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Attorneys for Plaintiffs, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

VICTOR MEDINA and FRANCISCO
CRUZ, individually, on a representative
basis, and on behalf of all others similarly
situated;

Plaintiff,

vs.

HOWARD ROOFING COMPANY, INC.,
a California Corporation; and DOES 1
through 20, inclusive;

Defendants.

Case No.: CIVSB2312233
*[Assigned to Hon. Jessica Morgan, Dept S26, for
all purposes]*

**DECLARATION OF DANIEL J. HYUN IN
SUPPORT OF PLAINTIFFS'
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing

Date: June 26, 2024

Time: 8:30 a.m.

Dept.: S26

1 I, Daniel J. Hyun, declare:

2 1. I am an attorney at law licensed to practice before all courts in the State of
3 California and the Ninth Circuit Court of Appeals. I am a partner at Torus LLP, counsel for
4 Plaintiffs Victor Medina and Francisco Cruz (collectively “Plaintiffs”) in this matter. I am
5 thoroughly familiar with and have personal knowledge of all of the facts set forth herein and if
6 called and sworn as a witness, I could and would competently testify under oath thereto. I submit
7 this declaration in support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class
8 Action Settlement.

9 2. Torus LLP primarily prosecutes wage and hour cases, including class and Private
10 Attorneys General Act of 2004 (“PAGA”) actions on behalf of employees and others who have
11 had their rights violated. The Firm and its attorneys, currently serves as plaintiffs’ counsel of
12 record in over 100 wage and hour class and/or PAGA actions pending throughout the State of
13 California.

14 3. The attorneys working on this case have been appointed class counsel in many
15 cases, through both contested motions and settlement approval motions.

16 4. I have been appointed class counsel and/or had my attorney’s fees approved in at
17 least the following class actions and/or representative PAGA actions: *Bedoy v. ATN Window and*
18 *Door Corp. et al.*, Case No. CIVRS1307735 (San Bernardino County Superior Court) –
19 \$235,000.00 wage and hour class action settlement on behalf of non-exempt manufacturing and
20 construction employees; *Bronson v. Mohammad Reza Neal, M.D., Inc.*, Case No. 30-2016-
21 00860352-CU-OE-CXC (Orange County Superior Court) – \$300,000.00 wage and hour class
22 action settlement on behalf of non-exempt employees working in the medical industry; *Cruz v.*
23 *Nason Roofing, Inc.*, Orange County Superior Court Case No. 30-2021-01235276-CU-OE-CXC
24 (Orange County Superior Court) - \$100,000.00 wage and hour class action settlement on behalf
25 of non-exempt construction workers; *Duarte v. Arriaga USA, Inc.*, Case No. 21STCV14446 (Los
26 Angeles County Superior Court) - \$123,856.09 wage and hour class action settlement; *Garcia v.*
27 *Miguel Cuevas et al.*, Case No. HG13701393 (Alameda County Superior Court) – \$1,300,000.00
