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7 Attorneys for Plaintiff(s),

8 SIMONETTE VILLENA, and all others similarly situated

(Additional attorneys for parties on following page)

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF SAN DIEGO**

12 **(UNLIMITED JURISDICTION)**

13 SIMONETTE VILLENA, on behalf of herself and
14 as an “aggrieved employee” on behalf of other
15 “aggrieved employees” under the Labor Code
Private Attorneys General Act of 2004,

16 *Plaintiff,*

17 vs.

18 MIDWAY VENTURE LLC, a California limited
19 liability company; PETER BALOV, an
individual; and DOES 1–50, inclusive,

20 *Defendants.*

Case No. 37-2021-00005970-CU-OE-CTL

**DECLARATION OF WALTER L.
HAINES IN SUPPORT OF PLAINTIFF
SIMONETTE VILLENA’S MOTION
FOR APPROVAL OF PAGA
SETTLEMENT**

RESERVATION:

Hearing Date: April 14, 2023

Hearing Time: 1:30 p.m.

Hearing Dept.: C-72, The Honorable
Timothy Taylor

Action filed: February 09, 2021

Trial Date: Not Set



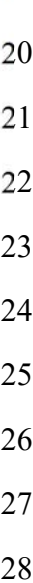
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1 **DECLARATION OF WALTER L. HAINES IN SUPPORT OF MOTION FOR**

2 I, WALTER L. HAINES, declare as follows:

3 1. I am an attorney duly licensed to practice law in the State of California and am
4 an attorney of record for Plaintiff Simonette Villena (“Plaintiff”) in her lawsuit against
5 Defendants Midway Venture LLC and Peter Balov (collectively “Defendants”). I am a member
6 in good standing of the State Bar of California. I make this Declaration in support of Plaintiff’s
7 Motion for Approval of PAGA Settlement. I make this Declaration based on my personal
8 knowledge and if called to testify I could and would competently testify to the matters contained
9 in this Declaration.

10 2. I am a highly experienced class action counsel specializing in actions of this
11 nature. I have been practicing law for over 40 years and I am highly experienced in actions of
12 this nature. I am the most senior attorney at my firm, United Employees Law Group, and worked
13 on the litigation of this matter. I formed United Employees Law Group in 2005, primarily to
14 represent employees in their wage claims. I have represented over 1,500 clients in wage and
15 hour disputes of which more than 300 cases were class actions with settlements totaling over
16 \$400,000,000. These class action cases include Fortune 500 companies such as Pepsi, Intel,
17 Home Depot, Kaiser, Wells Fargo, Bank of America, Cisco Systems, First American Title Co.,
18 Yahoo!, WellPoint, Inc., Sun Microsystems, and Kaiser Foundation Hospitals.

19 3. I have no conflicts of interest with the class or with the PAGA Settlement
20 Members Representative. I am not related to the representative plaintiff. I have not previously
21 represented Defendants in any matter. I do not represent opposing factions within the class in
22 that all claims are predicated upon the same theories of liability and benefit all class members
23 equally. In sum, I am well-suited to act as PAGA Settlement Members Counsel and will continue
24 to vigorously represent the interests of the PAGA Members.

25 4. United Employees Law Group has prosecuted this litigation solely on a
26 contingent-fee basis, and has been completely at risk that it would not receive any compensation
27 for prosecuting claims against the Defendant.

28 5. United Employees Law Group has participated in this litigation and has
performed work on behalf of Plaintiff since the inception of this litigation. The hours submitted
with this declaration are solely for work performed on behalf of the PAGA Members alleged in
the above-entitled California action and not any other state or federal matter.



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1 6. I performed, among other things, the following tasks related to this matter:
2 analyzed initial clients' claims; performed initial investigation inclusive of research necessary
3 for case evaluation and searched court records relative to possible competing cases. I
4 participated in its mediation and settlement and reviewed all settlement papers along with orders
5 from the court, law and motion papers and assisted with client liaison and other tasks assigned
6 by lead counsel.

7 7. The hourly rate for my time is \$725.00 per hour which is my usual and customary
8 hourly rate charged for my services in similar complex class and representative actions.

9 8. The total number of hours spent by me on this litigation is 27.70 hours through
10 August 30, 2022.

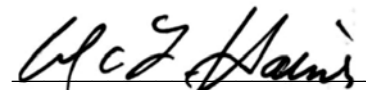
11 9. My total lodestar amount through March 7, 2023 is \$20,082.50.

12 10. My out-of-pocket expenses for court fees are \$15.50. These fees are paid to
13 various courts to obtain records in order to determine if there is a similar case already on file in
14 any court.

15 11. I believe that the Settlement is fair, adequate, and reasonable. The Settlement
16 provides substantial monetary benefits to PAGA Members and is a product of diligent efforts of
17 Plaintiff's Counsel to obtain the best possible result for the PAGA Members. This Settlement
18 was reached following thorough legal and factual research and analysis, thorough review of
19 extensive data relative to the claims in the action, arduous settlement negotiations, and thorough
20 investigation of the underlying facts by the respective parties and review of records. The
21 settlement negotiations were, at all times, adversarial and non-collusive in nature. The proposed
22 Settlement is within the range of reasonableness, and PAGA Members have supported the
23 Settlement.

24 I declare under the penalty of perjury of the laws of the State of California that the
25 foregoing is true and correct to the best of my knowledge.

26 Executed on Tuesday, March 21, 2023 at Los Angeles, California.

27
28

WALTER L. HAINES,
Declaran



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