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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **FOR THE COUNTY OF STANISLAUS**

18 ANGEL SOLIZ, individually, and on behalf
19 of other members of the general public
20 similarly situated;

21 Plaintiff,

22 vs.

23 DUST BOWL BREWING CO., LLC, a
24 California limited liability company; and
25 DOES 1 through 100, inclusive,

26 Defendants.

Case No.: CV-23-004243

Honorable Sonny S. Sandhu

Department 24

CLASS ACTION

**DECLARATION OF AARON C.
GUNDZIK IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Date: July 9, 2025

Hearing Time: 8:30 a.m.

Department: 24

Complaint Filed: July 28, 2023

1 I, Aaron C. Gundzik, declare as follows:

2 1. I am a partner at Gundzik Gundzik Heeger LLP, co-counsel for Plaintiff
3 Angel Soliz. This Declaration is submitted in support of Plaintiff's Motion for Preliminary
4 Approval of Class Action Settlement.

5 2. I am admitted to practice law in the state of California. I have personal
6 knowledge of the matters set forth herein, and, if called as a witness, could competently
7 testify thereto.

8 3. I have been practicing law in Southern California for more than 30 years. I
9 graduated from the University of Southern California Law School in 1987 and have been a
10 member of the California bar since 1987. For my first 14 years of practice, I worked in the
11 Los Angeles office of a large international law firm, then known as LeBoeuf, Lamb, Greene
12 & MacRae, first as an associate and then as an equity partner. I left that firm in 2001 and
13 formed Cotton & Gundzik LLP. In 2012, I joined GGH. Throughout my career, I have been
14 involved in the litigation of complex cases, including securities, consumer and wage and
15 hour class actions. Presently, I am Plaintiff's counsel in approximately ten class actions in
16 various stages of litigation. I have served as class counsel in numerous wage and hour class
17 actions that have already settled. And, I successfully represented a class of service
18 technicians at trial and through appeal in *Gonzalez v. Downtown LA Motors, LP*, 215 Cal.
19 App. 4th 36 (2013), which helped establish the law regarding an employee's right to be paid
20 for all time under an employer's control, including nonproductive time, and is one of the
21 bases for California Labor Code section 226.2.

22 4. Rebecca Gundzik, who is also a partner at my law firm, is working with me
23 extensively on this case. Ms. Gundzik graduated from the University of Southern California
24 Law School in 1988 and has been a member of the California bar since 1988. In her 30-year
25 legal career, Ms. Gundzik worked at Loeb & Loeb and worked at Allen Matkins Leck
26 Gamble Mallory & Natsis LLP for fifteen years. Ms. Gundzik has also had significant
27 experience with complex cases, including real estate, business, and consumer and wage and
28

1 hour class actions. She works with me on all of my class action matters and was my co-
2 counsel at the trial of *Gonzalez v. Downtown LA Motors, LP*, 215 Cal. App. 4th at 36.

3 5. I and/or I and Rebecca Gundzik have been appointed as class counsel in the
4 following wage and hour class actions:

- 5 a. *Gonzalez v. Downtown LA Motors*, 215 Cal. App. 4th 35 (2013)
- 6 b. *Aboyte v. Sunrise Ford, Inc.*, Los Angeles Superior Court Case No.
7 BC521274
- 8 c. *Alshamri v. Ford of Santa Monica, Inc.*, Los Angeles Superior Court Case
9 No. BC529007
- 10 d. *Bromberg v. Fidelity National Information Services*, C.D. Cal. No. 2:15-CV-
11 7930
- 12 e. *Burciaga v. Superior Thread Rolling Company*, Los Angeles Superior Court
13 Case No. BC585143
- 14 f. *Centino v. Arrowhead Products Corporation*, Orange County Superior Court
15 Case No. 30-2018-00988493
- 16 g. *Cesar-Roden v Yoga Works, Inc.*, Los Angeles Superior Court Case No.
17 BC711991
- 18 h. *Claim Jumper Restaurants Wage and Hour Cases*, JCCP No. 4916
- 19 i. *ClubCorp Wage and Hour Cases*, Orange County Superior Court Case No.
20 30-2-2—01137085 (JCCP No. 5138)
- 21 j. *Cypress Security Wage and Hour Cases*, Los Angeles Superior Court Case
22 No. BC672405 (JCCP No. 4963)
- 23 k. *Dittmar v. Costco*, S.D. Cal. No. 3-14-CV-1156
- 24 l. *Franco v. Gentry Brothers, Inc.*, Los Angeles Superior Court Case No.
25 BC586571
- 26 m. *Gallegos v. EC Holdings Inc.*, Los Angeles Superior Court Case No.
27 BC616867
- 28 n. *Gonzales v. Manrika, Inc.*, Los Angeles Superior Court Case No. BC570534

