

1 **JAMES HAWKINS APLC**
JAMES R. HAWKINS SBN 192925
2 GREGORY MAURO, SBN 222239
MICHAEL CALVO, SBN 314986
3 9880 Research Drive, Suite 200
Irvine, California 92618
4 Telephone: (949) 387-7200
Facsimile: (949) 387-6676
5 james@jameshawkinsaplc.com
greg@jameshawkinsaplc.com
6 michael@jameshawkinsaplc.com

7 Attorneys for Plaintiffs DONNIE SANCHEZ
BARRAGAN, ARACELI BARRAGAN,
8 JEREMEY BURCHAM, LISA DAVEY,
VIRGIE FLORES and JANELLY
9 SANDOVAL individually and on behalf of all
10 others similarly situated

11 Additional Counsel listed on following
pages***

12 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SAN DIEGO**

14
15 DONNIE SANCHEZ BARRAGAN, ARACELI
BARRAGAN, JEREMEY BURCHAM, LISA
16 DAVEY, VIRGIE FLORES and JANELLY
SANDOVAL individually and on behalf of all
17 others similarly situated,

18 Plaintiffs,

19 v.
20

21 HOME DEPOT USA, INC., a Delaware
Corporation, and DOES 1 through 50, inclusive,
22
23

Defendants.
24
25
26
27
28

Case No. 37-2019-00056110-CU-MC-CTL

Hon. Eddie C. Sturgeon

**DECLARATION OF JAMES HAWKINS IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Date: December 8, 2023

Hearing Time: 9:00 a.m.

Dept.: 67

NICHOLAS & TOMASEVIC, LLP

Craig M. Nicholas (SBN 178444)

Shaun Markley (SBN 291785)

225 Broadway, 19th Floor

San Diego, California 92101

Telephone: (619) 325-0492

Facsimile: (619) 325-0496

Email: cnicholas@nicholaslaw.org

Email: smarkley@nicholaslaw.org

GLICK LAW GROUP, P.C.

Noam Glick (SBN 251582)

225 Broadway, 19th Floor

San Diego, California 92101

Tel: (619) 382-3400

Email: noam@glicklawgroup.com

JACKSON LAW, APC

Armond M. Jackson (SBN 281547)

2 Venture Plaza, Suite 240

Irvine, CA 92618

Tel: (949) 281-6857

Fax: (949) 777-6218

Email: ajackson@jlaw-pc.com

DIVERSITY LAW GROUP, P.C.

Larry W. Lee (SBN 228175)

515 S. Figueroa St., Suite 1250

Los Angeles, California 90071

Tel: (213) 488-6555

Fax: (213) 488-6554

Email: lwlee@diversitylaw.com

POLARIS LAW GROUP LLP

William L. Marder (SBN 170131)

501 San Benito Street, Suite 200

Hollister, CA 95023

Tel: (831) 531-4214

Fax: (831) 634-0333

Email: bill@polarislawgroup.com

HYUN LEGAL, APC

Dennis S. Hyun (SBN 224240)

515 S. Figueroa St., Suite 1250

Los Angeles, California 90071

Tel: (213) 488-6555

Fax: (213) 488-6554

Email: dhyun@hyunlegal.com

Attorneys for Plaintiffs DONNIE SANCHEZ BARRAGAN, ARACELI BARRAGAN, JEREMEY BURCHAM, LISA DAVEY, VIRGIE FLORES and JANELLY SANDOVAL individually and on behalf of all others similarly situated

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. I am an individual over the age of 18. I am a partner at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiffs DONNIE SANCHEZ BARRAGAN, ARACELI BARRAGAN, JEREMEY BURCHAM, LISA DAVEY, VIRGIE FLORES and JANELLY SANDOVAL (hereinafter referred to as “Plaintiffs” or “Class Representatives”), I submit this declaration in support of Plaintiffs’ Motion for Final Approval of Class Action Settlement, which Plaintiffs filed concurrently herewith, along with the supporting Memorandum of Points and Authorities. I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

1
2
3
4
5
6
7
8
9
20
21
22
23
24
25
26
27
28

16
17
18
19
20
21
22
23
24
25
26
27
28

20
21
22
23
24
25
26
27
28

26
27
28

1 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no objections
2 and funds fully distributed.

