

MADDOX | ISAACSON | CISNEROS LLP  
An Association of Professional Corporations  
11920 Southern Highlands Parkway, Suite 100  
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9 *Attorneys for Plaintiffs and the Class*

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 NICHOLAS WYLIE and SHAWNA  
13 WYLIE (fka BROWN), TIMOTHY RYAN,  
14 and GEREGERY PERGER, individually,  
15 and on behalf of a class of similarly situated  
16 individuals,

17 Plaintiff,

18 vs.

19 HYUNDAI MOTOR AMERICA, a  
20 California corporation,

21 Defendant.

CASE NO.: 8:16-CV-02102

**DECLARATION OF TROY L. ISAACSON, ESQ. IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Date: March 2, 2020  
Time: 8:30 a.m.  
Place: Courtroom 9D

22 **DECLARATION OF TROY L. ISAACSON, ESQ.**

23 1. I am an attorney at law admitted before all the courts of the States of  
24 California and Nevada and our firm of Maddox | Isaacson | Cisneros LLP, serves  
25 along with Capstone Law APC (collectively “Plaintiffs’ Counsel”), as co-counsel of  
26 record for Plaintiffs in this matter. This Declaration is made in support of the  
27 Motion for Final Approval of Class Action Settlement. I have personal knowledge  
28 of and am familiar with the facts set forth herein all of which are true and correct,

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1 except those matters stated to be upon information and belief, and as to those  
2 matters, I believe them to be true.

3 2. I am a partner with Maddox | Isaacson | Cisneros LLP. My partner,  
4 Norberto J. Cisneros, Esq. and I are the primary attorneys at our firm responsible for  
5 handling claims for the defective vehicles distributed and/or sold by Hyundai Motor  
6 America.

7 3. The following declaration is separated into three parts: (1) my own  
8 personal experience and firm’s qualifications to serve as co-counsel in this matter; (2)  
9 a brief summary of the work counsel has done to date on this matter as it pertains to  
10 and affects the claims against the Hyundai Motor America; and (3) the settlement  
11 terms reached in this matter.

12 I.  
13 BACKGROUND AND QUALIFICATIONS

14 4. Our firm’s practice focuses on litigation and trial work in civil matters  
15 representing clients in state and federal courts. Those matters include single plaintiff,  
16 joinder and class action claims against negligent manufacturers and suppliers of  
17 consumer products. Our firm similarly handles medical malpractice cases, securities  
18 litigation, tribal matters and serves as general counsel for numerous homeowners’  
19 associations throughout Nevada and began doing so in approximately 1973.

20 5. My career began in working on the *In re Gen. Motors Corp. Pick-Up Truck*  
21 *Fuel Tank Prod. Liab. Litig.*, 134 F.3d 133 (3d Cir. 1998), and has long since involved  
22 class-based claims. Many of the construction defect claims brought in Nevada were  
23 also brought on a class basis. Most recently, our firm participated in *George v. Uponor*  
24 *Corp.*, No. CIV. 12-249 ADM/JJK, 2015 WL 5255280 (D. Minn. Sept. 9, 2015); *In re*  
25 *Wirsbo Non-F1807 Yellow Brass Fittings*, No. 2:08-CV-1223-NDF-MLC, 2015 WL  
26 13665077 (D. Nev. Oct. 26, 2015); and *Verdejo v. Vanguard Piping Systems*, Cal.  
27 Superior Court Case No. BC448383 (Sept. 2014), in resolving claims surrounding  
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1 defective plumbing fittings installed in homes throughout Nevada, California and the  
2 United States. Maddox | Isaacson | Cisneros, LLP served as class co-counsel in  
3 each of these matters which resulted in settlements for homeowners nationwide.

4 6. I am an AV-rated attorney by Martindale-Hubbell and our office is  
5 widely recognized by other attorneys and judges as a leading authority on Nevada  
6 law, particularly as it relates to community association and construction defect laws.  
7 In 2014, I was further elected by my colleagues in Clark County, Nevada to serve on  
8 the State Bar of Nevada’s Board of Governors which, among other items: develops,  
9 review and approves the Bar’s annual budget; governs the admission of members to  
10 the practice of law; and formulates and enforces the rules of professional conduct,  
11 with the approval of the Nevada Supreme Court.

