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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

JAMES JONES, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

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

Defendants.

Case No.: RG21087839

(Assigned to the Honorable Brad Seligman, Dept.
23)

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

Date: September 12, 2023

Time: 3:00 P.M.

Dept.: 23

RES. ID: Per 5/16/23 Minute Order

Complaint Filed: February 4, 2021

DECLARATION OF LARRY W. LEE

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

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The Stipulation of Settlement and Release and Amendment to Stipulation of Settlement and Release (together, the “Stipulation” or “Settlement Agreement”) is the product of negotiations 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 engaging in formal and informal discovery. Class Counsel reviewed sample time and payroll records of class members, and class and PAGA data produced by Defendant. This allowed Class Counsel to analyze liability and exposure.

4. There were no objections to the amount of attorneys’ fees or litigation costs that Class Counsel seek in this case and for which Plaintiff asks the Court for final approval.

5. The settlement in the case at bar warrants approval and carries a presumption of fairness. As previously noted in the application for preliminary approval, this current settlement was negotiated at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the class members as a whole.

6. I have been approved as class counsel in numerous other wage/hour class actions that have been granted class certification and final approval.

7. 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 school, I was the Associate Managing

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

5 8. 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 Courts, the Orange County Superior Courts, the
8 Sacramento County Superior Courts, the Alameda County Superior Courts, the San Diego
9 County Superior Courts, and the United States District Courts for the Central, Eastern, Northern,
10 and Southern Districts of California.

11 9. 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, Alameda County, Contra Costa County, Monterey County, San Bernardino
14 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
15 District Court for the Central, Eastern, and Northern Districts of California, including but not
16 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
17 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
18 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
19 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
20 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial
21 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior
22 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
23 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
24 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
25 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
26 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

27 10. To date, I have incurred approximately 70.9 hours in connection with the
28 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have

1 incurred to date.

2 11. I also anticipate spending an additional 15 hours through the completion of this
3 case to handle any post-approval matters, including conferring and reviewing e-mails and other
4 written communications with counsel for Defendant, the Settlement Administrator, and class
5 members involving post final approval matters, including payments and related issues.

6 12. As such, the total lodestar for my hours will be approximately \$73,015.00 based
7 on 85.9 hours, at an hourly rate of \$850.00 per hour. Since at least 2020, I have been approved
8 at an hourly rate of \$750.00 per hour by various Courts. Examples of these Courts include the
9 following cases: *Hernandez v. Wells Fargo Bank*, Santa Clara County Superior Court Case No.
10 16CV299319, *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior Court Case
11 No. 19CV352469; *Ramirez v. Walgreen Co.*, United States District Court, Northern District of
12 California Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*, United States District Court,
13 Northern District of California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator*
14 *Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix,*
15 *LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*,
16 Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*
17 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v.*
18 *Martinez Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132;
19 *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
20 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case
21 No. 19CV341582; *Siron v. Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-
22 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino County Superior Court
23 Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*,
24 Santa Clara County Superior Court Case No. 19CV345211. I was approved at an hourly rate of
25 \$800.00 per hour in *Martinez and Acosta v. City of Hope National Medical Center, et al.*, San
26 Bernardino County Superior Court Case No. CIVDS2015729, *Jaime Moen v. Genentech, Inc.*,
27 San Diego County Superior Court Case No. 37-2021-00008619-CU-OE-CTL, *Murray v. Granite*
28 *Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-084680, and *Smith, et al.*

1 *v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-
2 2021-00292526.

3 13. Any remaining monies from uncashed settlement checks will be distributed to the
4 State Bar of California's Justice Gap Fund. I do not have any relationship with or connection or
5 to said organization/program.

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

8 Executed on this 18th day of August 2023, at Los Angeles, California.

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12 Larry W. Lee
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EXHIBIT A

Jones v TFC Partners
Larry W. Lee Time and Task Chart

Hours	Description of Work
5.8	Review client documents and background information; confer with client re work place issues
3.3	Review and revise complaint and PAGA letter
2.3	Review and revise joint reports; meet and confer re same
8.4	Prepare draft of first set of discovery to Defendant; review responses to same; meet and confer re same
10.7	Review class data and documents produced by Defendant for mediation; perform damage analysis re same; confer with counsel re same
16.7	Review and revise mediation brief; attend same; substantial follow up discussions re same with mediator and counsel for all parties
6.8	Review and revise settlement agreement; confer with counsel re changes to same; confer with client re same
9.3	Review and revise Motion for Preliminary Approval and supporting documents; prepare supplemental documents and briefs re same; confer with counsel and client re same
3.4	Confer with class members re settlement issues
4.2	Review and revise Motion for Final Approval and supporting documents
70.9	TOTAL HOURS