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1 wage and hour class action settlement on behalf of delivery drivers misclassified as independent
2 contractors; *Garcia v. Unifirst Corporation*, Case No. 21STCV41324 (Los Angeles County
3 Superior Court) - \$688,401.30 PAGA settlement; *Guardado v. Millennium Reinforcing, Inc.*,
4 Case No. 20STCV39672 (Los Angeles County Superior Court) - \$263,550 PAGA settlement;
5 *Hale v. Orange County Rescue Mission, Inc.*, Case No. 30-2018-00970414-CU-OE-CXC
6 (Orange County Superior Court) – \$300,000.00 wage and hour class action settlement on behalf
7 of non-exempt hourly employees; *In re: Hacor Wage and Hour Employment Practices*
8 *Litigation*, Case No. BC522220 (Los Angeles County Superior Court) – \$3,000,000.00 wage and
9 hour class action settlement on behalf of non-exempt managers and other employees in the food
10 catering and distribution industry; *Martinez v. Market Driven, LLC*, Case No. 19STCV38888
11 (Los Angeles Superior Court) - \$61,000.00 PAGA settlement on behalf of catering employees;
12 *Martinez v. L.A.R.K. Industries, Inc.*, Case No. 30-2019-01110981-CU-OE-CXC (Orange County
13 Superior Court) - \$800,000.00 wage and hour class action settlement on behalf of construction
14 workers; *Orozco v. Fleetwood Aluminum Products, Inc.*, Case No. RIC1703488 (Riverside
15 County Superior Court) – \$685,000.00 wage and hour class action settlement on behalf of non-
16 exempt employees working in the manufacturing industry; *Osuna v. J&A Rents & Sells, Inc.*,
17 Case No. BC536586 (Los Angeles County Superior Court) – \$450,000.00 wage and hour class
18 action settlement on behalf of non-exempt employees working in the party rental industry; *Reese*
19 *v. SGM, Inc. et al.*, Case No. CIVSB2106217 – \$595,000 class action settlement on behalf of
20 non-exempt employees; *Reyes v. PSLQ, Inc.*, Case No. MCC1400703 (Riverside County
21 Superior Court) – \$75,000.00 wage and hour class action settlement on behalf of construction
22 yard employees; *Romero v. Delivery Drivers, Inc. et al.*, Case No. 30-2015-00774687-CU-OE-
23 CXC (Orange County Superior Court) – \$535,000.00 wage and hour class action settlement on
24 behalf of misclassified delivery drivers; and *Rojas v. Constellation Homebuilder Systems, Inc.*,
25 Case No. 37-2019-00035229-CU-OE-CTL (San Diego Superior Court) - \$1,350,000.00 wage and
26 hour class action settlement on behalf of salespersons; *Rosas v. Sierra Pacific Refrigerated*
27 *Services, LLC et al.*, Case No. CV-21-003621 (Stanislaus County Superior Court) - \$280,000.00
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1 class action settlement; *Ruiz v. Lion Foods*, Case No. 21CV386961 (Santa Clara County Superior
2 Court) – 190,000.00 class action settlement; *Saenz v. Class Leasing*, Case No. CVRI2205259
3 (Riverside County Superior Court) - 425,000.00 class action settlement; *Sheppard v. Bekins*
4 *Moving Solutions, Inc.*, Case No. 21STCV44484 (Los Angeles County Superior Court) -
5 \$195,000.00.

