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Attorneys for Plaintiff Eric Garcia, individually and
on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF FRESNO

ERIC GARCIA, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

LIGHTNING SOURCE LLC; INGRAM
DISTRIBUTION MANAGEMENT INC.;
INGRAM CONTENT GROUP LLC; and
DOES 1 through 25, inclusive

Defendants.

Case No. 20CECG01641

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Kimberly Gaab

Department 503

CLASS AND PAGA ACTION

**DECLARATION OF JONATHAN M.
LEBE IN SUPPORT OF RENEWED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: October 13, 2022

Time: 3:30 p.m.

Dept: 503

Judge: Hon. Kimberly Gaab

Filed: June 10, 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 Eric Garcia ("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 declaration in support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement.

Class Counsel Qualifications

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

1 time. In this position, I engaged in all possible types of motion practice including preparing
2 motions for class certification.

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

- 7 a. *Midwest Motor Supply Co. v. Superior Court* (2020) 56 Cal.App.5th 702: In its
8 published opinion, the Court of Appeal affirmed the trial court's denial
9 of Defendant's motion to dismiss or stay action for forum non conveniens because
10 Defendant's purported forum selection clause was unenforceable under Labor Code
11 section 925.
- 12 b. *Zakaryan v. The Men's Wearhouse, Inc.* (2019) 33 Cal.App.5th 659: In its
13 published opinion, Court of Appeal affirmed a trial court's denial of Defendant's
14 motion to compel arbitration (disapproved on another ground in *ZB, N.A. v.*
15 *Superior Court* (2019) 8 Cal.5th 175).
- 16 c. *Ortega v. Carson Wild Wings, LLC* (Los Angeles Superior Court, Case No.
17 BC677388): In this matter, our firm obtained a unanimous jury verdict holding our
18 client's former employer responsible for wrongful termination and retaliation. In its
19 verdict, the jury awarded our client \$300,000 in lost earnings, emotional distress
20 damages, punitive damages and penalties. The Court also awarded \$291,948 in
21 attorneys' fees. This matter is currently on appeal.

22 8. I have been appointed certified Class Counsel in the following proceedings in
23 connection with approvals of wage and hour class action and Private Attorney General Act
24 settlements: *Amie Pfiefer v. Zesty Inc.*, San Francisco Superior Court, CGC-19-574570;
25 *Anthony Dirico, et al. v. Seek Capital, LLC*, Los Angeles Superior Court Case No. BC698076;
26 *Brandon Centino v. Arrowhead Products*, Orange County Superior Court, Case No. 30-2018-
27 00988493; *Donna Burris v. Resort Vacations, Inc.*, Orange County Superior Court, Case No.
28 2018-00997260; *Elizabeth Merritt v. Houzz Inc.*, Santa Clara Superior Court, Case No.

19CV341181; *Janet Manteon v. M.A.C. Cosmetics, Inc.*, Los Angeles County Superior Court, Case No. BC702940; *Jamal Holcomb v. Weiser Security Services, Inc.*, Los Angeles Superior Court, Case No. 19STCV03843; *Jerome Hughes, et al. v. Surveillance Security, Inc.*, Judicial Coordination Proceeding Case No. 4969; *Jihwan Kim v. Demandforce, Inc.*, San Francisco Superior Court, Case No. CGC-18-570997; *Jordan Olson v. Medtronic, Inc., et al.*, San Francisco Superior Court, Case No. CGC-19-576875; *Joseph Jun Caballero v. MLTD, Inc.*, Los Angeles Superior Court Case No. BC659936; *Kendall Klette v. Balboa Capital Corporation*, Orange County Superior Court, Case No. 30-2018-00970552; *Kevin Klein v. Loomis Armored, US LLC*, San Bernardino Superior Court Case No. CIVDS1704547; *Leslie Walling v. National Funding Inc.*, San Diego Superior Court, Case No. 201800061889; *Lorena Sanchez v. Valley Presbyterian Hospital*, Los Angeles Superior Court Case No. BC678638; *Lucas Cardena v. Strata Capital Corporation*, Orange County Superior Court, Case No. 30-2018-01041233-CU-OE-CXC; *Michael Schmitz, et al. v. HealthIQ Re Inc.*, Santa Clara Superior Court, Case No. 18CV337951; *Patricia Martinez v. Whaler LLC*, Los Angeles Superior Court Case No. BC621047; *Rhett Hubbard v. Caliber Home Loans, Inc.*, Orange County Superior Court, 30-2018-01017838; *Shameka Watson v. Aegis Security & Investigations Inc.*, Los Angeles Superior Court Case No. BC695411; *Shayna Amster v. Starbucks Corporation*, San Bernardino Superior Court, Case No. CIVDS1922016; *Suzana Mederos v. Consolidated Disposal Service, L.L.C.*, Los Angeles Superior Court, Case No. BC677379; *Tyler Jones, et al. v. Citiguard, Inc.*, Los Angeles County Superior Court Case Number BC664890; *Don Vasquez v. Milk Specialties Company*, Tulare County Superior Court Case Number VCU282778.

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

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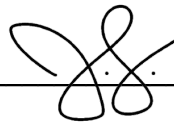
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1 10. Mr. Gershman began working for Lebe Law, APLC in August of 2019 as a law
2 clerk after graduating from the USC Gould School of Law in May of 2019, where he was an
3 Executive Senior Editor of the Southern California Law Review. He received his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

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7 I declare under penalty of perjury under the laws of the State of California and the
8 United States of America that the foregoing is true and correct. Executed on November 29,
9 2021 in the City of Los Angeles in the State of California.

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JONATHAN M. LEBE