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Attorneys for Plaintiff and the Class

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

WENDIE BRANDT, as an individual and on  
behalf of all others similarly situated, and as a  
private attorney general,

Plaintiff,

vs.

KIDS CARE DENTAL & ORTHODONTICS, a  
California corporation; and DOES 1 through 50,  
inclusive,

Defendants.

Case No. 34-2021-00296816

[Assigned for all purposes to Department 27,  
Hon. Jill H. Talley]

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

Date: September 1, 2023  
Time: 9:00 a.m.  
Department: 27

Complaint Filed: March 18, 2021

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

2 1. I am an attorney admitted to practice in the State of California and, with the law firm  
3 Diversity Law Group, P.C., am counsel of record for Plaintiff. I make this declaration on the basis of my  
4 own personal knowledge, except as to those matters stated on information and belief and, as to those  
5 matters, I believe them to be true. If called as a witness, I could testify competently as to the facts stated  
6 in this declaration.

7 2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with  
8 my office’s contact information, where they could further seek information regarding the class  
9 settlement, leave questions for the Administrator, and update their address.

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

12 4. Class Counsel engaged in extensive factual investigation before settling, including the  
13 exchange of informal discovery and class data. This allowed Plaintiff to conduct a full damage analysis.  
14 The Agreement was the product of negotiation between highly able and experienced attorneys on both  
15 sides who possessed the relevant data and extensive legal research which they had carefully analyzed.

16 5. The settlement in the case at bar warrants approval and carries a presumption of fairness.  
17 As previously noted in the application for Preliminary Approval, this current settlement was negotiated  
18 at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the  
19 Class Members as a whole.

20 6. My firm has a great deal of experience in wage and hour class action litigation and has  
21 been approved as class counsel in a number of class actions.

22 7. I am one of the primary attorneys on this matter. My qualifications are as follows: I  
23 received my J.D. from Arizona State University College of Law in 2003. During law school, I was a  
24 summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona  
25 State University College of Law in the top 10% of my class. While I was in law school, I was the  
26 Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon  
27 graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash  
28

1 Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of  
2 Fortune 500 companies, including wage and hour class actions.

3 8. My firm's primary focus is employment law. I have handled a number of wage and hour  
4 matters including class actions and individual actions, on both plaintiff and defense sides. I have a  
5 practice that encompasses cases throughout the State of California, including but not limited to the Los  
6 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior  
7 Courts, the San Diego County Superior Courts, and the United States District Courts for the Central,  
8 Eastern, Northern, and Southern Districts of California. I have been named as Class Counsel in a  
9 number of class actions that have been granted final approval by the Superior Courts of Los Angeles  
10 County, Orange County, San Francisco County, Alameda County, Contra Costa County, Monterey  
11 County, San Bernardino County, Santa Clara County, Sonoma County, and the United States District  
12 Court for the Central, Eastern, and Northern Districts of California.

13 9. My firm has incurred costs in the amount of \$14,143.65. The costs are all litigation  
14 related costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is copy of the costs  
15 my firm has incurred in connection with prosecution of this lawsuit.

16 10. To date, I have incurred approximately 66.1 hours in the prosecution of this matter, with  
17 an hourly rate of \$800.00 per hour. I anticipate spending an additional 15.0 hours through final approval  
18 and post-approval, including conferring with class members, defense counsel, and the administrator, as  
19 well as appearing for the hearing of the Motion for Final Approval. The total lodestar for my hours will  
20 be approximately \$64,880.00. Attached as **Exhibit B** is a summary of my hours and tasks on this matter.  
21 Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by various Courts,  
22 including this Court. Examples of these Courts include the following cases: *Hernandez v. Wells Fargo*  
23 *Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New Balance Athletics,*  
24 *Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United  
25 States District Court, Northern District of California Case No. 18-cv-03921-EJD, *Chavez v. Converse,*  
26 *Inc.*, United States District Court, Northern District of California Case No. 15-cv-03746-NC; *Foster v.*  
27 *Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna*  
28 *v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven*

1 *LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*  
2 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez*  
3 *Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael Randolph*  
4 *v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Markham v.*  
5 *Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*,  
6 Ventura Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San  
7 Bernardino Superior Court Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v.*  
8 *Satellite Healthcare, Inc.*, Santa Clara Superior Court Case No. 19CV345211.

9 11. On May 15, 2023, Plaintiff uploaded the Order Granting Plaintiff's Motion for  
10 Preliminary Approval of Class Action Settlement to the LWDA's website. Concurrent with the filing of  
11 this motion, Plaintiff also has uploaded the final approval motion to the LWDA.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
13 true and correct. Executed this 9<sup>th</sup> day of August 2023, at Los Angeles, California.

