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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

FAHEEM KHAN, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

AMY’S KITCHEN, INC., a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: SCV-266127

(Assigned to the Hon. Arthur A. Wick,
Courtroom 17)

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

Date: March 10, 2021

Time: 3:00 p.m.

Dept.: 17

Complaint Filed: March 4, 2020

DECLARATION OF LARRY W. LEE

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 Named Plaintiff Faheem Khan (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The settlement was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and conducted extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling. The Parties reviewed and analyzed necessary data pertaining to the class members and the number of wage statements, as well as Defendant Amy's Kitchen, Inc.'s ("Defendant") wage statement policies and practices. The Parties also participated in a full day of private mediation with Louis Marlin, Esq.

4. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on Class Counsel's independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arms' length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

5. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with my office’s contact information, where they could seek further information regarding the class settlement, further information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Claims Administrator, and how to update their address.

6. Any remaining monies from uncashed settlement checks will be distributed to Legal Aid At Work. Plaintiff's counsel does not have any relationship with or connection or to

1 said organization.

2 7. My qualifications are as follows: I received my JD from Arizona State University
3 College of Law in 2003. During law school, I was a summer associate at the law firm of
4 Brobeck, Phleger & Harrison. I graduated *cum laude* from Arizona State University College of
5 Law in the top 10% of my class. While I was in law school, I was the Associate Managing
6 Editor of the Arizona State University College of Law, Law Journal. For more than one and
7 one-half years after graduating from law school, I practiced law as an associate at the Los
8 Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national
9 employment defense law firm, representing Fortune 500 companies in employment matters,
10 including wage and hour class actions.

11 8. My primary practice is employment law. I have handled a number of wage and
12 hour matters including class actions and individual actions, on both plaintiff and defense sides. I
13 have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County
14 Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior
15 Courts, and the United States District Courts for the Central, Northern, and Eastern Districts of
16 California. I have been named as Class Counsel in a number of class actions that have been
17 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
18 Francisco County, and the United States District Court for the Central District of California,
19 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
20 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
21 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
22 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court
23 Case No. JCCP 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No. BC392717; and
24 *Hernandez v. CVS Corporation*, Los Angeles Superior Court Case No. JCCP 4539.

25 9. I have been named as Class Counsel in a number of class actions that have been
26 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
27 Francisco County, and the United States District Court for the Central District of California,
28 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco

1 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
2 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
3 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
4 Judicial Council Coordination Proceeding No. 4480; and *Hernandez v. CVS Corp. et al.*, Judicial
5 Council Coordination Proceeding No. 4539.

6 10. With respect to attorneys' fees, the Settlement Agreement specifies up to one-
7 third of the total settlement, or \$130,000.00, to be paid as attorneys' fees arising out of this
8 lawsuit.

9 11. With respect to litigation costs, my firm has incurred costs in the amount of
10 \$8,915.23. The costs are all litigation-related costs, including court filing fees, expenses related
11 to service of process, and costs associated with mediation. Attached here as **Exhibit A** is a true
12 and correct copy of my firm's Cost Report for this lawsuit.

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

15 Executed on this 16th day of February 2021, at Los Angeles, California.

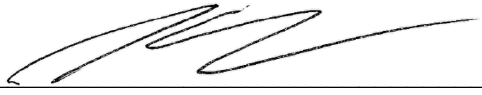
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18 _____
19 Larry W. Lee
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EXHIBIT A

2/11/2021
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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip.Classification Open
Client (hand select) Include: Khan, Faheem v. Amy's
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
61507	EXP	Olympia	1	6.90	6.90
1/31/2020		Postage			
WIP		Khan, Faheem v. Amy's			
Postage					
61880	EXP	Olympia	1	0.50	0.50
2/28/2020		Postage			
WIP		Khan, Faheem v. Amy's			
Postage					
61671	EXP	Olympia	1	1478.06	1478.06
3/4/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - Complaint					
61943	EXP	Olympia	1	3.60	3.60
3/27/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - POS of Summons & Notice and Acknowledgment of Receipt					
62022	EXP	Olympia	17	0.25	4.25
3/31/2020		Photocopies			
WIP		Khan, Faheem v. Amy's			
Photocopies					
62023	EXP	Olympia	1	2.10	2.10
3/31/2020		Postage			
WIP		Khan, Faheem v. Amy's			
Postage					
62927	EXP	Olympia	1	7000.00	7000.00
6/19/2020		Arbitrators			
WIP		Khan, Faheem v. Amy's			
Louis Marlin Mediation					
62944	EXP	Olympia	1	3.60	3.60
6/24/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - CMS					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
63277	EXP	Olympia	1	0.65	0.65
6/30/2020		Postage			
WIP		Khan, Faheem v. Amy's			
Postage					
63276	EXP	Olympia	6	0.25	1.50
6/30/2020		Photocopies			
WIP		Khan, Faheem v. Amy's			
Photocopies					
63665	EXP	Olympia	1	3.60	3.60
8/12/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - CMS					
63729	EXP	Olympia	1	96.07	96.07
8/27/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - MPA					
64471	EXP	Olympia	1	3.60	3.60
10/20/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - Joint CMS					
64477	EXP	Olympia	1	3.60	3.60
10/21/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - CMS					
64662	EXP	Olympia	1	3.60	3.60
11/2/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - Proposed Order re MPA					
65061	EXP	Olympia	1	3.60	3.60
11/19/2020		Court fees			
WIP		Khan, Faheem v. Amy's			
Odyssey - Notice of Minute Order					
66074	EXP	Olympia	1	150.00	150.00
2/11/2021		Court fees			
WIP		Khan, Faheem v. Amy's			
Final Approval Filing Fees					
66079	EXP	Olympia	1	150.00	150.00
2/11/2021		Court fees			
WIP		Khan, Faheem v. Amy's			
Filing Fees					

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Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
Grand Total				
	Billable	0.00		8915.23
	Unbillable	0.00		0.00
	Total	0.00		8915.23