

POTTER HANDY LLP

Mark D. Potter (SBN 166317)

mark@potterhandy.com

James M. Treglio (SBN 228077)

jimt@potterhandy.com

100 Pine St., Ste 1250

San Francisco, CA 94111

(858) 375-7385

Fax: (888) 422-5191

DIVERSITY LAW GROUP, P.C.

Larry W. Lee (State Bar No. 228175)

lwlee@diversitylaw.com

Kristen M. Agnew (State Bar No. 247656)

kagnew@diversitylaw.com

515 S. Figueroa St., Suite 1250

Los Angeles, California 90071

(213) 488-6555

(213) 488-6554 facsimile

Attorneys for Plaintiffs and the Aggrieved Employees

*** Additional Counsel on Next Page

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

SAFAA AL AZZAWI, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

C-STORE SERVICES, INC., a California
corporation; and DOES 1 to 100, inclusive

Defendants.

CASE NO.: 20STCV26516

[Assigned for all purposes to the Hon. Kenneth
R. Freeman in Dept. 14]

**DECLARATION OF DAVID D. BIBIYAN
IN SUPPORT OF PLAINTIFFS' MOTION
TO APPROVE SETTLEMENT
AGREEMENT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT**

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

ADDITIONAL COUNSEL

BIBIYAN LAW GROUP, P.C.

David D. Bibiyan (State Bar No. 287811)
david@tomorrowlaw.com
Vedang J. Patel (State Bar No. 328647)
vedang@tomorrowlaw.com
1460 Westwood Boulevard
Los Angeles, California 90024
Telephone: (310) 438-5555
Facsimile: (310) 300-1705

JAMES HAWKINS APLC

James R. Hawkins, Esq. (State Bar No.192925)
James@jameshawkinsaplc.com
Gregory Mauro, Esq. (State Bar No.222239)
Greg@jameshawkinsaplc.com
Michael Calvo, Esq. (State Bar No.314986)
Michael@jameshawkinsaplc.com
Lauren Falk, Esq. (State Bar No.316893)
Lauren@jameshawkinsaplc.com
Ava Issary, Esq. (State Bar No.342252)
Ava@jameshawkinsaplc.com
9880 Research Drive, Suite 200
Irvine, CA 92618
Tel.: (949) 387-7200
Fax: (949) 387-6676

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

2. I submit this declaration in support of Plaintiff's Motion for Approval of Representative Action Settlement. I believe that the Settlement is fair, reasonable, and adequate in light of the probable outcome of further litigation relating to liability and damage issues.

10

11
12
13
14
15

16
17
18
19
20
21
22
23

24

25

26

27

28

1 7. I received my Juris Doctorate from The University of Chicago Law School in 2012.

2 8. After practicing for several years as a member of Cohen & Lord, P.C., practicing
3 in an amorphous range of civil litigation on behalf of both plaintiffs and defendants, I opened up
4 a law firm in 2014 with a concentration in representation of employees against employers to
5 recover unpaid wages and vindicate harassment, discrimination and retaliation in various contexts.

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

11 10. I also created the content for, helped organize, and served as the Moderator for the
12 2023 California Complex Symposium Wage and Hour/PAGA Section, a Continuing Legal
13 Education seminar and forum featuring four respected Judges serving in the Complex Divisions
14 of their respective county Superior Courts. In addition, my firm served as a sponsor of that event.

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

22 12. My firm has the experience, resources, and means necessary to allow us to provide
23 adequate representation as Class Counsel to all class members in this litigation. With
24 approximately 30 attorneys, as well as supporting staff consisting of paralegals and legal
25 assistants, my office has the capacity to represent hundreds of thousands of class members, bring
26 forth efficient resolution of class actions and PAGA actions, engage in complex litigation, file
27 contested motions for class certification, and engage in trial practice.

28 13. My office has filed contested motions for class certification in the past and have

1 been appointed Class Counsel by the Superior Court of California in the past for purposes of
2 certifying a class for settlement purposes. Some examples of Actions in which I was appointed
3 Class Counsel include:

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

6 • *Arenddorff v. Stanley Steamer International, Inc.*, Case No. BC681368, California
7 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos, presiding;

8 • *Barreto v. Don Roberto Jewelers, Inc.*, Case No. BC495451, California Superior Court,
9 County of Los Angeles, Honorable Ann I. Jones, presiding;

10 • *Junior Amilcar Laguna Gonzalez v. Takaaki Koyama*, Case No. BC641998, Los Angeles
11 Superior Court, Honorable Elihu M. Berle, presiding;

12 • *Rios v. Nongshim America, Inc.*, Case No. CIVDS1807390, California Superior Court,
13 County of San Bernardino, Honorable David S. Cohn, presiding;

14 • *Stoddard v. Molded Fiber Glass – West*, Case No. 1517758, California Superior Court,
15 County of San Bernardino, Honorable David S. Cohn, presiding;

16 • *Mata v. Sahara Scaffold, Inc.*, Case No. CIVDS1810785, California Superior Court,
17 County of San Bernardino, Honorable David S. Cohn, presiding;

18 • *Carrasco v. Pure Dental Solutions*, Case No. BC645995, Los Angeles Superior Court,
19 Honorable Kenneth R. Freeman, presiding;

20 • *Gonzalez v. Gochez, et al.*, Case No. BC648729, Los Angeles Superior Court, Honorable
21 Maren Nelson, presiding;

22 • *Montoya v. Superior Paving Co.*, Case No. CIVDS1833422, County of San Bernardino,
23 Honorable David S. Cohn, presiding;

24 • *Lopez v. Norred & Associates, Inc.*, Case No. CIVDS1824109, California Superior
25 Court, County of San Bernardino, David S. Cohn, presiding;

26 • *Noyola v. Lacren, LLC*, Case No. BC717024, California Superior Court, County of Los
27 Angeles, Hon. Anthony Mohr, presiding;

28 • *Luciano, et al. v. O'Tasty Foods, Inc., et al.*, Case No. BC711988, California Superior

1 Court, County of Los Angeles, Honorable Maren Nelson, presiding;
2 • *Gordon v. Hospice Source, LLC*, Case No. 34-2018-00250022-CU-OE-GDS, California
3 Superior Court, County of Sacramento, Honorable Christopher E. Krueger, presiding;
4 • *Barragan v. Refrigeration Supplies Distributor*, Case No. 19STCV09312, California
5 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
6 • *Ramirez v. Acre Gourmet, Inc.*, Case No. CGC-19-575117, California Superior Court,
7 County of San Francisco, Honorable Andrew Y.S. Cheng, presiding;
8 • *Villafuerte v. Bay Alarm Company*, Case No. BC689110, California Superior Court,
9 County of Los Angeles, Honorable Amy D. Hogue, presiding;
10 • *Cazares v. Areas USA LAX, LLC*, Case No. 19STCV08209, California Superior Court,
11 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
12 • *Magana v. Castlerock Environmental, Inc., et al.*, Case No. 19STCV38353, California
13 Superior Court, County of Los Angeles, Honorable Ann I. Jones, presiding;
14 • *Chilel v. Sushi California, Inc.*, Case No. 19STCV08209, California Superior Court,
15 County of Los Angeles, Honorable Ann I. Jones, presiding;
16 • *Malone v. Orange Courier, Inc., et al.*, Case No. 30-2016-00763474, California Superior
17 Court, County of Orange, Honorable Glenda Sanders, presiding;
18 • *Rivera v. Talamo Food Services, Inc.*, Case No. 19CV355856, California Superior Court,
19 County of Santa Clara, Honorable Patricia M. Lucas, presiding;
20 • *Olquin v. Cal Central Harvesting, Inc.*, Case No. 18CV03860, California Superior Court,
21 County of Santa Barbara, Honorable James F. Rigali, presiding;
22 • *Pence v. Sober Living by the Sea, Inc.*, Case No. 2018-00988742, California Superior
23 Court, County of Orange, Honorable Randall J. Sherman, presiding;
24 • *Franco v. Vincent Rags, Inc.*, Case No. 20STCV07768, California Superior Court,
25 County of Los Angeles, Honorable Ann I. Jones, presiding;
26 • *Cabral v. Miller Castings, Inc.*, Case No. 19STCV39556, California Superior Court,
27 County of Los Angeles, Honorable Carolyn B. Kuhl, presiding;
28 • *Bolanos v. Texas Roadhouse, Inc.*, Case No. 19STCV39556, California Superior Court,

