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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

JAMIE ELLSWORTH, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

LECLAIR FITNESS II, LLC, a California
limited liability company; LECLAIR
FITNESS III, LLC, a California limited
liability company; LECLAIR FITNESS IV,
LLC, a California limited liability company;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: 34-2021-00295114-CU-OE-GDS

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

Date: September 20, 2022

Time: 9:00 a.m.

Dept.: 54

Reservation #: 2658341

Complaint Filed: February 23, 2021

FAC Filed: May 6, 2022

Trial Date: None

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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 Plaintiff Jamie Ellsworth (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. As detailed in the motion for preliminary approval, the Joint Stipulation of Class Action and PAGA Settlement and Release (“Settlement Agreement”) was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including exchanging informal discovery and reviewing class data and other information relevant to valuing this case. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class Members as a whole.

3. My primary practice is employment law. I have handled a number of wage and hour matters including class actions and individual actions, on both plaintiff and defense sides. I have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior Courts, and the United States District Courts for the Central, Northern, and Eastern Districts of California. I have been named as Class Counsel in a number of class actions that have been granted final approval by the Superior Courts of Los Angeles County, Orange County, San Francisco County, and the United States District Court for the Central District of California, including the following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court Case No. JCCP 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No. BC392717; and *Hernandez v. CVS Corporation*, Los Angeles Superior Court Case No. JCCP 4539.

1 4. My firm has incurred costs in the amount of \$11,535.55. The costs are all
2 litigation related costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is
3 copy of the costs my firm has incurred in connection with prosecution of this lawsuit.

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

6 Executed on this 26th day of August 2022, at Los Angeles, California.

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8 
Larry W. Lee

EXHIBIT A

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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: Ellsworth, Jamie v. Leclair
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		
65823	EXP	Olympia	1	75.00	75.00
1/26/2021		Court fees			
WIP		Ellsworth, Jamie v. Leclair			
LWDA					
66093	EXP	Olympia	1	6.90	6.90
1/31/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
66445	EXP	Olympia	1	545.45	545.45
2/23/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Complaint					
66784	EXP	Olympia	1	129.41	129.41
3/12/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Complaint Service					
66785	EXP	Olympia	1	45.25	45.25
3/12/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Complaint Service					
66786	EXP	Olympia	1	45.25	45.25
3/12/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Complaint Service					
67142	EXP	Olympia	1	55.45	55.45
4/2/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - POS of Summons					
67150	EXP	Olympia	1	1155.45	1155.45
4/5/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice of Complex & Complex Fees					

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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		
67264	EXP	Olympia	18	0.25	4.50
4/30/2021		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					
67265	EXP	Olympia	1	2.13	2.13
4/30/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
67511	EXP	Olympia	1	88.09	88.09
5/28/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice					
67663	EXP	Olympia	10	0.25	2.50
5/31/2021		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					
67664	EXP	Olympia	1	0.71	0.71
5/31/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
67819	EXP	Olympia	1	53.95	53.95
6/15/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice					
67893	EXP	Olympia	3	0.25	0.75
6/30/2021		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					
67894	EXP	Olympia	1	0.51	0.51
6/30/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
68387	EXP	Olympia	1	87.09	87.09
7/29/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - CMS					
68459	EXP	Olympia	8	0.25	2.00
7/31/2021		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					

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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		
68460	EXP	Olympia	1	0.71	0.71
7/31/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
68268	EXP	Olympia	1	7500.00	7500.00
8/2/2021		Arbitrators			
WIP		Ellsworth, Jamie v. Leclair			
Steven G. Pearl Mediation					
68898	EXP	Olympia	1	84.09	84.09
8/23/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice of Minute Order					
68902	EXP	Olympia	1	56.45	56.45
8/25/2021		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice of Minute Order					
68771	EXP	Olympia	16	0.25	4.00
8/31/2021		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					
68772	EXP	Olympia	1	1.22	1.22
8/31/2021		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					
69763	EXP	Kristen Agnew	1	55.52	55.52
9/29/2021		Meals			
WIP		Ellsworth, Jamie v. Leclair			
Meal					
70614	EXP	Olympia	1	59.21	59.21
1/21/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice					
70829	EXP	Olympia	6	0.25	1.50
1/31/2022		Photocopies			
WIP		Ellsworth, Jamie v. Leclair			
Photocopies					
70830	EXP	Olympia	1	1.06	1.06
1/31/2022		Postage			
WIP		Ellsworth, Jamie v. Leclair			
Postage					

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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		
71006	EXP	Olympia	1	57.71	57.71
2/3/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Joint CMS					
71078	EXP	Olympia	1	155.50	155.50
2/28/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Motion Messenger					
71079	EXP	Olympia	1	291.27	291.27
2/28/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Motion					
71652	EXP	Erika Mejia	1	140.46	140.46
4/1/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Joint Stip					
71656	EXP	Olympia	1	58.71	58.71
4/4/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Notice					
71681	EXP	Erika Mejia	1	62.71	62.71
4/13/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Joint Supp					
71643	EXP	Erika Mejia	1	4.00	4.00
5/5/2022		Online researc			
WIP		Ellsworth, Jamie v. Leclair			
Online Sacramento Superior Court Order					
72139	EXP	Erika Mejia	1	57.54	57.54
5/5/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Joint CMS					
72387	EXP	Erika Mejia	1	78.21	78.21
6/10/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Letter					
72652	EXP	Erika Mejia	1	65.29	65.29
7/12/2022		Atty Service			
WIP		Ellsworth, Jamie v. Leclair			
Attorney Service - Letter					

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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		
72820	EXP	Olympia	1	500.00	500.00
8/22/2022		Court fees			
WIP		Ellsworth, Jamie v. Leclair			
Filing/Service/Courtcall					
Grand Total					
			Billable	0.00	11535.55
			Unbillable	0.00	0.00
			Total	0.00	11535.55