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Attorneys for Plaintiffs and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

CINTHIA MENDOZA and DELISHIA
HYDE, as individuals and on behalf of all
others similarly situated,

Plaintiffs,

vs.

PRIME NOW LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: RG20068286

(Assigned to the Hon. Evelio Grillo, Dept. 21)

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: December 20, 2022

Time: 10:00 A.M.

Dept.: 21

Reservation No.: 429567802028

Complaint Filed: July 21, 2020

FAC Filed: April 5, 2022

SAC Filed: November 4, 2022

Trial Date: None Set

DECLARATION OF LARRY W. LEE

I, Larry W. Lee, 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, counsel of record for Plaintiffs Delishia Hyde, Eugenia Dubose, Clara Trotter, and Araya Turner (together, “Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I am one of the primary attorneys on this matter. From the inception of the case, Class Counsel has zealously represented the interests of the Settlement Class. I have spent significant time researching and pursuing the claims that have been alleged in this action. I have no conflict with the Settlement Class.

3. Both Class Counsel and defense counsel have a great deal of experience in wage and hour class action litigation. Class Counsel have been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the Settlement Class.

4. Based on my own independent investigation and evaluation, I am of the opinion that settlement for the consideration and on the terms set forth in the Class Action Settlement Agreement and Release (“Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Settlement Class, in light of all known facts and circumstances and the expenses and risks inherent in litigation.

5. I was retained based upon a contingency fee arrangement wherein Plaintiffs' counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiffs failed to prevail in this case, counsel for Plaintiffs would have spent a significant amount of time, money, and other resources without any benefit or return. Class Counsel have, at their own risk, expended costs to file this instant action, effect service of process, pay mediation fees, and pay other litigation related costs like the cost for obtaining deposition transcripts. In addition, had Plaintiffs also failed to prevail in the present case, Defendant would have been able to seek costs in connection with their defense of the case.

1 6. My qualifications are as follows: I received my J.D. from Arizona State University
2 College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck,
3 Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the
4 top 10% of my class. While I was in law school, I was the Associate Managing Editor of the
5 Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an
6 associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a
7 national employment defense law firm that represents a significant number of Fortune 500
8 companies.

9 7. My firm's primary focus is employment law. I have handled a number of wage and
10 hour matters including class actions and multiple-plaintiff actions. I have a practice that
11 encompasses cases in the Los Angeles County Superior Court, the Orange County Superior Court,
12 Santa Clara Superior Court, Monterey County Superior Court, Sonoma County Superior Court,
13 San Francisco County Superior Court, the San Diego County Superior Court, and the United
14 States District Courts for the Central, Eastern, Southern, and Northern Districts of California.

15 8. I have been named as Class Counsel in a number of class actions that have been
16 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
17 Francisco County, and other counties, and the United States District Court for the Central,
18 Eastern, and Northern Districts of California, including the following class actions: *Chan Lanier*
19 *v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v.*
20 *Acoustic Home Loans et al.*, Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*,
21 Central District of California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection*
22 *Overtime Cases*, Orange County Superior Court, Judicial Council Coordination Proceeding No.
23 4480; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539;
24 *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v.*
25 *Community Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No.
26 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council
27 Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior
28 Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court

1 Case No. CV-18-558.

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

4 Executed on this 28th day of November 2022, at Los Angeles, California.

5 
6 Larry W. Lee