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MY LE PHAM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

MY LE PHAM, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS, INC.,
a Delaware corporation; and DOES 1 through
100,

Defendants.

Case No. 30-2019-01086573-CU-OE-CXC

[Assigned to Hon. Peter Wilson, Dept. CX102]

**DECLARATION OF ELIZABETH
NGUYEN IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, CLASS
REPRESENTATIVE'S ENHANCEMENT
PAYMENT, AND ATTORNEYS' FEES
AND COSTS**

Date: December 3, 2020
Time: 2:00 p.m.
Dept.: CX 102

Date Action Filed: July 30, 2019
Trial Date: None Set

1 I, ELIZABETH NGUYEN, declare as follows:

2 1. I am a shareholder of the law firm Lidman Law, APC, and counsel for the named
3 Plaintiff My Le Pham (“Plaintiff”) and the proposed Settlement Class in the above-captioned
4 matter. I am a member in good standing of the bar of the State of California and am admitted to
5 practice in this Court. I have personal knowledge of the facts stated in this declaration and could
6 testify competently to them if called upon to do so.

7 2. I am a 2005 graduate of Loyola Law School. During law school, I worked as an
8 extern for the Honorable Erithe A. Smith, U.S. Bankruptcy Court for the Central District of
9 California. During law school, I also worked as a law clerk in the Enforcement Unit of the Office
10 of the Chief Trial Counsel for the State Bar of California.

11 3. Since graduating from law school, my practice has focused almost exclusively on
12 employment litigation. In October 2007, I began working as an associate attorney at the
13 international law firm of Littler Mendelson P.C., at its Los Angeles office, which according to
14 its website is the “largest law firm in the world exclusively devoted to representing management
15 in employment, employee benefits and labor law matters.”

16 4. In June 2012, I left Littler Mendelson to work at the Los Angeles office of Reed
17 Smith LLP. During my employment at Reed Smith, I worked exclusively in the labor and
18 employment practice group. In June 2013, I returned to Littler Mendelson as an associate
19 attorney, was promoted to Shareholder in 2015, and was elevated to participating Shareholder in
20 2017. Since October 2007, my practice has been and continues to be exclusively labor and
21 employment law, with a strong emphasis on wage and hour class actions venued in both state
22 and federal courts. During this time period and my legal career in general, I also worked on a
23 number of single and multi-plaintiff wage and hour matters as well. During my employment at
24 Littler Mendelson, I was a member of its Class Action Practice Group.

25 5. During my employment at Littler Mendelson, I played a significant role in the
26 class actions that I was staffed on, and was primarily responsible for managing the litigation both
27 in my role as a Senior Associate and as a Shareholder. In particular, I received a wide-array of
28

1 wage and hour class action experience performing the following types of tasks: drafting
2 demurrers, motions to strike and/or dismiss; removing actions from state court to federal court;
3 drafting and responding to written discovery; drafting and opposing discovery related motions;
4 arguing discovery related motions; drafting motions to consolidate related matters; interviewing
5 putative class members and obtaining declarations in connection with class certification; drafting
6 oppositions to motions for class certification; conducting exposure analyses to assess the
7 strengths and weaknesses of asserted claims, the likelihood of prevailing at class certification
8 and potential damages resulting from such claims; drafting mediation briefs; serving as the
9 primary contact to in-house counsel; deposing named plaintiffs and putative class members;
10 deposing retained expert witnesses; and defending the depositions of corporate witnesses. I also
11 was involved in the negotiations and settlements of many large wage and hour class actions. In
12 short, I played an integral role in all aspects of litigation from the inception of a matter through
13 and beyond class certification. I also supervised the work of several associate attorneys who
14 were staffed on the same wage and hour class actions.
15

16 6. Although not exhaustive, below is a list of many of the wage and hour class and
17 PAGA actions that I performed substantial work on while I was an Associate and/or Shareholder
18 at Littler Mendelson:

19 ► *Branch v. PM Realty Group, Inc.* Case No. BC575759, Los Angeles Superior
20 Court, County of Los Angeles, Honorable Ann Jones, presiding.

21 ► *Herrera v. Pharmavite, LLC*, Case No. BC599201, Los Angeles Superior Court,
22 County of Los Angeles, Honorable Judge Carolyn Kuhl, presiding.

23 ► *Dugan v. Stoneledge Furniture, LLC*, Case No. 16-cv-01125-PA-FFMx, United
24 States District Court, Central District of California, Honorable Judge Percy Anderson, presiding.

25 ► *Klune v. Stoneledge Furniture, LLC*, Case No. 14-cv-03986-PA-FFMx, United
26 States District Court, Central District of California, Honorable Judge Percy Anderson, presiding.

27 ► *Diaz v. ABM Industries, Inc.; Ampco Parking*, Case No. BC362932, California
28

1 Superior Court, County of Los Angeles, Honorable Judge Jane Johnson, presiding.¹

2 ▶ *Adams v. Luxottica Retail North America, Inc.*, Case No. 07CC01346, California
3 Superior Court, County of Orange, Honorable Judge Thierry Patrick Colaw, presiding.

4 ▶ *Page v. Luxottica Retail North America, Inc.*, Case No. FCS041512, California
5 Superior Court, County of Solano, Honorable Judge Paul Berman, presiding.

6 ▶ *Parker v. FedEx National LTL, Inc.*, Case No. 11-CV-006380-DSF-FFM, United
7 States District Court, Central District of California, Honorable Judge Dale Fischer, presiding.

8 ▶ *Cordova v. Comerica Bank, et al.*, Case No. 09-cv-08905-MMM-PLAx, United
9 States District Court, Central District of California, Honorable Judge Margaret Morrow,
10 presiding.

11 ▶ *Bernal v. Comerica Bank, et al.*, Case No. 11-cv-01298-JAH-BGS, United States
12 District Court, Central District of California, Honorable Judge Margaret Morrow, presiding.

13 ▶ *Granata v. Comerica Bank, et al.*, Case No. 37-2011-00086316-CU-OE-CTL,
14 California Superior Court, County of San Diego, Honorable Judge Jeffrey B. Barton, presiding.

15 ▶ *Mathews v. Comerica Bank, et al.*, Case No. 111CV194781, California Superior
16 Court, County of Santa Clara.

17 ▶ *Gallegos v. Comerica Bank, et al.*, Case No. BC455515, California Superior
18 Court, County of Los Angeles, Honorable Judge Terry Green, presiding.

19 ▶ *Rumohr v. Comerica Bank, et al.*, Case No. CGC-11-508433, California Superior
20 Court, County of San Francisco.

21 ▶ *Robertson v. FedEx National LTL, Inc.*, Case No. 09-CV-05016-DSF-FFM,
22 United States District Court, Central District of California, Honorable Judge Dale Fischer,
23 presiding.

24 ▶ *Wittman v. FedEx National LTL, Inc.*, Case No. 09-CV-03663-DSF-FFM, United
25 States District Court, Central District of California, Honorable Judge Dale Fischer, presiding.
26
27

28 ¹ This matter was consolidated and litigated collectively with Case Nos. BC380923, BC 381523 and BC 406663.

1 7. In January 2018, I voluntarily resigned from Littler Mendelson in order to start a
2 law firm with another former Littler Mendelson Shareholder, Scott M. Lidman, to represent
3 employees with work-related claims, including primarily wage and hour claims and almost
4 exclusively on a class-action basis. I am currently a Shareholder of Lidman Law, APC.
5 Currently, over ninety percent (90%) of my practice is dedicated exclusively to the prosecution
6 of wage and hour class actions, and I am currently responsible for prosecuting over sixty-five
7 (65) wage and hour class actions filed in State courts throughout California, with several of them
8 having been removed to Federal courts. I believe that my professional experience renders me
9 more than qualified to serve as class counsel in this lawsuit involving claims of underpaid
10 overtime and minimum wages, meal and rest period violations, and derivative penalty claims.
11 Not only have I litigated dozens of wage and hour cases throughout my career involving similar
12 claims, including the wage and hour class actions identified above, I have litigated similar claims
13 from both plaintiff and defense perspectives. As a result, I am able to realistically assess and
14 evaluate the facts and legal arguments that can be made in pursuit and defense of similar wage
15 and hour claims, as well as those facts and arguments in support and in opposition to class
16 certification. Consequently, I am able to appreciate the significant risks, uncertainties, and delay
17 involved in wage and hour class action litigation.
18

19 8. I have been appointed Class Counsel in: *Guardado v. Wesley Allen, Inc.*, Case
20 No. BC683027, California Superior Court, County of Los Angeles, Honorable Judge Carolyn B.
21 Kuhl presiding; *Rodriguez v. Satco, Inc.*, Case No. BC682137, California Superior Court,
22 County of Los Angeles, Honorable Judge Ann I. Jones presiding; *Ong v. Howard's Appliances,*
23 *Inc.*, Case No. 30-2017-00964213-CU-OE-CXC, California Superior Court, County of Orange,
24 Honorable Judge William Claster presiding; *Hanke v. C&W Facility Services, Inc.*, Case No.
25 CIVDS1814412, California Superior Court, County of San Bernardino, Honorable Judge David
26 Cohn presiding; *Molina v. Mader News, Inc.*, Case No. BC685960, California Superior Court,
27 County of Los Angeles, Honorable Judge Yvette M. Palazuelos presiding; *Alvarez v.*
28 *Salamander Fire Protection, Inc.*, Case No. BC688326, California Superior Court, County of

1 Los Angeles, Honorable Judge William F. Highberger presiding; *Rodriguez v. H.F. Cox, Inc.*,
2 Case No. BC653164, California Superior Court, County of Los Angeles, Honorable Judge
3 Carolyn B. Kuhl presiding; *Fregoso v. Amerigas Propane, Inc.*, Case No. BC697973, California
4 Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko presiding; *Teran*
5 *v. Western Plastics, Inc.*, Case No. RIC1722619, California Superior Court, County of Riverside,
6 Honorable Judge Sunshine Sykes presiding; *Villegas de Torres v. El Monte Superstore Inc.*,
7 Case No. BC688477, California Superior Court, County of Los Angeles, Honorable Judge
8 Daniel J. Buckley presiding; *Huynh v. Polypeptide Laboratories, Inc.*, Case No. BC680872,
9 California Superior Court, County of Los Angeles, Honorable Judge Rafael A. Ongkeko
10 presiding; *Guzman v. Century Blinds*, Case No. RIC1723654, California Superior Court, County
11 of Riverside, Honorable Judge Sunshine S. Sykes presiding; *George v. Convergence Marketing*,
12 Case No. CIVDS1901039, California Superior Court, County of San Bernardino, Honorable
13 Judge David S. Cohn presiding; *Coffee, et al. v. Flyers Transportation Energy, LLC*, Case No.
14 34-2017-00222084, California Superior Court, County of Sacramento, Honorable Judge Alan G.
15 Perkins presiding; *Romero v. Fillmore Hospitality, LLC*, Case No. BC705667, California
16 Superior Court, County of Los Angeles, Honorable Judge Maren E. Nelson presiding;
17 *Wennerstrom, et al. v. Giant Inland Empire R.V. Center*, Case No. CIVDS1617291, California
18 Superior Court, County of San Bernardino, Honorable Judge David S. Cohn presiding;
19 *Contreras, et al. v. Letter Ride, LLC*, Case No. 37-2018-00020841-CU-OE-CTL, California
20 Superior Court, County of San Diego, Honorable Judge Eddie C. Sturgeon presiding; *Davis v.*
21 *WeDriveU*, Case No. 18CV322578, California Superior Court, County of Santa Clara,
22 Honorable Judge Brian C. Walsh presiding; *Acuna v. Canton Food Co., Inc.*, Case No.
23 BC685001, California Superior Court, County of Los Angeles, Honorable Judge David S.
24 Cunningham presiding; and *Contreras v. Worldwide Flight Services, Inc.*, Case No. 2:18-cv-
25 06036-PSG-SS, United States District Court for the Central District of California, the Honorable
26 Judge Philip S. Gutierrez presiding.
27
28

Assessment of Claims

9. As co-counsel for Plaintiff and the proposed Settlement Class, I have been intimately involved in every aspect of this case from the time my firm became co-counsel through the present, and I believe that the proposed Settlement is a favorable result for the Settlement Class under the circumstances presented.

10. According to Defendant Plasma Ruggedized Solutions, Inc.'s (hereinafter "Plasma" or "Defendant") website, it is a provider of parylene coating and related specialty engineering services. Plasma does business by providing conformal coating, potting and encapsulating, plasma etchback/desmeat, and testing and laboratory services. On July 30, 2019, Plaintiff filed a putative class action complaint against Plasma in Orange County Superior Court. On June 8, 2020, Plaintiff filed a First Amended Class and Representative Action Complaint ("FAC"). In the FAC, Plaintiff alleges that Defendant: (1) failed to pay all minimum wages owed; (2) failed to pay all overtime wages owed; (3) failed to provide all legally required meal periods; (4) failed to authorized and permit all legally required rest periods; (5) failed to provide accurate, itemized wage statements; (6) failed to pay all wages owed upon termination; (7) engaged in unlawful business practices; (8) is liable for civil penalties under the Labor Code Private Attorneys General Act of 2004 ("PAGA").

11. As detailed in Plaintiff's Motion for Preliminary Approval, Plaintiff alleges that she and other Settlement Class members were not paid for all time worked. Specifically, Plaintiff alleges Plasma required her and other Settlement Class members to wear safety equipment in connection with the performance of their duties. Plaintiff alleges that she and the other Settlement Class members were required and directed by Plasma to don their safety equipment prior to the start of their scheduled shifts. Plaintiff alleges that it took her a total of approximately 5 minutes each shift to don and doff her safety equipment. Further, on occasions when Plaintiff and other Settlement Class members worked over eight hours a day and/or forty hours in a workweek, Defendant's practice of requiring Plaintiff and other Settlement Class members to work off the clock also deprived them of all overtime wages worked.

1 12. Plasma counters that Class Members received all overtime wages to which they
2 were entitled. Plasma also contends that any unpaid time was *de minimis* and therefore non-
3 compensable. Plasma further asserts that Plaintiff would be unable to certify this class given the
4 individualized inquiries that would be required to assess how long it took each employee to don
5 and doff their safety equipment each shift.

6 13. Plaintiff further alleges she and other Settlement Class members were not paid
7 for all time worked. Specifically, Plaintiff alleges that Plasma unlawfully rounded/shaved
8 Plaintiff's time such that Plaintiff was routinely underpaid for all her time worked.

9 14. Plasma contends that it compensated non-exempt employees for all of their time
10 worked. Defendant also contends that its rounding practices were lawful, and any unpaid time
11 was *de minimis* and therefore non-compensable. Plasma further assert that Plaintiff would be
12 unable to certify a rounding class given the individualized inquiries that would be required, given
13 that Plasma's rounding mechanism was, according to Plasma, allegedly facially neutral.

14 15. Plaintiff also alleges that Plasma failed to provide all legally required meal
15 periods. Specifically, Plaintiff alleges that she was not timely provided all required meal periods
16 due to the work assignments and/or by failing to record all time worked for purposes of providing
17 a meal break before the end of the fifth hour of work. Additionally, Plaintiff alleges that Plasma
18 unlawfully automatically deducted thirty minutes from her work time each shift for her meal
19 periods regardless of whether a meal period was taken or not.

20 16. Plasma counters that it has always provided the opportunity to take legally
21 compliant meal periods, and any non-compliant meal periods reflected in employee timekeeping
22 records were solely the result of employee choice not to take a meal period, rather than any
23 policy or practice of Plasma. Plasma further points out that it is only required to "provide" the
24 opportunity to take meal periods, not "ensure" meal periods are taken, and that it has always
25 done so. Finally, Plasma maintains Plaintiff's meal period claim is not suited for class
26 certification, since individual inquiries would be required to assess which employees missed
27 second meal periods, how often, and the reasons why a particular employee missed a meal period
28

1 during a particular shift.

2 17. Plaintiff also alleges that Plasma did not authorize and permit its non-exempt
3 employees to take all required rest periods. Specifically, Plaintiff alleges that due to work
4 demands imposed by Plasma, she was not authorized and permitted to take any rest periods.

5 18. Plasma contends it has always maintained and enforced lawful rest period policies
6 and practices, and that Settlement Class members were provided with all off-duty and paid rest
7 periods. Further, Plasma argues that Plaintiff's rest period claim is inherently unsuited for class
8 treatment as it requires an individualized inquiry into whether each Settlement Class Member
9 was in fact authorized and permitted to take a compliant rest period, which would devolve into
10 an unmanageable series of mini-trials.