6 5. All cases cited above were successfully resolved for the classes and/or aggrieved
7 employees.

8 6. I served as plaintiffs’ counsel of record in the following cases in which the courts
9 granted plaintiffs’ motion for class certification: *Gamboa v. Kamran Staffing Inc. et al.*, Case
10 No. CIVDS1605273 (San Bernardino County Superior Court) and *Grant et al. v. Car Spa, Inc.*,
11 Case No. RIC1310176 (Riverside County Superior Court).

12 7. In addition to the cases cited above, I served as plaintiffs’ counsel of record in at
13 least the following employment class actions, consumer class actions, and/or representative
14 actions in state or federal court: *Alix v. House of Imports*, Case No. 30-2017-00965169-CU-OE-
15 CXC (Orange County Superior Court); *Boyack v. Salon Management Corp. et al.*, Case No. 8:18-
16 cv-01233 (Central District of California); *Cardena v. Currency Capital, LLC*, Case No. 30-2018-
17 01041233-CU-OE-CXC (Orange County Superior Court); *Carranza v. Southern California*
18 *Discount Tire Co., Inc.*, Case No. 30-2018-01016028-CU-OE-CXC (Orange County Superior
19 Court); *Cox v. Cuttwood, LLC et al.*, Case No. 30-2016-00838588 (Orange County Superior
20 Court); *Crandall v. Maxim Healthcare Services, Inc.*, Case No. 30-2017-00940239-CU-OE-
21 CXC (Orange County Superior Court); *Delgado v. Desert Concepts Construction, Inc.*, Case No.
22 PSC1603866 (Riverside County Superior Court); *Fajardo v. Centaurus Financial, Inc.*, Case
23 No. 30-2016-00877483-CU-OE-CXC (Orange County Superior Court); *Farran v. Doordash,*
24 *Inc.*, Case No. 30-2018-00992677-CU-OE-CXC (Orange County Superior Court); *Garcia v.*
25 *Emerald Landscape Services, Inc.*, Case No. 30-2018-01011098-CU-OE-CXC (Orange County
26 Superior Court); *Garcia v. Emerald Landscape Services, Inc.*, Case No. 30-2018-01032804-CU-
27 OE-CXC (Orange County Superior Court); *Gomez v. Atlas Copco Mafi-Trench et al.*, Case No.
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30-2018-01016730-CU-OE-CXC (Orange County Superior Court); *Gonzalez v. Artistic Maintenance, Inc.*, Case No. 30-2014-00699576-CU-OE-CXC (Orange County Superior Court); *Guthridge v. Nationstar Mortgage, LLC*, Case No. 30-2018-01023680-CU-OE-CXC (Orange County Superior Court); *Gutierrez et al. v. Bender Ready Mix, Inc.*, Case No. 30-2016-00884715-CU-OE-CXC (Orange County Superior Court); *Martinelli v. Penhall Co.*, Case No. 30-2018-00998193-CU-OE-CXC (Orange County Superior Court); *Medina v. Katzkin Leather, Inc.*, Case No. BC680102 (Los Angeles County Superior Court); *Mustedanagic v. Hoag Memorial Hospital Presbyterian*, Case No. 30-2018-01011782-CU-OE-CXC (Orange County Superior Court); *Padilla v. Orkin, LLC*, Case No. CIVDS1819296 (Orange County Superior Court); *Perez v. Wireless World LLC et al.*, Case No. 30-2018-01016025-CU-OE-CXC (Orange County Superior Court); *Ryder v. Genpact*, Case No. 30-2018-00974115-CU-OE-CXC (Orange County Superior Court); *Sanchez v. Jetblue Airways Corp.*, Case No. BC719081 (Los Angeles County Superior Court); *Sarraf v. Employbridge, LLC et al.*, Case No. 30-2018-01017401-CU-OE-CXC (Orange County Superior Court); *Sessions v. Nightingale Nurses, LLC*, Case No. RG18922402 (Alameda County Superior Court); *Solis v. Integral Senior Living, LLC*, Case No. 30-2018-01015988-CU-OE-CJC (Orange County Superior Court); *Tiedemann v. KDB Restaurants, LLC*, Case No. CGC-15-544994 (San Francisco County Superior Court); *Velasquez v. IEC Corporation*, Case No. 30-2018-01014630-CU-OE-CXC (Orange County Superior Court); *Whisler v. Simpson Irvine, Inc. et al.*, Case No. 30-2018-01032237-CU-OE-CXC (Orange County Superior Court); *Whitaker v. U.S. Renal Care, Inc.*, Case No. BC649682 (Los Angeles County Superior Court); *Yahoo! Inc. Private Information Disclosure Cases*, Case No. JCCP 4895 (Orange County Superior Court); and *Zrinski v. Rubio's Restaurants, Inc.*, Case No. 30-2018-01015274-CU-OE-CXC (Orange County Superior Court).

8. I currently serve as plaintiffs' counsel of record in at least the following employment class actions and/or representative actions: *Arellano v. Vision Scenery Corporation, Inc.*, Case No. 21STCV35878 (Los Angeles County Superior Court); *Corona v. Exquisite Apparel Corp. et al.*, Case No. 21STCV02421 (Los Angeles County Superior Court); *Cruz v.*

