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Attorneys for Plaintiff
FRANK SICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANK SICA, on behalf of himself, and all
others similarly situated, and all aggrieved
employees,

Plaintiff,

v.

MADISON INDUSTRIAL SERVICES TEAM,
LIMITED PARTNERSHIP; and DOES 1
through 50, inclusive,

Defendant.

Case No: 4:20-cv-08347-KAW

CLASS ACTION

**DECLARATION OF SCOT BERNSTEIN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR AWARD OF ATTORNEYS' FEES
AND COSTS, CLASS REPRESENTATIVE
INCENTIVE/GENERAL RELEASE
PAYMENT, AND SETTLEMENT
ADMINISTRATION COSTS**

Date: August 4, 2022

Time: 1:30 p.m.

Ctrm: TBD

Judge: Kandis A. Westmore

Complaint Filed: September 30, 2020

FAC filed: November 19, 2020

Removal Date: November 25, 2020

1 I, Scot Bernstein, declare:

2 1. I am an attorney licensed to practice in the Courts of the State of California. My
3 firm, Law Offices of Scot D. Bernstein, A Professional Corporation, is co-counsel for Plaintiff
4 Frank Sica ("Plaintiff") and the proposed class in this action. I have personal knowledge of the
5 facts set forth herein and if called to testify I could and would testify under oath as to those facts.

6 2. I studied engineering and economics at UCLA, earning a bachelor's degree in
7 1977. I attended Boalt Hall School of Law (now known as U.C. Berkeley School of Law) and
8 received my JD degree in 1980. I have practiced law in California since being admitted to the
9 State Bar in 1980. I have extensive experience representing employees, investors and consumers
10 in litigation and in private contractual arbitration proceedings. I have substantial experience in
11 wage-and-hour and privacy class actions as well. A copy of my curriculum vitae is attached to
12 this declaration as Exhibit "1."

13 3. Through April 27, 2022, as shown in Exhibit "2," I have spent approximately 77.1
14 hours litigating this case. Based on experience in similar cases, I expect to spend another five
15 hours between now and the hearing on final approval and, after that hearing, speaking with class
16 members and dealing with claims administration issues.

17 4. During the time period through April 27, 2021, Mr. Grover and I have discussed
18 and analyzed key decisions that were made throughout the course of this case and in connection
19 with its settlement. A bullet-point summary of some of the necessary tasks engaged in by my
20 office in prosecuting this action follows:

- 21 • Communications with co-counsel analyzing the potential case;
- 22 • Review and analysis of documents pertinent to the case;
- 23 • Review and revision of the PAGA letter;
- 24 • Review and revision of and comments regarding multiple drafts of the complaint;
- 25 • Analysis of Labor Code section 512 and the collective bargaining agreement in
26 connection with the review of the complaint;
- 27 • Review and revision of the first amended complaint;
- 28 • Review and revision of the mediation information request;
- 29 • Review and revision of the mediation brief;

- Analysis of settlement valuation;
- Review and revision of the damage calculations for use at the mediation;
- Communications with co-counsel in preparation for the mediation;
- Attending two mediation sessions approximately three months apart;
- Review and revision of the settlement Memorandum of Understanding and review of the settlement stipulation; and
- Addressing other, smaller matters along the way that required my time and focus as well.

5. Class counsel advanced all expenses and handled this case on a wholly contingent basis. To date, my office has advanced \$6,419.10 in unreimbursed expenses in this case, as follows:

Mediators	\$ 6,180.00
Mediation Conference Room	<u>239.10</u>
Total	\$ 6,419.10

6. My hours as described above and in Exhibit 2 do not include any work done by paralegals or by secretaries or other clerical personnel. My practice is to maintain my time records by contemporaneously recording on paper the date, the client identification and the time devoted to any given task or tasks. My time is recorded in tenths of hours.

7. My billing practice, whether for contingent or non-contingent litigation, is to review all time entries carefully. Time that, in my opinion, was not spent effectively is not recorded or is written off.

8. My billing rate is \$950 per hour. That rate does not include any multiplier or other fee enhancement, and does not take into account the risks or delays in payment associated with working on a contingency basis. The bulk of my cases are in the San Francisco Bay Area and southern California. Based on the billing rates of other firms with which I am familiar and the detailed information on billing rates provided in the Declaration of Eric A. Grover in Support of Plaintiff's Motion for Award of Attorneys' Fees and Costs, Class Representative Incentive

1 Payment, and Settlement Administration Costs, I believe that my rate is reasonable and well
2 within the range of prevailing market rates for private attorneys in California with similar
3 experience and expertise conducting non-contingent litigation in California.

