

DIVERSITY LAW GROUP, P.C.
Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Simon L. Yang (State Bar No. 260286)
sly@diversitylaw.com
515 South Figueroa Street, Suite 1250
Los Angeles, California 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

POLARIS LAW GROUP
William L. Marder (State Bar No. 170131)
bill@polarislawgroup.com
501 San Benito Street, Suite 200
Hollister, California 95023
Telephone: (831) 531-4214
Facsimile: (831) 634-0333

Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

CARLOS MUNGUIA and JOSE ESQUIVEL, as
individuals and on behalf of all others similarly
situated, and as private attorneys general,

Plaintiffs,

vs.

BLUE LINE FOODSERVICE DISTRIBUTION,
INC., a Michigan corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No. 30-2020-01157719-CU-OE-CXC

[Hon. Lon F. Hurwitz, Department CX103]

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

Date: October 6, 2023
Time: 1:30 p.m.
Department: CX103

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 Plaintiffs. I make this declaration on the basis of
4 my own personal knowledge, except as to those matters stated on information and belief and, as to those
5 matters, I believe them to be true. If called as a witness, I could testify competently as to the facts stated
6 in this declaration.

7 2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with
8 my office’s contact information, where they could further seek information regarding the class
9 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 Plaintiffs ask 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 Plaintiffs 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 \$6,403.61. 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. On June 1, 2023, Plaintiffs uploaded the Order Granting Plaintiffs' Motion for
17 Preliminary Approval of Class Action Settlement to the LWDA's website. Concurrent with the filing of
18 this motion, Plaintiffs also have uploaded the final approval motion to the LWDA.

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

21 

22 _____
Larry W. Lee

EXHIBIT A

9/7/2023
9:26 AM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Munguia, Carlos v. Blue
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		
63778	EXP	Olympia	1	75.00	75.00
8/26/2020		Court fees			
WIP		Munguia, Carlos v. Blue			
LWDA					
63845	EXP	Olympia	1	12.20	12.20
8/31/2020		Court fees			
WIP		Munguia, Carlos v. Blue			
OneLegal					
63846	EXP	Olympia	1	12.20	12.20
8/31/2020		Court fees			
WIP		Munguia, Carlos v. Blue			
OneLegal					
64066	EXP	Olympia	5	0.25	1.25
8/31/2020		Photocopies			
WIP		Munguia, Carlos v. Blue			
Photocopies					
64067	EXP	Olympia	1	7.40	7.40
8/31/2020		Postage			
WIP		Munguia, Carlos v. Blue			
Postage					
64456	EXP	Olympia	1	1494.56	1494.56
8/31/2020		Court fees			
WIP		Munguia, Carlos v. Blue			
OneLegal - Complaint					
64457	EXP	Olympia	1	12.20	12.20
8/31/2020		Court fees			
WIP		Munguia, Carlos v. Blue			
OneLegal - Summons					
64337	EXP	Olympia	1	63.25	63.25
9/9/2020		Atty Service			
WIP		Munguia, Carlos v. Blue			
Attorney Service - Complaint Service					

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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
64106 EXP 9/16/2020 WIP OneLegal - POS of Summons	Olympia Court fees Munguia, Carlos v. Blue	1	12.20	12.20
64163 EXP 9/25/2020 WIP OneLegal - FAC	Olympia Court fees Munguia, Carlos v. Blue	1	15.20	15.20
64185 EXP 9/28/2020 WIP OneLegal - POS	Olympia Court fees Munguia, Carlos v. Blue	1	12.20	12.20
64552 EXP 9/30/2020 WIP Postage	Olympia Postage Munguia, Carlos v. Blue	1	13.80	13.80
66013 EXP 2/4/2021 WIP OneLegal - Notice of Minute Order	Olympia Court fees Munguia, Carlos v. Blue	1	18.25	18.25
66313 EXP 3/3/2021 WIP OneLegal - Status Conference Statement	Olympia Court fees Munguia, Carlos v. Blue	1	19.82	19.82
66966 EXP 4/21/2021 WIP Duckworth & Peters LLP	Olympia Arbitrators Munguia, Carlos v. Blue	1	4000.00	4000.00
68676 EXP 8/31/2021 WIP One Legal - CMS	Erika Mejia Court fees Munguia, Carlos v. Blue	1	17.50	17.50
68706 EXP 9/7/2021 WIP One Legal - Proposed Stip	Erika Mejia Court fees Munguia, Carlos v. Blue	1	40.41	40.41
68716 EXP 9/8/2021 WIP One Legal - Notice	Erika Mejia Court fees Munguia, Carlos v. Blue	1	19.82	19.82

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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
69480 EXP 10/26/2021 WIP One Legal - Status Conf Statement	Linda Lee Court fees Munguia, Carlos v. Blue	1	21.88	21.88
70404 EXP 1/12/2022 WIP One Legal - Motion	Christine S. Lee Court fees Munguia, Carlos v. Blue	1	22.91	22.91
70407 EXP 1/12/2022 WIP One Legal - Motion	Christine S. Lee Court fees Munguia, Carlos v. Blue	1	84.68	84.68
72926 EXP 9/12/2022 WIP OneLegal - Supp	Erika Mejia Court fees Munguia, Carlos v. Blue	1	20.33	20.33
73657 EXP 12/2/2022 WIP OneLegal - Supp	Erika Mejia Court fees Munguia, Carlos v. Blue	1	21.36	21.36
74754 EXP 3/27/2023 WIP OneLegal - Supp	Erika Mejia Court fees Munguia, Carlos v. Blue	1	20.80	20.80
74917 EXP 4/17/2023 WIP OneLegal - Proposed Order	Erika Mejia Court fees Munguia, Carlos v. Blue	1	20.33	20.33
74927 EXP 4/18/2023 WIP OneLegal - Proposed Order	Olympia Court fees Munguia, Carlos v. Blue	1	21.83	21.83
74947 EXP 4/21/2023 WIP OneLegal - Notice of Ruling	Olympia Court fees Munguia, Carlos v. Blue	1	21.83	21.83
76060 EXP 9/7/2023 WIP Costs	Simon Yang Court fees Munguia, Carlos v. Blue	1	300.00	300.00
Grand Total	Billable	0.00		6403.21

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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		
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	Total	0.00		6403.21