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MATERN LAW GROUP, PC

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

CHRIS FARLEY, IRENE IMSON, SHELBY
WARD, and DARLENE GRIFFITH,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiff,

vs.

SHARP MEMORIAL HOSPITAL, a
California corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No. 37-2021-00006007-CU-OE-CTL

[Consolidated with Case No. 37-2021-
00047190-CU-OE-CTL]

**DECLARATION OF LAUNA ADOLPH
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Date: April 19, 2024
Hearing Time: 8:30 a.m.

Judge: Hon. Robert Longstreth
Dept: 65

Action Filed: February 9, 2021
Trial Date: Not set

DECLARATION OF LAUNA ADOLPH

I, LAUNA ADOLPH, hereby declare as follows:

1. I am an attorney at law, licensed to practice in the State of California. I am a senior associate at Matern Law Group, PC (“MLG”), counsel of record for plaintiff Irene Imson (“Imson”) in the above-entitled action.

2. I make this declaration on the basis of personal firsthand knowledge unless another source of information or belief clearly appears from the context, and as to all such matters, I believe them to be true. If called as a witness, I could and would readily and competently testify to all matters stated herein.

3. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement.

ADEQUACY OF REPRESENTATION AND QUALIFICATIONS OF CLASS COUNSEL

5. MLG is a 25-attorney law firm that is actively and continuously practicing in employment litigation, almost exclusively representing employees in both individual and class actions in both state and federal courts throughout California.

6. MLG is qualified to handle this litigation because the firm is experienced in litigating Labor Code violations in both individual and class action cases. MLG has handled, and is currently handling, numerous wage and hour class action lawsuits.

7. Matthew J. Matern received a B.A. with honors in 1986 from Tulane University. Mr. Matern received his J.D. from Southwestern University School of Law in 1991. Mr. Matern became an active member of the State Bar of California in September 1992, and has been an active member in good standing continuously since then. He has been practicing as a litigation attorney in Los Angeles since 1992, and has been concentrating on employment litigation since approximately 1997.

8. In 1992, Mr. Matern founded the general partnership which later became known as Rastegar & Matern, Attorneys at Law, A Professional Corporation. In 2012, he founded the Law Offices of Matthew J. Matern, which changed its name to Matern Law Group in January 2014, and then to Matern Law Group, PC in May 2016. Since 1992, Mr. Matern has been

1 heavily, successfully, and continuously involved in active litigation and trial work, including
2 extensive work in employment litigation and wage and hour class actions.

3 9. Over the course of his career, Mr. Matern has been involved in over 100 class
4 action settlements, with many of them settling in the seven-figure range, including settlements in
5 the amount of \$140 million, \$50 million, \$26 million, \$18 million, \$8.5 million, \$7.0 million,
6 \$6.0 million, \$6.0 million, \$5.0 million, \$4.5 million, \$4.5 million, \$4.2 million, \$4.2 million,
7 \$3.75 million, \$3.75 million, \$3.6 million, \$3.3 million, \$3.1 million, and \$3.0 million. Mr.
8 Matern has represented clients in numerous wage and hour class action lawsuits that settled with
9 per-class-member recoveries in a range similar to the anticipated per-class-member recovery in
10 the instant case. He has also been appointed class counsel in over 20 certified wage and hour
11 class action cases which involved contested certification proceedings.

12 10. Mr. Matern has been counsel in a number of cases which resulted in published
13 appellate victories including *Argueta v. Worldwide Flight Servs., Inc.* (2023) 97 Cal.App.5th 822;
14 *Zuniga v. Alexandria Care Center, LLC* (2021) 67 Cal.App.5th 871; *Meeks v. AutoZone, Inc.*
15 (2018) 24 Cal. App. 5th 855; *ABM Industries Overtime Cases* (2017) 19 Cal.App.5th 277; *Julian*
16 *v. Glenair, Inc.* (2017) 19 Cal.App.5th 277; *Franco v. Athens Disposal Company, Inc.* (2009) 171
17 Cal.App.4th 1277; *Gutierrez v. California Commerce Club*, (2010) 187 Cal.App.4th 969; *Pantoja*
18 *v. Anton* (2011) 198 Cal.App.4th 87; *Fuentes v. AutoZone, Inc.*, (2011) 200 Cal.App.4th 1221;
19 *Ventura v. ABM Industries, Inc.* (2012) 212 Cal.App.4th 258; and *Franco v. Arakelian*
20 *Enterprises, Inc.* (2012) 211 Cal.App.4th 314; and other non-published appellate victories.

21 11. Mr. Matern has personally tried approximately 25 cases, including approximately
22 20 jury trials.

23 12. Mr. Matern's work has led him to be recognized as a Southern California Super
24 Lawyer every year since 2009.