4 9. For purposes of this Motion, I counted 77.1 hours worked on this matter through the
5 date of this declaration and arrived at a lodestar of \$73,245.00. I anticipate that I probably will
6 work approximately five additional hours leading up to and after final approval.

7 10. Based on my 77.1 hours expended through April 27, 2022, and the additional five
8 hours that I anticipate leading up to and after final approval, my Lodestar will be \$77,995.00.

9
10 I declare under penalty of perjury under the laws of the State of California and the
11 United States that the foregoing is true and correct and that this declaration was executed on
12 April 27, 2022, in El Dorado Hills, California.

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15 Scot Bernstein
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EXHIBIT 1

SCOT D. BERNSTEIN
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Mr. Bernstein has practiced law in California since 1980. His practice emphasizes class actions on behalf of employees who have been denied overtime pay, expense reimbursements or other compensation that is owed to them as well as the representation of investors and consumers who are victims of fraud, misrepresentation and fiduciary abuse. He also has served as counsel in class actions and other litigation involving privacy violations, unfair competition, unlawful business practices and false advertising.

Education. Mr. Bernstein studied engineering and economics at UCLA, where he received his bachelor's degree *Magna Cum Laude* in 1977 and was an officer of the UCLA chapter of Tau Beta Pi, the engineering honors society. He was a member of Omicron Delta Epsilon (economics honors society) and Phi Beta Kappa as well. He received his Juris Doctor degree at Boalt Hall School of Law (now known as Berkeley Law), University of California at Berkeley, in 1980.

Class Actions. Mr. Bernstein's primary practice focus is class action cases. He has been co-lead counsel in many, which are listed beginning on page 6 under "**Class Actions.**"

Employment Arbitration. Mr. Bernstein was co-counsel for the plaintiff in *Chester v. iFreedom Communications, Inc., et al*, Los Angeles County Superior Court Case Number BC353567, in which judgment was entered for more than \$4.1 billion dollars, together with interest of \$1,125,159.97 per day, confirming a JAMS arbitration award in favor of the plaintiff.

He recently represented an employee in FINRA arbitration as well, serving as co-counsel in a USERRA case and obtaining a favorable award on behalf of a U.S. Army captain against Morgan Stanley Smith Barney and Citigroup Global Markets.

Reported Cases. Mr. Bernstein has served as co-counsel in successful federal and state appeals and published decisions:

Kirby v. Immoos Fire Protection, Inc. (2012) 53 Cal.4th 1244 (co-counsel for successful appellants)

Stop Youth Addiction v. Lucky Stores, 17 Cal.4th 553, 950 P.2d 1086, 71 Cal.Rptr.2d 731 (1998) (attorney for amicus curiae in support of successful appellant)

Lippitt v. Raymond James Financial Services, et al., 340 F.3d 1033 (9th Cir. 09/22/2003) (co-counsel for successful appellant)

Gutierrez v. Brand Energy Services of California, Inc. (2020) 50 Cal. App. 5th 786, *modified by and rehearing denied by Gutierrez v. Brand Energy Serv. of Cal., Inc.* 2020 Cal. App. LEXIS 619 (Cal. App. 1st Dist., July 2, 2020) (co-counsel for successful appellant)

Lazarin et al. v. Total Western, Inc. (2010) 188 Cal.App.4th 1560, 116 Cal.Rptr.3d 596, review denied, Jan. 19, 2011, S188164 (co-counsel for successful appellant)
Meyer v. Irwin Industries, Inc., 723 F. Supp. 2d 1237 (C.D. Cal. 2010) (co-counsel for successful plaintiff)

Securities Arbitration. Mr. Bernstein has represented investors in securities arbitration proceedings for more than eighteen years. During that time, he has handled investor claims before FINRA (formerly known as “NASD”), the New York Stock Exchange, the Pacific Exchange and the American Arbitration Association. He has obtained compensation for his clients from firms large and small, including huge Wall Street firms such as Morgan Stanley, Merrill Lynch, PaineWebber and Salomon Smith Barney; “high-payout” firms with large numbers of small offices, including Financial Network Investment Corporation, Sunamerica Securities, Securities America and IFG Network Securities; and “boiler room” firms and their personnel, including the infamous Stratton Oakmont, the firm depicted in “The Wolf of Wall Street.”

Expert Testimony. Mr. Bernstein has testified as an expert witness and/or provided consultation in matters involving securities law and franchise law violations, breach of fiduciary duty and elder abuse.

