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HAROLD THOMAS, and all others similarly situated
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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF SAN DIEGO**

11
12 WILLIAM DENNIS O'GRADY and
HAROLD THOMAS, as "aggrieved
13 employees" on behalf of other "aggrieved
employees" under the Labor Code Private
14 Attorneys General Act of 2004,

15 *Plaintiff(s),*

16 vs.

17 TEAM CAR CARE, LLC, a Delaware limited
18 liability company; and DOES 1-50, inclusive,

19 *Defendant(s).*
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Case No. 37-2020-00035860-CU-OE-CTL

**DECLARATION OF RONALD
ZAMBRANO IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
PAGA SETTLEMENT**

RESERVATION NO. 2913628

Hearing Date: March 3, 2023
Hearing Time: 9:00 a.m.
Hearing Dept.: C-73, The Hon. Joel R.
Wohfeil

Action Filed: October 7, 2020
Trial Date: Not Set

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DECLARATION OF RONALD L. ZAMBRANO

I, Ronald L. Zambrano, declare as follows:

1. I am an attorney at law licensed to practice before all of the courts of the State of California. I am the Employment Chair for West Coast Employment Lawyers, APLC, counsel for Plaintiff Harold Thomas in this matter. I am thoroughly familiar with and have personal knowledge of all of the facts set forth herein.

2. I submit this Declaration in support of the Motion for Final Approval of Settlement filed by Plaintiffs William Dennis O'Grady and Harold Thomas (hereinafter "Plaintiffs"), on behalf of themselves and other similarly situated employees of Defendants and without opposition from Defendant. I have personal knowledge of the facts herein and if called as a witness, I could and would competently testify.

3. My firm and I are well qualified because of our experience, knowledge, and resources to act as counsel and represent Plaintiff Thomas Harold and the putative class in this action. I have more than a decade of experience fighting for employee rights. Since 2008, I have exclusively represented hundreds of employees who were victims of workplace discrimination and harassment, wrongful termination, whistle blower retaliation, and wage and hour violations. These cases have involved wage-and-hour claims, including claims for failure to pay minimum wages, unpaid wages and overtime, failure to provide meal breaks, inaccurate pay statements, and failure to pay timely wages - similar to claims at issue in the present matter. My practice is exclusively focused on employment matters, with a substantial percentage devoted to litigating wage, hour, and working-conditions violations on a PAGA and class-wide basis..

4. I was previously approved as Co-Class Counsel in conjunction with a Final Approval of Class and PAGA claims in the matter known as *Carroll et. Al., v. LA Family Housing LLC et al.*, Los Angeles Superior Court Case No. 20STCV04474, where I was counsel of record for the related action, *Wellington v. LA Family Housing*, LASC Case No. 20STCV07797. The final settlement was approved by the Honorable Maren Nelson on October 17, 2022.

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1 5. I was counsel of record in the following actions where Final Approval of PAGA
2 Settlement(s) were granted: *Andrade v. Victorville Tio Pepe, Inc., de ba "El Tio Pepe,"* San
3 Bernardino Superior Court Case No. CIVDS1917503 (approved Apr. 21, 2021); *Facchini v.*
4 *Oliveira Lucas Ent., Inc.* Stanislaus Superior Court Case No. CV-19-05560 (approved Dec. 16,
5 2021); *Robertson et al., v. City Business Shipping, Inc. et al.,* San Mateo Superior Court Case No.
6 20CIV02210 (approved Dec. 28, 2021); *Hunter et al., v. Simba Solutions, et al.,* Santa Clara Superior
7 Court Case No. 20-CV-366044 (approved Apr. 13, 2022); *Simon v. A+ Dental Corp.,* San Diego
8 Superior Court Case No. 37-2020-00034377-CU-OE-CTL (approved Jun. 30, 2022); and *Trepp v.*
9 *Belco Packaging Systems, Inc.,* Los Angeles Superior Court Case No. 20STCV37995 (approved
10 Oct. 3, 2022). Cases currently set for hearing on motions for PAGA Settlement approval: *Limon v.*
11 *Jack Doheny Company,* Contra Costa Superior Court Case No. MSC21-01249 (hearing on Dec. 1,
12 2022); and *Ferrell et al. v. Automotive Creations, Inc., Inc.,* Los Angeles Superior Court Case No.,
13 20STCV31747 (hearing on Jan. 11, 2023).

14 6. I have been intimately involved in every aspect of the *Harold Thomas* matter, and
15 the related *O'Grady* case, and believe that the proposed Settlement is fair, reasonable and adequate
16 and in the best interests of the Settlement Class.

17 7. My firm and I have worked approximately 38 hours on the present case. This includes
18 8 hours investigating and researching the facts and circumstances underlying the pertinent issues
19 and the law applicable thereto, including thorough discussions and interviews with Plaintiff Thomas,
20 as well as preliminary research into the various legal issues involved in the case, 3 hours drafting
21 the Complaint, 6 hours meeting and conferring with counsel for Defendant, four 4 hours meeting
22 and conferring with Class Counsel, 3 hours reviewing and analyzing time and pay records as well
23 as employment handbooks, Plaintiffs' personnel files, relevant policies and other documentation, 3
24 hours researching the applicable law and potential defenses, 5 hours reviewing information provided
25 by Defendant at the mediation, and approximately 6 hours preparing for and making court
26 appearances on behalf of Plaintiff.

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1 8. This rate is commensurate with the prevailing market rates in the Los Angeles area
2 for attorneys of comparable experience and skill. I conservatively estimate that my firm and I have
3 invested over 38 hours of attorney time in this matter. My hourly billing rate is \$650.00 per hour (15
4 years out of law school and is less than the Laffey Matrix rate of \$764.00)

5 9. Accordingly, the lodestar Plaintiff's counsel is \$24,700.00.

6 10. As of the date of the filing of the instant motion, my firm has costs of \$1,913.61 in
7 connection with the litigation of this PAGA action. This includes costs incurred for the LWDA
8 PAGA notice, filing fees (e.g., summons, complaint, stipulations, joint status reports), service of
9 process, attorney-service costs for court filings, and CourtCall.

10 11. Plaintiff's individual claims were resolved by way of a written agreement executed
11 on August 5, 2022. The individual claims included a claim of Age Discrimination in Violation of
12 the Fair Employment and Housing Act ("FEHA"), and Labor Code violations for denied meal/rest
13 breaks, unpaid overtime and inaccurate wage statements on an individual basis. The FEHA and
14 individual wage claims were resolved for a gross sum of \$50,000.00 which was distributed pursuant
15 to the retainer agreement: \$20,000 for fees, \$950.12 in costs, and the remainder of \$29,049.88 was
16 distributed to Mr. Thomas himself.

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

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21 Dated: December 12, 2022

WEST COAST EMPLOYMENT LAWYERS, APLC

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24 By: Ronald L. Zambrano, Esq.
25 Attorney for Plaintiff,
26 Harold Thomas and
27 Other Aggrieved Employees
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