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Attorneys for Plaintiff NATHAN TAMAAIGA NELSON,
as an individual and on behalf of all employees similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

NATHAN TAMAAIGA NELSON, as an
individual and on behalf of all employees
similarly situated,

Plaintiff,

v.

CHINESE GOURMET GROUP, INC., a
California Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 24STCV04383

[Assigned for all purposes to Hon. William F.
Highberger]

**CLASS AND PAGA REPRESENTATIVE
ACTION**

**SUPPLEMENTAL DECLARATION OF
LILIT TUNYAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA REPRESENTATIVE ACTION
SETTLEMENT**

Date: April 13, 2026

Time: 2 p.m.

Courtroom: Dept. 10

Judge: Hon. William F. Highberger

Action Filed: February 22, 2024

Trial Date: Not Set Date:

1 **SUPPLEMENTAL DECLARATION OF LILIT TUNYAN**

2 I, LILIT TUNYAN, declare as follows:

3 1. I am admitted, in good standing, to practice as an attorney in the State of California, the
4 United States District Courts for the Central, Eastern, Southern and Northern Districts of California. I am
5 the founding partner at the law firm of Tunyan Law, APC. I am a fully qualified, adult resident of the
6 State of California, and, if called as a witness herein, I would testify truthfully to the matters set forth
7 herein. All of the matters set forth herein are within my personal knowledge, except those matters that are
8 stated to be upon information and belief. As to such matters, I believe them to be true. I am one of the
9 attorneys of record for Plaintiff NATHAN TAMAAIGA NELSON ("Plaintiff").

10 2. This Supplemental Declaration is submitted in support of Plaintiff' Motion for Preliminary
11 Approval of Class and PAGA Representative Action Settlement.

12 **CLASS PERIOD END DATE AND ESCALATOR CLAUSE**

13 3. According to Paragraph 8 of the Settlement Agreement Defendant represented that there were
14 507 non-exempt employees who worked 31,735 workweeks for Defendant in California from February
15 22, 2020 to January 15, 2026. The parties stipulated to a 10% escalation of the estimated workweeks
16 without any increase to the Gross Settlement Amount. If the number of actual workweeks during the
17 Class Period exceeds 10% of the estimated workweeks (i.e., exceeds 34,909 workweeks), Defendant shall
18 have an option 1) to increase the GSA by a pro-rata dollar value equal to the number of workweeks in
19 excess of 34,909 workweeks, or 2) have the Class Period end on the date that the workweeks exceed
20 34,909 (the "Escalator Clause"). In Paragraph 1.12 of the Settlement Agreement the Class Period is
21 defined as the period from February 22, 2020 through the date the Court grants preliminary approval of
22 this settlement or March 15, 2026, whichever is earlier or as modified under Paragraph 8.

23 4. Defendant has produced the chart with the updated number of Class Members and
24 Workweeks as of March 15, 2026. According to the expert's calculation based on the updated number of
25 Class Members and Workweeks produced by Defendant, the Escalator Clause has not been triggered as
26 the total number of Workweeks worked by the Class Members from February 22, 2020 through March
27 15, 2026 is 31,972, and the total number of Class Members is 510. Since Marh 15, 2026 is earlier than the
28 scheduled preliminary approval motion hearing date, and the Escalator Clause has not been triggered as of

1 March 15, 2026, the Class Period ends on March 15, 2026. Concurrently with this declaration Plaintiff is
2 filing an Amended proposed order granting preliminary approval of class and PAGA representative action
3 settlement with the updated class period end date.

4 EXHIBITS

5 5. Attached hereto as **Exhibit “1”** is a true and correct copy of the submission of the Amended
6 proposed order granting preliminary approval of class and PAGA representative action settlement and this
7 declaration to the Department of Industrial Relations, through its online submission portal.

8
9 I declare under penalty of perjury, under the laws of the State of California, that the foregoing is
10 true and correct. Executed this 3rd day of April 2026, at Glendale, California.

11
12 

13 _____
LILIT TUNYAN, “Declarant”

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On the date indicated below, I served the document described as: **SUPPLEMENTAL DECLARATION OF LILIT TUNYAN IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA REPRESENTATIVE ACTION SETTLEMENT** on the interested parties in this action by sending a true copy thereof to interested parties as follows and as stated on the attached service list:

Attorneys for Defendant CHINESE GOURMET GROUP, INC.

Executed on April 3, 2026 at Glendale, California.

Signature