*, Case No. 19STCV05201, California Superior Court,
6 County of Los Angeles, Honorable Amy D. Hogue, presiding;
7 • *Luna v. Pronto California General Agency, LLC*, Case No. 19STCV39951, California
8 Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
9 • *Alvarez v. Kazak-Mars, Inc.*, Case No. 20STCV42587, California Superior Court,
10 County of Los Angeles, Honorable Elihu M. Berle, presiding;
11 • *Noe v. My Pillow, Inc.* Case No. CIVDS 2011360, California Superior Court, County of
12 San Bernardino, Honorable David Cohn, presiding;
13 • *Nunez v. 2751 West Coast Acquisition Company*, Case No. 30-2020-01145215-CU-
14 OE-CXC, California Superior Court, County, County of Orange, Honorable Randall J. Sherman,
15 Presiding;
16 • *Smith v. McMillen Enterprises, Inc.*, Case No. CV-20-002938, California Superior Court,
17 County of Stanislaus, Honorable John R. Mayne, presiding;
18 • *Turner v. Plant Prefab Inc., et al.*, Case No. CIVDS2017517, California Superior Court,
19 County of San Bernardino, Honorable David Cohn, presiding;
20 • *Duran v. Fresh Select, LLC*, Case No. VCU284892, California Superior Court, County
21 of Tulare, Honorable Bret Hillman, presiding;
22 • *Reynoso, et al. v. Cream of the Crop AG Service, Inc.*, Case No. VCU278847, California
23 Superior Court, County of Tulare, Honorable Bret Hillman, presiding;
24 • *Michel v. Universal Waste Systems, Inc.*, Case No. 19STCV46181, California Superior
25 Court, County of Los Angeles, Honorable David S. Cunningham presiding;
26 • *Jungers v. U.S. Borax Inc., et al.*, Case No. BCV-21-10003, California Superior Court,
27 County of Kern, Honorable Bernard C. Barmann Jr. presiding;
28 ///

1 • *Fortune v. Amoroso Limited Partnership, et al.*, Case No. 20STCV25874, California
2 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
3 • *Montoya, et al. v. Remo, Inc.* Case No. 20STCV34614, California Superior Court,
4 County of Los Angeles, Honorable Maren Nelson presiding;
5 • *Rincon, et al. v. New-Indy Tripaq, LLC, et al.* Case No. 20STCV17118, California
6 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
7 • *De Leon, et al. v. Wismettac Asian Foods, Inc.* Case No. 19STCV18172, California
8 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
9 • *Tapia v. Mercer Foods, Inc.* Case No. CV-21-000020, California Superior Court,
10 County of Stanislaus, Honorable Sonny S. Sandhu presiding;
11 • *Molina v. Reser's Fine Foods, Inc.* Case No. 37-2021-00013052-CU-OECTL, California
12 Superior Court, County of San Diego, Honorable Eddie C. Sturgeon presiding;
13 • *Reyes v. Imperial Sprinkler Supply, Inc.* Case No. 30-2020-01167748-CU-OE-CXC,
14 California Superior Court, County of Los Angeles, Honorable Peter Wilson presiding;
15 • *Zavala, et al. v. PLS Check Cashers, Inc.* Case No. 20STCV42586, California Superior
16 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
17 • *Paz v. Hill Brothers Chemical Company.* Case No. 20STCV48279, California Superior
18 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
19 • *Garcia v. Inwesco Incorporated.* Case No. 20STCV46833, California Superior Court,
20 County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
21 • *Guevara v. J&K Culver, LLC, et al.* Case No. 19STCV39951, California Superior Court,
22 County of Los Angeles, Honorable Elihu M. Berle presiding;
23 • *Hamilton v. Michael Kors Stores, Inc. et al.*, Case No. 19STCV37061, California
24 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
25 • *Arzooian v. A&M Administration, LLC, et al.* Case No. 21STCV05576, California
26 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
27 • *Santos, et al. v. Maruzen of America, Inc.*, Case No. 19STCV37662, California Superior
28 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;

