

Larry W. Lee (SBN 228175)
Kristen M. Agnew (SBN 247656)
Nicholas Rosenthal (SBN 268297)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
Tel: (213) 488-6555
Fax: (213) 488-6554

William L. Marder, Esq. (SBN 170131)
POLARIS LAW GROUP
501 San Benito Street, Suite 200
Hollister, CA 95023
Tel: (831) 531-4214
Fax: (831) 634-0333

Attorneys for Plaintiffs
SHAYNIA VERNON and BENJAMIN CASTANEDA-RIVERA

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

SHAYNIA VERNON, as an individual and
on behalf of all others similarly situated;
BENJAMIN CASTANEDA-RIVERA, as
an individual and on behalf of all others
similarly situated,

Plaintiffs,

vs.

MCLANE/SUNEAST, INC., a Texas
corporation; MCLANE FOODSERVICE,
INC., a Texas corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: CIVSB2123367

[Assigned for All Purposes to Hon. David Cohn,
Dept. S-26]

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 30, 2022

Time: 10:00 a.m.

Dept.: S-26

Complaint Filed: August 12, 2021

Trial Date: None Set

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I, Larry W. Lee, 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, counsel of record for Plaintiffs Shaynia Vernon and Benjamin Castaneda-Rivera (together, “Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I have spent significant time researching and pursuing the claims that have been alleged in this action. From the inception of the case, Class Counsel has zealously represented the interests of the Class. Class Counsel has engaged in significant meet and confer discussions with opposing counsel to obtain informal data and documents and to discuss the merits of the claims on behalf of the Class.

3. Based on my own independent investigation and evaluation, I am of the opinion that settlement for the consideration and on the terms set forth in the Stipulation for Leave to File First Amended Complaint and Settlement and Release of Class Action and PAGA Claims (“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 was retained based upon a contingency fee arrangement wherein Class Counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. The costs include, but are not limited to, those relating to the filing of this instant action, service of process, payment of mediation fees and other litigation related costs. Had Plaintiffs failed to prevail on these cases, counsel for Plaintiffs would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiffs also failed to prevail in the present cases, Defendant would have been able to seek costs in connection with their defense of the case.

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1 5. I am one of the primary attorneys on this matter. My qualifications are as follows:
2 I received my J.D. from Arizona State University College of Law in 2003. During law school, I
3 was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude
4 from Arizona State University College of Law in the top 10% of my class. While I was in law
5 school, I was the Associate Managing Editor of the Arizona State University College of Law,
6 Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices
7 of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that
8 represents a significant number of Fortune 500 companies.

9 6. My firm's primary focus is employment law. I have handled a number of wage
10 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
11 encompasses cases throughout the State of California, including but not limited to the Los
12 Angeles Superior Court, Orange County Superior Court, San Francisco County Superior Court,
13 San Diego County Superior Court, and the United States District Courts for the Central, Eastern,
14 and Northern Districts of California.

15 7. I have been named as Class Counsel in a number of class actions that have been
16 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
17 Francisco County, and the United States District Court for the Central District of California,
18 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
19 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
20 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
21 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
22 Judicial Council Coordination Proceeding No. 4480; and *Hernandez v. CVS Corp. et al.*, Judicial
23 Council Coordination Proceeding No. 4539.

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1 8. My co-counsel and I will adequately represent the Class Members in this action.
2 Plaintiff's Counsel have and will zealously represent Plaintiff and the Class and pursue this
3 lawsuit to its conclusion. I have no conflicts with the Class and will adequately represent the
4 Class.

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

7 Executed on this 1st day of June 2022, at Los Angeles, California.

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Larry W. Lee