

JCL LAW FIRM, APC

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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

GABRIEL GUZMAN JR. and JAMES
SANCHO, individuals, on behalf of themselves
and on behalf of all persons similarly situated,
and in their representative capacity on behalf of
the State of California and fellow Aggrieved
Employees,

Plaintiff,

v.

VULCAN MATERIALS COMPANY, a New
Jersey Corporation; CALMAT CO., a Delaware
Corporation; and DOES 1-50, Inclusive,

Defendants.

Case No.: 37-2021-00024583-CU-OE-CTL

**DECLARATION OF JEAN-CLAUDE
LAPUYADE, ESQ. IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
SETTLEMENT AND MOTION FOR
AWARD OF ATTORNEYS' FEES**

Complaint Filed: June 3, 2021

Hearing Date: May 19, 2023

Hearing Time: 1:30 p.m.

Dept.: 69

Judge: Katherine A. Bacal

1 I, Jean-Claude Lapuyade, Esq., declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would
3 competently testify to the following facts from my own personal knowledge. I am an attorney-at-law
4 and the owner of the JCL LAW FIRM, APC (hereinafter "Class Counsel"). I am co-counsel for
5 Plaintiffs and putative class representatives, individually and on behalf of other members of the
6 general public similarly situated and on behalf of aggrieved employees pursuant to the Private
7 Attorneys General Act ("PAGA") (collectively, "Plaintiffs").

8 2. I am submitting this declaration in support of Plaintiff's Motion for Final Approval of
9 Settlement and Motion for Award of Attorneys' Fees.

10 **I. LOADSTAR & COSTS**

11 3. Attached hereto as **Exhibit "A"** is a true and correct copy of the JCL Law Firm,
12 APC's "Transaction Summary" detailing Settlement Counsel's actually incurred litigation
13 expenses for this matter as of April 27, 2023. As shown in detail in the attached transaction
14 summary, Counsel has incurred a total of \$8,438.77 in litigation costs prosecuting this action.

15 4. Attached hereto as **Exhibit "B"** is a true and correct copy of the Time and Billing for
16 the attorneys and staff at the JCL Law Firm, APC as of April 27, 2023. To the best of my
17 knowledge each entry was made contemporaneously by the staff member and in the ordinary
18 course of the JCL Law Firm's usual course of business. The attached Billing Journal shows that
19 the JCL Law Firm, APC billed a total of 121.48 hours for a total of \$66,925.00 successfully
20 litigating this action.

21 5. The JCL Law Firm's rates are comparable to those judicially approved for other
22 plaintiff's firms, such as Baron & Budd (rates ranging from \$775 for the requested partner to \$390-
23 \$630 for non-partners), Western Comden Casselman & Essensten (rates ranging from \$670-\$750
24 for partners and \$300-\$500 for associates), and Blood Hurst & Rearden (\$510-\$695 for partners).
25 See *Aarons v. BMW of North America*, No. 11-7667-PSG, 2014 U.S. Dist. LEXIS 118442, *40-41
26 (C.D. Cal. Apr. 29, 2014). Other Southern California courts have approved hourly rates in the
27 requested range. See e.g., *Kearney v. Hyundai Motor Am.*, 2013 U.S. Dist. LEXIS 91636, *24
28 (C.D. Cal. June 28, 2013) (approving hourly rates of \$650 -\$800 for senior attorneys in consumer

1 class action); *Parkinson v. Hyundai Motor America*, 796 F.Supp.2d 1160, 1172 (C.D. Cal.
2 2010)(approving hourly rates between \$445 and \$675); *Faigman v. AT&T Mobility, LLC*, 2011
3 U.S. Dist. LEXIS 15825, *2 (N.D. Cal. Feb. 15, 2011)(Approving hourly rates of \$650 an hour for
4 partners and \$500 for associates); *Richard v. Ameri-Force Mgmt. Servs., Inc.*, No 37-2008-
5 00096019 (San Diego Superior Court, August 27, 2010)(\$695 to \$750 an hour for partners and
6 \$495 for associates); *Barrera v. Gamestop*, No. CV 09-1399 (C.D. Cal. Nov. 29, 2010)(\$700 for
7 partners and \$475 for associates); *Anderson v. Nextel Retail Stores, LLC*, No. CV 07-4480 (C.D.
8 Cal. June 20, 2010)(\$655- \$750 for partners and \$300 – 515 for associates); *Luquetta v. Regents of*
9 *Cal.*, CGC-05-443007 (San Francisco Sup. Ct.) (approving 2012 partner rates between \$550 and
10 \$850 per hour); and *Holoway v. Best Buy Co.*, C-05-5056-PJH (MEJ)(N.D. Cal.)(approving 2011
11 partner rates between \$825 and \$700, and associates hourly rates between \$355 and \$405 an hour).

12 6. Moreover, my billing rate has been approved multiple times within the last several
13 months by California Superior Court judges. (*See generally Rodriguez v. RSI Home Products, Inc.*,
14 San Bernardino Superior Court Case No. CIVDS 2023354 (July 30, 2021 – Hon. David Cohn
15 approved \$550 billing rate and appointed Jean-Claude Lapuyade, Esq. as Counsel in a \$1,450,000
16 wage and hour class action settlement); *Nunes v. Home Depot U.S.A., Inc.*, San Joaquin Superior
17 Court Case No. STK-CV-UOE-2020-0011011 (October 20, 2021 – Hon. Roger Ross approved
18 \$550 billing rate and appointed Jean-Claude Lapuyade, Esq. as Counsel in a \$1,500,000 wage and
19 hour class action settlement); *Pillsbury v. T&T Restaurants CA, Inc.*, Del Norte Superior Court
20 Case No. CVUJ-20-1214 (December 14, 2021 – Hon. Darren McElfresh approved \$550 billing rate
21 and appointed Jean-Claude Lapuyade, Esq. as Counsel in a wage and hour class action settlement);
22 *Elias Kaser v. Aviation Consultants, Inc.*, Orange County Superior Court Case No. 30-2021-
23 01191204-CU-OE-CXC (September 22, 2021 – Hon. Peter J. Wilson approved \$550 billing rate in
24 a representative California Labor Code Private Attorney General Act settlement).

