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Attorneys for Plaintiff DIONYSIOS YURI SHALLAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SACRAMENTO

DIONYSIOS YURI SHALLAN, an individual,
on behalf of himself and on behalf of all persons
similarly situated,

Plaintiff,

v.

SCOTT'S SACRAMENTO RIVER, INC., a
California corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No: 34-2020-00288630

**DECLARATION OF JEAN-CLAUDE
LAPUYADE, ESQ. IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Hearing Date: September 9, 2021

Hearing Time: 9:00 a.m.

Reservation No. 2562306

Honorable Judge Christopher E. Krueger
Department 54

Trial Date: Not Set

Action Filed: November 16, 2020

I, Jean-Claude Lapuyade, declares as follows:

1. I am the owner of the JCL Law Firm, APC, and attorneys for Plaintiff DIONYSIOS YURI SHALLAN ("Plaintiff") in this matter. As such, I am fully familiar with the facts, pleadings and history of this matter. I am submitting this declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action. The following facts are within my own personal knowledge,

1 and if called as a witness, I could and would testify competently to the matters stated herein.

2 2. I have been personally involved in the above-captioned litigation since the onset of
3 the case. I am personally familiar with the facts, claims, defenses and legal theories at issue. Based
4 on my involvement in this matter, and based on my experience set forth below, I believe the
5 proposed settlement before the Court meets the criteria for approval.

6 3. For the reasons and arguments set forth in both the motion for preliminary settlement
7 approval and motion for final approval of this class action settlement, I believe that this Settlement
8 is a fair and reasonable recovery on these claims (which were subject to considerable uncertainty,
9 both as to the merits and certification). The response of the Class has been positive. Accordingly,
10 I respectfully submit that the Class Settlement should be finally approved as fair, reasonable, and
11 adequate.

12 4. Plaintiffs chose qualified and experienced Class Counsel to pursue their claims. I
13 established the JCL Law Firm, APC (“Firm”), in 2010. The Firm is a boutique California plaintiff
14 firm with extensive class action experience, including in the complex area of unlawful housing class
15 actions. The Firm currently consists of myself, Jean-Claude Lapuyade, Esq. (Attorney/Owner),
16 Tesla Stone (Paralegal), Sara Christensen (Legal Secretary), Leilani Edmunds (Legal Secretary)
17 and Amanda De. Blouw (Client Intake Coordinator). I can, will and have adequately represented
18 Plaintiffs’ interests and the interests of the Settlement Class Members.

19 5. I have represented employees, consumers and low-income tenants in California class
20 actions, and complex multi-party product liability actions exclusively since 2007.

21 6. I have significant class counsel and collective action counsel experience. I sample
22 of my appointed class counsel and representative counsel experience is listed below in the following
23 matters:

- 24 a. *Salerno v. H Granados Communications, Inc.*, Los Angeles Superior Court
25 Case No. 19STCV13627 (February 17, 2021 – Hon. Elihu Berle approved a class
26 action and PAGA representative action settlement for, *inter alia*, improperly
27 compensated piece-rate employees and appointed the JCL Law Firm, APC, as class
28 counsel.

1 b. *Jer Vang v. Bridge Property Management*, Alameda County Superior Court,
2 Case No. RG19047434 (January 8, 2021 – Hon. Winifred Smith approved a class
3 and PAGA settlement for, *inter alia*, unpaid off the clock work. The JCL Law Firm,
4 APC acted as class counsel for the settlement class and as representative PAGA
5 counsel the State of California and the Aggrieved Employees.)

6 c. *Johnson v. Volt Management Corp., Inc. et al.*, Los Angeles County
7 Superior Court, Case No. 19STCV16466 (December 11, 2020 – Hon. Amy Hogue
8 approved a PAGA Settlement negotiated on behalf of the State of California and
9 the aggrieved employees by the JCL Law Firm, APC.)

10 d. *Salazar v. Frontier Auto Sales Inc., dba Frontier Toyota*, Los Angeles
11 Superior Court, Case No. 19STCV20382 (November 24, 2020 – Hon. John P.
12 Doyle appointed the JCL Law Firm, APC as class counsel and approved a class and
13 PAGA settlement for, *inter alia*, missed meal and rest periods.)

14 e. *Villalobos v. Alterra Group, LLC et al.*, Los Angeles County Superior
15 Court, Case No. 19STCV19448 (November 11, 2020 – Hon. Richard Fruin
16 approved a PAGA Settlement for, *inter alia*, unreimbursed business expenses. The
17 JCL Law Firm, APC acted as counsel for the plaintiff, the State of California and
18 the Aggrieved Employees.)

19 f. *Stevens et al., v. Bank of England*, San Diego County Superior Court Case
20 No. 37-2019-00018662-CU-OE-CTL (October 16, 2020 – Hon. John Meyer
21 appointed JCL Law Firm as Class Counsel and granted final approval of wage and
22 hour class action for, *inter alia*, off-the-clock work.)

23 g. *Frazier v. ASA Carlton, Inc.*, San Diego Superior Court Case No. 37-2019-
24 00036147 (October 9, 2020 Hon. Kenneth Medel appointed the JCL Law Firm as
25 Class Counsel and granted final approval of wage and hour class action for off-the-
26 clock work.)

27 h. *Krake et al., v. Central Valley Diner, Inc.*, Placer County Superior Court
28 Case No. SCV0041645 (September 4, 2020 – Hon. Michael Jones appointed JCL

1 Law Firm as class counsel and granted final approval of wage and hour class action
2 for meal period violations.)

3 i. *Conner v. Ascendant Marketing, LLC et al.*, San Diego Superior Court Case
4 No. 37-2019-00026864-CU-OE-CTL (July 24, 2020 Hon. Joel Wohlfeil granted
5 approval of PAGA Settlement for, among other things, off-the-clock work. JCL
6 Law Firm, APC acted as lead counsel.)