1 County of Los Angeles, Honorable Sunshine Sykes, presiding;
2 • *Rodriguez v. Scott A. Humphreys, Inc.*, Case No. 30-2021-01184556-CU-OE-CXC,
3 California Superior Court, County of Ventura, Honorable Matthew P. Guasco, presiding; and
4 • *Torres v. Primal Pet Foods, Inc.* Case No. FCS054783, California Superior Court,
5 County of Solano, Honorable Wendy G. Getty, presiding;
6 • *Hanson v. Zapata Nuccio, Inc.*, Case No. 20STCV28951, California Superior Court,
7 County of Los Angeles, Honorable Elihu M. Berle, presiding;
8 • *Molina v. Avibank Mfg, Inc.*, Case No. 20STCV03910, California Superior Court,
9 County of Los Angeles, Honorable John P. Doyle, presiding;
10 • *Cetina v. Lawry's Restaurants, Inc.*, Case No. 19STCV05201, California Superior Court,
11 County of Los Angeles, Honorable Amy D. Hogue, presiding;
12 • *Luna v. Pronto California General Agency, LLC*, Case No. 19STCV39951, California
13 Superior Court, County of Los Angeles, Honorable Elihu M. Berle, presiding;
14 • *Alvarez v. Kazak-Mars, Inc.*, Case No. 20STCV42587, California Superior Court,
15 County of Los Angeles, Honorable Elihu M. Berle, presiding;
16 • *Noe v. My Pillow, Inc.* Case No. CIVDS 2011360, California Superior Court, County of
17 San Bernardino, Honorable David Cohn, presiding;
18 • *Nunez v. 2751 West Coast Acquisition Company*, Case No. 30-2020-01145215-CU-
19 OE-CXC, California Superior Court, County, County of Orange, Honorable Randall J. Sherman,
20 Presiding;
21 • *Smith v. McMillen Enterprises, Inc.*, Case No. CV-20-002938, California Superior Court,
22 County of Stanislaus, Honorable John R. Mayne, presiding;
23 • *Turner v. Plant Prefab Inc., et al.*, Case No. CIVDS2017517, California Superior Court,
24 County of San Bernardino, Honorable David Cohn, presiding;
25 • *Duran v. Fresh Select, LLC*, Case No. VCU284892, California Superior Court, County
26 of Tulare, Honorable Bret Hillman, presiding;
27 • *Reynoso, et al. v. Cream of the Crop AG Service, Inc.*, Case No. VCU278847, California
28 Superior Court, County of Tulare, Honorable Bret Hillman, presiding;

1 • *Michel v. Universal Waste Systems, Inc.*, Case No. 19STCV46181, California Superior
2 Court, County of Los Angeles, Honorable David S. Cunningham presiding;
3 • *Jungers v. U.S. Borax Inc., et al.*, Case No. BCV-21-10003, California Superior Court,
4 County of Kern, Honorable Bernard C. Barmann Jr. presiding;
5 • *Fortune v. Amoroso Limited Partnership, et al.*, Case No. 20STCV25874, California
6 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
7 • *Montoya, et al. v. Remo, Inc.* Case No. 20STCV34614, California Superior Court,
8 County of Los Angeles, Honorable Maren Nelson presiding;
9 • *Rincon, et al. v. New-Indy Tripaq, LLC, et al.* Case No. 20STCV17118, California
10 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
11 • *De Leon, et al. v. Wismettac Asian Foods, Inc.* Case No. 19STCV18172, California
12 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
13 • *Tapia v. Mercer Foods, Inc.* Case No. CV-21-000020, California Superior Court,
14 County of Stanislaus, Honorable Sonny S. Sandhu presiding;
15 • *Molina v. Reser's Fine Foods, Inc.* Case No. 37-2021-00013052-CU-OECTL, California
16 Superior Court, County of San Diego, Honorable Eddie C. Sturgeon presiding;
17 • *Reyes v. Imperial Sprinkler Supply, Inc.* Case No. 30-2020-01167748-CU-OE-CXC,
18 California Superior Court, County of Los Angeles, Honorable Peter Wilson presiding;
19 • *Zavala, et al. v. PLS Check Cashers, Inc.* Case No. 20STCV42586, California Superior
20 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
21 • *Paz v. Hill Brothers Chemical Company.* Case No. 20STCV48279, California Superior
22 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
23 • *Garcia v. Inwesco Incorporated.* Case No. 20STCV46833, California Superior Court,
24 County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
25 • *Guevara v. J&K Culver, LLC, et al.* Case No. 19STCV39951, California Superior Court,
26 County of Los Angeles, Honorable Elihu M. Berle presiding;
27 • *Hamilton v. Michael Kors Stores, Inc. et al.*, Case No. 19STCV37061, California
28 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;

1 • *Arzooian v. A&M Administration, LLC, et al.* Case No. 21STCV05576, California
2 Superior Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
3 • *Santos, et al. v. Maruzen of America, Inc.*, Case No. 19STCV37662, California Superior
4 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
5 • *Schaffino v. M.O. Dion & Sons., Inc., et al.*, Case No. 20STCV38023, California Superior
6 Court, County of Los Angeles, Honorable Gail Killefer presiding;
7 • *Moreno v. Santa Paula Post Acute, LLC, et al.* Case No. 21STCV12533, California
8 Superior Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
9 • *Singer v. Desert Area Resources and Training*, Case No. BCV-21-101093, California
10 Superior Court, County of Kern, Honorable Thomas S. Clark presiding;
11 • *Clarizio v. Guard-Systems, Inc.*, Case No. 21STCV28667, California Superior Court,
12 County of Los Angeles, Honorable Armen Tamzarian presiding;
13 • *Guzman v. Freschco Painters, Inc.*, Case No. 21STCV04683, California Superior Court,
14 County of Los Angeles, Honorable Lawrence P. Riff presiding;
15 • *Koutny v. PAE Aviation and Technical Services, LLC*, Case No. 21C-0106, California
16 Superior Court, County of Kings, Honorable Melissa R. D’Morias presiding;
17 • *Rodriguez v. Pacifica Trucks, LLC*, Case No. 20STCV37576, California Superior Court,
18 County of Los Angeles, Honorable Stuart Rice presiding;
19 • *Ramos v. AEGIS Treatment Centers, LLC*, Case No. 20STCV41429, California Superior
20 Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
21 • *Valdez v. Integrated Building Services, Inc.* Case No. 20STCV37793, California Superior
22 Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
23 • *Harris v. America One Security, Inc.* Case No. 21STCV01399, California Superior
24 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
25 • *Moreno v. M&J Seafood Company, Inc.* Case No. 22STCV03341, California Superior
26 Court, County of Los Angeles, Honorable William F. Highberger presiding;
27 • *Corrales v. Q&B Foods, Inc.* Case No. 20STCV40885, California Superior Court,
28 County of Los Angeles, Honorable Elihu Berle presiding;

