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Attorneys for Plaintiffs

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

**IN AND FOR THE COUNTY OF SACRAMENTO**

AARON GORMAN, an individual, on behalf of  
himself, and on behalf of all persons similarly  
situated,

Plaintiffs,

vs.

DRUMMAC, INC., a Florida corporation;  
MORAN ENVIRONMENTAL RECOVERY,  
LLC, a Delaware limited liability company;  
MORAN TOWING CORPORATION, a New  
York corporation; and DOES 1 through 50,  
Inclusive.

Defendants.

CASE NO. 34-2022-00313456

**DECLARATION OF JEAN-CLAUDE  
LAPUYADE, ESQ., IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
AND PAGA ACTION SETTLEMENT**

Hearing Date: December 2, 2022  
Hearing Time: 9:00am  
Department: 28

Trial Date: Not Set  
Action Filed: January 4, 2022

**Reservation No. 2619356**

1 I, JEAN CLAUDE LAPUYADE, declare as follows:

2 1. I am the managing partner of the law firm of The JCL Law Firm, APC, and counsel of  
3 record for Plaintiff AARON GORMAN, an individual, on behalf of himself, and on behalf of all  
4 persons similarly situated ("Plaintiff") in this matter. As such, I am fully familiar with the facts,  
5 pleadings and history of the matter.

6 2. I am submitting this declaration in support of Plaintiff's Motion for Preliminary Approval  
7 of Class and PAGA Action Settlement.

8 3. The JCL Law Firm, APC, has extensive class action experience in multiple fields and has  
9 represented tens-of-thousands of persons in class actions. Counsel has previously litigated similar  
10 wage and hour class actions involving similar meal and rest period violations. Class Counsel has been  
11 approved as class counsel in similar wage and hour class actions throughout the State of California,  
12 including in the Superior Court for the County of Sacramento. As such, courts throughout the  
13 California have deemed Class Counsel experienced and knowledgeable in this area of law. Class  
14 Counsel has participated in every aspect of the settlement discussions and has concluded the settlement  
15 is fair, adequate and reasonable and in the best interests of the Class.

16 4. Plaintiff, the Class Members and the Aggrieved Employees are represented by competent  
17 and experienced counsel to pursue their claims. I established the JCL Law Firm, APC ("Firm"), in  
18 2010. The Firm is a boutique plaintiff firm representing aggrieved employees and consumers  
19 throughout California in wage and hour class actions, PAGA Actions and complex multi-party product  
20 liability matters. The Firm currently consists of myself, Jean-Claude Lapuyade, Esq. (Partner/Owner),  
21 Monnett De La Torre (Associate), Sydney Castillo-Johnson (Associate), Tesla Stone (Paralegal),  
22 Maria Watters (Paralegal), and Jennifer Heming (Legal Assistant).

23 5. I am qualified to represent the Plaintiff, the State of California and the Aggrieved  
24 Employees. I have extensive experience with wage and hour class and representative actions litigation  
25 like this matter, and employment matters in general. Additionally, I have extensive complex mass tort  
26 litigation experience and complex construction product liability experience. I can, will and have  
27

adequately represented the interests of the Plaintiff, the State of California and the Aggrieved Employees throughout this action.

6. I have represented consumers and employees in California class actions, and complex multi-party product liability actions exclusively for more than 14 years. I have been in practice as a plaintiffs' civil litigation attorney since April 2007.

7. I have significant class counsel and collective action counsel experience. I served as class and/or collective (PAGA) counsel in, among other cases, the following matters:

a. *Felix v. TVI, Inc., d.b.a. Savers*, Santa Clara Superior Court Case No. 21CV376407 (February 18, 2022) Hon. Sunil R. Kulkarni approved a \$1.8 million dollar class action and PAGA action settlement for, *inter alia*, unpaid off-the-clock work. The Court appointed JCL Law Firm, APC as Class Counsel and as representative PAGA counsel for the State of California.

b. *Munoz v. AMTCR*, San Bernardino Superior Court Case No. CIV-DS2001914 (August 24, 2021) Hon. David Cohn approved a \$1.8 million dollar class and PAGA settlement for, *inter alia*, inaccurate itemized wage statements. The JCL Law Firm, APC acted as class counsel for the settlement class and as representative PAGA counsel the State of California and the Aggrieved Employees.)

c. *Nunes v. Home Depot U.S.A., Inc.*, San Joaquin Superior Court Case No. STK-CV-UOE-2020-0011011 (October 20, 2021 – Hon. Roger Ross approved a \$1.5 million dollar class and PAGA settlement for, *inter alia*, miscalculated meal period premiums and appointed Jean-Claude Lapuyade, Esq, as Class Counsel.)

d. *Pillsbury v. T&T Restaurants CA, Inc.*, Del Norte Superior Court Case No. CVUJ-20-1214 (December 14, 2021 – Hon. Darren McElfresh approved \$550 billing rate and appointed Jean-Claude Lapuyade, Esq, as Class Counsel in a wage and hour class action settlement.)

