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Attorneys for Plaintiff Don M. Vasquez, individually and
on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF TULARE

DON M. VASQUEZ, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

SAPUTO CHEESE USA INC., a Delaware
corporation; and DOES 1 through 25,
inclusive

Defendants.

Case No. VCU282978

Consolidated with Case No. VCU283853

ASSIGNED FOR ALL PURPOSES TO:

The Honorable John P. Bianco

Department 2

CLASS ACTION

**DECLARATION OF JONATHAN M.
LEBE IN SUPPORT OF
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

Hearing: December 4, 2023

Time: 8:30 a.m.

Dept.: 2

Judge: Hon. John P. Bianco

Complaint filed: May 27, 2020

Trial date: Not set

DECLARATION OF JONATHAN M. LEBE

I, Jonathan M. Lebe, declare as follows:

1. I am an attorney duly licensed to practice law before all courts in the State of California. I am the Managing Attorney of Lebe Law, A Professional Law Corporation and I represent Don Vasquez ("Plaintiff") in this action. I have personal knowledge of the facts set forth herein and, if called and sworn in as a witness, could and would testify competently thereto.

2. I submit this supplemental declaration in support of Plaintiff's Unopposed Motion for Preliminary Approval of the Class Action Settlement.

Experience of Class Counsel

3. I received Bachelor of Arts degrees in Political Science and International Studies from Northwestern University in 2008. I received my Juris Doctorate from Santa Clara University School of Law in 2012. During law school, I was a legal extern to the Honorable Nandor J. Vadas of the U.S. District Court, Northern District of California. I also had legal internships during law school with the Civil Division of the U.S. Attorney's Office and the Complex Litigation Division of the San Francisco City Attorney's Office.

4. I was admitted to the California State Bar in the Fall of 2012. I am admitted to practice in all state courts in California and in all United States District Courts in California.

5. Upon admission to the State Bar, I became a Deputy County Counsel in the Litigation Section of the Santa Clara County Counsel's office. The Santa Clara County Counsel's office is one of the largest and most sophisticated offices of government lawyers in the county. The County Counsel's office engages in significant impact litigation and, of course, is responsible for the legal representation of the County. In my capacity as Deputy County Counsel, I litigated cases ranging from employment disputes to constitutional challenges to County jail policies.

6. Before starting my own firm, I also worked as an associate attorney with Lawyers for Justice, P.C., a class action law firm in California. In that capacity, I was

1 responsible for the day-to-day management of numerous wage and hour class actions at a
2 given time.

3 7. I started my own law firm in early 2016. In 2018, 2019, 2020, 2021, and 2022,
4 I was selected as a Super Lawyer Rising Star based on nominations from my peers, a
5 distinction only received by 2.5% of attorneys. The vast majority of my practice consists of
6 litigating wage and hour class actions filed in California. Some of our firm's representative
7 matters include:

8 a. *Midwest Motor Supply Co. v. Superior Court* (2020) 56 Cal.App.5th 702: In its
9 published opinion, the Court of Appeal affirmed the trial court's denial
10 of Defendant's motion to dismiss or stay action for forum non conveniens because
11 Defendant's purported forum selection clause was unenforceable under Labor Code
12 section 925.

13 b. *Zakaryan v. The Men's Wearhouse, Inc.* (2019) 33 Cal.App.5th 659: In its
14 published opinion, Court of Appeal affirmed a trial court's denial of Defendant's
15 motion to compel arbitration (disapproved on another ground in *ZB, N.A. v.*
16 *Superior Court* (2019) 8 Cal.5th 175).

17 8. I have been appointed certified Class Counsel in the following proceedings in
18 connection with approvals of wage and hour class action and Private Attorney General Act
19 settlements: *Amie Pfiefer v. Zesty Inc.*, San Francisco Superior Court, CGC-19-574570;
20 *Anthony Dirico, et al. v. Seek Capital, LLC*, Los Angeles Superior Court Case No. BC698076;
21 *Brandon Centino v. Arrowhead Products, Orange County Superior Court*, Case No. 30-2018-
22 00988493; *Donna Burris v. Resort Vacations, Inc.*, Orange County Superior Court, Case No.
23 2018-00997260; *Elizabeth Merritt v. Houzz Inc.*, Santa Clara Superior Court, Case No.
24 19CV341181; *Janet Manteon v. M.A.C. Cosmetics, Inc.*, Los Angeles County Superior Court,
25 Case No. BC702940; *Jamal Holcomb v. Weiser Security Services, Inc.*, Los Angeles Superior
26 Court, Case No. 19STCV03843; *Jerome Hughes, et al. v. Surveillance Security, Inc.*, Judicial
27 Coordination Proceeding Case No. 4969; *Jihwan Kim v. Demandforce, Inc.*, San Francisco
28 Superior Court, Case No. CGC-18-570997; *Jordan Olson v. Medtronic, Inc., et al.*, San

