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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

TYLER FIRTH, as an individual and on behalf of
all others similarly situated, and as a private
attorney general,

Plaintiff,

vs.

YARDI SYSTEMS, INC., a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 23CV03558

**DECLARATION OF SIMON L. YANG IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: November 7, 2025
Time: 10:00 a.m.
Department: 4

Complaint Filed: August 15, 2023
FAC Filed: October 30, 2023

1 I, Simon L. Yang, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and, with the law firm
3 Diversity Law Group, P.C., am counsel of record for Plaintiff. I make this declaration on the basis of my
4 own personal knowledge, except as to those matters stated on information and belief and, as to those
5 matters, I believe them to be true. If called as a witness, I could testify competently as to the facts stated
6 in this declaration.

7 2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with
8 my office’s contact information, where they could further seek information regarding the class
9 settlement, leave questions for the Administrator, and update their address. There were no objections to
10 the amount of attorneys’ fees or litigation costs that Class Counsel seek in this case and for which
11 Plaintiff asks the Court for final approval.

12 3. Class Counsel engaged in extensive factual investigation before settling, including the
13 exchange of substantial informal discovery and class data. This allowed Plaintiff to conduct a full
14 damage analysis. The Agreement was the product of negotiation between highly able and experienced
15 attorneys on both sides who possessed the relevant data and extensive legal research which they had
16 carefully analyzed.

17 4. The settlement in the case at bar warrants approval and carries a presumption of fairness.
18 As previously noted in the application for Preliminary Approval, this current settlement was negotiated
19 at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the
20 Class Members as a whole. I support the settlement as in furtherance of the Labor Code Private
21 Attorneys General Act of 2004’s purposes to remediate present labor law violations, deter future ones,
22 and to maximize enforcement of state labor laws.

23 5. My firm has a great deal of experience in wage and hour class action litigation and has
24 been approved as class counsel in a number of class actions.

25 6. I am one of the primary attorneys on this matter. My qualifications are as follows: After
26 completing my undergraduate education at The Wharton School at the University of Pennsylvania in
27 2004 with concentrations in Management and Human Resources, I continued studying labor and
28 employment issues by enrolling in post-graduate education at the School of Labor and Employment

1 Relations at the University of Illinois. I determined before enrolling in law school that I wanted to
2 practice labor and employment law in California. I thus received my J.D. from UCLA School of Law in
3 2008. During law school, I spent the summer of 2006 with the National Labor Relations Board, Region
4 21, and the summer of 2007 with the law firm of Seyfarth Shaw LLP in 2007.

5 7. Upon graduating from law school in 2008, I practiced labor and employment law at
6 Seyfarth Shaw LLP, a well-regarded labor and employment firm. I was elevated to partner in 2019. My
7 practice focused on wage and hour class, collective, and representative actions, with a particular
8 emphasis on matters involving the Labor Code Private Attorneys General Act of 2004 (“PAGA”).
9 During my time with Seyfarth Shaw LLP, I was a primary attorney on numerous wage and hour class,
10 collective, and representative actions that resulted in published opinions, including for example, *Ehret v.*
11 *WinCo Foods, LLC*, 26 Cal. App. 6th 1 (2018) (affirming summary judgment in PAGA action based on
12 absence of meal period violations in light of collectively bargained waiver of meal periods on shifts of
13 not more than six hours), and *Ruelas v. Costco Wholesale Corp.*, 67 F. Supp. 3d 1137 (C.D. Cal. Sept. 8,
14 2014) (obtaining dismissal of wage statement allegations in PAGA representative action). I was also
15 able to obtain experience litigating representative claims or wage and hour matters through trial and
16 appeal. *E.g.*, *Velazquez v. Costco Wholesale Corp.*, 603 Fed. App’x 584 (9th Cir. Mar. 25, 2015)
17 (reversing award of waiting-time penalties based on lack of evidence supporting any willful failure to
18 pay wages); *Ward v. Costco Wholesale Corp.*, 552 Fed. App’x 631 (9th Cir. Jan. 9, 2014) (affirming
19 bench-trial judgment in favor of defendant against named plaintiff and 18 opt-in plaintiffs in collective
20 action with involving deductions from final paychecks). I also litigated class certification on numerous
21 matters. *E.g.*, *Martinez v. Guess?, Inc.*, Los Angeles Superior Court Case No. BC 498326 (obtaining
22 denial of class certification on behalf of retail employees alleging bag check claims).

23 8. Based on my experience in wage and hour class, collective, and representative actions, I
24 have been interviewed and quoted in articles published in the Northern California Record about
25 legislative efforts to reform PAGA. I also have published articles on myriad topics relevant to wage and
26 hour class and representative action litigation, including for example articles on California kin care
27 requirements in *Employee Relations Law Journal* (Vol. 36, No. 2), the extraterritorial application of
28 California employment laws in *The Recorder* (134RD Year No. 28), and California meal and rest break

laws in *California Transportation News*, a publication of the California Construction Trucking Association.

