

Larry W. Lee (State Bar No. 228175)
Nicholas Rosenthal (State Bar No. 268297)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
nrosenthal@diversitylaw.com

Attorneys for Plaintiff and the Class

ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

09/14/2023 at 04:17:42 PM

By: Anita Dhir,
Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

SUNSHINE DEERING, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

ROMAN EMPIRE ABA SERVICES, INC.,
a California corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: RG20072383

[Assigned for all purposes to the Hon. Brad
Seligman, Dept. 23]

CLASS ACTION

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

Hearing Information

Date: October 10, 2023

Time: 3:00 p.m.

Dept.: 23

Reservation ID: A-20072383-001

Complaint Filed: September 2, 2020

Trial Date: Not Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

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 Plaintiff [redacted] Deering (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

3. The Joint Stipulation of Class and Representative Action Settlement Agreement (“Settlement Agreement”) is the product of negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including engaging in formal and informal discovery. Class Counsel reviewed sample time and payroll records of class members, and class and PAGA data produced by Defendant. This allowed Class Counsel to analyze liability and exposure.

5. The settlement in the case at bar warrants approval and carries a presumption of fairness. As previously noted in the application for preliminary approval, this current settlement was negotiated at arm's length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the class members as a whole.

7. 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

1 associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a
2 national employment defense law firm that represents a significant number of Fortune 500
3 companies.

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

10 9. I have been named as class counsel in a number of class actions that have been
11 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
12 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
13 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
14 District Court for the Central, Eastern, and Northern Districts of California, including but not
15 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
16 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
17 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
18 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
19 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial
20 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior
21 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
22 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
23 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
24 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
25 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

26 10. To date, I have incurred approximately 17.5 hours in connection with the litigation
27 of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date.

28 11. As such, the total lodestar for my hours will be approximately \$14,000 based on

1 17.5 hours, at an hourly rate of \$800.00 per hour. Since at least 2020, I have been approved at an
2 hourly rate of \$750.00 per hour by various Courts. Examples of these Courts include the
3 following cases: *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case No.
4 16CV299319, *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case
5 No. 19CV352469; *Ramirez v. Walgreen Co.*, United States District Court, Northern District of
6 California Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*, United States District Court,
7 Northern District of California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator*
8 *Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix,*
9 *LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*,
10 Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*
11 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v.*
12 *Martinez Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132;
13 *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
14 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case
15 No. 19CV341582; *Siron v. Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-
16 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino County Superior Court
17 Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*,
18 Santa Clara County Superior Court Case No. 19CV345211. I was approved at an hourly rate of
19 \$800.00 per hour in *Martinez and Acosta v. City of Hope National Medical Center, et al.*, San
20 Bernardino County Superior Court Case No. CIVDS2015729, *Jaime Moen v. Genentech, Inc.*,
21 San Diego County Superior Court Case No. 37-2021-00008619-CU-OE-CTL, *Murray v. Granite*
22 *Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-084680, and *Smith, et al.*
23 *v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-
24 2021-00292526.

25 12. Any remaining monies from uncashed settlement checks will be distributed to
26 Legal Aid At Work. I do not have any relationship with or connection or to said
27 organization/program.

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 ____ day of September 2023, at Los Angeles, California.

3 
4 _____
5 Larry W. Lee

EXHIBIT A

DEERING V. ROMAN EMPIRE ADA SERVICES, INC.
Time and Task Chart for Larry W. Lee

Hours	Description of Work
1.4	Review and edit complaint.
2.9	Review Defendant's discovery responses and document production.
1.6	Review and edit mediation brief.
8.4	Attend mediation.
.9	Review long form settlement agreement.
1.6	Review and edit Motion for Preliminary Approval and supporting documents.
.7	Review and edit Motion for Final Approval.
Total: 17.5	