25 7. Further, Counsel will be performing additional work, including finalizing the orders
26 and judgment and monitoring the completion of the settlement process over the course of the next
27 coming months.

1 8. All of Counsel's out-of-pocket expenses are the types of expenses normally charged
2 to paying clients including the following: filing fees; copying; telephone; postage; factual and legal
3 research charges; mediation fees; expert costs and travel expenses, which were all incurred during,
4 and were necessary for the successful prosecution of, the litigation and, therefore, should be
5 reimbursed.

6 9. Counsel now requests reimbursement for those incurred litigation expenses and costs
7 as provided for in the Settlement Agreement and based upon Counsel's billing records.

8 **II. JCL LAW FIRM EXPERIENCE**

9 10. Attached hereto as **Exhibit "C"** is a true and correct copy of the JCL Law Firm,
10 APC's firm resume. The resume includes the credentials of the attorneys and staff who have
11 actively worked on this matter, as well as sets forth some of the major cases the firm has
12 undertaken.

13 11. Counsel in this matter has extensive class action and PAGA experience in multiple
14 fields and has represented tens-of-thousands of persons in class actions and PAGA matters.
15 Counsel has previously litigated similar wage and hour class actions involving similar meal and
16 rest period violations. Counsel has been approved as class counsel in similar wage and hour
17 actions throughout the State of California, including in the Superior Court for the County of San
18 Diego. As such, courts throughout California have deemed Counsel experienced and
19 knowledgeable in this area of law. Counsel has participated in every aspect of the settlement
20 discussions and has concluded the settlement is fair, adequate and reasonable and in the best
21 interests of the Class.

22 12. Plaintiff and the Aggrieved Employees are represented by competent and experienced
23 counsel to pursue their claims. I established the JCL Law Firm, APC ("Firm"), in 2010. The Firm
24 is a boutique plaintiff firm representing aggrieved employees and consumers throughout California
25 in wage and hour class actions, PAGA Actions and complex multi-party product liability matters.
26 The Firm currently consists of myself, Jean-Claude Lapuyade, Esq., (Partner/Owner), Sydney
27 Castillo-Johnson, Esq., Tesla Stone (Paralegal), Maria Watters (Paralegal) and Jennifer Heming
28 (Legal Secretary).

13. I am qualified to represent the Plaintiff, the State of California and the Aggrieved Employees. I have extensive experience with wage and hour class and representative actions litigation like this matter, and employment matters in general. Additionally, I have extensive complex mass tort litigation experience and complex construction product liability experience. I can, will and have adequately represented the interests of the Plaintiff, the State of California and the Aggrieved Employees throughout this action.

14. I have represented consumers and employees in California class actions, and complex multi-party product liability actions exclusively for more than 13 years. I have been in practice as a plaintiffs' civil litigation attorney since April 2007.

15. I have significant class counsel and collective action counsel experience, as outlined in the firm resume.

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

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

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of April 2023, at San Diego, California.

JCL LAW FIRM, APC

By: Jean-Claude Lapuyade
Jean-Claude Lapuyade
Attorneys for Plaintiffs

EXHIBIT 1

JCL Law Firm

Transaction Report

All Dates

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
Guzman v. Vulcan (002-201)								
03/31/2021	Expense		LWDA		Client costs deferred	Chase Card 7349	75.00	75.00
03/31/2021	Journal Entry	Mar. 2021 Postage		Copies for Mar. 2021	Client costs deferred	-Split-	9.20	84.20
03/31/2021	Journal Entry	Mar. 2021 Postage		Postage for Mar. 2021	Client costs deferred	-Split-	16.50	100.70
04/30/2021	Journal Entry	Apr. 2022 Postage		Copies for Apr. 2021	Client costs deferred	-Split-	1.70	102.40
04/30/2021	Journal Entry	Apr. 2022 Postage		Postage for Apr. 2021	Client costs deferred	-Split-	8.22	110.62
05/31/2021	Journal Entry	May 2021 Postage		Copies for May 2021	Client costs deferred	-Split-	6.00	116.62
06/04/2021	Expense		One Legal LLC	One Legal Order Number: 16405640 - Filing Fee: Complaint, Civil Case Cover Sheet, Original Summons	Client costs deferred	Chase Card 7349	1,489.69	1,606.31
06/30/2021	Journal Entry	June 2021 Postage		Postage for June 2021	Client costs deferred	-Split-	0.51	1,606.82
06/30/2021	Journal Entry	June 2021 Postage		Copies for June 2021	Client costs deferred	-Split-	0.30	1,607.12
07/31/2021	Journal Entry	July 2022 Postage		Copies for July 2021	Client costs deferred	-Split-	0.30	1,607.42
10/18/2021	Expense		One Legal LLC	One Legal Order Number: 17073016 - Filing Fee Re: Notice of Change of Address/Telephone	Client costs deferred	Chase Card 7349	12.35	1,619.77
10/31/2021	Journal Entry	Oct 2021 Postage		Copies for Oct 2021	Client costs deferred	-Split-	1.50	1,621.27
11/04/2021	Expense		One Legal LLC	One Legal Order Number: 17180065 - Filing Fee Re: Case Management Statement	Client costs deferred	Chase Card 7349	12.35	1,633.62
11/11/2021	Check	2640	Desmond, Marcello & Amster, LLC	Inv. 308332	Client costs deferred	US Bank- Checking - 4270	2,101.87	3,735.49
11/30/2021	Journal Entry	Nov 2021 Postage		Postage for Nov 2021	Client costs deferred	-Split-	0.73	3,736.22
11/30/2021	Journal Entry	Nov 2021 Postage		Copies for Nov 2021	Client costs deferred	-Split-	0.20	3,736.42
12/14/2021	Expense		One Legal LLC	One Legal Order Number: 17367017 - Filing Fee Re: Complaint, Civil Case Cover Sheet, Original Summons	Client costs deferred	Chase Card 7349	1,489.69	5,226.11
12/31/2021	Journal Entry	Dec 2021 Postage		Copies for Dec 2021	Client costs deferred	-Split-	0.10	5,226.21
01/04/2022	Expense		One Legal LLC	One Legal Order Number: 17458388 - Filing Fee Re: Notice and Acknowledgement of	Client costs	Chase Card	12.35	5,238.56

