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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

JON BETTERTON, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

ACCENTURE FLEX, LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 20CV368771

(Assigned to the Honorable Sunil R. Kulkarni,
Department 1)

**DECLARATION OF WILLIAM L.
MARDER IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 12, 2021

Time: 1:30 pm

Dept.: 1

Complaint Filed: July 29, 2020

Trial Date: None

**Electronically Filed
by Superior Court of CA,
County of Santa Clara,
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1 **DECLARATION OF WILLIAM L. MARDER**

2 I, William L. Marder, hereby declare and state as follows:

3 1. I am an attorney at law duly admitted to practice before all courts in the State of
4 California and am a partner of the law firm of the Polaris Law Group, one of the attorneys of
5 record for Plaintiff Jon Betterton ("Plaintiff"), in the above-entitled action. I have personal
6 knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I
7 could and would competently do so.

8 2. From the inception of the case, Class Counsel has zealously represented the
9 interests of the Class. Class Counsel engaged in substantial discussions with opposing counsel to
10 obtain informal data and documents on behalf of the Class. This settlement was obtained for the
11 benefit of the Class, as opposed to the individual Class Representative.

12 3. Based on my review of all the information, and based on my experience in class
13 action litigation, I believe this settlement to be fair, adequate, and reasonable.

14 4. Although Plaintiff believes that a class can be certified, Plaintiff also believes in
15 the fairness of the settlement that is based on factoring in the uncertainty and risks to Plaintiff
16 involved in not prevailing on one or more of the causes of action or theories alleged in the
17 operative Complaint, the possibility of non-certification and potential for appeals.

18 5. I graduated from UCLA Law School in 1993 and was admitted to the California
19 Bar in 1994. Since that time, I have acquired substantial experience in employment litigation. I
20 have represented both plaintiffs and defendants. I estimate that I have handled more than 300
21 employment cases, litigating cases in state and federal courts.

22 6. I have defended large institutional employers in employment cases. From 1995-
23 1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented the City of
24 Sacramento, Yolo County, the City of Davis, Solano County and other employers in employment
25 litigation in state and federal courts.

26 7. From 1997-2000, I served as a Deputy County Counsel in San Benito, handling
27 all of its employment matters. These matters include advising the county on compliance with
28 wage and hour laws, arbitrations, and litigation.

8. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an AV rated firm, where I represented numerous plaintiffs and defendants in employment lawsuits.

9. In 2006, I co-founded the Polaris Law Group where I spend most of my time handling employment cases. I primarily represent employees.

10. I have been the sole trial attorney in two jury trials in which I represented a plaintiff who prevailed on wrongful termination claims brought pursuant to the California Fair Employment & Housing Act, California Government § 12900 et seq. These two cases are: *Gamayo v. Drobny Law Offices*, Sacramento Superior Court Case No.: 34-2008-00005372CU; and *Cherub Berlanga v. Willow Grove School District*, San Benito County Superior Case No.: CU-09-00100.

11. I have been the sole trial attorney in two court trials in which I represented plaintiffs who prevailed on wage and hour claims. These cases are: *Smith v. Joyce*, Monterey County Superior Court Case No.: M74334; and *Nava v. Rodriguez*, San Benito County Superior Court Case No.: CU-08-00022.

12. I have also been approved as class counsel in numerous cases including *Sison v. Headway Technologies*, Case No. 1-13-CV-254591 and *Barrera v. Home Depot*, Northern District of California Case No. C 12 5199 LHK.

13. My co-counsel and I will adequately represent the Class Members in this action. Plaintiff's Counsel have and will zealously represent Plaintiff and the Class and pursue this lawsuit to its conclusion. I have no conflicts with the Class and will adequately represent the Class.

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

Executed on this 21 day of July, 2021, at San Jose, California.

William L. Marder

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