1 *Nason Roofing, Inc.*, Case No. 30-2021-01235276-CU-OE-CXC (Orange County Superior
2 Court); *Dominguez v. KTRE1 LLC, et al.*, Case No. 37-2023-00012018-CU-OE-CTL (San Diego
3 County Superior Court); *Guardado v. Millennium Reinforcing, Inc.*, Case No. 20STCV39672
4 (Los Angeles County Superior Court); *Javier v. Webster Bros. Concrete Construction, Inc.*, Case
5 No. 20STCV27129 (Los Angeles County Superior Court); *Leon v. ALAL LLC, et al.*, Case No.
6 22STCV07259 (Los Angeles County Superior Court); *Lopez v. Empire Connect, LLC*, Case No.
7 21STCV44777 (Los Angeles County Superior Court); *Lopez v. Northern Café et al.*, Case No.
8 20STCV04625 (Los Angeles County Superior Court); *Lopez v. Empire Connect, LLC, et al.*,
9 Case No. 21STCV44777 (Los Angeles County Superior Court); *Lopez v. The Highest Craft, LLC*
10 *et al.*, Case No. CVRI2100648 (Riverside County Superior Court); *Martinez v. California*
11 *Friends Homes*, Case No. 23STCV05820 (Los Angeles County Superior Court) *Martinez v.*
12 *L.A.R.K. Industries, Inc.*, Case No. 30-2019-01110981 (Orange County Superior Court);
13 *Montano v. ALG Vacations Corp.*, Case No. CVRI2301362 (Riverside County Superior Court);
14 *Perez v. Velvet Yogurt, Inc.*, Case No. 30-2021-01221399-CU-OE-CXC (Orange County
15 Superior Court); *Quiroz v. Coffman Specialties, Inc.*, Case No. 37-2020-00022698-CU-OE-CTL
16 (San Diego County Superior Court); *Ramirez v. Casa Orozco Incorporated et al.*, Case No.
17 RG21091979 (Alameda County Superior Court); *Ramirez v. Pacific Coast Producers*, Case No.
18 STK-CV-UOE-2022-0010664 (San Joaquin County Superior Court); *Reese v. SGM, Inc. et al.*,
19 Case No. CIVSB2106217; *Rosas v. Sierra Pacific Refrigerated Services, LLC et al.*, Case No.
20 CV-21-003621 (Stanislaus County Superior Court); *Ruiz v. Lion Foods*, Case No. 21CV386961
21 (Santa Clara County Superior Court); *Saenz v. Class Leasing*, Case No. CVRI2205259
22 (Riverside County Superior Court); *Segal, et al. v. Beverly Hills Properties, LLC*, Case No.
23 21STCV34228 (Los Angeles County Superior Court); and *Sheppard v. Bekins Moving Solutions,*
24 *Inc.*, Case No. 21STCV44484 (Los Angeles County Superior Court).

25
26 9. I attended college at the University of California San Diego, where I double
27 majored in Political Science: Public Law and Communications. I received my Bachelor of Arts
28 for both majors in 2007 and was awarded multiple Provost's Honors.

1 10. I graduated from Washington University in St. Louis School of Law (“WUSTL
2 School of Law”), where I received my J.D. in 2014 and studied as a visiting scholar at the
3 University of California Los Angeles School of Law during the 2013-2014 school year. Both
4 law schools are consistently ranked in the top 20 law schools by U.S. News & World Report.
5 During law school, I was a Scholar in Law recipient, a CALI Award Winner for Mediation
6 Theory and Practice, made the Dean’s List for being in the top 20% of my class, and was an
7 Associate Editor for WUSTL School of Law’s Journal of Law & Policy.

8 11. During law school, in the summer of 2011, I began working as a Law Clerk at an
9 established plaintiffs’-side employment class action law firm – Jose Garay, APLC (“Garay
10 Law”). I continued to clerk part-time during law school and full-time during summers. As a Law
11 Clerk for Garay Law, I drafted countless class action complaints, discovery requests and
12 responses, and motions; attended hearings under the supervision of attorneys; worked closely
13 with expert witnesses and created damage analyses for mediations; drafted mediation briefs and
14 attended mediations, including the mediation for *Thomas v. Cognizant Technology Solutions*
15 *U.S. Corporation*, Case No. SACV 11-1123 (Central District of California) which resulted in a
16 \$4,000,000.00 settlement on behalf of non-exempt computer software engineers who were
17 misclassified as exempt employees under California’s computer professional exemption.

18 12. During law school, I also took business school courses at Washington University
19 in St. Louis Olin Business School. Upon graduating law school in 2014, I took and passed the
20 July 2014 California Bar Exam.

21 13. After investing in and operating a start-up company, I began practicing law as an
22 attorney in 2016. I began working as an associate for Garay Law, primarily litigating wage and
23 hour class actions, and handling all facets of litigation, including, but not limited to, drafting
24 correspondences, pleadings, discovery, settlement agreements, and motions, making
25 appearances and handling hearings, defending depositions, working with expert witnesses and
26 attending mediations, and creating damage analyses.

