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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

JORDAN MCDONALD, as an individual and on
behalf of all others similarly situated, and as a
private attorney general,

Plaintiffs,

vs.

HCL AMERICA, INC., a California corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 20CV371353

[Hon. Sunil R. Kulkarni, Department 1]

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

Date: September 21, 2023
Time: 1:30 p.m.
Department: 1

Complaint Filed: October 7, 2020

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

2 1. I am an attorney admitted to practice in the State of California and, with the law firm
3 Diversity Law Group, P.C., am counsel of record for Plaintiff. I make this declaration on the basis of my
4 own personal knowledge, except as to those matters stated on information and belief and, as to those
5 matters, I believe them to be true. If called as a witness, I could testify competently as to the facts stated
6 in this declaration.

7 2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with
8 my office’s contact information, where they could further seek information regarding the class
9 settlement, leave questions for the Administrator, and update their address.

10 3. There were no objections to the amount of attorneys’ fees or litigation costs that Class
11 Counsel seek in this case and for which Plaintiff asks the Court for final approval.

12 4. Class Counsel engaged in extensive factual investigation before settling, including the
13 exchange of informal discovery and class data. This allowed Plaintiff to conduct a full damage analysis.
14 The Agreement was the product of negotiation between highly able and experienced attorneys on both
15 sides who possessed the relevant data and extensive legal research which they had carefully analyzed.

16 5. The settlement in the case at bar warrants approval and carries a presumption of fairness.
17 As previously noted in the application for Preliminary Approval, this current settlement was negotiated
18 at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the
19 Class Members as a whole.

20 6. My firm has a great deal of experience in wage and hour class action litigation and has
21 been approved as class counsel in a number of class actions.

22 7. I am one of the primary attorneys on this matter. My qualifications are as follows: I
23 received my J.D. from Arizona State University College of Law in 2003. During law school, I was a
24 summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona
25 State University College of Law in the top 10% of my class. While I was in law school, I was the
26 Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon
27 graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash
28

1 Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of
2 Fortune 500 companies, including wage and hour class actions.

3 8. My firm's primary focus is employment law. I have handled a number of wage and hour
4 matters including class actions and individual actions, on both plaintiff and defense sides. I have a
5 practice that encompasses cases throughout the State of California, including but not limited to the Los
6 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior
7 Courts, the San Diego County Superior Courts, and the United States District Courts for the Central,
8 Eastern, Northern, and Southern Districts of California. I have been named as Class Counsel in a
9 number of class actions that have been granted final approval by the Superior Courts of Los Angeles
10 County, Orange County, San Francisco County, Alameda County, Contra Costa County, Monterey
11 County, San Bernardino County, Santa Clara County, Sonoma County, and the United States District
12 Court for the Central, Eastern, and Northern Districts of California.

13 9. My firm has incurred costs in the amount of \$8,583.88. The costs are all litigation related
14 costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is copy of the costs my
15 firm has incurred in connection with prosecution of this lawsuit.

16 10. On January 24, 2023, Plaintiff uploaded the Order Granting Plaintiff's Motion for
17 Preliminary Approval of Class Action Settlement to the LWDA's website. Concurrent with the filing of
18 this motion, Plaintiff also has uploaded the final approval motion to the LWDA.

19 11. I understand that the attorneys' fees awarded in this action will be split 65% to Diversity
20 Law Group, P.C. and 35% to Polaris Law Group.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct. Executed this 28th day of August 2023, at Los Angeles, California.

23 

24 _____
Larry W. Lee

EXHIBIT A

8/21/2023
1:10 PM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: McDonald, Jordan v. HCL
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
64294	EXP	Olympia	1	75.00	75.00
10/5/2020		Court fees			
WIP		McDonald, Jordan v. HCL			
LWDA					
64303	EXP	Olympia	1	1483.77	1483.77
10/7/2020		Court fees			
WIP		McDonald, Jordan v. HCL			
Odyssey - Complaint					
64771	EXP	Olympia	1	69.49	69.49
10/21/2020		Atty Service			
WIP		McDonald, Jordan v. HCL			
Attorney Service - Complaint Service					
64621	EXP	Olympia	1	5.72	5.72
10/28/2020		Court fees			
WIP		McDonald, Jordan v. HCL			
Odyssey - POS of Summons					
64874	EXP	Olympia	1	6.90	6.90
10/31/2020		Postage			
WIP		McDonald, Jordan v. HCL			
Postage					
65872	EXP	Simon Yang	1	94.00	94.00
2/4/2021		Court fees			
WIP		McDonald, Jordan v. HCL			
Courtcall					
67396	EXP	Erika Mejia	1	5.72	5.72
5/28/2021		Court fees			
WIP		McDonald, Jordan v. HCL			
Odyssey - Joint Status Report					
67392	EXP	Simon Yang	1	94.00	94.00
6/3/2021		Court fees			
WIP		McDonald, Jordan v. HCL			
Courtcall					

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Slip ID Dates and Time Posting Status Description	Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
67765 EXP 7/8/2021 WIP Courtcalls	Simon Yang Court fees McDonald, Jordan v. HCL	1	94.00	94.00
69725 EXP 11/12/2021 WIP Odyssey - Joint Status Report	Linda Lee Court fees McDonald, Jordan v. HCL	1	5.72	5.72
70492 EXP 1/25/2022 WIP Judicate West Mediation	Olympia Arbitrators McDonald, Jordan v. HCL	1	6250.00	6250.00
72306 EXP 7/1/2022 WIP Odyssey - Joint Status Report	Erika Mejia Court fees McDonald, Jordan v. HCL	1	5.72	5.72
73933 EXP 12/22/2022 WIP Odyssey - MPA	Erika Mejia Court fees McDonald, Jordan v. HCL	1	67.52	67.52
75534 EXP 6/27/2023 WIP Odyssey - Stip to Cont MFA	Erika Mejia Court fees McDonald, Jordan v. HCL	1	26.32	26.32
75979 EXP 8/21/2023 WIP Costs	Simon Yang Court fees McDonald, Jordan v. HCL	1	300.00	300.00
Grand Total	Billable Unbillable Total	0.00 0.00 0.00		8583.88 0.00 8583.88