Bar Association Activities. Mr. Bernstein serves on the board of directors of the California Employment Lawyers Association (“CELA”), an association of more than a thousand attorneys dedicated to representing employees in employment disputes. He currently co-chairs and participates actively on CELA’s Legislative Committee and serves on its Wage and Hour Committee as well. In 2009, Mr. Bernstein completed eleven years as a director of the Public Investors Arbitration Bar Association (“PIABA”), a national association of attorneys dedicated to the representation of investors in disputes with the securities industry. He served three years as PIABA’s treasurer, has served on and chaired and has continued to serve on a number of PIABA committees, and is a director emeritus of PIABA. He has given continuing legal education lectures to the State Bar of California, CELA, the North American Securities Administrators Association (“NASAA”), PIABA and other professional groups on employees’ rights under the wage and hour laws, investors’ rights and remedies, and privacy law. He is a member of the National Employment Lawyers Association (“NELA”), Consumer Attorneys of California (“CAOC”), the American Association for Justice (“AAJ”) and the Taxpayers Against Fraud Education Fund (“TAFEF”) as well.

Honors and Awards. Mr. Bernstein was selected as a Northern California Super Lawyer in 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021.

Continuing Legal Education Speaking Engagements and Published Chapters of Course Materials. Mr. Bernstein's speaking engagements and published chapters and sections of continuing legal education materials include the following:

Privacy and Cybersecurity Law 101, presented by Mr. Bernstein as part of a panel at the State Bar of California’s 89th Annual Meeting

Annual Employment Law Update (Part 2), presented by Mr. Bernstein as part of a panel at the California Employment Lawyers Association's 29th Annual Meeting

Senate Bill 462 or How I Learned to Stop Worrying and Love 218.5, presented by Mr. Bernstein as part of a panel he moderated at the California Employment Lawyers Association Advanced Wage and Hour Seminar (April 2014) and previously the subject of his presentation in a California Employment Lawyers Association Webinar (December 2013)

Broker Promissory Notes: Economics, Policy, and Offsets under the Wage-and-Hour Laws, PIABA Nineteenth Annual Meeting (October 2010)

Avoiding the Uncollectible Judgment: Clues at the Case Intake Stage, California Employment Lawyers Association Advanced Wage and Hour Seminar (May 2009)

Stacking the Deck in Arbitrator List Selection: A Study in Regulatory Failure and A Practical Look at the Consequences, PLI Securities Arbitration 2007 (August 2007)

Broker Liability Insurance from the Claimant's Perspective, PLI Securities Arbitration 2003 (August 2003)

Unpaid Awards and Investor Protection: Identifying the Continuing Problem and Collecting What Is Due, PIABA Fifteenth Annual Meeting (October 2006) (co-authored with C. Thomas Mason III)

Arbitrating at the AAA: Differences from SRO Arbitration and Other Points of Interest, PIABA Fourth Annual California Mid-Year Meeting (March 2006)

Maximizing Investor Recoveries: Errors & Omissions Insurance and Net Capital, PIABA California Third Annual Mid-Year Meeting: Securities Arbitration Update (March 2005) (co-authored with C. Thomas Mason III)

Broker Liability Insurance in Securities Arbitration, PIABA California Second Annual Mid-Year Meeting: Securities Arbitration Update (February 2004)

Your Clients' Right to a Hearing, PIABA Twelfth Annual Meeting (October 2003)

Your Clients' Right to a Hearing, PIABA California Mid-Year Meeting: Securities Arbitration Update (February 2003)

Understanding NLSS or How I Learned To Stop Worrying and Love List Selection, PIABA Ninth Annual Meeting (October 2000)

Making, Combating and Replying to Dispositive Motions, PIABA Seventh Annual Meeting (October 1998)

Published Articles. Mr. Bernstein's published articles and other writings include the following:

Time To Prepare For California's New Consumer Finance Law, Law 360 (December 17, 2020) (co-authored with Eric A. Grover)

In California, Off The Clock Is No Longer On The Table, Employment Law 360 (January 28, 2020) (co-authored with Eric A. Grover)

ABA Federal Labor Standards Legislation Committee, *2015 FLSA Mid-Winter Report*, Contributor

Tampering with List Selection by Enhancing the Appointment Frequency of "Chair-Qualified" Arbitrators, 13 PIABA Bar Journal, no. 2, pp. 13-28 (Summer 2006)

View from the West: Unpaid Securities Arbitration Awards: Proposed Solutions to the Problem, 11 PIABA Bar Journal, no. 1, pp. 35-50 (Spring 2004)

View from the West: Things Every Arbitrator Should Know, 10 PIABA Bar Journal, no. 2, pp. 21-35 (Summer 2003)