3 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW. Wage
4 and Hour Class Action case seeking past wages for meal and rest period violations for retail
5 employees in the State of California. Plaintiff's counsel appointed co-lead counsel. Case
6 settled, Final Approval granted, no objections and funds fully distributed.

7 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.
8 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and rest
9 period violations for retail employees in the State of California. Plaintiff's Counsel
10 appointed as Lead Counsel. Case settled, Final Approval granted, no objections and funds
11 fully distributed.

12 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County
13 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past wages
14 for overtime, meal and rest break violations for driver employees in the State of California.
15 Settlement for "binding arbitration." Arbitration Award for Plaintiff Class. Arbitration
16 Award confirmed. Plaintiff's counsel, lead trial counsel and class counsel.

17 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior Court,
18 Case No. BC 357912. Wage and Hour Class Action seeking past wages for overtime,
19 meal and rest breaks violations for production employees in the State of California.
20 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no
21 objections and funds fully distributed.

22 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside County
23 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past wages
24 for overtime, meal and rest break violations for production employees in the State of
25 California. Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval
26 granted, no objections and funds fully distributed.

27 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.
28 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and rest

1 break violations for restaurant employees in the State of California. Plaintiff's counsel
2 appointed as lead counsel. Case settled, Final Approval granted and funds fully distributed.
3 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case No.
4 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal and rest
5 break violations for security officers in the State of California. Plaintiff's counsel
6 appointed as co-lead counsel. Case settled, Final Approval granted, no objections and
7 funds fully distributed.

8 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court, Case
9 No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action seeking past
10 wages for meal and rest break violations for security officers employed by defendant in the
11 State of California. Plaintiff's counsel and co-counsel. Case settled, Final Approval
12 granted and funds fully distributed.

13 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court, Case
14 No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime, meal and
15 rest break violations for housekeepers employed by defendant in the State of California.
16 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no
17 objections and funds fully distributed.

18 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT, Case
19 No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and rest
20 period violations for non-exempt employees employed by defendant in the state of
21 California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff has petitioned
22 the Court for Lead Counsel.

23 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL DISTRICT,
24 Case No. SACV 08-680. Wage and Hour Class Action seeking past wages for field and
25 branch employees of defendant in the State of California. Plaintiff's counsel appointed as
26 lead counsel. Case settled and awaiting Final Approval.

27 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.
28 05CC00128. Wage and Hour Class Action seeking past wages for restaurant employees

1 of defendant in the State of California. Plaintiff's counsel appointed as lead counsel. Case
2 settled, Final Approval granted, no objections and funds fully distributed.

3 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.
4 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest break
5 violations for security guards employed by defendant in the State of California. Plaintiff's
6 counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and
7 funds fully distributed.

8 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior Court,
9 Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and rest break
10 violations for production employees employed by defendant in the State of California.
11 Plaintiff counsel appointed as lead counsel. Case settled, Final Approval granted, no
12 objections and funds fully distributed.

13 r. *McMurray v. Dave and Busters, Inc.*, et al., Orange County Superior Court, Case No.
14 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest break
15 violations for restaurant employees employed by defendant in the State of California.
16 Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval granted, no
17 objections and funds fully distributed.

18 s. *Osuna v. DFG Restaurants, Inc.*, et al., Los Angeles Superior Court, Case No. BC
19 330145. Wage and Hour Class Action seeking past wages of overtime for mis-
20 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of
21 California. Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval
22 granted, no objections and funds fully distributed.

23 t. *Burns v. Gymboree Operations, Inc.*, et al., San Francisco Superior Court, Case No.
24 CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest break
25 violations for retail employees employed by defendant in the State of California. Plaintiff's
26 counsel appointed lead counsel. Case settled, Final Approval granted, no objections and
27 funds fully distributed.

1 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case No.
2 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-
3 classification of managers employed by Defendant in the State of California. Plaintiff's
4 counsel appointed lead counsel. Case settled, Final Approval granted, no objections and
5 funds fully distributed.

6 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court, Case No.
7 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal and rest
8 break violations for production workers employed by defendant in the State of California.
9 Plaintiff's counsel appointed lead counsel. Case settled; final approval granted; no
10 objections and funds fully distributed.

