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Attorneys for Plaintiff and the Class

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

RAKESH RAY, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

C&W FACILITY SERVICES, INC.,
Massachusetts corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: CIVSB2101321

[Assigned for all purposes to the Hon. David Cohn,
Department S-26]

**DECLARATION OF KRISTEN M. AGNEW IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: April 5, 2022

Time: 10:00 A.M.

Dept.: S-26

Complaint Filed: January 28, 2021

FAC Filed: April 22, 2021

SAC Filed: October 1, 2021

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I, Kristen M. Agnew, 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, P.C., counsel of record for Plaintiff Rakesh Ray (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. Based on Class Counsel's 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. Thus, this settlement should be granted final approval.

3. My qualifications are as follows: I was the 2003 recipient of the Spelman Presidential Scholarship to Emory University School of Law. During law school, I was a summer associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta office of the Equal Employment Opportunity Commission. I received my J.D. from Emory University in 2006 and was admitted to the California Bar in December 2006. Following law school, I was an associate at Sonnenschein from September 2006 to May 2009.

4. Since 2009, my primary area of practice has been employment litigation. I have practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I was an associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate, and then senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP from June 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of fortune 500 companies in employment litigation in both state and federal courts, as well as before government agencies, including the California Department of Labor. My practice included the defense of single plaintiff and multi-plaintiff lawsuits involving claims under the California Fair Employment and Housing Act, the California Labor Code and the Fair Labor Standards Act. I also handled a number of wage and hour class actions.

5. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time

1 handling employment cases. I primarily represent employees.

2 6. I served as the lead associate on a number of wage and hour class actions, including:
3 *Martha Cardenas v. Gold's Gym*, Los Angeles County Superior Court Case No. BC445112;
4 *Nathaniel Werner v. Crown Equipment Corporation*, Los Angeles County Superior Court Case No.
5 BC439428; *Christopher Williams v. Allstate Insurance Co.*, Los Angeles County Superior Court
6 Case No. BC382577; *Hwang v. Caltech*, Los Angeles County Superior Court Case No. BC464894;
7 *Melissa Roberts v. Zale Delaware, Inc.*, Los Angeles Superior Court Case No. BC523610; *Michael*
8 *Oliver v. Konica Minolta Business Solutions U.S.A., Inc.*, Santa Clara County Superior Court Case
9 No. 114-CV-263183; *Tessa Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino
10 Superior Court Case No CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-
11 02006; *Tapia v. Zale Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess*
12 *et al v. Tesoro Refining and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

13 7. I have been approved as class counsel in a number of class actions by the Superior
14 Courts of California and United States District Courts, including: *Antonio Becerra-Mata v. PSC*
15 *Industrial Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Eric*
16 *Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-NC and *Kosal So v. Owens-Brockway*
17 *Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609.

18 8. I also second chaired two jury trials where I represented the prevailing defendant.
19 Both cases involved employees who brought claims against their former employers pursuant to the
20 Fair Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton Aerospace LLC et al*, Los
21 Angeles County Superior Court Case No. BC401543; and *Richard Gulden v. Pratt & Whitney*
22 *Rocketdyne Inc. et al.*, Los Angeles County Superior Court Case No. BC468909.

23 9. To date, I have incurred approximately 12.7 hours in connection with the litigation
24 of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date.

25 10. The total lodestar for my hours will be approximately \$8,890 based on an hourly rate
26 of \$700.00 per hour. Since at least 2017, I have been approved at an hourly rate of \$650.00 per
27 hour by various Courts, in a number of matters, including: *Antonio Becerra-Mata v. PSC Industrial*
28 *Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal So v. Owens-*

1 *Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609; *Sarah*
2 *Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-16-CV-294904;
3 *Shannon Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court
4 Case No. 17CV306751. More recently, I have been approved at an hourly rate of \$700.00 per hour
5 by the following courts: *Foad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case
6 No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No.
7 BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court
8 Case No. 18CV00191; and *Michael Randolph v. Pacific Racing Association*, Alameda County
9 Superior Court Case No. RG18908139.

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

12 Executed on March 11, 2022, at Los Angeles, California.

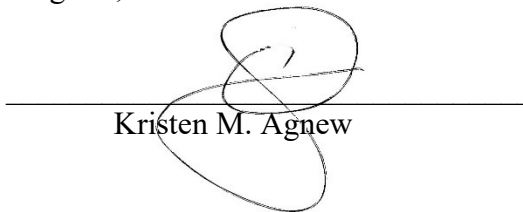
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Kristen M. Agnew

EXHIBIT A

Ray v. C&W Facility Services, Inc.
Kristen M. Agnew Time and Task Chart

Hours	Description of Work
.7	Review client paystubs.
1.4	Review and edit Complaint.
4.5	Edit settlement agreement and class notice.
2.6	Edit Motion for Preliminary Approval.
3.5	Edit Motion for Final Approval.
12.7	TOTAL HOURS