

DIVERSITY LAW GROUP, P.C.
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Attorneys for Plaintiff and the Class

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

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

Plaintiff,

vs.

SUN VALLEY RAISINS, INC., a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. VCU284414

[Assigned to Hon. Nathan Ide]

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

Date: March 13, 2023
Time: 8:30 a.m.
Department: 2

Complaint Filed: September 23, 2020

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 \$5,909.03. 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 September 20, 2022, Plaintiff uploaded the order granting preliminary approval of tge
17 class action settlement to the LWDA's website. Attached hereto as **Exhibit B** is a copy of the LWDA's
18 confirmation of receipt. Concurrent with the filing of this motion, Plaintiff also has uploaded the final
19 approval motion to the LWDA.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct. Executed this 15th day of February 2023, at Los Angeles, California.

22 

23 _____
Larry W. Lee

EXHIBIT A

2/9/2023
9:49 AM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip.Classification Open
Client (hand select) Include: Tellez, Rodolfo v. Sun Valley
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		
63818	EXP	Olympia	1	75.00	75.00
9/10/2020		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
LWDA					
64366	EXP	Olympia	1	527.00	527.00
9/23/2020		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Complaint					
66036	EXP	Olympia	1	1002.50	1002.50
9/24/2020		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Tulare Superior - Complaint					
64565	EXP	Olympia	1	6.90	6.90
9/30/2020		Postage			
WIP		Tellez, Rodolfo v. Sun Valley			
Postage					
64715	EXP	Olympia	1	208.00	208.00
10/7/2020		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Copmlaint Service					
65190	EXP	Olympia	1	174.75	174.75
10/23/2020		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - POS of Summons					
65453	EXP	Olympia	9	0.25	2.25
11/30/2020		Photocopies			
WIP		Tellez, Rodolfo v. Sun Valley			
Photocopies					
65454	EXP	Olympia	1	0.65	0.65
11/30/2020		Postage			
WIP		Tellez, Rodolfo v. Sun Valley			
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		
65962	EXP	Olympia	1	174.75	174.75
1/12/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - CMS					
65810	EXP	Simon Yang	1	94.00	94.00
1/27/2021		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Courtcall					
66193	EXP	Olympia	6	0.25	1.50
1/31/2021		Photocopies			
WIP		Tellez, Rodolfo v. Sun Valley			
Photocopies					
66194	EXP	Olympia	1	0.50	0.50
1/31/2021		Postage			
WIP		Tellez, Rodolfo v. Sun Valley			
Postage					
66406	EXP	Olympia	1	114.26	114.26
2/5/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Opposition					
66229	EXP	Olympia	1	54.30	54.30
2/5/2021		Delivery serv			
WIP		Tellez, Rodolfo v. Sun Valley			
Federal Express					
66739	EXP	Olympia	1	174.75	174.75
2/19/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - CMS					
66450	EXP	Olympia	1	148.50	148.50
2/23/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Objection to Reply re Petition to Compel					
66545	EXP	Olympia	6	0.25	1.50
2/28/2021		Photocopies			
WIP		Tellez, Rodolfo v. Sun Valley			
Photocopies					
66546	EXP	Olympia	1	0.71	0.71
2/28/2021		Postage			
WIP		Tellez, Rodolfo v. Sun Valley			
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		
66285	EXP	Simon Yang	1	94.00	94.00
3/1/2021		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Courtcall					
66284	EXP	Simon Yang	1	94.00	94.00
3/8/2021		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Courtcall					
68901	EXP	Olympia	1	171.75	171.75
8/24/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - CMS					
68697	EXP	Simon Yang	1	94.00	94.00
9/8/2021		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Courtcall					
70313	EXP	Olympia	1	517.75	517.75
12/20/2021		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Motion for Class Certification					
70579	EXP	Christine Choo	1	187.75	187.75
1/10/2022		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Decl					
70609	EXP	Christine Choo	1	187.75	187.75
1/19/2022		Atty Service			
WIP		Tellez, Rodolfo v. Sun Valley			
Attorney Service - Reply					
70476	EXP	Simon Yang	1	94.00	94.00
1/24/2022		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
Courtcall					
71752	EXP	Erika Mejia	1	25.50	25.50
5/9/2022		Court fees			
WIP		Tellez, Rodolfo v. Sun Valley			
ACE E Filing - Joint Stip for Class Notice					
72015	EXP	Olympia	1	37.85	37.85
5/16/2022		Delivery serv			
WIP		Tellez, Rodolfo v. Sun Valley			
Federal Express					

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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
72321 EXP 6/7/2022 WIP Federal Express	Olympia Delivery serv Tellez, Rodolfo v. Sun Valley	1	36.49	36.49
72114 EXP 6/8/2022 WIP ACE E Filing - Settlement Conference Statement	Erika Mejia Court fees Tellez, Rodolfo v. Sun Valley	1	4.90	4.90
72252 EXP 6/24/2022 WIP Travel costs	Simon Yang Other travel Tellez, Rodolfo v. Sun Valley	1	413.09	413.09
72463 EXP 7/15/2022 WIP ACE E Filing - MPA	Erika Mejia Court fees Tellez, Rodolfo v. Sun Valley	1	75.50	75.50
72187 EXP 9/1/2022 WIP Belaire Costs	Olympia Other expenses Tellez, Rodolfo v. Sun Valley	1	285.48	285.48
72873 EXP 9/1/2022 WIP Service/Filing Fees	Simon Yang Other expenses Tellez, Rodolfo v. Sun Valley	1	500.00	500.00
72883 EXP 9/2/2022 WIP ACE E Filing - Supp Decl of SLY iso MPA	Erika Mejia Court fees Tellez, Rodolfo v. Sun Valley	1	13.70	13.70
73129 EXP 9/28/2022 WIP ACE E Filing - NOE	Olympia Court fees Tellez, Rodolfo v. Sun Valley	1	13.70	13.70
74401 EXP 2/9/2023 WIP MFA Filing Fees	Olympia Court fees Tellez, Rodolfo v. Sun Valley	1	300.00	300.00
Grand Total	Billable	0.00		5909.03

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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		
	Unbillable	0.00		0.00
	Total	0.00		5909.03

EXHIBIT B

From: [DIR PAGA Unit](#)
To: [Olympia Pena](#)
Subject: Thank you for your Court Order or Judgment Submission
Date: Tuesday, September 20, 2022 3:20:46 PM

09/20/2022 03:20:33 PM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Court Order or Judgment

If you have questions or concerns regarding this submission or your case, please send an email to pagainfo@dir.ca.gov.

DIR PAGA Unit on behalf of
Labor and Workforce Development Agency

Website: http://labor.ca.gov/Private_Attorneys_General_Act.htm