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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

LEOPOLDO ORDAZ, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

METLANG LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: BCV-20-102983

[Assigned for all purposes to the Hon. Thomas
S. Clark, Department 17]

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

Date: August 5, 2022

Time: 8:30 A.M.

Dept.: 17

DECLARATION OF LARRY W. LEE

I, Larry W. Lee, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, counsel of record for Named Plaintiff Leopoldo Ordaz (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

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

3. The Joint Stipulation of Class Action Settlement and Release (“Stipulation” or “Settlement Agreement”) was the product of arm’s length negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Plaintiff’s Counsel engaged in extensive factual investigation before settling. The Parties also participated in a full-day of mediation with an experienced wage-and-hour mediator, Steve Pearl, Esq.

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

5. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on my independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm’s length and was facilitated by an experienced and neutral mediator.

6. The Court preliminarily approved this settlement on March 21, 2022, directing distribution of the Notice of Class Action Settlement (“Notice”) (the “Preliminary Approval Order”).

1 7. There were no objections to the amount of attorneys' fees or litigation costs that
2 Plaintiff's Counsel seeks in this case and for which Plaintiff asks the Court for final approval.

3 8. Any remaining monies from uncashed settlement checks will be distributed to
4 the *cy pres* recipient, Legal Aid at Work. I do not have any relationship with or connection or
5 to said organization.

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

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

19 11. I have been named as Class Counsel in a number of class actions that have been
20 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
21 Francisco County, and other counties, and the United States District Court for the Central
22 District of California, including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et*
23 *al.*, San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et*
24 *al.*, Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of
25 California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*,
26 Orange County Superior Court, Judicial Council Coordination Proceeding No. 4480;
27 *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539; *Padilla v.*
28 *Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v. Community*

1 *Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No. 17CV003452;
2 *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council Coordination
3 Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case
4 No. RG15761142; *Davis v. Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-
5 18-558; *Stafford v. Brinks et al.*, Los Angeles County Superior Court Case No. BC532260;
6 *Chavez v. Kenneth Cole Productions, Inc.*, Santa Clara Superior Court Case No. 17CV306407;
7 *Chavez v. Adidas*, U.S. District Court for the Northern District of California Case No. 5:16-cv-
8 06533-LHK; *Mankin v. Taste Catering*, San Mateo Superior Court Case No. 17-CIV-03497;
9 *Ricardo Macias v. SASCO*, Santa Clara County Superior Court Case No. 16CV304263; *Valles*
10 *v. Community Hospital of the Monterey Peninsula*, Monterey Superior Court Case No.
11 17CV003452; *Diaz v. WeDriveU*, Santa Clara Superior Court Case No. 17CV306547; *Sanchez*
12 *v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court Case No.
13 17CV306751; *Hernandez v Pei Wei*, United States District Court, Central District of California
14 Case No. 8:17-cv-00679-JLS-JCG; *Song v. THC-Orange County, Inc.*, U.S. District Court for
15 the Central District of California Case No. 8:17-cv00965-JLS-DFMx; *Perez v. Standard*
16 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; *Huertas v. Chevron*
17 *Stations*, Santa Clara Superior Court Case No. 17CV309996; and *In re DirecTv Wage and*
18 *Hour Cases*, JCCP Case No. 4850. As of 2020, I increased my hourly rate to \$750.00 per hour.
19 I have been approved at \$750.00 per hour by various courts, including: *Hernandez v. Wells*
20 *Fargo Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New*
21 *Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v.*
22 *Walgreen Co.*, United States District Court, Northern District of California Case No. 18-cv-
23 03921-EJD, *Chavez v. Converse, Inc.*, United States District Court, Northern District of
24 California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda
25 County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara
26 County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles
27 County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community*
28 *Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez Steel*

1 *Corporation*, San Bernardino County Superior Court Case No.CIVDS1823132; *Michael*
2 *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
3 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case
4 No.19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-
5 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino Superior Court Case
6 No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*,
7 Santa Clara Superior Court Case No. 19CV345211.

8 12. My office has incurred costs in the amount of \$9,829.16. The costs are all
9 litigation related costs, including filing and service fees, court fees, postage fees, and
10 mediation fees. Attached hereto as **Exhibit A** is a copy of the costs incurred in connection with
11 the prosecution of this lawsuit.

12 13. On March 30, 2022, Plaintiff uploaded the Amended Order Granting Motion for
13 Preliminary Approval of Class Action Settlement to the LWDA's website.

14 14. Concurrent with the filing of this Motion, Plaintiff uploaded this motion and
15 proposed order to the LWDA's website.

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

18 Executed on July 13, 2022, at Los Angeles, California.

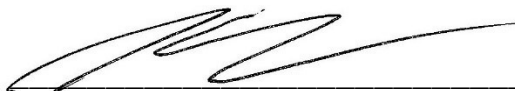
19
20 
21 _____
22 Larry W. Lee
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EXHIBIT A

7/5/2022
9:10 AM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Ordaz, Leopoldo v. Metlang
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		
65118	EXP	Olympia	1	75.00	75.00
12/1/2020		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
LWDA					
65466	EXP	Olympia	1	1481.66	1481.66
12/22/2020		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - Complaint					
65769	EXP	Olympia	1	6.90	6.90
12/31/2020		Postage			
WIP		Ordaz, Leopoldo v. Metlang			
Postage					
65952	EXP	Olympia	1	67.99	67.99
1/7/2021		Atty Service			
WIP		Ordaz, Leopoldo v. Metlang			
Attorney Service - Complaint Service					
65658	EXP	Olympia	1	3.60	3.60
1/13/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - POS of Summons					
67033	EXP	Olympia	9	0.25	2.25
3/31/2021		Photocopies			
WIP		Ordaz, Leopoldo v. Metlang			
Photocopies					
67034	EXP	Olympia	1	7.16	7.16
3/31/2021		Postage			
WIP		Ordaz, Leopoldo v. Metlang			
Postage					
67445	EXP	Erika Mejia	1	3.60	3.60
6/4/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - CMS					

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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		
67562	EXP	Olympia	1	3.60	3.60
6/10/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - 170.6					
67590	EXP	Olympia	1	3.60	3.60
6/16/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - Notice of Reassignment					
67602	EXP	Erika Mejia	1	3.60	3.60
6/17/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - Amended CMS					
67641	EXP	Mai Tulyathan	1	94.00	94.00
6/28/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Courtcall					
68257	EXP	Olympia	1	7500.00	7500.00
7/30/2021		Arbitrators			
WIP		Ordaz, Leopoldo v. Metlang			
Steven G. Pearl Mediation					
68840	EXP	Christine Choo	1	3.60	3.60
9/10/2021		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - CMS					
70464	EXP	Olympia	1	3.60	3.60
1/20/2022		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - Joint CMS					
70527	EXP	Olympia	1	65.40	65.40
1/31/2022		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - MPA					
71095	EXP	Olympia	1	3.60	3.60
3/10/2022		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Odyssey - Amended Proposed Order					
72314	EXP	Olympia	1	500.00	500.00
7/5/2022		Court fees			
WIP		Ordaz, Leopoldo v. Metlang			
Filing and Service and Courtcall Costs					

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9:10 AM

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Slip Listing

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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		
Grand Total				
	Billable	0.00		9829.16
	Unbillable	0.00		0.00
	Total	0.00		9829.16