11 19. As a result of the alleged minimum and overtime wages and meal and rest period
12 premium wages described above, Plaintiff alleges that Plasma issued inaccurate wage statements
13 in violation of Labor Code § 226. Specifically, Plaintiff contends that this conduct violated
14 Labor Code § 226(a) which requires that wage statements provide the hours worked and the rate
15 at which they are being paid.
16

17 20. Plasma denies that it issues inaccurate wage statements and argues that meal and
18 rest period claims cannot support a claim for wage statement penalties. Plasma further argues
19 that its alleged wage statement violations could not be shown to be "knowing and intentional,"
20 and that Plaintiff cannot show that she or any other employee "suffer[ed] injury" as a result of
21 the alleged wage statement violations, as required by Lab. Code § 226(e) for imposition of
22 penalties.

23 21. Plaintiff alleges that Plasma is also liable for waiting time penalties under Labor
24 Code section 203 as a result of its failure to pay all wages due to its timekeeping policy and
25 practice and its failure to pay all meal and rest period premium wages.

26 22. Plasma asserts it has strong defenses to the waiting time claim because there exist
27 good-faith disputes as to Plaintiff's underlying claims, precluding imposition of penalties.
28 Plasma further contends that Plaintiff's meal and rest period claims cannot support a claim for

1 waiting time penalties.

2 23. Plaintiff also seeks civil penalties under the PAGA as a result of the foregoing
3 alleged Labor Code violations.

4 24. Since Plaintiff's PAGA claim is a derivative claim based on the underlying
5 claims, Plasma argues that Plaintiff's PAGA claim will fail for the same reasons that her
6 underlying claims will fail. Plasma also maintains that, given its good faith defenses, this Court
7 would exercise its discretion to substantially reduce any PAGA penalties if it were to find Plasma
8 liable for any of Plaintiff's claims.

9 25. These considerations, along with Plasma's financial condition, not only bore
10 heavily on the negotiations leading to the Settlement, but also confirm that the Settlement is fair,
11 adequate, and reasonable compromise in view of the risks of further litigation. As detailed in
12 Plaintiff's Motion for Preliminary Approval, Plaintiff vetted the claims at issue and conducted a
13 detailed exposure analysis of class-wide data to arrive at the calculated damages figures. Thus,
14 while these risks are far from exhaustive, they demonstrate that the Settlement is fair, adequate,
15 and reasonable in view of them. In addition, Plasma produced various financial documents to
16 Plaintiff which were then analyzed by Plaintiff's forensic accountant to evaluate Plasma's ability
17 to pay a class-wide settlement. Plasma confirmed these documents in its CFO's sworn
18 Declaration.

19 26. In connection with mediation, Plasma represents that it produced to Plaintiff's
20 counsel exemplars of timekeeping and payroll records for the putative class, applicable
21 documents regarding its wage and hour policies, and other information, including a complete set
22 of data on all hours worked during the alleged Class Period by all putative Class Members, which
23 Plasma contends was further verified in a sworn expert witness report provided by its retained
24 expert, thus allowing each side to make their own calculations of alleged damages and penalties
25 with specificity. Further, Plasma produced to Plaintiff detailed financial information, since
26 confirmed in a sworn Declaration of Plasma's Chief Financial Officer. Plaintiff retained an
27 economist analyze the payroll data and time records produced by Defendant to calculate
28

1 Defendant's potential exposure for each of Plaintiff's claims. After the detailed review of the
2 payroll and time records and other documents and policies produced by Defendant, Class
3 Counsel drew on their extensive experience in similar cases to assess the strengths and
4 weaknesses of Plaintiff's case. This discovery allowed the parties to assess the merits and value
5 of Plaintiff's claims and Defendant's defenses thereto, if a settlement could not be reached.

6 27. On February 21, 2020, after extensive research and analysis, including a detailed
7 analysis of Defendant's time punch and payroll data prepared by Plaintiff's retained expert who
8 holds a Ph.D. in economics, the Parties participated in a full-day mediation with Eve Wagner,
9 Esq., a preeminent wage and hour class action mediator. During mediation, the Parties
10 vigorously debated their opposing legal positions, the likelihood of certification of Plaintiff's
11 claims, Defendant's financial condition and ability to pay a class-wide settlement, and the legal
12 basis for the claims and defenses. Ultimately, the parties agreed in principle on a class-wide
13 resolution. In the months that followed, the parties finalized and executed the Settlement
14 Agreement.

15 **Preliminary Approval**

16 28. Plaintiff submitted the Settlement to the Court with her Motion for Preliminary
17 Approval on May 26, 2020. On July 27, 2020, pursuant to the Court's tentative ruling on
18 Plaintiff's Motion for Preliminary Approval, Plaintiff submitted a [Proposed] Order Granting
19 Preliminary Approval of the Settlement with an amended class notice attached thereto. On
20 August 3, 2020, the Court issued an order Granting Preliminary Approval of the Settlement.
21 Attached collectively hereto as **Exhibit A** is a true and correct copy of the Order Granting
22 Preliminary Approval.

23 29. The Settlement Class encompasses "all current and former non-exempt
24 employees who worked for Defendant Plasma Ruggedized Solutions, Inc. in California from
25 July 30, 2015 through June 30, 2020."

26 30. Funds remaining unclaimed will escheat to the California State Controller's
27 Office – Unclaimed Property Fund in the name of the corresponding Settlement Class
28

1 Member(s).

2 31. In my experience in wage and hour class action matters similar to this one, fee
3 awards generally average around one-third of the gross recovery.

4 32. My law firm's and co-counsel's work on this case includes, but is not limited to:
5 conducting pre-filing investigation, analyzing Plaintiff's claims, conducting legal research,
6 reviewing Defendant's documents and policies, analyzing Settlement Class members'
7 timekeeping data and payroll records, creating a comprehensive damages model, preparing for
8 and attending mediation, negotiating and preparing the long-form Settlement Agreement,
9 preparing the Motions for Preliminary and Final Approval, overseeing the settlement
10 administration process, communicating with Settlement Class members, and otherwise litigating
11 this case.

12 33. Since undertaking representation of Plaintiff, Class Counsel has borne the costs
13 of litigation for over one year without receiving any compensation to date. To date, my law firm
14 and co-counsel's firm, Haines Law Group, APC has incurred \$22,539.53 in actual costs and
15 expect to incur additional \$179.00 in future costs for filing the instant motion, filing the final
16 declaration regarding distribution of settlement, service and messenger fees, postage fees, and/or
17 costs for future court appearances, for a total of \$22,718.53 in costs. Attached hereto as **Exhibit**
18 **B** is an Expense Summary reflecting these costs, which include but are not limited to: expert
19 fees, filing fees, messenger fees, service fees, copying costs, mediation fees, postage, and travel
20 expenses.
21

22 34. My experience in matters similar to this one was integral in evaluating the
23 strengths and weaknesses of this case and the reasonableness of the Settlement. Practice in the
24 narrow field of wage and hour litigation requires skill and knowledge concerning the rapidly
25 evolving substantive state and federal law, as well as the procedural law of class action litigation.
26 This case involved legal issues including questions surrounding Plasma's obligation to "provide"
27 meal periods and "authorize and permit" rest periods, and the propriety of statutory penalties, to
28 name just a few.

1 35. Given the considerable potential for adverse outcomes in this case, including, but
2 not limited to losing on class certification and/or merits issues, the contingent risk borne by Class
3 Counsel was great. In addition to the legal and procedural challenges this lawsuit presented,
4 there were also other practical challenges. There was a real risk that my firm and co-counsel's
5 firm would not be compensated for our work, because our firms handled this matter on a purely
6 contingent basis. Thus, Plaintiff was not responsible for paying my firm's attorneys' fees and
7 my firm could only recover attorneys' fees if Plaintiff was successful. By the time I (or someone
8 from my firm) attend the final approval hearing in this matter, my firm and co-counsel firm will
9 have litigated this case for well over one year with no payment, all while bearing the risk of non-
10 payment if Plaintiff was unsuccessful. Moreover, as discussed above, Class Counsel has
11 advanced a total of \$22,539.53 (and anticipate incurring an additional \$179 in hard costs in
12 connection with filing the motion for final approval and attending the hearing on the motion for
13 final approval and related tasks) for a total of \$22,718.53) in litigation costs on a contingency
14 basis, which also carried risk because Class Counsel would not recoup its costs in the event
15 Plaintiff did not prevail in this lawsuit.
16

17 36. My law firm maintains records of our hours worked on this case by billing our
18 time in increments of one-tenth (1/10) of an hour into a timekeeping system. I access the
19 timekeeping system regularly for purposes of assessing the number of attorney and paralegal
20 hours worked for each case that my law firm handles. I relied on the timekeeping records for
21 this case to prepare this declaration. A true and correct copy of my law firm's billing records
22 are attached hereto as **Exhibit C**. The report is partially redacted to protect attorney-client
23 communications and attorney work product.
24

25 37. The lodestar cross-check also supports Class Counsel's request for attorneys' fees
26 is reasonable. In this case, after adding in the attorney hours for my firm (\$139,228) and my co-
27 counsel's firm (\$12,805), Class Counsel have a total lodestar of \$152,033.00 without the use of
28 any multiplier. Therefore, the lodestar is actually higher than the \$131,666.66 fee request. The
following is a general summary showing the number of hours of work performed by each

attorney and paralegal in my firm on this case. My co-counsel's billing records and summary are discussed in the Declaration of Paul K. Haines filed in support of this motion.

Name	Billing Initials	Rate	Hours	Pre-Multiplier Lodestar
Scott M. Lidman (22nd Year Attorney)	SML	\$750	57	\$42,750.00
Elizabeth Nguyen (15th Year Attorney)	EN	\$650	87.40	\$56,810.00
Milan Moore (5th Year Attorney)	MM	\$400	37.2	\$14,880.00
Romina Tamiry (1st Year Attorney)	RT	\$295	72.4	\$21,358.00
Paralegals	DJ	\$175	19.6	\$3,430.00
Total Lodestar				\$139,228

38. My proposed hourly rate of \$650, Mr. Lidman's proposed hourly rate of \$750, Ms. Moore's proposed hourly rate of \$400, and Ms. Tamiry's proposed hourly rate of \$295 are reasonable in light of our respective skills, wage and hour class action litigation experience, reputation, and fee awards to other attorneys of similar experience in California. Moreover, our requested hourly rates and our co-counsel's requested hourly rates are in line with the *Laffey* Matrix, a true and correct copy of which is attached hereto as **Exhibit D**.

39. The attorneys' fee award requested is consistent with those routinely awarded by California superior courts. California superior courts frequently grant common fund awards of 33%. *See, e.g., Ochoa v. Haralambos Beverage Co.*, No. BC319588 (Super. Ct., Los Angeles County, Feb. 1, 2007) (33.3% fee award with no mention of lodestar crosscheck); *Jones v. Alliance Imaging, Inc.*, No. RG05210418 (Super. Ct., Alameda County, Nov. 27, 2006) (33% fee award with no mention of lodestar crosscheck); *Wisniewski v. Pacific Maritime Assoc.*, No.

1 BC293134 (Super. Ct., Los Angeles County, Nov. 20, 2006) (30.7% fee award from \$12.9
2 million settlement with no mention of lodestar crosscheck); *Garcia v. Save Mart Supermarkets*,
3 No. 312026 (Super. Ct., Stanislaus County, Aug. 3, 2004) (33% fee award with no mention of
4 lodestar crosscheck); *Terrell v. Ocean's 11 Casino, Inc.*, No. GIC795732 (Super. Ct., San Diego
5 County, Feb. 10, 2004) (approving 33% fee award); *Big Lots Overtime Cases*, JCC Proceeding
6 No. 4283, San Bernardino County Superior Court, Feb 4, 2004) (approving a 33% fee recovery);
7 *Tokar v. GEICO*, (San Diego Superior Court, No. GIC 810166, July 9, 2004) (approving award
8 of 33-1/3%); *Davis v. The Money Store, Inc.*, (San Diego County Superior Court, No.
9 99AS01716, December 26, 2000) (33-13% of the settlement)

10 40. Indeed, numerous courts have awarded attorneys' fees of up to, or in excess of
11 40% of the common fund. *Ammari Electronics, et al. v. Pacific Bell Directory*, Alameda County
12 Sup. Ct., Case No. RG05198014 (awarded 43.8%) (2015); *In re California Indirect Purchaser X*
13 *Ray Film Antitrust Litigation*, San Francisco Sup. Ct. 1998 (citing *Abzug v. Kerkorian*, Los
14 Angeles Sup. Ct., Nov. 19, 1990, Case No. CA-00981 (45%) and *Haitz v. Meyer*, Alameda County
15 Sup. Ct., August 20, 1990, Case No. 5729683 (45%)); *Hall v. Cinema 7, Inc.*, San Francisco Sup.
16 Ct., July 16, 2008, Case No. CGC-01-409105 (53%); and *Rundberg v. Intrawest Napa Dev. Co.*,
17 Napa County Sup. Ct., January 15, 2014, Case No. 26-56886 (40%).

18 41. Plaintiff has provided written approval of the split of attorneys' fees in this action:
19 45% to Haines Law Group, APC, 30% to Lidman Law, APC, and 25% JML Law, APC. JML
20 Law, APC is the referring attorney. Further, being a private law practice my firm can only
21 properly litigate a limited number of cases at one time. The professional demands of this case
22 were significant, including a significant number of hours of attorney and paralegal time. This
23 litigation precluded my firm from other employment due to the time and financial commitments
24 required by the case. Indeed, because my firm takes on cases on a purely contingency fee, we
25 are only compensated for our time if we successfully settle a case or prevail at trial. Accordingly,
26 I believe the requested fees are reasonable
27
28

1 42. The requested service award to Plaintiff of \$5,000.00 is also reasonable. Plaintiff
2 took on significant risks, including the risk that she could be liable for Plasma's costs if this case
3 was unsuccessful. Plaintiff also was integral in the prosecution of this action, by, among other
4 things, gathering documents for use in this lawsuit, providing factual information to my firm
5 regarding her claims, and working with Class Counsel on the to prepare for mediation and
6 discuss the case, the merits, the defenses, and the settlement reached.

7 43. In March 2020, when the Parties entered into the Settlement Agreement and
8 Plaintiff filed Plaintiff's Motion for Preliminary Approval, the Parties estimated that there were
9 221 estimated Settlement Class members, rendering the average payment to participating
10 Settlement Class members to be approximately \$981.15. After Preliminary Approval was
11 granted and Defendant sent Phoenix Settlement Administrators the class data based for the
12 conditionally certified class period, I received a report from the Settlement Administrator
13 advising there were 244 Settlement Class Member and that Escalator Clause was not triggered.
14 In the Settlement Agreement, the Parties agreed the Escalator Clause (at ¶ 4(E) of the Settlement
15 Agreement) would be triggered if the actual number of shifts worked by the Settlement Class
16 Members exceeded 131,817. Here, Phoenix Settlement Administrators confirmed the total shifts
17 worked by the Settlement Class members in the data it received totaled 127,357 and the Escalator
18 Clause was not triggered. The Notice to Class Members that was mailed to Settlement Class
19 Members accurately reflects that the estimated class was 244 and the class member's estimated
20 settlement share was based on this class size. As such, as of the date of this filing, the average
21 payment to Settlement Class members is estimated to be approximately \$893.91. Although the
22 average payment is slightly lower than the average estimated at the time of Preliminary Approval
23 as a result of the increase in Settlement Class members, the Settlement remains fair because
24 Plaintiff's analysis as discussed in the Motion for Preliminary Approval was based on
25 workweeks worked by the putative class, which remains consistent with the terms of the
26 Settlement, and Defendant's financial condition. In other words, although the number of
27
28

1 Settlement Class members increased, the overall exposure analysis based on workweeks remains
2 accurate.

3 44. Plaintiff served the proposed Settlement Agreement on the California Labor &
4 Workforce Development Agency ("LWDA") on March 30, 2020. A true and correct copy of
5 proof of service is attached hereto as Exhibit E. On October 16, 2020, Plaintiff served the Order
6 Granting Preliminary Approval on the LWDA. A true and correct copy of the proof of service
7 is attached hereto as Exhibit F. On October 28, 2020, Plaintiff served a copy of the First
8 Amended Complaint on the LWDA. A true and correct copy of the proof of service is attached
9 hereto as Exhibit G. The instant motion is also being submitted to the LWDA concurrently
10 herewith.

11 45. As stated on the Notice of Pendency to Class Action and Proposed Settlement
12 mailed to Settlement Class members, the final judgment entered by the Court will be posted on
13 the Settlement Administrator's website at [http://www.phoenixclassaction.com/class-action-](http://www.phoenixclassaction.com/class-action-lawsuits/judgments/)
14 [lawsuits/judgments/](http://www.phoenixclassaction.com/class-action-lawsuits/judgments/).

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed on November 6, 2020, at El Segundo, California.

