

LIDMAN LAW, APC

Scott M. Lidman (SBN 199433)

slidman@lidmanlaw.com

Elizabeth Nguyen (SBN 238571)

enguyen@lidmanlaw.com

Milan Moore (SBN 308095)

mmoore@lidmanlaw.com

2155 Campus Drive, Suite 150

El Segundo, California 90245

Tel: (424) 322-4772

Fax: (424) 322-4775

Attorneys for Plaintiff

JAVIER MARTINEZ

HAINES LAW GROUP, APC

Paul K. Haines (SBN 248226)

phaines@haineslawgroup.com

2155 Campus Drive, Suite 180

El Segundo, California 90245

Tel: (424) 292-2350

Fax: (424) 292-2355

Attorneys for Plaintiff

JAVIER MARTINEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

JAVIER MARTINEZ, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

SCHLAGE LOCK COMPANY, LLC, a
Delaware limited liability company, and
DOES 1 through 100, inclusive,

Defendants.

Case No.: CIVSB2218620

*[Assigned for all purposes to Hon. Joseph T.
Ortiz, Department S-17]*

**DECLARATION OF ELIZABETH
NGUYEN IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: September 6, 2023

Time: 8:30 a.m.

Dept.: S-17

1 I, ELIZABETH NGUYEN, declare as follows:

2 1. I am a shareholder of the law firm Lidman Law, APC, and counsel for the named
3 Plaintiff Javier Martinez (“Plaintiff”) and the proposed Settlement Class in the above-captioned
4 matter. I am a member in good standing of the bar of the State of California and am admitted to
5 practice in this Court. I have personal knowledge of the facts stated in this declaration and could
6 testify competently to them if called upon to do so.

7 2. I am a 2005 graduate of Loyola Law School. During law school, I worked as an
8 extern for the Honorable Erithe A. Smith, U.S. Bankruptcy Court for the Central District of
9 California. During law school, I also worked as a law clerk in the Enforcement Unit of the Office
10 of the Chief Trial Counsel for the State Bar of California.

11 3. Since graduating from law school, my practice has focused almost exclusively on
12 employment litigation. In October 2007, I began working as an associate attorney at the
13 international law firm of Littler Mendelson P.C., at its Los Angeles office, which according to its
14 website is the “largest law firm in the world exclusively devoted to representing management in
15 employment, employee benefits and labor law matters.”

16 4. In June 2012, I left Littler Mendelson to work at the Los Angeles office of Reed
17 Smith LLP. During my employment at Reed Smith, I worked exclusively in the labor and
18 employment practice group. In June 2013, I returned to Littler Mendelson as an associate attorney,
19 was promoted to Shareholder in 2015, and was elevated to participating Shareholder in 2017.
20 Since October 2007, my practice has been and continues to be exclusively labor and employment
21 law, with a strong emphasis on wage and hour class actions venued in both state and federal courts.
22 During this time period and my legal career in general, I also worked on a number of single and
23 multi-plaintiff wage and hour matters as well. During my employment at Littler Mendelson, I was
24 a member of its Class Action Practice Group.

25 5. During my employment at Littler Mendelson, I played a significant role in the class
26 actions that I was staffed on, and was primarily responsible for managing the litigation both in my
27 role as a Senior Associate and as a Shareholder. In particular, I received a wide-array of wage and
28

1 hour class action experience performing the following types of tasks: drafting demurrers, motions
2 to strike and/or dismiss; removing actions from state court to federal court; drafting and responding
3 to written discovery; drafting and opposing discovery related motions; arguing discovery related
4 motions; drafting motions to consolidate related matters; interviewing putative class members and
5 obtaining declarations in connection with class certification; drafting oppositions to motions for
6 class certification; conducting exposure analyses to assess the strengths and weaknesses of asserted
7 claims, the likelihood of prevailing at class certification and potential damages resulting from such
8 claims; drafting mediation briefs; serving as the primary contact to in-house counsel; deposing
9 named plaintiffs and putative class members; deposing retained expert witnesses; and defending
10 the depositions of corporate witnesses. I also was involved in the negotiations and settlements of
11 many large wage and hour class actions. In short, I played an integral role in all aspects of litigation
12 from the inception of a matter through and beyond class certification. I also supervised the work
13 of several associate attorneys who were staffed on the same wage and hour class actions.

