

**Electronically Filed
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Case #20CV363828
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Attorneys for Plaintiff and the Class

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

FRANKLIN AMOG, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

EL CAMINO HOSPITAL, a California
nonprofit public benefit corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 20CV363828

(Assigned to the Honorable Patricia M. Lucas,
Dept. 3)

**DECLARATION OF WILLIAM L. MARDER
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: June 23, 2021

Time: 1:30 p.m.

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I, William L. Marder, 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 Polaris Law Group, counsel of record for Plaintiff Franklin Amog (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I am one of the primary attorneys on this matter. My qualifications are as follows: 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.

3. 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.

4. 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.

5. 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.

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

7. 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. Drobny 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.

8. 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.

9. 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.

10. Based on my own independent investigation and evaluation, I am of the opinion that the settlement for the consideration and on the terms set forth in the Settlement Agreement is fair, reasonable, and adequate and that the settlement is in the best interests of the Class, in light of all known circumstances and the expenses and risks inherent in litigation. I also believe in the fairness of the settlement based on factoring in the uncertainty and risks to Plaintiff involved in not prevailing on his certified class claims at trial and the possibility of appeals.

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

12. I do not have any relationship with either proposed *cy pres* recipient, El Camino Health Foundation – Hospital Employee Assistance Fund or Legal Aid at Work.

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

Executed on this 1 day of June 2021, at Hollister, California.

William L. Marsh

William L. Marder