11 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court, Case
12 No. BC387088. Wage and Hour Class Action seeking past wages for overtime, meal and
13 rest period violations for production employees employed by defendant in the State of
14 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval
15 granted, no objections and funds fully distributed.

16 3. Here, the Parties' contractual agreement to pay attorneys' fees of **\$2,805,000.00** is
17 reasonable. My firm along with co-counsel have been the only counsel to represent Plaintiffs and the
18 other Class Members in this matter, and we have borne the entire risk and cost of this litigation on a
19 pure contingency fee basis. The legal issues raised in this case are complex, and drew significantly
20 upon my firm's and co-counsel's experience and the extensive review and analysis of documents and
21 information. In a complex action such as this, the proposed attorneys' fees are, at the very least, on the
22 low side of the market rate for contingency fees.

23 4. A review of my firm's detailed billing system reveals that to date, my firm as
24 Class Counsel, on behalf of Plaintiffs and the Class Members, invested approximately 405.8 hours
25 litigating this matter through the date of this declaration for a total lodestar of **\$ 312,545.00** in fees,
26 broken down as follows:
27
28

Name and Title of Professional	Bar Admission Date	Hours	Rate (2023)	Lodestar
James Hawkins	1997	161.70	\$900	\$145,530.00
Gregory Mauro	2002	181.90	\$850	\$154,615.00
Melissa Whitson Paralegal		62.20	\$200	\$12,400.00
TOTAL HOURS AND LODESTAR FOR JAMES HAWKINS APLC		405.8		\$312,545.00

5. In addition to the requested attorneys' fees, our office has expended approximately **\$3, 602.08** in costs in prosecuting this action. These costs have been necessary costs associated with prosecution of this important matter. Counsel for Plaintiffs respectfully requests the Court grant the request to have these costs repaid from the Settlement. Attached hereto as **Exhibit 1** is a true and correct copy of my firm's Billing Detail.

6. Attached hereto as **Exhibit 2** is a true and correct copy of Plaintiff Lisa Davey's Declaration previously filed in Support of Plaintiffs' Motion for Preliminary Approval.

7. Despite the complexity of the case, Class Counsel has, through the investment of substantial effort and the resources of my law firm and co-counsel's have; we have been able to secure an outstanding settlement on behalf of the Settlement Class. Plaintiffs would have faced substantial legal and factual obstacles in demonstrating that class certification was appropriate. Plaintiffs would also have been required to establish a significant amount of witness testimony, pattern and practice evidence, statistical evidence, sampling evidence, expert testimony, and other evidence in order to present their case both at the class certification stage and trial. Defendant has vigorously contested liability, the amount of claimed damages, and the propriety of class certification, and would have continued to do so through trial. Accordingly, I believe the Settlement to be fair, reasonable, and adequate and in the best interests of the Settlement Class. The fairness and adequacy of the Settlement

1 is confirmed by all known facts and circumstances, including the risk of significant delay and
2 uncertainty associated with litigation, the various defenses asserted by Defendant, and numerous
3 potential appellate issues. For these reasons the Court should grant Final Approval of the settlement.

4 I declare under penalty of perjury pursuant to the laws of California that the foregoing is true
5 and correct. Executed on November 7, 2023 at Irvine, California.

6 

7 James R. Hawkins
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

Matter Billing Detail

JAMES HAWKINS APLC

Date Range: 01/01/1900 to 11/02/2023
Client: HOMEDEPO006 - Lisa M. Davey
Matter: CYPRESS002 - Home Depot- Lisa M. Davey