JCL Law Firm

Transaction Report

All Dates

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
				Receipt	deferred	7349		
01/07/2022	Expense		One Legal LLC	One Legal Order Number: 17480697 - Filing Fee Re: Notice and Acknowledgement of Receipt	Client costs deferred	Chase Card 7349	12.35	5,250.91
01/25/2022	Expense		One Legal LLC	One Legal Order Number: 17575876 - Filing Fee Re: Notice and Acknowledgment of Receipt	Client costs deferred	Chase Card 7349	12.35	5,263.26
01/31/2022	Journal Entry	Jan 2022 Postage		Copies for Jan 2022	Client costs deferred	-Split-	0.30	5,263.56
03/31/2022	Journal Entry	Mar 2022 Postage		Copies for Mar 2022	Client costs deferred	-Split-	0.70	5,264.26
04/30/2022	Journal Entry	April 2022 Postage		Copies for April 2022	Client costs deferred	-Split-	0.60	5,264.86
09/22/2022	Expense		One Legal LLC	One Legal Order Number: 18958324 - Filing Fee Re: Motion - Other, Memorandum of Points and Authorities, Declaration	Client costs deferred	Chase Card 7349	74.64	5,339.50
09/22/2022	Expense		One Legal LLC	One Legal Order Number: 18958413 - Copies Re: Stipulation and (Proposed) Order for Leave to File Second Amended Complaint, Proof of Service	Client costs deferred	Chase Card 7349	58.17	5,397.67
09/29/2022	Expense		One Legal LLC	One Legal Order Number: 19012189 - Filing Fee Re: Case Management Statement, Proof of Service	Client costs deferred	Chase Card 7349	12.87	5,410.54
10/03/2022	Expense		One Legal LLC	One Legal Order Number: 18958412 - Filing Fee Re: Stipulation - Other - Fee Due, Proof of Service	Client costs deferred	Chase Card 7349	2,988.12	8,398.66
10/11/2022	Expense		One Legal LLC	One Legal Order Number: 19031044 - Filing Fee Re: Amended Complaint, Proof of Service	Client costs deferred	Chase Card 7349	12.87	8,411.53
10/21/2022	Expense		One Legal LLC	One Legal Order Number: 19151749 - Filing Fee Re: Declaration - Other, Proof of Service	Client costs deferred	Chase Card 7349	12.87	8,424.40
10/31/2022	Journal Entry	Oct. 2022 Postage		Copies for October 2022	Client costs deferred	-Split-	0.30	8,424.70
11/23/2022	Expense		One Legal LLC	One Legal Order Number: 19354790 - Filing Fee Re: Case Management Statement, Proof of Service	Client costs deferred	Chase Card 7349	12.87	8,437.57
11/30/2022	Journal Entry	Nov. 2022 Postage		Copies for November 2022	Client costs deferred	-Split-	0.10	8,437.67
01/10/2023	Expense		SD Superior Court		Client costs deferred	Chase Card 7349	1.00	8,438.67
01/31/2023	Journal Entry	Jan 2023 Postage		Copies for January 2023	Client costs deferred	-Split-	0.10	8,438.77
Total for Guzman v. Vulcan (002-201)							\$8,438.77	
TOTAL							\$8,438.77	