1 • *Schaffino v. M.O. Dion & Sons., Inc., et al.*, Case No. 20STCV38023, California Superior
2 Court, County of Los Angeles, Honorable Gail Killefer presiding;
3 • *Moreno v. Santa Paula Post Acute, LLC, et al.* Case No. 21STCV12533, California
4 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
5 • *Singer v. Desert Area Resources and Training*, Case No. BCV-21-101093, California
6 Superior Court, County of Kern, Honorable Thomas S. Clark presiding;
7 • *Clarizio v. Guard-Systems, Inc.*, Case No. 21STCV28667, California Superior Court,
8 County of Los Angeles, Honorable Armen Tamzarian presiding;
9 • *Guzman v. Freschco Painters, Inc.*, Case No. 21STCV04683, California Superior Court,
10 County of Los Angeles, Honorable Lawrence P. Riff presiding;
11 • *Koutny v. PAE Aviation and Technical Services, LLC*, Case No. 21C-0106, California
12 Superior Court, County of Kings, Honorable Melissa R. D’Morias presiding;
13 • *Rodriguez v. Pacifica Trucks, LLC*, Case No. 20STCV37576, California Superior Court,
14 County of Los Angeles, Honorable Stuart Rice presiding;
15 • *Ramos v. AEGIS Treatment Centers, LLC*, Case No. 20STCV41429, California Superior
16 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
17 • *Valdez v. Integrated Building Services, Inc.* Case No. 20STCV37793, California Superior
18 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
19 • *Harris v. America One Security, Inc.* Case No. 21STCV01399, California Superior
20 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
21 • *Moreno v. M&J Seafood Company, Inc.* Case No. 22STCV03341, California Superior
22 Court, County of Los Angeles, Honorable William F. Highberger presiding;
23 • *Corrales v. Q&B Foods, Inc.* Case No. 20STCV40885, California Superior Court,
24 County of Los Angeles, Honorable Elihu Berle presiding;
25 • *Arteaga v. Demolition Specialist, Inc.* Case No. RIC2001133, California Superior Court,
26 County of Riverside, Honorable Harold Hopp presiding;
27 • *Vigil, et al. v. Capstone Turbine Corporation*, Case No. 20STCV32123, California
28 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

1 • *Ramirez v. Sea-Win, Inc.* Case No. 21STCV22026, California Superior Court, County
2 of Los Angeles, Honorable Lawrence P. Riff presiding;
3 • *Ortega Chavez v. Winpak Lane, Inc.* Case No. CIVSB2207313, California Superior
4 Court, County of San Bernardino, Honorable Jessica Morgan presiding;
5 • *Garcia v. American Licorice Company.* Case No. RG21107049, California Superior
6 Court, County of Alameda, Honorable Brad Seligman presiding;
7 • *Madrono v. Vitale Nursing, Inc, et al.,* Case No. 21STCV09845, California Superior
8 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
9 • *Orellana v. Advanced Building Maintenance.* Case No. 34-2020-00286791-CU-OE-
10 GDS, California Superior Court, County of Sacramento, Honorable Jill Talley presiding.
11 • *Aguilar v. Bioness, Inc., et al.,* Case No. 21STCV41702, California Superior Court,
12 County of Los Angeles, Honorable Lawrence P. Riff presiding;
13 • *Antoine v. Pinky Beverly Hills, LLC., et al.* Case No. 19STCV44856, California
14 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
15 • *Phambui v. Fashion Marketing and Merchandising Group, Inc., et al.* Case No.
16 21STCV06634, Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
17 • *Ortega Chavez v. Winpak Lane, Inc., et al.* Case No. CIVSB2202274, California
18 Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
19 • *Carrasco v O.H. Barkhordar D.D.S., Inc., et al.* Case No. 22STCV21188, California
20 Superior Court, County of Los Angeles, Honorable Lawrence Riff presiding;
21 • *Correia v. Gallo Glass Company, et al.* Case No. CV-21-006459, California Superior
22 Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
23 • *Davis v. Beeline Import and Services, LLC, et al.* Case No. CIVSB2119287, California
24 Superior Court, County of San Bernardino, Honorable David Cohn presiding;
25 • *Angel Lopez v Innovative Coatings Technology Corporation dba Incotec, et al.* Case No.
26 30-2020-01173245-CU-OE-CXC, California Superior Court, County of Orange, Honorable Lon
27 Hurwitz presiding;
28 ///

1 • *Lopez v UPM, Inc., et al. Case No. 20STCV36695*, California Superior Court, County of
2 Los Angeles, Honorable Lawrence P. Riff presiding;

3 • *Moreno v. Infiniti Group LLC., et al. Case No. CIVSB2223551*, California Superior
4 Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;

