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Attorneys for Plaintiff KEVIN HARRIS,
on behalf of himself and all others similarly situated

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

KEVIN HARRIS, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

MCKESSON MEDICAL-SURGICAL
INC., a Delaware Corporation; and DOES
1-50, inclusive,

Defendants

Case No. S-CV-0044686

Assigned for All Purposes to:

Hon. Garen Horst

Dept.: 42

**DECLARATION OF CHRISTINA M. LUCIO
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT, AND
MOTION FOR AWARD OF ATTORNEYS'
FEES, COSTS, AND CLASS
REPRESENTATIVE SERVICE PAYMENT**

Date: June 27, 2024

Time: 8:30 a.m.

Complaint Filed: April 3, 2020

Trial Date: None Set

1 I, Christina M. Lucio, declare as follows:

2 1. I am an individual over the age of 18. I am Of Counsel to the Law Firm of James
3 Hawkins, APLC. I am one of the attorneys of record for Plaintiff Kevin Harris (“Plaintiff” or
4 “Class Representative”), who filed this Class and Representative Action on behalf of himself and
5 all current and former non-exempt employees of Defendant McKesson Medical-Surgical, Inc.
6 (“Defendant”)(with Plaintiff, the “Parties”) in the State of California who hold/held delivery
7 driver positions from April 3, 2016 to January 27, 2023 (the “Class Period”). I have personal
8 knowledge of the facts set forth below, and if called to testify regarding them, I could and would
9 do so competently.

10 2. I submit this Declaration in support of Plaintiff’s Motion for Final Approval of the
11 Class Action and PAGA Settlement, and Motion For Award of Attorneys’ Fees, Costs, and Class
12 Representative Service Payment, which are filed concurrently herewith, along with supporting
13 Memoranda of Points and Authorities.

14 3. Attached to the Declaration of James R. Hawkins as **Exhibit 1** is a true and correct
15 copy of the executed and preliminarily-approved Joint Stipulation of Class Action and PAGA
16 Settlement entered by the parties, including exhibits thereto, for which the parties ask the Court to
17 grant final approval (the “Settlement”).

18 4. I have reviewed the Declarations of James R. Hawkins and Nathalie Hernandez of
19 ILYM Group. I believe that the results of the notice administration process confirm the
20 determination that the Settlement is fair, reasonable and adequate and respectfully request that
21 final approval is granted.

22 **EXPERIENCE**

23 5. In 2003, I graduated magna cum laude from the University of California, Riverside
24 with a Bachelor of Arts Degree. Following graduation, I attended the University of Southern
25 California, Gould School of Law (USC Law School). At various points during law school, I
26 worked with the USC Post-Conviction Justice Project, the Western Center for Disability Rights
27 and the Barrister’s Domestic Violence Clinic. During the Summer of 2005, I was a law clerk for
28 the Law Offices of Bruce Austin (Safeco Insurance). In 2007, while a full-time law student, I

1 was also a Judicial Extern for the Honorable Sandra Ikuta, United States Court of Appeals, Ninth
2 Circuit. Thereafter, in 2007, I graduated from the USC Law School. The same year, I was
3 admitted to practice law in the State of California.

4 6. Since I was admitted to practice law, I have litigated a wide variety of matters on
5 both the plaintiff and defense side. Much of my early experience involved the litigation of
6 general business and labor & employment matters on an individual and class-wide basis. I
7 assisted with the representation of both employers and employees in various capacities, and
8 assisted employers on issues related to compliance with employment laws.

9 7. Since 2012, my work has largely been focused on individual employment
10 litigation and complex wage and hour class actions. In my practice as a class action plaintiffs'
11 attorney, I have been involved in litigating, mediating and settling numerous wage and hour class
12 actions dealing with class sizes ranging from several hundred to several thousand class members
13 resulting in settlements ranging from six figures to multimillion dollar settlements.

14 8. Since 2015, I have also been Of Counsel to the law firm of James Hawkins APLC.