1 • *Arteaga v. Demolition Specialist, Inc.* Case No. RIC2001133, California Superior Court,
2 County of Riverside, Honorable Harold Hopp presiding;
3 • *Vigil, et al. v. Capstone Turbine Corporation*, Case No. 20STCV32123, California
4 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
5 • *Ramirez v. Sea-Win, Inc.* Case No. 21STCV22026, California Superior Court, County
6 of Los Angeles, Honorable Lawrence P. Riff presiding;
7 • *Ortega Chavez v. Winpak Lane, Inc.* Case No. CIVSB2207313, California Superior
8 Court, County of San Bernardino, Honorable Jessica Morgan presiding;
9 • *Garcia v. American Licorice Company.* Case No. RG21107049, California Superior
10 Court, County of Alameda, Honorable Brad Seligman presiding;
11 • *Madrono v. Vitale Nursing, Inc, et al.*, Case No. 21STCV09845, California Superior
12 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding; and
13 • *Orellana v. Advanced Building Maintenance.* Case No. 34-2020-00286791-CU-OE-
14 GDS, California Superior Court, County of Sacramento, Honorable Jill Talley presiding.
15 • *Aguilar v. Bioness, Inc., et al.*, Case No. 21STCV41702, California Superior Court,
16 County of Los Angeles, Honorable Lawrence P. Riff presiding;
17 • *Antoine v. Pinky Beverly Hills, LLC., et al.* Case No. 19STCV44856, California
18 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
19 • *Phambui v. Fashion Marketing and Merchandising Group, Inc., et al.* Case No.
20 21STCV06634, Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
21 • *Ortega Chavez v. Winpak Lane, Inc., et al.* Case No. CIVSB2202274, California
22 Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
23 • *Carrasco v O.H. Barkhordar D.D.S., Inc., et al.* Case No. 22STCV21188, California
24 Superior Court, County of Los Angeles, Honorable Lawrence Riff presiding;
25 • *Correia v. Gallo Glass Company, et al.* Case No. CV-21-006459, California Superior
26 Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
27 • *Davis v. Beeline Import and Services, LLC, et al.* Case No. CIVSB2119287, California
28 Superior Court, County of San Bernardino, Honorable David Cohn presiding;

- 1 • *Angel Lopez v Innovative Coatings Technology Corporation dba Incotec, et al.* Case No.
2 30-2020-01173245-CU-OE-CXC, California Superior Court, County of Orange, Honorable Lon
3 Hurwitz presiding;
- 4 • *Lopez v UPM, Inc., et al.* Case No. 20STCV36695, California Superior Court, County of
5 Los Angeles, Honorable Lawrence P. Riff presiding;
- 6 • *Moreno v. Infiniti Group LLC., et al.* Case No. CIVSB2223551, California Superior
7 Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;
- 8 • *Kelley v. Applus Technologies, Inc., et al.* Case No. CIVSB2204889, California Superior
9 Court, County of San Bernardino, honorable Jessica Morgan presiding;
- 10 • *Hernandez v Bromley Foods, Inc., et al.* Case No. 56-2021-00561326-CU-OE-VTA,
11 California Superior Court, County of Ventura, Honorable Henr Walsh presiding;
- 12 • *Heredia v. Alan Smith Pool Plastering, Inc., et al.* Case No. 30-2020-01163609-CU-OE-
13 CXC, California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;
- 14 • *Martinez Guzman v Freshco Painters Inc., et al.* Case No. 21STCV04683, California
15 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
- 16 • *Gomez Mireles v. USG Ceilings Plus, LLC., et al.* Case No. 21STCV45606, California
17 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
- 18 • *Garzon v. Mobile Hi-Tech Wheels, LLC., et al.,* Case No. 21STCV15396, California
19 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- 20 • *Dethrasavong v. ASI Computer Technologies, Inc., et al.* Case No. 20STCV32312,
21 California Superior Court, County of Contra Costa, Honorable Kenneth R. Freeman presiding;
- 22 • *Lopez v. Waldorf Astoria Management LLC., et al.* Case No. 20STCV17212, California
23 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
- 24 • *Viveros v. Mission Produce, Inc., et al.* Case No. 20STCV15737, California Superior
25 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
- 26 • *Flores v. United Maintenance Company, Inc., et al.* Case No. 21STCV07008, California
27 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;
- 28 • *Blandi v. Francesca Restaurant, LLC., et al.* Case No. 37-2022-00049034-CU-OE-CTL,

1 California Superior Court, County of San Diego, Honorable Marcella O. McLaughling presiding;
2 • *Lopez Cabrera v. South Valley Almond Company, LLC, et al.* Case No. BCV-2-100722,
3 California Superior Court, County of Kern, Honorable Bernard C. Barmann, Jr. presiding;
4 • Guillermo Cruz v. Alma Family Serives, et al. Case No. 21STCV18156, California
5 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;
6 • Davood v. NKSFB, LLC, et al. Case No. 22STCV17305, California Superior Court,
7 County of Los Angeles, Honorable Christopher K. Lui presiding;
8 • Ferrer v. Ineos USA, LLC., et al., Case No. 21STCV28076, California Superior Court,
9 County of Los Angeles, Honorable Elihu M. Berle presiding;
10 • Portillo Sanchez v. Paragon Services Janitorial Orange County, LLC, et al. Case No.
11 20STCV38562, California Superior Court, County of Los Angeles, Honorable William F.
12 Highberger presiding;
13 • Trigueros Garcia v. Highland Plastics, Inc., et al., Case No. CVRI2202836, California
14 Superior Court, County of Riverside, Honorable Harold Hopp presiding;
15 • Magana Ramirez v. 360 Support Services, et al. Case No. 22STCV20456, California
16 Superior Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
17 • Morales v. Baldy's Restaurant Group, LLC., et al. Case No. 20STCV36535, California
18 Superior Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;
19 • Gonzales v. El Monte Rents, Inc., et al. Case No. 21STCV10209, California Superior
20 Court, County of Los Angeles, Honorable Stuart M. Rice presiding;
21 • Gonzalez v. Total Education Solutions, Inc., et al. Case No. 20STCV37984, California
22 Superior Court, County of Los Angeles, Honorable Maren Nelson presiding;
23 • Helaire v. Smithfield Packaged Meats Corp, et al. Case No. JCCP5244, California
24 Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding; Hernandez v.
25 Central Valley Recovery Services, et al. Case No. VCU290220, California Superior Court, County
26 of Tulare, Honorable Brett Hillman presiding;
27 • Hernandez v. SC Commercial, LLC, et al. Case No. 30-2020-01166961-CU-OE-CXC,
28 California Superior Court, County of Orange, Honorable Lon Hurwitz presiding;

1 • *Hines v. Constellis Integrated Risk Management Services, et al.* Case No.
2 20STCV26962, California Superior Court, County of Los Angeles, Honorable Christopher K. Lui
3 presiding;

4 • *Moya v. Valassis Direct Mail, Inc., et al.* Case No. 21STCV09412, California Superior
5 Court, County of Los Angeles, Honorable Stuart Rice presiding;

6 • *Jordan v. The Martin-Brower Company, LLC, et al.*, Case No. 21STCV41435, California
7 Superior Court, County of Los Angeles, honorable Stuart Rice presiding;

8 • *Juarez v. Calmet Services, Inc., et al.* Case No. 21STCV33668, California Superior
9 Court, County of Los Angeles, Honorable Kenneth R. Freeman presiding;