14 

15 \_\_\_\_\_  
Larry W. Lee

# EXHIBIT A

8/3/2023  
8:35 AM

DIVERSITY LAW GROUP  
Slip Listing

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Selection Criteria

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Slip.Classification Open  
Client (hand select) Include: Brandt, Wendie v. Kids  
Slip.Transaction Ty 2 - 2

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Rate Info - identifies rate source and level

| Slip ID                              |     | Timekeeper             | Units     | Rate        | Slip Value |
|--------------------------------------|-----|------------------------|-----------|-------------|------------|
| Dates and Time                       |     | Activity               | DNB Time  | Rate Info   |            |
| Posting Status                       |     | Client                 | Est. Time | Bill Status |            |
| Description                          |     | Reference              | Variance  |             |            |
| 66134                                | EXP | Olympia                | 1         | 75.00       | 75.00      |
| 2/12/2021                            |     | Court fees             |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| LWDA                                 |     |                        |           |             |            |
| 66477                                | EXP | Olympia                | 1         | 6.96        | 6.96       |
| 2/28/2021                            |     | Postage                |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                              |     |                        |           |             |            |
| 66794                                | EXP | Olympia                | 1         | 539.45      | 539.45     |
| 3/18/2021                            |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Complaint         |     |                        |           |             |            |
| 67179                                | EXP | Olympia                | 1         | 90.09       | 90.09      |
| 4/19/2021                            |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Complaint         |     |                        |           |             |            |
| 67484                                | EXP | Olympia                | 1         | 153.63      | 153.63     |
| 5/18/2021                            |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Complaint Service |     |                        |           |             |            |
| 67782                                | EXP | Olympia                | 1         | 53.45       | 53.45      |
| 6/3/2021                             |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - POS               |     |                        |           |             |            |
| 67813                                | EXP | Olympia                | 1         | 88.09       | 88.09      |
| 6/14/2021                            |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Notice of CMC     |     |                        |           |             |            |
| 67818                                | EXP | Olympia                | 1         | 53.95       | 53.95      |
| 6/15/2021                            |     | Atty Service           |           |             |            |
| WIP                                  |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Notice            |     |                        |           |             |            |

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DIVERSITY LAW GROUP  
Slip Listing

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| Slip ID                                   |     | Timekeeper             | Units     | Rate        | Slip Value |
|-------------------------------------------|-----|------------------------|-----------|-------------|------------|
| Dates and Time                            |     | Activity               | DNB Time  | Rate Info   |            |
| Posting Status                            |     | Client                 | Est. Time | Bill Status |            |
| Description                               |     | Reference              | Variance  |             |            |
| 67885                                     | EXP | Olympia                | 13        | 0.25        | 3.25       |
| 6/30/2021                                 |     | Photocopies            |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Photocopies                               |     |                        |           |             |            |
| 67886                                     | EXP | Olympia                | 1         | 1.22        | 1.22       |
| 6/30/2021                                 |     | Postage                |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                                   |     |                        |           |             |            |
| 68871                                     | EXP | Olympia                | 1         | 55.95       | 55.95      |
| 8/10/2021                                 |     | Atty Service           |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Notice of Minute Order |     |                        |           |             |            |
| 68756                                     | EXP | Olympia                | 7         | 0.25        | 1.75       |
| 8/31/2021                                 |     | Photocopies            |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Photocopies                               |     |                        |           |             |            |
| 68757                                     | EXP | Olympia                | 1         | 0.71        | 0.71       |
| 8/31/2021                                 |     | Postage                |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                                   |     |                        |           |             |            |
| 69156                                     | EXP | Christine S. Lee       | 1         | 86.09       | 86.09      |
| 9/16/2021                                 |     | Atty Service           |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - CMS                    |     |                        |           |             |            |
| 69236                                     | EXP | Olympia                | 3         | 0.25        | 0.75       |
| 9/30/2021                                 |     | Photocopies            |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Photocopies                               |     |                        |           |             |            |
| 69237                                     | EXP | Olympia                | 1         | 0.53        | 0.53       |
| 9/30/2021                                 |     | Postage                |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                                   |     |                        |           |             |            |
| 70452                                     | EXP | Olympia                | 1         | 12000.00    | 12000.00   |
| 1/19/2022                                 |     | Arbitrators            |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Ortman Mediation                          |     |                        |           |             |            |
| 70616                                     | EXP | Olympia                | 1         | 59.21       | 59.21      |
| 1/21/2022                                 |     | Atty Service           |           |             |            |
| WIP                                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Notice                 |     |                        |           |             |            |

