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Attorneys for Plaintiff and others similarly situated

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CINNAMON MILLS, individually, on
a representative basis, and on behalf of
all others similarly situated;

Plaintiff,

vs.

TARGET CORPORATION, a
Minnesota Corporation; and DOES 1
through 20, inclusive;

Defendants.

Case No.: 5:20-CV-01460-JGB-KK
[Assigned to Hon. Jesus G. Bernal]

FRCP RULE 23 CLASS ACTION

**DECLARATION OF PETER J.
CARLSON, ESQ., IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL**

Complaint filed: June 10, 2020

1 I, Peter J. Carlson, state and declare:

2 1. I am an attorney duly licensed to practice law in the State of California and
3 am a senior associate at Lauby, Mankin & Lauby LLP, attorneys of record for Plaintiff
4 Cinnamon Mills ("Plaintiff"). I am fully familiar with the facts of this case and submit
5 this declaration in support of Plaintiff's Motion for Preliminary Approval. The matters set
6 forth herein are based upon my personal knowledge and, if called upon as a witness, I
7 could and would give competent testimony with respect to the matters contained herein.

8 2. For the sake of brevity, this declaration does not discuss the settlement itself,
9 the procedural background of the litigation, the claims and investigation by my firm and
10 co-counsel, and why the settlement is fair and reasonable. Those topics are covered in
11 detail in the concurrently filed Declaration of Brian Mankin. This declaration simply
12 provides information as to why I am adequate class counsel.

13 **QUALIFICATION OF COUNSEL**

14 3. I graduated from the University of Oregon School of Law in May 2013 and
15 have been a member, in good standing, of the State Bar of California since January 2014.
16 I am licensed to practice before all courts of the State of California and am admitted to
17 practice in the United States District Court for the Central District of California and have
18 litigated cases in various courts and counties throughout California, including successful
19 briefing and argument in the Court of Appeal.

20 4. I began working at Fernandez & Lauby LLP (the predecessor of Lauby,
21 Mankin & Lauby LLP) in March 2016 and, since that time, my practice has consisted
22 solely of representing employees. The vast majority of my cases have been litigated as
23 class actions, representative PAGA actions, or a combination of the two.

24 5. I have been the handling attorney on 160 class action and/or representative
25 PAGA actions. And, on these cases, myself and/or my firm have been appointed Class
26 Counsel on over half of these cases and have helped negotiate settlements totaling over
27 \$90,500,000 for my clients, the employees, and the State of California.

6. I was the handling attorney for the second largest PAGA-only settlement in California's history – a \$12.5 million-dollar court approved settlement, which followed extensive litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50 company (*Garcia v. Macy's*, San Bernardino Superior Court Case No. CIVDS1516007).

7. I have tried two major class and PAGA cases against Fortune 100 companies, both of which were appealed. In 2018, I was the handling attorney on a PAGA-only case in Orange County where my firm succeeded on a motion for summary adjudication and litigated through trial to obtain a \$425,000 judgment for over 1,600 aggrieved employees. Also, in 2019, I was the handling attorney for my firm on a class action against Walmart, where we obtained class certification on behalf of over 5,000 employees. After extensive litigation, the matter went to trial, and the jury returned a verdict of approximately \$6.1 million on the meal period claims.

8. Additionally, I have handled approximately 6 cases for which we received class certification orders following contested certification motions concerning similar claims.

9. In 2022 and 2023, I was also selected as a Super Lawyers Rising Star.

CONCLUSION

10. As set forth above, I have litigated 160 class and representative actions, and have successfully resolved many of those cases, with many others that will resolve in the future.

11. For these reasons, as well as the facts and information presented in the other concurrently filed declarations, it is respectfully requested that the Court: (1) grant preliminary approval of the settlement as being fair, reasonable, and in the best interests of the class, (2) appoint Plaintiff as the Class Representative, (3) appoint Brian J. Mankin and Peter Carlson of Lauby, Mankin & Lauby LLP, and Deepak Gupta of Gupta Wessler PLLC as Class Counsel, and (4) preliminarily approve the requested attorneys' fees, costs, and enhancement payment to the Class Representative.

1 I declare under penalty of perjury under the laws of the State of California and the
2 United States of America that the foregoing is true and correct. Executed on October 11,
3 2023, at Riverside, California.

4
5 By: 
6 Peter J. Carlson, Esq.