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*Counsel for Plaintiffs and the Proposed
FLSA Collective, Class and PAGA Action*

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

SHEILA LOPEZ, GEORGINA BAUTISTA,
and FE ADRIANO, on behalf of themselves
and all those similarly situated,

Plaintiffs,

v.

WILLISTON FINANCIAL GROUP, LLC, a
Delaware Limited Liability Company; WFG
NATIONAL TITLE INSURANCE
COMPANY, a Florida Corporation; MY
HOME, A WILLISTON FINANCIAL
GROUP COMPANY, LLC, a Delaware
Limited Liability Company; WFG
NATIONAL TITLE COMPANY OF
CALIFORNIA, a California Corporation;
WFG NATIONAL TITLE COMPANY OF
CLARK COUNTY WA, LLC, a business
entity unknown; WFG NATIONAL TITLE
COMPANY OF WASHINGTON, a business
entity unknown; WFG NATIONAL TITLE
COMPANY OF TEXAS, LLC, a business
entity unknown; WFG LENDER SERVICES,
LLC, a business entity unknown; and DOES
1-10, inclusive,

Defendants.

Case No.: 24CU015835C

**DECLARATION OF BENJAMIN
GALDSTON IN SUPPORT OF
UNOPPOSED MOTION FOR ORDER
PROVISIONALLY CERTIFYING
SETTLEMENT CLASS AND
APPROVING CLASS SETTLEMENT;
MEMORANDUM OF POINTS AND
AUTHORITIES**

Date: March 14, 2025

Time: 9:00 a.m.

Dept: C-66

Judge: Hon. Wendy M. Behan

Complaint Filed: October 8, 2024

Trial Date: Not Yet Set

1 I, Benjamin Galdston, declare as follows:

2 1. I am the President and Chief Executive Officer of Omnum Law, APC in San
3 Diego, California (“Omnum Law”). Omnum Law specializes in representing plaintiffs in
4 complex representative actions nationwide, including prosecuting wage and hour claims in
5 employment matters involving alleged violations of state and federal employment laws.

6 2. Omnum Law, along with Shavitz Law Group, P.A. of Boca Raton Florida
7 (“SLG”) and Sullivan & Yaeckel Law Group (“SLYG”) of San Diego, California , represents
8 Plaintiffs in the above-captioned matter.

9 3. I have been one of the lawyers primarily responsible for prosecuting Plaintiffs’
10 claims on behalf of the proposed FLSA collective, class, and PAGA action. I have personal
11 knowledge of the facts set forth below and, if called as a witness, could testify thereto.

12 **Background and Professional Experience**

13 4. I received my Bachelor of Arts degree from Oberlin College in 1990 and my Juris
14 Doctor from the University of San Diego School of Law in 2000 where I served on the Moot Court
15 Board and received numerous awards for outstanding oral advocacy.

16 5. I was admitted to practice law in California in December 2000 and have been
17 admitted in federal district courts in California, New York, Minnesota, Ohio, and Washington
18 State.

19 6. I was formerly a partner at two leading national plaintiffs’ representative action
20 firms, Bernstein Litowitz Berger & Grossmann LLP and Berger Montague PC, where I served as
21 co-chair of the Securities Litigation Department. Over the past 24 years, I have served as lead or
22 co-lead counsel in numerous securities fraud, antitrust, consumer, and employment representative
23 actions, including:

- 24 a. *In re McKesson HBOC Sec. Litig.*, the largest securities fraud class action recovery
25 in the Ninth Circuit at more than \$1.2 billion;
26 b. *In re Lehman Brothers Holdings, Inc.*, which recovered more than \$735 million for
27 shareholders of the defunct brokerage firm;
28

1 c. *In re Citigroup Bond Litig.*, which recovered \$730 million for Citigroup
2 bondholders; and

3 d. *In re Wachovia Corp. Sec. Litig.*, a \$627 million recovery.

4 7. In 2021, I established Omnum Law to provide strategic, cost-effective solutions for
5 plaintiffs in complex representative litigation. Omnum Law specializes in complex employment,
6 securities, antitrust and consumer class actions. Most recently, I secured a historic recovery on
7 behalf of defrauded investors in one of the largest Ponzi schemes in San Diego, involving Chicago
8 Title and Gina Champion-Cain.

9 8. I have been invited to speak at various professional functions and publish on topics
10 relating to complex civil litigation, securities regulation, representative actions, corporate
11 governance, investor advocacy, and consumer protection.

12 **The Litigation and Proposed Settlement**

13 9. Omnum Law was retained in this litigation in 2023 to represent the Named
14 Plaintiffs on behalf of themselves and all other Class Members, Collective Members, and PAGA
15 Group Members who are similarly situated current and former non-exempt employees of
16 Defendants in California (as to Class Members and PAGA Group Members), and similarly situated
17 non-exempt Escrow Officers employed by Defendants.

18 10. Following an extensive factual investigation, on November 13, 2023, Omnum Law
19 and SLG filed a PAGA Notice with the California Labor & Workforce Development Agency
20 (“LWDA”), notifying the LWDA of Plaintiffs’ intent to seek PAGA penalties for Defendants’
21 alleged labor violations, including failure to pay all wages (including overtime, straight-time, and
22 minimum wages), failure to provide meal periods and premium payments in lieu thereof, failure
23 to provide rest periods and premium payments in lieu thereof, failure to timely pay wages, failure
24 to timely pay wages upon termination, failure to provide compliant wage statements, and failure
25 to maintain accurate payroll records. To date, Plaintiffs have not received any response from the
26 LWDA.

11. Separately, the Parties discussed resolution of Plaintiffs' claims, including exchanging information relevant to damages and various risks involved in the Parties' claims and defenses. On May 21, 2024, the Parties finally reached an agreement on the principal terms of a resolution, which was finalized in a formal written Settlement Agreement executed by the Parties on August 9, 2024.

12. The Settlement Agreement provides for payment by Defendants of \$1,000,000.00 for the benefit of Class, Collective, and PAGA Group Members. I, along with the Plaintiffs and other counsel at SLG and SLYG, believe this is a significant, and excellent outcome for Class, Collective, and PAGA Group Members of a heavily disputed matter, particularly in light of the risks of continued litigation and the real possibility that Plaintiffs might recover significantly less or nothing at all at trial, as well as risk of delay including the potential for appeals. The recovery obtained by the proposed settlement will provide meaningful and immediate relief for harmed collective, class and PAGA action members now, while avoiding the additional costs and uncertainties of continued litigation.

13. For these reasons, I respectfully submit that based upon my professional experience and judgment, the proposed settlement represents an exceptional recovery for the FLSA collective, class and PAGA action members.

* * * * *

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: October 27, 2024


Benjamin Galdston

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