25 13. I am a senior associate at MLG. I graduated from the University of California,
26 Los Angeles in 2000 and received my J.D. from Loyola Law School in 2003. I have been an
27 active member of the California State Bar in good standing since December 2003. I am also
28 admitted to practice in Illinois. I have over 20 years of experience handling wage-and-hour and

1 consumer class actions, and have been appointed class counsel in scores of cases in state and
2 federal courts in both California and New York. I have been appointed class counsel in over a
3 dozen wage and hour cases involving contested class certification proceedings. I was part of the
4 trial team in a certified wage and hour class action trial alleging claims for failure to pay overtime
5 wages, which settled post-trial for \$26 million. I am a Fellow in the Litigation Counsel of
6 America. My work has led me to be recognized as a Southern California Super Lawyer each year
7 since 2014 and as a Southern California Rising Star in 2013.

8 14. I am not aware of any conflicts of interest between MLG and the class members.

9 15. I do not have any interest in or connection to the cy pres recipient, San Diego
10 County Bar Foundation, and I do not have any actual or potential conflicts of interest with the cy
11 pres recipient. I also am not aware of any actual or potential conflict of interest between any
12 member of my firm and the cy pres recipient.

13 16. I do not have any interest in or connection to the settlement administrator, ILYM
14 Group, and I do not have any actual or potential conflicts of interest with the settlement
15 administrator. I also am not aware of any actual or potential conflict of interest between any
16 member of my firm and the settlement administrator.

17 **ATTORNEYS' FEES AND COSTS**

18 17. The Settlement Agreement provides for attorneys' fees in an amount up to
19 \$1,353,333, which represents one-third (1/3) of the Gross Settlement Amount, plus necessary
20 litigation costs and expenses not to exceed \$48,000.00.

21 18. Based on my experience, I believe the fees and costs requested are reasonable.
22 The fee percentage requested is less than that charged by MLG for other employment cases.
23 Furthermore, Class Counsel invested significant time and resources into the case, with payment
24 deferred to the end of the case, and then, of course, contingent on the outcome. Class Counsel's
25 efforts have resulted in substantial benefits to Class Members in the form of significant settlement
26 funds established to compensate Class Members for Defendant's allegedly unlawful wage and
27 hour practices. Without Class Counsel's efforts, the claims as alleged in the complaints would
28 almost certainly have gone without remedy.

19. To date, MLG has spent approximately 98.9 attorney hours on this case. The total hours worked by each attorney and their hourly rates are as follows:

Attorney	Years in Practice	Hours Billed	Hourly Rate	Total Fee
Matthew J. Matern	32	12.4	\$1,125.00	\$13,950.00
Launa Adolph	21	80.5	\$1,050.00	\$84,525.00
Olivia Green	4	6.0	\$600.00	\$3,600.00
Totals		98.9		\$102,075.00

MLG's Hours Are Reasonable

20. MLG has expended a significant amount of time litigating the case, including: interviewing Imson and reviewing documents provided by Imson; drafting Imson's complaint; reviewing employment records produced by Defendant; legal research regarding Imson's claims and Defendant's defenses thereto; opposing Defendant's demurrer and motion to stay Imson's case; preparing for and attending court hearings; preparing Imson for her deposition; traveling to and from and defending Imson's deposition; reviewing the settlement agreement; reviewing Plaintiffs' Motion for Preliminary Approval of Class Settlement and drafting declarations in support thereof; communicating with Defendant's counsel; and drafting documents in support of Plaintiffs' Motion for Final Approval of Class Settlement.

MLG's Hourly Rates Are Reasonable

21. The hourly rates for MLG attorneys are commensurate with their qualifications and experience. MLG has been awarded fees by various courts based on my and Ms. Green's hourly rates in the following cases:

- In *Alvarado v. Wal-Mart Associates, Inc.*, Central District of California Case No. 2:20-cv-01926, the Honorable Andre Birotte awarded MLG attorneys' fees, finding that MLG's hourly rates, including Mr. Matern's 2023 hourly rate of \$1,075, were "within the prevailing rates for attorneys and legal assistants of

similar background, skill and experience in conducting noncontingent litigation of the same type;”