12 7. My partner, Norberto Cisneros, is likewise licensed to practice in  
13 Nevada and California. Mr. Cisneros received his Bachelor of Arts Degree in  
14 Psychology from the University of California, Los Angeles, and a Juris Doctor from  
15 the University of San Diego School of Law. Mr. Cisneros has extensive trial  
16 experience in representing individuals in civil litigation. He has litigated numerous  
17 cases to juries, judges and arbitration panels, in matters involving construction  
18 defects, personal injury and contract disputes. Mr. Cisneros has also represented  
19 governmental agencies, including school districts, water districts, and Native  
20 American tribes, in labor negotiations, personnel matters, employee disciplinary  
21 matters, advising Human Resource managers on personnel issues, construction  
22 matters, civil matters, immigration matters and other governance.

23 8. My partner, Robert Maddox (“Bob”), is similarly an AV-rated attorney  
24 by Martindale-Hubbell and is widely recognized by other attorneys and judges as a  
25 leading authority on Nevada community association and construction defect laws. Mr.  
26 Maddox graduated with honors from Brown University in 1966 with a Bachelor of  
27 Arts degree in International Relations and received his law degree in 1970 from  
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1 Harvard Law School. Bob originally founded our firm in 1973 as Maddox &  
2 Associates, which became Maddox | Isaacson | Cisneros LLP in 2009.

3 9. Robert Maddox has been referred to as “the father of construction defect  
4 law in Nevada,” having played the lead role in the creation of Nevada’s first  
5 construction defect statute, Chapter 40 in 1995. NRS Chapter 40 gives Nevada  
6 homeowners and community associations the right to receive full compensation for  
7 faulty construction. He has worked extensively as an unpaid lobbyist for Nevada  
8 community associations and homeowners in the Nevada State Legislature in every  
9 session since 1995. Bob is frequently asked to lecture on legal issues facing community  
10 associations and homeowners, and has appeared on all major Nevada television  
11 networks in connection with his work to protect the people of Nevada from  
12 construction defects. He is widely recognized by other attorneys and judges as a  
13 leading authority on Nevada community association and construction defect laws. In  
14 2002 the Justices of the Nevada Supreme Court named Bob a trustee of the Nevada  
15 Law Foundation, the entity that administers funds generated from lawyers’ trust  
16 accounts to persons who could not otherwise afford legal representation. Bob is also  
17 a lifetime colleague of the Nevada Law Foundation. Bob was elected President of the  
18 Nevada Trial Lawyers Association in 1999 and he was chosen in 2000 as the Trial  
19 Lawyer of the Year by the Nevada Trial Lawyers Association. Under Mr. Maddox’s  
20 leadership, our firm has recovered more than \$225 Million on behalf of Nevadans  
21 victimized by faulty construction. In 2004, Mr. Maddox was honored as a Friend of  
22 Nevada’s Working Families by the AFL-CIO, for his longtime commitment to  
23 Nevada’s working families.

