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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

SONDRA HERNANDEZ, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

vs.

BENEFIT COSMETICS LLC, a
Delaware limited liability company; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 34-2020-00278210

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

Date: April 27, 2021

Time: 9:00 a.m

Dept.: 32

Reservation No.: 2555930

Complaint Filed: April 10, 2020

Trial Date: None Set

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I, Larry W. Lee, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, counsel of record for Plaintiff Sondra Hernandez (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel has zealously represented the interests of the Class. Class Counsel engaged in numerous discussions with opposing counsel to obtain informal data on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

3. I have spent significant time researching and pursuing the claims that have been alleged in this action. The Parties engaged in informal discovery in connection with mediation, and participated in the exchange of class data and Defendant's pertinent policies and practices. Based on my review of all the documents and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

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

5. Although Plaintiff believes that a class can be certified, Plaintiff also believes in the fairness of the settlement that is based on factoring in the uncertainty and risks to Plaintiff involved in not prevailing on one or more of the causes of action or theories alleged in the operative Complaint, the possibility of non-certification and potential for appeals.

6. I was retained based upon a contingency fee arrangement wherein Plaintiff's counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiff failed to prevail in this case, counsel for Plaintiff would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiff also failed to prevail in the present case, Defendant would have been able to seek costs in connection with their defense of the case.

1 7. I am one of the primary attorneys on this matter. My qualifications are as
2 follows: I received my J.D. from Arizona State University College of Law in 2003. During law
3 school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated
4 cum laude from Arizona State University College of Law in the top 10% of my class. While I
5 was in law school, I was the Associate Managing Editor of the Arizona State University College
6 of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles
7 County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment
8 defense law firm that represents a significant number of Fortune 500 companies.

9 8. My firm's primary focus is employment law. I have handled a number of wage
10 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
11 encompasses cases in the Los Angeles Superior Court, the Orange County Superior Court, Santa
12 Clara Superior Court, Monterey Superior Court, Sonoma Superior Court, San Francisco County
13 Superior Court, the San Diego County Superior Court, and the United States District Courts for
14 the Central, Eastern, Southern, and Northern Districts of California.

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

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

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

4 11. My co-counsel and I will adequately represent the Class Members in this action.
5 Plaintiff's Counsel have and will zealously represent Plaintiff and the Class and pursue this
6 lawsuit to its conclusion.

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

9 Executed on this 5th day of April 2021, at Los Angeles, California.

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