

Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Max W. Gavron (State Bar No. 291697)
mgavron@diversitylaw.com
Kwanporn “Mai” Tulyathan (State Bar No. 316704)
ktulyathan@diversitylaw.com
Christine S. Lee (State Bar No. 339947)
christine@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

William L. Marder (SBN 170131)
bill@polarislawgroup.com
POLARIS LAW GROUP
501 San Benito Street, Suite 200
Hollister, CA 95023
Telephone: (831) 531-4214
Facsimile: (831) 634-0333

Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN MATEO**

MICHAEL CONNER, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

RED WING BRANDS OF AMERICA,
INC., a Minnesota corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 22CIV03830

[Assigned for all purposes to the Hon. V. Raymond
Swope, Department 23]

**DECLARATION OF KWANPORN “MAI”
TULYATHAN IN SUPPORT OF PLAINTIFF’S
MOTION TO APPROVE SETTLEMENT
AGREEMENT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT**

Date: August 12, 2024
Time: 3:00 P.M.
Dept.: 23

Action Filed: September 20, 2022
Trial Date: Not Set

- 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

I, Kwanporn “Mai” Tulyathan, 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 Plaintiff Michael Conner (“Plaintiff”). 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, Plaintiff's Counsel have zealously represented the interests of Plaintiff and the aggrieved employees. The settlement was obtained for the benefit of the aggrieved employees, as opposed to the individual Plaintiff.

3. I strongly believe that Plaintiff can prevail at trial. However, after taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Settlement Agreement is appropriate and in the best interests of Plaintiff and the aggrieved employees.

4. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Loyola Law School in 2017. I received the First Honors Award in Legal Research and Writing, First Honors Award in Appellate Advocacy, and First Honors Award in Civil Litigation Practicum I for achieving the highest grade in those classes. During law school, I was a Staff Editor for Loyola Law Review. I was also an extern at the U.S. District Court, Central District of California, for the Honorable Christina A. Snyder, and a certified law clerk at the San Diego County District Attorney's Office, Collaborative Courts Division, and the Los Angeles County District Attorney's Office, Consumer Protection and Environmental Crimes Division. In 2016, I participated in Loyola Law School's Scott Moot Court Competition, where I placed Top 16 and was awarded the Top Ten Brief Award. In 2017, I participated in the Employment Rights Clinic, an extension of the Division of Labor Standards Enforcement created to investigate retaliation complaints. Upon graduation from law school, I was admitted to the California Bar in December 2017.

1 5. I am currently an associate at the law firm Diversity Law Group, P.C., an
2 employment law firm that has handled numerous wage and hour class and individual actions, on
3 both plaintiff and defense sides. The firm currently has cases in numerous state courts, including
4 the Santa Clara Superior Court, Los Angeles Superior Court, Orange County Superior Court, San
5 Diego County Superior Court, Monterey County Superior Court, as well as the United States
6 District Courts for the Central, Northern, Southern, and Eastern Districts of California.

7 6. I am currently handling and/or have handled numerous wage and hour class action
8 and PAGA lawsuits.

9 7. In 2018, I argued before the California Court of Appeal, Second Appellate
10 District, in the case of *Lee v. California Commerce Club, Inc.* (California Court of Appeal Case
11 Number B276171, LASC Case Number BC596924), and *Perez v. Standard Drywall, Inc.*
12 (California Court of Appeal Case Number A146819, Alameda Sup. Ct. No. RG15761142). In
13 that same year, I also assisted the firm in successfully obtaining class certification and partial
14 summary judgment by the United States District Court, Northern District of California in the
15 case of *Magadia v. Wal-Mart Associates, Inc.* (Case Number 17-CV-00062-LHK). I third
16 chaired the bench trial in that same case in December 2018.

17 8. I have also been certified and/or approved as class counsel in numerous other
18 wage/hour class actions. Most recently, I was certified as class counsel in the cases *Garcia v.*
19 *Wal-Mart Associates, Inc., et al.* (S.D. Cal., Case Number 3:18-cv-00500-L-MDD), *Richert v.*
20 *Samaritan, LLC, et al.* (Santa Clara County Superior Court, Case Number 17CV314186), *Song v.*
21 *THC – Orange County, Inc.* (C.D. Cal., Case No. 8-17-cv-965-JLS (DFM)), *Hernandez v. Wells*
22 *Fargo Bank National Ass’n, et al* (Santa Clara County Superior Court, Case No. 16-CV-299319),
23 and *Sims v. QG Printing II, LLC, et al.* (C.D. Cal., Case No. ED CV 20-1632-DMG (KKx)), as
24 part of the courts’ orders granting class certification pursuant to Fed. R. Civ. P. 23 and California
25 Code of Civil Procedure § 382.

26 9. Moreover, I was granted final approval as class counsel in *Lao v. H & M Hennes*
27 *& Mauritz, L.P.* (N.D. Cal., Case No. 5:16:cv-333 EJD), *Abarca v. El Estero Car Wash, Inc. et*
28 *al* (Monterey County Superior Court, Case No. 18CV003398), *Valles v. Community Hospital of*

1 *the Monterey Peninsula* (Monterey County Superior Court, Case No. 17CV003452), *Hernandez*
2 *v. Wells Fargo Bank National Ass’n, et al* (C.D. Cal., Case No. 16-CV-299319); *Baker v.*
3 *California Forensic Medical Group, Inc., et al.*, Judicial Council Coordination Proceeding No.
4 4999 (Lead Case No. 17CV003723); *Mendez v. Falcon Trading Company* (Monterey County
5 Superior Court, Case No. 19CV004512).

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

8
9 Executed on this 14th day of June 2024, at Los Angeles, California.

10 

11 _____
Kwanporn “Mai” Tulyathan