10 • *Mcintosh v. WWL Vehicle Services Americas Inc., et al.* Case No. 56-2022-00562544-
11 CU-OE-VTA, California Superior Court, County of Ventura, Honorable Benjamin Coats
12 presiding;

13 • *Mendoza v. Amusement Industry, Inc., et al.* Case No. 21STCV09790, California
14 Superior Court, County of Los Angeles, Honorable Carolyn B. Kuhl presiding;

15 • *Moore v. Dnata US Inflight Catering LLC, et al.* Case No. CGC-20-586512, California
16 Superior Court, County of San Francisco, Honorable Curtis Karnow presiding;

17 • *Peterson v. Sorenson Engineering, Inc., et al.* Case No. CIVDS2023994, California
18 Superior Court, County of San Bernardino, Honorable David Cohn presiding;

19 • *Torres v. Laurel Avenue, LLC, et al.* Case No. CIVSB2202708, California Superior
20 Court, County of San Bernardino, Honorable David Cohn presiding;

21 • *Nunley v. Cardinal Logistics Management Corporation et al.* Case No. CIVSB2210430,
22 California Superior Court, County of San Bernardino, Honorable Joseph T. Ortiz presiding;

23 • *Pastrana v. National Sign & Marketing Corporation et al.* Case No. CIVSB2118749,
24 California Superior Court, County of San Bernardino, Honorable David Cohn presiding;

25 • *Pineda v. Grand Life, Inc., et al.* Case No. 21STCV28066, California Superior Court,
26 County of Los Angeles, Honorable Elihu M. Berle presiding;

27 • *Pattingale v. Laird Family Estate, LLC et al.* Case No. 22CV000048, California Superior
28 Court, County of Napa, Honorable Cynthia P. Smith presiding;

1 • *Ramirez v. Sea Win, Inc., et al.* Case No. 21STCV22026, California Superior Court,
2 County of Los Angeles, Honorable Lawrence P. Riff presiding;

3 • *Reategui v. Cal Building & Maintenance Industries, Inc.,* Case No. 20STCV39648,
4 California Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;

5 • *Rodriguez v. ACRA Aerospace, LLC, et al.* Case No. 30-2020-01171360-CU-OE-CXC,
6 California Superior Court, County of Orange, Honorable Randall J. Sherman presiding;

7 • *Rodriguez v. Ultra Pro International LLC, et al.* Case No. 21STCV11250, California
8 Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding;

9 • *Ruiz v. Kleen Harvest, Inc., et al.* Case No. 21CV002319, California Superior Court,
10 County of Monterey, Honorable Thomas W. Wills presiding;

11 • *Roberto Ruiz v. Protech Delivery and Installation et al.* Case No. 21STCV07001,
12 California Superior Court, County of Los Angeles, Honorable Stuart M. Rice presiding;

13 • *Russell v. CIMC Reefer Trailer, Inc., et al.* Case No. RIC2001777, California Superior
14 Court, County of Riverside, Honorable Harld Hopp presiding;

15 • *Russell v. Staffmark Investment LLC, et al.* Case No. CVRI12103921, California
16 Superior Court, County of Riverside, Honorable Harold Hopp presiding;

17 • *Quintanilla et al. v. Chrome Hearts LLC, et al.* Case No. 21STCV43180, California
18 Superior Court, County of Los Angeles, Honorable Elihu B. Berle presiding;

19 • *Taat v. Acell, Inc., et al.* Case No. 37-2022-00005437-CU-OE-CTL, California Superior
20 Court, County of San Diego, Honorable Matthew C. Braner presiding;

21 • *Todd v. Motivate, LLC, et al.* Case No. CGC-23-605052, California Superior Court,
22 County of San Francisco, Honorable Anne- Christine Massullo presiding;

23 • *Turner Sr., v. The Sidewalk Café, Inc., et al.* Case No. 21STCV10154, California
24 Superior Court, County of Los Angeles, Honorable William F. Highberger presiding;

25 • *Vargas-Flores v. Harbor Bay Club, Inc., et al.* Case No. 21CV002396, California
26 Superior Court, County of Alameda, Honorable Michael Markman presiding;

27 • *Vasquez v. Liquid Technologies, Inc., et al.* Case No. CIVDS2023892, California
28 Superior Court, County of San Bernardino, Honorable Joseph Ortiz presiding;

1 • *Vasquez et al. v. Kingswood LLC, et al.*, Case No. 20STCV32123, California Superior
2 Court, County of Los Angeles, Honorable Lawrence P. Riff presiding;
3 • *Sandoval Villafana v. Satco, Inc., et al.* Case No. 21STCV17085, California Superior
4 Court, County of Los Angeles, Honorable Yvette M. Palazuelos presiding;
5 • *Williams v. Marrs Services, Inc., et al.* Case No. 21STCV23775, California Superior
6 Court, County of Los Angeles, Honorable Stuart M. Stuart presiding;
7 • *Low v. Triple Canopy, Inc., et al.* Case No. 37-2023-0007078-CU-OE-CTL, California
8 Superior Court, County of San Diego, Honorable Carolyn Caietti presiding;
9 • *Camacho v. Premium Electric Corp, et al.* Case No. 22STCV26878, California Superior
10 Court, County of Los Angeles, Honorable David S. Cunningham presiding;
11 • *Lopez v. Bachem Americas, Inc., et al.* Case No. 23STCV04258, California Superior
12 Court, County of Los Angeles, Honorable Laura Seigle presiding;
13 • *Mendoza Cendejas v. E. & J. Gallo Winery, et al.* Case No. CV-22-005396, California
14 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
15 • *Romero v. Armstrong Installation Service, et al.* Case No. 22CV022519, California
16 Superior Court, County of Alameda, Honorable Noel Wise presiding;
17 • *Perez v. D&G Restaurants, LLC, et al.* Case No. 30-2021-01209638-CU-OE-CXC,
18 California Superior Court, County of Orange, Honorable Peter Wilson presiding;
19 • *Sarmiento, et al. v. Neil Jones Food Company* Case No. 21CECG03825, California
20 Superior Court, County of Fresno, Hon. Kristi Culver Kapetan presiding; and
21 • *Garcia v. Nature Fresh Farms, LLC, et al.* Case No. ECU001961, California Superior
22 Court, County of Imperial, Honorable Jeffery B. Jones presiding.

23 14. I have also settled matters on a “PAGA Only” basis for aggrieved employees in the
24 past, including in:

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

1 • *Sierra v. Nexem-Allied, LLC*, Case No. 20STCV11281, California Superior Court,
2 County of Los Angeles, Honorable Randolph M. Hammock, presiding;
3 • *Nodal v. Sodexo, Inc.*, Case No. 20STCV40601, California Superior Court, County of
4 Los Angeles, Honorable Lawrence Riff, presiding; and
5 • *Cooper v. Lucas Health Partners*, Case No. 20STCV20050, California Superior Court,
6 County of Los Angeles, Honorable Maren Nelson, presiding;
7 • *Herrera v. Greystar Management, LP, et al.*, Case No. 37-2020-00009672-CU-OE-CTL,
8 California Superior Court, County of San Diego, Honorable Carolyn Caietti, presiding;
9 • *Slater v. Jo-Ann Stores, LLC.*, Case No. 21STCV18454, California Superior Court,
10 County of Los Angeles, Honorable Maurice A. Leiter, presiding;
11 • *Bolanos v. Canoga Park Heating & Air Conditioning, Co., Inc.*, Case No. 21STCV12674,
12 California Superior Court, County of Los Angeles, Honorable Yolanda Orozco, presiding;
13 • *Granados v. Cosmetic Ideas, Inc.* Case No. 21STCV10797, California Superior Court,
14 County of Los Angeles, Honorable Richard L. Fruin, presiding;
15 • *Ruano v. DPC Woodwork, Inc.* Case No. 21STCV00408, California Superior Court,
16 County of Los Angeles, Honorable Jon R. Takasugi presiding;
17 • *Hardy v. Texas Roadhouse Management Corp., et al.* Case No. CIVSB2222259,
18 California Superior Court, County of San Bernardino, Honorable Jessica Morgan presiding;
19 • *Iraheta v Legacy Farmers, Inc., et al.* Case No. MSC21-00762, California Superior
20 Court, County of Los Angeles, Honorable Charles S. Treat presiding;
21 • *Landin v Central Janitors' Supply Co., Inc., et al.* Case No. CV-21-006391, California
22 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
23 • *Bailey v. Cannon Constructors, et al.* Case No. 21STCV38274, California Superior
24 Court, County of Los Angeles, Honorable Carolyn Kuhl presiding;
25 • *Johns, et al. v. Whelan Security of California, Inc., et al.* Case No. 22STCV68687,
26 California Superior Court, County of Los Angeles, Honorable Laura Seigle presiding;
27 • *Carrion v. Clutter, Inc., et al.* Case No. 23STCV06709, California Superior Court,
28 County of Los Angeles, Honorable Kerry Bensinger presiding;

1 • *Delia v. The Irvine Company, LLC, et al.* Case No. 30-2019-01050823-CU-OE-CXC,
2 California Superior Court, County of Orange, Honorable William D. Claster presiding;
3 • *Landin v. Central Janitor's Supply Co., Inc., et al.* Case No. CV-21-006391, California
4 Superior Court, County of Stanislaus, Honorable Sonny S. Sandhu presiding;
5 • *German Vaca et al., v. California Pizza Kitchen, Inc., et al.* Case No. 30-2022-01278828-
6 CU-OE-CXC, California Superior Court, County of Orange, Honorable Randall Sherman
7 presiding;
8 • *London Young v. Amazon.com LLC, et al.* Case No. 21STCV38280, California Superior
9 Court, County of Los Angeles, Honorable Elaine Lu presiding;
10 • *Martinez v. Dick's Sporting Goods, Inc., et al.* Case No. 22STCV17283, California
11 Superior Court, County of Los Angeles, Honorable Armen Tamzarian presiding;
12 • *Latrice Ackles v. Brinker Restaurant Corporation, et al.* Case No. 22STCV19068,
13 California Superior Court, County of Los Angeles, Honorable Gail Killefer presiding; and
14 • *Ruiz v. Edelbrock Foundry, LLC, et al.* Case No. 20STCV19057, California Superior
15 Court, County of Los Angeles, Honorable David S. Cunningham presiding.
16 15. Furthermore, my office has succeeded in certifying classes in contested motions for
17 class certification. Some of the classes and theories we have certified include, without limitation,
18 for failure to pay the regular rate of pay; failing to pay overtime and minimum wages, including,
19 without limitation, for temperature checks; failure to provide meal and rest premiums, including,
20 without limitation, for requiring employees to walk during breaks; failure to timely pay wages
21 prior to separation of employment; wage statement violations; and unfair competition. Some
22 examples of matters in which we have done so include, without limitation:
23 • *Hernandez, et al. v. C.R. Lawrence Co., Inc.,* Case No. 20STCV32372, California
24 Superior Court, County of Los Angeles, Hon. William Highberger presiding; and
25 • *Lopez v. Rolling Hills Country Club,* Case No. 21STCV22636, California Superior
26 Court, County of Los Angeles; Hon. Carolyn B. Kuhl presiding; and
27 • *Torres v. Johnston Nurseries, FLP,* Case No. BCV-19-100830 TSC, California Superior
28 Court, County of Kern; Hon. Thomas S. Clark, presiding.

1 16. Currently, my firm is acting as counsel in tens of wage and hour class actions and
2 representative PAGA actions.

3 17. I believe that I am sufficiently experienced and qualified to evaluate the aggrieved
4 employees claims and viability of Defendants' defenses.

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

15 19. On May 16, 2025, my office submitted a copy of the Motion for Approval and
16 Settlement Agreement to the LWDA.

17 **Litigation Expenses Incurred by BIBIYAN LAW GROUP, P.C.**

18 20. My firm requests only \$6,795.97 in total for costs incurred.

19 21. The itemized costs incurred by Bibiyan Law Group, P.C., in the above-referenced
20 matter total \$6,795.97 as follows:

21	(1) Filing and Messenger Fees	\$3,376.45
22	(2) LWDA Filing Fee	\$75.00
23	(3) Mediation	\$3,000.00
24	(4) Case Document Purchase	\$162.00
25	(5) Service of Process	\$93.50
26	(6) Postage / FedEx	\$71.25

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

(7) Photocopies (86 x \$0.20) \$17.20

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct this 16th day of May 2025, at Los Angeles, California.

/s/ David D. Bibyan

David D. Bibyan

EXHIBIT 1



BIBIYAN LAW GROUP, P.C.

8484 Wilshire Blvd., Suite 500
Beverly Hills, California, 90211
310.438.5555 T
310.300.1705 F
www.employmentlawyerla.com

December 15, 2022

PAGA NOTICE FILED ELECTRONICALLY

Re: Notice Letter of Teresa Bustos on Behalf of Herself and
Aggrieved Employees Under California Labor section 2699.3

Employer:	Stations Service, Inc. 2860 N. Santiago Blvd. Orange, California 92867	C-Store Services, Inc. 2860 N Santiago Blvd Orange, California 92867
	Hassan & Sons, Inc. 2860 N. Santiago Blvd. Orange, California 92867	H&S Energy, LLC 2860 N. Santiago Blvd. Orange, California 92867
	Colonial Energy, LLC 2860 N. Santiago Blvd. Orange, California 92867	

To Whom It May Concern:

This letter shall constitute notice under Labor Code section 2699.3 (hereinafter “PAGA Notice”). The \$75 filing fee for the PAGA Notice was paid online by credit card at the time this PAGA Notice was submitted online to the Department of Industrial Relations.

This PAGA Notice concerns Teresa Bustos (“Employee”) employment with Employee’s former employers: Stations Service, Inc.; Hassan & Sons, Inc.; and C-Store Services, Inc. Employee was employed as a non-exempt employee of Stations Service, Inc.; Hassan & Sons, Inc.; and C-Store Services, Inc. with duties that included, but were not limited to, washing and drying cars from approximately March of 2016 and through approximately March of 2022. In connection with the alleged claims for failure to comply with Labor Code section 6409.6, Labor Code section 2810.5, Labor Code section 203, Labor Code section 226, Labor Code section 246, *et seq.*, Labor Code section 432, Labor Code section 1198.5, Labor Code section 2802, restraints on competition, whistleblowing and freedom of speech, Employee seeks to represent all employees of Stations Service, Inc.; Hassan & Sons, Inc.; And C-Store Services, Inc. and each of them, as well as their parents, subsidiaries and affiliates (hereinafter, collectively, “Employer”). On all other claims mentioned herein, Employee seeks to represent only non-exempt employees of Employer.