5 • *Kelley v. Applus Technologies, Inc., et al. Case No. CIVSB2204889*, California Superior
6 Court, County of San Bernardino, honorable Jessica Morgan presiding;

7 • *Hernandez v Bromley Foods, Inc., et al. Case No. 56-2021-00561326-CU-OE-VTA*,
8 California Superior Court, County of Ventura, Honorable Henr Walsh presiding;

9 • *Heredia v. Alan Smith Pool Plastering, Inc., et al. Case No. 30-2020-01163609-CU-OE-*
10 *CXC*, California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;

11 • *Martinez Guzman v Freshco Painters Inc., et al. Case No. 21STCV04683*, California
12 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

13 • *Gomez Mireles v. USG Ceilings Plus, LLC., et al. Case No. 21STCV45606*, California
14 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

15 • *Garzon v. Mobile Hi-Tech Wheels, LLC., et al., Case No. 21STCV15396*, California
16 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

17 • *Dethrasavong v. ASI Computer Technologies, Inc., et al. Case No. 20STCV32312*,
18 California Superior Court, County of Contra Costa, Honorable Kenneth R. Freeman presiding;

19 • *Lopez v. Waldorf Astoria Management LLC., et al. Case No. 20STCV17212*, California
20 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;

21 • *Viveros v. Mission Produce, Inc., et al. Case No. 20STCV15737*, California Superior
22 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;

23 • *Flores v. United Maintenance Company, Inc., et al. Case No. 21STCV07008*, California
24 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

25 • *Blandi v. Francesca Restaurant, LLC., et al. Case No. 37-2022-00049034-CU-OE-CTL*,
26 California Superior Court, County of San Diego, Honorable Marcella O. McLaughlin presiding;

27 • *Lopez Cabrera v. South Valley Almond Company, LLC, et al. Case No. BCV-2-100722*,
28 California Superior Court, County of Kern, Honorable Bernard C. Barmann, Jr. presiding;

1 • *Guillermo Cruz v. Alma Family Services, et al.* Case No. 21STCV18156, California
2 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
3 • *Davood v. NKSFB, LLC, et al.* Case No. 22STCV17305, California Superior Court,
4 County of Los Angeles, Honorable Christopher K. Lui presiding;
5 • *Ferrer v. Ineos USA, LLC., et al.,* Case No. 21STCV28076, California Superior Court,
6 County of Los Angeles, Honorable Elihu M. Berle presiding;
7 • *Portillo Sanchez v. Paragon Services Janitorial Orange County, LLC, et al.* Case No.
8 20STCV38562, California Superior Court, County of Los Angeles, Honorable William F.
9 Highberger presiding;
10 • *Trigueros Garcia v. Highland Plastics, Inc., et al.,* Case No. CVRI2202836, California
11 Superior Court, County of Riverside, Honorable Harold Hopp presiding;
12 • *Magana Ramirez v. 360 Support Services, et al.* Case No. 22STCV20456, California
13 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
14 • *Morales v. Baldy's Restaurant Group, LLC., et al.* Case No. 20STCV36535, California
15 Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
16 • *Gonzales v. El Monte Rents, Inc., et al.* Case No. 21STCV10209, California Superior
17 Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
18 • *Gonzalez v. Total Education Solutions, Inc., et al.* Case No. 20STCV37984, California
19 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
20 • *Helaire v. Smithfield Packaged Meats Corp, et al.* Case No. JCCP5244, California
21 Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
22 • *Hernandez v. Central Valley Recovery Services, et al.* Case No. VCU290220, California
23 Superior Court, County of Tulare, Honorable Brett Hillman presiding;
24 • *Hernandez v. SC Commercial, LLC, et al.* Case No. 30-2020-01166961-CU-OE-CXC,
25 California Superior Court, County of Orange, Honorable Lon Hurwitz presiding;
26 • *Hines v. Constellis Integrated Risk Management Services, et al.* Case No.
27 20STCV26962, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui
28 presiding;