EXHIBIT 2

JCL Law Firm

Unbilled Time

Activity: All Dates

ACTIVITY DATE	POSTING	EMPLOYEE	MEMO/DESCRIPTION	RATE	DURATION	AMOUNT	BALANCE
Guzman v. Vulcan (002-201)							
12/07/2020	No	Jean Claude Lapuyade	Fact Investigation - Client Intake	550.00	0:54	495.00	495.00
12/21/2020	No	Jean Claude Lapuyade	Fact Investigation - R&R Client Documents	550.00	2:12	1,210.00	1,705.00
12/22/2020	No	Jean Claude Lapuyade	Legal Research - - Employee File Demand Statutes	550.00	1:06	605.00	2,310.00
12/23/2020	No	Jean Claude Lapuyade	Discovery - Drafted, Revise, Edited and Finalized Employee File Demand	550.00	1:00	550.00	2,860.00
12/30/2020	No	Jean Claude Lapuyade	Case Management - TCW Client Re Timeline for File Production and Claim Discussios	550.00	1:00	550.00	3,410.00
01/07/2021	No	Jean Claude Lapuyade	Legal Research - CBA Preemption of CA Labor Code Claims	550.00	6:30	3,575.00	6,985.00
01/15/2021	No	Jean Claude Lapuyade	Discovery - R&R Employer Response Letter to File Demand	550.00	0:24	220.00	7,205.00
01/18/2021	No	Jean Claude Lapuyade	Discovery - R&R Employee File Production	550.00	1:42	935.00	8,140.00
01/20/2021	No	Jean Claude Lapuyade	Legal Research - OTC Claim, Meal, Rest, 2802 and 226	550.00	4:00	2,200.00	10,340.00
02/18/2021	No	Jean Claude Lapuyade	Case Management - Drafted Status Letter to Client Re Claims	550.00	1:30	825.00	11,165.00
02/22/2021	No	Jean Claude Lapuyade	Legal Research - LWDA Notice Requirements for PAGA (Cases and Statutes)	550.00	2:54	1,595.00	12,760.00
03/10/2021	No	Jean Claude Lapuyade	Pleadings - Drafted, Revised and Edited LWDA Notice	550.00	2:00	1,100.00	13,860.00
03/16/2021	No	Jean Claude Lapuyade	Case Management - TCW Client Re LWDA and PAGA Notice	550.00	0:48	440.00	14,300.00
03/25/2021	No	Jean Claude Lapuyade	Pleading - Revised and Edited LWDA Notice after Call w/ Client	550.00	0:48	440.00	14,740.00
03/30/2021	No	Jean Claude Lapuyade	Pleadings - Finalized LWDA Notice for Service	550.00	0:18	165.00	14,905.00
10/14/2021	No	Jean Claude Lapuyade	Discovery - R&R Time and Payroll Data produced for Mediation	550.00	6:24	3,520.00	18,425.00
10/14/2021	No	Jean Claude Lapuyade	Drafted Notice of COA	550.00	1:00	550.00	18,975.00
10/15/2021	No	Jean Claude Lapuyade	Discovery - R&R Mediation Data and Policies	550.00	3:30	1,925.00	20,900.00
10/18/2021	No	Jean Claude Lapuyade	Discovery - TCW Expert Re Damage Analysis	550.00	1:06	605.00	21,505.00
10/21/2021	No	Jean Claude Lapuyade	Legal Research - Mediation Brief Issues (CBA, Meal, Rest, 226 and Min. Wage)	550.00	3:54	2,145.00	23,650.00
10/25/2021	No	Jean Claude Lapuyade	Late and Moiton - Drafted, Revised and Edited Mediation Brief	550.00	2:48	1,540.00	25,190.00
10/27/2021	No	Jean Claude Lapuyade	Case Management - TCW Client Re Mediation and Brief	550.00	0:48	440.00	25,630.00

JCL Law Firm

Unbilled Time

Activity: All Dates

ACTIVITY DATE	POSTING	EMPLOYEE	MEMO/DESCRIPTION	RATE	DURATION	AMOUNT	BALANCE
11/01/2021	No	Jean Claude Lapuyade	Mediation - Review Briefs and Exhibits in Prep for Mediation	550.00	2:30	1,375.00	27,005.00
11/02/2021	No	Jean Claude Lapuyade	Mediation - Attended Mediation	550.00	8:30	4,675.00	31,680.00
11/03/2021	No	Jean Claude Lapuyade	Drafted Case Management Statement	550.00	1:00	550.00	32,230.00
01/21/2022	No	Jean Claude Lapuyade	TCW Mediator Ortman Re Status	550.00	0:36	330.00	32,560.00
02/03/2022	No	Jean Claude Lapuyade	Pleadings - Read and Reviewed Defendant's Answer	550.00	2:06	1,155.00	33,715.00
02/04/2022	No	Jean Claude Lapuyade	Legal Research - Motion to Strike/Demurrer to Answer	550.00	3:24	1,870.00	35,585.00
03/09/2022	No	Jean Claude Lapuyade	Settlement - Revised MOU	550.00	2:12	1,210.00	36,795.00
03/17/2022	No	Jean Claude Lapuyade	Settlement - Drafted Class SAR	550.00	4:12	2,310.00	39,105.00
03/17/2022	No	Jean Claude Lapuyade	Drafted - Class Notice	550.00	1:30	825.00	39,930.00
03/17/2022	No	Jean Claude Lapuyade	Drafted - Request for Exclusion	550.00	0:24	220.00	40,150.00
04/20/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC Re MOU	550.00	1:00	550.00	40,700.00
04/27/2022	No	Jean Claude Lapuyade	Settlement - Emails re comments to the MOU	550.00	0:24	220.00	40,920.00
05/03/2022	No	Jean Claude Lapuyade	Emailst o/from OC Re Settlement Agreement	550.00	0:30	275.00	41,195.00
05/06/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC regarding MOU	550.00	0:24	220.00	41,415.00
05/09/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from Co-counsel Re MOU	550.00	0:30	275.00	41,690.00
05/18/2022	No	Jean Claude Lapuyade	Case Management - Phone Call with client regarding status of settlement	550.00	0:36	330.00	42,020.00
05/25/2022	No	Jean Claude Lapuyade	Emails to/from OC Re MOU	550.00	0:30	275.00	42,295.00
05/31/2022	No	Jean Claude Lapuyade	Settlement - Emails to OC re finalizing MOU.	550.00	0:18	165.00	42,460.00
06/06/2022	No	Jean Claude Lapuyade	Settlement - Email to OC regarding finalizing MOU.	550.00	0:18	165.00	42,625.00
06/07/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC re number of workweeks.	550.00	0:18	165.00	42,790.00
06/07/2022	No	Jean Claude Lapuyade	Settlement - Emails to from OPC Re Settlement Agreement	550.00	0:24	220.00	43,010.00
06/09/2022	No	Jean Claude Lapuyade	TCW Client Re MOU	550.00	0:48	440.00	43,450.00
06/10/2022	No	Jean Claude	Settlement - Emails to/from OPC and Co-Counsel	550.00	0:42	385.00	43,835.00