Employee and other aggrieved employees are covered by Labor Code section 510 and applicable Wage Orders. Employee is informed and believes, and based thereon alleges, that Employer had and has a policy or practice of requiring its employees to work more than eight (8) hours per day, forty (40) hours per week, and/or seven (7) straight workdays in a workweek without paying them proper overtime wages, as a result of, without limitation, failing to accurately track and/or pay for all minutes actually worked; engaging, suffering, or permitting employees to work off the clock, including, without limitation, by requiring employees: to come early to work and leave late work without being able to clock in for all that time, to suffer under Employer's control due to long lines for clocking in, to complete pre-shift tasks before clocking in and post-shift tasks after clocking out, to clock out for meal periods and continue working, to clock out for rest periods, to don and doff uniforms and/or safety equipment off the clock, to attend company meetings off the clock, to make phone calls or drive off the clock, and/or go through security screenings and/or temperature checks off the clock; failing to include all forms of remuneration, including non-discretionary bonuses, incentive pay, meal allowances, mask allowances, gift cards and other forms of remuneration into the regular rate of pay for the pay periods where overtime was worked and the additional compensation was earned for the purpose of calculating the overtime rate of pay; detrimental rounding of employee time entries, editing and/or manipulation of time entries to show less hours than actually worked, and for paying straight pay instead of overtime pay to the detriment of Employee and other aggrieved employees. Consequently, Employee is informed and believes, and based thereon alleges, that Employer violated Labor Code sections 510, 1194, and applicable Wage Orders based on its practice of providing total compensation that is less than the required legal overtime compensation for the overtime worked, entitling Employee and other aggrieved employees to damages. Employer would also be liable for civil penalties pursuant to Labor Code sections 558 and 2699.

Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of failing to compensate Employee and other aggrieved employees with minimum wages for all hours worked or otherwise under Employer's control as a result of, without limitation, failing to accurately track and/or pay for all minutes actually worked; engaging, suffering, or permitting employees to work off the clock, including, without limitation, by requiring employees: to come early to work and leave late work without being able to clock in for all that time, to suffer under Employer's control due to long lines for clocking in, to complete pre-shift tasks before clocking in and post-shift tasks after clocking out, to clock out for meal periods and continue working, to clock out for rest periods, to don and doff uniforms and/or safety equipment off the clock, to attend company meetings off the clock, to make phone calls or drive off the clock; detrimental rounding of employee time entries; editing and/or manipulation of time entries to show less hours than actually worked; and failing to pay split shift premiums. In addition, Employee and other aggrieved employees were required to report to work, and did report, but were not put to work and/or were furnished less than half their usual or scheduled day's work without being paid for half the usual or scheduled work at their regular rate of pay. As such, Employee is informed and believes, and based thereon alleges, that Employer violated, without limitation, Labor Code sections 221, 223, 1197, 1182.12, Cal. Code Regs, title 8, section 110404(5)(A), and applicable Wage Orders based on its continued failure to pay minimum wages for all hours worked, entitling Employee and other aggrieved employees to actual and liquidated

damages under, without limitation, Labor Code sections 1194 and 1194.2. Employer would also be liable for civil penalties pursuant to Labor Code sections 558, 1197.1, and 2699.

Employee is informed and believes, and based thereon alleges, that Employer had and has a policy or practice of compelling its employees to work in excess of five (5) and ten (10) hours per day without being afforded uninterrupted, timely, and complete 30-minute meal periods or compensation in lieu thereof including, without limitation: by interrupting meal periods; not providing timely meal periods; failing to provide first and second meal periods; providing short meal periods; requiring that employees carry cellular telephones or walkie-talkies during meal periods; not permitting employees to leave the premises; otherwise requiring on-duty/on-call meal periods; and auto-deducting meal periods that could not be auto-deducted by law or during which employees worked. Consequently, Employee is informed and believes, and based thereon alleges, that Employer violated Labor Code section 512, entitling Employee and other aggrieved employees to premium payments under Labor Code section 226.7. However, Employee is informed and believes that those premium payments under Labor Code section 226.7 were not made, either, for these non-compliant meal periods, either at all or at the proper regular rate of pay. Employer would thus be liable for civil penalties pursuant to Labor Code sections 558 and 2699 for both failing to authorize the taking of compliant meal periods, as well as for failing to provide premium pay under Labor Code section 226.7.

Employee is informed and believes, and based thereon alleges, that Employer maintains policies or practices of compelling its non-exempt employees, including, without limitation, Employee, to work over four-hour periods (or major fractions thereof) without authorizing and permitting Employee and other aggrieved employees to take uninterrupted, timely, and complete ten-minute rest periods in which the employees are completely relieved of all of their duties, including, without limitation: by failing to provide rest periods all together; requiring that they be bundled together and/or with meal periods; interrupting them; requiring that employees carry cellular telephones or walkie-talkies during rest periods not providing them in a timely fashion; and not permitting employees to leave the premises; and otherwise requiring on-duty/on-call rest periods. As such, Employee is informed and believes, and based thereon alleges, that Employee and other aggrieved employees are entitled to relief under, without limitation, Labor Code section 226.7. However, Employee is informed and believes that those premium payments under Labor Code section 226.7 were not made, either, for these non-compliant rest periods, either at all or at the proper regular rate of pay. Employer would thus be liable for civil penalties pursuant to Labor Code sections 558 and 2699 for both failing to authorize the taking of compliant rest periods, as well as for failing to provide premium pay under Labor Code section 226.7.

In addition to the above, Employee is informed and believes, and based thereon alleges that Employer failed and continue to fail to keep adequate or accurate time records including wage statements and similar payroll documents under Labor Code section 226, documents signed to obtain or hold employment under Labor Code section 432, personnel records under Labor Code section 1198.5, and time records under Labor Code section 1174, making it difficult for Employee and other aggrieved employees to calculate their unpaid wages and/or premium payments. Employer also failed to provide these documents to Employee and other aggrieved employees

upon request. This would entitle Employee and other aggrieved employees to penalties prescribed by Labor Code sections 226 and 1198.5. Employer would also be liable for civil penalties pursuant to Labor Code sections 558, 1174.5 and 2699.

As a result of, among other things, Employer's herein-described policy or practice of failing to: accurately record time; failing to pay overtime and minimum wages; provide meal periods; provide rest periods; and provide compensation in lieu of meal or rest periods; as described above, Employee is informed and believes, and based thereon alleges, that Employer also intentionally failed and continues to fail to furnish aggrieved employees, including, without limitation, Employee, with itemized wage statements that accurately reflect: gross wages earned; total hours worked by the employee; net wages earned; all deductions; all applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee; the legal name and address of the other; and other such information as required by Labor Code section 226, subdivision (a). Specifically, Employer intentionally failed to furnish employees with itemized wage statements that accurately reflect the hours worked by Employee and other aggrieved employees and the rates of pay at which they were or should have been paid (including due to failure to pay at the proper regular rate), thus resulting in a failure to reflect gross and net wages earned and paid at each rate, as well. Consequently, since Employer would have failed to comply with Labor Code section 226, subdivision (a), Employee and other aggrieved employees would be entitled to recover penalties under, without limitation, Labor Code section 226, subdivision (e). Employer would also be liable for civil penalties pursuant to Labor Code sections 226.3, 558, and 2699.

Employee is informed and believes, and based thereon alleges, that Employer also failed and refused, and continue to fail and refuse, to timely pay compensation to Employee and other terminated or resigned employees, including but not limited to, all overtime wages owed; all minimum wages owed; and all premium pay owed as set out above, including, without limitation, for failure to pay at the proper regular rate of pay, among other things. Consequently, Employer would be liable for waiting time penalties for having violated California Labor Code sections 201, 202, and 203. Employer would also be liable for civil penalties pursuant to Labor Code sections 558 and 2699.