1 • *Moya v. Valassis Direct Mail, Inc., et al.* Case No. 21STCV09412, California Superior
2 Court, County of Los Angeles, Honorable Stuart Rice presiding;
3 • *Jordan v. The Martin-Brower Company, LLC, et al.*, Case No. 21STCV41435, California
4 Superior Court, County of Los Angeles, honorable Stuart Rice presiding;
5 • *Juarez v. Calmet Services, Inc., et al.* Case No. 21STCV33668, California Superior
6 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
7 • *Mcintosh v. WWL Vehicle Services Americas Inc., et al.* Case No. 56-2022-00562544-
8 CU-OE-VTA, California Superior Court, County of Ventura, Honorable Benjamin Coats
9 presiding;
10 • *Mendoza v. Amusement Industry, Inc., et al.* Case No. 21STCV09790, California
11 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
12 • *Moore v. Dnata US Inflight Catering LLC, et al.* Case No. CGC-20-586512, California
13 Superior Court, County of San Francisco, Honorable Curtis Karnow presiding;
14 • *Peterson v. Sorenson Engineering, Inc., et al.* Case No. CIVDS2023994, California
15 Superior Court, County of San Bernardino, Honorable David Cohn presiding;
16 • *Torres v. Laurel Avenue, LLC, et al.* Case No. CIVSB2202708, California Superior
17 Court, County of San Bernardino, Honorable David Cohn presiding;
18 • *Nunley v. Cardinal Logistics Management Corporation et al.* Case No. CIVSB2210430,
19 California Superior Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;
20 • *Pastrana v. National Sign & Marketing Corporation et al.* Case No. CIVSB2118749,
21 California Superior Court, County of San Bernardino, Honorable David Cohn presiding;
22 • *Pineda v. Grand Life, Inc., et al.* Case No. 21STCV28066, California Superior Court,
23 County of Los Angeles, Honorable Elihu M. Berle presiding;
24 • *Pattingale v. Laird Family Estate, LLC et al.* Case No. 22CV000048, California Superior
25 Court, County of Napa, Honorable Cynthia P. Smith presiding;
26 • *Ramirez v. Sea Win, Inc., et al.* Case No. 21STCV22026, California Superior Court,
27 County of Los Angeles, Honorable Lawrence P. Riff presiding;
28 ///

1 • *Reategui v. Cal Building & Maintenance Industries, Inc.*, Case No. 20STCV39648,
2 California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
3 • *Rodriguez v. ACRA Aerospace, LLC, et al.* Case No. 30-2020-01171360-CU-OE-CXC,
4 California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;
5 • *Rodriguez v. Ultra Pro International LLC, et al.* Case No. 21STCV11250, California
6 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
7 • *Ruiz v. Kleen Harvest, Inc., et al.* Case No. 21CV002319, California Superior Court,
8 County of Monterey, Honorable Thomas W. Wills presiding;
9 • *Roberto Ruiz v. Protech Delivery and Installation et al.* Case No. 21STCV07001,
10 California Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
11 • *Russell v. CIMC Reefer Trailer, Inc., et al.* Case No. RIC2001777, California Superior
12 Court, County of Riverside, Honorable Harld Hopp presiding;
13 • *Russell v. Staffmark Investment LLC, et al.* Case No. CVRI12103921, California
14 Superior Court, County of Riverside, Honorable Harold Hopp presiding;
15 • *Quintanilla et al. v. Chrome Hearts LLC, et al.* Case No. 21STCV43180, California
16 Superior Court, County of Los Angeles, Honorable Elihu B. Berle presiding;
17 • *Taat v. Acell, Inc., et al.* Case No. 37-2022-00005437-CU-OE-CTL, California Superior
18 Court, County of San Diego, Honorable Matthew C. Braner presiding;
19 • *Todd v. Motivate, LLC, et al.* Case No. CGC-23-605052, California Superior Court,
20 County of San Francisco, Honorable Anne- Christine Massullo presiding;
21 • *Turner Sr., v. The Sidewalk Café, Inc., et al.* Case No. 21STCV10154, California
22 Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;
23 • *Vargas-Flores v. Harbor Bay Club, Inc., et al.* Case No. 21CV002396, California
24 Superior Court, County of Alameda, Honorable Michael Markman presiding;
25 • *Vasquez v. Liquid Technologies, Inc., et al.* Case No. CIVDS2023892, California
26 Superior Court, County of San Bernardino, Honorable Joseph Ortiz presiding;
27 • *Vasquez et al. v. Kingswood LLC, et al.*, Case No. 20STCV32123, California Superior
28 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;