27 14. I also worked as an associate in Bisnar Chase LLP’s class action department.
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1 While working at Bisnar Chase, in addition to other employment and consumer class actions, I
2 litigated the data breach class action lawsuit titled *Yahoo! Inc. Private Information Disclosure*
3 *Cases*, Case No. JCCP 4895 (Orange County Superior Court) that affected millions of
4 Americans. As part of the *Yahoo* data breach class action, I worked closely with co-counsel
5 Robinson Calcagnie, Inc. by reviewing thousands of documents, drafting internal
6 memorandums, and preparing the deposition outline and attending the deposition of Yahoo's
7 head of cybersecurity. In addition, while at Bisnar Chase, I was intricately involved in the class
8 certification phase of the wage and hour class action titled *Grant et al. v. Car Spa, Inc.*, Case
9 No. RIC1310176 (Riverside County Superior Court). During litigation of the *Grant* employment
10 class action, I appeared and handled hearings, defended over a dozen putative class member
11 depositions and cross-examined witnesses, met and conferred with opposing counsel on
12 numerous occasions, and drafted pleadings and correspondences. The Riverside County Superior
13 Court granted plaintiffs' motion for class certification.
14

15 15. More recently, I worked for the well-known employment class action law firm –
16 Aegis Law Firm. As an associate for Aegis, I managed 25 to 30 employment class action cases
17 handling all aspects of litigation, including, but not limited to, drafting all notices,
18 correspondences, pleadings, discovery, motions, settlements, and mediation briefs; working
19 closely with expert witnesses for mediations and class certification; attending mediations;
20 appearing and handling all hearings for my assigned cases; handling all depositions;
21 corresponding with clients; and meeting and conferring with opposing counsel. Of note, I was
22 the primary attorney during significant portions of litigation in the *Gamboa v. Kamran Staffing*
23 *Inc. et al.*, Case No. CIVDS1605273 (San Bernardino County Superior Court) employment class
24 action. I drafted numerous pleadings, meet and confer correspondences, discovery, and motions
25 including plaintiff's motion for class certification; conferred with class members and expert
26 witness; defended numerous class member depositions and cross-examined witnesses; and
27 appeared and handled hearings, among other things. The San Bernardino County Superior Court
28 granted plaintiff's motion for class certification.

1 16. In sum, for the past 13 years I have primarily focused on employment class actions
2 and played a critical role in obtaining millions of dollars on behalf of thousands of employees,
3 both as an attorney and as a law clerk.

4 17. In 2019, I founded the Law Office of Daniel J. Hyun, focusing on plaintiffs' -side
5 employment class actions. Although I provide pro bono legal services to low-income individuals
6 in the areas of contract, property, and criminal law, as well as other civil matters, my primary
7 practice is employment class actions. In addition, I have been a member of the American Bar
8 Association, American Association for Justice, Orange County Trial Lawyers Association,
9 California Employment Lawyers Association, California State Bar's Labor and Employment
10 section, and Orange County Bar Association.

11 18. I am also of counsel to Jose Garay, APLC, providing consulting, drafting (e.g.,
12 pleadings, discovery, and motions), and appearance services.

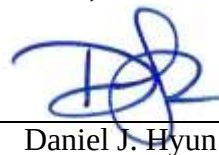
13 19. I was selected as a Super Lawyers Rising Star by Thomson Reuters, representing
14 one of the top 2.5% of lawyers under 40 in Southern California in 2018, 2019, 2020, 2021, 2022,
15 2023, and 2024 in the practice area of Class Action & Mass Torts.

16 20. Torus LLP has expended considerable time and effort on this case and will
17 continue to do so through final approval of the class action settlement. Based on my experience
18 and litigation of this action, the class action settlement is fair, reasonable, and adequate.

19 21. Plaintiffs will seek Court approval of the requested attorneys' fees award and
20 reimbursement of litigation costs. At final approval, Plaintiffs' counsel will fully brief the merits
21 of their request for the award of attorneys' fees and litigation costs.

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct. Executed on June 3, 2024 in Irvine, California.

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Daniel J. Hyun