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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SONOMA**

ARRON STANFIELD, as an individual
and on behalf of all others similarly
situated,

Plaintiffs,

vs.

THE F.A. BARTLETT TREE EXPERT
COMPANY, a Connecticut corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: SCV-265929

[Assigned for all purposes to the Honorable Patrick
Broderick, Dept. 16]

**DECLARATION OF NICHOLAS
ROSENTHAL IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Date: TBD
Time: TBD
Dept.: 16

Complaint Filed: January 28, 2020
Trial Date: None Set

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I, Nicholas Rosenthal, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff Arron Stanfield (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel has zealously represented the interests of the Class. The Settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative. Further, Class Counsel has been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the Class.

3. I am one of the primary attorneys on this matter. Based on my experience in class action litigation, I believe that the settlement for the consideration and on the terms set forth in the Joint Stipulation of Class and Representative Action Settlement (“Stipulation” or “Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Class in light of all known facts and circumstances and the expenses and risks inherent in litigation.

4. I strongly believe that Plaintiff can prevail at trial. However, I also believe in the fairness of the settlement, which is based on factoring in the uncertainty and risks to Plaintiff involved in not prevailing on one or more of the causes of action or theories alleged in his Complaint and in the possibility of appeals. After taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Stipulation is appropriate and in the best interests of Plaintiff and the Class.

5. I have no conflicts with the class and will adequately represent the Class.

6. My qualifications are as follows: I received my JD from University of Southern California Gould School of Law in 2009. Upon graduation, I practiced law as an associate at Seyfarth Shaw LLP, representing corporate clients in both single-plaintiff and wage hour class

1 actions. In 2014, I began as an associate at Diversity Law Group.

2 7. I have handled a number of wage and hour matters including class actions and
3 multiple-plaintiff actions. I have been named as Class Counsel in a number of class actions that
4 have been granted certification or preliminary or final approval by the Superior Courts of Los
5 Angeles County, Orange County, Alameda County, and Monterey County, the United States
6 District Court for the Central District of California, and the United States District Court for the
7 Northern District of California. These cases include, but are not limited to: *Diller v. Under*
8 *Armour Retail, Inc.*, Santa Clara County Superior Court Case No. 114-CV-265729, *Dall v. Post*
9 *Alarm Systems*, Los Angeles County Superior Court Case No. BC598528, *Lopez v. Imperial*
10 *Body Shop, Inc.*, Orange County Superior Court Case No. Case No. 30-2015-00816193-CU-OE-
11 CXC, and *Hughes v. Lincare, Inc., et al.*, Monterey Superior Court Case No. M124764.

12 I declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct.

14 Executed on this 30th day of October, 2020, at Los Angeles, California.

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16 _____
17 Nicholas Rosenthal
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