View from the West: Should You Challenge an Arbitrator for Cause or Make a Motion or Request for Recusal?, 10 PIABA Bar Journal, no. 1, pp. 71-78 (Spring 2003) (co-authored with Tracy Pride Stoneman)

View from the West: The California Situation: More Questions than Answers (concerning the battle over California's arbitrator ethics standards), 9 PIABA Bar Journal, no. 4, pp. 47-56 (Winter 2002)

View from the West: Causal Challenges and the Chinese Wall, 9 PIABA Bar Journal, no. 3, pp. 11-13 (Fall 2002)

Brief Spotlight: The Inapplicability of Statutes of Limitation on Actions to Private Contractual Arbitration Proceedings, 9 PIABA Bar Journal, no. 2, pp. 79-85 (Summer 2002)

View from the West: Getting Paid – Parts 1 & 2 (concerning securities brokers' liability insurance), 9 PIABA Bar Journal, no. 1, pp. 37-39 (Spring 2002) and no. 2, pp. 55-60 (Summer 2002)

Brief Spotlight: Your Clients' Right to a Hearing, 9 PIABA Bar Journal, no. 1, pp. 42-47 (Spring 2002)

NASD Intake Staff Harassment of Public Customers, 6 The PIABA Quarterly, no. 1, pp. 8-10 (March 1999)

NASD Lists of Arbitrators' Closed Cases Exclude Cases Resolved by Granting 'Dismissal Motions', 5 The PIABA Quarterly, no. 4, p. 8 (December 1998)

NASD Policy of Granting Certain Causal Challenges by Securities Industry Respondents, 5 The PIABA Quarterly, no. 4, p. 11 (December 1998)

NASD 'Streamlining' of the Arbitrator Pool, 5 The PIABA Quarterly, no. 4, p. 17 (December 1998)

Bad Investments and the Medical Profession – Parts 1 and 2, 43 Sacramento Medicine 24-26 (March 1992) and 23-24 (April 1992)

Choosing a Form of Business Entity, 4 Weekly Bulletin, no. 14, pp. 6-7 (1990)

Selected Comment Letters to Government Agencies. Mr. Bernstein's comment letters to government agencies on behalf of bar associations or on his own behalf include the following:

[Comment Letter regarding California Labor Commissioner's Proposed Employee Travel Reimbursement Regulations, Written by Mr. Bernstein on behalf of the California Employment Lawyers Association., February 6, 2007](#)

[Public Comment Letter to U.S. Securities and Exchange Commission Regarding Dispositive Motions \(Motions to Dismiss\) in NASD Securities Arbitration, September 24, 2006](#)

Public Comment Letter to U.S. Securities and Exchange Commission Regarding Tampering with NASD Arbitrator List Selection by Enhancing the Appointment Frequency of "Chair Qualified" Arbitrators, May 26, 2006

Public Comment Letter to U.S. Securities and Exchange Commission in Response to and Commenting on NASD's Partial Amendment No. 7, Amendments to the NASD Code of Arbitration Procedure for Customer Disputes, File No. SR-NASD-2003-158, October 20, 2006

Public Comment Letter to U.S. Securities and Exchange Commission Regarding Reform of Public Reporting of Misconduct of Associated Persons, April 17, 2009

Public Comment Letter to U.S. Securities and Exchange Commission Regarding BrokerCheck and the CRD: The Broader Picture, September 24, 2009

Pro Bono Activities. Mr. Bernstein's other *pro bono* activities have included authoring or co-authoring amicus letters in support of California Supreme Court review in cases including *Iskanian v. CLS Transp. Los Angeles, LLC*, and *Flores v. West Covina Auto Group*; authoring an amicus letter on behalf of the California Employment Lawyers Association ("CELA") in support of publication of the California Court of Appeal's decision in *Oregel v. PacPizza, LLC*, No. A141947 (Cal. Ct. App. May 1, 2015), which was certified for publication on June 1, 2015; commenting extensively on proposed rule changes published for public comment by the U.S. Securities and Exchange Commission; working directly with the Financial Industry Regulatory Authority ("FINRA," formerly known as the "NASD") to change practices that have not been the subject of formal rulemaking; authoring a comment letter for CELA regarding travel expense reimbursement regulations proposed by the California Division of Labor Standards Enforcement; participating extensively in CELA's Legislative Committee efforts, including testifying in

numerous Senate and Assembly committee hearings regarding bills that CELA supported or opposed; drafting language for California SB 462, which changed Labor Code section 218.5 from a two-way fee-shifting statute into a de facto one-way-only statute; working extensively on California SB 707, which protects employees and consumers forced into arbitration proceedings in which the party that drafted the arbitration clause is derailing the arbitration by failing to pay arbitration fees; persuading a California state senator to withdraw a 2010 bill that would have created a broad new exemption from qualification of securities under the California Corporate Securities Law, and helping to defeat 2012, 2013, 2014 and 2015 attempts to enact similar exemptions or their functional equivalent; commenting on federal agencies' proposed regulations under the Federal Cave Resources Protection Act; and appearing for more than six years as a regular guest on "Ask a Lawyer," a live call-in television program in the Sacramento area.