Employee is informed and believes, and based thereon alleges, that Employer has or had a policy or practice of unlawfully deducting wages by issuing in payment of wages due, or to become due, or as an advance on wages to be earned: an order, check, draft, note, memorandum, gift card, or other acknowledgement of indebtedness, (unless it was negotiable and payable in cash, on demand, without discount, at some established place of business in the state), the name and address of which must but did not appear on the instrument, and at the time of its issuance and for a reasonable time thereafter, which must be but was not at least 30 days, the maker or drawer did not have sufficient funds in, or credit, arrangement, or understanding with the drawee for its payment or any scrip, coupon, cards, or other thing redeemable, in merchandise or purporting to be payable or redeemable otherwise than in money. Employee is further informed and believes, and based thereon alleges, that such wages were not compensated at the "regular rate" of compensation as provided under Labor Code sections 226.7 and 510, subsection (a).

Consequently, Employee is informed and believes, and based thereon alleges, that Employee and other aggrieved employees are entitled to relief under, without limitation, Labor Code sections 212, 213, 226.7, and 510 subsection (a). Employer would thus be liable for civil penalties pursuant to Labor Code sections 558, 1197.1, and 2699.

Employee is further informed and believes, and based thereon alleges that Employer failed and refused, and continues to fail and refuse, to comply with the notice requirements of Labor Code section 2810.5 (*i.e.*, the Wage Theft Protection Act of 2011) by, among other things, failing to provide Employee and other aggrieved employees with the rates of pay and overtime rates of pay applicable to their employment, allowances claimed as part of the minimum wage, the regular payday designated by Employer, the name of the employer, including any “doing business as” names used, the name, address and telephone number of the workers’ compensation insurance carrier, information regarding paid sick leave, and other pertinent information required to be disclosed by Employer under Labor Code section 2810.5. Employee is informed and believes that failure to provide such information, including rates of pay that are in effect, has permitted Employer to pay employees at rates of pay that were not agreed upon and violate minimum wage and overtime wage laws in California. Employee is additionally informed and believes that the notice requirement of Labor Code section 2810.5 involves a mandatory payroll or workplace injury reporting. Among other relief, employees may collect from Employer in connection with these violations’ civil penalties pursuant to Labor Code sections 558 and 2699.

Employee is informed and believes, and based thereon alleges that Employer also failed and refused, and continues to fail and refuse, to reimburse employees, including, without limitation, Employee and other aggrieved employees, with their costs incurred for driving personal vehicles (*i.e.*, mileage and gas), purchasing uniforms, providing uniform and other deposits, separately laundering mandatory uniforms, for the purchase of tools and safety equipment, and for the purchase and maintenance of cellular phones and cellular phone plans, in direct consequence of the discharge of their duties, or of their obedience to the directions of Employer, as required by Labor Code section 2802, and other statutory and common law offenses. As a result, Employer are liable to reimburse Employee and other aggrieved employees for these costs incurred in furtherance of work duties. In addition, Employer would be liable for civil penalties pursuant to Labor Code sections 558 and 2699.

Employee is further informed and believes, and based thereon alleges, that Employer has or had a policy or practice of failing to reimburse deposits made, including uniform deposits together with all interest owed at the separation of employment in violation of Labor Code section 404, entitling Employee and other aggrieved employees to damages in the amount of the deposit and accrued interest. Employer would also be liable for civil penalties under Labor Code sections 558 and 2699.

Employee is further informed and believes, and based thereon alleges, that Employer has or had a policy or practice of failing to provide Employee and other aggrieved employees with the amount of paid sick leave required to be provided pursuant to California and local laws (including, without limitation, Labor Code section 246, *et seq.* Employee is further informed and believes

that the sick pay was not provided at the proper regular of pay as required under California law due to failure to properly calculate the regular rate. Employee is further informed and believes that Employer also did not permit its use upon request by Employee and other aggrieved employees as contemplated under California and local laws. Employee is additionally informed and believes that the notice requirement of Labor Code section 246 *et seq.* involves a mandatory payroll or workplace injury reporting. As such, Employer would be liable for civil penalties for violation of the paid sick leave regulations under Labor Code sections 558 and 2699, as well as equitable, injunctive, or restitutionary relief, and reasonable attorneys' fees and costs.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing to pay aggrieved employees their paid time off and vacation time owed upon separation of employment as wages at their final rate of pay in violation of Labor Code section 227.3 and applicable Wage Orders. As such, Employer would be liable for civil penalties for violation of Labor Code section 227.3 under Labor Code section 558 and 2699.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing to pay aggrieved employees their wages in accordance with Labor Code Section 204, which requires that: "[l]abor performed between the 1st and 15th days, inclusive, of any calendar month shall be paid for between the 16th and 26th day of the month during which the labor was performed, and labor performed between the 16th and the last day, inclusive of any calendar month, shall be paid for between the 1st and 10th day of the following month." Employee is informed and believes and based thereon alleges that Employer did not and do not pay Employee and other aggrieved employees in accordance with Labor Code Section 204. As such, Employee is informed and believes, and based thereon alleges that Employer violated Labor Code section 204. Employer would be liable for civil penalties pursuant to Labor Code sections 210, 558 and 2699.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy of failing to provide all temporary workers with owed wages weekly by not later than the regular payday of the following week. As a result, pursuant to Labor Code section 201.3, Employer would be liable for civil penalties pursuant to Labor Code sections 201.3.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing to provide all working employees with suitable seats when the nature of the work reasonably permits the use of seats. Employee is further informed and believes, and based thereon alleges that Employer has failed to place an adequate number of seats in reasonable proximity to the work area and/or permitted employees to use such seats when it does not interfere with the performance of their duties when employees are not engaged in the active duties of their employment and the nature of their work requires standing.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of preventing Employee and/or other aggrieved employees from using or disclosing the skills, knowledge and experience they obtained at Employer for purposes of competing with Employer, including, without limitation, preventing Employees from disclosing

their wages in negotiating a new job with a prospective employer, and from disclosing who else works at Employer and under what circumstances that they might be receptive to an offer from a rival employer. As such, Employee is informed and believes that this violates Business and Professions Code sections 17200, 16600 and 16700, and, by virtue thereof, various provisions of the Labor Code, including Labor Code sections 232, 232.5, and 1197.5, subdivision (k). Employer would be liable for civil penalties pursuant to Labor Code section 2699.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of preventing Employee and/or other aggrieved employees from disclosing violations of state and federal law, either within Employer to their managers or outside Employer to private attorneys or government officials, among others, in violation of Business and Professions Code section 17200, and, thus, in violation of Labor Code section 1102.5. In addition, Employee is informed and believes that these policies and/or practices prevent Employee and/or other aggrieved employees from disclosing information about unsafe or discriminatory working conditions, or about wage and hour violations in violation of Labor Code section 232 and 232.5. These violations of the Labor Code would expose Employer to liability for civil penalties pursuant to Labor Code section 2699.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of preventing Employee and/or other aggrieved employees from engaging in lawful conduct during non-work hours, thus violating state statutes entitling employees to disclose wages, working conditions, and illegal conduct, including, without limitation, Labor Code sections 96, subdivision (k), 98.6, 232, 232.5, and 1197.5, subdivision (k). Employee is informed and believes that this lawful conduct includes the exercise of Employee and/or other aggrieved employee's constitutional rights of freedom of speech and economic liberty and would thus expose Employer to liability for civil penalties pursuant to Labor Code section 2699.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing to furnish and use safety devices and safeguards. And adopt and use practices, means, methods, operations and processes which are reasonably adequate to render such employment and place of employment safe and healthful, pursuant to, including but not limited to, Labor Code section 6401. Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of requiring or permitting employees to go or be in any employment or place of employment which is not safe and healthful, pursuant to Labor Code section 6402. Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing or neglecting to: provide and use safety devices and safeguards reasonably adequate to render the employment and place of employment safe; adopt and use methods and processes reasonably adequate to render the employment and place of employment safe; and do every other thing reasonably necessary to protect the life, safety, and health of employees, pursuant to Labor Code section 6403. Employee is informed and believes, and based thereon alleges that these failures include, without limitation, failing to disinfect time clocks and other surfaces after use by Employee and/or other aggrieved employees; failing to provide adequate protection equipment to Employee and/or other aggrieved employees; and failing

to provide adequate distance in working conditions between Employee and/or other aggrieved employees.