15 9. I have successfully litigated dozens of class and PAGA actions with James
16 Hawkins APLC as one of the counsels of record, including without limitation:

- 17 a. *Smith v. Space Exploration Technologies Corp.*, Los Angeles Superior Court, Case
18 No. BC55429;
- 19 b. *Placencia v. Amcor Packaging Distribution, Inc.*, Orange County Superior Court,
20 Case No. 30-2013-00694012-CU-OE-CXC;
- 21 c. *Trani v. Lisi Aerospace, et al.*, Los Angeles Superior Court, Case No. BC495527;
- 22 d. *Galvan v. Goodwin Co.*, Orange County Superior Court, Case No. 30-2013-
23 00637062-CU-OE-CXC;
- 24 e. *Reyes v. Bristol Fiberlite*, Orange County Superior Court, Case No. 30-2013-
25 00653425-CU-OE-CXC;
- 26 f. *Gutierrez v. HMT Tank*, USDC Central Dist., Case No. CV14-1967-CAS(MANx);
- 27 g. *Williams v. Il Fornaio America Corp.*, Sacramento County, 34-2011-0009616;

- 1 h. *Aguilar v. 7-Eleven, Inc.*, Orange County, Case No. 30-2009-002687141-CU-OE-
2 CXC;
3 i. *Madrigal v. Huntington Beach Market Broiler, Inc.*, Orange County, Case No. 30-
4 2012-00611260;
5 j. *Vang v. Jazz Semiconductor, Inc.*, Orange County, Case no. 30-2011-00460278;
6 k. *Vigueras v. Red Robin, Intl.*, C.D. Cal. Case No. 8:17-cv-01422-JVS (DFMx);
7 l. *Mendez v. Liberty Glass Fabricators, Inc.*, Riverside County Case No.
8 RIC1800119;
9 m. *Aguilar v. LDI Mechanical, Inc.*, Riverside County Case No. RIC1610019.

10 10. I was also co-lead trial counsel in a federal court jury trial in a wage and hour class
11 action, which resulted in an \$8.5 million settlement. *Vigueras v. Red Robin Int'l*, No. SACV 17-
12 1422 JVS (DFMx), 2020 U.S. Dist. LEXIS 262135 (C.D. Cal. Dec. 2, 2020).

13 11. I am currently litigating at least forty other wage and hour class and PAGA actions
14 in State and Federal courts in the state of California.

15 12. Based on our experience, we consider ourselves experienced and qualified to
16 evaluate the claims and viability of the defenses. Based on the history of this case and given our
17 firm's extensive experience as class and representative action employment and wage and hour
18 litigators, it is our view that the settlement is fair, reasonable, and adequate, and in the best
19 interest of the Class Members, as well as the State of California (as to the PAGA claims).

20 13. I have no conflicts of interest with the class or with the Class Representative. I am
21 not related to any representative Plaintiff. I have not previously represented either Defendant in
22 any matter. In sum, I am well-suited to act as Class Counsel and will continue to vigorously
23 represent the interests of the Class.

24 14. I have been the lead day to day counsel in the litigation of the Class and PAGA
25 actions brought on behalf of Plaintiff. I have devoted in excess of 168.4 hours in prosecuting the
26 Action. Such hours were reasonable and necessary. I have 16 years of experience and primarily
27 handled the day-to-day litigation of this matter during the action. The following is a summary of
28 my tasks and activities in prosecuting this matter: conferences with clients regarding claims,

1 review client documents, research regarding Defendant entities, draft rule 26 report and attend
2 conference, draft *Belair* notice, draft informal discovery statement and attend conference,
3 preparing discovery plans, day to day correspondences, conferences with defense counsel,
4 correspondence with client, correspondence with defense counsel, review defense document
5 production, draft and revise CMC statements, draft informal discovery list for mediation,
6 conference regarding mediation preparation, draft mediation brief, participate in mediations,
7 strategizing regarding damages model and research re theories, continued negotiations post-
8 mediation with defense counsel and mediator, work with prospective administrators for bids,
9 correspondence regarding settlement, multiple drafts and revisions regarding settlement
10 agreement and notice documents, review and revise preliminary approval motion and
11 supplemental documents, review and revise related documents, review and revise final approval
12 motion and fee motion, draft relevant pleadings, draft stipulations. My hourly rate is currently
13 \$775 per hour. The number of hours I expended for work performed and the corresponding
14 attorney's fees of \$130,510 are reasonable and necessary.

15 I declare under penalty of perjury under the laws of the State of California and the United
16 States of America that the foregoing is true and correct.

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18 Executed on June 3rd, 2024, in Encinitas, California.

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21 Christina M. Lucio, Esq.
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