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12 *Attorneys for Plaintiffs and the Putative Class*

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 14 **COUNTY OF LOS ANGELES**

15 **JOEL PASNO, JOHN KUNTZ, and**  
 16 **RODELLA HURTADO**, individually and on  
 17 behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 **HIBU INC.**, a Delaware Corporation,

21 Defendant.

CASE NO. 22STCV01361

22 **DECLARATION OF JOHN KUNTZ IN**  
 23 **SUPPORT OF PLAINTIFFS' MOTION FOR**  
 24 **FINAL APPROVAL OF CLASS ACTION**  
 25 **SETTLEMENT**

26 Date: September 15, 2023  
 27 Time: 9:00 a.m.  
 28 Dept 17

1 I, John Kuntz, declare as follows:

2 1. I am a named Plaintiff and putative Class Representative in this matter. I am over 18 years  
3 of age. I have personal knowledge of the following facts and could and would testify competently to  
4 them.

5 2. I was employed as a Sales Representative by Hibu in California from approximately May  
6 2019 until October 2019.

7 3. I first discussed this case with my attorney Julian Hammond in or about December 2021.  
8 During that call, which lasted about 15 minutes, we discussed what I did for Hibu, how long I worked  
9 there, and how Hibu paid me and Hibu's expense reimbursement policies applicable to me. We also  
10 discussed what it meant to be a class representative including the obligation to represent the interests of  
11 my fellow sales representatives, and to take on a fiduciary duty with respect to them.

12 4. After that call, I went through my records and located a copy of my Hibu offer letter which  
13 I emailed to my attorneys. I also spent about an hour reaching out to Hibu's Human Resources Department  
14 in an attempt to get obtain copies of my employee file (although I was ultimately unsuccessful).

15 5. My attorneys sent me a copy of my Complaint to review and approve before it was filed.  
16 I spent approximately 20 minutes reviewing the Complaint, providing feedback, and approving it for  
17 filing.

18 6. In April 2022, I had a detailed 30-minute call with my attorney Ari Cherniak about the  
19 facts supporting my claims for unreimbursed mileage, cell phone and home internet expenses; and the  
20 facts supporting my claim for unpaid overtime during the first three weeks of my employment with Hibu  
21 when I attended the out-of-state initial sales training.

22 7. On September 14, I spent about 7 hours preparing for and attending the full day mediation  
23 via Zoom. I actively participated in the settlement negotiations with my attorneys and with the mediator  
24 throughout the day and approved the class settlement which was reached at the end of the day. When the  
25 mediation ended, my attorneys emailed me a Memorandum of Understanding to review and sign, which  
26 I did.

27 8. I maintained regular contact with my attorneys throughout the case, including following  
28 the mediation and promptly reviewed and approved the Settlement Agreement, Amended Settlement  
Agreement, and two declarations I submitted in support of settlement approval. Altogether, I spent

1 approximately one hour reviewing all of these documents, discussing them with my attorneys, and signing  
2 them.

3 9. Since the initiation of my lawsuit nearly two years ago, I estimate that I have spent at least  
4 11 hours working on this case.

5 10. I knew that in bringing this lawsuit I risked being labeled me as “troublemaker” by Hibu  
6 and by other employers in the industry. Nonetheless, I decided to bring my lawsuit to ensure that Hibu,  
7 and its competitors, treat their hardworking sales representatives fairly, pay them properly, and reimburse  
8 them for their out-of-pocket expenses.

9 I declare under penalty of perjury under the laws of the United States and the State of California  
10 that the foregoing is true and correct. Executed on 8/17/2023.

11 John Kuntz  
12 JOHN KUNTZ