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Attorneys for Plaintiff, the Class, and the Aggrieved Employees

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

SAKHOEUTH “KURT” SAO, individually
and on behalf of all others similarly situated,

Plaintiff,

vs.

AUTOMATED GATE SERVICES, INC., a
California corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No. RIC2001904

[Assigned for all purposes to the Hon. Sunshine
S. Sykes, Dept. 6]

**DECLARATION OF HOWARD L.
MAGEE IN SUPPORT OF PLAINTIFF’S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: October 20, 2021
Time: 8:30 A.M.
Dept.: 6

Complaint Filed: June 1, 2020
Trial Date: None Set

DECLARATION OF HOWARD L. MAGEE

I, Howard L. Magee, 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 Sakhoeuth “Kurt” Sao (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel has zealously represented the interests of the Class. The Settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative. Further, Class Counsel has been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the Class.

3. Based on their own independent investigation and evaluation, the Parties and their respective counsel are of the opinion that settlement for the consideration and terms set forth in the Joint Stipulation of Class Action Settlement (“Stipulation” or “Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Class and Defendant in light of all known facts and circumstances and the expenses and risks inherent in litigation.

4. 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.

5. Any remaining monies from uncashed settlement checks will be distributed to Legal Aid at Work. Neither Plaintiff nor Plaintiff's counsel have any relationship with or connection to Legal Aid at Work. I have made reasonable inquiry of attorneys of my law firm and of Plaintiff regarding any such relationship with LAAW, and I am not aware of any such relationship between myself, members of my law firm, or Plaintiff.

6. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from The University of Southern California Gould School of Law in 1996. Upon graduation, I practiced law in the Labor and Employment Group as an associate at the Los Angeles office of Brobeck, Phleger and Harrison, LLP. After approximately 7 ½

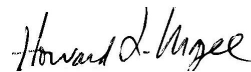
1 years of practice at Brobeck, Phleger and Harrison, LLP, I was responsible for opening upon up
2 the Los Angeles office of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., a national
3 employment defense law firm that represents a significant number of Fortune 500 companies. I
4 practiced law at Ogletree, Deakins, Nash, Smoak & Stewart as a Partner until 2009 when I
5 joined Diversity Law Group, P.C., as a Partner.

6 7. My firm has been named Class Counsel in a number of class actions that have
7 been granted final approval by the Superior Courts of Los Angeles County, Orange County, San
8 Francisco County, and the United States District Court for the Central District of California,
9 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
10 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
11 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No.
12 CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior
13 Court, Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*,
14 Judicial Council Coordination Proceeding No. 4539; and *Hernando Barbosa v. Kelly Services,*
15 *Inc.*, Monterey County Superior Court Case No. M133109.

16 8. My co-counsel and I will adequately represent the Class Members in this action.
17 Plaintiff's counsel have and will zealously represent Plaintiff and the Class and pursue this
18 lawsuit to its conclusion.

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

21 Executed on this 27th day of September, 2021, at Los Angeles, California.

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Howard L. Magee
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