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

DANIELA GARIBAY, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

vs.

PACIFIC STEEL GROUP, a California
corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No. CIVDS2011129

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

[Assigned to the Honorable Christian
Towns in Dept. S26]

Date: April 22, 2025
Time: 8:30 a.m.
Location: S26

ADDITIONAL ATTORNEYS

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Attorneys for Plaintiffs Brandon Gay and Israel Berber

DECLARATION OF LARRY W. LEE

I, Larry W. 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 the law firm Diversity Law Group, counsel of record for Darren Morris (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The Joint Stipulation of Class Action and PAGA Settlement and Release (“Agreement”) was the product of arm’s length negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Plaintiff’s counsel engaged in extensive factual investigation before settling. The Parties also participated in four full day of mediations which did not result in settlement. However, through continued negotiations the case settled through a mediator’s proposal which was accepted by all of the parties.

4. The Parties conducted formal and informal discovery prior to mediation, including reviewing the production of class data. The exchange of information allowed Plaintiff’s counsel to analyze liability and exposure.

5. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on my independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm’s length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

6. The Court preliminary approved this settlement on November 18, 2024 directing distribution of the Notice of Proposed Class Action Settlement (“Notice of Settlement”) and

1 scheduling the hearing for final approval of the settlement (the “Preliminary Approval Order”).

2 7. There were no objections to the amount of attorneys’ fees or litigation costs that
3 Plaintiffs’ counsel seek in this case and for which Plaintiffs ask the Court for final approval.

4 8. I am one of the primary attorneys on this matter. My qualifications are as
5 follows: I received my J.D. from Arizona State University College of Law in 2003. During law
6 school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated
7 cum laude from Arizona State University College of Law in the top 10% of my class. While I
8 was in law school, I was the Associate Managing Editor of the Arizona State University College
9 of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles
10 County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment
11 defense law firm that represents a significant number of Fortune 500 companies.

12 9. My firm’s primary focus is employment law. I have handled a number of wage
13 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
14 encompasses cases throughout the State of California, including but not limited to the Los
15 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County
16 Superior Courts, the San Diego County Superior Courts, and the United States District Courts for
17 the Central, Eastern, Northern, and Southern Districts of California.

18 10. I have been named as class counsel in a number of class actions that have been
19 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
20 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
21 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
22 District Court for the Central, Eastern, and Northern Districts of California, including but not
23 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
24 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
25 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
26 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
27 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial
28 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior

1 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
2 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
3 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
4 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
5 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

6 11. To date, I have incurred approximately 101.5 hours in connection with the
7 litigation of this lawsuit. Attached hereto as **Exhibit A** is a chart summarizing the amount of
8 work I have incurred to date on this matter.

9 12. In addition to the hours above, I also anticipate spending an additional 10 hours
10 through the completion of this case to handle any post-final approval and settlement matters,
11 including payments from the Settlement Administrator and any related issues.

12 13. Thus, I anticipate the total amount of my fees incurred in this case to be
13 approximately \$100,350.00, based on an hourly rate of \$900.00 per hour, including 10 hours in
14 anticipated time spent after the Court grants final approval (111.5 hours x \$900.00 per hour).

15 14. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v.*
16 *City of Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No.
17 CIVDS2015729; *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No.
18 37-2021-00008619-CU-OE-CTL; *Murray v. Granite Wellness Centers et al.*, Nevada County
19 Superior Court Case No. CU20-084680; *Smith, et al. v. Clean Harbors Environmental Services,*
20 *Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526; *Correa et al. v. FedEx*
21 *Supply Chain, Inc.*, San Bernardino County Superior Court Case No. CIVDS2023369; *Meguro*
22 *v. Silicon Valley Bank*, Santa Clara County Superior Court Case No. 20CV369854; and *Linaki v.*
23 *Genji Pacific, LLC*, Alameda County Superior Court Case No. RG20074795. Additionally, I
24 have been approved at an hourly rate of \$850.00 by various courts in a number of matters,
25 including most recently in *Audycki v. Stanford Health Care*, Santa Clara Superior Court Case
26 No. 19CV347173; *Palomino v. Northrop Grumman Systems Corporation*, Santa Clara Superior
27 Court Case No. 19CV345534; *Lakey v. Poshmark, Inc.*, Santa Clara Superior Court, Case No.
28 22CV395084; and *Medina v. United Airlines, Inc.*, Los Angeles Superior Court, Case No.

