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

NICOLA ROMANO, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

SSA TERMINALS, LLC, a Delaware
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 20STCV29048

[Assigned for all purposes to the Hon. William F.
Highberger, Department 10]

**DECLARATION OF NICHOLAS
ROSENTHAL IN SUPPORT OF
PLAINTIFF’S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: November 9, 2022
Time: 11:00 a.m.
Dept.: 10

Complaint Filed: July 30, 2020
Trial Date: None Set

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I, Nicholas Rosenthal, 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, P.C., counsel of record for Plaintiff Nicola Romano (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The settlement 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 conducting discovery and reviewing class data and information pertaining to relevant policies and practices of Defendant SSA Terminals, LLC (“Defendant”).

4. The Parties also participated in private mediation with the Honorable Thierry Patrick Colaw (Ret.). After the exchange of further information and extended negotiations following mediation, the Parties reached an agreement in principle which was memorialized in a Memorandum of Understanding. After further continued negotiations, the Parties reached the present class-wide settlement.

5. Based on Class Counsel's independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Settlement Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm's length and was facilitated by an experienced mediator. Thus, this settlement should be granted final approval.

6. The Notice of Class and Representative Action Settlement (“Notice Packet”) provided Settlement Class Members with my office’s contact information, where they could further seek information regarding the class settlement, information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Settlement Administrator, and update their address.

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

3 8. I am one of the primary attorneys on this matter. My qualifications are as follows:
4 I received my *Juris Doctorate* degree from USC Gould Law School in 2009. Upon graduation, I
5 was employed as an associate for approximately 4 years at Seyfarth Shaw LLP, a national
6 employment defense law firm. While at Seyfarth my practice was exclusively labor &
7 employment defense and I represented numerous corporations in large employment class actions.
8 In 2014, I began as an associate at Diversity Law Group.

9 9. I have been certified as class counsel in a number of cases, including *Diller v.*
10 *Under Armour Retail, Inc.*, Santa Clara County Superior Court Case No. 114-CV-265729, *Dall*
11 *v. Post Alarm Systems*, Los Angeles County Superior Court Case No. BC598528, *Lopez v.*
12 *Imperial Body Shop, Inc.*, Orange County Superior Court Case No. Case No. 30-2015-00816193-
13 CU-OE-CXC, *Hughes v. Lincare, Inc., et al.*, Monterey County Superior Court Case No.
14 M124764, *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case
15 No. CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
16 Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County
17 Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento
18 County Superior Court Case No. 34-2018-00245481-CU-OE-GDS, *Chavez v. Converse, Inc.*,
19 United States District Court – Northern District of California Case No. 15-cv-03746-NC, and
20 *Rodriguez v. Nike Retail Services, Inc.*, United States District Court – Northern District of
21 California Case No. 5:14-CV-1508 BLF.

22 10. To date, I have incurred approximately 73.8 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.

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11. The total lodestar for my hours will be approximately \$51,660.00 based on an hourly rate of \$700.00 per hour. I have been approved previously at a rate of \$650.00 by various courts, including: *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento County Superior Court Case No. 34-2018-00245481-CU-OE-GDS *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; *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; *Pascual v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court Case No. 19CV345211; *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Vogel v. Veolia North America, LLC*, Monterey County Superior Court Case No. 19CV001443; *Holman v. American Sugar Refining, Inc.*, Contra Costa County Superior Court Case No. MSC18-00415; and *Chavez v. Converse, Inc.*, United States District Court, Northern District of California Case No. 15-cv-03746-NC. As of January 1, 2022, my hourly rate increased to \$700.00. As of January 1, 2022, my hourly rate increased to \$700.00. I have been approved at the \$700.00 rate in *Gutierrez v. Spa Havens, LP*, San Diego Superior Court Case No. 37-2019-00057065-CU-OE-NC; *Cruzado v. Ontario T, Inc.*, San Bernardino Superior Court Case No. CIVSB2027249; *Ray v. C&W Facility Services, Inc.*, San Bernardino Superior Court Case No. CIVSB2101321; *Alvarez v. Forterra Building Products*, San Diego Superior Court Case No. 37-2020-00018179-CU-OE-CTL; *Dunn v. Universal Plant Services of California, Inc.*, Solano County Superior Court Case No. FCS056134, *Pulido v. Georgia-Pacific Corrugated III LLC*, Fresno Superior Court Case No. 18CECG00265; and *In re: FPI Management Wage and Hour Cases*, Los Angeles Superior Court Case No. JCCP5050.

I declare under penalty of perjury under the laws of the State of California that the

foregoing is true and correct.

Executed on this 17th day of October 2022, at Los Angeles, California.



Nicholas Rosenthal

EXHIBIT A

Romano v. SSA Terminals
Nicholas Rosenthal Time and Task Chart

Hours	Description of Work
2.7	Review client documents.
4.0	Legal research into potential claims.
.6	Draft LWDA letter.
3.6	Draft Complaint.
4.5	Prepare written discovery requests.
3.3	Review discovery responses provided by Defendant; further communications with Defendant regarding responses.
8.1	Review Defendant's discovery requests and draft written responses.
4.8	Communications with client re: discovery.
2.1	Communicate with defense counsel about possible mediation; retain mediator.
1.3	Prepare damages analysis prior to mediation.
6.2	Prepare mediation brief.
8.4	Attend mediation.
5.0	Continued negotiations with Defendant after mediation.
6.2	Draft and edit settlement agreement and class notice.
7.1	Prepare Motion for Preliminary Approval.
5.9	Prepare Motion for Final Approval.
73.8	TOTAL HOURS