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HERNANDEZ, individually, and on behalf
7 of all others similarly situated and aggrieved

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES**

11 JEANNE HERNANDEZ, individually, and on
behalf of all others similarly situated,

12 Plaintiff,

13 vs.

14 SKYONE FEDERAL CREDIT UNION; and
15 DOES 1 through 100, inclusive,

16 Defendants.

CASE NO.: 25STCV13757

DECLARATION OF LISA GILBERT

Department: 11

Date: September 8, 2026

Time: 10:00 a.m.

Complaint Filed: May 9, 2025

Trial Date: None set

1 I, Lisa Gilbert, declare as follows:

2 1. I am the Co-President of Public Citizen Foundation, a section 501(c)(3) non-profit
3 organization based in Washington, DC.

4 2. Among other things, Public Citizen does research, education, administrative advocacy, and
5 litigation related to workers' rights, including wage-and-hour and health-and-safety issues. Our work is
6 supported by donations from individuals, foundation grants, and court-awarded attorney fees. Public
7 Citizen accepts no corporate or government funding.

8 3. If awarded cy pres funds in this case, Public Citizen would use the funds to support its
9 research and advocacy supporting strong protections for workers, including in California, and its work on
10 cases that involve workers' rights or access to the civil justice system.

11 4. Public Citizen, through its twelve-lawyer Litigation Group, works on cases in the federal
12 and state courts involving worker protection, as well as consumer protection, government transparency,
13 class action standards, administrative law, and the First Amendment. Since its founding in 1972, the
14 Litigation Group has litigated cases at all levels of the federal and state judiciaries. The Litigation Group's
15 work is all pro bono.

16 5. Public Citizen has represented parties or appeared as amicus curiae in many cases
17 nationwide involving wage-and-hour issues. For example, we filed an amicus brief in the Supreme Court
18 in *The Geo Group, Inc. v. Menocal*, 607 U.S. 438 (2026), supporting the argument that a private
19 immigration detention facility that had contracted with the federal government did not enjoy immunity
20 from claims that it failed to pay detainee workers wages required by law. We served as co-counsel in the
21 Supreme Court on behalf of employee plaintiffs in *E.M.D. Sales, Inc. v. Carrera*, 604 U.S. 45 (2025), a
22 case concerning the standard of proof employers must meet to demonstrate the applicability of an
23 exemption to the Fair Labor Standards Act (FLSA). Public Citizen attorneys also served as co-counsel in
24 *Tyson Foods v. Bouaphakeo*, 136 S. Ct. 1036 (2016), another wage-and-hour case, in which the Supreme
25 Court held that the plaintiffs' reliance on representative proof did not defeat class certification because
26 representative proof is allowed in individual wage-and-hour cases, and it would shrink plaintiffs' rights to
27 deny them the opportunity to use such evidence when proceeding as a class.

28 6. We have worked on several cases that address the ability of workers nationwide to pursue

1 wage-and-hour cases. For example, Public Citizen represented civil procedure law professors as amici in
2 support of plaintiffs in two cases addressing whether an out-of-state employee may opt-in to an FLSA
3 collective action. *See Harrington v. Cracker Barrel Old Country Store Inc.*, 142 F.4th 678 (9th Cir. 2025);
4 *Signet Builders v. Luna Vanegas*, 113 F. 4th 718 (7th Cir. 2024). In *Yu v. Hasaki*, 944 F.3d 395 (2d Cir.
5 2019), we served as court-appointed amicus in an appeal posing the question whether parties can settle
6 FLSA claims without either judicial approval or Department of Labor supervision by using the offer-of-
7 judgment procedure set forth in Federal Rule of Civil Procedure 68. And in *Chamber of Commerce for*
8 *Greater Philadelphia v. City of Philadelphia*, 949 F.3d 116 (3d Cir. 2020), we filed an amicus brief
9 addressing a first amendment challenge to an ordinance passed by the Philadelphia City Council to reduce
10 the wage gap between women and men.