17
18 
19 _____
20 Elizabeth Nguyen

EXHIBIT A

EXHIBIT A

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MY LE PHAM

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Attorneys for Plaintiff
MY LE PHAM

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

MY LE PHAM, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS, INC., a
Delaware corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 30-2019-01086573-CU-OE-CXC

*[Assigned for all purposes to Hon. Peter
Wilson, Dept. CX102]*

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: July 23, 2020
Time: 2:00 p.m.
Dept.: CX 102

Complaint Filed: July 30, 2019
Trial Date: None Set

1 The Motion of Plaintiff My Le Pham (“Plaintiff”) for Preliminary Approval of Class Action
2 Settlement (“Motion”) was set for hearing before this Court on July 23, 2020 at 2:00 p.m. in
3 Department CX 102. On July 23, 2020, the Court posted its tentative ruling granting the Motion upon
4 Plaintiff filing an amended class notice which has forms attached for use by persons wishing to
5 exclude themselves from or wishing to object to the proposed Settlement. The class notice must also
6 be amended to require that a person objecting provide their name, address, contact information for
7 any attorney, and the reasons for the objection, but not "any legal or factual support for each objection
8 together with any evidence in support of your objection.” The Parties submitted on the tentative
9 ruling.

10 The Court, having considered the proposed Stipulation of Settlement (the “Settlement”),
11 attached as Exhibit 1 to the Declaration of Scott M. Lidman filed concurrently with the Motion and
12 the revised Class Notice, Objection Form, and Request for Exclusion Form attached to this Order as
13 Exhibits A, C, and D, respectively; having considered Plaintiff’s Motion, Memorandum of Points and
14 Authorities in support thereof, and supporting declarations filed therewith; and good cause appearing,
15 **HEREBY ORDERS THE FOLLOWING:**

16 1. The Court GRANTS preliminary approval of the class action settlement as set forth in
17 the Settlement and finds its terms to be within the range of reasonableness of a settlement that
18 ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes of the
19 Settlement, the Court finds that the proposed Settlement Class is ascertainable and that there is a
20 sufficiently well-defined community of interest among the members of the Settlement Class in
21 questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional
22 certification of the following Settlement Class:

23 All current and former non-exempt employees who worked for Defendant.
24 Plasma Ruggedized Solutions, Inc. in California from July 30, 2015 through
25 June 30, 2020 or the date the Court enters the order granting preliminary
26 approval, whichever is earlier.

27 2. For purposes of the Settlement, the Court designates named Plaintiff My Le Pham as
28 Class Representative, and designates Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of
Lidman Law, APC and Paul K. Haines of Haines Law Group, APC as Class Counsel.

1 3. The Court designates Phoenix Settlement Administrators (“Phoenix”) as the third-
2 party Settlement Administrator for mailing notices.

3 4. The Court approves, as to form and content, the following documents to be mailed to
4 the Settlement Class:

5 a. Notice of Pendency of Class Action and Proposed Settlement attached as
6 **Exhibit A;**

7 b. Notice of Individual Settlement Award attached to the Settlement as **Exhibit**
8 **B;**

9 c. Objection Form attached as **Exhibit C;** and

10 d. Request for Exclusion Form attached as **Exhibit D.**

11 5. The Court finds that the form of notice to the Settlement Class regarding the pendency
12 of the action and of the Settlement, and the methods of giving notice to Settlement Class members,
13 constitutes the best notice practicable under the circumstances, and constitute valid, due, and
14 sufficient notice to all members of the Settlement Class. The form and method of giving notice
15 complies fully with the requirements of California Code of Civil Procedure section 382, California
16 Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and United States
17 Constitutions, and other applicable law.

18 6. The Court further approves the procedures for Settlement Class members to opt out of
19 or object to the Settlement, as set forth in the Notice of Pendency of Class Action and Proposed
20 Settlement.

21 7. The procedures and requirements for filing objections in connection with the Final
22 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
23 presentation of any Settlement Class member’s objection to the Settlement, in accordance with the
24 due process rights of all Settlement Class members.

25 8. The Court directs the Settlement Administrator to mail the Notice of Pendency of
26 Class Action and Proposed Settlement and Notice of Individual Settlement Award to all of the Class
27 members in accordance with the terms of the Settlement.

9. The Class Notice shall provide at least 60 calendar days' notice for Settlement Class members to opt out of, or object to, the Settlement.

10. The Final Fairness Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department CX 102 of this Court, located at 751 West Santa Ana Blvd, Santa Ana, CA 92701 on December 3, 2020 at 2 p.m.

11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General Act ("PAGA") should be granted.

12. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's service award, settlement administration costs, and payment to the LWDA for PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

13. An implementation schedule is below:

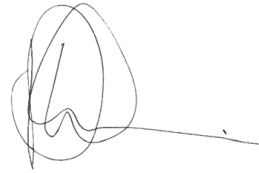
Event	Date	Actual Date
Defendant to provide Class Data to Settlement Administrator	10 business days after issuance of the preliminary approval order	August 17, 2020
Settlement Administrator to mail Notice Packets to Class Members	5 business days after receiving Class Information from Defendant	August 24, 2020
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator	October 23, 2020
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	16 Court days prior to Final Fairness Hearing	
Final Fairness Hearing:	December 3, 2020 at 2:00 p.m.	

14. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

1 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
2 connection with the administration of the Settlement which are not materially inconsistent with either
3 this Order or the terms of the Settlement.

4 **IT IS SO ORDERED.**

5 Dated: **08/03/2020**

A handwritten signature in black ink, appearing to be 'Peter Wilson', written over a horizontal line.

Honorable Peter Wilson
Judge of the Superior Court

EXHIBIT A

EXHIBIT A

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

MY LE PHAM,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS, INC., a
California corporation; and Does 1 through 100,

Defendants.

Case No. 30-2019-01086573-CU-OE-CXC

**NOTICE OF PENDENCY OF CLASS ACTION
AND PROPOSED SETTLEMENT**

To: All current and former non-exempt employees who have worked for Defendant *Plasma Ruggedized Solutions, Inc.* (“Defendant” or “Plasma”) in California during the time period of July 30, 2015 through [June 30, 2020 or order granting preliminary approval, whichever is earlier]. Collectively, these employees will be referred to as “Settlement Class Members.”

**PLEASE READ THIS NOTICE CAREFULLY
YOUR LEGAL RIGHTS MAY BE AFFECTED WHETHER YOU ACT OR NOT**

Why should you read this notice?

The Court has granted preliminary approval of a proposed class action settlement (the “Settlement”) in *My Le Pham v. Plasma Ruggedized Solutions, Inc.*, Case No. 30-2019-01086573-CU-OE-CXC (the “Lawsuit”). Because your rights may be affected by the Settlement, it is important that you read this notice carefully.

You may be entitled to money from this Settlement. Plasma’s records show that you were employed at Plasma as a non-exempt employee in California between July 30, 2015 through [June 30, 2020 or order granting preliminary approval, whichever is earlier] (the “Class Period”). The Court ordered that this Notice be sent to you because you may be entitled to money under the Settlement and because the Settlement affects your legal rights.

The purpose of this notice is to provide you with a brief description of the Lawsuit, to inform you of the terms of the Settlement, to describe your rights in connection with the Settlement, and to explain what steps you may take to participate in, object to, or exclude yourself from the Settlement. If you do not exclude yourself from the Settlement and the Court finally approves the Settlement, you will be bound by the terms of the Settlement and any final judgment.

What is this case about?

Plaintiff My Le Pham (“Plaintiff”) brought this Lawsuit against Plasma Ruggedized Solutions, Inc. (“Plasma”), seeking to assert claims on behalf of a class of current and former non-exempt employees who worked for Plasma in California at any time on or after July 30, 2015. Plaintiff My Le Pham is known as the “Class Representative,” and her attorneys, who also represent the interests of all Settlement Class members, are known as “Class Counsel.”

The Lawsuit alleges that Plasma failed to pay Settlement Class members all minimum and overtime wages, failed to provide to Settlement Class members all required meal and rest periods, and failed to provide Settlement Class members with itemized wage statements in compliance with California law. The Lawsuit also alleges that Plasma failed to timely pay all wages owed to Settlement Class members upon their separation of employment from Plasma. As a result of the foregoing alleged violations, Plaintiff also alleges that Plasma failed to provide accurate, itemized wage statements, engaged in unfair business practices, and is liable for civil penalties under the Labor Code Private Attorney General Act.

Plasma denies that it has done anything wrong. Plasma further denies that it owes Settlement Class members

any wages, restitution, penalties, or other damages. Accordingly, the Settlement constitutes a compromise of disputed claims and should not be construed as an admission of liability on the part of Plasma, which expressly denies all liability.

The Court has not ruled on the merits of Plaintiff's claims. However, to avoid additional expense, inconvenience, and interference with its business operations, Plasma has concluded that it is in its best interests and the interests of Settlement Class Members to settle the Lawsuit on the terms summarized in this Notice. After Plasma provided relevant information to Class Counsel, the Settlement was reached after mediation and arm's-length negotiations between the parties.

The Class Representative and Class Counsel support the Settlement. Among the reasons for support are the defenses to liability potentially available to Plasma, the risk of denial of class certification, the inherent risks of trial on the merits, and the delays and uncertainties associated with litigation.

If you are still employed by Plasma, your decision about whether to participate in the Settlement will not affect your employment. California law and Plasma's policies strictly prohibit unlawful retaliation. Plasma will not take any adverse employment action against or otherwise target, retaliate, or discriminate against any Settlement Class Member because of the Settlement Class Member's decision to either participate or not participate in the Settlement.

Who are the Attorneys?

Attorneys for the Plaintiff / Settlement Class Members: LIDMAN LAW, APC Scott M. Lidman slidman@lidmanlaw.com Elizabeth Nguyen enguyen@lidmanlaw.com Milan Moore mmoore@lidmanlaw.com 2155 Campus Drive, Suite 150 El Segundo, California 90245 Tel: (424) 322-4772 Fax: (424) 322-4775 www.lidmanlaw.com HAINES LAW GROUP, APC Paul K. Haines phaines@haineslawgroup.com 2155 Campus Drive, Suite 180 El Segundo, California 90245 Tel: (424) 292-2350 Fax: (424) 292-2355 www.haineslawgroup.com	Attorneys for Defendant Plasma Ruggedized Solutions, Inc.: DLA PIPER LLP (US) Paul J. Hall Paul.hall@us.dlapiper.com Kevin Harlow Kevin.harlow@us.dlapiper.com 555 Mission Street, Suite 2400 San Francisco, California 94105 Tel: (415) 918-8245 Fax: (415) 659-7431 www.dlapiper.com
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What are the terms of the Settlement?

On [INSERT DATE OF PRELIMINARY APPROVAL], the Court preliminarily certified a class, for settlement purposes only, of all current and former non-exempt employees who worked for Plasma in California from July 30, 2015 through [June 30, 2020 or date of preliminary approval, whichever is earlier]. Settlement Class members who do not opt out of the Settlement pursuant to the procedures set forth in this Notice will be bound by the Settlement and will release their claims against Plasma as described below.

Plasma has agreed to pay \$395,000.00 (the “Gross Settlement Amount”) to fully resolve all claims in the Lawsuit, which includes payments to Settlement Class Members, attorneys’ fees and expenses, payment to the Labor Workforce Development Agency (“LWDA”), settlement administration costs, the Class Representative’s Service Award, and monies to be paid to the LWDA. Plasma’s share of payroll taxes associated with any wage payments to Settlement Class members shall be paid by Plasma separately from, and in addition to, the Gross Settlement Amount.

The following deductions from the Gross Settlement Amount will be requested by the parties:

Settlement Administration Costs. The Court has approved Phoenix Settlement Administrators. to act as the “Settlement Administrator,” who is sending this Notice to you and will perform many other duties relating to the Settlement. The Court has approved setting aside up to \$10,000.00 from the Gross Settlement Amount to pay the Settlement Administration costs.

Attorneys’ Fees and Expenses. Class Counsel have been prosecuting the Lawsuit on behalf of the Settlement Class Members on a contingency fee basis (that is, without being paid any money to date) and have been paying all litigation costs and expenses. The Court will determine the actual amount awarded to Class Counsel as attorneys’ fees, which will be paid from the Gross Settlement Amount. Settlement Class Members are not personally responsible for any of Class Counsel’s attorneys’ fees or expenses. Class Counsel will ask the Court to approve fees of up to one-third of the Gross Settlement Amount, which is estimated to be \$131,666.66, as reasonable compensation for the work Class Counsel performed and will continue to perform in this Lawsuit through Settlement finalization. Class Counsel also will ask for reimbursement in an amount not to exceed \$24,000.00 for verified costs and expenses Class Counsel incurred in connection with the Lawsuit.

Service Award to Class Representative. Class Counsel will ask the Court to award the Class Representative a service award in the amount not to exceed \$5,000.00, to compensate her for her service and extra work provided on behalf of the Settlement Class Members.

LWDA Payment. Class Counsel will ask the Court to approve a payment in the total amount of \$10,000.00 as and for alleged civil penalties, payable pursuant to the California Labor Code Private Attorney General Act (“PAGA”). Per Labor Code § 2699(i), seventy-five percent (75%) of such penalties, or Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500.00) will be payable to the LWDA, and the remaining twenty-five percent (25%), or Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00), will be payable to certain Settlement Class members as the “PAGA Amount,” as described below.

Calculation of Individual Settlement Class Members’ Settlement Award. After deducting the Court-approved amounts above, the balance of the Gross Settlement Amount will form the Net Settlement Amount (“NSA”), which will be distributed to all Settlement Class members who do not submit a valid and timely Request for Exclusion (described below). The NSA is estimated at approximately \$_____, to be shared among an up to 221 estimated Settlement Class members. The NSA will be divided as follows:

- (i) Eighty-Five Percent (85%) of the Net Settlement Fund shall be allocated to Settlement Class Members who worked during the Class Period, as follows: each participating Settlement Class Member shall receive a proportionate settlement share based upon his or her number of workdays worked during the Class Period, the numerator of which is the Settlement Class Member’s total workdays worked during the Class Period, and the denominator of which is the total workdays worked by all Settlement Class Members who worked during the Class Period.
- (ii) Five Percent (5%) of the Net Settlement Amount shall be designated as the “Wage Statement Amount.” Each participating Settlement Class Member who was employed by Plasma at any time from July 30, 2018 to [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], shall receive a portion of the Wage Statement Amount proportionate to the number of Workdays he or she worked during the period July 30, 2018 to [June 30, 2020 or the date the Court enters the order

granting preliminary approval, whichever is earlier], the numerator of which is the Settlement Class Member's gross number of Workdays worked during this time period, and the denominator of which is the total number of Workdays worked by all participating Settlement Class Members during this time period.

- (iii) Ten Percent (10%) of the Net Settlement Fund shall be designated as the "Waiting Time Amount." Each participating Settlement Class Member whose employment with Defendant was separated at any time from July 30, 2016 until [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], shall receive a portion of the Waiting Time Amount proportionate to the number of Workdays he or she worked during the period July 30, 2016 until [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], the numerator of which is the Settlement Class Member's gross number of Workdays worked during this period, and the denominator of which is the total number of Workdays worked by all participating Settlement Class Members during this period.

In addition, Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) of the Gross Settlement Amount has been designated as the "PAGA Amount" as described above. Each participating Settlement Class member who was employed by Defendant at any time from July 30, 2018 to [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], shall receive a portion of the PAGA Amount proportionate to the number of Workdays that he or she worked during the period of July 30, 2018 to [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], and which will be calculated by multiplying the PAGA Amount by a fraction, the numerator of which is the participating Settlement Class Member's number of Workdays worked during the time period from July 30, 2018 to [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier], and the denominator of which is the total number of Workdays worked by all Settlement Class Members who do not opt out of the Settlement during the time period of July 30, 2018 to [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier].

Payments to Settlement Class Members. If the Court grants final approval of the Settlement, Settlement Awards will be mailed to all Settlement Class members who did not submit a valid and timely Request for Exclusion.

Payment by Plasma of Gross Settlement Amount. Plasma agrees to pay a total Gross Settlement Amount of Three Hundred, Ninety-Five Thousand Dollars and Zero Cents (\$395,000.00), which shall be deposited with the Settlement Administrator within thirty (30) calendar days of the Effective Date. The Effective Date which is the latter of: (i) the Court's final approval of the settlement if no objections by or on behalf of Settlement Class members have been filed and not withdrawn; (ii) the time for appeal has expired if an objection has been filed and no appeal has been filed or withdrawn; or (iii) the final resolution of any appeal that has been filed in favor of the validity of the final approval order.