Class Actions.

- a. *Tommie Pennywell-Foster v. Imko Workforce Solutions, et al.*, Sacramento County Superior Court Case No. 34-2019-00252683;
- b. *Kindt v. Concesionaria Vuela Compañía de Aviación S.A.P.I. de C.V., et al.*, Napa County Superior Court Case No. 19CV000373;
- c. *Butler, et al. v. Apple Inc.*, Santa Clara Superior Court Case No. 14-cv-262989;
- d. *Binda v. International Wood Industries, Inc., et al.*, Stanislaus County Superior Court Case No. 9000204;
- e. *Kindt and Pappas v. Aerovias de Mexico, S.A. de C.V., et al.*, San Bernardino County Superior Court Case No. CIVDS1809416;
- f. *Rabanal v. P.F. Chang's China Bistro, et al.*, Alameda County Case No. RG17851208;
- g. *Spitzer, et al v. FRHI Hotels & Resorts (Canada) Inc.*, San Bernardino County Superior Court Case No. CIVDS1712220
- h. *Halkola v. Fisher Sand & Gravel Co.*, Alameda County Superior Court Case No. RG17844100
- i. *Reed v. Tanco Engineering, Inc.*, Alameda County Superior Court Case No. RG14-743559
- j. *Nguyen v. Vantiv, Inc., et al.*, United States District Court, Northern District of California Case No. 3:15-cv-02436-LB
- k. *Roberts v. Wyndham Hotels and Resorts LLC, et al.*, United States District Court, Northern District of California Case No. 5:12-cv-05083-PSG

- l. *McCabe, et al. v. Six Continents Hotels, Inc.*, United States District Court, Northern District of California Case No. 12-cv-04818-NC
- m. *Ginn, et al. v. Certified Safety Specialists, LLC, et al.*, Contra Costa County Superior Court Case No. C11-0969
- n. *DeLeon, et al. v. NCR Corp.*, San Bernardino County Superior Court Case No. CIVDS1403274
- o. *Nguyen v. Equilon Enterprises LLC*, United States District Court, Northern District of California Case No. 4:12-cv-04650-YGR
- p. *Martin v. AltairStrickland, LLC*, Alameda County Superior Court Case No. RG11-575618
- q. *Vasquez, et al. v. Turnaround Welding Services, Inc.*, Contra Costa Superior Court Case No. MSC12-00340
- r. *Tate v. Wyatt Field Services Co.*, Alameda County Superior Court Case No. RG 10-522846
- s. *Hernandez v. Bodell Construction Company*, Alameda County Superior Court Case No. RG12-624600
- t. *Canales, et al. v. Electrical & Instrumentation Unlimited of California, Inc.*, Kern County Superior Court Case. No. S-1500-CV-271947 WDP
- u. *Lazarin, et al. v. Total Western, Inc.*, JAMS Case No. 1100067385
- v. *Meyer v. Irwin Industries, Inc.*, ADRS Case No. 11-3844-RAH
- w. *Martin, et al. v. Starcon International, Inc.*, Contra Costa County Superior Court Case No. MSC10-01071
- x. *Placer Title Company Wage and Hour Cases* (Coordinated Proceedings of *Shults v. Placer Title Co.* and *Nazeri v. Placer Title Co.*), Sacramento County Case No. JCCP 4567
- y. *Martin v. Total Safety U.S., Inc.*, Alameda County Case No. RG 10-533750
- z. *Jordan v. Directory Distributing Associates, Inc.*, San Francisco County Case No. CGC 10-500633
- aa. *Davis and Duke v. Plant Performance Services LLC, et al.*, Alameda County Case No. RG 10-501301
- bb. *Strickland, et al. v. Timec Company, Inc., et al.*, San Francisco County Case No. CGC 10-501832
- cc. *Matrix Wage and Hour Cases*, California Judicial Council Coordination Proceeding Number 4610