JCL Law Firm

Unbilled Time

Activity: All Dates

ACTIVITY DATE	POSTING	EMPLOYEE	MEMO/DESCRIPTION	RATE	DURATION	AMOUNT	BALANCE
		Lapuyade	Re MOU				
06/13/2022	No	Jean Claude Lapuyade	Settlement - Revised SAR and Class notice per OC's revisions to MOU.	550.00	1:12	660.00	44,495.00
06/17/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OPC Re Mediation Data	550.00	0:30	275.00	44,770.00
06/20/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from opposing counsel and co-counsel regarding execution of MOU.	550.00	0:18	165.00	44,935.00
06/23/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from opposing counsel and co-counsel re MOU execution.	550.00	0:24	220.00	45,155.00
06/27/2022	No	Jean Claude Lapuyade	Settlement - Revised Class Notice and Class SAR re released claims.	550.00	0:48	440.00	45,595.00
06/27/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC re drafts of Class SAR and Class Notice	550.00	0:24	220.00	45,815.00
06/27/2022	No	Jean Claude Lapuyade	Settlement - Drafted, Revised and Reviewed Long Form Agreement	550.00	2:36	1,430.00	47,245.00
07/06/2022	No	Jean Claude Lapuyade	Settlement - Reviewed and Revised SAR Per Co-Counsel Edits	550.00	1:12	660.00	47,905.00
07/07/2022	No	Jean Claude Lapuyade	Settlement - Revised Class Notice.	550.00	0:42	385.00	48,290.00
07/11/2022	No	Jean Claude Lapuyade	Settlement - Reviewed and Revised Long Form	550.00	1:12	660.00	48,950.00
07/11/2022	No	Jean Claude Lapuyade	Settlement - Finalized Class SAR and Notice. Forwarded to OC for review.	550.00	0:36	330.00	49,280.00
08/03/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC re Class SAR, Class Notice and Exclusion Form	550.00	0:18	165.00	49,445.00
08/10/2022	No	Jean Claude Lapuyade	Settlement - Email to OC following up regarding service list and comments to SAR, Notice and Exclusion Form.	550.00	0:12	110.00	49,555.00
08/15/2022	No	Jean Claude Lapuyade	Settlement - Email to OC following up on comments to SAR and Class Notice.	550.00	0:12	110.00	49,665.00
08/16/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC Re Long Form	550.00	0:30	275.00	49,940.00
08/21/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from Co-Counsel Re Long Form	550.00	0:30	275.00	50,215.00
09/06/2022	No	Jean Claude Lapuyade	Legal Research - MPA Issues	550.00	3:36	1,980.00	52,195.00
09/16/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC Re Long Form Issues	550.00	0:24	220.00	52,415.00
09/19/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC Re FAC and SAR	550.00	0:30	275.00	52,690.00
09/20/2022	No	Jean Claude Lapuyade	Law and Motion - Reviewed, Revised and Edited MPA	550.00	2:42	1,485.00	54,175.00
10/04/2022	No	Jean Claude Lapuyade	Case Management - R&R Defendant's CMS	550.00	0:18	165.00	54,340.00
10/05/2022	No	Jean Claude	Law and Motion - R&R Admin Dec. ISO Final	550.00	0:48	440.00	54,780.00