Allocation and Taxes. For tax purposes, each Settlement Award shall be allocated as follows: seventy-five percent (75%) as penalties and interest; and twenty-five percent (25%) as wages. The Settlement Administrator will be responsible for issuing to participating Settlement Class Members IRS Forms W-2 for amounts deemed "wages" and IRS Forms 1099 for the amounts allocated as penalties and interest. Settlement Class Members are responsible for the proper income tax treatment of the Individual Settlement Awards. The Settlement Administrator, Plasma and its counsel, and Class Counsel cannot provide tax advice. Accordingly, Settlement Class Members should consult with their tax advisors concerning the tax consequences and treatment of payments they receive under the Settlement.

- A. Release. If the Court approves the Settlement, the Settlement Class, and each Settlement Class Member who has not submitted a timely and valid Request for Exclusion, will release Plasma, and all of its past and present officers, directors, shareholders, lenders, unit holders, managers, employees, agents, principals, heirs, representatives, accountants, auditors, consultants, and each of their respective successors, assignees, assignors, and predecessors in interest, subsidiaries, affiliates, parents and attorneys (collectively the "Released Parties"), of and from all claims, demands, rights, liabilities and causes of action that were

pled in any of the Complaints in the Action, or which could have been pled in any of the Complaints in the Action, on behalf of the Settlement Class only based on the factual allegations therein, that arose during the Class Period with respect to the subject matters of the Complaints, including, without limitation, for the following claims: (a) failure to pay all minimum wages owed; (b) failure to pay all overtime wages owed; (c) failure to provide meal periods, or premium pay for non-compliant meal periods; (d) failure to authorize and permit rest periods, or premium pay for non-complaint rest periods; (e) failure to provide accurate, itemized wage statements; (f) all claims for unfair business practices that could have been premised on or derive from the facts, claims, causes of action or legal theories described above; and (g) a claim under California Labor Code Private Attorneys General Act of 2004 (“PAGA”) that could have been premised or derive from on the facts, claims, causes of action or legal theories described above.

The period of the Release shall be the same time period as the Class Period. The release will be effective on the date the Settlement is fully funded by Defendant Plasma.

Conditions of Settlement. The Settlement is conditioned upon the Court entering an order at or following the Final Approval Hearing finally approving the Settlement as fair, reasonable, adequate and in the best interests of the Settlement Class, and the entry of Judgment.

How can I claim money from the Settlement?

Do Nothing. If you do nothing, you will be entitled to your share of the Settlement based on the proportionate number of workdays you worked during the Class Period (as explained above), and as stated in the accompanying Notice of Settlement Award. You also will be bound by the Settlement, including the release of claims stated above.

What other options do I have?

Dispute Information in Notice of Settlement Award. Your award is based on the proportionate number of workdays you worked during the Class Period and whether you have worked between July 30, 2015 and [June 20, 2020 or preliminary approval, whichever is earlier]. The information contained in Plasma’s records regarding all of these factors, along with your estimated Settlement Award, is listed on the accompanying Notice of Settlement Award. If you disagree with the information in your Notice of Settlement Award, you may submit a dispute, along with any supporting documentation, in accordance with the procedures stated in the Notice of Settlement Award. Any disputes, along with supporting documentation, must be postmarked no later than <<RESPONSE DEADLINE>>. **DO NOT SEND ORIGINALS; DOCUMENTATION SENT TO THE SETTLEMENT ADMINISTRATOR WILL NOT BE RETURNED OR PRESERVED.**

The Parties and the Settlement Administrator will evaluate the evidence submitted and discuss in good faith how to resolve any disputes submitted by Settlement Class Members. The Settlement Administrator’s decision regarding any dispute will be final.

Exclude Yourself from the Settlement. If you **do not** wish to take part in the Settlement, you may exclude yourself by sending to the Settlement Administrator a written “Request for Exclusion from the Class Action Settlement” letter or card postmarked no later than <<RESPONSE DEADLINE>>, with your name, address, telephone number, last four digits of your social security number, and your signature. The Request for Exclusion should state:

“I WISH TO BE EXCLUDED FROM THE SETTLEMENT CLASS IN THE PHAM V. PLASMA RUGGEDIZED SOLUTIONS LAWSUIT. I UNDERSTAND THAT IF I ASK TO BE EXCLUDED FROM THE SETTLEMENT CLASS, I WILL NOT RECEIVE ANY MONEY FROM THE SETTLEMENT OF THIS LAWSUIT.”

You may also exclude yourself by completing and mailing the enclosed Request for Exclusion Form.

Send the Request for Exclusion directly to the Settlement Administrator at <<INSERT ADMINISTRATOR CONTACT INFO>>. Any person who files a timely Request for Exclusion from the Settlement shall, upon

receipt by the Settlement Administrator, no longer be a Settlement Class Member, shall be barred from participating in any portion of the Settlement, and shall receive no benefits from the Settlement. **Do not submit both a Dispute and a Request for Exclusion.** If you do, the Request for Exclusion will be invalid, you will be included in the Settlement Class, and you will be bound by the terms of the Settlement.

Objecting to the Settlement. You also have the right to object to the terms of the Settlement. However, if the Court rejects your objection, you will still be bound by the terms of the Settlement. If you wish to object to the Settlement, or any portion of it, you may mail a written objection to the Settlement Administrator. **Your written objection must include your name, address, as well as contact information for any attorney representing you regarding your objection, the case name and number, each reason in support of your objection. You may also complete and mail the enclosed Objection Form.** Objections submitted in writing must be postmarked on or before <<RESPONSE DEADLINE>>.

If you choose to object to the Settlement, you may also appear at the Final Approval Hearing scheduled for <<FINAL APPROVAL HEARING DATE/TIME>> in Department __ of the Orange County Superior Court, located at 751 W. Santa Ana Blvd, Santa Ana, California 92701. You have the right to appear either in person or through your own attorney at this hearing. Any attorney who intends to represent an individual objecting to the Settlement must file a notice of appearance with the Court and serve counsel for all parties on or before <<RESPONSE DEADLINE>>. All objections or other correspondence must state the name and number of the case, which *My Le Pham v. Plasma Ruggedized Solutions, Inc.*, Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC.

If you object to the Settlement, you will remain a Member of the Settlement Class, and if the Court approves the Settlement, you will be bound by the terms of the Settlement in the same way as Settlement Class Members who do not object.

What is the next step?

The Court will hold a Final Approval Hearing on the adequacy, reasonableness, and fairness of the Settlement on <<FINAL APPROVAL HEARING DATE/TIME>>, in Department __ of the Orange County Superior Court, located at 751 W. Santa Ana Blvd, Santa Ana, California 92701. The Court also will be asked to rule on Class Counsel's request for attorneys' fees and reimbursement of documented costs and expenses and the Service Award to the Class Representative. The Final Approval Hearing may be postponed without further notice to Settlement Class members. **You are not required to attend the Final Approval Hearing, although any Settlement Class Member is welcome to attend the hearing.**

The final judgment entered by the Court will be posted on the Settlement Administrator's website (<http://.com>).

How can I get additional information?

This Notice is only a summary of the Lawsuit and the Settlement. For more information, the pleadings and other records in this litigation may be examined at any time during regular business hours at the Office of the Clerk of the Orange County Superior Court, Complex Civil Division, 751 West Santa Ana Boulevard., Santa Ana, California 92701. You may also access case information online at <http://www.occourts.org/online-services/case-access/>, by clicking on "Access Now" for Civil Case & Document Access and entering this case number "01086573".

You may also contact Class Counsel using the contact information listed above for more information.

PLEASE DO NOT CALL OR WRITE THE COURT, PLASMA, OR ITS ATTORNEYS FOR INFORMATION ABOUT THIS SETTLEMENT OR THE SETTLEMENT PROCESS

REMINDER AS TO TIME LIMITS

The deadline for submitting any Disputes, Requests for Exclusion, or Objections is <<**RESPONSE DEADLINE**>>. These deadlines will be strictly enforced.

BY ORDER OF THE COURT ENTERED ON <<PRELIM APPROVAL DATE>>.

EXHIBIT B

EXHIBIT B

NOTICE OF INDIVIDUAL SETTLEMENT AWARD

MY LE PHAM V. PLASMA RUGGEDIZED SOLUTIONS, INC.
ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2019-01086573-CU-OE-CXC

Please complete, sign, date and return this form to <<ADMINISTRATOR NAME AND CONTACT INFO>> **ONLY IF** (1) your personal contact information has changed, and/or (2) you wish to dispute any of the items listed in Section (III), below. It is your responsibility to keep a current address on file with the Settlement Administrator.

(I) Please type or print your name:

(First, Middle, Last)

(II) Please type or print the following identifying information if your contact information has changed:

Former Names (if any)

New Street Address

City State Zip Code

(III) Information Used to Calculate Your Individual Settlement Award:

According to Plasma Ruggedized Solutions, Inc.'s records ("Plasma"):

- (a) You were employed by Plasma and worked a total of [] days during the time period July 30, 2015 through [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier].
- (b) You were employed by Plasma and worked a total of [] days during the time period July 30, 2018 through [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier].
- (c) You [were/were not] separated from employment with Plasma during the time period July 30, 2016 and through [June 30, 2020 or the date the Court enters the order granting preliminary approval, whichever is earlier].

Based on the above, your Individual Settlement Award is estimated to be \$ _____.

(IV) If you disagree with items (a) – (c) in Section (III) above, please explain why in the space provided below and include copies of any supporting evidence or documentation with this form:

If you dispute the above information from Plasma's records, Plasma's records will control unless you are able to provide documentation that establishes that Plasma's records are mistaken. If there is a dispute about whether Plasma's information or yours is accurate, and the dispute cannot be resolved informally, the dispute will be resolved by the Parties and the Settlement Administrator as described in the "Notice of Pendency of Class Action Settlement and Proposed Settlement" that accompanies this Form. Any unresolved disputes will be submitted to the Court for a final determination.

ANY DISPUTES, ALONG WITH ANY SUPPORTING DOCUMENTATION, MUST BE POSTMARKED NO LATER THAN <<RESPONSE DEADLINE>>.

EXHIBIT C

EXHIBIT C

REQUEST FOR EXCLUSION FORM

My Le Pham v. Plasma Ruggedized Solutions, Inc.
ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2019-01086573-CU-OE-CXC

**SUBMIT THIS FORM ONLY IF YOU WISH TO BE EXCLUDED FROM PARTICIPATING IN THE
CLASS ACTION SETTLEMENT**

By signing and returning this form, I represent that it is my desire to exclude myself from participating in the Settlement of the Class Action entitled ***My Le Pham v. Plasma Ruggedized Solutions, Inc.***, Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC, and that I received notice of the Settlement, and that I do not want to participate and do not want to receive money from the Settlement.

Please note: Any person who submits this form will not receive a settlement payment.

Name (Please Print): _____
(First) (Middle) (Last)

Address: _____
(Street)

(City) (State) (Zip)

Last 4 Digits of Social Security Number: _____ Telephone No.: _____

Dated: _____ Signature: _____

**TO BE VALID, THIS FORM MUST BE POST-MARKED NO LATER THAN _____, 2020 AND
MAILED TO THE CLAIMS ADMINISTRATOR AT:**

My Le Pham v. Plasma Ruggedized Solutions, Inc.

Administrator Name

c/o _____

EXHIBIT D

EXHIBIT D

OBJECTION FORM

My Le Pham v. Plasma Ruggedized Solutions, Inc.

ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2019-01086573-CU-OE-CXC

**COMPLETE THIS FORM ONLY IF YOU WISH TO OBJECT TO THE
CLASS ACTION SETTLEMENT**

In order for you to object to the Class Action Settlement entitled *My Le Pham v. Plasma Ruggedized Solutions, Inc.*, you must complete all steps listed in 1-5 below. You are not required to appear in Court in order to object to the Settlement. However, if you are planning on appearing in Court, please circle "yes" in Section 3 below. If you are planning on appearing in Court, you still must complete all steps listed in 1-5 below in order to object to the Settlement.

1. Provide the following information:

Your Name (Please Print): _____

(First)

(Middle)

(Last)

Your Address: _____

Last 4 Digits of your Social Security Number: _____

2. Describe the reasons for your objection to the Settlement (please attach additional documents if you need more space):

3. Do you intend to appear in Court at the Final Fairness Hearing, currently scheduled for [ADD DATE AND TIME].

Circle One: Yes No

You are not required to retain an attorney to object. However, if you are represented by an attorney, provide the name of your attorney and the attorney's phone number _____

4. Date and sign this form below:

Dated: _____

Signature: _____

5. COMPLETE AND MAIL THIS FORM TO THE SETTLEMENT ADMINISTRATOR AT THE ADDRESS BELOW SO THAT IT IS POST-MARKED NO LATER THAN _____.

My Le Pham v. Plasma Ruggedized Solutions, Inc.

Administrator Name

c/o _____

- 1
- 2
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Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 150, El Segundo, California 90245.

DLA PIPER LLP
Paul Hall (SBN 66084)
Paul.hall@dlapiper.com
555 Mission Street, Suite 2400
San Francisco, California 94105-2933
Tel: (415) 819-8245
Fax: (415) 659-7431

[X] (BY MAIL) I am "readily familiar" with Lidman Law, APC's practice of collection and processing correspondence for mailing. I enclosed the document(s) in a sealed envelope or package addressed to the persons at the address(es) listed above. Under the practice the correspondence would be deposited with the U.S. postal service on the same day with postage thereof fully prepaid at El Segundo, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage date is more than one day after date of deposit for mailing in affidavit.

[X] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Dana Joudi

EXHIBIT B

EXHIBIT B

Lidman Law, APC and Haines Law Group, APC

Expense Summary

My Le Pham v. Plasma Ruggedized Solutions, Inc.

EXPENSE	AMOUNT
Mediation Costs	\$6,485.00
Expert Fees	\$13,756.50
Filing, Service, and Messenger Fees	\$2,114.49
Copying	\$88.50
Postage	\$38.27
Travel Expenses	\$52.87
Legal Research	\$3.90
Anticipated costs for filing fees, service and messenger fees, expenses for future court appearances, and/or postage	\$179.00
TOTAL:	\$22,718.53

EXHIBIT C

EXHIBIT C

LIDMAN LAW

2155 CAMPUS DRIVE, SUITE 150, EL SEGUNDO, CA 90245

OFFICE: (424) 322-4772

FAX: (424) 322-4775

November 6, 2020

Invoice submitted to:
Pham My Le

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
1/24/2019	ECN	Receive and review client's personnel file issued by Plasma to analyze claims alleged in operative complaint.	1.00 650.00/hr	650.00
	SML	Receive and review client's personnel file issued by Plasma.	0.80 750.00/hr	600.00
1/30/2019	MLM	Meet with S. Lidman [REDACTED]	0.20 400.00/hr	80.00
	SML	Discuss [REDACTED]	0.20 750.00/hr	150.00
1/31/2019	MLM	Strategize with [REDACTED]	0.30 400.00/hr	120.00
	MLM	Draft letter to LWDA.	1.20 400.00/hr	480.00
	ECN	Strategy meeting [REDACTED]	0.30 650.00/hr	195.00
	ECN	Review and analyze time clock memo and employee handbook in connection with analyzing claims.	0.60 650.00/hr	390.00
	SML	Review draft of PAGA letter to LWDA.	0.40 750.00/hr	300.00
2/3/2019	ECN	Conference with S. Lidman and P. Haines [REDACTED]	0.50 650.00/hr	325.00
	SML	Confer with E. Nguyen and P. Haines re [REDACTED]	0.50 750.00/hr	375.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
2/3/2019	SML	Factual research re [REDACTED]	1.90 750.00/hr	1,425.00
7/28/2019	MLM	Receive and review client's personnel file issued by Plasma to analyze claims to be alleged in operative complaint.	1.50 400.00/hr	600.00
	MLM	Receive guidance from S. Lidman to draft class action complaint and begin to draft class action complaint.	2.50 400.00/hr	1,000.00
	SML	Provide guidance to M. Moore to draft class action complaint.	0.20 750.00/hr	150.00
7/29/2019	MLM	Continue to draft class action complaint.	2.30 400.00/hr	920.00
	SML	Call with client [REDACTED]	0.50 750.00/hr	375.00
	SML	Receive and revise class action complaint and email to M. Moore re same.	1.20 750.00/hr	900.00
7/30/2019	DJ	Prepare and finalize complaint and case-initiating documents for filing; submit complaint and case-initiating documents for filing.	1.10 175.00/hr	192.50
	MLM	Receive and review S. Lidman's comments/revisions to complaint finalize same for filing.	0.50 400.00/hr	200.00
	ECN	Confer with P. Haines and S. Lidman [REDACTED]	0.30 650.00/hr	195.00
	ECN	Review and provide suggestions to class action complaint for filing.	0.50 650.00/hr	325.00
	SML	Confer with P. Haines and E. Nguyen [REDACTED]	0.30 750.00/hr	225.00
9/3/2019	ECN	Receive and analyze the Court's minute order and scheduling of Initial Status Conference.	0.30 650.00/hr	195.00
	SML	Receive and analyze the Court's minute order and scheduling of Initial Status Conference.	0.20 750.00/hr	150.00
10/14/2019	DJ	Receive update from Process Service re service of complaint.	0.20 175.00/hr	35.00
10/17/2019	DJ	Process Proof of Service of Summons and Complaint; update client file.	0.10 175.00/hr	17.50
10/22/2019	DJ	Draft Status Conference Statement in advance of 11/1/2019 Status Conference; resolve comments from E. Nguyen.	0.90 175.00/hr	157.50