1 • *Sandoval Villafana v. Satco, Inc., et al.* Case No. 21STCV17085, California Superior
2 Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
3 • *Williams v. Marrs Services, Inc., et al.* Case No. 21STCV23775, California Superior
4 Court, County of Los Angeles, Honorable Stuart M. Stuart presiding;
5 • *Low v. Triple Canopy, Inc., et al.* Case No. 37-2023-0007078-CU-OE-CTL, California
6 Superior Court, County of San Diego, Honorable Carolyn Caietti presiding;
7 • *Camacho v. Premium Electric Corp, et al.* Case No. 22STCV26878, California Superior
8 Court, County of Los Angeles, Honorable David S. Cunningham presiding;
9 • *Lopez v. Bachem Americas, Inc., et al.* Case No. 23STCV04258, California Superior
10 Court, County of Los Angeles, Honorable Laura Seigle presiding;
11 • *Mendoza Cendejas v. E. & J. Gallo Winery, et al.* Case No. CV-22-005396, California
12 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
13 • *Romero v. Armstrong Installation Service, et al.* Case No. 22CV022519, California
14 Superior Court, County of Alameda, Honorable Noel Wise presiding;
15 • *Perez v. D&G Restaurants, LLC, et al.* Case No. 30-2021-01209638-CU-OE-CXC,
16 California Superior Court, County of Orange, Honorable Peter Wilson presiding;
17 • *Sarmiento, et al. v. Neil Jones Food Company* Case No. 21CECG03825, California
18 Superior Court, County of Fresno, Hon. Kristi Culver Kapetan presiding; and
19 • *Garcia v. Nature Fresh Farms, LLC, et al.* Case No. ECU001961, California Superior
20 Court, County of Imperial, Honorable Jeffery B. Jones presiding.

21 13. I have also settled matters on a “PAGA Only” basis for aggrieved employees in the
22 past, including in:

23 • *Flores v. Delta Apparel, Inc.*, Case No. BC641499, California Superior Court, County
24 of Los Angeles, Honorable Daniel J. Buckley, presiding;
25 • *Segura v. CJ Foods Service Holdings USA, LLC*, Case No. 19STCV24918, California
26 Superior Court, County of Los Angeles, Honorable Maureen Duffy-Lewis, presiding;
27 • *Sierra v. Nexem-Allied, LLC*, Case No. 20STCV11281, California Superior Court,
28 County of Los Angeles, Honorable Randolph M. Hammock, presiding;

1 • *Nodal v. Sodexo, Inc.*, Case No. 20STCV40601, California Superior Court, County of
2 Los Angeles, Honorable Lawrence Riff, presiding;
3 • *Cooper v. Lucas Health Partners*, Case No. 20STCV20050, California Superior Court,
4 County of Los Angeles, Honorable Maren Nelson, presiding;
5 • *Herrera v. Greystar Management, LP, et al.*, Case No. 37-2020-00009672-CU-OE-CTL,
6 California Superior Court, County of San Diego, Honorable Carolyn Caietti, presiding;
7 • *Slater v. Jo-Ann Stores, LLC.*, Case No. 21STCV18454, California Superior Court,
8 County of Los Angeles, Honorable Maurice A. Leiter, presiding;
9 • *Bolanos v. Canoga Park Heating & Air Conditioning, Co., Inc.*, Case No. 21STCV12674,
10 California Superior Court, County of Los Angeles, Honorable Yolanda Orozco, presiding;
11 • *Granados v. Cosmetic Ideas, Inc.* Case No. 21STCV10797, California Superior Court,
12 County of Los Angeles, Honorable Richard L. Fruin, presiding;
13 • *Ruano v. DPC Woodwork, Inc.* Case No. 21STCV00408, California Superior Court,
14 County of Los Angeles, Honorable Jon R. Takasugi presiding;
15 • *Hardy v. Texas Roadhouse Management Corp., et al.* Case No. CIVSB2222259,
16 California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
17 • *Iraheta v Legacy Farmers, Inc., et al.* Case No. MSC21-00762, California Superior
18 Court, County of Los Angeles, Honorable Charles S. Treat presiding;
19 • *Landin v Central Janitors' Supply Co., Inc., et al.* Case No. CV-21-006391, California
20 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
21 • *Bailey v. Cannon Constructors, et al.* Case No. 21STCV38274, California Superior
22 Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
23 • *Johns, et al. v. Whelan Security of California, Inc., et al.* Case No. 22STCV68687,
24 California Superior Court, County of Los Angeles, Honorable Laura Seigle presiding;
25 • *Carrion v. Clutter, Inc., et al.* Case No. 23STCV06709, California Superior Court,
26 County of Los Angeles, Honorable Kerry Bensinger presiding;
27 • *Delia v. The Irvine Company, LLC, et al.* Case No. 30-2019-01050823-CU-OE-CXC,
28 California Superior Court, County of Orange, Honorable William D. Claster presiding;

