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Attorneys for Plaintiff Sunny K. Tam, on behalf of himself
and other similarly-situated employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SUNNY K. TAM, on behalf of himself and
other similarly-situated employees

Plaintiff,

v.

Q TECH CORPORATION, a California
Corporation; and DOES 1 Through 10,
inclusive,

Defendants.

Lead Case No. 21STCV18635

Related Case No. 21STCV19805

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Elihu M. Berle

Department SS6

CLASS ACTION

**DECLARATION OF JOSEPH TOJARIEH
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Information

Date: March 22, 2023

Time: 9:00 a.m.

Dept: SS-6

Judge: Hon. Elihu M. Berle

Complaint filed: May 25, 2021

Trial date: Not Set

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1 6. My office invested time and resources into this case, with payment contingent on
2 the outcome of this case and deferred until the end of this case. The efforts of my firm have
3 resulted in benefits to class members, allowing them to receive compensation for the alleged
4 illegal wage and hour practices. Without the efforts of my firm, the claims at issue in this case may
5 have gone without remedy.

6 7. The efforts of our office include, without limitation, interviewing Plaintiff Sunny
7 Tam and reviewing documents he provided; investigating Defendant's alleged violations of
8 California wage and hour laws; researching theories of liability for the alleged violations;
9 investigating the nature of Defendant's business, prior lawsuits, and business operations; drafting
10 and mailing to Defendant a letter requesting employment records pursuant to Labor Code sections
11 1198.5, 432, and 226(b); researching similar class action cases; and communicating with co-
12 counsel regarding strategies to take towards case resolution.

13 8. My hourly rate is currently \$645 per hour. This rate is reasonable in light of my
14 skill and over 13 years of employment law experience. I was also approved at this rate in
15 September 2022 by Judge Highberger in *Fontenette v. Special Services for Groups, Inc.* (LASC
16 Case No. 19STCV46726) Moreover, my rates are supported by the *Laffey* Matrix, which is "a
17 widely recognized compilation of attorney and paralegal rate data used in the District of
18 Columbia, frequently used in fee award cases." (See *Bond v. Ferguson Enterprises, Inc.*, Case No.
19 1:09-cv-1662 OWW MJS, 2011 WL 2648879 at *12 (E.D. Cal. June 30, 2011.) The *Laffey* Matrix
20 has been used in California. (See, e.g., *Nemecek & Cole v. Horn*, 208 Cal.App.4th 641, 650-651
21 (2012) [affirming award of attorneys' fees based on the *Laffey* Matrix as reasonable].) A true and
22 correct copy of the current *Laffey* Matrix is attached as **Exhibit 1**. According to the *Laffey* Matrix,
23 for the period June 1, 2022, to May 31, 2023, the hourly rate is \$829 for an attorney who is in the
24 11th to 19th year out of law school. I am in my 13th year out of law school.

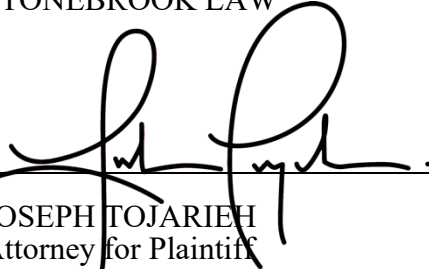
25 9. Moreover, in 2012, the Daily Journal concluded that the average hourly rate for
26 associates in Los Angeles is \$550, while the average hourly rate for partners is \$797. A true and
27 correct copy of the Daily Journal article is attached hereto as **Exhibit 2**. Given my skill and
28 experience, fee awards to other attorneys of similar experience in California, and the *Laffey*

1 Matrix, my hourly rate of \$645 is reasonable.

2 10. Throughout my 25 months of involvement in this case, I have expended
3 approximately 17.8 hours on this matter. Therefore, based on my hourly rate of \$645, my lodestar
4 amount is \$11,481.00. I have also expended a total of \$391.50 in costs. A ledger of my costs in
5 this matter is attached as **Exhibit 3**.

6 I declare under the penalty of perjury under the laws of the State of California the foregoing
7 is true and correct and this declaration is executed on January 11, 2023, in Los Angeles, California.

8
9 STONEBROOK LAW

10
11 By: 

12 JOSEPH TOJARIEH
13 Attorney for Plaintiff
14 SUNNY K. TAM
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EXHIBIT 1

LAFFEY MATRIX

[History](#)
[Case Law](#)
[See the Matrix](#)
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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *DL v. District of Columbia*, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $\frac{1}{2}$ Years Out of Law School $\frac{1}{2}$ is calculated from June 1 of each year, when most law students graduate. $\frac{1}{2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $\frac{1}{2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $\frac{1}{2}$ 1-3"

from June 1, 1996 until May 31, 1999, would move into tier $\frac{1}{2}$ 4-7" on June 1, 1999, and tier $\frac{1}{2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT 2

Average Law Firm Billing Rates

Location	Position	2012	2011	Percent Increase
Los Angeles	Partner	\$797	\$766	4.0%
	Associate	\$550	\$516	6.6%
San Diego	Partner	\$568	\$568	0%
	Associate	\$394	\$378	4.2%
San Francisco	Partner	\$675	\$654	3.2%
	Associate	\$482	\$449	7.3%
National	Partner	\$750	\$725	3.4%
	Associate	\$495	\$460	7.5%

Source: Valeo 2012 Halftime Report

Associate billing rates going up

Continued from page 1

boost our billing rates."

Sockol declined to provide specific billing rates but said the firm varies its associate rates by practice group and geography. For 2012, the firm raised associate billing rates roughly 3 percent, he said.

James G. Leipold, executive director of the National Association for Law Placement in Washington D.C., said the jump in billing rates results from the overall decrease of associates at law firms, especially at large law firms. Large law firms, which are the biggest employers of junior lawyers, are relying less on partnership-track associates and more on staff lawyers, paralegals and contract lawyers.

NALP data reveals that from 2008 to 2011, large law firms on average hired entry-level associates at an

annual starting salary of \$160,000. Some law firms cut their starting salaries to \$145,000 during that time but not many. Leipold said he thought more firms would follow suit.

'If inflation goes up 3 percent, so do our associate billing rates, because that is what covers rent, lights, computers, telephones, desks.'

— Marc A. Sockol

"What we saw was that law firms reduced their associate class sizes dramatically, but they didn't reduce their pay," Leipold said. "They just

provided many fewer jobs."

Some large firms have turned to creating nonpartnership-track staff lawyer positions for new classes of junior lawyers, whose billing rates and compensation are lower than those of partnership-track associates.

Law firms can then maintain or increase the billing rates for the small number of associates on the partnership track, knowing they can turn to their staff lawyers, paralegals or contract lawyers to drive down the cost of legal services for clients.

"I think you'll see that [approach] more in the next couple of years," Leipold said. "It's another way for them to bring the salary structure back down and meet the cost-containment demands of clients and use people more efficiently."

kevin_lee@dailyjournal.com

EXHIBIT 3

Tam v. Q-Tech Corporation
Case Costs

#	Payee	Payor	Description	Amount
1	Case Anywhere	TLF	Case Anywhere Invoice for System Access Fee during 5/10/22 - 7/31/22	\$121.50
2	Case Anywhere	TLF	Case Anywhere Invoice for System Access Fee during 8/1/22 - 10/31/22	\$135.00
3	Case Anywhere	TLF	Case Anywhere Invoice for System Access Fee during 11/1/22 - 1/31/22	\$135.00
			Total:	\$391.50