e. *Rodriguez v. RSI Home Products, Inc.*, San Bernardino Superior Court Case No. CIVDS2023354 (July 30, 2021 – Hon. David Cohn approved a \$1.45 million class and

1 PAGA settlement for, *inter alia*, failure to comply with piece-rate laws, and appointed  
2 the JCL Law Firm, APC as Class Counsel)

3 f. *Elias Kaser v. Aviation Consultants, Inc.*, Orange County Superior Court Case  
4 No. 30-2021-01191204-CU-OE-CXC (September 22, 2021 – Hon. Peter J. Wilson  
5 approved \$550 billing rate in a representative California Labor Code Private Attorney  
6 General Act settlement).

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

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

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

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

24 k. *Stevens et al., v. Bank of England*, San Diego County Superior Court Case No.  
25 37-2019-00018662-CU-OE-CTL (October 16, 2020 – Hon. John Meyer appointed JCL  
26 Law Firm as Class Counsel and granted final approval of wage and hour class action for,  
27 *inter alia*, off-the-clock work.)

1. *Frazier v. ASA Carlton, Inc.*, San Diego Superior Court Case No. 37-2019-00036147 (October 9, 2020 Hon. Kenneth Medel appointed the JCL Law Firm as Class Counsel and granted final approval of wage and hour class action for off-the-clock work.)
- m. *Krake et al., v. Central Valley Diner, Inc.*, Placer County Superior Court Case No. SCV0041645 (September 4, 2020 – Hon. Michael Jones appointed JCL Law Firm as class counsel and granted final approval of wage and hour class action for meal period violations.)
- n. *Conner v. Ascendant Marketing, LLC et al.*, San Diego Superior Court Case No. 37-2019-00026864-CU-OE-CTL (July 24, 2020 Hon. Joel Wohlfeil granted approval of PAGA Settlement for, among other things, off-the-clock work. JCL Law Firm, APC acted as lead counsel.)
- o. *Guerrero v. Estancia Operations, LLC.*, San Diego Superior Court Case No. 37-2019-00028963 (August 25, 2020 – Hon. Katherine Bacal approved PAGA Settlement for, *inter alia*, missed meal and rest periods. JCL LAW Firm, APC, acted as lead counsel.)
- p. *Moreno v. Dash Lube, et al.*, United States District Court, Southern District of California, Case No. 18cv1922 DMS (AHG) (December 13, 2019 – Granted class certification of Labor Code Section 226 claim and appointed JCL Law Firm, APC, as Class Counsel.)
- q. *Perkins et al., v. Tahiti Enterprises, Inc., et al.*, Orange County Superior Court Case No. 30-2016-00863095 (October 22, 2019 – Hon. Peter Wilson appointed JCL Law Firm, APC, as Class Counsel and granted final approval for an unlawful housing class action settlement arising out of Civil Code Section 1940.1.)
- r. *Hill v. Stemak Holdings, Ltd.*, San Diego Superior Court Case No., 37-2018-00000747 (January 28, 2020 – Hon. Kenneth Medel appointed JCL Law Firm, APC as class counsel and granted final approval of wage and hour class action for unpaid overtime.)

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

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

10 u. *Moschetto v. Pillow Global, Inc. San Diego Superior Court*, Case No. 37-2017-  
11 00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL LAW Firm,  
12 APC, as Class Counsel and granted final approval for a wage and hour wage class action  
13 settlement involving misclassified house cleaners.)

14 v. *Burke v. Friendship Hotel, LLC*, San Diego County Superior Court Case No. 37-  
15 2017-00022517-CU-OE-CTL (March 10, 2019 – final approval granted on for an  
16 unlawful housing class action arising under Civil Code Section 1940.2)

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

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

25 y. *Summerlin et al. v. Maplebear, Inc. dba Instacart*, Los Angeles Superior Court  
26 Case No. BC603030 (2018 - certified and settled wage and hour class action.)  
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1 z. *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-  
2 00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal and  
3 rest periods)

4 aa. *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No. 37-2016-  
5 00012373-CU-OE-CTL (2017 - Certified and settled class action for employee  
6 misclassification);

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

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

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

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

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

18 10. Consequently, I was named to the prestigious Thomson Reuters, Super Lawyers, Rising  
19 Star in 2015, 2016, 2017 and, again, in 2018. According to Thomson Reuters, the Super Lawyers, Rising  
20 Star list recognizes the top 2.5% of eligible attorneys. (see  
21 [https://www.superlawyers.com/about/selection\\_process.html](https://www.superlawyers.com/about/selection_process.html).)

22 I declare under the penalty of perjury under the laws of the State of California that the foregoing  
23 is true and correct. Executed this 7th day of November, 2022, at San Diego, California.

24 **JCL LAW FIRM, APC**

25 By:   
26 Jean-Claude Lapuyade  
27 Attorneys for Plaintiff

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