11 7. In the district court, we serve as co-counsel in *Harris v. Medical Transportation*
12 *Management, Inc.*, No. 17-1371 (D.D.C.), an ongoing wage-hour case brought on behalf drivers providing
13 non-emergency medical transportation services in the District of Columbia. The court certified an issue
14 class under Rule 23(a)(4) and held that the defendant is a general contractor jointly and severally liable
15 for wages owed by its subcontractors. 2025 WL 2556568 (D.D.C. Apr. 11, 2025).

16 8. Public Citizen often uses its expertise in administrative law to promote the rights of foreign
17 guest workers and U.S. workers in corresponding employment. In September 2025, we filed an amicus
18 brief in *Federation of Employers and Workers of America v. Noem*, No. 25-00014 (S.D. Tex.), arguing in
19 support of challenged provisions of a 2024 rule that protects migrant workers from, among other things,
20 predatory recruitment fees. We also filed amicus briefs on behalf of H-2A workers in two cases
21 challenging provisions of a 2024 rule that sought to prevent abuses of agricultural workers in the H-2A
22 program. *See Int'l Fresh Produce Ass'n v. DOL*, No. 24-309 (S.D. Miss. Nov. 4, 2024); *Kansas v. DOL*,
23 No. 24-76 (S.D. Ga. Oct. 30, 2024). And we filed amicus briefs in support of the workers in several cases
24 challenging a rule that amended the methodology for setting the adverse effect wage rate applicable to the
25 H-2A temporary foreign worker visa program. *See USA Farm Labor, Inc. v. Su*, 2025 WL 586339 (4th
26 Cir. Feb. 24, 2025); *Teche Vermilion Sugar Cane Growers Ass'n, Inc. v. Su*, 749 F. Supp. 3d 697 (W.D.
27 La. 2024); *Fla. Growers Ass'n, Inc. v. Su*, 2024 WL 1343021 (M.D. Fla. Mar. 29, 2024). We have also
28 filed amicus briefs in several cases challenging a 2024 rule designed to protect workers from being

1 wrongfully classified as independent contractors. *See Warren v. DOL*, No. 24-0007 (N.D. Ga. Oct. 7,
2 2024); *Colt & Joe Trucking LLC v. DOL*, No. 24-0391 (D.N.M. Sept. 3, 2024); *Frisard's Transportation*
3 *v. DOL*, No. 24-30223 (5th Cir. Aug. 23, 2024); *Coalition for Workforce Innovation v. Su*, No. 21-00130
4 (E.D. Tex. May 28, 2024); *Littman v. DOL*, No. 24-0194 (M.D. Tenn. Mar. 18, 2024).

5 9. Raising challenges with the potential to help workers in every state, Public Citizen also
6 litigates cases to protect worker health and safety. For example, we represented meatpacking workers and
7 their survivors in the Eighth Circuit in litigation over misconduct that led to an outbreak of COVID-19 at
8 an Iowa plant. *Buljic v. Tyson Foods*, 22 F. 4th 730 (8th Cir. 2021). We filed an amicus brief in similar
9 litigation in the Fifth Circuit in support of Texas poultry workers. *Glenn v. Tyson Foods*, 40 F.4th 230
10 (5th Cir. 2022). In two different cases, we represented unions, on behalf of workers in swine slaughter and
11 poultry processing plants, challenging USDA regulations that increased the line speed without considering
12 the safety of workers. *See UFCW Local No. 663 v. USDA*, 532 F. Supp. 3d 741 (D. Minn. 2021); *UFCW*
13 *Local No. 227 v. USDA*, No. 20-2045 (D.D.C. 2023). In another case, *Public Citizen Health Research*
14 *Group v. Pizella*, 513 F. Supp. 3d 10 (D.D.C. 2021), we challenged OSHA's rescission of a rule requiring
15 submission of workplace injury and illness data.

