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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ERNESTO DELGADO, as individuals and on
behalf of all others similarly situated,

Plaintiffs,

vs.

KLOECKNER METALS CORPORATION,
a Delaware corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 20STCV22503

[Assigned to the Honorable Yvette M.
Palazuelos, Department 9]

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

Date: August 1, 2023
Time: 10:30 A.M.
Dept.: 9

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I, Larry W. Lee, hereby declare and state 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 of the Diversity Law Group, P.C., one of the attorneys of record for Plaintiff Ernesto Delgado (“Plaintiff”), 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. The Notice of Proposed Class Settlement (“Notice”) provided Settlement Class Members with my office’s contact information, where they could further seek information regarding the settlement, leave questions for the Settlement Administrator, and update their address.

3. There were no objections to the amount of attorney's fees or litigation costs that Class Counsel seek in this case and for which Plaintiff asks the Court for final approval.

4. The Second Amended Stipulated Settlement Agreement and Release of Claims (“Settlement Agreement”) was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including exchanging written discovery and reviewing payroll policies and class data, and other information relevant to valuing this case. This allowed Plaintiff to conduct a full damage analysis.

5. The settlement in the case at bar warrants approval and carries a presumption of fairness. As previously noted in the application for Preliminary Approval, this current settlement was negotiated at arm's length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class Members as a whole.

6. I have been approved as class counsel in numerous other wage/hour class actions that have been granted class certification and final approval.

7. My qualifications are as follows: I received my JD from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of

1 Brobeck, Phleger & Harrison. I graduated *cum laude* from Arizona State University College of
2 Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor
3 of the Arizona State University College of Law, Law Journal. For more than one and one-half
4 years after graduating from law school, I practiced law as an associate at the Los Angeles County
5 offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law
6 firm, representing Fortune 500 companies in employment matters, including wage and hour class
7 actions.

8 8. My primary practice is employment law. I have handled a number of wage and
9 hour matters including class actions and individual actions, on both plaintiff and defense sides. I
10 have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County
11 Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior
12 Courts, and the United States District Courts for the Central, Northern, and Eastern Districts of
13 California. I have been named as Class Counsel in a number of class actions that have been
14 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
15 Francisco County, and the United States District Court for the Central District of California,
16 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
17 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
18 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
19 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court
20 Case No. JCCP 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No. BC392717; and
21 *Hernandez v. CVS Corporation*, Los Angeles Superior Court Case No. JCCP 4539.

22 9. To date, I have incurred approximately 11.5 hours in connection with the
23 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred
24 to date.

25 10. The total lodestar for my hours will be approximately \$8,625.00 based on an
26 hourly rate of \$750.00 per hour. Since at least 2018, I have been approved at an hourly rate of
27 \$700.00 per hour by various Courts, in a number of matters, including *Stafford v. Brinks et al.*,
28 Los Angeles County Superior Court Case No. BC532260; *Chavez v. Kenneth Cole Productions,*
Inc., Santa Clara Superior Court Case No. 17CV306407; *Chavez v. Adidas*, U.S. District Court

1 for the Northern District of California Case No. 5:16-cv-06533-LHK; *Mankin v. Taste Catering*,
2 San Mateo Superior Court Case No. 17-CIV-03497; *Ricardo Macias v. SASCO*, Santa Clara
3 County Superior Court Case No. 16CV304263; *Valles v. Community Hospital of the Monterey*
4 *Peninsula*, Monterey Superior Court Case No. 17CV003452; *Diaz v. WeDriveU*, Santa Clara
5 Superior Court Case No. 17CV306547; *Sanchez v. American Para Professional Systems, Inc.*,
6 Santa Clara County Superior Court Case No. 17CV306751; *Hernandez v Pei Wei*, United States
7 District Court, Central District of California Case No. 8:17-cv-00679-JLS-JCG; *Song v. THC-*
8 *Orange County, Inc.*, U.S. District Court for the Central District of California Case No. 8:17-
9 cv00965-JLS-DFMx; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No.
10 RG15761142; *Huertas v. Chevron Stations*, Santa Clara Superior Court Case No. 17CV309996;
11 and *In re DirecTv Wage and Hour Cases*, JCCP Case No. 4850. As of 2020, I increased my
12 hourly rate to \$750.00 per hour. I have been approved at \$750.00 per hour by the Santa Clara
13 County Superior Court in *Hernandez v. Wells Fargo Bank*, Case No. 16CV299319 and *Carrillo*
14 *v. New Balance Athletics, Inc.*, Case No. 19CV352469; the United States District Court,
15 Northern District of California in *Ramirez v. Walgreen Co.*, Case No. 18-cv-03921-EJD and in
16 *Chavez v. Converse, Inc.*, Case No. 15-cv-03746-NC; and the Alameda Superior Court in *Foster*
17 *v. Schindler Elevator Corporation*, Case No. RG19029640.

18 11. My firm has incurred costs in the amount of \$18,525.49. The costs are all
19 litigation related costs, including filing fees, service costs, and mediation fees. Attached hereto as
20 **Exhibit B** is copy of the costs my firm has incurred in connection with prosecution of this
21 lawsuit.

