

1 **JUSTICE FOR WORKERS, P.C.**

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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF ORANGE**

15 DAVID NGUYEN, an aggrieved employee,
16 CZARMAN LUCEA, an aggrieved employee,
17 and on behalf of other aggrieved employees;

18 Plaintiff,

19 vs.

20 BAXTER HEALTHCARE CORPORATION,
21 a Delaware corporation; KELLY SERVICES
22 GLOBAL, LLC, a Michigan limited liability
company; and DOES 1 through 50,

23 Defendants.

Case No.: 30-2023-01358073-CU-OE-CXC

[Assigned for All Purposes to:
Hon. Melissa R. McCormick, Dept. CX105]

**DECLARATION OF DAVID NGUYEN IN
SUPPORT OF MOTION FOR
APPROVAL OF PAGA SETTLEMENT;
SERVICE AWARDS; AND
ATTORNEY'S FEES AND COSTS**

(Filed Concurrently with Motion for Approval
of PAGA Settlement; Supporting Declarations
and [Proposed] Judgment and Order)

DATE: August 20, 2026

TIME: 2:00 p.m.

DEPT: CX105

RESERVATION ID: 74850803

Action Filed: October 30, 2023

Trial Date: Not Set

1 I, David Nguyen, hereby declare as follows:

2 1. I am an individual over the age of 18 year and the named Plaintiff in the above-
3 captioned matter. This declaration is submitted in support of approval of the proposed class action
4 settlement (“Settlement”) reached in this case. I have personal knowledge of the facts contained in
5 this declaration, and if called as a witness, could and would testify as to their accuracy.

6 2. Defendant Kelly placed me to work for Defendant Baxter as an hourly paid, non-
7 exempt employee from approximately February 2023 to August 2023 as an assembler at its Irvine
8 facility. During my employment with Defendants, I was subject to Defendants’ wage and hour
9 policies and practices that are at issue in this case.

10 3. Specifically, I did not receive all wages due including minimum and overtime wages
11 on account of Defendants’ rounding practices and I sometimes was unable to take compliant meal
12 and rest breaks. As a result of the foregoing issues, I believe I received inaccurate wage statements
13 and was not paid all wages when my employment with Defendants ended. I believe other non-
14 exempt employees of Defendants were subject to the same policies and procedures discussed above
15 and that my claims against Defendants for civil penalties are typical of Aggrieved Employees’
16 claims.

17 4. I have been actively involved in this case since I first retained Justice for Workers,
18 P.C. (“JFW”) in August 2023. Without waiving the attorney-client privilege, prior to filing this
19 lawsuit, my attorneys explained my role and responsibilities as a PAGA Representative, and I
20 understand my responsibilities as a PAGA Representative. Since retaining my attorneys, I have had
21 many discussions and meetings with the attorneys and staff at JFW, discussions regarding
22 Defendant’s wage and hour practices and my claims in this case, litigation strategy, updates on how
23 the case was proceeding, the Settlement, and how I could help the case and potential Aggrieved
24 Employees. I also gathered and reviewed documents for use in the lawsuit and reviewed relevant
25 documents with my attorneys. I estimate I have devoted no less than 15 hours to the prosecution of
26 this Action.

27 5. Furthermore, there is no conflict between my interests and the interests of the
28 Aggrieved Employees that I am seeking to represent. My interests are entirely coextensive with the

1 interests of Aggrieved Employees. I allege that I was injured by the same company-wide policies
2 and practices to which Aggrieved Employees were subjected and seek the same relief. I have
3 already demonstrated my ability to advocate for the interests of Aggrieved Employees by initiating
4 this litigation, undertaking extensive class discovery, and evaluating the proposed settlement to
5 assure that it is fair.

6 6. I understood that at the time I filed this action, as a PAGA Representative, I owed a
7 duty to Aggrieved Employees to faithfully prosecute this action with their best interests at the
8 forefront of every decision. I understood that I could not make any decision in this action for the
9 sole benefit of my personal interest. I understood that in executing this duty, I might have been
10 asked to sacrifice my personal best interests for the benefit of the interests of the putative class
11 members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the
12 broadest possible relief for my former co-workers for what I perceived to be Defendant's unlawful
13 wage and hour practices. I believe that I faithfully executed the duties of a PAGA Representative
14 throughout this litigation and will continue to do until this litigation is fully and finally resolved.

15 7. I am not aware of any other cases that may be impacted by the Settlement.

16 I declare, under penalty of perjury under the laws of the State of California, that the
17 foregoing is true and correct.

18 Executed on April 6, 2026 at Westminster, California.

19
20 

21 _____
David Nguyen