24 10. Our office has further appeared before and argued cases in the California  
25 Superior Court, the Nevada District Court, the Nevada Supreme Court and the Ninth  
26 Circuit Court of Appeals. Significant appellate decisions successfully argued by our  
27 firm include: *Wardleigh v. Second Judicial Dist. Court*, 111 Nev. 345, 891 P.2d 1180  
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1 (1995)(addressing issues surrounding discovery of attorney-client privilege in  
 2 homeowners’ association meetings and minutes); *McKeeman v. General Am. Life Ins. Co.*,  
 3 111 Nev. 1042, 899 P. 2d 1124 (1995)(reversing trial court’s dismissal of claims for  
 4 proceeds under a life-insurance policy); *Calloway v. City of Reno*, 116 Nev. 250, 993 P.2d  
 5 1259 (2000)(discussion of economic loss doctrine and strict products liability on claims  
 6 preceding NRS Chapter 40); *Burch v. District Court*, 118 Nev. 438, 49 P.3d 647  
 7 (2002)(finding terms of homebuyers’ warranty an unconscionable adhesion contract);  
 8 *Desert Fireplaces Plus, Inc. v. Eighth Judicial Dist. Court*, 120 Nev. 632, 97 P.3d 607  
 9 (2004)(tolling statutes of limitation as to dissolved corporation); *Webb v. Shull*, 270 P.3d  
 10 1266, 2012 Nev. LEXIS 22, 128 Nev. Adv. Rep. 8 (Nev. 2012)(no showing of mental  
 11 state required for application of treble damages from a finding seller failed to disclose  
 12 defects in the sale of a home); *Vanguard Piping Sys. v. Eighth Judicial Dist. Court* (Nev.  
 13 2013) 309 P.3d 1017, 129 Nev. Adv. Rep. 63 (2014)(Vanguard defendants compelled  
 14 to produce their insurance policies despite pending appeal contesting jurisdiction);  
 15 *Barrett v. The Eight Judicial District Court*, 130 Nev. Adv. Rep. 65 (August 7, 2014)(NRS  
 16 Chapter 40 Notice not required prior to the filing of a “fourth-party” complaint against  
 17 a supplier); and *High Noon at Arlington Ranch Homeowners Ass’n v. Eighth Judicial Dist.*  
 18 *Court in & for Cty. of Clark*, 402 P.3d 639 (Nev. 2017)(Associations have  
 19 representational standing to represent unit owners who purchase their units after the  
 20 litigation commences).

21 11. Together, my partner, Norberto Cisneros and I, manage our day-to-day  
 22 efforts in this case on behalf of our firm. I and my firm are committed to vigorously  
 23 and tenaciously prosecuting this litigation as Maddox | Isaacson | Cisneros LLP has  
 24 vigorously and tenaciously prosecuted many other cases. Maddox | Isaacson |  
 25 Cisneros LLP has extensive experience with successfully prosecuting claims on  
 26 behalf of classes and large groups of plaintiffs.

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1 II.  
2 CASE BACKGROUND

3 12. As noted, our office serves as co-counsel with Capstone Law APC  
4 (collectively “Plaintiffs’ Counsel”) in this matter.

5 13. In or about September of 2016, Plaintiffs’ Counsel began investigating  
6 and prosecuting claims related to defective dual clutch transmissions distributed and  
7 sold by Hyundai Motor America. These dual clutch transmissions appear to have  
8 been manufactured by or on behalf of Hyundai Motor America’s parent company,  
9 Hyundai Motor Company, a South Korean corporation. Our investigations and  
10 prosecution of these claims have been done in conjunction with our co-counsel at  
11 Capstone Law APC.

12 14. As a result of those investigations, the Class Action Complaint was filed  
13 on November 22, 2016, against Hyundai Motor America.

14 15. From the outset, Plaintiffs’ Counsel were faced with a range of legal  
15 objections and a vigorous defense to the claims. The denial of these claims by the  
16 Hyundai Motor America continued through discovery, which included, among other  
17 items, depositions of Hyundai Motor America’s FRCP 30(b)(6) witnesses on fourteen  
18 separate topics surrounding the design, manufacture, sales, testing and repairs of the  
19 dual clutch systems installed in the class vehicles, requests for production of  
20 documents on thirty four categories which resulted in the production of  
21 approximately 200,000 pages of documents.

22 III.  
23 THE SETTLEMENT

24 16. After approximately three years of litigation in this matter, the parties  
25 have reached a settlement which is in the best interests of all concerned.

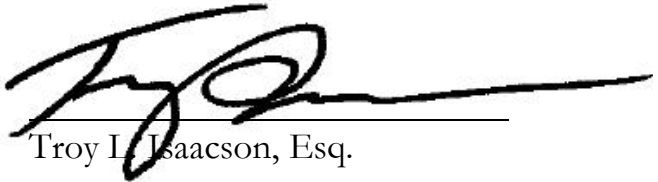
26 17. Along with co-counsel, I was personally involved in negotiating and  
27 drafting the terms of the Settlement Agreement.

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This Settlement Agreement is indisputably fair, reasonable, and adequate terms that satisfy the standards for final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23<sup>rd</sup> day of January, 2019, in Las Vegas, Nevada.



Troy L. Isaacson, Esq.

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