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Attorneys for Plaintiff and Aggrieved Employees

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

ROBERT RODRIGUEZ, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

CITY NATIONAL BANK, business entity
form unknown; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 20STCV29761

[Assigned for all purposes to the Hon.
Malcolm Mackey, Department 55]

**DECLARATION OF NICHOLAS
ROSENTHAL IN SUPPORT OF
PLAINTIFF'S MOTION TO APPROVE
SETTLEMENT AGREEMENT
PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT**

Date: November 10, 2022
Time: 8:30 a.m.
Dept.: 55

Reservation No.: 936780749585

Complaint Filed: August 6, 2020
Trial Date: None

1 I, Nicholas Rosenthal, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
3 California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff
4 Robert Rodriguez (“Plaintiff”). I have personal knowledge of the facts set forth below and if
5 called to testify I could and would do so competently.

6 2. From the inception of the case, Plaintiff’s Counsel have zealously represented
7 the interests of Plaintiff and the Aggrieved Employees.

8 3. I strongly believe that Plaintiff can prevail at trial. However, I also believe in the
9 fairness of the settlement. After taking into account sharply disputed factual and legal issues
10 involved in this litigation, the risks attending further prosecution, and the substantial benefits
11 to be received pursuant to the compromise and settlement of the litigation, I have concluded
12 that settlement on the terms set forth in the Joint Stipulation of Settlement and Release
13 (“Agreement” or “Settlement”) is appropriate and in the best interests of Plaintiff and the
14 Aggrieved Employees.

15 4. My qualifications are as follows: I received my JD from University of Southern
16 California Gould School of Law in 2009. Upon graduation, I practiced law as an associate at
17 Seyfarth Shaw LLP, representing corporate clients in both single-plaintiff and wage and hour
18 class actions. In 2014, I began as an associate at Diversity Law Group.

19 5. I have handled a number of wage and hour matters including class actions and
20 multiple-plaintiff actions. I have been named as Class Counsel in a number of class actions
21 that have been granted certification or preliminary or final approval by the Superior Courts of
22 Los Angeles County, Orange County, Alameda County, and Monterey County, the United
23 States District Court for the Central District of California, and the United States District Court
24 for the Northern District of California. These cases include, but are not limited to: *Diller v.*
25 *Under Armour Retail, Inc.*, Santa Clara County Superior Court Case No. 114-CV-265729,
26 *Dall v. Post Alarm Systems*, Los Angeles County Superior Court Case No. BC598528, *Lopez*
27 *v. Imperial Body Shop, Inc.*, Orange County Superior Court Case No. Case No. 30-2015-
28 00816193-CU-OE-CXC, and *Hughes v. Lincare, Inc., et al.*, Monterey Superior Court Case No.

1 M124764.

2 6. To date, I have incurred approximately 25.4 hours in connection with the
3 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have
4 incurred to date. The total lodestar for my hours will be approximately \$17,780 based on an
5 hourly rate of \$700.00 per hour.

6 7. I have been approved at an hourly rate of \$650.00 per hour by various Courts,
7 including: *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case
8 No. CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
9 Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda
10 County Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*,
11 Sacramento County Superior Court Case No. 34-2018-00245481-CU-OE-GDS *Foaad Hanna*
12 *v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v.*
13 *24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144; *Markham v. Quik*
14 *Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*,
15 Ventura Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline Services,*
16 *Inc.*, San Bernardino Superior Court Case No. CIVDS1828867, *Pascual v. Satellite*
17 *Healthcare, Inc.*, Santa Clara County Superior Court Case No. 19CV345211; *Carrillo v. New*
18 *Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Vogel v.*
19 *Veolia North America, LLC*, Monterey County Superior Court Case No. 19CV001443;
20 *Holman v. American Sugar Refining, Inc.*, Contra Costa County Superior Court Case No.
21 MSC18-00415; and *Chavez v. Converse, Inc.*, United States District Court, Northern District
22 of California Case No. 15-cv-03746-NC. As of 2022, I increased my hourly rate to \$700.00
23 per hour. I have been approved at an hourly rate of \$700.00 since the beginning of 2022,
24 including in *Gutierrez v. Spa Havens, LP*, San Diego Super Court Case No. 37-2019-
25 00057065-CU-OE-NC, *Ray v. C&W Facility Services Inc.*, San Bernardino Superior Court
26 Case No. CIVSB2101321, *Diaz v. Acuity Brands Lighting, Inc.*, San Bernardino Superior
27 Court Case No. CIVDS2015583, and *Alvarez v. Forterra Building Products*, San Diego
28 Superior Court Case No. 37-2020-00018179-CU-OE-CTL

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

3 Executed on this 1st day of June 2022, at Los Angeles, California.

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6 Nicholas Rosenthal
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EXHIBIT A

Robert Rodriguez v. City National Bank
Time and Task Chart for Nick Rosenthal

Hours	Description of Work
4.7	Review class data; edit mediation statement.
10.9	Prepare for and attend mediation.
3.3	Draft Joint Stipulation of Settlement and Release under PAGA.
6.5	Review and edit Motion for Approval of PAGA Settlement.
25.4	TOTAL HOURS