- dd. *Lee v. Marshalls of California LLC*, Alameda County Case No. RG 07-337021
- ee. *Drew v. HCR Manor Care Medical Services of Florida, LLC, et al.*, San Francisco County Case No. CGC 09-490181
- ff. *Ronald Hart and Judy Vezeau v. K Mart Corporation, et al*, Los Angeles County Superior Court Case Number BC 347079
- gg. *Ahmed Ali, et al, v. Morton's of Chicago/Sacramento, Inc.*, Sacramento County Superior Court Case Number 04AS04417
- hh. *Lori Davis, et al v. Apollo Group, Inc., University of Phoenix, Inc., et al*, Solano County Superior Court Case Number FCS018663
- ii. *Jaime Salgado, et al v. Driveline Retail Merchandising, Inc., et al / Shane Brady, et al v. Storecast Merchandising Corporation, et al*, Sacramento County Superior Court Consolidated Case Numbers 34-2008-00006420 and 06AS02125
- jj. *Cliver, et al v. Rainbow Apparel Company*, U.S. District Court, Northern District of California, Civil Action Number C 99-4425 PJH.

EXHIBIT 2

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April 26, 2022

Statement for Services

Frank Sica v. Madison Industrial Services Team, Limited Partnership, et al

Date	Client/Case	Activity	Hours	Fees/Costs
20 0405	Madison Industrial	Review E. Grover email and selected pages of CBA; email analyzing same	0.7	
20 0418	Madison Industrial	Additional review of CBA from E. Grover; review E. Grover email; analyze same and email regarding same and regarding E. Grover's questions	1.2	
20 0517	Madison Industrial	Review notes regarding potential case	0.1	
20 0906	Madison Industrial	Review draft representation agreement	0.5	
20 0907	Madison Industrial	Review, revise, finalize representation agreement; email regarding same.	2.5	
20 0907	Madison Industrial	Email regarding "glue" quote concerning certification	0.1	
20 0909	Madison Industrial	Emails regarding PAGA letter; email to R. Spencer with similar PAGA letter	0.2	
20 0911	Madison Industrial	Emails regarding draft complaint and representation agreements; download and preliminary look at complaint	0.2	
20 0911	Madison Industrial	Email regarding PAGA letter; review and revise PAGA letter draft 3	0.8	
20 0913	Madison Industrial	Emails regarding and revise PAGA letter	0.4	
20 0914	Madison Industrial	Email regarding PAGA letter; review signed representation agreement and emails regarding same	0.3	
20 0915	Madison Industrial	Review and check final signed representation agreement; emails with R Spencer regarding complaint	0.3	
20 0916	Madison Industrial	Telephone conference with E. Grover regarding complaint and PAGA filing	0.1	

20 0916	Madison Industrial	Emails regarding posting by LWDA	0.2
20 0916	Madison Industrial	Review and revise draft complaint and review and analysis of Labor Code section 512 and CBA regarding same; email regarding same	4.3
20 0919	Madison Industrial	Research regarding case law and email regarding same and regarding application to draft complaint	2.3
20 0923	Madison Industrial	Telephone conference with E. Grover regarding draft complaint	0.1
20 0928	Madison Industrial	Telephone conference with E. Grover; email	0.2
20 0929	Madison Industrial	Document review; review and revise complaint and extensive comments in same and emails regarding same	3.7
20 1006	Madison Industrial	Emails from R. Spencer	0.1
20 1013	Madison Industrial	Emails regarding filing status	0.2
20 1020	Madison Industrial	Emails regarding filing status	0.1
20 1023	Madison Industrial	Review redline of draft 4 versus draft 5 of complaint	0.2
20 1108	Madison Industrial	Email regarding draft 1 of first amended complaint	0.2
20 1110	Madison Industrial	Review and revise draft complaint and email regarding same	1.9
20 1111	Madison Industrial	Review and check complaint draft 3 and emails regarding same	0.2
20 1209	Madison Industrial	Telephone conference with E. Grover regarding and consent to magistrate	0.2
20 1213	Madison Industrial	Review removal notices and answers/affirmative defenses	0.2
20 1221	Madison Industrial	Review mediation availability and resume of mediator Mark LeHocky; emails regarding same	0.4
21 0104	Madison Industrial	Review state court CMC statement	0.2
21 0107	Madison Industrial	Emails regarding mediation	0.2
21 0109	Madison Industrial	Review documents and email from S. Pearl regarding mediation	0.2
21 0110	Madison Industrial	Review emails and attachments regarding mediation briefs, invoice and other matters	0.5
21 0111	Madison Industrial	Email regarding and review final/filed PAGA letter and complaint; review defendant's removal declaration; emails regarding mediation information request	0.4
21 0115	Madison Industrial	Telephone conference with mediator's office	0.2
21 0130	Madison Industrial	Review incoming correspondence	0.2
21 0204	Madison Industrial	Telephone conference with E. Grover and email regarding Chevron case as it relates to Madison Industrial	0.1
21 0216	Madison Industrial	Emails and texts regarding mediation and location	0.2
21 0217	Madison Industrial	Emails regarding mediation	0.1
21 0221	Madison Industrial	Emails concerning communications with J. Sagafi regarding Chevron case as it relates to Madison Industrial	0.1

