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Attorneys for Plaintiff and the Class

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

RICHARD TOBIN, as an individual  
and on behalf of all others similarly  
situated,

Plaintiff,

vs.

RYDER TRUCK RENTAL, INC., a  
Florida corporation; and DOES 1  
through 50, inclusive,

Defendants.

Case No.: 5:20-cv-01569-JGB-SHK

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

Date: April 12, 2021  
Time: 9:00 A.M.  
Location: Courtroom 1  
3470 Twelfth Street  
Riverside, CA 92501

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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, P.C., counsel of record for Plaintiff Richard Tobin (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. Each side has apprised the other of their respective factual contentions, legal theories and defenses, resulting in extensive arm's-length negotiations taking place among the Parties, including one full day of mediation with Steve Rottman. Based on their own independent investigation and evaluation, the Parties and their respective counsel are of the opinion that the Settlement for the consideration and on the terms set forth in the Class Action Settlement Agreement are fair, reasonable, and adequate and the settlement is in the best interests of the Settlement Class and Defendant in light of all known circumstances and the expenses and risks inherent in litigation.

3. Plaintiff's counsel engaged in an extensive meet and confer process regarding the data necessary to perform a damage analysis and engage in a meaningful mediation.

4. Plaintiff also believes in the fairness of the settlement that is based on factoring in the uncertainty and risks to Plaintiff involved in not prevailing on his class claims at trial and the possibility of appeals.

5. Plaintiff and Plaintiff's counsel are adequate representatives in that they have no conflicts with the Class and will adequately represent the Class.

6. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my JD from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College

1 of Law in the top 10% of my class. While I was in law school, I was the Associate  
2 Managing Editor of the Arizona State University College of Law, Law Journal.

3 7. For more than one and one half years I practiced law as an associate at  
4 the Los Angeles County offices of Ogletree, Deakins, Nash, Smoak & Stewart,  
5 P.C., a national employment defense law firm that represents a significant number  
6 of Fortune 50 companies, including many actions involving wage and hour matters.

7 8. My primary practice is employment law. I have handled a number of  
8 class actions and individual actions, on both plaintiff and defense sides. I have a  
9 practice that encompasses cases in the Los Angeles Superior courts, the Orange  
10 County Superior Courts, the Los Angeles County Superior Courts, the San Diego  
11 County Superior courts, and the United States District Courts for the Central,  
12 Northern and Eastern Districts of California.

13 9. I have been approved as Class Counsel in a number of class actions,  
14 including but not limited to *Chan-Lanier v. Citibank* (Case No. CGC-050445143);  
15 *Hernandez v. CVS Pharmacy, Inc.* (Judicial Council Coordination Proceeding No.  
16 4539), *Tse v. Best Buy Co, Inc.* (Case Number BC 393717), *Orgeta v. AIG, Inc.*  
17 (Case Number CV 06—196-RSWL (PJWx)), and *Castro v. UPS Freight, Inc.*  
18 (Case Number CV 08-4898 ODW (CWx)) and by this Court in *Chavez v. PVH*  
19 (Case No. C 13-01797 LHK).

20 10. In addition, I was certified as class counsel by the United States  
21 District Court, Central District of California in the case of *Abdullah v. U.S.*  
22 *Security* (Case Number CV 09-09554 GHK), *Avilez v. Pinkerton Government*  
23 *Services, Inc.* (Case Number SACV 11-0493-DOC), *Dynabursky v. Allied Barton*  
24 *Security Services* (Case Number SACV 12-02210 JST); and *Pace v. Petsmart, Inc.*  
25 (Case Number SACV 13-500-DOC); by the Northern District of California in the  
26 cases of *Harris v. Vector Marketing Corp.*, (Case Number CV 08 5198 EMC), and  
27 *Lemus et al. v. H&R Block Enterprises, LLC* (Case Number CV-09-03179-SI); and  
28 by the Superior Court of California, Orange County in the cases of *De la Cruz v.*

1 *Abercrombie & Fitch Co. et al.* (Case Number 30-2007-00036240) and *Wu v.*  
2 *General Nutrition Corporation* (Case Number 30-2012-00593759), all as part of  
3 the Courts' orders granting class certification pursuant to Rule 23 of the FRCP and  
4 California Code of Civil Procedure § 382.

5 11. Since at least 2018, I have been approved at an hourly rate of \$700.00  
6 per hour by various Courts, in a number of matters, including *Stafford v. Brinks et*  
7 *al.*, Los Angeles County Superior Court Case No. BC532260; *Chavez v. Adidas*,  
8 U.S. District Court for the Northern District of California Case No. 5:16-cv-06533-  
9 LHK; *Diaz v. WeDriveU*, Santa Clara Superior Court Case No. 17CV306547;  
10 *Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior  
11 Court Case No. 17CV306751; and *Hernandez v Pei Wei*, United States District  
12 Court, Central District of California Case No. 8:17-cv-00679-JLS-JCG. As of  
13 2019, I increased my hourly rate to \$750.00 per hour.

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

16 Executed on this 12<sup>th</sup> day of March, 2021, at Los Angeles, California.

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18 /s/ Larry W. Lee

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