1 • *Landin v. Central Janitor's Supply Co., Inc., et al.* Case No. CV-21-006391, California
2 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
3 • *German Vaca et al., v. California Pizza Kitchen, Inc., et al.* Case No. 30-2022-01278828-
4 CU-OE-CXC, California Superior Court, County of Orange, Honorable Randall Sherman
5 presiding;
6 • *London Young v. Amazon.com LLC, et al.* Case No. 21STCV38280, California Superior
7 Court, County of Los Angeles, Honorable Elaine Lu presiding;
8 • *Martinez v. Dick's Sporting Goods, Inc., et al.* Case No. 22STCV17283, California
9 Superior Court, County of Los Angeles, Honorable Armen Tamzarian presiding;
10 • *Latrice Ackles v. Brinker Restaurant Corporation, et al.* Case No. 22STCV19068,
11 California Superior Court, County of Los Angeles, Honorable Gail Killefer presiding; and
12 • *Ruiz v. Edelbrock Foundry, LLC, et al.* Case No. 20STCV19057, California Superior
13 Court, County of Los Angeles, Honorable David S. Cunningham presiding.

14 Furthermore, my office has succeeded in certifying classes in contested motions for
15 class certification. Some of the classes and theories we have certified include, without limitation,
16 for failure to pay the regular rate of pay; failing to pay overtime and minimum wages, including,
17 without limitation, for temperature checks; failure to provide meal and rest premiums, including,
18 without limitation, for requiring employees to walk during breaks; failure to timely pay wages
19 prior to separation of employment; wage statement violations; and unfair competition. Some
20 examples of matters in which we have done so include, without limitation:

21 • *Hernandez, et al. v. C.R. Lawrence Co., Inc.,* Case No. 20STCV32372, California
22 Superior Court, County of Los Angeles, Hon. William Highberger presiding;
23 • *Lopez v. Rolling Hills Country Club,* Case No. 21STCV22636, California Superior
24 Court, County of Los Angeles; Hon. Carolyn B. Kuhl presiding; and
25 • *Torres v. Johnston Nurseries, FLP,* Case No. BCV-19-100830 TSC, California Superior
26 Court, County of Kern; Hon. Thomas S. Clark, presiding.

27 14. Currently, my firm is acting as counsel in dozens of wage and hour class actions
28 and representative PAGA actions.

1 15. I believe that I am sufficiently experienced and qualified to evaluate the claims
2 alleged in this action and viability of Defendant's defenses.

3 16. Vedang J. Patel has been a member of my law firm for over three (3) years and
4 served as class counsel on numerous actions on which I was also named class counsel. Prior to
5 working with Bibiyan Law Group, P.C., he practiced law with Murchison & Cumming, LLP on a
6 variety of matter on behalf of defendants. Thereafter, he joined Bibiyan Law Group, P.C.,
7 practicing law on behalf of plaintiffs in matters of employment law, and specifically on issue of
8 unpaid wages and class action settlements. He is currently a Partner at Bibiyan Law Group, P.C.,
9 and head of the Settlement Department. Among other tasks, he oversees and manages all
10 settlements at Bibiyan Law Group, P.C. He also oversees several attorneys, paralegals, and legal
11 assistants and has overseen the settlement of over one hundred (100) class and PAGA matters
12 while with our office.

13 17. After a thorough investigation and settlement discussions, I arrived at terms that I
14 viewed was in the best interest of both Plaintiff and Aggrieved Employees.

15 **PAGA Counsel's Requested Fees and Costs are Reasonable**

16 18. I believe PAGA Counsel is entitled to recover attorneys' fees and costs. PAGA
17 Counsel request a fee of one-third (1/3) of the Gross Settlement Amount, which, unless and until
18 escalated pursuant to the Parties' Settlement Agreement, amounts to \$53,333.33. The request of
19 one-third (1/3) of the Gross Settlement Amount is consistent with the fees awarded in other PAGA
20 settlements approved by California courts. The requested fee of only one-third (1/3) of the Gross
21 Settlement Amount is reasonable, is well within the range of fees generally sought and approved
22 in other class and representative cases and is also reasonable based on PAGA Counsel's lodestar.