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
		Balance Forward:	\$0.00						
05/26/2020	POS	Postage- LWDA	\$8.20		Unbilled				
05/26/2020	FST	First Legal Network - Filing, Complaint, Summons, Civil Case cover IN#30128864	\$115.49		Unbilled				
06/03/2020	FIL	Filing Fee LWDA CK#8671	\$75.00		Unbilled				
06/30/2020	FST	First Legal Network- ADDITIONAL BILLING- Complaint, Summons, Civil Case Cover Sheet IN#30131279	\$1,578.50		Unbilled				
08/03/2020	FST	First Legal Network - Filed, FAC, Research, complaint, summons, Civil Case Cover, Filed, request, proposed order IN#30136335	\$329.91		Unbilled				
09/11/2020	FST	First Legal Network- Request, proposed Order, NAR with Proof of Service Form Attached IN#30139041	\$129.09		Unbilled				
10/01/2020	FST	First Legal Network - Request for Cont. and Proposed Order (e-filed); Plf's Case management statement (e-filed) IN#30141510	\$309.68		Unbilled				
01/06/2022	FED	FED EX - CRS Contact	\$25.49		Unbilled				
01/18/2022	FED	FED EX - CRS to client	\$25.72		Unbilled				
06/07/2022	EXA	Expert Analysis BCG IN#6110 CK#10043	\$1,000.00		Unbilled				
07/27/2023	CRT	Court Documents - 6.10.23 Order Re Prelim Approval (Barragan)	\$5.00		Unbilled				
		Total:	\$3,602.08	\$0.00					
		Balance:	\$3,602.08						

Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
Total Fees Billed-----			\$0.00						
Total Fees Unbilled : -----			\$0.00						
Total Fees Received : -----			\$0.00						
Total Soft Cost Billed : -----			\$0.00						
Total Soft Cost Unbilled : -----			\$0.00						
Total Soft Cost Received : -----			\$0.00						
Total Hard Cost Billed : -----			\$0.00						
Total Hard Cost Unbilled : -----			\$3,602.08						
Total Hard Cost Received : -----			\$0.00						
Total Taxes Billed : -----			\$0.00						
Total Taxes Unbilled : -----			\$0.00						
Total Taxes Received : -----			\$0.00						
Total Late Charges Billed : -----			\$0.00						
Total Late Charges Unbilled: -----			\$0.00						
Total Late Charges Received : -----			\$0.00						
Trust Balance: -----			\$0.00						

EXHIBIT 2

NICHOLAS & TOMASEVIC, LLP

Craig M. Nicholas (SBN 178444)

Shaun Markley (SBN 291785)

225 Broadway, 19th Floor

San Diego, California 92101

Telephone: (619) 325-0492

Facsimile: (619) 325-0496

Email: cnicholas@nicholaslaw.org

Email: smarkley@nicholaslaw.org

Attorneys for Plaintiffs DONNIE SANCHEZ BARRAGAN, ARACELI BARRAGAN,
JEREMEY BURCHAM, LISA DAVEY, VIRGIE FLORES and JANELLY SANDOVAL
individually and on behalf of all others similarly situated

*Additional counsel listed on following pages.**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

DONNIE SANCHEZ BARRAGAN,
ARACELI BARRAGAN, JEREMEY
BURCHAM, LISA DAVEY, VIRGIE
FLORES and JANELLY SANDOVAL
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

HOME DEPOT USA, INC., a Delaware
Corporation, and DOES 1 through 50,
inclusive,

Defendants.

Case No. 37-2019-00056110-CU-MC-CTL

ASSIGNED FOR ALL PURPOSES TO:
JUDGE:
DEPT: C-66

**DECLARATION OF PLAINTIFF LISA
DAVEY IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date:
Time:
Dept.: C-66

GLICK LAW GROUP, P.C.

Noam Glick (SBN 251582)
225 Broadway, 19th Floor
San Diego, California 92101
Tel: (619) 382-3400
Email: noam@glicklawgroup.com

JAMES HAWKINS, APLC

James R. Hawkins (SBN 192925)
Gregory Mauro (SBN 222239)
Michael Calvo (SBN 314986)
9880 Research Drive, Suite 800
Irvine, CA 92618
Tel: (949) 387-7200
Fax: (949) 387-6676
Email: James@jameshawkinsaplc.com
Email: Greg@jameshawkinsaplc.com
Email: Michael@jameshawkinsaplc.com

JACKSON LAW, APC

Armond M. Jackson (SBN 281547)
2 Venture Plaza, Suite 240
Irvine, CA 92618
Tel: (949) 281-6857
Fax: (949) 777-6218
Email: ajackson@jlaw-pc.com

DIVERSITY LAW GROUP, P.C.