9. In 2020 I left Seyfarth Shaw LLP and joined my current firm, Diversity Law Group, P.C., which also focuses on employment law. I have handled a number of wage and hour class and representative actions and continue litigating such matters in numerous Superior Courts and District Courts. From matters with both Seyfarth Shaw LLP and Diversity Law Group, P.C., I have successfully mediated the resolution of dozens of wage and hour class, collective, and representative actions. I have obtained class certification and been appointed class counsel in numerous matters. No court has ever found me to be inadequate class counsel.

10. My firm has incurred costs in the amount of \$10,850.72. The costs are all litigation related costs, including filing fees and mediation fees. Attached as **Exhibit A** is copy of the costs my firm has incurred in connection with prosecution of the lawsuit.

11. On July 15, 2025, my office uploaded the Order Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement to the Labor and Workforce Development Agency ("LWDA") website. Attached as **Exhibit B** is the upload confirmation from the LWDA. Along with the filing of the motion for final approval, a copy of the motion papers have also been uploaded to the in compliance with Labor Code section 2699(s)(2) and (4). Attached as **Exhibit C** is a copy of the LWDA confirmation.

12. Plaintiff did not proceed with litigation of all of his potential claims as an individual and instead strategically limited the claims in this lawsuit to maximize his ability to recover for the Class. Had Plaintiff pursued other individual claims, Plaintiff would have sought at least \$15,000.00 in exchange for a general release.

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13. With respect to the proposed cy pres recipient, Santa Barbara Food Bank, neither my co-counsel nor I have any relationship with or connection to said organization. Based on discussions with Defendant's counsel, I also am informed and believe that counsel for Defendant also does not have any relationship with or connection to Santa Barbara Food Bank.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 16th day of October 2025, at Pasadena, California.

Simon L. Yang

EXHIBIT A



Invoice

Diversity Law Group

515 South Figueroa Street, Suite 1250, Los Angeles, California, 90071

lwlee@diversitylaw.com

Invoice #: 10275

Invoice Date: 10/16/2025

Terms: Upon Receipt

Due Date: 10/16/2025

PO #:

Invoice Total: \$10,850.72

Payment Applied: \$0.00

Total Due: \$10,850.72

Summary - Firth, Tyler v. Yardi Systems Inc. (6044.001)

Type	Description	Amount (\$)
Expenses		10850.72

Details - Firth, Tyler v. Yardi Systems Inc. (6044.001)

Expenses

Date	Category	Expense Code	Description	Amount (\$)
08/08/2023		Court fees	LWDALWDA	75.00
08/15/2023		Court fees	Odyssey - ComplaintOdyssey - Complaint	1483.20
08/22/2023		Attorney Service	Attorney Service - Complaint Service	79.49
08/28/2023		Court fees	Odyssey - POS of SummonsOdyssey - POS of Summons	5.15
08/31/2023		Postage	PostagePostage	8.53
10/12/2023		Court fees	Odyssey - FACOdyssey - FAC	5.15
10/26/2023		Court fees	Odyssey - Stip for Leave to file FAC	25.75
10/30/2023		Court fees	Odyssey - FACOdyssey - FAC	5.15
11/30/2023		Court fees	Odyssey - CMSOdyssey - CMS	5.15
04/11/2024		Court fees	Odyssey - CMSOdyssey - CMS	5.15



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06/13/2024		Arbitrators/mediators	Steve Pearl MediationSteve Pearl Mediation	8750.00
07/17/2024		Court fees	Odyssey - Status ReportOdyssey - Status Report	5.15
08/26/2024		Court fees	FeesFees	300.00
03/12/2025	Court Fees		Odyssey - MPA (Envelope Number: 18576849)	97.85
Subtotal:				\$10,850.72
Total:				\$10,850.72

EXHIBIT B

Erika Mejia

From: no-reply@formassembly.com
Sent: Tuesday, July 15, 2025 4:26 PM
To: Erika Mejia
Subject: Thank you for your Court Order or Judgment Submission

07/15/2025 04:25:41 PM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Court Order or Judgment

On 07/15/2025 04:25:41 PM your Court Order or Judgment was successfully processed for case number LWDA-CM-973704-23

If you have questions or concerns regarding this submission or your case, please send an email to pagainfo@dir.ca.gov.

DIR PAGA Unit on behalf of
Labor and Workforce Development Agency

Website: http://labor.ca.gov/Private_Attorneys_General_Act.htm

EXHIBIT C