

Larry W. Lee (State Bar No. 228175)
Mai Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

JAIME MOEN, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

GENENTECH, INC., a Delaware
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 37-2021-00008619-CU-OE-CTL

(Assigned for all purposes to the Honorable
Katherine A. Bacal, Dept. C-69)

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

Date: March 10, 2023

Time: 1:30 P.M.

Dept.: C-69

Complaint Filed: March 1, 2021

FAC Filed: March 10, 2022

Trial Date: Not Set

1 **SUPPLEMENTAL DECLARATION OF LARRY W. LEE**

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

3 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
4 California, and am with the law firm Diversity Law Group, P.C., one of the attorneys of record
5 for Plaintiff Jaime Moen (“Plaintiff”). I have personal knowledge of the facts set forth below and
6 if called to testify I could and would do so competently.

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

15 3. My firm’s primary focus is employment law. I have handled a number of wage
16 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
17 encompasses cases in the various California Courts, and the United States District Courts for the
18 Central, Eastern, Southern and Northern Districts of California.

19 4. I have been named as Class Counsel in a number of class actions that have been
20 granted final approval by various California Courts, and the United States District Court for the
21 Norther, Central, Eastern and Southern Districts of California, including, but not limited to, the
22 following Class Actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court
23 Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court
24 Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-
25 RSWL (PJWx); Universal Protection Overtime Cases, Orange County Superior Court, Judicial
26 Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial Council
27 Coordination Proceeding No. 4539; *Stafford v. Brinks et al.*, Los Angeles County Superior Court
28 Case No. BC532260; *Chavez v. Kenneth Cole Productions, Inc.*, Santa Clara Superior Court

Case No. 17CV306407; *Chavez v. Adidas*, U.S. District Court for the Northern District of California Case No. 5:16-cv-06533-LHK; *Mankin v. Taste Catering*, San Mateo Superior Court Case No. 17-CIV-03497; *Ricardo Macias v. SASCO*, Santa Clara County Superior Court Case No. 16CV304263; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey Superior Court Case No. 17CV003452; *Diaz v. WeDriveU*, Santa Clara Superior Court Case No. 17CV306547; *Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court Case No. 17CV306751; *Hernandez v Pei Wei*, United States District Court, Central District of California Case No. 8:17-cv-00679-JLS-JCG; *Song v. THC-Orange County, Inc.*, U.S. District Court for the Central District of California Case No. 8:17-cv00965-JLS-DFMx; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; *Huertas v. Chevron Stations*, Santa Clara Superior Court Case No. 17CV309996; and *In re DirecTv Wage and Hour Cases*, JCCP Case No. 4850.

5. To date, I have incurred approximately 171.1 hours in the prosecution of this matter, with an hourly rate of \$800.00 per hour. I anticipate spending an additional 15.0 hours through final approval and post-approval, including conferring with class members, defense counsel, and the administrator, as well as preparing for and appearing for the hearing of the Motion for Final Approval. The total lodestar for my hours will be approximately \$148,880.00. Attached as **Exhibit A** is a summary of my hours and tasks on this matter.

6. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by various Courts, including this Court. Examples of these Courts include the following cases: *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United States District Court, Northern District of California Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*, United States District Court, Northern District of California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*

1 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v.*
2 *Martinez Steel Corporation*, San Bernardino County Superior Court Case No.CIVDS1823132;
3 *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
4 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case
5 No.19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-005279959-
6 CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino Superior Court Case No.
7 CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa
8 Clara Superior Court Case No. 19CV345211.

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

11 Executed on this 3rd day of March 2023, at Los Angeles, California.

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13 _____
Larry W. Lee

EXHIBIT A

Moen v. Genentech
Larry W. Lee Time and Task Chart

Hours	Description of Work
10.6	Review client documents; confer with co counsel re theories of case; research potential causes of action and viability of same
6.3	Review and revise complaint and PAGA letter
1.1	Review initial court notices and guidelines
8.6	Review prior wage and hour class action lawsuits filed against Defendant
2.7	Confer with counsel re CMC and case issues; review and revise CMC statement
12.8	Extensive meet and confer with opposing counsel re demurrer and motion to strike; review case law from Defendant re same; provide case law to Defendant re same
20.1	Review Defendant's demurrer and motion strike; prepare preliminary opposition to same; legal research re same
4.6	Review and revise FAC; review and revise supplemental PAGA letter; review and revise stipulation for filing of same
5.4	Review and revise first set of written discovery to Defendant
2.3	Extensive discussions with Defendant's counsel re mediation; review and revise stipulation to stay case
1.8	Meet and confer with Defendant re data to be produced for mediation
11.9	Review class data produced by Defendant; review and revise class damages re same
7.2	Review and revise mediation brief; legal research re same
11.5	Attend mediation
8.2	Review and revise MOU; confer with counsel re same; confer with client re settlement terms
10.6	Review and revise long form settlement documents; conferences with opposing counsel re same; confer with client re same
3.6	Review and revise Motion for Preliminary Approval and supporting documents
9.3	Review court's first tentative re motion for preliminary approval; meet and confer with Defendant re same; review and revise supplemental brief re same; legal research re same
13.2	Review court's second tentative re motion for preliminary approval; attend hearing re same; meet and confer with Defendant re same; review and revise 2 nd supplemental brief re same; legal research re same
1.4	Revise proposed order re preliminary approval; meet and confer with counsel re same

3.7	Review weekly reports from administrator re settlement responses
6.8	Confer with class members re settlement issues
4.8	Review and revise Motion for Final Approval and supporting documents
2.6	Review court's tentative re motion for final approval; meet and confer with Defendant re same; review and revise supplemental brief re same
171.1	TOTAL HOURS