Larry W. Lee (SBN 228175)
515 S. Figueroa St., Suite 1250
Los Angeles, California 90071
Tel: (213) 488-6555
Fax: (213) 488-6554
Email: lwlee@diversitylaw.com

POLARIS LAW GROUP LLP

William L. Marder (SBN 170131)
501 San Benito Street, Suite 200
Hollister, CA 95023
Tel: (831) 531-4214
Fax: (831) 634-0333
Email: bill@polarislawgroup.com

HYUN LEGAL, APC

Dennis S. Hyun (SBN 224240)
515 S. Figueroa St., Suite 1250
Los Angeles, California 90071
Tel: (213) 488-6555
Fax: (213) 488-6554
Email: dhyun@hyunlegal.com

Attorneys for Plaintiffs DONNIE SANCHEZ BARRAGAN, ARACELI BARRAGAN, JEREMEY BURCHAM, LISA DAVEY, VIRGIE FLORES and JANELLY SANDOVAL individually and on behalf of all others similarly situated

DECLARATION OF LISA DAVEY

I, LISA DAVEY, hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the motion for Preliminary Approval of the Class Action Settlement. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant Home Depot., in approximately May 2016 as a Non-Exempt Employee working as a Merchandiser and worked during the liability period for Defendant until my separation from Defendant's employ in approximately February 2020. I worked at various Home Depot locations in California, including but not limited to Concord, San Ramon, Pittsburg, Brentwood, Hercules, and Martinez.

3. As a non-exempt employee, I suffered the same damages as other employees. These included not being provided meal periods or permitted rest periods, not provided accurate wage statements, and not paid all my wages on time, all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendant and suffered similar harms due to Defendant's common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant. During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

6. My attorneys provided me with a draft of the complaint for my review and approval. I closely reviewed the complaint to ensure accuracy and completeness. As a

1 result, I caused my attorneys to file the class action complaint alleging claims for the allegations
2 alleged therein. Thereafter, I have been fully involved in my case. Following the filing of the
3 complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly
4 contacted my attorneys to stay current on the status of the litigation, and to discuss my
5 attorneys' progress in prosecuting the claims.

6 7. Since I believe I was not provided lunches and not permitted my rest breaks, not,
7 and therefore not provided accurate itemized wage statements, I believe that I have been
8 similarly injured as to all other class members in the settlement who worked for Defendant
9 during the class period. I believe the claims asserted in the Complaint is also shared by the
10 other Class Members. I worked with various other non-exempt employees and I believe we were
11 all treated the same and subject to the same unlawful policies.

12 8. Since I agreed to become a Class Representative, I have worked every step
13 of the way with my attorneys. During the course of the litigation, I have always kept the best
14 interest of the Class Members on equal footing as mine. I have been, and I am willing to
15 continue to pursue the Class Members' claims vigorously on our collective behalf if the
16 Settlement is not finally approved. As a result, I firmly believe that I do not have any interests
17 adverse to the interests of the Class Members. I have maintained the Class Members best
18 interest from the inception of the case.

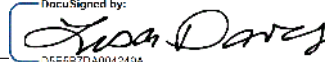
19 9. As a Class Representative, I have spent numerous hours consulting with my
20 attorneys, providing documentation, consulting with other Class Members, responding to
21 questions from my attorneys, providing documents to my attorneys, working with my attorneys
22 to review documents received, helping my attorneys in preparing for the mediation and
23 attending the mediation via telephone. I was consulted about the status of the case and provided
24 constant feedback about the case from my attorneys including the mediation, settlement
25 negotiations and eventual settlement. I estimate I have spent approximately 55 hours working
26 on this case.

27 10. From the beginning of this case, I have freely chosen to accept the risks of
28 being a Class Representative in this class action lawsuit. I chose to assume these risks and

1 pursue the claims on behalf of the Class Members as I wanted to vindicate their rights. I believe
2 we have achieved that result with the settlement and the individual payments to the Class
3 Members. I believe the settlement is fair reasonable and adequate based on the numerous
4 defenses asserted by Defendant. I believe the efforts and work I put forth helped to achieve the
5 fair settlement that will benefit the Class Members. As a result of my efforts, I also believe the
6 Class Representative Enhancement Award is reasonable, and I respectfully request the Court
7 approve the amount of \$10,000.00 as fair and reasonable.

8 I declare under penalty of perjury under the laws of the state of California
9 that the foregoing is true and correct. Executed on February 14, 2023, at
10 10:37 am, California

DocuSigned by:



D5E5B7DA001249A

LISA DAVEY