21 0223	Madison Industrial	Telephone conference with E. Grover; voicemail for and email to J. Sagafi	0.1
21 0224	Madison Industrial	Emails with J. Sagafi and to E. Grover	0.1
21 0225	Madison Industrial	Emails and telephone conference with J. Sagafi; notes regarding same; telephone conferences with E. Grover regarding same	0.5
21 0226	Madison Industrial	Telephone conference with E. Grover; emails with J. Sagafi and notes and edits concerning 2/25 telephone conference with J. Sagafi regarding Chevron case as it relates to Madison Industrial; planning regarding communications concerning same	0.5
21 0228	Madison Industrial	Email to E. Grover after review in conjunction with review and revision of a refinery complaint	0.4
21 0301	Madison Industrial	Emails with J. Sagafi and E. Grover and telephone conference with E. Grover	0.1
21 0302	Madison Industrial	Emails with J. Sagafi	0.3
21 0303	Madison Industrial	Telephone conferences with E. Grover regarding Chevron case as it relates to Madison Industrial; telephone conferences with J. Sagafi regarding same; draft, review and revise email confirming details and summary of communications with J. Sagafi regarding same.	0.5
21 0304	Madison Industrial	Email to J. Sagafi regarding refinery cases; telephone conferences with and emails with E. Grover regarding same	0.3
21 0305	Madison Industrial	Emails with J. Sagafi regarding Chevron case as it relates to Madison Industrial; telephone conference with E. Grover and review file	0.1
21 0317	Madison Industrial	Meeting with E. Grover regarding approach to settlement	0.2
21 0323	Madison Industrial	telephone conference with E. Grover regarding mediation date(s); emails regarding same	0.4
21 0324	Madison Industrial	Emails regarding mediation; review Clayborne v. Chevron third amended complaint paragraphs excluding Madison Industrial as defendant	0.4
21 0326	Madison Industrial	Emails with J. Sagafi and to E. Grover	0.1
21 0422	Madison Industrial	Emails with J. Sagafi	0.1
21 0427	Madison Industrial	Telephone conferences with J. Sagafi and E. Grover	0.1
21 0429	Madison Industrial	Emails regarding changes and Chevron disallowing pre-shift work	0.1
21 0516	Madison Industrial	Review and revise damage calculation and emails regarding same and research for same	3.0
21 0517	Madison Industrial	Email regarding mediation brief	0.2
21 0518	Madison Industrial	Review and revise mediation brief; emails and research regarding same	2.5
21 0519	Madison Industrial	Emails regarding mediation brief; emails and analysis regarding new Labor Code provision	0.4
21 0519	Madison Industrial	Emails from J. Sagafi and to E. Grover	0.1

21 0520	Madison Industrial	Emails regarding final mediation brief; review redline of same	0.1
21 0525	Madison Industrial	Telephone conference with E. Grover regarding damage calculations; emails regarding mediation; review files and text regarding defendant's mediation brief	0.6
21 0526	Madison Industrial	Prepare for and attend mediation; meetings with E. Grover regarding same	7.3
21 0527	Madison Industrial	Email regarding mediation	0.1
21 0529	Madison Industrial	Review file; email regarding mediation fee for second session; review documents regarding same	0.3
21 0531	Madison Industrial	Email regarding mediation fee	0.1
21 0629	Madison Industrial	Emails regarding and review mediation payment status; review stipulation regarding continuance of CMC and email regarding same	0.4
21 0630	Madison Industrial	Review CMC continuance order	0.2
21 0709	Madison Industrial	Review incoming correspondence (order continuing CMC)	0.2
21 0823	Madison Industrial	Planning regarding mediation and Cazares v. Host	0.2
21 0824	Madison Industrial	Emails and research regarding and analyze arguments relating to Cazares v. Host	1.0
21 0824	Madison Industrial	Telephone conferences and emails regarding mediation	0.6
21 0825	Madison Industrial	Emails and telephone conferences regarding conducting mediation remotely from separate locations	0.2
21 0828	Madison Industrial	Communications regarding mediation session two	0.3
21 0831	Madison Industrial	Telephone conference with E. Grover regarding mediation; email regarding same	0.3
21 0901	Madison Industrial	Prepare for mediation and review notes from first session and other documents in file	0.3
21 0901	Madison Industrial	Attend mediation; review and revise MOU; Zoom conference with opposing counsel	6.4
21 0901	Madison Industrial	Review and check final versions of MOU; email regarding differing pagination/paragraphs; sign same and email regarding same; additional checks of emails	1.0
21 0902	Madison Industrial	Emails regarding MOU and settlement stipulation	0.2
21 0924	Madison Industrial	Review client-signed version of MOU; email regarding same	0.2
21 1015	Madison Industrial	Cost compilation and email regarding same	0.3
21 1022	Madison Industrial	Email regarding CMC statement	0.1
21 1102	Madison Industrial	Email from R. Spencer regarding CMC continuance	0.1
21 1206	Madison Industrial	Emails regarding settlement stipulation	0.2
21 1206	Madison Industrial	Emails regarding time compilation and settlement stipulation	0.3

