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13 Attorneys for Plaintiff, the Class, and Aggrieved Employees

14 **SUPERIOR COURT OF CALIFORNIA**

15 **COUNTY OF MONTEREY**

16 REBECCA PINEDA, as an individual and
17 on behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 IPPOLITO INTERNATIONAL L.P.; and
21 DOES 1 through 50, inclusive,

22 Defendants.

Case No. 20CV001851

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

Date: February 22, 2022

Time: 9:00 a.m.

Dept.: 15

Complaint Filed: July 10, 2020

DECLARATION OF LARRY W. LEE

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, P.C., counsel of record for Plaintiff Rebecca Pineda (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The settlement was the product of negotiation 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 discovery, reviewing class data and information pertaining to relevant policies and practices of Defendant.

4. The Parties also participated in private mediation with the Honorable Richard M. Silver (Ret.). As a result of the arm's length negotiation, facilitated by the mediator, the Parties reached the current settlement.

5. Based on Class Counsel's independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm's length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

6. The Notice of Class Action Settlement (“Notice”) provided Class Members with my office’s contact information, where they could further seek information regarding the class settlement, information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Claims Administrator, and update their address.

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

8. I have been approved as class counsel in numerous other wage/hour class actions

1 that have been granted class certification and final approval.

2 9. To date, I have incurred approximately 61.1 hours in connection with the
3 litigation of this lawsuit. Attached hereto as **Exhibit A** is a chart summarizing the amount of
4 work I have incurred to date on this matter.

5 10. In addition to the hours above, I also anticipate spending an additional 10 hours
6 traveling to and attending the final approval motion, conferring and reviewing e-mails and other
7 written communications with counsel for Defendant, the Claims Administrator, and Class
8 Members regarding any post-final approval matters, including payments and related issues.

9 11. Thus, I anticipate the total amount of my fees incurred in this case to be
10 approximately \$53,325.00 based on an hourly rate of \$750.00 per hour. Since at least 2018, I
11 have been approved at an hourly rate of \$700.00 per hour by various Courts, in a number of
12 matters, including *Stafford v. Brinks et al.*, Los Angeles County Superior Court Case No.
13 BC532260; *Chavez v. Kenneth Cole Productions, Inc.*, Santa Clara Superior Court Case No.
14 17CV306407; *Chavez v. Adidas*, U.S. District Court for the Northern District of California Case
15 No. 5:16-cv-06533-LHK; *Mankin v. Taste Catering*, San Mateo Superior Court Case No. 17-
16 CIV-03497; *Ricardo Macias v. SASCO*, Santa Clara County Superior Court Case No.
17 16CV304263; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey Superior
18 Court Case No. 17CV003452; *Diaz v. WeDriveU*, Santa Clara Superior Court Case No.
19 17CV306547; *Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County
20 Superior Court Case No. 17CV306751; *Hernandez v Pei Wei*, United States District Court,
21 Central District of California Case No. 8:17-cv-00679-JLS-JCG; *Song v. THC-Orange County,*
22 *Inc.*, U.S. District Court for the Central District of California Case No. 8:17-cv00965-JLS-
23 DFMx; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No.
24 RG15761142; *Huertas v. Chevron Stations*, Santa Clara Superior Court Case No. 17CV309996;
25 and *In re DirecTv Wage and Hour Cases*, JCCP Case No. 4850. As of 2020, I increased my
26 hourly rate to \$750.00 per hour. I have been approved at \$750.00 per hour by the Santa Clara
27 County Superior Court in *Hernandez v. Wells Fargo Bank*, Santa Clara Superior Court Case No.
28 16CV299319.

1 12. My qualifications are as follows: I received my JD from Arizona State University
2 College of Law in 2003. During law school, I was a summer associate at the law firm of
3 Brobeck, Phleger & Harrison. I graduated *cum laude* from Arizona State University College of
4 Law in the top 10% of my class. While I was in law school, I was the Associate Managing
5 Editor of the Arizona State University College of Law, Law Journal. For more than one and
6 one-half years after graduating from law school, I practiced law as an associate at the Los
7 Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national
8 employment defense law firm, representing Fortune 500 companies in employment matters,
9 including wage and hour class actions.

10 13. My primary practice is employment law. I have handled a number of wage and
11 hour matters including class actions and individual actions, on both plaintiff and defense sides. I
12 have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County
13 Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior
14 Courts, and the United States District Courts for the Central, Northern, and Eastern Districts of
15 California. I have been named as Class Counsel in a number of class actions that have been
16 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
17 Francisco County, and the United States District Court for the Central District of California,
18 including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
19 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
20 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
21 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court
22 Case No. JCCP 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No. BC392717; and
23 *Hernandez v. CVS Corporation*, Los Angeles Superior Court Case No. JCCP 4539.