JCL Law Firm

Unbilled Time

Activity: All Dates

ACTIVITY DATE	POSTING	EMPLOYEE	MEMO/DESCRIPTION	RATE	DURATION	AMOUNT	BALANCE
		Lapuyade					
10/20/2022	No	Jean Claude Lapuyade	Law and Motion - Drafted, Revised and Edited Support. MPA	550.00	2:06	1,155.00	55,935.00
11/23/2022	No	Jean Claude Lapuyade	Law and Motion - Email to/from OC Re MPA Hearing Date and Supplemental Decs.	550.00	0:30	275.00	56,210.00
11/28/2022	No	Jean Claude Lapuyade	Law and Motion - Drafted, Revised and Edited Supp. Declaration ISO MPA	550.00	2:24	1,320.00	57,530.00
11/28/2022	No	Jean Claude Lapuyade	Legal Research - State Authority for Range of Reasonableness	550.00	2:30	1,375.00	58,905.00
12/07/2022	No	Jean Claude Lapuyade	Law and Motion - R&R Court's Tentative Ruling MPA and Emails Re the Same	550.00	0:30	275.00	59,180.00
12/27/2022	No	Jean Claude Lapuyade	Settlement - Emails to/from OC Re Signed Order	550.00	0:24	220.00	59,400.00
12/29/2022	No	Jean Claude Lapuyade	Settlement - R&R Formatted Notice and Mailing Documents	550.00	1:30	825.00	60,225.00
01/07/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Timeline	550.00	0:24	220.00	60,445.00
01/07/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Co Counsel Re MFA	550.00	0:24	220.00	60,665.00
01/09/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Notice	550.00	0:24	220.00	60,885.00
01/10/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Timeline	550.00	0:42	385.00	61,270.00
01/11/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Notice	550.00	0:18	165.00	61,435.00
01/20/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Notice Documents	550.00	0:42	385.00	61,820.00
01/30/2023	No	Jean Claude Lapuyade	Settlement - Emails to/from Admin Re Class Data	550.00	0:48	440.00	62,260.00
02/03/2023	No	Jean Claude Lapuyade	Settlement - R&R Admin Preliminary Calculations	550.00	1:36	880.00	63,140.00
02/09/2023	No	Jean Claude Lapuyade	Legal Research - Motion for Fees	550.00	4:12	2,310.00	65,450.00
02/23/2023	No	Jean Claude Lapuyade	Settlement - R&R Admin Report	550.00	0:24	220.00	65,670.00
03/02/2023	No	Jean Claude Lapuyade	Settlement - R&R Admin Report	550.00	0:24	220.00	65,890.00
03/08/2023	No	Jean Claude Lapuyade	Settlement - R&R Admin Report	550.00	0:18	165.00	66,055.00
03/17/2023	No	Monnett DeLaTorre	Settlement - R&R Admin Report	500.00	0:18	150.00	66,205.00
03/23/2023	No	Sydney Castillo-Johnson	Settlement - R&R Admin Report	300.00	0:12	60.00	66,265.00
03/27/2023	No	Jean Claude	Law and Motion - Emails to/from CO Counsel Re	550.00	0:12	110.00	66,375.00

JCL Law Firm

Unbilled Time

Activity: All Dates

ACTIVITY DATE	POSTING	EMPLOYEE	MEMO/DESCRIPTION	RATE	DURATION	AMOUNT	BALANCE
		Lapuyade	MFA				
04/24/2023	No	Jean Claude Lapuyade	Law and Motion - Emails to/from Admin Re Dec ISO PAGA Approval	550.00	0:36	330.00	66,705.00
04/25/2023	No	Jean Claude Lapuyade	Law and Motion - Emails to/from Admin Re Dec ISO Final	550.00	0:24	220.00	66,925.00
Total for Guzman v. Vulcan (002-201)					121:48	\$66,925.00	

EXHIBIT 3

JCL LAW FIRM, APC
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Tel: (619) 599-8292
Fax: (619) 599-8291

FIRM RESUME

Areas of Practice: Employee Class Actions, Wage and Hour Class Actions, Civil Litigation, and Unlawful Housing Practices.

ATTORNEY BIOGRAPHIES

Jean-Claude Lapuyade, Esq.
California Bar Number 248676
Founding Partner

Biography:

Mr. Lapuyade is a San Diego based labor and employment attorney representing aggrieved California employees and the victims of unlawful housing practices throughout the State of California. Mr. Lapuyade's litigation practice focuses on representing California employees in wage and hour class actions for unpaid wages, missed meal and rest breaks, and misclassification, wrongful termination cases and tenants in unlawful housing class actions. Mr. Lapuyade prides himself on providing his clients with aggressive, attentive and result driven representation through the litigation process, trial and arbitration. Since 2007, Mr. Lapuyade successfully recovered in excess of \$100 million in monetary awards for his clients.

Mr. Lapuyade served as co-editor of the Insurance Column for Consumer Attorneys of San Diego from 2011 to 2014. As editor, Mr. Lapuyade was responsible for publishing monthly articles in the Trial Bar News periodical analyzing complex insurance coverage issues. Mr. Lapuyade is a four-time recipient of the Super Lawyers Rising Star by Thomson Reuters. To be eligible for inclusion in Rising Stars, a candidate must be either 40 years old or younger or in practice for 10 years or less. While up to 5 percent of the lawyers in a state are named to Super Lawyers, no more than 2.5 percent are named to Rising Stars.

Bar Admissions:

- California
- U.S. District Court Southern District of California
- U.S. District Court Central District of California
- U.S. District Court Eastern District of California
- U.S. District Court Northern District of California

Professional Associations:

- California Employment Lawyers Association, 2007 to Present
- Consumer Attorneys of San Diego, 2007 to 2020
- American Bar Association, Section of Litigation, Member, 2007 to 2020
- American Bar Association, Labor & Employment Section, Member, 2007 to 2020
- American Bar Association, Tort, Trial & Insurance Section, Member, 2007 to 2020
- California Bar Association, Labor & Employment Section, Member, 2007 to Present
- California Bar Association, Litigation Section, Member, 2007 to Present

Education:

- **California Western School of Law**
 - J.D. - 2006
 - Honors: Deans Merit Scholarship, California Western School of Law 2005 - 2006
- **University of Arizona**
 - B.A. - 2001
 - Major: History

Honors:

- Super Lawyers Rising Star, Thomson Reuters, 2015 - 2018
- Distinguished Advocate Award for Outstanding Oral Advocacy, 2005 - 2006

Sydney Castillo-Johnson, Esq.
California Bar Number 343881
Associate Attorney

Biography:

Ms. Castillo-Johnson is a San Diego based labor and employment attorney representing California employees throughout the state of California. Ms. Castillo-Johnson's litigation practice focuses on representing current and former employees in wage and hour class actions for unpaid wages, missed meal and rest breaks, misclassification, and wrongful termination.