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| Slip ID                   |     | Timekeeper             | Units     | Rate        | Slip Value |
|---------------------------|-----|------------------------|-----------|-------------|------------|
| Dates and Time            |     | Activity               | DNB Time  | Rate Info   |            |
| Posting Status            |     | Client                 | Est. Time | Bill Status |            |
| Description               |     | Reference              | Variance  |             |            |
| 70618                     | EXP | Olympia                | 1         | 91.77       | 91.77      |
| 1/21/2022                 |     | Atty Service           |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - CMS    |     |                        |           |             |            |
| 70813                     | EXP | Olympia                | 11        | 0.25        | 2.75       |
| 1/31/2022                 |     | Photocopies            |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Photocopies               |     |                        |           |             |            |
| 70814                     | EXP | Olympia                | 1         | 1.06        | 1.06       |
| 1/31/2022                 |     | Postage                |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                   |     |                        |           |             |            |
| 71023                     | EXP | Olympia                | 1         | 91.77       | 91.77      |
| 2/9/2022                  |     | Atty Service           |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - CMS    |     |                        |           |             |            |
| 71120                     | EXP | Olympia                | 1         | 0.53        | 0.53       |
| 2/28/2022                 |     | Postage                |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Postage                   |     |                        |           |             |            |
| 73496                     | EXP | Erika Mejia            | 1         | 57.71       | 57.71      |
| 10/3/2022                 |     | Atty Service           |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - Notice |     |                        |           |             |            |
| 73598                     | EXP | Valeria Tril           | 1         | 2.00        | 2.00       |
| 11/18/2022                |     | Online researc         |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Online Sac Minute Order   |     |                        |           |             |            |
| 75064                     | EXP | Erika Mejia            | 1         | 257.24      | 257.24     |
| 4/13/2023                 |     | Atty Service           |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - MPA    |     |                        |           |             |            |
| 75439                     | EXP | Erika Mejia            | 1         | 68.74       | 68.74      |
| 5/15/2023                 |     | Atty Service           |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Attorney Service - SAC    |     |                        |           |             |            |
| 75802                     | EXP | Simon Yang             | 1         | 300.00      | 300.00     |
| 8/3/2023                  |     | Court fees             |           |             |            |
| WIP                       |     | Brandt, Wendie v. Kids |           |             |            |
| Filing Fees               |     |                        |           |             |            |

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| Slip ID        | Timekeeper | Units     | Rate        | Slip Value |
|----------------|------------|-----------|-------------|------------|
| Dates and Time | Activity   | DNB Time  | Rate Info   |            |
| Posting Status | Client     | Est. Time | Bill Status |            |
| Description    | Reference  | Variance  |             |            |
| Grand Total    |            |           |             |            |
|                | Billable   | 0.00      |             | 14143.65   |
|                | Unbillable | 0.00      |             | 0.00       |
|                | Total      | 0.00      |             | 14143.65   |

# EXHIBIT B

**Time and Task Summary**  
**for Brandt v. Kids Care Dental & Orthodontics**  
**Larry W. Lee**

| <b>Description of Work</b>                                                                                                            | <b>Hours</b> |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Review client documents and employer background; research relationship between Reeves DDA and Lavalley DDS; prepare PAGA letter       | 7.3          |
| Review and revise initial complaint; review answer to same                                                                            | 1.6          |
| Review initial court orders; meet and confer with defense counsel re cmc; prepare joint statement re same                             | 2.7          |
| Review and revise first amended complaint; review and revise stip to file same                                                        | 1.6          |
| Review arbitration agreement; research enforceability of same                                                                         | 3.4          |
| Confer with opposing counsel re mediation; request class data re same                                                                 | 2.3          |
| Review and revise mediation brief; review class data and documents produced by Defendant; review and revise damages analysis for same | 16.2         |
| Attend mediation                                                                                                                      | 8.6          |
| Post-mediation discussions with all parties re settlement issues                                                                      | 3.3          |
| Review and revise MOU; confer with counsel re same                                                                                    | 3.1          |
| Review and revise long form settlement agreement; confer with counsel re same                                                         | 5.5          |
| Review and revise Motion for Preliminary Approval and supporting documents thereto                                                    | 4.2          |
| Confer with class members re settlement issues                                                                                        | 2.9          |
| Review and revise motion for final approval                                                                                           | 3.4          |
| <b>TOTAL</b>                                                                                                                          | <b>66.1</b>  |