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(Additional counsel on next page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JACOB McKEEHAN and ROBERT MARSLEK,
individually and on behalf of all others similarly
situated,

Plaintiff,

vs.

JETSUITEX, INC.; AND DOES 1 THROUGH
20, INCLUSIVE,

Defendants.

Case No. 22STCV24435

[Assigned to Hon. Elihu M. Berle]

**DECLARATION OF SIMON L. YANG IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

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Attorneys for Plaintiff Marslek

1 I, Simon L. Yang, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and, with the law firm
3 Diversity Law Group, P.C., am counsel of record for Plaintiff Robert Marslek. I make this declaration
4 on the basis of my own personal knowledge, except as to those matters stated on information and belief
5 and, as to those matters, I believe them to be true. If called as a witness, I could testify competently to
6 the facts stated in this declaration.

7 2. Although I am confident that litigation of the claims would result in a classwide judgment
8 against Defendant, I recognize the inherent risks in litigation, including the specific risks that class
9 certification could be denied, liability could not be established at trial, or the applicable law could
10 change. I recognize that the settlement resulting from extensive arm's length negotiations between the
11 Parties is fair, reasonable, and adequate for each participating Class Member, given the inherent risks of
12 litigation, as well as the potential for appeals and the costs of pursuing litigation.

13 3. I am one of the primary attorneys on this matter. My qualifications are as follows: After
14 completing my undergraduate education at The Wharton School at the University of Pennsylvania in
15 2004 with concentrations in Management and Human Resources, I continued studying labor and
16 employment issues by enrolling in post-graduate education at the School of Labor and Employment
17 Relations at the University of Illinois. I determined before enrolling in law school that I wanted to
18 practice labor and employment law in California. I thus received my J.D. from UCLA School of Law in
19 2008. During law school, I spent the summer of 2006 with the National Labor Relations Board, Region
20 21, and the summer of 2007 with the law firm of Seyfarth Shaw LLP.

21 4. Upon graduating from law school in 2008, I practiced labor and employment law at
22 Seyfarth Shaw LLP, a well-regarded labor and employment firm. I was elevated to partner in 2019. My
23 practice focused on wage and hour class, collective, and representative actions, with a particular
24 emphasis on matters involving PAGA. During my time with Seyfarth Shaw LLP, I was a primary
25 attorney on numerous wage and hour class, collective, and representative actions that resulted in
26 published opinions, including for example, *Ehret v. WinCo Foods, LLC*, 26 Cal. App. 6th 1 (2018)
27 (affirming summary judgment in PAGA action based on absence of meal period violations in light of
28 collectively bargained waiver of meal periods on shifts of not more than six hours), and *Ruelas v. Costco*

1 *Wholesale Corporation*, 67 F. Supp. 3d 1137 (C.D. Cal. Sept. 8, 2014) (obtaining dismissal of wage
2 statement allegations in PAGA representative action). I was also able to obtain experience litigating
3 representative claims or wage and hour matters through trial and appeal. *E.g.*, *Velazquez v. Costco*
4 *Wholesale Corporation*, 603 Fed. App'x 584 (9th Cir. Mar. 25, 2015) (reversing award of waiting-time
5 penalties based on lack of evidence supporting any willful failure to pay wages); *Ward v. Costco*
6 *Wholesale Corporation*, 552 Fed. App'x 631 (9th Cir. Jan. 9, 2014) (affirming bench-trial judgment in
7 favor of defendant against named plaintiff and 18 opt-in plaintiffs in collective action with involving
8 deductions from final paychecks). I also litigated class certification on numerous matters. *E.g.*, *Martinez*
9 *v. Guess?, Inc.*, Los Angeles Superior Court Case No. BC 498326 (denial of class certification on behalf
10 of retail employees alleging off-the-clock work).

11 5. Based on my experience in wage and hour class, collective, and representative actions, I
12 have been interviewed and quoted in articles published in the Northern California Record about
13 legislative efforts to reform PAGA. I also have published articles on myriad topics relevant to wage and
14 hour class and representative action litigation, including for example articles on California kin care
15 requirements in *Employee Relations Law Journal* (Vol. 36, No. 2), the extraterritorial application of
16 California employment laws in *The Recorder* (134RD Year No. 28), and California meal and rest break
17 laws in *California Transportation News*, a publication of the California Construction Trucking
18 Association.

19 6. In 2020 I left Seyfarth Shaw LLP and joined my current firm, Diversity Law Group, P.C.,
20 which also focuses primarily on employment law. I have handled a number of wage and hour class and
21 representative actions and continue litigating such matters in numerous Superior Courts and District
22 Courts. From matters with both Seyfarth Shaw LLP and Diversity Law Group, P.C., I have successfully
23 mediated the resolution of dozens of wage and hour class, collective, and representative actions. I have
24 obtained class certification and been appointed class counsel, and numerous courts, including this Court,
25 have deemed me to be qualified to act as class counsel for both certified classes and settlement classes.
26 No court has ever found me to be inadequate class counsel.

7. My co-counsel and I will adequately represent the Class Members in this action.

Plaintiffs' Counsel have and will zealously represent Plaintiffs and the Class and pursue this lawsuit to its conclusion.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of July 2025, at Hillsborough, California.


Simon L. Yang