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Attorneys for Plaintiff and the Class

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

IKEYEE JACKSON, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

SAMUEL, SON & CO. (USA) INC., a
Delaware corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: CVRI2101679

(Assigned to the Honorable Harold Hopp, Dept.
10)

**DECLARATION OF NICHOLAS
ROSENTHAL IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: June 5, 2023
Time: 8:30 a.m.
Dept.: 10

Complaint Filed: March 30, 2021

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I, Nicholas Rosenthal, 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 Ikeyee Jackson (“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 settlement was the product of negotiation 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 reviewing class data and information pertaining to relevant policies and practices of Defendant Samuel, Son & Co. (USA) Inc. (“Defendant”).

4. After further negotiations, the Parties reached the present class-wide settlement.

5. 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.

6. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with my office’s contact information, where they could further seek information regarding the class settlement, information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Settlement Administrator, and update their address.

7. 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.

8. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my *Juris Doctorate* degree from USC Gould Law School in 2009. Upon graduation, I was employed as an associate for approximately 4 years at Seyfarth Shaw LLP, a

1 national employment defense law firm. While at Seyfarth my practice was exclusively labor &
2 employment defense and I represented numerous corporations in large employment class actions.

3 9. I have been certified as class counsel in a number of cases, including *Diller v.*
4 *Under Armour Retail, Inc.*, Santa Clara County Superior Court Case No. 114-CV-265729, *Dall*
5 *v. Post Alarm Systems*, Los Angeles County Superior Court Case No. BC598528, *Lopez v.*
6 *Imperial Body Shop, Inc.*, Orange County Superior Court Case No. Case No. 30-2015-00816193-
7 CU-OE-CXC, *Hughes v. Lincare, Inc., et al.*, Monterey County Superior Court Case No.
8 M124764, *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case
9 No. CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
10 Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County
11 Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento
12 County Superior Court Case No. 34-2018-00245481-CU-OE-GDS, *Chavez v. Converse, Inc.*,
13 United States District Court – Northern District of California Case No. 15-cv-03746-NC, and
14 *Rodriguez v. Nike Retail Services, Inc.*, United States District Court – Northern District of
15 California Case No. 5:14-CV-1508 BLF.

16 10. To date, I have incurred approximately 54.2 hours in connection with the
17 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred
18 to date.

19 11. The total lodestar for my hours will be approximately \$37,940 based on an hourly
20 rate of \$700.00 per hour. I have been approved previously at a rate of \$650.00 by various courts,
21 including: I have been approved previously at a rate of \$650.00 by various courts, including:
22 *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case No.
23 CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
24 Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County
25 Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento
26 County Superior Court Case No. 34-2018-00245481-CU-OE-GDS *Foaad Hanna v. Equinix,*
27 *LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*,
28 Los Angeles County Superior Court Case No. BC720144; *Markham v. Quik Stop Markets, Inc.*,

1 Santa Clara Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior
2 Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San
3 Bernardino Superior Court Case No. CIVDS1828867; *Pascual v. Satellite Healthcare, Inc.*,
4 Santa Clara County Superior Court Case No. 19CV345211; *Carrillo v. New Balance Athletics,*
5 *Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Vogel v. Veolia North America,*
6 *LLC*, Monterey County Superior Court Case No. 19CV001443; *Holman v. American Sugar*
7 *Refining, Inc.*, Contra Costa County Superior Court Case No. MSC18-00415; and *Chavez v.*
8 *Converse, Inc.*, United States District Court, Northern District of California Case No. 15-cv-
9 03746-NC. As of January 1, 2022, my hourly rate increased to \$700.00. I have been approved at
10 the \$700.00 rate in *Gutierrez v. Spa Havens, LP*, San Diego Superior Court Case No. 37-2019-
11 00057065-CU-OE-NC; *Cruzado v. Ontario T, Inc.*, San Bernardino Superior Court Case No.
12 CIVSB2027249; *Ray v. C&W Facility Services, Inc.*, San Bernardino Superior Court Case No.
13 CIVSB2101321; *Alvarez v. Forterra Building Products*, San Diego Superior Court Case No. 37-
14 2020-00018179-CU-OE-CTL; *Dunn v. Universal Plant Services of California, Inc.*, Solano
15 County Superior Court Case No. FCS056134, *Pulido v. Georgia-Pacific Corrugated III LLC*,
16 Fresno Superior Court Case No. 18CECG00265; *In re: FPI Management Wage and Hour Cases*,
17 Los Angeles Superior Court Case No. JCCP5050; *Rodriguez v. U.S. Bank, N.A.*, Los Angeles
18 Superior Court Case No. BC617356; *Goodarzi v. Belmont Village L.P.*, Los Angeles Superior
19 Court Case No. 20STCV15572; *Vernon v. McClane/Suneast, Inc.*, San Bernardino Superior
20 Court Case No. CIVSB2123367; *Clark v. Now Optics, LLC*, San Diego Superior Court Case No.
21 37-2020-00044817-CU-OE-CTL; *Diaz v. Acuity Brands Lighting, Inc.*, San Bernardino Superior
22 Court Case No. CIVDS2015583; *Idian v. VHSD ES, Inc.*, San Diego Superior Court Case No.
23 37-2019-00018927-CU-OE-CTL; and *Romano v. SSA Terminals, LLC*, Los Angeles Superior
24 Court Case No. 20STCV29048.