1 BC624742. As of January 1, 2024, my hourly rate for class and representative actions increased
2 to \$900.00 per hour, which is typical of attorneys in the community that have been practicing
3 for over 20 years. Indeed, I have personal knowledge, many of my colleagues and opposing
4 counsel are currently billing at rates much higher than \$900.00 per hour. Further, I have been
5 approved at an hourly rate of \$900.00 in *Jordan v. Mondelez Global LLC*, San Bernardino
6 County Case No. CIVSB2202758; *Bolding v. Cardinal Financial Company*, San Bernardino
7 County Case No. CIVSB2206543.

8 15. My office has incurred costs in the amount of \$15,965.83. The costs are all
9 litigation related costs, including filing and service fees, postage fees, and costs associated with
10 mediation. Attached hereto as **Exhibit B** is copy of the costs incurred in connection with
11 prosecution of this lawsuit.

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

14 Executed on March 19, 2025, at Los Angeles, California.

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18 Larry W. Lee
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EXHIBIT A

Morris, et al. v. Pacific Steel Group
San Bernardino Superior Court Case No. CIVDS2011129
Time and Task Chart for Larry W. Lee

Hours	Description of Work
2.0	Review file and client documents
1.3	Draft PAGA notice and confer with client
1.0	Review/revise Class Action Complaint; Confer with co-counsel
1.1	Review/revise First Amended Complaint
0.5	Review emails to set up meet and confer with opposing counsel
0.5	Review/revise Stipulation to file FAC
2.1	Review and revise Special Interrogatories and Request for Production of Documents
2.5	Review/revise responses to Interrogatories, Request for Admissions and Request for Production of Documents; Confer with client
4.7	Review discovery responses, review and index document production, review/revise meet and confer letter
1.2	Review/revise response to Defendant's meet and confer letter regarding Plaintiff's discovery responses; confer with co-counsel
1.6	Review emails to and from opposing counsel regarding meet and confer on outstanding discovery
0.5	Review CMC Statement
2.5	Confer with counsel on other matters regarding joint mediation
1.2	Review/revise Joint CMC Statement
3.5	Review data and document production for mediation
2.3	Review/revise Mediation Brief
1.5	Confer with co-counsel regarding additional data points for expert analysis and continue reviewing/revising mediation brief
2.6	Confer with co-counsel regarding mediation
0.5	Review/revise Joint CMC Statement
2.3	Confer with co-counsel on Joint Prosecution Agreement, review/revise agreement
1.5	Review and response to multiple emails to schedule a second mediation
2.3	Review further production of documents for second mediation
1.2	Review/revise Mediation Brief

1.4	Review mediation analysis documents and confer with co-counsel regarding mediation
6.5	Attend second mediation
1.2	Draft Joint Status Conference Statement; confer with opposing counsel
1.5	Continue meet and confer regarding outstanding discovery issues with new counsel for defendant
1.1	Review/revise Protective Order
1.3	Review/revise Belaire Notice; confer with co-counsel
1.4	Review/revise Stipulation to continue MSJ and CMC; confer with co-counsel and opposing counsel regarding the same
2.7	Review/respond to emails regarding scheduling a third mediation
1.3	Review/revise Stipulation to continue class certification motion deadline and case management conference
1.0	Review/revise Notice of PMK deposition; confer with co-counsel regarding the same; review/respond to emails from defense counsel
1.7	Conference calls with counsel on other matters regarding mediation and case status
1.6	Review/revise stipulation regarding class list; confer with opposing counsel regarding revisions
1.2	Review and respond to multiple emails to schedule a second mediation
1.7	Review Mediation Brief; confer with co-counsel regarding mediation
2.5	Review mediation analysis documents and confer with co-counsel regarding mediation
8.0	Attend second mediation
2.2	Confer with all counsel regarding the mediator's proposal
1.5	Review/revise Amended Complaint to consolidate cases
7.5	Review/revise long-form settlement agreement; confer with opposing counsel regarding terms therein; review revisions and further revise; Draft supporting declaration
5.8	Review/revise motion for preliminary approval, proposed order, and supporting documents; further review and revise same.
1.5	Review emails from class action administrator and draft notice forms
2.0	Confer with class members regarding the settlement
4.5	Review/revise motion for final approval, proposed order, and supporting documents; further review and revise same.
101.5	<u>TOTAL HOURS</u>

EXHIBIT B



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250,
Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice # 10053
Invoice Date 03/06/2025
Terms Upon Receipt
Due Date 03/06/2025
PO #

Payment Link
<https://pay.sandbox.gravity-legal.com/paylink/0ebb2546-feac-4500-9a1b-a6ef7995c2d6>

