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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

TARA JOY, as a private attorney general and as
an individual and on behalf of all others similarly
situated,

Plaintiffs,

vs.

CONTROL AIR ENTERPRISES LLC, a
Delaware limited liability company; CONTROL
AIR CONDITIONING CORP., a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 30-2020-01155488-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: August 25, 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 Plaintiff. I make this declaration on the basis of my
4 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 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 \$4,655.34. 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 33.3 hours in the prosecution of this matter, with
17 an hourly rate of \$800.00 per hour. The total lodestar for these hours is \$26,640.00. Attached as **Exhibit**
18 **B** is a summary of my hours and tasks on this matter. Since at least 2020, I have been approved at an
19 hourly rate of \$750.00 per hour by various Courts, including this Court. Examples of these Courts
20 include the following cases: *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case
21 No. 16CV299319, *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case No.
22 19CV352469; *Ramirez v. Walgreen Co.*, United States District Court, Northern District of California
23 Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*, United States District Court, Northern District of
24 California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda County
25 Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior
26 Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case
27 No. BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County Superior
28 Court Case No. 18CV00191; *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior

1 Court Case No.CIVDS1823132; *Michael Randolph v. Pacific Racing Association*, Alameda County
2 Superior Court Case No. RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior
3 Court Case No.19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-
4 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino Superior Court Case No.
5 CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara
6 Superior Court Case No. 19CV345211.

7 11. Plaintiff has uploaded the Order Granting Plaintiff's Motion for Preliminary Approval of
8 Class Action Settlement to the LWDA's website. Concurrent with the filing of this motion, Plaintiff also
9 has uploaded the final approval motion to the LWDA.

10 I declare under penalty of perjury under the laws of the State of California that the foregoing is
11 true and correct. Executed this 2nd day of August 2023, at Los Angeles, California.



Larry W. Lee

EXHIBIT A

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DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip.Classification Open
Client (hand select) Include: Joy, Tara v. Control
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		
63438	EXP	Olympia	1	75.00	75.00
8/4/2020		Court fees			
WIP		Joy, Tara v. Control			
LWDA					
63839	EXP	Olympia	1	1494.56	1494.56
8/18/2020		Court fees			
WIP		Joy, Tara v. Control			
OneLegal					
64020	EXP	Olympia	1	13.80	13.80
8/31/2020		Postage			
WIP		Joy, Tara v. Control			
Postage					
64307	EXP	Olympia	1	130.08	130.08
9/1/2020		Atty Service			
WIP		Joy, Tara v. Control			
Attorney Service - Complaint Service					
64308	EXP	Olympia	1	44.00	44.00
9/1/2020		Atty Service			
WIP		Joy, Tara v. Control			
Attorney Service - Complaint Service					
63823	EXP	Olympia	1	17.20	17.20
9/9/2020		Court fees			
WIP		Joy, Tara v. Control			
OneLegal					
63850	EXP	Olympia	1	17.20	17.20
9/9/2020		Court fees			
WIP		Joy, Tara v. Control			
OneLegal					
64532	EXP	Olympia	1	13.80	13.80
9/30/2020		Postage			
WIP		Joy, Tara v. Control			
Postage					

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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		
65416	EXP	Olympia	18	0.25	4.50
11/30/2020		Photocopies			
WIP		Joy, Tara v. Control			
Photocopies					
65417	EXP	Olympia	1	1.60	1.60
11/30/2020		Postage			
WIP		Joy, Tara v. Control			
Postage					
67427	EXP	Olympia	1	1660.00	1660.00
6/3/2021		Arbitrators			
WIP		Joy, Tara v. Control			
Judicate West Mediation					
67777	EXP	Olympia	1	390.00	390.00
7/7/2021		Arbitrators			
WIP		Joy, Tara v. Control			
Judicate West Mediation					
68395	EXP	Olympia	1	20.85	20.85
8/10/2021		Court fees			
WIP		Joy, Tara v. Control			
One Legal - Notice					
68592	EXP	Erika Mejia	1	18.53	18.53
8/20/2021		Court fees			
WIP		Joy, Tara v. Control			
One Legal - CMS					
68650	EXP	Simon Yang	1	94.00	94.00
8/31/2021		Court fees			
WIP		Joy, Tara v. Control			
Courtcall					
68787	EXP	Olympia	9	0.25	2.25
8/31/2021		Photocopies			
WIP		Joy, Tara v. Control			
Photocopies					
68788	EXP	Olympia	1	0.71	0.71
8/31/2021		Postage			
WIP		Joy, Tara v. Control			
Postage					
70649	EXP	Olympia	1	21.88	21.88
2/8/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - Notice of CMC					

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Slip Listing

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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		
70746	EXP	Simon Yang	1	94.00	94.00
2/8/2022		Court fees			
WIP		Joy, Tara v. Control			
Courtcall					
70748	EXP	Linda Lee	1	20.59	20.59
2/15/2022		Copying			
WIP		Joy, Tara v. Control			
OneLegal - Proposed Stip					
70749	EXP	Linda Lee	1	23.94	23.94
2/15/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - Proposed Order					
70759	EXP	Linda Lee	1	24.97	24.97
2/17/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - Proposed Amended Pleading					
70802	EXP	Linda Lee	1	20.59	20.59
2/23/2022		Court fees			
WIP		Joy, Tara v. Control			
One Legal - Proposed Order					
70805	EXP	Linda Lee	1	23.94	23.94
2/24/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - FAC					
72192	EXP	Erika Mejia	1	84.16	84.16
6/14/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - Motion					
72214	EXP	Erika Mejia	1	21.36	21.36
6/17/2022		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - CMS					
74910	EXP	Erika Mejia	1	21.83	21.83
4/14/2023		Court fees			
WIP		Joy, Tara v. Control			
OneLegal - Decl					
75774	EXP	Olympia	1	300.00	300.00
7/28/2023		Court fees			
WIP		Joy, Tara v. Control			
Filing Fees					

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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		
Grand Total				
	Billable	0.00		4655.34
	Unbillable	0.00		0.00
	Total	0.00		4655.34

EXHIBIT B

Time and Task Summary
for Joy v. Control Air Enterprises LLC et al.
Larry W. Lee

Description of Work	Hours
Review client documents; confer with co counsel re theories of case; research potential causes of action and viability of same	3.2
Review and revise complaint and amended complaints and PAGA letter; review and revise stip to file same	3.3
Review and revise 1st set of written discovery to Defendants	2.7
Conferences with counsel re mediation and scheduling; review and revise class data request for mediation	1.4
Review and revise mediation brief; legal research re same	2.8
Attend mediation	6.5
Review and revise MOU; confer with counsel re same	2.2
Review and revise long form settlement documents; conferences with counsel re same	3.8
Review and revise Motion for Preliminary Approval and supporting documents	2.9
Review court ruling re prelim approval motion; review and revise supplemental documents for same	1.6
Confer with class members re settlement issues	1.2
Review and revise Motion for Final Approval and supporting documents	1.7
TOTAL	33.3