- 1 o. *Grieg v. Food on Time, Inc.*, at al., Los Angeles Superior Court Case No.
2 BC684566
- 3 p. *Guillen v. Grasshopper House, LLC*, Los Angeles Superior Court Case No.
4 BC685116
- 5 q. *Hall v. Culpepper & Associates Security Services, Inc.*, Los Angeles Superior
6 Court Case No. 20STCV15317
- 7 r. *Haskins v. Walmart, et al.*, San Diego Superior Court Case No. 37-2019-
8 00020149-CU-OE-NC
- 9 s. *Hamilton v. BlueMercury, Inc.*, Los Angeles Superior Court Case No.
10 BC625829
- 11 t. *Henriquez v. NGU Transport LLC*, Los Angeles County Superior Court No.
12 BC714165
- 13 u. *Hernandez v. The Bicycle Casino LP*, Los Angeles Superior Court Case No.
14 BC628414
- 15 v. *Honeine v. PMB Motorcars, LLC*, Los Angeles Superior Court Case No.
16 BC530827
- 17 w. *Hughes v. Jeffrey Lee Galitz, MD, a Professional Medical Corp.*,
18 21STCV30732
- 19 x. *Jimenez v. El Proyecto Del Barrio, Inc.*, Los Angeles County Superior Court
20 No. 19STCV18696
- 21 y. *Jimenez v. PPG Industries, Inc.*, Los Angeles Superior Court Case No.
22 BC613324
- 23 z. *Kaelberer v. Long Beach Eurocars LLC*, Los Angeles Superior Court Case
24 No. BC521275
- 25 aa. *Kuenstle v. Childrens Hospital Los Angeles Medical Group, Inc.*, Los
26 Angeles Superior Court Case No. BC653858
- 27 bb. *Maravilla v. Motion Picture Television Fund*, Los Angeles Superior Court
28 Case No. BC690494

1 cc. *Medina v. Kaweah Pump, Inc.*, Tulare County Superior Court No. 265579
2 dd. *Mendez v WTMG, Inc.*, San Joaquin County Superior Court Case No. STK-
3 CV-UOE-2021-0009144
4 ee. *Mendoza v. Quanta Computer, USA, Inc.*, Alameda County Superior Court
5 No. RG11589781
6 ff. *Mitchiner v. Cox Target Media, Inc.*, Los Angeles County Superior Court
7 Case No. 19STCV00319
8 gg. *Munoz v. Dependable Highway Express, Inc.*, Los Angeles Superior Court
9 Case No. BC535931
10 hh. *Nava v. Pacific Coast Sightseeing Tours & Charters, Inc.*, Los
11 Angeles County Superior Court Case No. BC685681
12 ii. *Ortiz v. Roberts Tool Co., Inc.*, Los Angeles Superior Court Case No.
13 BC626244
14 jj. *Otis v. Ray Stone Incorporated*, Sacramento County Superior Court Case No.
15 34-2019-00269952
16 kk. *Perez v. The Parsons Group, Inc.*, Santa Barbara County Superior Court
17 Case No. 19CV01203
18 ll. *Poland v. Glen Ivy Hot Springs, Inc.*, Riverside County Superior Court No.
19 RIC1312130
20 mm. *Saavedra v. Cliff View Terrace, Inc.*, Santa Barbara Superior Court Case No.
21 17CV02531
22 nn. *Schneider v. Inner City Education Foundation*, Los Angeles Superior Court
23 Case No. BC617827
24 oo. *Stadnik v. Leon's Transmission Service, Inc.*, Los Angeles Superior Court
25 Case No. 19STCV44253
26 pp. *Surveillance Security Wage and Hour Cases*, JCCP 4969
27 qq. *T.J. Maxx Wage and Hour Cases*, JCCP 5097
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1 rr. *Vatralleva v. Sears, Roebuck and Co.*, Los Angeles Superior Court Case No.

