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the Class, and Aggrieved Employees

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

JAMES SIMS, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

QG PRINTING II LLC, a Connecticut
limited liability company; 74 QG
PRINTING II LLC, business
organization, form unknown; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 5:20-cv-01632-DMG-KK

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFF'S MOTION
FOR ATTORNEYS' FEES, COSTS, AND
CLASS REPRESENTATIVE
ENHANCEMENT PAYMENT**

Date: April 19, 2024

Time: 10:00 A.M.

Courtroom: 8C

Judge: Hon. Dolly M. Gee

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I, Larry W. Lee, declare as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of California and am a member of the law firm, Diversity Law Group, one of the attorneys of record for Plaintiff James Sims (“Plaintiff”), on behalf of himself and other similarly situated individuals, in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I could and would competently do so.

2. Plaintiff's counsel vigorously litigated this Action since the commencement of the Action, including obtaining class certification and contesting appellate review of the class certification order in the Ninth Circuit. Thus, Plaintiff's counsel took on substantial risk in litigating the Action and achieved a fair, reasonable, and adequate settlement for the Class.

3. After taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Settlement Agreement is appropriate and in the best interests of the Parties and that this settlement is fair and reasonable.

4. From the inception of the case, Plaintiff's counsel has zealously represented the interests of the putative class. The settlement was obtained for the benefit of the putative class, as opposed to the individual Plaintiff.

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

6. Plaintiff's counsel's request for fees for one-third of the Gross Settlement Amount and litigation costs was included in the Class Notice that was disseminated to the class members. As of the date of this Declaration, there have been no opt outs submitted to the settlement administrator, and no objections from Class Members filed with the Court. Thus, an inference can be made that the class members approve of the attorney's

1 fee and cost request.

2 **ATTORNEY QUALIFICATIONS**

3 7. I am one of the primary attorneys on this matter. My qualifications are as
4 follows: I received my JD from Arizona State University College of Law in 2003. During
5 law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I
6 graduated *cum laude* from Arizona State University College of Law in the top 10% of my
7 class. While I was in law school, I was the Associate Managing Editor of the Arizona
8 State University College of Law, Law Journal. Upon graduation, I practiced law as an
9 associate at the Los Angeles County offices of Ogletree, Deakins, Nash, Smoak &
10 Stewart, P.C., a national employment defense law firm that represents a significant
11 number of Fortune 50 companies, including many actions involving wage and hour
12 matters.

13 8. My firm's primary focus is employment law. I have handled a number of
14 wage and hour matters including class actions and multiple-plaintiff actions. I have a
15 practice that encompasses cases throughout the State of California, including but not
16 limited to the Los Angeles Superior Courts, the Orange County Superior Courts, the San
17 Francisco County Superior Courts, the San Diego County Superior Courts, and the
18 United States District Courts for the Central, Eastern, Northern, and Southern Districts of
19 California.

20 9. I have been approved as class counsel in a number of class actions that have
21 been granted final approval by the Superior Courts of Los Angeles County, Orange
22 County, San Francisco County, Alameda County, Contra Costa County, Monterey
23 County, San Bernardino County, Santa Clara County, Sonoma County, and other
24 counties, as well as the United States District Court for the Central, Eastern, and Northern
25 Districts of California, including but not limited to the following class actions:

26 *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-
27 445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No.
28 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL

(PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court, Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

10. In addition, I was certified as class counsel by the United States District Court, Central District of California in the case of *Abdullah v. U.S. Security* (Case Number CV 09-09554 GHK); *Avilez v. Pinkerton Government Services, Inc.* (Case Number SACV 11-0493-DOC); *Dynabursky v. Allied Barton Security Services* (Case Number SACV 12-02210 JST); and *Pace v. Petsmart, Inc.* (Case Number SACV 13-500-DOC); by the Northern District of California in the cases of *Harris v. Vector Marketing Corp.* (Case Number CV 08 5198 EMC) and *Lemus et al. v. H&R Block Enterprises, LLC* (Case Number CV-09-03179-SI); and by the Superior Court of California, Orange County in the cases of *De la Cruz v. Abercrombie & Fitch Co. et al.* (Case Number 30-2007-00036240) and *Wu v. General Nutrition Corporation* (Case Number 30-2012-00593759), all as part of the Courts' orders granting class certification pursuant to Rule 23 of the FRCP and California Code of Civil Procedure § 382.

