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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 WILLIAM L.
MARDER 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, William L. Marder, hereby declare and state as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of California and am a partner of the law firm of the Polaris Law Group, one of the attorneys of record for Plaintiffs James Pevey and Anne Peterson (together, “Plaintiffs”), in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I could and would competently do so.

2. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class Members as a whole.

3. I have been approved as class counsel in numerous other wage/hour class actions that have been granted class certification and final approval.

4. I graduated from UCLA Law School in 1993 and was admitted to the California Bar in 1994. Since that time, I have acquired substantial experience in employment litigation. I have represented both plaintiffs and defendants. I estimate that I have handled more than 200 employment cases, litigating cases in state and federal courts.

5. I have defended large institutional employers in employment cases. From 1995-1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented the City of Sacramento, Yolo County, the City of Davis, Solano County, and other employers in employment litigation in state and federal courts.

6. From 1997-2000, I served as a Deputy County Counsel in San Benito, handling all of its employment matters. These matters include advising the county on compliance with wage and hour laws, arbitrations, and litigation.

7. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an AV rated firm, where I represented numerous plaintiffs and defendants in employment lawsuits.

8. In 2006, I co-founded the Polaris Law Group where I spend most of my time handling employment cases. I primarily represent employees.

9. To date, my firm has incurred approximately 38.5 hours on this case. I have attached a summary of the time I have spent on this matter, as **Exhibit A**, which reflects a

breakdown of the hours and activities spent by my firm on this matter.

10. My current billing rate is at \$750.00 per hour. I have been approved at this rate in a number of cases, including but not limited to: *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court Case No. 18CV00191, *Holman v. American Sugar Refining, Inc.*, Contra Costa Superior Court Case No. MSC18-00415, *Hanna v. Equinix LLC*, Santa Clara Superior Court Case No. 18CV339365, *Pittman v. Martinez Steel Corporation*, San Bernardino Superior Court Case No. CIVDS1823132, *Sanchez v. ExamOne WorldWide, Inc.*, Santa Clara Superior Court Case No. 17CV30832, *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-005279959-CU-OE-VTA, *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court Case No. 19CV345211, *Ramirez v. Walgreen*, N.D. Cal. Case No. 18-cv-03921-EJD, *Reilly v. Recreational Equipment, Inc.*, N.D. Cal. Case No. 3:18-cv-07385-LB (Dkt. No. 61), *Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-NC (Dkt. No. 219), *Hernandez v. Wells Fargo Bank*, Santa Clara Superior Court Case No. 16CV299319, and *Carrillo v. New Balance Athletics, Inc.*, Santa Clara Superior Court Case No. 19CV352469. As such, the total of my firm's attorneys' fees through final approval is expected to be \$28,875.00.

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

Executed on April 7, 2022, at Hollister, California.


William L. Marder

EXHIBIT A

Pevey v. DIY Home Center
Time and Task Chart for William L. Marder

Hours	Description of Work
11.0	Perform client intake and interview; analyze and review documents provided by client upon receipt; confer with co-counsel re anticipated claims and discuss same with client.
6.4	Confer with client re draft discovery responses; analyze and review documents provided by client; confer with co-counsel re same.
7.4	Confer with client and conduct interviews of putative class members re additional theory of liability in light of <i>Donohue</i> .
8.1	Confer with client and co-counsel re proposed settlement; analyze, review, and further revise settlement agreement and supporting documents.
4.2	Draft and revise documentation in support of approval motions for settlement.
1.4	Confer and correspond with client re settlement and approval process.
38.5	TOTAL HOURS