

**Electronically Filed
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Case #20CV368771
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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 LARRY W. LEE 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

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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 Named Plaintiff Jon Betterton (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

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

3. I have spent significant time researching and pursuing the claims that have been alleged in this action. The Parties engaged in informal discovery in connection with mediation, and participated in the exchange of class data and Defendant's pertinent policies and practices. Based on my review of all the documents and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

4. I was retained based upon a contingency fee arrangement wherein Plaintiff's counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiff failed to prevail in this case, counsel for Plaintiff would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiff also failed to prevail in the present case, Defendant would have been able to seek costs in connection with their defense of the case.

5. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment

1 defense law firm that represents a significant number of Fortune 500 companies.

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

8 7. I have been approved as Class Counsel in a number of class actions, including but
9 not limited to *Chan-Lanier v. Citibank* (Case No. CGC-050445143); *Hernandez v. CVS*
10 *Pharmacy, Inc.* (Judicial Council Coordination Proceeding No. 4539), *Tse v. Best Buy Co, Inc.*
11 (Case Number BC 393717), *Orgeta v. AIG, Inc* (Case Number CV 06—196-RSWL (PJWx)),
12 and *Castro v. UPS Freight, Inc.* (Case Number CV 08-4898 ODW (CWx)) and by this Court in
13 *Chavez v. PVH* (Case No. C 13-01797 LHK).

14 8. In addition, I was certified as class counsel by the United States District Court,
15 Central District of California in the cases *Abdullah v. U.S. Security* (Case Number CV 09-09554
16 GHK), *Avilez v. Pinkerton Government Services, Inc.* (Case Number SACV 11-0493-DOC),
17 *Dynabursky v. Allied Barton Security Services* (Case Number SACV 12-02210 JST); and *Pace v.*
18 *Petsmart, Inc.* (Case Number SACV 13-500-DOC); by the Northern District of California in the
19 cases of *Harris v. Vector Marketing Corp.*, (Case Number CV 08 5198 EMC), and *Lemus et al.*
20 *v. H&R Block Enterprises, LLC* (Case Number CV-09-03179-SI); and by the Superior Court of
21 California, Orange County in the cases of *De la Cruz v. Abercrombie & Fitch Co. et al.* (Case
22 Number 30-2007-00036240) and *Wu v. General Nutrition Corporation* (Case Number 30-2012-
23 00593759), all as part of the Courts' orders granting class certification pursuant to Rule 23 of the
24 FRCP and California Code of Civil Procedure § 382. I served as lead counsel on these cases.

25 9. My co-counsel and I will adequately represent the Class Members in this action.
26 Plaintiff's Counsel have and will zealously represent Plaintiff and the Class and pursue this
27 lawsuit to its conclusion.

28 I declare under penalty of perjury under the laws of the State of California that the

1 foregoing is true and correct.

2 Executed on this 21st day of July, 2021, at Los Angeles, California.

3 

4 _____
Larry W. Lee