11. To date, I have incurred approximately 228.6 hours in the prosecution of this matter, with an hourly rate of \$900.00 per hour. I anticipate spending an additional 10 hours through final approval and post-approval, including conferring with Class Members, Defendant's Counsel, and the Settlement Administrator. The total lodestar for my hours will be approximately **\$214,740**. Attached as **Exhibit A** is a summary of my hours and tasks on this matter.

12. Since at least 2020, I have been approved at an hourly rate of \$750.00 per

hour by various courts. Examples of these courts include the following cases: *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case No. 16CV299319; *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United States District Court, Northern District of California Case No. 18-cv-03921-EJD; *Chavez v. Converse, Inc.*, United States District Court, Northern District of California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino Superior Court Case No. CIVDS1828867; and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara Superior Court Case No. 19CV345211.

13. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v. City of Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No. CIVDS2015729; *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No. 37-2021-00008619-CU-OE-CTL; *Murray v. Granite Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-084680; *Smith, et al. v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526; *Correa et al. v. FedEx Supply Chain, Inc.*, San Bernardino County Superior Court Case No. CIVDS2023369; *Meguro v. Silicon Valley Bank*, Santa Clara County Superior Court Case No. 20CV369854; and *Linaki v. Genji Pacific, LLC*, Alameda County Superior Court Case No. RG20074795. Additionally, I have been

1 approved at an hourly rate of \$850.00 by various courts in a number of matters, including
2 most recently in *Audycki v. Stanford Health Care*, Santa Clara Superior Court Case No.
3 19CV347173 and *Palomino v. Northrop Grumman Systems Corporation*, Santa Clara
4 Superior Court Case No. 19CV345534.

5 14. As of January 1, 2024, my hourly rate for class and representative actions
6 increased to \$900.00 per hour. I was approved at an hourly rate of \$900.00 in *Jordan v.*
7 *Mondelez Global LLC*, San Bernardino County Case No. CIVSB2202758.

8 I declare under penalty of perjury and the laws of the United States of America and
9 the State of California that the foregoing is true and correct and that this declaration was
10 executed on this 4th day of March 2024, at Los Angeles, California.

11 /s/ Larry W. Lee

12 _____
Larry W. Lee

EXHIBIT A

Sims v. QG Printing
Larry W. Lee Time and Task Chart

Hours	Description of Work
6.8	Review client documents and background information; confer with co-counsel re claims to be filed
6.9	Draft PAGA letter; review and revise class and PAGA complaint
3.2	Review notice of removal; research issues re potential remand motion
4.4	Research and review related cases filed against Defendant; confer with counsel re related cases
13.1	Review motion to dismiss; review and revise opposition to same; legal research re same; review reply brief to same; review court order re same
1.7	Meet and confer re dismissal of 74QG defendant and stip to file same
2.6	Review and revise Rule 26 joint report; meet and confer re same
1.1	Review various Court orders re ADR and scheduling
4.1	Review and revise first set of written discovery to Defendant; review responses to same; meet and confer re same; review supplement responses
14.7	Meet and confer with defense counsel re 1 st mediation; prepare mediation brief for same; conduct damage analysis for same; attend mediation
2.2	Meet and confer re stipulation re time and payroll records; review and revise same
6.7	Review defendant's written discovery requests; review and revise responses to same
10.5	Confer with class members; prepare declarations for same
2.6	Review and revise subsequent sets of written discovery to Defendant; review responses to same
10.7	Prepare for and take deposition of Defendant's FRCP 30b6 witness; review depo transcript
19.7	Meet and confer with defense counsel re class member depositions; coordinate scheduling of same; prepare class members for depositions; take and defend class member depositions
36.4	Review and revise motion for class certification and supporting documents/evidence; review opposition to same; review and revise reply brief re same; legal research re same; review ex parte re objection to same; review and revise opposition to ex parte; attend hearing re same; review court order re same
3.9	Meet and confer re class notice format; review and revise same
13.8	Review motion for reconsideration; review and revise opposition to same; review reply brief to same; review and revise supplemental briefs re same; legal research re same; review Court order re same

6.3	Review motion for stay; review and revise opposition to same; review reply brief to same; legal research re same; review Court order re same
11.7	Review petition to appeal class cert order; review and revise answering brief re same; legal research re same
13.5	Review and revise brief for second mediation; review and revise damage analysis re same; attend second mediation
8.8	Review and revise MOU; confer with counsel and plaintiff re same
4.1	Review and revise long form settlement agreement; confer with counsel re changes to same
4.3	Review and revise Motion for Preliminary Approval and supporting documents
3.9	Review court order motion for preliminary approval
6.6	Confer with class members re settlement issues
4.3	Review and revise Motion for Final Approval and supporting documents
228.6	TOTAL HOURS