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Attorneys for Plaintiffs, the Class, and Aggrieved Employees

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
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: May 2, 2022
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, APC, one of the attorneys of record for Plaintiffs James and Anne Peterson (together, "Plaintiffs"). I have personal knowledge of the facts set forth and if called to testify I could and would do so competently.

2. I along with my co-counsel have diligently litigated this case and will continue to litigate this case. We have propounded discovery, analyzed data, and engage in private mediation, on behalf of the Plaintiff Class.

3. Based on our independent investigations and evaluations, we are of the opinion that the proposed Settlement for the consideration and on the terms set forth in the Joint Stipulation of Class Action and Fairness Hearing/PAGA Settlement (“Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Plaintiffs, Class and the Defendant in light of all known facts and circumstances and the expenses and risks inherent in litigation.

4. I am one of the primary attorneys on this matter. My qualifications are as follows: I graduated from the University of California, Los Angeles for its undergraduate program and I received a Bachelor's degree in Psychology. I received my JD from Thomas Jefferson School of Law in San Francisco. I was an intern at Shouse Law Group before and during law school.

5. For two years I practiced law as an associate at the Los Angeles office of Lee, Paciocco, LLP, an employment and commercial litigation law firm. Thereafter, in 2016, I started my own law practice.

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

7. I have been approved as class counsel on *Carroll v. Golden State Supply LLC*, de Superior Court, Case No. RIC1706729, *Peterson v. Redwood Memorial Hospital of* a, Humboldt Superior Court, Case No. DR170615, *Castillo v. Sheraton Operating Corp*, o. CV17-7091, *Chase v. New-Indy Ontario, LLC*, San Bernardino Superior Court Case VDS1900901; *Valdez v. Mountain Valley Express*, San Bernardino Superior Court Case

1 No. CIVDS1800542; *Mendoza v. Avis Rent A Car System, LLC*, Case No. BC681943; *Garcia v.*
2 *Genesis Healthcare, LLC*, Case No. 18STCV06652; *Parchelli v. Silverado Senior Living*
3 *Management, Inc.*, Case No. 30-2017- 00959707-CU-OE-CXC; and *Le v. Captek Softgel*
4 *International, Inc.*, Case No. BC707675.

5 8. I have a practice that encompasses cases in the Alameda Superior Courts, Los
6 Angeles Superior Courts, the San Bernardino Superior Courts, the Orange County Superior
7 Courts, the Los Angeles County Superior Courts, the Riverside Superior Courts, the San
8 Francisco County Superior Courts, the San Diego County Superior Courts, San Luis Obispo
9 County Superior Courts and the United States District Courts for the Central and Northern
10 District of California.

11 9. My current billing rate is \$450.00 per hour.

12 10. To date, I have billed approximately 66.5 hours on the case and anticipate
13 approximately 5.5 more hours to finalize this matter. Thus, my total lodestar is \$32,400.00.
14 Attached hereto as **Exhibit A** is a true and correct copy of my time and task chart for this matter.

15 11. To date, I have also incurred cost in the amount of 1,806.21. Attached hereto as
16 **Exhibit B** is a true and correct copy of my cost in this matter.

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

19 Executed on this 6th day of April 2022, at Los Angeles, California.

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21 _____
22 David J. Lee
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EXHIBIT A

Pevey v. Lumber City Corp

Time and Task Chart for David J. Lee

Hours	Description of Work
4.0	Review Client Documents and Research Legal Claims
2.5	Drafted Civil Complaint
1.5	Drafted PAGA Notice
1.0	Obtained FEHA Right to Sue Letter
2.5	Drafted FAC
1.0	Reviewed notice of CMC
1.0	Drafted Joint Stip to Stay Case and Proposed Order
2.5	Reviewed SAC
1.0	Reviewed Notice of Association of Counsel
7.5	Prepared for Private Mediation
5.0	Attended Private Mediation
0.5	Reviewed Defendant's CMC statement
1.0	Reviewed Stipulation and Protective Order
1.0	Reviewed Belaire Notice
1.0	Reviewed Motion for Leave to file SAC
5.0	Reviewed Defendant's Written Discovery
7.0	Reviewed Defendant's Production of Documents
2.0	Reviewed Plaintiff's Written Discovery

1.0	Reviewed Notice of Deposition
5.5	Settlement Communication and Correspondences
5.0	Drafted/Reviewed Stipulation of Class Action Settlement
1.5	Drafted Declaration for Preliminary Approval of Class Action
1.0	Reviewed Order Granting Prelim Approval of Class Action Settlement
4.0	Drafted/Reviewed Motion for Final Approval of Class Action
1.5	Drafted Declaration for Final Approval of Class Action
66.5	TOTAL HOURS

EXHIBIT B

DAVID LEE LAW, APC
Pevey et al. v. DIY Home Center
(Cost Advanced)

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
12/7/20	Eldorado Court (Notice of Association)	\$ 6.00
10/5/20	Eldorado Court (FAC)	\$ 18.00
9/17/20	One Legal / Filing Fee for Complaint	\$ 1,582.36
9/1/20	LWDA / PAGA	\$ 75.00
9/17/20	DDS / Service of Summons and Complaint	\$ 124.85
	TOTAL	\$ 1,806.21