7 j. *Guerrero v. Estancia Operations, LLC.*, San Diego Superior Court Case No.
8 37-2019-00028963 (August 25, 2020 – Hon. Katherine Bacal approved PAGA
9 Settlement for, *inter alia*, missed meal and rest periods. JCL LAW Firm, APC,
10 acted as lead counsel.)

11 k. *Moreno v. Dash Lube, et al.*, United States District Court, Southern District
12 of California, Case No. 18cv1922 DMS (AHG) (December 13, 2019 – Granted
13 class certification of Labor Code Section 226 claim and appointed JCL Law Firm,
14 APC, as Class Counsel.)

15 l. *Perkins et al., v. Tahiti Enterprises, Inc., et al.*, Orange County Superior
16 Court Case No. 30-2016-00863095 (October 22, 2019 – Hon. Peter Wilson
17 appointed JCL Law Firm, APC, as Class Counsel and granted final approval for an
18 unlawful housing class action settlement arising out of Civil Code Section 1940.1.)

19 m. *Hill v. Stemak Holdings, Ltd.*, San Diego Superior Court Case No., 37-2018-
20 00000747 (January 28, 2020 – Hon. Kenneth Medel appointed JCL Law Firm, APC
21 as class counsel and granted final approval of wage and hour class action for unpaid
22 overtime.)

23 n. *Shachno et al., v. KT Hotels, LLC, et al.* San Diego Superior Court Case No
24 Case No. 37-2018-00043601 (May 31, 2019 – Hon, Gregory Pollack appointed JCL
25 Law Firm, APC, as Class Counsel and granted preliminary approval for the wage
26 and hour class action settlement involving nearly 900 current and former
27 employees. Final approval scheduled for October 4, 2019)
28

1 o. *Almanza v. The Express Group, Inc.*, San Bernardino Superior Court Case
2 No. CIVDS1722542 (April 19, 2019 – Hon. David Cohn appointed the JCL Law
3 Firm, APC, as Class Counsel and granted final approval for a wage and hour class
4 action settlement for *inter alia*, missed meal and rest periods and independent
5 contractor misclassification.)

6 p. *Moschetto v. Pillow Global, Inc.* San Diego Superior Court, Case No. 37-
7 2017-00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL
8 LAW Firm, APC, as Class Counsel and granted final approval for a wage and hour
9 wage class action settlement involving misclassified house cleaners.)

10 q. *Burke v. Friendship Hotel, LLC*, San Diego County Superior Court Case
11 No. 37-2017-00022517-CU-OE-CTL (March 10, 2019 – final approval granted on
12 for an unlawful housing class action arising under Civil Code Section 1940.2)

13 r. *Terrado et al., v. Accredited Debt Relief, LLC*, San Diego County Superior
14 Court Case No. 37-2018-00014181-CU-OE-CTL (February 8, 2019 – Hon.
15 Gregory W. Pollock appointed JCL Law Firm, APC as Class Counsel and granted
16 final approval for a wage and hour class action settlement for meal and rest period
17 violations);

18 s. *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior
19 Court Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed
20 JCL Law Firm, APC, as Class Counsel and granted final approval for a wage and
21 hour class action settlement involving claims for on duty meal and rest periods.);

22 t. *Summerlin et al. v. Maplebear, Inc. dba Instacart*, Los Angeles Superior
23 Court Case No. BC603030 (2018 - certified and settled wage and hour class action.)

24 u. *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-
25 00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal
26 and rest periods)

1 v. *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No. 37-
2 2016-00012373-CU-OE-CTL (2017 - Certified and settled class action for
3 employee misclassification);

4 w. *Crawford v. Outlook Amusements, Inc.*, Los Angeles Superior Court Case
5 No. BC617160 (2017 - Certified and settled wage and hour class action.);

6 x. *Hernandez v. Sunglass Hut Trading, LLC*, San Bernardino Superior Court
7 Case No. CIVDS1505181 (2016 - Certified and settled wage and hour class action);

8 y. *Burns v. Shalom, LLC*, San Diego Superior Court, Case No., 37-2013-
9 00058356-CU-BT-CTL (2015 - certified and settled class action for unlawful
10 housing practices arising out of Civil Code Section 1940.1);

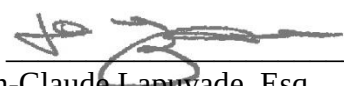
11 7. Since 2010, I have successfully tried two (2) cases to conclusion, each resulting in
12 a favorable verdict for the firm's clients.

13 8. Finally, I have published appellate experience in *William Blanchette et al., v. The*
14 *Superior Court of Imperial County, (GHA Enterprises)*, 8 Cal.App.5th 521.

15 9. Consequently, I have been named to the prestigious Thomson Reuters, Super
16 Lawyers, Rising Star in 2015, 2016, 2017 and, again, in 2018. According to Thomson Reuters, the
17 Super Lawyers, Rising Star list recognizes the top 2.5% of eligible attorneys. (see
18 https://www.superlawyers.com/about/selection_process.html.)

19 I declare under the penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed this 13th day of August 2021, at San Diego, California.

21 **JCL LAW FIRM, APC**

22
23 By: 
24 Jean-Claude Lapuyade, Esq.
25 Attorneys for Plaintiff
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