24 14. My firm has incurred costs in the amount of \$642.45. The costs are all litigation-
25 related costs, including filing fees, service fees, and copy costs. Attached hereto as **Exhibit B** is
26 copy of the costs my firm has incurred in connection with prosecution of this lawsuit.

27 15. Concurrent with the filing of this Motion, my office has also uploaded this Motion
28 to the California Labor Workforce Development Agency.

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

3 Executed on this January 26, 2022, at Los Angeles, California.

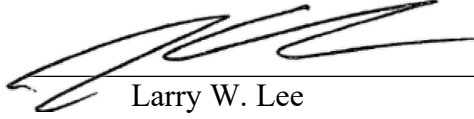
4 
5 Larry W. Lee

EXHIBIT A

Pineda v. Ippolito
Larry W. Lee Time and Task Chart

Hours	Description of Work
3.8	Review client documents and research Defendant's background and prior litigation history
2.4	Review and revise PAGA letter and complaint
.8	Review and revise joint cmc statement; confer with counsel re same
21.2	Review and revise written discovery to Defendant; review Defendant's responses to same; substantial meet and confer re same; attend informal discovery conferences re same; draft motions to compel re same
2.1	Confer with counsel re mediation and mediation data
13.7	Review and revise mediation brief; analyze data and calculate damages for same; attend mediation
5.1	Review and revise settlement agreement; confer with counsel re same
7.6	Draft motion for preliminary approval and supporting documents; attend hearing re same
1.1	Confer with class members re settlement issues
3.3	Draft motion for final approval and supporting documents
61.1	TOTAL HOURS

EXHIBIT B

1/18/2022
8:58 AM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Pineda, Rebecca v. Ippolito
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		
63074	EXP	Olympia	1	75.00	75.00
7/2/2020		Court fees			
WIP		Pineda, Rebecca v. Ippolito			
LWDA					
63597	EXP	Olympia	2	0.25	0.50
7/31/2020		Photocopies			
WIP		Pineda, Rebecca v. Ippolito			
Photocopies					
63598	EXP	Olympia	1	7.40	7.40
7/31/2020		Postage			
WIP		Pineda, Rebecca v. Ippolito			
Postage					
64384	EXP	Olympia	1	3.60	3.60
10/9/2020		Court fees			
WIP		Pineda, Rebecca v. Ippolito			
Odyssey - Joint CMS					
64880	EXP	Olympia	21	0.25	5.25
10/31/2020		Photocopies			
WIP		Pineda, Rebecca v. Ippolito			
Photocopies					
64881	EXP	Olympia	1	1.70	1.70
10/31/2020		Postage			
WIP		Pineda, Rebecca v. Ippolito			
Postage					
64929	EXP	Larry W. Lee	1	94.00	94.00
11/9/2020		Court fees			
WIP		Pineda, Rebecca v. Ippolito			
[No description]					
66915	EXP	Olympia	1	3.60	3.60
4/13/2021		Court fees			
WIP		Pineda, Rebecca v. Ippolito			
Odyssey - Joint CMS					

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Slip ID Dates and Time Posting Status Description	Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
66939 EXP 4/20/2021 WIP Courtcalls	Larry W. Lee Court fees Pineda, Rebecca v. Ippolito	1	94.00	94.00
68205 EXP 7/26/2021 WIP Odyssey - Joint CMS	Olympia Court fees Pineda, Rebecca v. Ippolito	1	3.60	3.60
68633 EXP 8/26/2021 WIP Odyssey - Stip to Vacate CMC	Olympia Court fees Pineda, Rebecca v. Ippolito	1	24.15	24.15
68637 EXP 8/27/2021 WIP Odyssey - NOE	Olympia Court fees Pineda, Rebecca v. Ippolito	1	3.60	3.60
69459 EXP 10/22/2021 WIP Odyssey - MPA	Olympia Court fees Pineda, Rebecca v. Ippolito	1	65.25	65.25
69847 EXP 12/3/2021 WIP Odyssey - NOE	Olympia Court fees Pineda, Rebecca v. Ippolito	1	3.60	3.60
70086 EXP 12/10/2021 WIP Odyssey - Stip to Cont CMC	Olympia Court fees Pineda, Rebecca v. Ippolito	1	3.60	3.60
70099 EXP 12/13/2021 WIP Odyssey - NOE	Olympia Court fees Pineda, Rebecca v. Ippolito	1	3.60	3.60
70432 EXP 1/18/2022 WIP Filing Fees	Olympia Court fees Pineda, Rebecca v. Ippolito	1	250.00	250.00
Grand Total	Billable	0.00		642.45

1/18/2022
8:58 AM

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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		
	Unbillable	0.00		0.00
	Total	0.00		642.45