Ms. Castillo-Johnson volunteered her time at California Western School of Law first as a student intern and later as a student manager with the Community Law Project which offers legal services to the low-income community of San Diego. She now sits on the Advisory Council with the Community Law Project.

Education:

- **California Western School of Law**
 - J.D.- 2022
 - Honors:
 - Dean's Honor List: Spring 2021, Fall 2021
 - Public Service Honor Society Fall 2021
 - 3L Academic Merit Scholarship
 - Dean's Diversity, Service, and Leadership Scholarship
 - Activities: Community Law Project Student Manager
- **Azusa Pacific University**
 - B.A. – 2018
 - Major: Criminal Justice

Monnett De La Torre, Esq.
California Bar Number 272884
Senior Associate

Biography:

Ms. De La Torre is a San Diego and Ventura County based labor and employment attorney representing aggrieved California employees throughout the State of California. Ms. De La Torre's litigation practice focuses on representing California employees in wage and hour class and representative actions for unpaid wages, missed meal and rest breaks, misclassification, penalties, and wrongful termination cases. Ms. De La Torre has extensive experience handling internal workplace investigations. Ms. De La Torre has handled matters before the Department of Fair Employment and Housing, Equal Employment Opportunity Commission and Department of Labor.

Ms. De La Torre is a two-time recipient of the Super Lawyers Rising Star by Thomas Reuters. To be eligible for inclusion in Rising Stars, a candidate must be either 40 years old or younger or in practice for 10 years or less. While up to five percent of the lawyers in a state are named to Super Lawyers, no more than 2.5 percent are named to Rising Stars.

Bar Admissions:

- California
- U.S. District Court Southern District of California

Professional Associations:

- California Employment Lawyers Association, 2022 to Present
- Consumer Attorneys of San Diego, 2010-2015
- American Bar Association, Labor & Employment Section, Member, 2015 to Present
- California Bar Association, Labor & Employment Section, Member, 2015 to Present
- San Diego La Raza Lawyers Association, 2010-2015
- Ventura County Bar Association, 2015-Present
- Women Lawyers of Ventura County, 2015-Present

Education:

- **New England School of Law**
 - J.D.- 2010

- Honors:
 - Dean's List Consecutive years
- **University of California, San Diego**
 - B.A.- 2006
 - Major: Economics
 - Minor: Latin American Studies

Honors:

- Super Lawyers Rising Star, Thomson Reuters, 2021 and 2022
- Pacific Coast Business Times, "Top 40 under 40" Award
- Daily Transcripts "Top Young Attorney: nominee, consecutive years"

REPORTED CASES

- *Blanchette et al., v. Superior Court (GHA Homes)*, 8 Cal.App.5th 521, 2017
- *Chmurny v. State*, 392 Md. 159, 2006

EXAMPLES OF THE JCL LAW FIRM'S
REPRESENTATIVE CLASS ACTION & REPRESENTATIVE CASES

- *Martinello v. Century Wilshire, Inc.*, Los Angeles Superior Court Case No. 20STCV32613 (March 1, 2022) Hon. Carolyn Kuhl approved a \$550 billing rate and appointed Jean Claude Lapuyade, Esq. of the JCL Law Firm, APC, as Class Counsel.
- *Wilson v. Spreen Inc. (dba Spreen Honda)*, San Bernardino Superior Court Case No. CIVSB2119857 (April 6, 2022) Hon. David Cohn approved a \$300,000 PAGA action settlement for meal and rest period violations. The JCL Law Firm, APC, represented the plaintiff, the State of California, and the Aggrieved Employees.
- *Ledesma v. TVJ Sons I, Inc.; Porter and Howard, Inc.* Santa Barbara Superior Court Case No. 20CV03573 (November 10, 2021) Hon. Jed Beebe approved a \$350,000 PAGA action settlement for meal and rest period violations. The JCL Law Firm, APC represented the State of California and the Aggrieved Employees.
- *Jacobs v. Rush Media Company, LLC; XLT Management Services, Inc.*, Los Angeles Superior Court Case No. 20STCV32350 (May 2, 2022) Hon. Daniel J. Buckley appointed the JCL Law Firm, APC as Class Counsel and approved a \$330,000 class action settlement for, *inter alia*, independent contractor misclassification.
- *Chavez v. HTL Conrad Domestic, LLC; HTL Conrad Domestic Employer, LLC*, San Diego Superior Court Case No. 37-2020-00016193-CU-OE-CTL (June 9, 2022) Hon. John S. Meyer approved a \$850,000 PAGA action settlement for, *inter alia*, failure to compensate overtime at the regular rate of pay. The JCL Law Firm, APC acted as representative PAGA counsel for the State of California and the Aggrieved Employees.
- *Renteria v. Love's Country Stores of California*, San Bernardino Superior Court Case No. CIVDS20164481 (June 14, 2022) Hon. David Cohn approved a \$2.2 million dollar class action and PAGA action settlement for, *inter alia*, unpaid overtime and sick pay. The JCL Law Firm, APC acted as Class Counsel and as representative PAGA counsel for the State of California.
- *Lopez v. Adidas America, Inc.*, Ventura Superior Court Case No. 56-2021-005498444-CU-OE-VTA (April 4, 2022) Hon. Mark Borrell approved a \$1.5 million dollar class action and PAGA action settlement for, *inter alia*, inaccurate overtime calculations, and appointed the JCL Law Firm, APC as Class Counsel.
- *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.
- *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.)
- *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.)
- *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.)
- *Latin v. OneMain General Service Corporation*, Stanislaus County Superior Court Case No. CV-20-002498 (October 22, 2021) Hon. Stacy Speiller approved a PAGA action settlement for \$700,000 wage statement violations. The JCL Law Firm, APC acted as counsel for the plaintiff, the State of California and the Aggrieved Employees.