Invoice Total: 15965.83
Payment Applied: 0.00
Total Due: 15965.83

Summary By Type

Type	Description	Subtotal	Discount	Tax	Total
Fees & Other Charges		0.00	0.00	0.00	0.00
Billed Time		0.00	0.00	0.00	0.00
Expenses		15965.83	0.00	0.00	15965.83
		\$15,965.83	\$0.00	\$0.00	\$15,965.83

Summary By Matter

Matter	Fee and Other Charges	Billed Time	Expenses	Discount	Tax	Total
Morris, Darren v. Pacific Steel Group	0.00	0.00	15965.83	0.00	0.00	15965.83
	\$0.00	\$0.00	\$15,965.83	\$0.00	\$0.00	\$15,965.83

Subtotal: \$15,965.83
Discount: \$0.00
Subtotal after Discount: \$15,965.83
Taxable Subtotal: \$15,965.83
Tax: \$0.00
Total: \$15,965.83
Payment Applied: \$0.00
Total Due: \$15,965.83

Notes



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250,
Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice #	10053
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Due Date	03/06/2025
PO #	

Terms & Conditions



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Los Angeles, California, 90071
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Invoice # 10053
Invoice Date 03/06/2025
Terms Upon Receipt
Due Date 03/06/2025
PO #

Summary- Morris, Darren v. Pacific Steel Group (13109.001)

Type	Description	Amount
Fees & Other Charges		0.00
Billed Time		0.00
Expenses		15965.83

Subtotal: \$15,965.83
Discount: \$0.00
Subtotal after Discount: \$15,965.83
Taxable Subtotal: \$15,965.83
Tax: \$0.00
Total: \$15,965.83

Details - Morris, Darren v. Pacific Steel Group (13109.001)

Expenses

Category	Date	Expense Code	Description	Amount (\$)
	06/23/2020	E112 Court fees	LWDALWDA	75.00
	06/30/2020	Photocopies	PhotocopiesPhotocopies	0.75
	06/30/2020	E108 Postage	PostagePostage	7.40
	10/31/2020	Photocopies	PhotocopiesPhotocopies	2.00
	10/31/2020	E108 Postage	PostagePostage	1.00
	10/28/2021	E112 Court fees	One Legal - CMSOne Legal - CMS	20.59
	01/14/2022	E121 Arbitrators/mediators	Signature Resolution MediationSignature Resolution Mediation	4450.00
	08/02/2022	E111 Meals	MealMeal	10.95
	08/02/2022	E111 Meals	MealMeal	6.55
	10/17/2022	E112 Court fees	OneLegal - Notice of Remote Appearance	20.08
	09/28/2023	E112 Court fees	OneLegal - StipOneLegal - Stip	41.13
	03/14/2024	E121 Arbitrators/mediators	JAMS MediationJAMS Mediation	5660.00
	04/11/2024	E121 Arbitrators/mediators	JAMS Mediation [originally paid 5,660 -	5477.50



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Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice # 10053
Invoice Date 03/06/2025
Terms Upon Receipt
Due Date 03/06/2025
PO #

Category	Date	Expense Code	Description	Amount (\$)
	10/10/2024	E112 Court fees	Odyssey - Joint Stip to Vacate all Dates	3.75
	10/11/2024	E112 Court fees	Odyssey - Notice of RulingOdyssey - Notice of Ruling	3.75
	10/16/2024	E112 Court fees	OneLegal - Notice of RulingOneLegal - Notice of Ruling	26.54
	10/21/2024	E112 Court fees	OneLegal - StipOneLegal - Stip	51.32
	10/10/2024	Attorney Service	Attorney Service - Joint StipAttorney Service - Joint Stip	57.24
Court Fees	02/24/2025		OneLegal - Stip	50.28
Subtotal:				\$15,965.83
Tax:				\$0.00
Total:				\$15,965.83

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Hollister, CA 95023

Attorneys for Plaintiffs Brandon Gay, Israil Berber, and Darren Morris

☐ **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am “readily familiar” with this firm’s practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

☒ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☐ **BY PERSONAL SERVICE:** I delivered the document, enclosed in a sealed envelope, by hand to the offices of the addressee(s) named herein.

☐ **BY ELECTRONIC SERVICE:** I caused the document(s) to be transmitted electronically via One Legal eService to the individuals listed above, as they exist on that database. This will constitute service of the document(s).

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

Executed this **March 28, 2025**, at Los Angeles, California.

Stacy Winberg
Type or Print Name

/s/ *Stacy Winberg*
Signature