14 6. Although not exhaustive, below is a list of many of the wage and hour class and
15 PAGA actions that I performed substantial work on while I was an Associate and/or Shareholder
16 at Littler Mendelson:

- 17 ► *Branch v. PM Realty Group, Inc.* Case No. BC575759, Los Angeles
18 Superior Court, County of Los Angeles, Honorable Ann Jones, presiding.
- 19 ► *Herrera v. Pharmavite, LLC*, Case No. BC599201, Los Angeles Superior
20 Court, County of Los Angeles, Honorable Judge Carolyn Kuhl, presiding.
- 21 ► *Dugan v. Stoneledge Furniture, LLC*, Case No. 16-cv-01125-PA-FFMx,
22 United States District Court, Central District of California, Honorable Judge
23 Percy Anderson, presiding.
- 24 ► *Klune v. Stoneledge Furniture, LLC*, Case No. 14-cv-03986-PA-FFMx,
25 United States District Court, Central District of California, Honorable Judge
26 Percy Anderson, presiding.

- 1 ▶ *Diaz v. ABM Industries, Inc.; Ampco Parking*, Case No. BC362932,
2 California Superior Court, County of Los Angeles, Honorable Judge Jane
3 Johnson, presiding.¹
- 4 ▶ *Adams v. Luxottica Retail North America, Inc.*, Case No. 07CC01346,
5 California Superior Court, County of Orange, Honorable Judge Thierry
6 Patrick Colaw, presiding.
- 7 ▶ *Page v. Luxottica Retail North America, Inc.*, Case No. FCS041512,
8 California Superior Court, County of Solano, Honorable Judge Paul
9 Berman, presiding.
- 10 ▶ *Parker v. FedEx National LTL, Inc.*, Case No. 11-CV-006380-DSF-FFM,
11 United States District Court, Central District of California, Honorable Judge
12 Dale Fischer, presiding.
- 13 ▶ *Cordova v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx,
14 United States District Court, Central District of California, Honorable Judge
15 Margaret Morrow, presiding.
- 16 ▶ *Bernal v. Comerica Bank, et al.*, Case No. 11-cv-01298-JAH-BGS, United
17 States District Court, Central District of California, Honorable Judge
18 Margaret Morrow, presiding.
- 19 ▶ *Granata v. Comerica Bank, et al.*, Case No. 37-2011-00086316-CU-OE-
20 CTL, California Superior Court, County of San Diego, Honorable Judge
21 Jeffrey B. Barton, presiding.
- 22 ▶ *Mathews v. Comerica Bank, et al.*, Case No. 111CV194781, California
23 Superior Court, County of Santa Clara.
- 24 ▶ *Gallegos v. Comerica Bank, et al.*, Case No. BC455515, California Superior
25 Court, County of Los Angeles, Honorable Judge Terry Green, presiding.

26
27 ¹ This matter was consolidated and litigated collectively with Case Nos. BC380923, BC 381523 and BC
28 406663.

- 1 ▶ *Rumohr v. Comerica Bank, et al.*, Case No. CGC-11-508433, California
2 Superior Court, County of San Francisco.
- 3 ▶ *Robertson v. FedEx National LTL, Inc.*, Case No. 09-CV-05016-DSF-FFM,
4 United States District Court, Central District of California, Honorable Judge
5 Dale Fischer, presiding.
- 6 ▶ *Wittman v. FedEx National LTL, Inc.*, Case No. 09-CV-03663-DSF-FFM,
7 United States District Court, Central District of California, Honorable Judge
8 Dale Fischer, presiding.

9 7. In January 2018, I voluntarily resigned from Littler Mendelson in order to start a
10 law firm with another former Littler Mendelson Shareholder, Scott M. Lidman, to represent
11 employees with work-related claims, including primarily wage and hour claims and almost
12 exclusively on a class-action basis. I am currently a Shareholder of Lidman Law, APC.
13 Currently, over ninety percent (90%) of my practice is dedicated exclusively to the prosecution
14 of wage and hour class actions, and I am currently responsible for prosecuting over sixty-five (65)
15 wage and hour class actions filed in State courts throughout California, with several of them
16 having been removed to Federal courts. I believe that my professional experience renders me
17 more than qualified to serve as class counsel in this lawsuit involving claims of underpaid
18 overtime and minimum wages, meal and rest period violations, and derivative penalty claims.
19 Not only have I litigated dozens of wage and hour cases throughout my career involving similar
20 claims, including the wage and hour class actions identified above, I have litigated similar claims
21 from both plaintiff and defense perspectives. As a result, I am able to realistically assess and
22 evaluate the facts and legal arguments that can be made in pursuit and defense of similar wage
23 and hour claims, as well as those facts and arguments in support and in opposition to class
24 certification. Consequently, I am able to appreciate the significant risks, uncertainties, and delay
25 involved in wage and hour class action litigation.