1 Francisco Superior Court, Case No. CGC-19-576875; *Joseph Jun Caballero v. MLTD, Inc.*,
2 Los Angeles Superior Court Case No. BC659936; *Kendall Klette v. Balboa Capital*
3 *Corporation*, Orange County Superior Court, Case No. 30-2018-00970552; *Kevin Klein v.*
4 *Loomis Armored, US LLC*, San Bernardino Superior Court Case No. CIVDS1704547; *Leslie*
5 *Walling v. National Funding Inc.*, San Diego Superior Court, Case No. 201800061889; *Lorena*
6 *Sanchez v. Valley Presbyterian Hospital*, Los Angeles Superior Court Case No. BC678638;
7 *Lucas Cardena v. Strata Capital Corporation*, Orange County Superior Court, Case No. 30-
8 2018-01041233-CU-OE-CXC; *Michael Schmitz, et al. v. HealthIQ Re Inc.*, Santa Clara
9 Superior Court, Case No. 18CV337951; *Patricia Martinez v. Whaler LLC*, Los Angeles
10 Superior Court Case No. BC621047; *Rhett Hubbard v. Caliber Home Loans, Inc.*, Orange
11 County Superior Court, 30-2018-01017838; *Shameka Watson v. Aegis Security &*
12 *Investigations Inc.*, Los Angeles Superior Court Case No. BC695411; *Shayna Amster v.*
13 *Starbucks Corporation*, San Bernardino Superior Court, Case No. CIVDS1922016; *Suzana*
14 *Mederos v. Consolidated Disposal Service, L.L.C.*, Los Angeles Superior Court, Case No.
15 BC677379; *Tyler Jones, et al. v. Citiguard, Inc.*, Los Angeles County Superior Court Case No.
16 BC664890; *Lamir McQueen v. City of Santa Monica*, Los Angeles County Superior Court
17 Case No. BC627227; *David Kassis v. Paychex North America Inc.*, Sacramento County
18 Superior Court Case No. 2019-00270896-CV; *George Van Heel v. GCA Educational Services,*
19 *Inc.*, Los Angeles County Superior Court Case No. 19STCV44969; *Don Vasquez v. Milk*
20 *Specialties Company*, Tulare County Superior Court Case No. VCU282778; *Chafen Suttle v.*
21 *Children's Hospital Los Angeles*, Los Angeles County Superior Court Case No.
22 19STCV46960; *Tanya Savidis v. Lumber Liquidators Inc.*, Alameda County Superior Court
23 Case No. RG20057480; *Patrick Finch v. Midwest Motor Supply Co.*, Contra Costa Superior
24 Court Case No. CIVMSC19-02038; *Beniyam Kebede v. Wrike, Inc.*, Santa Clara County
25 Superior Court Case No. 20CV366599; *Jason Mitchiner v. Move Sales, Inc.*, Los Angeles
26 County Superior Court Case No. 20STCV23141; *Craig Russell v. Nutanix, Inc.*, Santa Clara
27 County Superior Court Case No. 20CV3669431; *James Fleming v. Mission Linen Supply,*
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1 Sacramento County Superior Court Case No. 2019-00267357-CV; *LaDonna Page v. Insource*
2 *Performance Solutions, LLC*, Alameda Superior Court Case No. RG21096367.

3 9. Zachary Gershman is an associate attorney of Lebe Law, APLC in good
4 standing of the State Bar of California and admitted to practice in all state courts in California,
5 and in the Central, Eastern, and Northern United States District Courts in California.

6 10. Mr. Gershman began working for Lebe Law, APLC in August of 2019 as a law
7 clerk after graduating from the USC Gould School of Law in May of 2019, where he was an
8 Executive Senior Editor of the Southern California Law Review. He received his Bachelor of
9 Arts degree in Political Science from the University of Connecticut in 2015. He was admitted
10 to the California State Bar on December 2, 2019.

11 11. I consider myself experienced and qualified to evaluate the class claims and
12 viability of the defenses. Based on the history of the above-captioned case, and given my
13 experience and analysis, it is my view that the settlement is fair, reasonable, and adequate, and
14 in the best interest of the class members. Had the litigation not reached the proposed
15 settlement set forth in the Settlement Agreement, I would have continued to prosecute the
16 class' claims through certification, trial and beyond.

17 I declare under penalty of perjury under the laws of the State of California and the
18 United States of America that the foregoing is true and correct. Executed on November 7, 2023
19 in the City of Los Angeles in the State of California.

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