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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

JAMES PEVEY, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

LUMBER CITY CORP., a California
corporation d/b/a DIY HOME CENTER;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: CIVDS2010240

[Assigned for all purposes to the Hon. David
Cohn, Dept. S-26]

**DECLARATION OF DAVID J. LEE IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: November 19, 2021

Time: 10:00 a.m.

Dept.: S-26

Complaint Filed: June 2, 2020

FAC Filed: January 29, 2021

SAC Filed: July 23, 2021

Trial Date: Not Set

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I, David J. Lee, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with DAVID LEE LAW, counsel of record for Plaintiff James Pevey and Anne Peterson (together, “Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of this case, I have been involved in all aspects of the litigation. I have been the main point of contact with the class representatives and was also involved in all of the discovery, investigation, and negotiations of this matter.

3. Class Counsel has zealously represented the interests of the Class. The settlement was obtained for the benefit of the Class, as opposed to the individual Class Representatives. Further, Class Counsel has been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the class.

4. Both Plaintiffs' and Defendant's counsel have a great deal of experience in wage and hour class action litigation. Plaintiffs' counsel has been approved as class counsel in a number of wage and hour class actions.

5. Based on my review of all the information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

6. I am one of the primary attorneys on this matter. My qualifications are as follows: I attended the University of California, Los Angeles and I received a bachelor's degree. I received my JD from Thomas Jefferson School of Law in 2010. I was an intern at Shouse Law Group from 2007 through 2010.

7. For two years I practiced law as an associate at the Los Angeles County offices of Lee, Han & Paciocco, LLP, an employment and commercial litigation law firm.

8. My primary practice is employment & labor law. I have handled a number of class actions and individual actions, exclusively on the plaintiff side since 2016.

9. I have been certified as class counsel on *Carroll v. Golden State Supply, LLC*, Case No. RIC1706729; *Castillo v. Sheraton Operating*, Case No. 2:17-cv-07091-FMO-AS, and

1 *Peterson v. Redwood Memorial Hospital*, Case No. DR17061; *Mendoza v. Avis Rent A Car*
2 *System, LLC*, Case No. BC681943; *Valdez v. Mountain Valley Express Co., Inc.*, Case No.
3 CIVDS1800542; *Rodriguez v. Gardena Hospital*, Case No. BC705075; and *Le v. Captek*, Case
4 No. BC707675.

5 10. I'm currently co-counsel for the following pending class actions: *McCoy et al. v.*
6 *Diverse Business Solutions, Inc.*, Case No. CIVDS1317095, *Hayes v. Saje Natural Wellness*
7 *USA, Inc.*, Case No. 18CV323274, *Lozano v. Pacific Coast Sightseeing Tours & Charters, Inc.*,
8 Case No. 30-2017-00945466-CU-OE-CXC, *Andrade v. Novacap, LLC*, Case No. 20STCV21805

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

11 Executed on this 26th day of October 2021, at Los Angeles, California.

12 
13 _____
14 David J. Lee