16 11. Public Citizen has been involved in many cases involving California's Private Attorneys
17 General Act (PAGA). For example, in three recent cases, we filed briefs in opposition to petitions for
18 certiorari seeking review of whether an employee's agreement to arbitrate his or her individual PAGA
19 claim strips the employee of statutory standing to pursue his or her non-individual PAGA claims in court
20 and whether the Federal Arbitration Act preempts California's state-law rule that such an employee retains
21 statutory standing. *See Gregg v. Uber Techs.*, 89 Cal. App. 5th 786 (2023), *cert. denied*, 144 S. Ct. 2656
22 (2024); *Seifu v. Lyft, Inc.*, 89 Cal. App. 5th 1129 (2023), *cert. denied*, 144 S. Ct. 2658 (2024); *Cooley v.*
23 *Servicemaster Co.*, No. 23-15643, 2024 WL 866123 (9th Cir. Feb. 9, 2024), *cert. denied*, 145 S. Ct. 373
24 (2024). We have been involved in many other cases as co-counsel in the Supreme Court seeking to protect
25 lower-court victories for workers in PAGA cases. *See, e.g., Bloomingdale's, Inc. v. Tanguilig*, 138 S. Ct.
26 356 (2017) (denying certiorari); *Bloomingdale's, Inc. v. Vitolo*, 137 S. Ct. 2267 (2017) (denying
27 certiorari); *ABM Indus. Inc. v. Castro*, 137 S. Ct. 82 (2016) (denying certiorari); *Bridgestone Retail*
28 *Operations, LLC v. Brown*, 135 S. Ct. 2377 (2015) (denying certiorari); *Chase Investment Services Corp.*

1 v. *Baumann*, 134 S. Ct. 870 (2014) (denying certiorari); *Ralphs Grocery Co. v. Brown*, 132 S. Ct. 1910
2 (2012) (denying certiorari).

3 12. Public Citizen's litigation also focuses on preserving the ability of workers and consumers
4 to pursue class action and collective remedies, which are essential to the protection of their interests. For
5 example, Public Citizen filed an amicus brief in *Aberin v. American Honda Motor Co., Inc.*, No. 25-3687
6 (9th Cir. Apr. 15, 2026), explaining the importance of awarding adequate attorneys' fees in class actions
7 brought under consumer-protection statutes with fee-shifting provisions intended to incentivize socially
8 beneficial litigation. Public Citizen also works to ensure that class settlements provide real relief to class
9 members, and we have represented objectors seeking to improve such settlements in several cases,
10 including *In re Clearview AI, Inc., Consumer Privacy Litigation*, 181 F.4th 785 (7th Cir. 2026); *Vargas v.*
11 *Ford Motor Co.*, 2020 WL 1164066 (C.D. Cal. Mar. 5, 2020) (granting approval of amended class action
12 settlement following decision, 787 Fed. Appx. 372, vacating approval of earlier settlement agreement,
13 2017 WL 4766677); *Batman v. Facebook, Inc.*, 638 Fed. Appx. 594 (9th Cir. 2016); *Day v. Persels &*
14 *Associates*, 729 F.3d 1309 (11th Cir. 2013); *In re Katrina Canal Breaches*, 628 F.3d 185 (5th Cir. 2010);
15 *True v. American Honda Motor Co., Inc.*, 2010 WL 707338 (C.D. Cal. Feb. 26, 2010); and *In re TD*
16 *Ameritrade Accountholder Litigation*, 266 F.R.D. 418 (N.D. Cal. 2009). Our work in this area reflects our
17 commitment to the view that class settlements should be aimed at providing real value for class members
18 and should minimize obstacles to the realization of those benefits by the class.

19 I declare under penalty of perjury that the foregoing is true and correct.

20 Executed this 10 day of August 2026, in Washington, DC.

21
22 
23 Lisa Gilbert