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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SACRAMENTO

ALONZO SMITH, DAWN WILLIAMS, and
ROMERO REYES, as individuals and on behalf
of all others similarly situated, and as private
attorneys general,

Plaintiffs,

vs.

CLEAN HARBORS ENVIRONMENTAL
SERVICES, INC., a Massachusetts corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 34-2021-00292526

[Hon. Lauri A. Damrell, Department 28]

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

Date: March 10, 2023
Time: 9:00 a.m.
Department: 28

Complaint Filed: January 14, 2021

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Attorneys for Plaintiff Reyes

1 I, Larry W. Lee, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and, with the law firm
3 Diversity Law Group, P.C., am counsel of record for Plaintiff, Dawn Williams. I make this declaration
4 on the basis of my own personal knowledge, except as to those matters stated on information and belief
5 and, as to those matters, I believe them to be true. If called as a witness, I could testify competently as to
6 the facts stated in this declaration.

7 2. The Notice of Proposed Class Action Settlement (“Class Notice”) provided Class
8 Members with my office’s contact information, where they could further seek information regarding the
9 class settlement, leave questions for the Administrator, and update their address.

10 3. There were no objections to the amount of attorneys’ fees or litigation costs that Class
11 Counsel seek in this case and for which Plaintiff asks the Court for final approval.

12 4. Class Counsel engaged in extensive factual investigation before settling, including the
13 exchange of formal and informal discovery and class data. This allowed Plaintiff to conduct a full
14 damage analysis. The Agreement was the product of negotiation between highly able and experienced
15 attorneys on both sides who possessed the relevant data and extensive legal research which they had
16 carefully analyzed.

17 5. The settlement in the case at bar warrants approval and carries a presumption of fairness.
18 As previously noted in the application for Preliminary Approval, this current settlement was negotiated
19 at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the
20 Class Members as a whole.

21 6. My firm has a great deal of experience in wage and hour class action litigation and has
22 been approved as class counsel in a number of class actions.

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

1 Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of
2 Fortune 500 companies, including wage and hour class actions.

3 8. My firm's primary focus is employment law. I have handled a number of wage and hour
4 matters including class actions and individual actions, on both plaintiff and defense sides. I have a
5 practice that encompasses cases throughout the State of California, including but not limited to the Los
6 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior
7 Courts, the San Diego County Superior Courts, and the United States District Courts for the Central,
8 Eastern, Northern, and Southern Districts of California. I have been named as Class Counsel in a
9 number of class actions that have been granted final approval by the Superior Courts of Los Angeles
10 County, Orange County, San Francisco County, Alameda County, Contra Costa County, Monterey
11 County, San Bernardino County, Santa Clara County, Sonoma County, and the United States District
12 Court for the Central, Eastern, and Northern Districts of California.

13 9. My firm has incurred costs in the amount of \$9,993.11. The costs are all litigation related
14 costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is copy of the costs my
15 firm has incurred in connection with prosecution of this lawsuit.

16 10. To date, I have incurred approximately 100.8 hours in the prosecution of this matter, with
17 an hourly rate of \$800.00 per hour. I anticipate spending an additional 15.0 hours through final approval
18 and post-approval, including conferring with class members, defense counsel, and the administrator, as
19 well as appearing for the hearing of the Motion for Final Approval. The total lodestar for my hours will
20 be approximately \$92,640.00. Attached as **Exhibit B** is a summary of my hours and tasks on this matter.
21 Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by various Courts,
22 including this Court. Examples of these Courts include the following cases: *Hernandez v. Wells Fargo*
23 *Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New Balance Athletics,*
24 *Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United
25 States District Court, Northern District of California Case No. 18-cv-03921-EJD, *Chavez v. Converse,*
26 *Inc.*, United States District Court, Northern District of California Case No. 15-cv-03746-NC; *Foster v.*
27 *Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna*
28 *v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven*

1 *LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*
2 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez*
3 *Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael Randolph*
4 *v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Markham v.*
5 *Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*,
6 Ventura Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San
7 Bernardino Superior Court Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v.*
8 *Satellite Healthcare, Inc.*, Santa Clara Superior Court Case No. 19CV345211.