23 19. PAGA Counsel invested time and resources into litigating this Action, with over
24 \$29,480.01 of costs to date and counting deferred to the end of the case and entirely contingent
25 on the outcome which, as set forth above, the recovery of which was far from certain with much
26 of the litigation still potentially pending.

27 20. During the period that this Action has been pending, PAGA Counsel has advanced
28 all expenses, and has not received any compensation for prosecuting the Action on behalf of the

1 State and other Aggrieved Employees.

2 **An Award of Fees Based on a Percentage of the Common Fund**
3 **is Appropriate and Reasonable**

4 21. I believe the percentage of attorneys' fees set forth in the Settlement (i.e., one-third
5 (1/3) of the Gross Settlement Amount) is reasonable. I am informed and believe that, historically,
6 courts have awarded percentage fees in the range of 20% to 50% in collective actions, depending
7 on the circumstances of the case.

8 22. Here, I believe the requested fee is consistent with the fees awarded in other PAGA
9 settlements approved by California courts.

10 23. PAGA Counsel invested time and resources into litigating this Action, with
11 \$29,480.01 of costs to date and counting, deferred to the end of the case and entirely contingent
12 on the outcome, which, as set forth above, the recovery of which was far from certain with much
13 of the litigation still potentially pending. It has been a long-recognized principle that an attorney
14 merits a significantly larger fee when the compensation is contingent, rather than being fixed on
15 a time or contractual basis. During the period that this Action has been pending, Plaintiff's
16 Counsel has advanced all expenses and has not received any compensation for prosecuting the
17 Action on behalf of the State and other Aggrieved Employees.

18 24. I believe the significant outlay of monetary and personnel resources has been
19 completely at risk and wholly dependent upon obtaining a substantial settlement or the imposition
20 of civil penalties at trial. I believe PAGA Counsel should not be penalized with a lower fee for
21 settling the case prior to trial, because the percentage of the fund method "encourages early
22 settlement, which avoids protracted litigation." Thus, the requested award of attorneys' fees is
23 reasonable under the percentage of the fund method.

24 **The Requested Fees are Also Reasonable Under a Lodestar Crosscheck**

25 25. I understand from my position as principal of Bibiyan Law Group, P.C., my
26 involvement with the case, and information provided by my staff, that Bibiyan Law Group, P.C.,
27 will have collectively billed 240.3 hours at customary hourly rates.

28 ///

1 26. To summarize PAGA Counsel's lodestar request, PAGA Counsel at Bibiyan Law
2 Group, P.C., will have collectively worked approximately 240.3 hours. PAGA Counsel's hourly rate
3 in this case for David D. Bibiyan is \$1,200 per hour (approx. 11.4 hours); Sarah Cohen is \$1,000
4 per hour (approx. 45.3 hours); Vedang J. Patel is \$900 per hour (approx. 26.7 hours); Keaton
5 Mendoza is \$450 per hour (approx. 21.9 hours); Triana Henderson is \$450 per hour (approx. 14.2
6 hours); Paralegals are \$200 per hour (approx. 14.3 hours); and Legal Assistants are \$95 per hour
7 (approx. 9.1 hours). At PAGA Counsel's hourly rates, this results in a total lodestar amount of
8 \$161,420.

9 27. In total, PAGA counsel have expended over 240.3 hours, and at their hourly rates,
10 this results in a total lodestar amount of \$161,420. Plaintiff requests attorneys' fees of only
11 \$53,333.33.

12 **PAGA Counsel's Hours Spent on the Case**

13 28. After diligent inquiry of the members of my firm, I can attest that Bibiyan Law
14 Group, P.C., has spent over 240 hours litigating this Action to bring it to resolution, not including
15 time which will be expended monitoring the administration of the settlement and distribution of
16 funds to Aggrieved Employees.