26 8. I have been appointed Class Counsel in: *Guardado v. Wesley Allen, Inc.*, Case No.
27 BC683027, California Superior Court, County of Los Angeles, Honorable Judge Carolyn B. Kuhl
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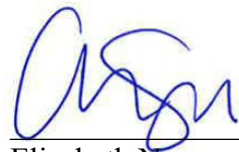
presiding; *Rodriguez v. Satco, Inc.*, Case No. BC682137, California Superior Court, County of Los Angeles, Honorable Judge Ann I. Jones presiding; *Ong v. Howard's Appliances, Inc.*, Case No. 30-2017-00964213-CU-OE-CXC, California Superior Court, County of Orange, Honorable Judge William Claster presiding; *Hanke v. C&W Facility Services, Inc.*, Case No. CIVDS1814412, California Superior Court, County of San Bernardino, Honorable Judge David Cohn presiding; *Molina v. Mader News, Inc.*, Case No. BC685960, California Superior Court, County of Los Angeles, Honorable Judge Yvette M. Palazuelos presiding; *Alvarez v. Salamander Fire Protection, Inc.*, Case No. BC688326, California Superior Court, County of Los Angeles, Honorable Judge William F. Highberger presiding; *Rodriguez v. H.F. Cox, Inc.*, Case No. BC653164, California Superior Court, County of Los Angeles, Honorable Judge Carolyn B. Kuhl presiding; *Fregoso v. Amerigas Propane, Inc.*, Case No. BC697973, California Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Teran v. Western Plastics, Inc.*, Case No. RIC1722619, California Superior Court, County of Riverside, Honorable Judge Sunshine Sykes presiding; *Villegas de Torres v. El Monte Superstore Inc.*, Case No. BC688477, California Superior Court, County of Los Angeles, Honorable Judge Daniel J. Buckley presiding; *Huynh v. Polypeptide Laboratories, Inc.*, Case No. BC680872, California Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Guzman v. Century Blinds*, Case No. RIC1723654, California Superior Court, County of Riverside, Honorable Judge Sunshine S. Sykes presiding; *George v. Convergence Marketing*, Case No. CIVDS1901039, California Superior Court, County of San Bernardino, Honorable Judge David S. Cohn presiding; *Coffee, et al. v. Flyers Transportation Energy, LLC*, Case No. 34-2017-00222084, California Superior Court, County of Sacramento, Honorable Judge Alan G. Perkins presiding; *Romero v. Fillmore Hospitality, LLC*, Case No. BC705667, California Superior Court, County of Los Angeles, Honorable Judge Maren E. Nelson presiding; *Wennerstrom, et al. v. Giant Inland Empire R.V. Center*, Case No. CIVDS1617291, California Superior Court, County of San Bernardino, Honorable Judge David S. Cohn presiding; *Contreras, et al. v. Letter Ride, LLC*, Case No. 37-2018-00020841-CU-OE-CTL, California Superior Court, County of San

1 Diego, Honorable Judge Eddie C. Sturgeon presiding; *Davis v. WeDriveU*, Case No.
2 18CV322578, California Superior Court, County of Santa Clara, Honorable Judge Brian C. Walsh
3 presiding; *Acuna v. Canton Food Co., Inc.*, Case No. BC685001, California Superior Court,
4 County of Los Angeles, Honorable Judge David S. Cunningham presiding; and *Contreras v.*
5 *Worldwide Flight Services, Inc.*, Case No. 2:18-cv-06036-PSG-SS, United States District Court
6 for the Central District of California, the Honorable Judge Philip S. Gutierrez presiding.

7 9. As co-lead counsel for Plaintiff Angel Medina and the proposed Settlement Class,
8 I have been intimately involved in every aspect of this case from its inception through the present,
9 and I believe that the proposed Settlement is a favorable result for the Settlement Class Members
10 under the circumstances presented.

11 10. The details of the work completed by my firm and/or my co-counsel are set forth
12 in the declaration of Scott M. Lidman filed concurrently herewith.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct. Executed on June 30, 2023 at El Segundo, California.

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Elizabeth Nguyen