

B. James Fitzpatrick (SBN: 129056)
Laura L. Franklin (SBN: 282642)
FITZPATRICK & SWANSTON
555 S. Main Street
Salinas, CA 93901
Telephone: (831) 755-1311
Facsimile: (831) 755-1319

Larry W. Lee (SBN: 228175)
Max W. Gavron (SBN: 291697)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, California 90071
Telephone: (213) 488-6555
Facsimile (213) 488-6554

Attorneys for Plaintiff,
YANNET JIMENEZ on behalf of herself and all similarly situated employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

YANNET JIMENEZ on behalf of herself
and all similarly situated employees,

v.

SAMBRAILO PACKAGING; and DOES 1
through 50, inclusive,

Defendants.

Case No. 20CV003281

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

Date: November 3, 2023
Time: 8:30 a.m.
Dept: 15

Complaint Filed: December 7, 2020
FAC Filed: April 18, 2023
Trial Date: Not Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

- 3
- 4
- 5
- 6

7
8

9
10
11
12
13

14
15
16
17
18
19

20
21
22
23
24
25
26

27

28

1 384. I do not have any relationship with or connection to said organization.

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

4 8. To date, I have incurred approximately 123.4 hours in connection with the
5 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have
6 incurred to date.

7 9. I also anticipate spending an additional 10 hours conferring and reviewing e-
8 mails and other written communications with counsel for Defendant, the Settlement
9 Administrator, and Settlement Class Members regarding post final approval matters, including
10 payments and related issues.

11 10. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour
12 by various Courts. Examples of these Courts include the following cases: *Hernandez v. Wells*
13 *Fargo Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New*
14 *Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v.*
15 *Walgreen Co.*, United States District Court, Northern District of California Case No. 18-cv-
16 03921-EJD, *Chavez v. Converse, Inc.*, United States District Court, Northern District of
17 California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda
18 County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara
19 County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles
20 County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community*
21 *Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez Steel*
22 *Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael*
23 *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
24 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case
25 No.19CV341582; *Siron v. Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-
26 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino County Superior
27 Court Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite*
28 *Healthcare, Inc.*, Santa Clara County Superior Court Case No. 19CV345211.

1 11. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v.*
2 *City of Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No.
3 CIVDS2015729, *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No.
4 37-2021-00008619-CU-OE-CTL, *Murray v. Granite Wellness Centers et al.*, Nevada County
5 Superior Court Case No. CU20-084680, and *Smith, et al. v. Clean Harbors Environmental*
6 *Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526.

7 12. Although I believe \$800.00 per hour is a reasonable rate for my services, as it
8 has been approved throughout California, in this motion, I request a reduced hourly rate of
9 \$595.00, which considers the jurisdiction where this Action was litigated. Accordingly, the
10 total lodestar for my hours will be approximately \$79,373.00 based on an hourly rate of
11 \$595.00 per hour [(123.4 hours + 10 anticipated hours) x \$595.00].

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

20 14. My firm's primary focus is employment law. I have handled a number of wage
21 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
22 encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts,
23 the San Francisco County Superior Courts, the San Diego County Superior Courts, and the
24 United States District Courts for the Central, Eastern, Northern, and Southern Districts of
25 California.

26 15. I have been named as class counsel in a number of class actions that have been
27 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
28 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino

1 County, Santa Clara County, Sonoma County, and the United States District Court for the
2 Central, Eastern, and Northern Districts of California, including but not limited to the
3 following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court
4 Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior
5 Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-
6 0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
7 Judicial Council Coordination Proceeding No. 4480; *Tse v. Best Buy*, Los Angeles Superior
8 Court Case No. BC392717; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination
9 Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-
10 00182; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey County Superior
11 Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court
12 Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*,
13 Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*,
14 Yolo County Superior Court Case No. CV-18-558.

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

17 Executed on this 12th day of October 2023, at Los Angeles, California.

18 
19 _____
Larry W. Lee

EXHIBIT A

Jimenez v. Sambrailo Packaging
Larry W. Lee Time and Task Chart

Hours	Description of Work
5.8	Review client documents and background information; confer with co-counsel re claims to be filed
6.1	Review and revise complaint and FAC and PAGA letter
10.3	Review and revise first set of written discovery to Defendant; review responses to same; meet and confer re same; review supplemental responses for same
7.4	Review documents produced by Defendant
13.7	Review and revise PMK depo notice; review and revise depo outline for same; review exhibits for same; review depo transcript
7.6	Review and revise second and third sets of discovery to Defendant; review responses to same; meet and confer re same; review supplemental responses to same
13.3	Confer with counsel re data for first mediation; review same; review and revise mediation brief; attend first mediation
26.4	Review and revise motion for class certification; review opposition to same; review and revise reply brief re same; legal research re same; prepare oral argument outline/notes for same
5.1	Confer with class members re lawsuit/class certification
10.6	Confer with counsel re second mediation and data for same; review date for second mediation; review and revise mediation brief; attend mediation
5.2	Review and revise long form settlement agreement; confer with counsel re changes to same
4.4	Review and revise Motion for Preliminary Approval and supporting documents
3.7	Confer with class members re settlement issues
3.8	Draft, review and revise Motion for Final Approval and supporting documents
123.4	TOTAL HOURS