

Larry W. Lee (State Bar No. 228175)
Max W. Gavron (State Bar No. 291697)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
mgavron@diversitylaw.com

Emil Davtyan (State Bar No. 299363)
D. LAW, INC.
400 N. Brand Blvd, Suite 700
Glendale, CA 91203
Telephone: (818) 875-2008
Facsimile: (818) 722-3974

David J. Lee, Esq. (State Bar No. 296294)
david@davidjleelaw.com
DAVID LEE LAW, APC
515 S. Flower Street, Suite 1900
Los Angeles, California 90071
T: (213) 236-3536
F: (866) 658-4722

Attorneys for Plaintiffs
JED ASIS, JUSTIN WATSON, AND KEVIN JOHNSON

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN

JED ASIS and JUSTIN WATSON

Plaintiff,

vs.

FOOT LOCKER RETAIL, INC., and DOES
1 through 50, inclusive,

Defendants.

Case No. STK-CV-UOE-2023-0000627

(Assigned to the Hon. George J. Abdallah, Dept.
10A)

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: October 3, 4, 5, 10, or 11, 2023

Time: 9:00 a.m

Dept.: 10A

Complaint Filed: January 26, 2023

FAC Filed: July 25, 2023

Trial Date: Not Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

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 Plaintiffs Kevin Johnson, Jed Asis, and Justin Watson (“Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Plaintiffs' Counsel have zealously represented the interests of the Class. I have spent significant time researching and pursuing the claims that have been alleged in this action. I have no conflict with the Class.

3. Both Plaintiffs' Counsel and Defendant's counsel have a great deal of experience in wage and hour class action litigation. Plaintiffs' Counsel have been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the Class.

4. Based on my own independent investigation and evaluation, I am of the opinion that settlement for the consideration and on the terms set forth in the Joint Stipulation of Class Action and PAGA Settlement and Release (“Agreement” or “Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Class, in light of all known facts and circumstances and the expenses and risks inherent in litigation.

5. I was retained based upon a contingency fee arrangement wherein Plaintiffs' counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiffs failed to prevail on these cases, counsel for Plaintiffs would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiffs also failed to prevail in the present case, Defendant would have been able to seek costs in connection with their defense of the case.

6. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law

1 school, I was the Associate Managing Editor of the Arizona State University College of Law,
2 Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices
3 of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that
4 represents a significant number of Fortune 500 companies.

5 7. My firm's primary focus is employment law. I have handled a number of wage
6 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
7 encompasses cases in the Los Angeles Superior Court, the Orange County Superior Court, Santa
8 Clara Superior Court, Monterey Superior Court, Sonoma Superior Court, San Francisco County
9 Superior Court, the San Diego County Superior Court, and the United States District Courts for
10 the Central, Eastern, Southern, and Northern Districts of California.

11 8. I have been named as Class Counsel in a number of class actions that have been
12 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
13 Francisco County, and other counties, and the United States District Court for the Central
14 District of California, including the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*,
15 San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*,
16 Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of
17 California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange
18 County Superior Court, Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS*
19 *Corp. et al.*, Judicial Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito
20 County Superior Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey*
21 *Peninsula*, Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour*
22 *Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v.*
23 *Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v.*
24 *Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

25 //

26 //

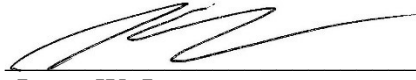
27 //

28 //

1 9. I do not have any conflicts of interest with Legal Aid at Work, which is the
2 proposed cy pres recipient.

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

5 Executed on this 1st day of September 2023, at Los Angeles, California.

6
7 
8 _____
9 Larry W. Lee
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28