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

24 Executed on this 7th day of July 2023, at Los Angeles, California.

25 
26 _____
27 Larry W. Lee
28

EXHIBIT A

Delgado v. Kloeckner Metals
Larry W. Lee Time and Task Chart

Hours	Description of Work
.8	Review and edit Complaint.
.7	Review and edit damages analysis ahead of mediation.
1.3	Review and edit mediation brief.
5.9	Review and edit Motion for Class Certification and supporting papers.
.5	Communication re settlement.
1.0	Review and edit Settlement Agreement.
.7	Review and edit Motion for Preliminary Approval
.6	Draft Motion for Final Approval and Accompanying Papers
11.5	TOTAL HOURS

EXHIBIT B

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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Delgado, Ernesto v. Kloeckner
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
62681	EXP	Olympia	1	75.00	75.00
5/20/2020		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
LWDA					
62842	EXP	Olympia	1	6.90	6.90
5/31/2020		Postage			
WIP		Delgado, Ernesto v. Kloeckne			
Postage					
63118	EXP	Olympia	1	1632.95	1632.95
6/10/2020		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Complaint					
63484	EXP	Olympia	1	87.49	87.49
7/15/2020		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Complaint Service					
64850	EXP	Olympia	15	0.25	3.75
10/31/2020		Photocopies			
WIP		Delgado, Ernesto v. Kloeckne			
Photocopies					
64851	EXP	Olympia	1	0.80	0.80
10/31/2020		Postage			
WIP		Delgado, Ernesto v. Kloeckne			
Postage					
65483	EXP	Olympia	1	972.00	972.00
12/23/2020		Transcript/DEP			
WIP		Delgado, Ernesto v. Kloeckne			
U.S. Legal Support - Deposition Transcript of Ernesto Delgado					
65735	EXP	Olympia	10	0.25	2.50
12/31/2020		Photocopies			
WIP		Delgado, Ernesto v. Kloeckne			
Photocopies					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
65736	EXP	Olympia	1	1.00	1.00
12/31/2020		Postage			
WIP		Delgado, Ernesto v. Kloeckne			
Postage					
66316	EXP	Olympia	1	9000.00	9000.00
3/3/2021		Arbitrators			
WIP		Delgado, Ernesto v. Kloeckne			
Serratore Law					
66360	EXP	Olympia	1	593.28	593.28
3/11/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
67301	EXP	Kristen Agnew	1	23.62	23.62
3/22/2021		Meals			
WIP		Delgado, Ernesto v. Kloeckne			
Meal					
67303	EXP	Larry W. Lee	1	10.17	10.17
3/22/2021		Meals			
WIP		Delgado, Ernesto v. Kloeckne			
Meal					
67304	EXP	Larry W. Lee	1	6.55	6.55
3/22/2021		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
Meal					
66901	EXP	Olympia	1	546.25	546.25
4/12/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
67219	EXP	Olympia	1	356.25	356.25
5/10/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
67341	EXP	Olympia	1	1111.05	1111.05
5/19/2021		Transcript/DEP			
WIP		Delgado, Ernesto v. Kloeckne			
Litigation Services - Deposition Transcript of PMK					
67349	EXP	Olympia	1	712.10	712.10
5/19/2021		Transcript/DEP			
WIP		Delgado, Ernesto v. Kloeckne			
Litigation Services - Deposition Transcript of PMK					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
67546	EXP	Olympia	1	47.50	47.50
6/8/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
68123	EXP	Olympia	1	118.75	118.75
7/15/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
68865	EXP	Olympia	1	50.45	50.45
8/10/2021		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Chamber Copy					
68599	EXP	Olympia	1	2743.60	2743.60
8/20/2021		Experts			
WIP		Delgado, Ernesto v. Kloeckne			
Econ One					
69578	EXP	Christine S. Lee	1	37.09	37.09
10/8/2021		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Chamber Copy					
69991	EXP	Olympia	1	40.04	40.04
11/23/2021		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Chamber Copy					
69995	EXP	Olympia	1	109.46	109.46
11/30/2021		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Chamber Copy					
70314	EXP	Christine S. Lee	1	103.04	103.04
12/20/2021		Atty Service			
WIP		Delgado, Ernesto v. Kloeckne			
Attorney Service - Chamber Copy					
71337	EXP	Erika Mejia	1	14.02	14.02
4/8/2022		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
ACE E Filing - CMS					
71882	EXP	Erika Mejia	1	75.82	75.82
5/24/2022		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
ACE E Filing - MPA					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
72826	EXP	Olympia	1	14.02	14.02
8/23/2022		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
ACE E Filing - Notice of Minute Order					
74266	EXP	Erika Mejia	1	15.02	15.02
1/25/2023		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
ACE E Filing - Supp Brief					
74432	EXP	Olympia	1	15.02	15.02
2/15/2023		Court fees			
WIP		Delgado, Ernesto v. Kloeckne			
ACE E Filing - NOE					
Grand Total					
			Billable	0.00	18525.49
			Unbillable	0.00	0.00
			Total	0.00	18525.49