2 BC515650

3 ss. *Villalobos v. Pedego, Inc.*, Orange County Superior Court Case No. 30-2019-

4 01102461

5 tt. *Watson v. Aegis Security & Investigations Inc.*, Los Angeles Superior Court

6 Case No. BC695411

7 uu. *Wysocki v. Color Spot Nurseries, Inc.*, San Luis Obispo County Superior

8 Court No. 14CVPO138

9 vv. *Yoo v NGL Transportation LLC*, Los Angeles Superior Court Case No.

10 BC682160

11 ww. *Yoo v. South Coast Transportation & Distribution, Inc.*, Los Angeles

12 Superior Court Case No. BC682120

13 6. Each of the cases listed in Paragraph 5 and the cases still active involve wage
14 and hour issues similar to the legal and factual issues involved in this case.

15 7. I am familiar with California law governing wages owed to employees,
16 including but not limited to California Labor Code Sections 201, 202, 204, 226(a), 226.7,
17 227.3, 501, 512(a), 1174(d), 1184, 1197, 1197.1, 1198, 2698 *et seq.*, 2800, 2802, California
18 Business and Profession Codes 17200 *et seq.*, and the Wage Orders of the Industrial Welfare
19 Commission.

20 8. There are no conflicts that would prevent me from serving as Class Counsel
21 in this matter.

22 9. Neither I nor anyone in my law firm is aware of any actual or potential
23 conflicts of interest with any of the class members.

24 10. Neither I nor anyone in my firm has any actual or potential conflicts of
25 interest with the third party administrator, ILYM Group, Inc. ILYM Group, Inc. was chosen
26 based on its competitive fee and Class Counsel's positive experience with them.

1 11. I am not aware of any other pending matter or action asserting claims that
2 will be extinguished or adversely affected by the proposed settlement that is the subject of
3 this motion.

4 12. I have reviewed the Declaration of Elizabeth Parker-Fawley. I have analyzed
5 and weighed the evidence discussed in her declaration and have determined that the proposal
6 to settle the case for \$1,000,000, represents a fair and reasonable discount from the realistic
7 recovery and is within the ballpark of a fair, reasonable and adequate settlement of the wage
8 and hour class action and PAGA claims alleged in this case.

9 13. Based on a Class size of approximately 708, the Settlement Class Members
10 will receive, on average, about \$720.34.

11 14. I have conferred with Defendant's counsel, and Defendant has indicated that
12 some of the Class Members are not proficient in English but are fluent in Spanish. For that
13 reason, the Notice of Settlement will be printed in English and Spanish.

14 15. There are no conflicts that would prevent me from serving as Class Counsel
15 in this matter.

16 16. Attached hereto in **Exhibit 1** is a true and correct copy of the proof of
17 submission of the proposed settlement agreement to the California Workforce and
18 Development Agency.

19 I declare under penalty of perjury under the laws of the state of California that the
20 foregoing is true and correct.

21 DATED: June 9, 2025

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Aaron C. Gundzik

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EXHIBIT 1
(Confirmation of LWDA Submission)