17 29. The efforts expended by PAGA Counsel to achieve this result include, but are not
18 limited to, the following:

- 19 • Investigation of the matter, including meeting with Plaintiff, reviewing policies provided
20 by Plaintiff, reviewing documents in Plaintiff's possession, reviewing and analyzing
21 Plaintiff's personnel files, and exploring Defendant's corporate structure to determine
22 whether any other individuals or entities should be named in the litigation;
- 23 • Compliance with prerequisites in connection with Plaintiff's cause of action under
24 PAGA;
- 25 • Filing and serving of the PAGA Notice;
- 26 • Filing and serving pleadings in the Action, including the initial complaint in both the Class
27 Action and instant PAGA Action, as well as the First Amended Complaint in the instant
28 Action;

- 1 • Reviewing and analyzing Defendant's answers to Plaintiff's initial complaints;
- 2 • Meeting and conferring with Defendant's counsel regarding the enforceability of the
- 3 purported arbitration agreement signed by Plaintiff;
- 4 • Meeting and conferring with counsel for Defendant regarding same while the Parties
- 5 engaged in informal discovery and focused their efforts on mediation;
- 6 • Drafting Stipulation for Order Granting Plaintiff Leave to File First Amended Complaint;
- 7 • Review and analysis of informal discovery, consisting of time and payroll records for a
- 8 sampling of the Aggrieved Employees, employee handbooks containing Defendant's
- 9 policies and procedures;
- 10 • Review and analysis of the Court's Minute Orders, attention to scheduling and delegation of
- 11 actions in light thereof, meeting and conferring with Defendant's counsel, drafting and filing
- 12 Joint Reports and Joint Statements in advance of conferences and hearings held by the Court,
- 13 and preparation and attendance of the same;
- 14 • Discussing the potential merits of mediation, as well as negotiating the parameters thereof
- 15 and the informal discovery to be exchanged beforehand, which involved iterations of written
- 16 correspondence back and forth and several telephone discussions between counsel regarding
- 17 the potential scope of discovery, as well as the scope of the pleadings;
- 18 • Working with opposing counsel and consultants for the receipt of time records, payroll
- 19 records, and data points for Aggrieved Employees, and analyzing the same with the aid of
- 20 retained expert data consultants and Plaintiff to perform analyses of liability and exposure;
- 21 • Selecting a mediator and scheduling a mediation date;
- 22 • Preparation of mediation brief, analysis, and damages model in conjunction with expert data
- 23 consultants, for use at the mediation session;
- 24 • Attendance at a full-day session of mediation by various attorneys;
- 25 • Extensive negotiation over the course of several months, with the assistance of a mediator,
- 26 regarding the terms and parameters of the settlement;
- 27 • Extensive negotiation regarding the terms of the memorandum of understanding, finalizing
- 28 and fully executing the same;

- 1 • Extensive negotiation regarding the terms of the long form settlement agreement, finalizing
- 2 and fully executing the same;
- 3 • Drafting and reviewing the PAGA Payment Letter;
- 4 • Selecting a third-party administrator with counsel for Defendant for administration of the
- 5 PAGA Payment Letter to Aggrieved Employees and obtaining bids for settlement
- 6 administration;
- 7 • Communicating with Plaintiff who requested updates or other information regarding this
- 8 matter;
- 9 • Working with opposing counsel and the Administrator to ensure timely administration of the
- 10 PAGA Payment Letter to Class Members; and
- 11 • Preparing the instant Motion for Approval.

12 30. PAGA Counsel also bear the risk of taking whatever actions are necessary if
13 Defendant fail to pay. Thus, the Court should find that PAGA Counsel's hours were necessary and
14 reasonable to achieve the excellent result. PAGA Counsel's hourly rates are in line with, and, in
15 fact, modest, compared with the hourly rates of other counsel in similar actions.

16 31. And, the over 240 hours expended by the lawyers and staff members of Bibiyan
17 Law Group, P.C., in connection with this Action is only a calculation of efforts made thus far; it
18 does not include the time that will be spent preparing for and attending the approval hearing,
19 reviewing the Administrator's final calculations and subsequent coordination with the
20 Administrator to ensure payments to Aggrieved Employees are timely distributed. Thus, PAGA
21 Counsel request that the Court find that these hours are reasonable in this litigation.

22 32. Here, PAGA Counsel has established by declaration testimony the over 240 hours
23 spent in this case, which suffices for evidentiary purposes.

24 33. Here, no multiplier is necessary as PAGA Counsel has incurred far more in
25 attorneys' fees than PAGA Counsel requests in fees from the Gross Settlement Amount. However,
26 should a multiplier have been requested, it would have been warranted.

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

3
4
5
6
7
8
9
10
11
12
13
14

15

16

17

18
19
20
21

22

23

24

25

28