- *Elias Kaser v. Aviation Consultants, Inc.*, Orange County Superior Court Case No. 30-2021-01191204-CU-OE-CXC (September 22, 2021 – Hon. Peter J. Wilson approved \$550 billing rate in a representative California Labor Code Private Attorney General Act settlement).
- *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 PAGA settlement for, *inter alia*, failure to comply with piece-rate laws, and appointed the JCL Law Firm, APC as Class Counsel)
- *Jer Vang v. Bridge Property Management*, Alameda County Superior Court, Case No RG19047434 (January 8, 2021 – Hon. Winifred Smith approved a class and PAGA settlement for, *inter alia*, unpaid off the clock work. 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.)
- *Johnson v. Volt Management Corp., Inc. et al.*, Los Angeles County Superior Court, Case No. 19STCV16466 (December 11, 2020 – Hon. Amy Hogue approved a PAGA Settlement negotiated on behalf of the State of California and the aggrieved employees by the JCL Law Firm, APC.)
- *Salazar v. Frontier Auto Sales Inc., dba Frontier Toyota*, Los Angeles Superior Court, Case No. 19STCV20382 (November 24, 2020 – Hon. John P. Doyle appointed the JCL Law Firm, APC as class counsel and approved a class and PAGA settlement for, *inter alia*, missed meal and rest periods.)
- *Villalobos v. Alterra Group, LLC et al.*, Los Angeles County Superior Court, Case No. 19STCV19448 (November 11, 2020 – Hon. Richard Fruin approved a PAGA Settlement for, *inter alia*, unreimbursed business expenses. The JCL Law Firm, APC acted as counsel for the plaintiff, the State of California and the Aggrieved Employees.)
- *Stevens et al., v. Bank of England*, San Diego County Superior Court Case No. 37-2019-00018662-CU-OE-CTL (October 16, 2020 – Hon. John Meyer appointed JCL Law Firm as Class Counsel and granted final approval of wage and hour class action for, *inter alia*, off-the-clock work.)
- *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.)
- *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.)
- *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.)
- *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.)
- *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.)
- *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.)
- *Hill v. Stetak 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.)
- *Shachno et al., v. KT Hotels, LLC, et al.* San Diego Superior Court Case No Case No. 37-2018-00043601 (May 31, 2019 – Hon. Gregory Pollack appointed JCL Law Firm, APC, as Class Counsel and granted preliminary approval for the wage and hour class action settlement involving nearly 900 current and former employees. Final approval scheduled for October 4, 2019)
- *Almanza v. The Express Group, Inc.*, San Bernardino Superior Court Case No. CIVDS1722542 (April 19, 2019 – Hon. David Cohn appointed the JCL Law Firm, APC, as Class Counsel and granted final approval for a wage and hour class action settlement for *inter alia*, missed meal and rest periods and independent contractor misclassification.)
- *Moschetto v. Pillow Global, Inc.* San Diego Superior Court, Case No. 37-2017-00024031-CU-OE-CTL (April 5, 2019 – Hon. John S. Meyer appointed JCL LAW Firm, APC, as Class Counsel and granted final approval for a wage and hour wage class action settlement involving misclassified house cleaners.)
- *Burke v. Friendship Hotel, LLC*, San Diego County Superior Court Case No. 37-2017-00022517-CU-OE-CTL (March 10, 2019 – final approval granted on for an unlawful housing class action arising under Civil Code Section 1940.2)
- *Terrado et al., v. Accredited Debt Relief, LLC*, San Diego County Superior Court Case No. 37-2018-00014181-CU-OE-CTL (February 8, 2019 – Hon. Gregory W. Pollock appointed JCL Law Firm, APC as Class Counsel and granted final approval for a wage and hour class action settlement for meal and rest period violations);

- *Macaspac v. San Antonio Regional Hospital*, San Bernardino Superior Court Case No. CIVDS1512625, (July 27, 2018 – Hon. Thomas S. Garza appointed JCL Law Firm, APC, as Class Counsel and granted final approval for a wage and hour class action settlement involving claims for on duty meal and rest periods.);
- *Summerlin et al. v. Maplebear, Inc. dba Instacart*, Los Angeles Superior Court Case No. BC603030 (2018 - certified and settled wage and hour class action.)
- *Ortega v. Prime Healthcare*, San Diego Superior Court Case No. 37-2014-00011240-CU-OE-CTL (2018 – Approved PAGA only settlement for on duty meal and rest periods)
- *Engstrom v. Bender-Rosenthal, Inc.* San Diego Superior Court Case No. 37-2016-00012373-CU-OE-CTL (2017 - Certified and settled class action for employee misclassification);
- *Crawford v. Outlook Amusements, Inc.*, Los Angeles Superior Court Case No. BC617160 (2017 - Certified and settled wage and hour class action.);
- *Hernandez v. Sunglass Hut Trading, LLC*, San Bernardino Superior Court Case No. CIVDS1505181 (2016 - Certified and settled wage and hour class action);
- *Burns v. Shalom, LLC*, San Diego Superior Court, Case No., 37-2013-00058356-CU-BT-CTL (2015 - certified and settled class action for unlawful housing practices arising out of Civil Code Section 1940.1);