- In *Escamilla v. Ono Hawaiian BBQ, Inc.*, Los Angeles Superior Court Case No. BC651992, the Honorable Elihu M. Berle awarded MLG attorneys’ fees, finding that MLG’s hourly rates, including Mr. Matern’s 2023 hourly rate of \$1,075, were “reasonable and in line with rates prevailing in the community;”
- In *Dimas v. BLT Enterprises of Fremont, LLC*, Alameda Superior Court Case No. RG20075373, the Honorable Brad Seligman awarded MLG attorneys’ fees, finding that MLG’s rates, including my 2023 hourly rate of \$995 and Ms. Green’s 2023 hourly rate of \$550, were “reasonable and in line with rates prevailing in the community;”
- In *Enriquez v. Salwan Property Management and Investments*, Alameda Superior Court Case No. RG20082869, the Honorable Brad Seligman awarded MLG attorneys’ fees, finding that MLG’s rates, including my 2023 rate of \$995 and Ms. Green’s 2023 rate of \$550, were “reasonable and in line with rates prevailing in the community;”
- In *Hinojosa v. Permanent General Companies, Inc.*, San Bernardino Superior Court Case No. CIVSB2135124, the Honorable David S. Cohn awarded MLG attorneys’ fees, finding that MLG’s rates, including my 2023 rate of \$995 and Ms. Green’s 2023 rate of \$550, were “reasonable and in line with rates prevailing in the community;”
- In *Zuniga v. Alexandria Care Center, LLC*, Los Angeles Superior Court Case No. BC529776, the Honorable Elihu M. Berle awarded MLG attorneys’ fees, finding that MLG’s rates, including Mr. Matern’s 2022 rate of \$995 and my 2022 hourly rate of \$950, were “reasonable and in line with rates prevailing in the community;”
- In *Cabrera v. Tradesmen International, LLC*, San Bernardino Superior Court Case No. C1VSB7-104468, the Honorable David S. Cohn awarded MLG attorneys’ fees under the common fund method with a lodestar cross-check with application of a

1.92 multiplier, finding Mr. Matern’s 2022 hourly rate of \$995 and my 2022 rate of \$950 was “reasonable and in line with rates prevailing in the community;”

- In *Juarez v. QTC Management, Inc.*, LASC Case No. 20STCV01388, the Honorable Yvette Palazuelos awarded MLG attorneys’ fees based on its lodestar with the application of a 5.5 multiplier, which was based in part on Mr. Matern’s 2022 hourly rate of \$995 and my 2022 hourly rate of \$950;
- In *Olivo v. Quantum Auto Sales, Inc.*, San Diego Superior Court, Case No. 37-2020-00013188-CU-WT-CTL, the Honorable Eddie C. Sturgeon awarded MLG attorneys’ fees based in part on Mr. Matern’s 2022 hourly rate of \$995 and my 2022 rate of \$950;
- In *Osman v. Skye Wireless, LLC*, Los Angeles Superior Court, Case No. BC642461, the Honorable Daniel J. Buckley awarded MLG attorneys’ fees based on my 2022 rate of \$950, finding that MLG’s “hourly rates are reasonable and in line with rates prevailing in the community;”
- In *DeLeon v. Gary D. Nelson Associates, Inc.*, Riverside Superior Court, Case No. RIC1905472, the Honorable Craig Riemer awarded MLG’s fee application which was supported in part by Mr. Matern’s 2021 hourly rate of \$975 and my 2021 rate of \$900;
- In *Villamediana v. SBH Restaurant Associates, LLC*, Los Angeles Superior Court, Case No. 20STCV17937, the Honorable Christopher K. Lui awarded attorneys’ fees based on MLG’s lodestar, including Mr. Matern’s 2021 hourly rate of \$975 and my 2021 hourly rate of \$900, with application of a 1.23 multiplier;
- In *King v. Great American Chicken Corp, Inc.*, Los Angeles Superior Court Case No. BC646368, the Honorable Elihu M. Berle awarded attorneys’ fees to MLG, finding that Mr. Matern’s 2021 hourly rate of \$975 and my 2021 hourly rate of \$900 was “reasonable and in line with rates prevailing in the community;”
- In *Richardson, et al. v. Conduent Commercial Solutions, LLC, et al.*, Kern County Superior Case No. BCV-20-100455, the Honorable Thomas S. Clark awarded

attorneys' fees where MLG's fee application was supported by Mr. Matern's 2021 hourly rate of \$975, my 2021 hourly rate of \$900, and Ms. Green's 2021 hourly rate of \$450;

- In *Cordova v. St. George Warehouse and Trucking Inc.*, Los Angeles Superior Court Case No. 20STCV04563, the Honorable Robert B. Broadbelt found that Mr. Matern's 2021 hourly rate of \$975 and my hourly rate for 2021 of \$900 were "reasonable and in line with rates prevailing in the community;"
- In *Ramirez v. Infinity Plumbing Designs, Inc.*, Riverside County Superior Court Case No. RIC1903778, the Honorable Sunshine S. Sykes awarded MLG attorneys' fees based on its lodestar with the application of a 1.93 multiplier, which was based in part on Mr. Matern's 2021 hourly rate of \$975, my 2021 hourly rate of \$900, and Ms. Green's 2021 hourly rate of \$450;
- In *Heredia v. MAG US Lounge Management LLC*, San Bernardino Superior Court Case No. CIVDS1910531, the Honorable David S. Cohn approved an attorneys' fees award where MLG's fee application was supported by Mr. Matern's 2021 hourly rate of \$975 and my 2021 billing rate of \$900;
- In *Wilson v. Hydro Systems, Inc.*, LASC Case No. 19STCV41455, the Honorable Daniel J. Buckley awarded MLG attorneys' fees based on its lodestar with the application of a 3.0 multiplier, which was based in part on Mr. Matern's 2021 hourly rate of \$975 and my 2021 hourly rate of \$900.

