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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SHASTA**

RYAN MIDDLEBROOKS, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

FLEETPRIDE, INC., an Alabama
corporation; and DOES 1 through 50,
inclusive,

Defendants

Case No. 23CV-0202247

(Assigned to the Hon. Stephen H. Baker, Dept. 3)

**DECLARATION OF KWANPORN “MAI”
TULYATHAN IN SUPPORT OF PLAINTIFF’S
MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: March 24, 2025

Time: 8:30 A.M.

Dept.: 3

Action Filed: May 16, 2023

Trial Date: November 5, 2024

1 **DECLARATION OF KWANPORN “MAI” TULYATHAN**

2 I, Kwanporn “Mai” Tulyathan, declare as follows:

3 1. I am an attorney at law, duly licensed to practice before all courts in the State of
4 California, and am with the law firm Diversity Law Group, counsel of record for Plaintiff Ryan
5 Middlebrooks (“Plaintiff”). I have personal knowledge of the facts set forth below and if called
6 to testify I could and would do so competently.

7 2. The proposed settlement meets the criteria for this Court to grant final approval of
8 this matter on a class-wide basis as the settlement is fair, adequate, and reasonable. The
9 settlement was achieved after Plaintiff engaged in informal discovery and mediation with neutral
10 Phillip K. Cha, Esq.

11 3. Based on Class Counsel’s independent investigation and evaluation, I am of the
12 opinion that settlement is fair, reasonable, and adequate and is in the best interests of the
13 Settlement Class and Defendant in light of all known facts and circumstances and the expenses
14 and risks inherent in litigation. This settlement should be granted final approval.

15 4. I have been approved as class counsel in numerous other wage/hour class actions
16 that have been granted class certification and final approval.

17 5. My qualifications are as follows: I received my JD from Loyola Law School in
18 2017. I received the First Honors Award in Legal Research and Writing, First Honors Award in
19 Appellate Advocacy, and First Honors Award in Civil Litigation Practicum I for achieving the
20 highest grade in those classes. During law school, I was a Staff Editor for Loyola Law Review. I
21 was also an extern at the U.S. District Court, Central District of California, for the Honorable
22 Christina A. Snyder, and a certified law clerk at the San Diego County District Attorney’s
23 Office, Collaborative Courts Division, and the Los Angeles County District Attorney’s Office,
24 Consumer Protection and Environmental Crimes Division. In 2016, I participated in Loyola Law
25 School’s Scott Moot Court Competition, where I placed Top 16 and was awarded the Top
26 Ten Brief Award. In 2017, I participated in the Employment Rights Clinic, an extension of the
27 Division of Labor Standards Enforcement created to investigate retaliation complaints. Upon
28 graduation from law school, I was admitted to the California Bar in December 2017.

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

7 7. I am currently handling and/or have handled numerous wage and hour class action
8 and PAGA lawsuits, including *Magadia v. Wal-Mart Associates, Inc., et al.* (Case Number 5:17-
9 cv-00062-LHK); *Garcia v. Wal-Mart Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-
10 MDD); *Hernandez v. Wells Fargo Bank, N.A.* (Case Number 16CV299319); *Lao v. H & M*
11 *Hennes & Mauritz, L.P.* (Case Number 5:16-cv-333 EJD); *Arroyo v. Int'l Paper Company* (Case
12 Number 5:17-cv-06211-BLF); *Baker v. California Forensic Medical Group, Inc., et al.*, Judicial
13 Council Coordination Proceeding No. 4999 (Lead Case No. 17CV003723); and *Garcia v. Apex*
14 *Systems, LLC, et al.* (Case Number RG19014709).

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

23 9. I have also been certified and/or approved as class counsel in numerous other
24 wage/hour class actions. Most recently, I was certified as class counsel in the cases *Garcia v.*
25 *Wal-Mart Associates, Inc., et al.* (Case Number 3:18-cv-00500-L-MDD), *Richert v. Samaritan,*
26 *LLC, et al.* (Case Number 17CV314186), *Song v. THC – Orange County, Inc.* (Case No. 8-17-
27 cv-965-JLS (DFM)), *Hernandez v. Wells Fargo Bank National Ass'n, et al* (Case No. 16-CV-
28 299319), and *Sims v. QG Printing II, LLC, et al.* (Case No. ED CV 20-1632-DMG (KKx)), as

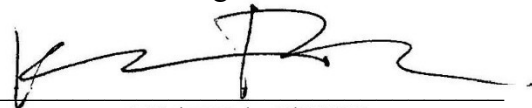
1 part of the Courts' orders granting class certification pursuant to Rule 23 of the FRCP and
2 California Code of Civil Procedure § 382.

3 10. Moreover, I was granted final approval as class counsel in *Lao v. H & M Hennes*
4 *& Mauritz, L.P.* (Case No. 5:16:cv-333 EJD), *Abarca v. El Estero Car Wash, Inc. et al* (Case No.
5 18CV003398), *Valles v. Community Hospital of the Monterey Peninsula* (Case No.
6 17CV003452), *Chavez v. Hugo Boss Retail, Inc.* (Case No. 18CV322644), *Hernandez v. Wells*
7 *Fargo Bank National Ass'n, et al* (Case No. 16-CV-299319); *Baker v. California Forensic*
8 *Medical Group, Inc., et al.*, Judicial Council Coordination Proceeding No. 4999 (Lead Case No.
9 17CV003723); *Mendez v. Falcon Trading Company* (Case No. 19CV004512); *Truong v. DS*
10 *Services of America, Inc.* (Case No. FCS054399).

11 11. I will adequately represent the Settlement Class Members in this action. I have no
12 conflicts with the Settlement Class and will adequately represent the Settlement Class.

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

15 Executed on this 28th day of February 2025, at Los Angeles, California.

16 
17 Kwanporn "Mai" Tulyathan