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
10/22/2019	ECN	Revise status conference statement and request to continue status conference.	0.50 650.00/hr	325.00
10/23/2019	DJ	Finalize Status Conference Statement and submit for filing Status Conference Statement.	0.20 175.00/hr	35.00
	ECN	Analysis of service issues and resolve same.	0.30 650.00/hr	195.00
10/24/2019	MLM	Receive and review Court's order granting request to continue initial status conference and meet with S. Lidman and E. Nguyen [REDACTED]	0.60 400.00/hr	240.00
	ECN	Receive and review Court's order granting plaintiff's request to continue status conference.	0.10 650.00/hr	65.00
	ECN	Strategize with S. Lidman and M. Moore [REDACTED]	0.50 650.00/hr	325.00
	SML	Receive and review Court's order granting plaintiff's request to continue status conference.	0.10 750.00/hr	75.00
	SML	Strategize with E. Nguyen and M. Moore [REDACTED]	0.50 750.00/hr	375.00
10/25/2019	DJ	Receive and process conformed copy of Status Conference Statement; update client file.	0.10 175.00/hr	17.50
11/5/2019	DJ	Receive update from S. Lidman re Defendant's deadline to respond to complaint; case management.	0.10 175.00/hr	17.50
	MLM	Receive and review email from P. Hall, counsel for Defendant re extension of time to respond to the complaint.	0.20 400.00/hr	80.00
	ECN	Receive and review correspondence from defense counsel re request of extension of time to respond to complaint.	0.20 650.00/hr	130.00
	ECN	Confer with P. Haines and S. Lidman [REDACTED]	0.40 650.00/hr	260.00
	SML	Correspondence with D. Joudi, M. Moore, and E. Nguyen re scheduling mediation date.	0.10 750.00/hr	75.00
	SML	Correspondence with defense counsel re request of extension of time to respond to complaint	0.20 750.00/hr	150.00
	SML	Confer with P. Haines [REDACTED]	0.40 750.00/hr	300.00
	SML	Call with client [REDACTED]	0.40 750.00/hr	300.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
11/6/2019	MLM	Review and analyze list of data and information needed in advance of mediation sent to defense counsel.	0.30 400.00/hr	120.00
	ECN	Receive and review multiple correspondence exchanged between S. Lidman and P. Hall, defense counsel, re list of data and information needed in advance of mediation.	0.20 650.00/hr	130.00
	ECN	Receive and review draft list of data and information needed in advance of mediation.	0.30 650.00/hr	195.00
	SML	Analysis of draft list of data and information needed in advance of mediation and multiple emails with P. Hall, defense counsel, re mediators.	1.70 750.00/hr	1,275.00
11/13/2019	ECN	Research and analysis of mediators proposed by Defendant.	0.80 650.00/hr	520.00
	SML	Exchange multiple correspondence with P. Hall, defense counsel, re mediation.	0.60 750.00/hr	450.00
11/14/2019	ECN	Continue to monitor emails exchanged between P. Hall, defense counsel, and S. Lidman re mediators and mediation.	0.20 650.00/hr	130.00
	SML	Continue to communicate with P. Hall, defense counsel, re mediation.	0.30 750.00/hr	225.00
11/19/2019	DJ	Receive email from S. Lidman re plan and prepare for mediation.	0.10 175.00/hr	17.50
11/20/2019	DJ	Receive email from S. Lidman re continue to plan and prepare for mediation.	0.20 175.00/hr	35.00
	ECN	Receive and review email from P. Hall, defense counsel, re mediation.	0.10 650.00/hr	65.00
11/21/2019	DJ	Receive email from mediator's case manager re mediation scheduling and administration.	0.10 175.00/hr	17.50
	DJ	Receive instructions in email from S. Lidman re preparing Stipulation and Proposed Order for continuance pending private mediation.	0.10 175.00/hr	17.50
	MLM	Receive correspondence between E. Nguyen, P. Hall and K. Harlow, defense counsel, re joint stipulation to continue ISC until after mediation.	0.10 400.00/hr	40.00
	SML	Exchange emails with P. Hall, defense counsel re joint stipulation to continue ISC until after mediation and Defendant's answer.	0.20 750.00/hr	150.00
11/22/2019	DJ	Receive email from opposing counsel re filing of Stipulation and Proposed Order for continuance pending private mediation.	0.10 175.00/hr	17.50

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
11/22/2019	DJ	Update client file with mediation information and documents for mediation.	0.10 175.00/hr	17.50
	ECN	Receive and review Defendant's Answer to complaint.	0.30 650.00/hr	195.00
	SML	Follow up email to P. Hall, defense counsel, re changes to joint stipulation to continue ISC after mediation and review/receive response to same.	0.30 750.00/hr	225.00
	SML	Receive and review Defendant's Answer to complaint.	0.40 750.00/hr	300.00
11/26/2019	MLM	Receive and analyze Defendant's Answer to Complaint.	0.30 400.00/hr	120.00
12/2/2019	DJ	Email from S. Lidman to opposing counsel re continuance of Status Conference.	0.10 175.00/hr	17.50
	DJ	Telephone Court clerk re status of Stipulation and Proposed Order for continuance pending private mediation; email to E. Nguyen, S. Lidman, M. Moore re same; case management.	0.20 175.00/hr	35.00
	ECN	Receive and review Court's order continuing ISC.	0.20 650.00/hr	130.00
	SML	Email to P. Hall re status conference.	0.20 750.00/hr	150.00
1/6/2020	RT	Receive and review correspondence between M. Moore and P. Hall, defense counsel, re status of production of documents/information in advance of mediation.	0.10 295.00/hr	29.50
	MLM	Draft email to P. Hall, defense counsel, re status of sample payroll and timekeeping data for mediation.	0.20 400.00/hr	80.00
	ECN	Receive and review correspondence between M. Moore and P. Hall, defense counsel re status of sample payroll and timekeeping data.	0.10 650.00/hr	65.00
	SML	Receive and review correspondence between M. Moore and P. Hall, defense counsel re status of sample payroll and timekeeping data.	0.20 750.00/hr	150.00
1/17/2020	MLM	Email correspondence to P. Hall, counsel for Defendant, re status of pre-mediation data and information.	0.10 400.00/hr	40.00
	ECN	Receive correspondence between P. Hall, defense counsel, and S. Lidman, re status of class metrics in advance of mediation and plan and prepare for mediation.	0.20 650.00/hr	130.00
	SML	Exchange emails with P. Hall, defense counsel re status of production of documents and information in advance of mediation and scheduling a telephonic conference with defense counsel re the same.	0.30 750.00/hr	225.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
1/22/2020	DJ	Email from opposing counsel re mediation data production and begin to evaluate same.	0.30 175.00/hr	52.50
	RT	Receive additional documents from P. Hall, defense counsel, re Plasma's meal period documents.	0.10 295.00/hr	29.50
	RT	Receive electronic class data and documents from K. Harlow, defense counsel, and correspondence between S. Lidman and P. Hall, defense counsel, re the same.	0.60 295.00/hr	177.00
	MLM	Receive and review additional data from defense counsel for mediation.	0.20 400.00/hr	80.00
	MLM	Receive and begin to analyze class data from K. Harlow, defense counsel, in connection with preparation for mediation and draft email to economist for analysis of same.	1.40 400.00/hr	560.00
	ECN	Receive and review memos from P. Hall, defense counsel, regarding lunch period analysis in advance of call with P. Hall to discuss same.	0.20 650.00/hr	130.00
	ECN	Strategize [REDACTED]	0.30 650.00/hr	195.00
	ECN	Receive and review Defendant's financial statements from defense counsel in advance of mediation and correspondence from defense counsel re the same.	0.40 650.00/hr	260.00
	ECN	Receive and initial review of putative class data in electronic format (including preliminary class list and other data) from P. Hall, defense counsel.	0.60 650.00/hr	390.00
	ECN	Receive and review correspondence from K. Harlow, defense counsel re additional information and data for mediation and begin to analyze information/data for same.	0.80 650.00/hr	520.00
	SML	Email to Paul Hall (defense counsel) about status of production of documents and information in advance of mediation.	0.20 750.00/hr	150.00
	SML	Receive/review production of documents and information in advance of mediation including class metrics and correspondence with defense counsel re same.	0.50 750.00/hr	375.00
1/24/2020	RT	Receive class list and other information/documents in advance of mediation from P. Hall, defense counsel and correspondence between S. Lidman and P. Hall re the same.	0.30 295.00/hr	88.50
	MLM	Telephone conference with client [REDACTED]	0.10 400.00/hr	40.00
	MLM	Receive and review emails exchanged between S. Lidman and defense counsel re class metrics and documents in advance of mediation and prepare to draft mediation brief.	0.20 400.00/hr	80.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
1/24/2020	MLM	Confer with S. Lidman re client conference.	0.20 400.00/hr	80.00
	MLM	Receive and review Defendant's financial statements and prepare to draft mediation brief.	0.80 400.00/hr	320.00
	MLM	Review and analyze declarations submitted by Defendant in advance of mediation.	1.20 400.00/hr	480.00
	ECN	Review [REDACTED]	0.10 650.00/hr	65.00
	ECN	Receive and review multiple emails from P. Hall, re financial documents and time data for mediation.	0.20 650.00/hr	130.00
	ECN	Receive and review email from K. Hall, defense counsel, regarding updated lunch time analysis.	0.30 650.00/hr	195.00
	ECN	Confer with S. Lidman and Paul Haines [REDACTED]	0.30 650.00/hr	195.00
	SML	Receive [REDACTED]	0.10 750.00/hr	75.00
	SML	Confer with P. Haines and E. Nguyen [REDACTED]	0.30 750.00/hr	225.00
	SML	Correspondence with defense counsel re class data and documents in advance of mediation.	0.30 750.00/hr	225.00
	SML	Receive Plasma's financial statements from defense counsel in advance of mediation and correspondence re same.	0.40 750.00/hr	300.00
1/27/2020	DJ	Email from M. Moore to expert re data analysis.	0.10 175.00/hr	17.50
	DJ	Process data to be sent to expert for data analysis; email to expert re data analysis.	0.30 175.00/hr	52.50
	RT	Receive and review email between S. Lidman and financial expert re Plasma's potential financial issues.	0.10 295.00/hr	29.50
	RT	Receive and review correspondence between M. Moore and economist re exposure analysis.	0.20 295.00/hr	59.00
	MLM	Receive and review correspondence between S. Lidman and K. Messerschmidt, financial expert, re analysis of Defendant's financial statements in advance of mediation.	0.10 400.00/hr	40.00
	MLM	Draft correspondence to M. DuMond, economic expert, re analysis of class metrics in advance of mediation.	1.70 400.00/hr	680.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
1/27/2020	ECN	Receive and review correspondence between M. Moore and M. DuMond, expert, re analysis of class metrics in advance of mediation.	0.20 650.00/hr	130.00
	SML	Email to K. Messerschmidt, forensic accountant, re analysis of Plasma's financial documents.	0.20 750.00/hr	150.00
	SML	Correspondence to M. Moore re proposed directions to economist's analysis of data.	0.30 750.00/hr	225.00
	SML	Receive and review correspondence between M. Moore and M. DuMond, economist, re analysis of class data in advance of mediation.	0.30 750.00/hr	225.00
1/28/2020	RT	Receive email from E. Nguyen re summary of call with P. Hall, defense counsel.	0.10 295.00/hr	29.50
	MLM	Receive and review email from E. Nguyen re key points from telephonic conference with P. Hall, defense counsel.	0.40 400.00/hr	160.00
	ECN	Confer with P. Haines and S. Lidman [REDACTED]	0.30 650.00/hr	195.00
	ECN	Telephone conference with P. Hall, defense counsel, and S. Lidman re pre-mediation preparation call and prepare summary of same.	1.30 650.00/hr	845.00
	SML	Confer with P. Haines and E. Nguyen [REDACTED]	0.30 750.00/hr	225.00
	SML	Prepare for phone with and telephone conference with P. Hall, defense counsel, [REDACTED]	0.80 750.00/hr	600.00
2/3/2020	ECN	Confer with S. Lidman [REDACTED]	0.40 650.00/hr	260.00
	SML	Confer with E. Nguyen [REDACTED]	0.40 750.00/hr	300.00
2/4/2020	DJ	Email from P. Haines re case administration.	0.10 175.00/hr	17.50
	RT	Receive and review correspondence between M. Moore and M. DuMond re analysis of class metrics in advance of mediation.	0.30 295.00/hr	88.50
	MLM	Correspondence with M. DuMond, economist, re follow up re analysis of class metrics in advance of mediation.	0.10 400.00/hr	40.00
	MLM	Telephone call [REDACTED]	0.10 400.00/hr	40.00
	MLM	Receive [REDACTED]	0.30 400.00/hr	120.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
2/4/2020	MLM	Confer with S. Lidman [REDACTED]	0.40 400.00/hr	160.00
	ECN	Analysis of Ms. Le's potential release at mediation.	0.30 650.00/hr	195.00
	SML	Receive [REDACTED]	0.20 750.00/hr	150.00
	SML	Confer with M. Moore [REDACTED]	0.40 750.00/hr	300.00
	SML	Receive/review correspondence between M. Moore and M. DuMond re analysis of class metrics in advance of mediation.	0.40 750.00/hr	300.00
2/5/2020	MLM	Review Defendant's document production in connection with drafting mediation brief.	1.80 400.00/hr	720.00
	MLM	Begin drafting mediation brief.	2.50 400.00/hr	1,000.00
2/8/2020	MLM	Research arguments with similar donning policies and continue drafting mediation brief.	1.30 400.00/hr	520.00
2/9/2020	MLM	Continue document review and drafting mediation brief.	0.40 400.00/hr	160.00
2/10/2020	RT	Receive and review exposure analysis from M. DuMond.	0.30 295.00/hr	88.50
	MLM	Confer with S. Lidman [REDACTED]	0.60 400.00/hr	240.00
	MLM	Further update analysis section of mediation brief.	0.60 400.00/hr	240.00
	MLM	Receive, review and analyze exposure analysis received from M. DuMond, economist, and continue to draft mediation brief.	2.80 400.00/hr	1,120.00
	ECN	Receive correspondence between M. Moore and S. Lidman re drafting mediation brief and revisions of the same.	0.30 650.00/hr	195.00
	ECN	Receive and review exposure analysis of claims for forensic consultant.	0.60 650.00/hr	390.00
	SML	Continue to confer [REDACTED]	0.60 750.00/hr	450.00
	SML	Meet with M. Moore to discuss [REDACTED]	0.70 750.00/hr	525.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
2/10/2020	SML	Receive and review exposure analysis from M. DuMond.	0.70 750.00/hr	525.00
	SML	Review and revise mediation brief and email to M. Moore re same.	2.10 750.00/hr	1,575.00
2/11/2020	DJ	Email from mediator's case manager re mediation.	0.10 175.00/hr	17.50
	MLM	Receive revisions to mediation brief from S. Lidman and revise mediation brief re same.	1.60 400.00/hr	640.00
	ECN	Receive and review correspondence between M. Moore and S. Lidman re calling client for update on case.	0.10 650.00/hr	65.00
	ECN	Receive and review correspondence between S. Lidman and K. Messerschmidt, financial expert, re analysis of Defendant's financial statements in advance of mediation.	0.10 650.00/hr	65.00
	ECN	Confer with S. Lidman [REDACTED]	0.30 650.00/hr	195.00
	SML	Correspondence with K. Messerschmidt re defendant's financial information/documents.	0.20 750.00/hr	150.00
	SML	Confer with E. Nguyen [REDACTED]	0.30 750.00/hr	225.00
	SML	Correspondence with M. Moore re status of Defendant's production of data and information in advance of mediation.	0.30 750.00/hr	225.00
	SML	Final review of mediation brief.	0.40 750.00/hr	300.00
	SML	Review documents produced by Plasma including, employee handbooks and employee files as part of preparation for mediation brief.	2.00 750.00/hr	1,500.00
2/12/2020	MLM	Finalize mediation brief.	0.80 400.00/hr	320.00
	ECN	Telephone conference with K. Messerschmidt, forensic accountant, and S. Lidman re review of financials and summary of same.	0.60 650.00/hr	390.00
2/13/2020	DJ	Review and finalize mediation brief and exhibits; email mediation brief to mediator.	0.90 175.00/hr	157.50
	RT	Receive and initial review of Plasma's mediation brief.	0.20 295.00/hr	59.00
	MLM	Correspond with D. Joudi re finalizing mediation brief.	0.10 400.00/hr	40.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
2/13/2020	MLM	Receive and initial review of Defendant's mediation brief.	1.20 400.00/hr	480.00
	ECN	Review and analyze mediation brief and plan and prepare for mediation.	0.90 650.00/hr	585.00
	ECN	Receive, review, and begin analyze Defendant's 173 page mediation brief with exhibits.	1.40 650.00/hr	910.00
	SML	Receive correspondence between M. Moore and D. Joudi re finalizing mediation brief.	0.10 750.00/hr	75.00
	SML	Receive correspondence between D. Joudi and Eve Wagner, mediator, re mediation brief.	0.10 750.00/hr	75.00
	SML	Receive and analyze Plasma's mediation brief.	1.90 750.00/hr	1,425.00
2/14/2020	ECN	Continue to analyze Defendant's 173 page mediation brief with exhibits.	0.80 650.00/hr	520.00
2/20/2020	MLM	Confer with S. Lidman [REDACTED]	0.20 400.00/hr	80.00
	MLM	Draft memorandum of understanding.	1.20 400.00/hr	480.00
	ECN	Review and revise draft memorandum of understanding.	0.40 650.00/hr	260.00
	ECN	Continue to prepare for mediation including analysis of payroll and timekeeping records produced in connection with mediation.	1.70 650.00/hr	1,105.00
	SML	Correspondence with M. Moore [REDACTED]	0.20 750.00/hr	150.00
	SML	Receive and approve draft memorandum of understanding.	0.20 750.00/hr	150.00
	SML	Strategize with P. Haines re mediation.	0.70 750.00/hr	525.00
	SML	Prepare for mediation.	2.00 750.00/hr	1,500.00
2/21/2020	DJ	Receive instructions in email from E. Nguyen re preparing Notice of Settlement and Request to Vacate Status Conference and Set Deadline to File Motion for Preliminary Approval.	0.10 175.00/hr	17.50
	RT	Review correspondence between D. Joudi and E. Nguyen notice of settlement, request to vacate CMC, and setting deadline for preliminary approval.	0.10 295.00/hr	29.50