22. MLG's hourly rates are also in line with the hourly rates approved in other class actions in Southern California. See *Schroeder v. Envoy Air, Inc.*, Case No. CV 16-4911-MWF (KSx), 2019 WL 2000578 (finding rates between \$750 for senior associates and \$890 for partners within the reasonable range in 2019); *Roberti v. OSI Sys., Inc.*, No. CV1309174MWFMRW, 2015 WL 8329916, at *7 (C.D. Cal. Dec. 8, 2015) (finding rates between \$525 and \$975 per hour reasonable in 2015); *Rodriguez v. County of Los Angeles*, 96 F.Supp.3d 1012, 1023 (C.D. Cal. 2014) (approving attorney rates in 2014 from \$500 to \$975 in 2014).

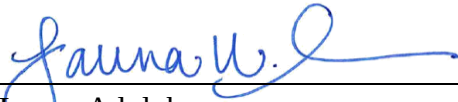
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MLG's Costs Are Reasonable

23. To date, MLG has incurred actual costs in the amount of \$4,714.22. These costs were reasonably incurred in prosecuting the actions on behalf of the Class Members. A true and correct copy MLG's record of costs incurred to date is attached hereto as **Exhibit A**.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 15, 2024, at Manhattan Beach, California.



Launa Adolph

EXHIBIT A

Matern Law Group, PC
MLG Client Cost Report

Trans No	Date	Matter ID/Client Sort Matter Description	Inv No	Trans Desc	Price
Court Costs					
612930	06/04/2021	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	05/06/21 to 06/04/21	City National Bank - Visa 3212	75.00
631164	10/10/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	09/09/22 TO 10/10/22	City National Bank (SE 4979)	5.80
Court Costs					\$80.80
Court Reporter					
645442	04/13/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	A22041103	Network Deposition Services, Inc., court reporting - 03/11/22	750.00
602351	06/27/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	A22061723	Network Deposition Services, Inc.-court reporting, hearing, 5/27/22	895.10
614399	09/09/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	275897	Peterson Reporting, depo transcript of Irene Imson, taken 8/23/22	1,216.50
Court Reporter					\$2,861.60
Document Service					
537837	11/08/2021	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	13321830	One Legal LLC, #17188615, Summons, Complaint, etc.	9.00
537883	11/17/2021	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	13342573	One Legal LLC, #17246142, Proof of Service, etc.	9.00
588678	05/17/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	13727486	One Legal LLC-#18222471 opposition-other, declaration- other, request for judicial notice	9.37
641364	11/29/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	14163010	One Legal LLC, #19376273 case mgmt stmt	9.37

Matern Law Group, PC
MLG Client Cost Report

Trans No	Date	Matter ID/Client Sort Matter Description	Inv No	Trans Desc	Price
Document Service					\$36.74
Initial Filing Fees					
537836	11/08/2021	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	13321830	One Legal LLC, #17188615, Summons, Complaint, etc.	1,435.00
Initial Filing Fees					\$1,435.00
Mileage					
791706	08/22/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	090724 - REIMB	Launa Adolph To San Diego for Plaintiff's depo	70.79
791708	08/23/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	090724 - REIMB	Launa Adolph To San Diego for Plaintiff's depo	70.78
Mileage					\$141.57
Postage					
739253	09/16/2023	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	00008X435W373	UPS	40.10
Postage					\$40.10
Process Service					
537884	11/17/2021	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	13342745	One Legal LLC, #17233276, Summons, Complaint, etc., on Sharp Memorial Hospital, a California corp	60.00
Process Service					\$60.00
Research Services					
704187	02/17/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	845633531	Thomson Reuters-West	12.26

Matern Law Group, PC
MLG Client Cost Report

Trans No	Date	Matter ID/Client Sort Matter Description	Inv No	Trans Desc	Price
692699	06/01/2022	1890-001/ Imson,Irene Imson, Irene vs. Sharp Memorial Hospital	846457639	Thomson Reuters-West	46.15
Research Services					\$58.41
TOTAL COSTS					<u>4,714.22</u>