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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN**

JOSE PABLO JIMENEZ, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

vs.

NESTLE WATERS NORTH AMERICA,
INC., a Delaware corporation; and DOES
1 through 50, inclusive,

Defendants.

Case No.: BCV-20-102561

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

Date: August 15, 2022
Time: 8:30 a.m.
Division: J

Complaint Filed: November 2, 2020
FAC Filed: February 7, 2022
Trial Date: None Set

1 I, Larry W. Lee, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
3 California, and am with the law firm Diversity Law Group, counsel of record for Plaintiff Jose
4 Pablo Jimenez ("Plaintiff"). I have personal knowledge of the facts set forth below and if called
5 to testify I could and would do so competently.

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

8 3. The Joint Stipulation of Class and Representative Action Settlement ("Settlement
9 Agreement") was the product of arm's length negotiations between highly able and experienced
10 attorneys on both sides who possessed the relevant data and extensive legal research which they
11 had carefully analyzed. Plaintiff's Counsel engaged in extensive factual investigation before
12 settling. The Parties also participated in a full-day of mediation with an experienced wage-and-
13 hour mediator, the Honorable Brian C. Walsh (Ret.).

14 4. In connection with mediation, the Parties also conducted formal and informal
15 discovery before mediation, including reviewing the production of class and payroll data, sample
16 time and payroll records, and information pertaining to Defendant's pertinent payroll policies
17 and practices. The exchange of informal discovery allowed Plaintiff's Counsel to analyze
18 liability and exposure.

19 5. Based on my independent investigations and evaluations, I am of the opinion that
20 the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class
21 Members, in light of all known facts and circumstances, and the expenses and risks inherent in
22 litigation. The settlement was negotiated at arm's length and was facilitated by an experienced
23 and neutral mediator.

24 6. Any remaining monies from uncashed settlement checks will be distributed to
25 Legal Aid at Work. Plaintiff's Counsel does not have any relationship with or connection to
26 said organization.

27 7. My qualifications are as follows: I received my J.D. from Arizona State
28 University College of Law in 2003. During law school, I was a summer associate at the law firm

1 of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College
2 of Law in the top 10% of my class. While I was in law school, I was the Associate Managing
3 Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I
4 practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash
5 Smoak & Stewart, P.C., a national employment defense law firm that represents a significant
6 number of Fortune 500 companies.

7 8. My firm's primary focus is employment law. I have handled a number of wage
8 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
9 encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts, the
10 San Francisco County Superior Courts, the San Diego County Superior Courts, and the United
11 States District Courts for the Central, Eastern and Northern Districts of California.

12 9. I have been named as Class Counsel in a number of class actions that have been
13 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
14 Francisco County, and other counties, and the United States District Court for the Central
15 District of California, including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et*
16 *al.*, San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et*
17 *al.*, Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of
18 California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange
19 County Superior Court, Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS*
20 *Corp. et al.*, Judicial Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito
21 County Superior Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey*
22 *Peninsula*, Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour*
23 *Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v.*
24 *Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v.*
25 *Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

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

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Executed on this 21st day of July 2022, at Los Angeles, California.



Larry W. Lee