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			<u>Hrs/Rate</u>	<u>Amount</u>
2/21/2020	ECN	Provide guidance to D. Joudi re preparing notice of settlement, request to vacate CMC, and setting deadline for preliminary approval motion.	0.10 650.00/hr	65.00
	ECN	Prepare for and attend Mediation (including travel to/from).	10.40 650.00/hr	6,760.00
	SML	Review correspondence between D. Joudi and E. Nguyen notice of settlement, request to vacate CMC, and setting deadline for preliminary approval.	0.10 750.00/hr	75.00
	SML	Confer with P. Haines [REDACTED]	0.60 750.00/hr	450.00
	SML	Mediation (attend, travel to/from)	10.60 750.00/hr	7,950.00
2/24/2020	DJ	Email to E. Nguyen re final version of Memorandum of Understanding.	0.10 175.00/hr	17.50
	DJ	Factual research re reservation of hearing date for Motion for Preliminary Approval.	0.20 175.00/hr	35.00
	DJ	Emails from and to E. Nguyen re reservation of hearing date for Motion for Preliminary Approval.	0.20 175.00/hr	35.00
	DJ	Receive instruction in email from E. Nguyen re finalizing Joint Notice of Settlement and Stipulation; file and serve same.	0.30 175.00/hr	52.50
	DJ	Update client file with mediation information and documents.	0.30 175.00/hr	52.50
	RT	Receive email from D. Joudi re Joint Notice of Settlement.	0.10 295.00/hr	29.50
	MLM	Strategize with E. Nguyen and S. Lidman [REDACTED]	0.20 400.00/hr	80.00
	ECN	Communicate with P. Haines [REDACTED]	0.20 650.00/hr	130.00
	ECN	Review and revise draft stipulation to vacate status conference and communicate with defense counsel re the same and exchange multiple correspondence with P. Hall re revisions to same.	1.30 650.00/hr	845.00
	SML	Receive emails from P. Hall (defense counsel) and D. Joudi re Joint Notice of Settlement.	0.10 750.00/hr	75.00
	SML	Review draft stipulation to vacate status conference and receive correspondence between E. Nguyen and defense counsel re the same.	0.30 750.00/hr	225.00
2/25/2020	DJ	Email to opposing counsel re Order Granting Stipulation.	0.10 175.00/hr	17.50

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			<u>Hrs/Rate</u>	<u>Amount</u>
2/25/2020	DJ	Email from E. Nguyen re updating client file; update client file.	0.10 175.00/hr	17.50
	DJ	Receive and process conformed copy of Joint Notice of Settlement and Stipulation; update client file.	0.10 175.00/hr	17.50
	DJ	Email from E. Nguyen re case administration; factual research re same.	0.30 175.00/hr	52.50
	RT	Receive and review revised LWDA.	0.10 295.00/hr	29.50
	RT	Review correspondence between M. Moore and E. Nguyen re letter to LWDA in order to draft first amended complaint.	0.20 295.00/hr	59.00
	RT	Receive and review email from E. Nguyen re settlement administration.	0.30 295.00/hr	88.50
	RT	Receive and review email from E. Nguyen re preparing redlined First Amended Complaint and joint stipulation to file First Amended Complaint for defense counsel's review/approval.	0.30 295.00/hr	88.50
	RT	Receive and review correspondence between E. Nguyen and P. Hall, defense counsel, re long form settlement agreement, notice of class action settlement, and notice of settlement award.	0.30 295.00/hr	88.50
	RT	Begin drafting redlined First Amended Complaint and joint stipulation to file First Amended Complaint.	0.80 295.00/hr	236.00
	MLM	Receive/review correspondence between E. Nguyen and P. Hall re letter to LWDA.	0.10 400.00/hr	40.00
	MLM	Email correspondence with E. Nguyen re drafting the letter to the LWDA.	0.30 400.00/hr	120.00
	MLM	Draft letter to LWDA.	0.60 400.00/hr	240.00
	ECN	Receive and review court's order granting stipulation.	0.10 650.00/hr	65.00
	ECN	Review and revise letter to LWDA.	0.30 650.00/hr	195.00
	ECN	Provide guidance to M. Moore re letter to LWDA.	0.30 650.00/hr	195.00
	ECN	Provide guidance to R. Tamiry re drafting First Amended Complaint.	0.30 650.00/hr	195.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
2/25/2020	ECN	Exchange correspondence with P. Hall, defense counsel, re administration of settlement, including Vietnamese translation of notice packet documents.	0.30 650.00/hr	195.00
	ECN	Draft notice of class action settlement and notice of settlement award.	1.50 650.00/hr	975.00
	SML	Receive correspondence between R. Tamiry and E. Nguyen re First Amended Complaint.	0.10 750.00/hr	75.00
	SML	Review correspondence with TPA administrator re bid for administering settlement.	0.10 750.00/hr	75.00
	SML	Receive correspondence between M. Moore and E. Nguyen re letter to LWDA.	0.20 750.00/hr	150.00
	SML	Receive and review final version of draft letter to LWDA.	0.20 750.00/hr	150.00
	SML	Review draft notice of class action settlement and notice of settlement award.	0.50 750.00/hr	375.00
	SML	Review draft long form settlement agreement.	0.70 750.00/hr	525.00
	ECN	Draft long form settlement agreement.	2.40 650.00/hr	1,560.00
2/26/2020	RT	Receive correspondence between S. Lidman and P. Hall, defense counsel re receipt of joint stipulation.	0.10 295.00/hr	29.50
	RT	Review draft long form settlement agreement, notice of class action settlement, and notice of settlement award sent to defense counsel in preparation of drafting FAC and joint stipulation to file FAC.	1.20 295.00/hr	354.00
	MLM	Receive and review correspondence from J. Lawrence of Phoenix Settlement Administrators re court-certified translation of class notice.	0.20 400.00/hr	80.00
	SML	Correspondence with P. Hall, defense counsel re joint stipulation.	0.10 750.00/hr	75.00
2/27/2020	MLM	Communication with J. Lawrence of Phoenix Settlement Administrators re translation of Class Notice.	0.20 400.00/hr	80.00
	ECN	Communicate with settlement administrator re Vietnamese translation of notice packet documents.	0.20 650.00/hr	130.00
	SML	Review correspondence exchanged with defense counsel re letter to LWDA.	0.10 750.00/hr	75.00
2/28/2020	RT	Receive/review correspondence between E. Nguyen and P. Hall, defense counsel re approval of letter to LWDA.	0.30 295.00/hr	88.50