25 12. My firm has incurred costs in the amount of \$1,926.77. The costs are all
26 litigation-related costs, including court filing fees, CourtCall expenses, mediation fees, and travel
27 expenses associated with attending such, reproduction and photocopy costs, and postage.
28 Attached hereto as **Exhibit B** is a copy of costs my firm has incurred in connections with the

1 prosecution of this lawsuit.

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

4 Executed on May 11, 2023, at Los Angeles, California.

5 
6 _____
7 Nicholas Rosenthal

EXHIBIT A

JACKSON V. SAMUEL, SON & CO. (USA) INC.
Time and Task Chart for Nicholas Rosenthal

Hours	Description of Work
5.8	Factual investigation and review of relevant case law.
1.0	Draft LWDA letter.
3.4	Draft complaint and FAC.
11.4	Communications with client.
6.5	Communications with opposing counsel re settlement and approval papers.
7.8	Draft long form settlement agreement.
12.0	Draft Motion for Preliminary Approval and supporting documents; prepare supplemental papers required by Court.
6.3	Draft Motion for Final Approval.
Total: 54.2	

EXHIBIT B

5/9/2023
2:25 PM

DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip.Classification Open
Client (hand select) Include: Jackson, Ikeyee v. Samuel
Slip.Transaction Ty 2 - 2

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		
66369	EXP	Olympia	1	75.00	75.00
3/11/2021		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
LWDA					
67013	EXP	Olympia	1	6.96	6.96
3/31/2021		Postage			
WIP		Jackson, Ikeyee v. Samuel			
Postage					
66910	EXP	Erika Mejia	1	1450.00	1450.00
4/13/2021		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
Riverside E Submit - Complaint					
67177	EXP	Olympia	1	67.99	67.99
4/19/2021		Atty Service			
WIP		Jackson, Ikeyee v. Samuel			
Attorney Service - Complaint Service					
67683	EXP	Olympia	12	0.25	3.00
5/31/2021		Photocopies			
WIP		Jackson, Ikeyee v. Samuel			
Photocopies					
67684	EXP	Olympia	1	0.71	0.71
5/31/2021		Postage			
WIP		Jackson, Ikeyee v. Samuel			
Postage					
69314	EXP	Olympia	1	12.70	12.70
10/13/2021		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - Joint CMS					
69871	EXP	Christine Choo	1	4.90	4.90
12/6/2021		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - CMS					

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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		
71037	EXP	Olympia	1	53.21	53.21
2/15/2022		Atty Service			
WIP		Jackson, Ikeyee v. Samuel			
Attorney Service - Chamber Copies					
70753	EXP	Christine Choo	1	5.81	5.81
2/15/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - Decl of NR iso OSC					
72263	EXP	Erika Mejia	1	67.61	67.61
4/22/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
MPA					
72113	EXP	Olympia	1	5.81	5.81
6/8/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - 170.6					
72350	EXP	Erika Mejia	1	13.61	13.61
7/6/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - CMS					
73033	EXP	Erika Mejia	1	13.61	13.61
9/21/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - CMS					
73864	EXP	Erika Mejia	1	14.61	14.61
12/12/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - Supp MPA					
73866	EXP	Erika Mejia	1	14.61	14.61
12/12/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - Proposed Order					
73869	EXP	Erika Mejia	1	14.61	14.61
12/13/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - Notice of Errata					
74052	EXP	Olympia	1	76.41	76.41
12/29/2022		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - MPA					

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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		
74062	EXP	Olympia	1	11.00	11.00
1/11/2023		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
Online MPA Order					
74178	EXP	Olympia	1	14.61	14.61
1/11/2023		Court fees			
WIP		Jackson, Ikeyee v. Samuel			
ACE E Filing - NOE					
Grand Total					
			Billable	0.00	1926.77
			Unbillable	0.00	0.00
			Total	0.00	1926.77