9 11. On January 26, 2023, Plaintiff uploaded the Order Granting Plaintiffs' Motion for
10 Preliminary Approval of Class Action Settlement to the LWDA's website. Concurrent with the filing of
11 this motion, Plaintiff also has uploaded the final approval motion to the LWDA.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing is
13 true and correct. Executed this 14th day of February 2023, at Los Angeles, California.

14 

15 _____
Larry W. Lee

EXHIBIT A

2/7/2023
10:36 AM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Williams, Dawn v. Clean
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
63421	EXP	Olympia	1	75.00	75.00
7/31/2020		Court fees			
WIP		Williams, Dawn v. Clean			
Courtcall					
63922	EXP	Olympia	1	653.25	653.25
8/17/2020		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - Complaint					
64097	EXP	Olympia	1	6.90	6.90
8/31/2020		Postage			
WIP		Williams, Dawn v. Clean			
Postage					
64720	EXP	Olympia	1	64.75	64.75
10/7/2020		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - Complaint Service					
64757	EXP	Olympia	1	171.75	171.75
10/16/2020		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - POS of Summons					
66554	EXP	Olympia	1	0.71	0.71
2/28/2021		Postage			
WIP		Williams, Dawn v. Clean			
Postage					
66553	EXP	Olympia	6	0.25	1.50
2/28/2021		Photocopies			
WIP		Williams, Dawn v. Clean			
Photocopies					
68227	EXP	Olympia	1	8000.00	8000.00
7/27/2021		Arbitrators			
WIP		Williams, Dawn v. Clean			
Louis Marlin Mediation					

2/7/2023
10:36 AM

DIVERSITY LAW GROUP
Slip Listing

Page 2

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
73509	EXP	Erika Mejia	1	173.89	173.89
10/13/2022		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - Messenger Service					
73510	EXP	Erika Mejia	1	322.77	322.77
10/13/2022		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - MPA					
73511	EXP	Erika Mejia	1	151.85	151.85
10/13/2022		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - Messenger Service					
73666	EXP	Erika Mejia	1	2.00	2.00
12/5/2022		Court fees			
WIP		Williams, Dawn v. Clean			
Online Minutes					
74101	EXP	Olympia	1	68.74	68.74
12/21/2022		Atty Service			
WIP		Williams, Dawn v. Clean			
Attorney Service - Proposed Order re MPA					
74329	EXP	Larry W. Lee	1	300.00	300.00
2/7/2023		Court fees			
WIP		Williams, Dawn v. Clean			
MFA Filing/Service					
Grand Total					
Billable			0.00		9993.11
Unbillable			0.00		0.00
Total			0.00		9993.11

EXHIBIT B

Time and Task Summary
for Smith et al. v. Clean Harbors Environmental Services, Inc.
Larry W. Lee

Description of Work	Hours
Review client documents and background information; confer with co-counsel re claims to be filed	7.6
Draft PAGA letter; review and revise class and PAGA complaint	8.9
Review Notice of Removal and related documents filed by Defendant; research remand issues; confer with co counsel re potential for remand	6.3
Review and revise CMC statements; review notices re same; confer with counsel re same	3.6
Review scheduling orders	1.1
Review and revise first and second amended complaints	2.4
Review and revise Plaintiff's initial disclosures; review Defendant's initial disclosures	4.1
Review and revise first set of written discovery to Defendant	5.5
Research and revise related cases filed against Defendant; confer with plaintiffs' counsel re related cases and global mediation	10.2
Confer with counsel re mediation and data needed for mediation; review class member data for mediation	6.3
Review and revise mediation brief; attend mediation	18.6
Review and revise MOU; confer with counsel and plaintiff re same	3.8
Review and revise long form settlement agreement; confer with counsel re changes to same	6.6
Review and revise Motion for Preliminary Approval and supporting documents	4.3
Confer with class members re settlement issues	6.7
Review and revise Motion for Final Approval and supporting documents	4.8
TOTAL	100.8