21 1207	Madison Industrial	Compilation for fee petition	1.8
21 1207	Madison Industrial	Telephone conference with E. Grover and emails regarding settlement stipulation and hours	0.1
21 1208	Madison Industrial	Additional time compilation	0.2
21 1208	Madison Industrial	Create redline of settlement stipulation against similar settlement stipulation for review	0.2
21 1212	Madison Industrial	Review and notes regarding settlement stipulation and class notice; emails with questions regarding same	3.5
21 1213	Madison Industrial	Draft, review, revise and finalize CV and declaration regarding same and regarding hours; compile information for petition	2.0
22 0103	Madison Industrial	Review three orders regarding hearing on motion for preliminary approval	0.3
22 0104	Madison Industrial	Notice regarding date change of motion for preliminary approval from February 2 to February 3, 2022	0.2
22 0127	Madison Industrial	Review order regarding supplemental briefing	0.2
22 0207	Madison Industrial	Fee petition compilation and draft exhibit	3.8
22 0208	Madison Industrial	Emails and telephone conference with E. Grover regarding declaration deadline; review other declarations and email regarding same; review files regarding same	0.4
22 0225	Madison Industrial	Emails regarding MPA hearing	0.2
22 0303	Madison Industrial	Attend MPA hearing via Zoom; emails regarding same	0.6
22 0307	Madison Industrial	Emails regarding and review minutes regarding open item concerning notice	0.2
22 0308	Madison Industrial	Email regarding additions to settlement website	0.1
22 0309	Madison Industrial	Review MPA order; review draft of exhibit to fee motion	0.5
22 0309	Madison Industrial	Email regarding inconsistent dates in order and revised order; emails regarding and review corrected order	0.2
22 0331	Madison Industrial	Emails regarding fee petition	0.1
22 0417	Madison Industrial	Review file	0.1
22 0419	Madison Industrial	Update fee petition exhibit	0.8
22 0419	Madison Industrial	Telephone conference with class member regarding case, settlement and his options	0.8
22 0423	Madison Industrial	Review compliance hearing continuance request	0.2
22 0425	Madison Industrial	Prepare, review and revise exhibit to fee petition; telephone conference with E. Grover regarding same	3.4
22 0426	Madison Industrial	Prepare, review, revise and finalize declaration and exhibits in support of fee petition	1.4

22 0426	Madison Industrial	Time Computation	
22 0426	Madison Industrial - Total	Total Hours Through April 26, 2022	77.1
22 0426	Madison Industrial - Total	Total Future Hours Anticipated Through Hearing on Motion for Final Approval	0.0
22 0426	Madison Industrial - Total	Total Future Hours Anticipated After Hearing on Final Approval	5.0
22 0426	Madison Industrial - Total	Total Hours, This Statement	82.1
22 0426	FEES	Fee Computation	
22 0426	TOTAL FEES	82.1 hours @ \$950.00/hour	\$ 77,995.00
22 0426	COSTS	Cost Computation	
22 0426	Costs	Mediator	\$6,180.00
22 0426	Costs	Experts/Consultants	\$0.00
22 0426	Costs	Copying/Faxes	\$0.00
22 0426	Costs	Air Fare	\$0.00
22 0426	Costs	Meals and Lodging	\$0.00
22 0426	Costs	Conference Room Rental	\$239.10
22 0426	Costs	Ground Transportation	\$0.00
22 0426	Costs	Mileage	\$0.00
22 0426	Costs	Parking and Bridge Tolls	\$0.00
22 0426	Costs	Postage and Delivery	\$0.00
22 0426	Costs	Telephone	\$0.00
22 0426	TOTAL COSTS	Total Costs Through April 26, 2022	\$6,419.10
22 0426	TOTAL FEES AND COSTS	Total Fees and Costs Through April 26, 2022, Plus Anticipated Fees and Costs	\$84,414.10