Employee is informed and believes, and based thereon alleges that Employer had and has a policy or practice of failing to give sufficient, adequate and proper notice to employees of the Covid-19 exposure within one business day of receiving notice of potential Covid-19 workplace exposure from a qualifying individual as required by Labor Code section 6409.6. Employee is informed and believes that numerous employees contracted Covid-19 during the relevant time periods, but that Employer failed to provide notice to employees. Employee is additionally informed and believes that Defendant does not or did not keep adequate records of written notifications required in subdivision (a) for a period of at least three years.

Specifically, Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of failing within one business day after Employer or a representative of Employer received a notice of potential exposure to COVID-19 to provide written notice to Employee and other aggrieved employees, or their exclusive representatives, who were on the premises at the same worksite as a qualifying individual who was within the infectious period that they may have been exposed to COVID-19. Furthermore, Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of failing within one business day after Employer or a representative of Employer received a notice of potential exposure to COVID-19 to provide Employee and other aggrieved employees who were on the premises at the same worksite as the qualifying individual within the infectious period and the exclusive representative, if any, with information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation, and options for exposed employees, including COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions, as well as antiretaliation and antidiscrimination protections of the employee. Employee is informed and believes, and based thereon alleges, that Employer violated, without limitation, Labor Code sections 6409.6 and 6432.

Additionally, Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of failing within one business day after Employer or a representative of Employer received a notice of potential exposure to COVID-19 to notify Employee and other aggrieved employees who were on the premises at the same worksite as the qualifying individual within the infectious period, and the employers of subcontracted employees who were on the premises at the same worksite as the qualifying individual within the infectious period and the exclusive representative, if any, of the cleaning and disinfection plan that the employer is implementing per the guidelines of the federal Centers for Disease Control and Prevention and the COVID-19 prevention program per the Cal-OSHA COVID-19 Emergency Temporary Standards. Employee is informed and believes, and based thereon alleges, that Employer violated, without limitation, Labor Code sections 6409.6 and 6432.

Moreover, Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of failing to notify the local public health agency in the jurisdiction

of the worksite of the names, number, occupation, and worksite of employees who had a laboratory-confirmed case of COVID-19, as defined by the State Department of Public Health; a positive COVID-19 diagnosis from a licensed health care provider; a COVID-19-related order to isolate provided by a public health official; or died due to COVID-19, in the determination of a county public health department or per inclusion in the COVID-19 statistics of a county. Employee is informed and believes, and based thereon alleges, that Employer violated, without limitation, Labor Code sections 6409.6 and 6432.

Employee is informed and believes, and based thereon alleges that Employer violated section 1527, 3366, 3457 and 8397.4 by failing to provide adequate and readily accessible sanitation facilities; a regular schedule for servicing, cleaning, and supplying each facility to ensure it is maintained in a clean, sanitary and serviceable condition; an adequate supply of suitable cleansing agents, water, single-use towels or blowers; and a sufficient number of toilets to be used by each sex of employee.

Employee is further informed and believes, and based thereon alleges that Employer had and has a policy or practice of requiring, as a condition of employment, its applicants or employees to waive any right, forum, or procedure for a violation of any provision of the California Fair Employment and Housing Act or the Labor Code, including the right to file and pursue a civil action or a complaint with, or otherwise notify, any state agency, other public prosecutor, law enforcement agency, or any court or other governmental entity of any alleged violation, in violation of Labor Code section 432.6. Employee is additionally informed and believes that Employer knew that requiring such a condition was prohibited by law. Accordingly, for violations of Labor Code sections 432.5 and 432.6, Employee and aggrieved employees are entitled to attorneys' fees, an injunction, as well as civil penalties pursuant to Labor Code section 2699.

Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of conducting unlawful background checks on prospective and current employees prior to making a conditional offer. Employee is informed and believes, and based thereon alleges, that Employer violated applicable laws by, without limitation: requiring job applicants and employees to disclose their conviction history before Employer made a conditional offer of employment; inquiring into or considering the conviction history of applicants before Employer made any conditional offers of employment; considering, distributing, or disseminating information about arrests not followed by conviction, referrals to or participation in a pretrial or posttrial diversion program, convictions that have been sealed, dismissed, expunged, or statutorily eradicated pursuant to law, or any conviction for which the convicted person has received a full pardon or has been issued a certificate of rehabilitation, while conducting conviction history background checks in connection with any applications for employment; intending to deny an applicant a position of employment solely or in part because of the applicant's conviction history; and asking applicants for employment to disclose, through any written form or verbally, information concerning or related to an arrest, detention, processing, diversion, supervision, adjudication, or court disposition that occurred while the person was subject to the process and jurisdiction of the juvenile court, to the detriment of Employee and other aggrieved employees. As such, Employee is informed and believes, and based thereon alleges, that Employer violated,

without limitation, Labor Code section 432.7 and Government Code section 12952, entitling Employee and other aggrieved employees to damages. Employer would also be liable for civil penalties pursuant to Labor Code sections 432.7, 432.8, and 2699.

Employee is informed and believes, and based thereon alleges, that Employer had and has a practice or policy of relying on the salary history information of an applicant for employment as a factor in determining whether to offer employment to an applicant or what salary to offer the applicant in violation of Labor Code section 432.3 by including, on Employer's application for employment, an inquiry regarding current and/or former salary history information, including, without limitation, compensation and benefits of the applicant for employment. As such, Employee is informed and believes, and based thereon alleges, that Employer violated, without limitation, Labor Code section 432.3 entitling Employee and other aggrieved employees to damages. Employer would also be liable for civil penalties pursuant to Labor Code sections 432.3 and 2699.

Pursuant to Labor Code section 2699.3, subdivision (a)(2)(A), please advise within sixty-five (65) calendar days of the postmarked date of this notice whether the LWDA intends to investigate the violations alleged above. Our office understands that if we do not receive a response within sixty-five (65) calendar days of the postmark date of this PAGA Notice that the LWDA intends to investigate these allegations, Employee may immediately thereafter file a civil complaint against Employer to allege causes of action for civil penalties under the Private Attorney General Act for the herein-described alleged violations of the Labor Code.

Very truly yours,

BIBIYAN LAW GROUP, P.C.

/s/ Alexander Wallin

Alexander Wallin

cc: Stations Service, Inc. (via U.S. Certified Mail, Return Receipt Requested)
Hassan & Sons, Inc. (via U.S. Certified Mail, Return Receipt Requested)
C-Store Services, Inc. (via U.S. Certified Mail, Return Receipt Requested)
H&S Energy, LLC (via U.S. Certified Mail, Return Receipt Requested)
Colonial Energy, LLC (via U.S. Certified Mail, Return Receipt Requested)