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			<u>Hrs/Rate</u>	<u>Amount</u>
2/28/2020	ECN	Email to P. Hall, defense counsel, regarding LWDA letter.	0.20 650.00/hr	130.00
3/1/2020	ECN	Review email received from P. Hall about edits to settlement agreement.	0.10 650.00/hr	65.00
3/2/2020	RT	Confer with E. Nguyen about First Amended Complaint and joint stipulation to file First Amended Complaint.	0.10 295.00/hr	29.50
	RT	Continue drafting First Amended Complaint and joint stipulation to file First Amended Complaint.	0.50 295.00/hr	147.50
3/3/2020	RT	Draft proposed order granting preliminary approval.	1.40 295.00/hr	413.00
3/4/2020	RT	Draft class certification for settlement purposes section of motion for preliminary approval.	1.20 295.00/hr	354.00
	RT	Draft client declaration in support of motion for preliminary approval.	1.40 295.00/hr	413.00
	RT	Plan and prepare to draft motion for preliminary approval and research re arguments in support of same.	1.90 295.00/hr	560.50
	RT	Begin drafting notice and summary of litigation and arguments section of MPA in support of motion for preliminary approval.	3.90 295.00/hr	1,150.50
3/5/2020	DJ	Email from E. Nguyen re submitting LWDA letter.	0.10 175.00/hr	17.50
	RT	Email to E. Nguyen re status of FAC and joint stipulation to file FAC.	0.10 295.00/hr	29.50
	RT	Receive email between E. Nguyen and D. Joudi re submitting letter to LWDA.	0.10 295.00/hr	29.50
	RT	Receive and review revisions to FAC and joint stipulation to file FAC from E. Nguyen.	0.50 295.00/hr	147.50
	RT	Revise First Amended Complaint and joint stipulation to file First Amended Complaint per E. Nguyen's comments/revisions.	0.70 295.00/hr	206.50
	ECN	Receive/review approval from P. Hall regarding LWDA letter and finalization of same for submission.	0.10 650.00/hr	65.00
	ECN	Review and revise first amended complaint and joint stipulation for leave to file first amended complaint and email to R. Tamiry re same.	0.60 650.00/hr	390.00
	SML	Receive/review correspondence between R. Tamiry and E. Nguyen re drafting FAC and joint stipulation to file the same.	0.10 750.00/hr	75.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
3/5/2020	SML	Review FAC and joint stipulation to file FAC.	0.30 750.00/hr	225.00
3/7/2020	RT	Receive/review correspondence between E. Nguyen and P. Hall, defense counsel re status of settlement documents.	0.10 295.00/hr	29.50
3/10/2020	DJ	Finalize and submit LWDA letter; update client file.	0.20 175.00/hr	35.00
	RT	Continue drafting proposed order granting preliminary approval.	0.50 295.00/hr	147.50
	RT	Draft S. Lidman declaration in support of motion for preliminary approval.	1.80 295.00/hr	531.00
	RT	Continue to draft motion for preliminary approval and section about meeting preliminary approval standard.	2.20 295.00/hr	649.00
3/11/2020	DJ	Email from R. Tamiry re submission confirmation of LWDA letter, for incorporation into motion for preliminary approval.	0.10 175.00/hr	17.50
	RT	Correspondence with D. Joudi re LWDA letter for motion for preliminary approval.	0.20 295.00/hr	59.00
	RT	Draft M. Moore declaration in support of motion for preliminary approval.	0.40 295.00/hr	118.00
	RT	Draft P. Haines declaration in support of motion for preliminary approval.	0.50 295.00/hr	147.50
	RT	Continue to further review and revise First Amended Complaint and joint stipulation to file First Amended Complaint and email to E. Nguyen re same.	0.60 295.00/hr	177.00
	RT	Draft E. Nguyen declaration in support of motion for preliminary approval.	0.70 295.00/hr	206.50
	RT	Draft Phoenix Settlement Administrators declaration in support of motion for preliminary approval .	0.80 295.00/hr	236.00
	RT	Continue to draft Kullar analysis section of motion for preliminary approval.	0.80 295.00/hr	236.00
	ECN	Exchange emails with P. Hall (defense counsel) regarding settlement agreement and changes to same.	0.20 650.00/hr	130.00
	ECN	Provide further direction to R. Tamiry re drafting memorandum of points and authorities in support of preliminary approval.	0.40 650.00/hr	260.00
3/12/2020	RT	Correspondence to E. Nguyen with drafts of motion for preliminary approval and supporting documents.	0.20 295.00/hr	59.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
3/15/2020	ECN	Receive/review approval from P. Hall re Phoenix as settlement administrator.	0.10 650.00/hr	65.00
3/16/2020	ECN	Receive/review email from P. Hall re status of defendant's edits to settlement agreement and stay at home order.	0.20 650.00/hr	130.00
	ECN	Receive and review edits and revisions to settlement agreement and notices from K. Harlow, defense counsel.	1.40 650.00/hr	910.00
	SML	Review long form settlement agreement and notices attached as exhibits to same.	1.00 750.00/hr	750.00
3/17/2020	RT	Receive revisions to client's declaration from E. Nguyen.	0.20 295.00/hr	59.00
	RT	Correspondence with Phoenix Settlement Administrators re declaration in support of motion for preliminary approval.	0.30 295.00/hr	88.50
	RT	Receive and review E. Nguyen revisions to Phoenix declaration in support of motion for preliminary approval.	0.40 295.00/hr	118.00
	RT	Receive and review executed declaration from Phoenix Settlement Administrators and update motion with same.	0.40 295.00/hr	118.00
	RT	Revise Phoenix declaration in support of motion for preliminary approval per E. Nguyen's comments.	0.40 295.00/hr	118.00
	RT	Receive and review E. Nguyen revisions to MPA and guidance from E. Nguyen re further revisions to settlement agreement.	1.50 295.00/hr	442.50
	MLM	Review and revise client declaration in support of motion for preliminary approval and email to E. Nguyen re same.	0.40 400.00/hr	160.00
	ECN	Receive correspondence between Phoenix Settlement Administrators and R. Tamiry re executed declaration in support of motion for preliminary approval.	0.20 650.00/hr	130.00
	ECN	Confer with R. Tamiry re revisions to memorandum of points and authorities in support of motion for preliminary approval.	0.30 650.00/hr	195.00
	ECN	Review and revise declaration from settlement administrator in support of motion for preliminary approval.	0.40 650.00/hr	260.00
	ECN	Review and revise client's declaration in support of motion for preliminary approval.	0.40 650.00/hr	260.00
	ECN	Analyze Defendant's changes edits to release language and confer with S. Lidman about Defendant's edits to release language.	0.40 650.00/hr	260.00
	ECN	Review/revise memorandum of points and authorities in support of motion for preliminary approval.	2.10 650.00/hr	1,365.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
3/17/2020	SML	Receive correspondence between R. Tamiry and E. Nguyen re client's declaration in support of motion for preliminary approval.	0.10 750.00/hr	75.00
	SML	Review client's declaration in support of motion for preliminary approval.	0.20 750.00/hr	150.00
	SML	Receive and review correspondence between R. Tamiry and E. Nguyen re revisions to memorandum of points and authorities in support of motion for preliminary approval.	0.20 750.00/hr	150.00
	ECN	Continue to review Defendant's edits to settlement agreement, notice of class action settlement, and notice of settlement award, draft changes to same and email updated versions to defense counsel.	1.00 650.00/hr	650.00
3/18/2020	RT	Correspondence with E. Nguyen re client declaration.	0.20 295.00/hr	59.00
	RT	Communicate with E. Nguyen re final drafts of First Amended Complaint and joint stipulation to file First Amended Complaint previously sent to defense counsel.	0.30 295.00/hr	88.50
	RT	Confer with E. Nguyen re analysis of average payment to settlement class members.	0.40 295.00/hr	118.00
	RT	Receive and review correspondence between E. Nguyen and defense counsel re draft MPA and joint request for extension to file same with Court in light of COVID.	0.60 295.00/hr	177.00
	RT	Correspondence with E. Nguyen re legal research and further revisions to motion for preliminary approval.	0.80 295.00/hr	236.00
	RT	Conduct legal research on PAGA civil penalties to support argument in motion for preliminary approval.	0.90 295.00/hr	265.50
	MLM	Provide guidance to R. Tamiry re arguments to include in memorandum of points and authorities in support of motion for preliminary approval regarding PAGA analysis and Kullar analysis.	0.30 400.00/hr	120.00
	ECN	Communicate with defense counsel re joint request to extend the deadline to file the motion for preliminary approval and current draft of motion for preliminary approval.	0.20 650.00/hr	130.00
	ECN	Conduct legal research in support of memorandum of points and authorities in support of motion for preliminary approval regarding risk assessment and standard.	0.40 650.00/hr	260.00
	SML	Review correspondence between E. Nguyen and defense counsel re draft FAC and joint stipulation to file FAC.	0.20 750.00/hr	150.00
	SML	Review draft motion for preliminary approval and joint stipulation to extend deadline of motion for preliminary approval.	1.50 750.00/hr	1,125.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
3/18/2020	ECN	Finalize version of motion for preliminary approval and joint request for extension and correspond with defense counsel about same.	1.30 650.00/hr	845.00
3/19/2020	DJ	Email from R. Tamiry re Stipulation to file First Amended Complaint.	0.10 175.00/hr	17.50
	RT	Correspondence with P. Hall and K. Harlow, defense counsel, providing redlined First Amended Complaint and joint stipulation to file First Amended Complaint.	0.30 295.00/hr	88.50
	RT	Confer with E. Nguyen re results of legal research on PAGA civil penalties.	0.50 295.00/hr	147.50
	MLM	Further legal research regarding case law in support of PAGA section in motion for preliminary approval.	0.60 400.00/hr	240.00
	ECN	Receive and review Defendant's declaration regarding financial issues.	0.30 650.00/hr	195.00
	ECN	Communicate with P. Hall and K. Harlow, defense counsel, regarding Joint Stipulation to file first amended complaint and draft first amended complaint for review and approval.	0.30 650.00/hr	195.00
	SML	Confer with P. Haines re status of settlement agreement and timeline for filing motion for preliminary approval given COVID-19.	0.30 750.00/hr	225.00
	SML	Receive correspondence between defense counsel and E. Nguyen providing draft motion preliminary approval and joint request to extend deadline to file motion for preliminary approval and confer with E. Nguyen re same.	0.40 750.00/hr	300.00
	ECN	Analyze caselaw on approving PAGA settlements for arguments in support of motion for preliminary approval.	0.80 650.00/hr	520.00
3/20/2020	RT	Receive and review correspondence between financial expert and E. Nguyen re Defendant's financial issues.	0.20 295.00/hr	59.00
	ECN	Communicate with K. Messerschmidt, forensic accountant, re Defendant's declaration about financial issues.	0.40 650.00/hr	260.00
3/23/2020	DJ	Email from E. Nguyen re preparation for Motion for Preliminary Approval.	0.10 175.00/hr	17.50
	RT	Receive/review email from E. Nguyen re preparation of finalizing motion for preliminary approval and filing of same.	0.10 295.00/hr	29.50
	ECN	Receive and review Defendant's changes to joint stipulation for leave to file first amended complaint.	0.20 650.00/hr	130.00
	ECN	Receive/review updated declaration for Defendant regarding financial issues and communicate with Mr. Hall about joint executed extension stipulation to file amended complaint and motion for preliminary	1.10 650.00/hr	715.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
		approval.		
3/23/2020	ECN	Telephone conference with Mr. Hall about joint request for extension and motion for preliminary approval and email to Mr. Hall attaching documents discussed on call for his review and approval.	0.70 650.00/hr	455.00
3/24/2020	DJ	Email from and to E. Nguyen re finalizing settlement documents.	0.90 175.00/hr	157.50
	RT	Receive/review correspondence between E. Nguyen and D. Joudi re finalizing settlement documents.	0.10 295.00/hr	29.50
	RT	Review/review email from E. Nguyen re approving and accepting defense counsel's revisions to stipulation to file First Amended Complaint.	0.20 295.00/hr	59.00
	RT	Receive and review email correspondence between E. Nguyen and P. Hall, defense counsel, re final version of stipulation to file FAC.	0.20 295.00/hr	59.00
	RT	Review and approve defense counsel's revisions to joint stipulation to file First Amended Complaint and email to E. Nguyen re same.	0.50 295.00/hr	147.50
	RT	Analysis of First Amended Complaint sent to defense counsel compared with First Amended Complaint with defense counsel's revisions and email to E. Nguyen re same.	0.60 295.00/hr	177.00
	ECN	Further communication with K. Messerschmidt, forensic accountant, re Defendant's declaration about financial issues.	0.10 650.00/hr	65.00
	ECN	Receive and review Defendant's changes to draft first amended complaint.	0.40 650.00/hr	260.00
	ECN	Communicate with P. Hall, defense counsel, re updated versions of stipulation for leave to amend and first amended complaint and receive approval of same.	0.60 650.00/hr	390.00
	SML	Receive and review defense counsel's revisions and comments to joint stipulation to file FAC and FAC.	0.20 750.00/hr	150.00
	SML	Review and analyze changes to long form settlement agreement.	0.60 750.00/hr	450.00
3/25/2020	DJ	Email from E. Nguyen re updating client file; update client file.	0.10 175.00/hr	17.50
	DJ	Emails from and to E. Nguyen re preparation for Motion for Preliminary Approval.	0.20 175.00/hr	35.00
	DJ	Emails to/from E. Nguyen re further edits to near final version of MPA ISO Motion for Preliminary Approval and make edits.	0.70 175.00/hr	122.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
3/25/2020	DJ Multiple emails from E. Nguyen and R. Tamiry re additional edits and revisions in order to finalize Motion for Preliminary Approval and supporting documents.	0.80 175.00/hr	140.00
	DJ Revise and edit Motion for Preliminary Approval and supporting documents and email near final version to E. Nguyen re final approval.	1.40 175.00/hr	245.00
	RT Confer with E. Nguyen re revisions to MPA and S. Lidman declaration.	0.40 295.00/hr	118.00
	RT Receive and review final executed version of settlement agreements and confirm terms for motion for preliminary approval.	0.50 295.00/hr	147.50
	RT Receive and review additional revisions to motion for preliminary approval and S. Lidman declaration	0.60 295.00/hr	177.00
	RT Draft S. Lidman declaration in support of motion for preliminary approval.	1.00 295.00/hr	295.00
	MLM Confer with R. Tamiry and D. Joudi re fee split information for motion.	0.20 400.00/hr	80.00
	ECN Review email from P. Hall re approval of further updated settlement agreement and Defendant's further changes to class notice.	0.20 650.00/hr	130.00
	ECN Provide guidance to R. Tamiry re revisions to draft declaration of S. Lidman in support of motion for preliminary approval.	0.20 650.00/hr	130.00
	ECN Telephone conference with K. Messerschmidt, forensic accountant, re review and approval of declarations re financial issues and summary of same.	0.30 650.00/hr	195.00
	ECN Review and revise M. Moore declaration in support of motion for preliminary approval.	0.30 650.00/hr	195.00
	ECN Review and revise P. Haines declaration in support of motion for final approval.	0.30 650.00/hr	195.00
	ECN Email to P. Hall, defense counsel, further additions to long form settlement agreement and approval of same.	0.40 650.00/hr	260.00
	ECN Review and revise E. Nguyen in support of motion for preliminary approval.	0.50 650.00/hr	325.00
	ECN Receive and review P. Hall's edits and changes to motion for preliminary approval.	0.50 650.00/hr	325.00
	ECN Review and revise proposed order granting preliminary approval.	0.60 650.00/hr	390.00
	ECN Provide guidance to R. Tamiry re revisions to motion for preliminary approval and supporting documents.	0.60 650.00/hr	390.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
3/25/2020	ECN	Review and provide suggestions for S. Lidman's declaration in support of motion for preliminary approval.	0.70 650.00/hr	455.00
	ECN	Further review and revise updated memorandum of points and authorities in support of motion for preliminary approval.	1.10 650.00/hr	715.00
	SML	Review correspondence between R. Tamiry and E. Nguyen re revisions to memorandum of points and authorities in support of preliminary approval motion.	0.20 750.00/hr	150.00
	SML	Final review and approval of S. Lidman declaration in support of preliminary approval.	0.30 750.00/hr	225.00
	SML	Receive and review correspondence with defense counsel re finalizing long form settlement agreement.	0.30 750.00/hr	225.00
	SML	Review of latest version of motion for preliminary approval and supporting documents.	0.60 750.00/hr	450.00
	SML	Review and revise S. Lidman declaration in support of motion for preliminary approval.	0.80 750.00/hr	600.00
	RT	Receive and review email from E. Nguyen re telephonic conference with financial expert.	0.10 295.00/hr	29.50
	RT	Receive/review email correspondence between E. Nguyen and D. Joudi re edit to settlement agreement.	0.10 295.00/hr	29.50
	RT	Receive and review E. Nguyen's revisions to P. Haines declaration in support of motion for preliminary approval and revise same.	0.20 295.00/hr	59.00
	RT	Email to D. Joudi providing directions re finalizing motion for preliminary approval and supporting documents for filing.	0.20 295.00/hr	59.00
	RT	Receive and review correspondence between E. Nguyen and defense counsel re settlement agreement.	0.30 295.00/hr	88.50
	RT	Receive and review E. Nguyen's revisions to her declaration in support of motion for preliminary approval and incorporate same.	0.30 295.00/hr	88.50
	RT	Receive and review E. Nguyen's revisions to proposed order granting preliminary approval and finalize for filing.	0.30 295.00/hr	88.50
	RT	Continue to further revise motion for preliminary approval.	0.30 295.00/hr	88.50
	RT	Continue to further revise S. Lidman declaration.	0.30 295.00/hr	88.50
	RT	Continue to further revise MPA and confer with E. Nguyen re same.	0.50 295.00/hr	147.50

