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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

CELIA STEWART, as an individual and on behalf
of all others similarly situated, and as a private
attorney general;

Plaintiff,

vs.

RITCHIE BROS AUCTIONEERS (AMERICA)
INC., a Washington corporation; RITCHIE BROS
AUCTIONEERS INC., a Washington corporation
upon information and belief, and DOES 1 through
50, inclusive,

Defendants.

Case No. RG21086650

[Hon. Evelio Grillo, Department 21]

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

Date: March 1, 2023
Time: 10:00 a.m.
Department: 21

Reservation ID: 179371674381

Complaint Filed: January 25, 2021

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 formal and informal discovery and class data. This allowed Plaintiff to conduct a full
14 damage analysis. The Agreement was the product of negotiation between highly able and experienced
15 attorneys on both sides who possessed the relevant data and extensive legal research which they had
16 carefully analyzed.

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

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

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

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 \$10,065.24. The costs are all litigation
14 related costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is copy of the costs
15 my firm has incurred in connection with prosecution of this lawsuit.

16 10. On November 18, 2022, 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 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct. Executed this 1st day of February 2023, at Los Angeles, California.

21 

22 _____
Larry W. Lee

EXHIBIT A

1/23/2023
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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Stewart, Celia v. Ritchie
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		
65487	EXP	Olympia	1	75.00	75.00
12/23/2020		Court fees			
WIP		Stewart, Celia v. Ritchie			
LWDA					
65784	EXP	Olympia	1	6.90	6.90
12/31/2020		Postage			
WIP		Stewart, Celia v. Ritchie			
Postage					
65824	EXP	Olympia	1	1453.00	1453.00
1/25/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - Complaint					
66424	EXP	Olympia	1	72.49	72.49
2/12/2021		Atty Service			
WIP		Stewart, Celia v. Ritchie			
Attorney Service - Complaint Service					
66425	EXP	Olympia	1	291.00	291.00
2/12/2021		Atty Service			
WIP		Stewart, Celia v. Ritchie			
Attorney Service - Complaint Service					
66569	EXP	Erika Mejia	1	3.00	3.00
3/12/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - POS of Summons					
66599	EXP	Olympia	1	14.00	14.00
3/19/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - Notice					
66690	EXP	Erika Mejia	1	5.00	5.00
3/22/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - POS of Summons					

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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		
67047	EXP	Olympia	1	2.80	2.80
3/31/2021		Postage			
WIP		Stewart, Celia v. Ritchie			
Postage					
67046	EXP	Olympia	26	0.25	6.50
3/31/2021		Photocopies			
WIP		Stewart, Celia v. Ritchie			
Photocopies					
68238	EXP	Erika Mejia	1	14.00	14.00
7/23/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - FAC					
68629	EXP	Christine Choo	1	10.00	10.00
8/23/2021		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Fax Filing - Notice of Reassignment					
70486	EXP	Olympia	1	7500.00	7500.00
1/24/2022		Arbitrators			
WIP		Stewart, Celia v. Ritchie			
Steven G. Pearl Mediation					
70755	EXP	Olympia	1	9.05	9.05
2/16/2022		Court fees			
WIP		Stewart, Celia v. Ritchie			
ACE E Filing - Joint CMS					
72823	EXP	Olympia	1	1.00	1.00
8/23/2022		Court fees			
WIP		Stewart, Celia v. Ritchie			
Alameda Superior Court MPA Reservation					
72880	EXP	Erika Mejia	1	78.65	78.65
9/1/2022		Court fees			
WIP		Stewart, Celia v. Ritchie			
ACE E Filing - MPA					
73455	EXP	Erika Mejia	1	16.85	16.85
11/2/2022		Court fees			
WIP		Stewart, Celia v. Ritchie			
ACE E Filing - Supp Decs					
73530	EXP	Olympia	1	1.00	1.00
11/8/2022		Court fees			
WIP		Stewart, Celia v. Ritchie			
MFA Reservation					

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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		
73600	EXP	Olympia	1	5.00	5.00
11/18/2022		Online researc			
WIP		Stewart, Celia v. Ritchie			
Online Order					
74253	EXP	Olympia	1	500.00	500.00
1/23/2023		Court fees			
WIP		Stewart, Celia v. Ritchie			
WIP Fees					
Grand Total					
			0.00		10065.24
			0.00		0.00
			0.00		10065.24