

Larry W. Lee (State Bar No. 228175)
Mai Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa St., Suite 1250
Los Angeles, California 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
ktulyathan@diversitylaw.com

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Attorneys for Plaintiff Smith, the Class, and Aggrieved Employees

[Additional counsel information on next page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

CLARENCE SMITH, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

v.

WATLOW ELECTRIC
MANUFACTURING COMPANY, a
Missouri corporation; and DOES 1 through
50, inclusive,

Defendants.

CASE NO. 20CV365250
Consolidated with Case No. 20CV362069

[Assigned for all purposes to the Hon. Sunil R.
Kulkarni, Dept. 1]

**DECLARATION OF WILLIAM L. MARDER
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: September 9, 2021
Time: 1:30 P.M.
Dept.: 1

PHUOC TRUONG, on behalf of himself
and all "aggrieved employees" pursuant to
Labor Code § 2698 et seq.,

Plaintiff,

v.

WATLOW ELECTRIC
MANUFACTURING COMPANY, a
Missouri corporation, and DOES 1 through
10, inclusive,

Defendants.

Complaint filed: March 18, 2020
Trial Date: None

1 William L. Marder (State Bar No. 170131)
2 **POLARIS LAW GROUP, LLP**
3 501 San Benito Street, Suite 200
4 Hollister, California 95023
5 (831) 531-4214
6 (831) 634-0333 facsimile
7 bill@polarislawgroup.com

8 Attorneys for Plaintiff Smith, the Class, and Aggrieved Employees

9 Daniel F. Gaines, SBN 251488
10 daniel@gaineslawfirm.com
11 Alex P. Katofsky, SBN 202754
12 alex@gaineslawfirm.com
13 Sepideh Ardestani, SBN 274259
14 sepideh@gaineslawfirmc.om

15 **GAINES & GAINES, APLC**
16 27200 Agoura Rd., Suite 101
17 Calabasas, CA 91301
18 Telephone: (818) 703-8985
19 Facsimile: (818) 703-8984

20 Attorneys for Plaintiff Truong and Aggrieved Employees

DECLARATION OF WILLIAM L. MARDER

I, William L. Marder, hereby declare and state as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of California and am a partner of the law firm of the Polaris Law Group, one of the attorneys of record for Plaintiff Clarence Smith ("Plaintiff"), in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I could and would competently do so.

2. From the inception of the case, Class Counsel has zealously represented the interests of the Class. Class Counsel engaged in significant meet and confer discussions with opposing counsel to obtain informal data on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

3. Based on my review of all the information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

4. Any remaining monies from uncashed settlement checks shall be distributed to Legal Aid at Work as the *cy pres* beneficiary. I do not have any relationship or connection with or to Legal Aid at Work.

5. I graduated from UCLA Law School in 1993 and was admitted to the California Bar in 1994. Since that time, I have acquired substantial experience in employment litigation. I have represented both plaintiffs and defendants. I estimate that I have handled more than 300 employment cases, litigating cases in state and federal courts.

6. I have defended large institutional employers in employment cases. From 1995-1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented the City of Sacramento, Yolo County, the City of Davis, Solano County and other employers in employment litigation in state and federal courts.

7. From 1997-2000, I served as a Deputy County Counsel in San Benito, handling all of its employment matters. These matters include advising the county on compliance with wage and hour laws, arbitrations, and litigation.

8. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an AV rated firm, where I represented numerous plaintiffs and defendants in employment lawsuits.

9. In 2006, I co-founded the Polaris Law Group where I spend most of my time handling employment cases. I primarily represent employees.

10. I have been the sole trial attorney in two jury trials in which I represented a plaintiff who prevailed on wrongful termination claims brought pursuant to the California Fair Employment & Housing Act, California Government § 12900 et seq. These two cases are: *Gamayo v. Drobný Law Offices*, Sacramento Superior Court Case No.: 34-2008-00005372CU; and *Cherub Berlanga v. Willow Grove School District*, San Benito County Superior Case No.: CU-09-00100.

11. I have been the sole trial attorney in two court trials in which I represented plaintiffs who prevailed on wage and hour claims. These cases are: *Smith v. Joyce*, Monterey County Superior Court Case No.: M74334; and *Nava v. Rodriguez*, San Benito County Superior Court Case No.: CU-08-00022.

12. I have also been approved as class counsel in numerous cases including *Sison v. Headway Technologies*, Case No. 1-13-CV-254591 and *Barrera v. Home Depot*, Northern District of California Case No. C 12 5199 LHK.

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

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

Executed on this 17th day of August, 2021, at Hollister, California.

/s/ William L. Marder
William L. Marder