

B. James Fitzpatrick (SBN: 129056)
Laura L. Franklin (SBN: 282642)
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Attorneys for Plaintiff,
JOSE LUIS LOPEZ GARCIA, on behalf of himself
and all similarly aggrieved employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

JOSE LUIS LOPEZ GARCIA, on behalf of
himself and all similarly aggrieved
employees,

Plaintiff,

v.

SMITH PACKING, INC.; and DOES 1
through 50, inclusive,

Defendants.

Case No. 20CV002559

**DECLARATION OF LAURA L.
FRANKLIN IN SUPPORT OF
PLAINTIFF'S MOTION TO APPROVE
SETTLEMENT AGREEMENT
PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT**

Date: February 10, 2023

Time: 8:30 a.m.

Dept.: 15

Complaint Filed: September 24, 2020

Trial Date: Vacated

1 I, Laura L. Franklin, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
3 California, and I am an associate attorney with the law firm Fitzpatrick & Swanston, counsel
4 of record for the named plaintiff in this action, Jose Luis Lopez Garcia ("Plaintiff"). I have
5 personal knowledge of the facts set forth below and if called to testify I could and would do so
6 competently.

7 2. I am familiar with all aspects of this case, and I have spent significant time
8 researching and pursuing the claims that have been alleged in this action. I believe this
9 Settlement to be fair, reasonable, and adequate, and in the best interest of the PAGA Members
10 as a whole.

11 3. I do not have a conflict of interest with Plaintiff or any Aggrieved Employee.

12 4. I do not have any association with the designated *cy pres* recipient that would
13 present a conflict of interest.

14 5. My qualifications are as follows: I received my bachelor's degree with honors
15 from the University of California, Riverside and my Juris Doctor degree from Monterey
16 College of Law. I was admitted to the State Bar of California in 2012 and my primary practice
17 has been employment law for the past ten years. Beginning in 2012, I practiced employment
18 litigation and counseling and general civil litigation at Bohnen, Rosenthal & Kreeft in
19 Monterey California, the same firm at which I had been employed in various litigation support
20 staff roles during the preceding four years. As an associate at Bohnen, Rosenthal & Kreeft, I
21 represented both plaintiffs and defendants in wage and hour class action cases, and I was a
22 member of a litigation team that obtained a \$12.5 million verdict for a single plaintiff
23 following a 5-week jury trial. In January 2016, I continued my employment practice at the
24 Salinas-based firm of L+G, LLP (now JRG Attorneys at Law), representing both public and
25 private employers and employees. From July 2016 through January 2020, I practiced primarily
26 employer-side employment litigation and counseling as an associate at Fenton & Keller in
27 Monterey, California. Since January 2020, I have been an associate attorney at Fitzpatrick &
28 Swanston where I practice labor and employment litigation, primarily Plaintiff-side class and
representative actions.

6. Over the past ten years, I have litigated numerous wage and hour class and PAGA actions, both as counsel for the plaintiff(s)/class and as defense counsel, and I have been certified as class counsel in numerous wage and hour class actions in California. Currently, I serve as counsel for plaintiff(s)/the class in multiple ongoing wage and hour class and PAGA actions in Alameda County Superior Court, Monterey County Superior Court, Nevada County Superior Court, Santa Clara Superior Court, San Benito Superior Court, Santa Cruz Superior Court, Ventura County Superior Court, and the United States District Court, Northern District of California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and if called as a witness I could and would competently testify to each of the matters stated herein, and I state that these matters are based upon my own personal knowledge acquired through first-hand observation, except where stated otherwise. This declaration was executed by me on November 18, 2022, in Salinas, California.

/s/ Laura L. Franklin
Laura L. Franklin

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On the date written below, I served the foregoing document(s), described as **DECLARATION OF LAURA L. FRANKLIN IN SUPPORT OF PLAINTIFF'S MOTION TO APPROVE SETTLEMENT AGREEMENT PURSUANT TO THE PRIVATE ATTORNEYS** on the interested parties in this action as indicated below and by the following means:

Brian Daly (SBN: 298731)
Mullen & Henzell L.L.P.
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 Santa Barbara, CA 93101
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 18, 2022, at Salinas, California.

Josie Favila