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
3/25/2020	RT	Receive E. Nguyen's revisions to Kullar analysis of the memorandum of points and authorities in support of motion for preliminary approval and finalize for filing.	0.70 295.00/hr	206.50
	RT	Final review of motion for preliminary approval and supporting documents.	2.80 295.00/hr	826.00
3/26/2020	DJ	Continue to further revise and finalize MPA ISO Motion for Preliminary Approval.	1.10 175.00/hr	192.50
	ECN	Provide direction to D. Joudi re finalizing motion for preliminary approval and supporting documents for filing.	0.40 650.00/hr	260.00
	ECN	Continue to revise and finalize draft of motion for preliminary approval and supporting documents.	1.40 650.00/hr	910.00
	RT	Email to D. Joudi re final revisions to memorandum of points and authorities.	0.20 295.00/hr	59.00
	RT	Receive and review correspondence between E. Nguyen and D. Joudi re finalizing memorandum of points and authorities in support of preliminary approval and supporting documents.	0.40 295.00/hr	118.00
	ECN	Exchange multiple emails with Mr. Hall regarding his suggested additions to the motion for preliminary approval.	0.80 650.00/hr	520.00
3/27/2020	DJ	Email from E. Nguyen re status of filing Motion for Preliminary Approval.	0.10 175.00/hr	17.50
	DJ	Email from E. Nguyen re further revisions to MPA ISO Motion for Preliminary Approval in light of comments from opposing counsel; further revise MPA.	0.40 175.00/hr	70.00
	ECN	Exchange emails with P. Hall re final version of motion for preliminary approval and receive/review Defendant's further edits to same.	0.20 650.00/hr	130.00
	SML	Receive/review email from P. Hall re edits to motion for preliminary approval.	0.20 750.00/hr	150.00
3/28/2020	ECN	Review summary of communications with client.	0.20 650.00/hr	130.00
3/30/2020	DJ	Finalize Motion for Preliminary Approval and supporting documents and prepare for filing; finalize Stipulation to file FAC; submit for filing and service.	0.90 175.00/hr	157.50
	RT	Receive email from D. Joudi confirming submission of motion for preliminary approval and supporting documents.	0.10 295.00/hr	29.50
4/1/2020	DJ	Receive Notice of Non-Opposition to Motion for Preliminary Approval; update client file.	0.20 175.00/hr	35.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
4/6/2020	MLM	Receive and review Defendant's non-opposition to Plaintiff's Motion for Preliminary Approval.	0.10 400.00/hr	40.00
4/8/2020	ECN	Receive and review email from P. Hall, defense counsel, regarding OC Civil Order and hearing date on motion for preliminary approval in light of COVID-19 and respond to same.	0.30 650.00/hr	195.00
4/9/2020	SML	Reply to P. Hall's email (defense counsel) regarding hearing on motion for preliminary approval and OC Civil Order 2020-06.	0.20 750.00/hr	150.00
5/11/2020	DJ	Factual research re status of Stipulation to file FAC; email to E. Nguyen re same.	0.30 175.00/hr	52.50
	ECN	Provide direction to D. Joudi re filing first amended complaint.	0.10 650.00/hr	65.00
	SML	Confirm status of filing of FAC.	0.10 750.00/hr	75.00
	RT	Receive/review correspondence between E. Nguyen and D. Joudi re filing stipulation to file first amended complaint.	0.10 295.00/hr	29.50
5/15/2020	ECN	Receive/review court's minute order.	0.10 650.00/hr	65.00
5/19/2020	DJ	Email from E. Nguyen re May 15, 2020 Minute Order; case management.	0.20 175.00/hr	35.00
6/5/2020	DJ	Receive Order re Joint Stipulation to file FAC; update client file.	0.20 175.00/hr	35.00
6/8/2020	DJ	Finalize and submit FAC for filing with Court.	0.30 175.00/hr	52.50
6/9/2020	ECN	Receive and reply to Mr. Hall's email regarding motion for preliminary approval.	0.20 650.00/hr	130.00
6/15/2020	DJ	Email from E. Nguyen re updating remote appearance dial-in info; update same.	0.20 175.00/hr	35.00
6/18/2020	ECN	Review email from P. Hall, defense counsel, regarding status of hearing and respond to same.	0.10 650.00/hr	65.00
7/23/2020	DJ	Email from E. Nguyen re Court's tentative ruling on Motion for Preliminary Approval.	0.10 175.00/hr	17.50
	DJ	Telephone Court clerk to submit on tentative ruling; email to and from opposing counsel re same.	0.20 175.00/hr	35.00
	DJ	Email from E. Nguyen re preparation of Notice of Ruling re Motion for Preliminary Approval, prepare same.	0.40 175.00/hr	70.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
7/23/2020	DJ	Email from E. Nguyen re finalizing Amended Proposed Order; assist in same.	0.60 175.00/hr	105.00
	MLM	Review the Court's tentative ruling on Plaintiff's Motion for Preliminary Approval and email correspondence with E. Nguyen and S. Lidman re the same.	0.30 400.00/hr	120.00
	ECN	Communicate with settlement administrator re court's order to include objection form and opt-out form and confirm quote re same.	0.20 650.00/hr	130.00
	ECN	Review/revise notice of court's ruling on motion for preliminary approval.	0.30 650.00/hr	195.00
	ECN	Review and analyze Court's tentative ruling on motion for preliminary approval and exchange emails with P. Hall re the same.	0.80 650.00/hr	520.00
	ECN	Draft amended notice packet in compliance with Court's tentative ruling on motion for preliminary approval and communicate with defense counsel re the same.	1.30 650.00/hr	845.00
	SML	Confer with P. Haines re court's tentative ruling on motion for preliminary approval.	0.20 750.00/hr	150.00
	SML	Receive correspondence between E. Nguyen and settlement administrator.	0.20 750.00/hr	150.00
	SML	Receive/review emails from/to P. Hall, defense counsel and E. Nguyen re the Court's tentative ruling and next steps.	0.30 750.00/hr	225.00
	SML	Review and approve amended notice packet in light of Court's tentative ruling and correspondence between E. Nguyen and defense counsel re same.	0.40 750.00/hr	300.00
	SML	Analyze Court's tentative ruling on motion for preliminary approval and receive/review emails between E. Nguyen and P. Hall, defense counsel re same.	0.70 750.00/hr	525.00
	RT	Receive and review correspondence between administrator, Phoenix Settlement Administrators and E. Nguyen re Court's order granting preliminary approval and timeline for notice to settlement class.	0.20 295.00/hr	59.00
	RT	Receive and review the Court's tentative ruling on motion for preliminary approval.	0.80 295.00/hr	236.00
	RT	Receive and review amended notice and forms for notice packet per Court's tentative ruling on motion for preliminary approval and correspondence between E. Nguyen and defense counsel re same.	1.40 295.00/hr	413.00
7/24/2020	DJ	Finalize Notice of Ruling; file same; receive conformed copy of same; update client file.	0.40 175.00/hr	70.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
7/24/2020	ECN	Receive/review P. Hall's changes to drafts of updated class notice and forms pursuant to Court's orders re same.	0.30 650.00/hr	195.00
	ECN	Receive/review P. Hall's changes to draft amended proposed order.	0.30 650.00/hr	195.00
7/27/2020	DJ	Email from E. Nguyen re submitting Amended Proposed Order to the Court.	0.10 175.00/hr	17.50
	DJ	Email from E. Nguyen re finalizing amended notice packet documents; assist in same.	0.20 175.00/hr	35.00
	DJ	Finalize Amended Proposed Order for Court submission; submit same for filing and service.	0.30 175.00/hr	52.50
	ECN	Receive and review additional changes from P. Hall to amended proposed order and exhibits to same and multiple correspondence from P. Hall re same.	1.20 650.00/hr	780.00
8/1/2020	ECN	Receive and review email from P. Hall, defense counsel, regarding class list and amended preliminary approval order.	0.30 650.00/hr	195.00
8/3/2020	DJ	Email from E. Nguyen re status of Amended Proposed Order; factual research re same.	0.30 175.00/hr	52.50
	ECN	Investigate status of signed order for settlement administration process and correspond with Mr. Hall about same and review Mr. Hall's detailed summary of potential data issue and proposed resolution of same.	0.50 650.00/hr	325.00
8/5/2020	DJ	Receive Order Granting Preliminary Approval from Court; update client file; case management.	0.30 175.00/hr	52.50
	ECN	Correspondence with P. Hall re class list.	0.10 650.00/hr	65.00
	ECN	Communication with settlement administrator and defense counsel re Court's ruling granting preliminary approval and deadlines for settlement administration process.	0.60 650.00/hr	390.00
	SML	Receive correspondence from P. Hall re class list for settlement administrator.	0.10 750.00/hr	75.00
	SML	Receive and monitor emails between E. Nguyen and settlement administrator about notice packets.	0.50 750.00/hr	375.00
	RT	Receive and review correspondence between settlement administrator and E. Nguyen re administration of settlement.	0.30 295.00/hr	88.50
8/6/2020	ECN	Receive, review, and monitor multiple emails exchanged between settlement administrator and P. Hall, defense counsel re administration of settlement.	0.20 650.00/hr	130.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
8/6/2020	SML	Receive and review emails between settlement administrator and P. Hall, defense counsel.	0.10 750.00/hr	75.00
8/18/2020	ECN	Monitor emails between P. Hall, defense counsel, and administrator re transmission of class data to ensure Parties are complying with Court's deadlines.	0.30 650.00/hr	195.00
	ECN	Receive and review Notice Packet and forms for settlement administration from settlement administrator.	0.40 650.00/hr	260.00
	SML	Monitor emails between P. Hall, defense counsel, and administrator re transmission of class data to ensure Parties are complying with Court's deadlines.	0.30 750.00/hr	225.00
8/21/2020	ECN	Receive and review P. Hall's edits/changes to notice packet documents received from settlement administrator and approve same.	0.70 650.00/hr	455.00
8/24/2020	ECN	Receive and review emails exchanged between E. Kruckenberg (Phoenix Settlement Admin) and P. Hall re preliminary calculations.	0.20 650.00/hr	130.00
	ECN	Receive email from P. Hall, defense counsel, re issues with approval of preliminary calculations and proposed resolution of same, and reply to P. Hall re same.	0.20 650.00/hr	130.00
	ECN	Receive and review further updated Notice Packet and forms for settlement administration and approval same.	0.30 650.00/hr	195.00
	ECN	Receive, review, and approved preliminary calculations received from K. Kruckenberg, Phoenix Settlement Administrator.	0.40 650.00/hr	260.00
8/25/2020	ECN	Receive email from P. Hall, defense counsel, re directions to Settlement Administrator re necessary changes to preliminary calculations based on clarification of dates of employments for some class members.	0.30 650.00/hr	195.00
9/11/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
	SML	Receive/review weekly report from E. Kruckenberg.	0.10 750.00/hr	75.00
9/18/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
9/25/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
10/2/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
	SML	Receive/review weekly report from E. Kruckenberg.	0.10 750.00/hr	75.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
10/9/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
10/16/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
10/23/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
	SML	Receive/review weekly report from E. Kruckenberg.	0.10 750.00/hr	75.00
10/29/2020	MLM	Provide guidance to R. Tamiry re drafting arguments in support of motion for final approval and confer with E. Nguyen re same.	0.60 400.00/hr	240.00
	ECN	Review email correspondence between R. Tamiry and Phoenix Settlement Administrators re declaration in support of final approval.	0.10 650.00/hr	65.00
	ECN	Review and revise draft Phoenix Settlement Administrators declaration in support of motion for final approval.	0.20 650.00/hr	130.00
	ECN	Meeting with R. Tamiry re drafting motion for final approval and email correspondence re the same	0.30 650.00/hr	195.00
	SML	Confer with E. Nguyen re motion for final approval.	0.30 750.00/hr	225.00
	RT	Meeting with E. Nguyen re preparation of motion for final approval.	0.30 295.00/hr	88.50
	RT	Confer with M. Moore re drafting motion for final approval and correspondence with E. Nguyen re same.	0.60 295.00/hr	177.00
	RT	Draft Phoenix Settlement Administrators declaration in support of motion for final approval and email to E. Nguyen re same.	0.90 295.00/hr	265.50
	RT	Begin drafting legal argument of points and authorities in support of motion for final approval.	3.60 295.00/hr	1,062.00
	ECN	Communicate with Ms. Tamiry re requested costs in motion for final approval.	0.20 650.00/hr	130.00
10/30/2020	ECN	Receive and review weekly report from Phoenix.	0.10 650.00/hr	65.00
	ECN	Confer with R. Tamiry re drafting motion for final approval.	0.20 650.00/hr	130.00
	SML	Review correspondence from settlement administrator re declaration in support of final approval.	0.10 750.00/hr	75.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
10/30/2020	RT	Receive guidance from E. Nguyen re Phoenix Settlement Administrators declaration in support of motion for final approval.	0.10 295.00/hr	29.50
	RT	Correspondence to Phoenix Settlement Administrators re declaration in support of motion for final approval.	0.20 295.00/hr	59.00
	RT	Receive and review Phoenix's weekly report.	0.20 295.00/hr	59.00
	RT	Confer with E. Nguyen re argumets in support of motion for final approval.	0.20 295.00/hr	59.00
	RT	Review client declaration in support of motion for final approval in accordance with Court's guidelines.	0.40 295.00/hr	118.00
	RT	Draft proposed order granting final approval and final judgment.	1.30 295.00/hr	383.50
	RT	Conduct legal research on Court's rulings on motions for final approval to identify issues to address in motion.	1.70 295.00/hr	501.50
	ECN	Plan and prepare for preparation of motion for final approval and provide direction to Ms. Tamiry re terms of agreement and draft motion for final approval to defense counsel.	0.20 650.00/hr	130.00
	ECN	Review and revise expense summary attached as an exhibit to Nguyen declaration in support of motion for final approval	0.40 650.00/hr	260.00
10/31/2020	RT	Email to E. Nguyen re preparation of motion for final approval.	0.10 295.00/hr	29.50
11/1/2020	SML	Receive/review email correspondence between P. Hall and Phoenix Settlement Administrators re declaration in support of final approval.	0.10 750.00/hr	75.00
	RT	Receive and review email correspondence between P. Hall and Phoenix Settlement Administrators re declaration in support of final approval.	0.10 295.00/hr	29.50
11/2/2020	DJ	Initial draft of Scott Lidman's declaration in support of final approval.	0.30 175.00/hr	52.50
	RT	Correspondence to E. Nguyen re status of motion for final approval and supporting documents in order to plan/prepare for finalizing of same.	0.20 295.00/hr	59.00
	RT	Draft P. Haines declaration in support of motion for final approval.	1.00 295.00/hr	295.00
	RT	Draft summary of notice process section of MPA in support of motion for final approval.	1.10 295.00/hr	324.50

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
11/2/2020	RT	Begin to draft E. Nguyen declaration in support of motion for final approval.	1.70 295.00/hr	501.50
	DJ	Initial draft of Milan Moore's declaration in support of final approval	0.20 175.00/hr	35.00
	RT	Draft cost and lodestar section of motion for final approval.	1.20 295.00/hr	354.00
11/3/2020	RT	Receive correspondence between P. Hall, defense counsel, and Phoenix Settlement Administrators re approval of revised declaration in support of motion for final approval.	0.10 295.00/hr	29.50
	RT	Receive correspondence between E. Nguyen and Phoenix Settlement Administrators re revision to declaration in support of motion for final approval.	0.40 295.00/hr	118.00
	RT	Draft additions to Phoenix Settlement Administrators declaration in support of motion for final approval and email to administrator re same.	0.50 295.00/hr	147.50
	RT	Receive and incorporate revisions to Phoenix Settlement Administrators declaration in support of motion for final approval and email to administrator re same.	0.70 295.00/hr	206.50
	RT	Draft additions to MPA in support of motion for final approval.	0.80 295.00/hr	236.00
	RT	Continue drafting E. Nguyen declaration in support of motion for final approval.	1.40 295.00/hr	413.00
	ECN	Direct Ms. Tamiry to draft explanation regarding average settlement amount.	0.20 650.00/hr	130.00
	ECN	Review and revise M. Moore declaration in support of motion for final approval.	0.20 650.00/hr	130.00
	ECN	Exchange emails with E. Kruckenberg (Phoenix Settlement Administrator) seeking clarification re payments to individual class members and updating Ms. Kruckenberg's declaration with same.	0.20 650.00/hr	130.00
	ECN	Analyze client declaration previously submitted and determine whether another declaration is necessary in support of the motion for final approval.	0.40 650.00/hr	260.00
	ECN	Initial review of draft memorandum of points and authorities in support of motion for final approval.	1.00 650.00/hr	650.00
11/4/2020	RT	Receive and incorporate E. Nguyen's revisions to proposed order granting final approval and final judgment.	0.60 295.00/hr	177.00
	MLM	Review and revise M. Moore declaration in support of final approval.	0.30 400.00/hr	120.00

11/6/2020

			<u>Hrs/Rate</u>	<u>Amount</u>
11/4/2020	ECN	Analyze court's rules and draft additions to proposed order granting final approval and final judgment in compliance with same.	0.70 650.00/hr	455.00
	ECN	Continue to draft revisions and additions to motion for final approval.	0.90 650.00/hr	585.00
	ECN	Analyze court's rules regarding final approval and draft additions to memorandum of points and authorities motion for final approval in order to comply with same.	2.40 650.00/hr	1,560.00
11/5/2020	RT	Receive and incorporate E. Nguyen's revisions to her declaration in support of motion for final approval and finalize for filing.	1.00 295.00/hr	295.00
	RT	Receive and incorporate E. Nguyen's revisions to points and authorities in support of motion for final approval and finalize for filing.	2.30 295.00/hr	678.50
	MLM	Review and approve M. Moore declaration.	0.20 400.00/hr	80.00
	SML	Review draft of motion for final approval, supporting documents, and review/revise S. Lidman declaration in support of final approval.	2.20 750.00/hr	1,650.00
	DJ	Initial draft of Scott Lidman's declaration in support of final approval.	0.30 175.00/hr	52.50
	ECN	Review and approve version of proposed final judgment being sent to defense counsel for review and approval.	0.20 650.00/hr	130.00
	ECN	Review and revise S. Lidman declaration in support of motion for final approval.	0.30 650.00/hr	195.00
	ECN	Provide guidance to R. Tamiry re revisions to final approval motion and supporting documents and email correspondence re same	0.30 650.00/hr	195.00
	ECN	Review updated version of points and authorities in support of motion for final approval and draft additions to same.	0.90 650.00/hr	585.00
	ECN	Review and revise E. Nguyen declaration in support of motion for final approval.	1.40 650.00/hr	910.00
	ECN	Analyze billing records for privilege and provide direction re redact billing records to protect privilege material for submission to court as part of final approval motion.	3.00 650.00/hr	1,950.00
11/6/2020	RT	Final review of final approval motion and all supporting documents and declarations.	1.80 295.00/hr	531.00
	ECN	Final review and revisions to final approval motion and all supporting documents and declarations.	1.40 650.00/hr	910.00
For professional services rendered			273.60	\$139,228.00

Amount

Balance due

\$139,228.00

EXHIBIT D

EXHIBIT D

LAFFEY MATRIX

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[Expert Opinions](#)
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<tr>

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389

6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., McDowell v. District of Columbia, Civ. A. No. 00-594 (RCL), LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); Salazar v. Dist. of Col., 123 F.Supp.2d 8 (D.D.C. 2000).

* "Years Out of Law School" is calculated from June 1 of each year, when most law students graduate. "1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). "4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier "1-3" from June 1, 1996 until May 31, 1999, would move into tier "4-7" on June 1, 1999, and tier "8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT E

EXHIBIT E

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Attorneys for Plaintiff

MY LE PHAM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

MY LE PHAM, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS,
INC., a Delaware corporation; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 30-2019-01086573-CU-OE-CXC

*[Assigned for All Purposes to Hon. Peter
Wilson, CX102]*

**PROOF OF SERVICE RE
STIPULATION OF SETTLEMENT**

PROOF OF SERVICE

My Le Pham v. Plasma Ruggedized Solutions, Inc.
Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 150, El Segundo, California 90245.

On March 30, 2020, I served the foregoing document(s) described as:

1. STIPULATION OF SETTLEMENT

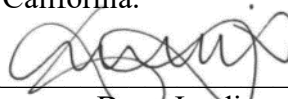
on the interested party(ies) in this action as follows:

Labor and Workforce Development Agency
1515 Clay Street, Ste. 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

[X] (BY ELECTRONIC TRANSMISSION) I caused a true and correct copy of the document(s) described above to be electronically transmitted to the Labor and Workforce Development Agency ("LWDA") by uploading them to the LWDA's online system under case number LWDA-CM-777462-20.

[X] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 6, 2020, at El Segundo, California.



Dana Joudi

EXHIBIT F

EXHIBIT F

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Fax: (424) 292-2355

Attorneys for Plaintiff
MY LE PHAM

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MY LE PHAM, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS,
INC., a Delaware corporation; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 30-2019-01086573-CU-OE-CXC

*[Assigned for All Purposes to Hon. Peter
Wilson, CX102]*

**PROOF OF SERVICE RE ORDER
GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

PROOF OF SERVICE

My Le Pham v. Plasma Ruggedized Solutions, Inc.
Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 150, El Segundo, California 90245.

On October 16, 2020, I served the foregoing document(s) described as:

1. ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

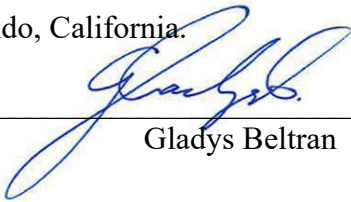
on the interested party(ies) in this action as follows:

Labor and Workforce Development Agency
1515 Clay Street, Ste. 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

☒ (BY ELECTRONIC TRANSMISSION) I caused a true and correct copy of the document(s) described above to be electronically transmitted to the Labor and Workforce Development Agency ("LWDA") by uploading them to the LWDA's online system under case number LWDA-CM-777462-20.

☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 6, 2020, at El Segundo, California.



Gladys Beltran

EXHIBIT G

EXHIBIT G

LIDMAN LAW, APC
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Attorneys for Plaintiff
MY LE PHAM

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MY LE PHAM, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

PLASMA RUGGEDIZED SOLUTIONS,
INC., a Delaware corporation; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 30-2019-01086573-CU-OE-CXC

*[Assigned for All Purposes to Hon. Peter
Wilson, CX102]*

**PROOF OF SERVICE RE FIRST
AMENDED CLASS AND
REPRESENTATIVE ACTION
COMPLAINT**

PROOF OF SERVICE

My Le Pham v. Plasma Ruggedized Solutions, Inc.
Orange County Superior Court Case No. 30-2019-01086573-CU-OE-CXC

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 150, El Segundo, California 90245.

On October 28, 2020, I served the foregoing document(s) described as:

1. FIRST AMENDED CLASS AND REPRESENTATIVE ACTION COMPLAINT

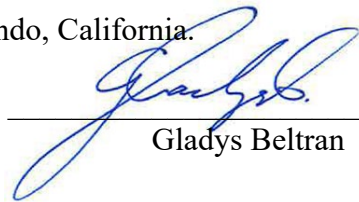
on the interested party(ies) in this action as follows:

Labor and Workforce Development Agency
1515 Clay Street, Ste. 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

[X] (BY ELECTRONIC TRANSMISSION) I caused a true and correct copy of the document(s) described above to be electronically transmitted to the Labor and Workforce Development Agency ("LWDA") by uploading them to the LWDA's online system under case number LWDA-CM-777462-20.

[X] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 6, 2020, at El Segundo, California.



Gladys Beltran