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Attorneys for Plaintiff David Long

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

DAVID LONG, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

CAPITOL COMPLIANCE
MANAGEMENT, LLC, et al.,

Defendants.

Case No.: 34-2021-00301119-CU-OE-GDS

CLASS ACTION

Complaint Filed: May 20, 2021

**DECLARATION OF KELSEY A. WEBBER IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 25, 2023

Time: 9:00 a.m.

Dept.: 28

1
2 DAVID LONG, as an individual and on
3 behalf of all others similarly situated,

4 Plaintiff,

5 vs.

6 CAPITOL COMPLIANCE
7 MANAGEMENT, LLC, et al.

8 Defendants.
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RELATED CASE: 34-2021-00302928-CU-OE-
GDS

Complaint Filed: June 21, 2021

DECLARATION OF KELSEY A. WEBBER

I, Kelsey A. Webber, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am an owner of Webber & Egbert Employment Law, P.C. (formerly Webber Law Group, P.C.), counsel of record for Plaintiff David Long ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I am one of the primary attorneys on this matter. My qualifications are as follows:

3. I graduated from Georgetown University Law Center in 2014 and was admitted to the California Bar in 2015. At Georgetown, I had the opportunity to work as a Research Assistant for Professor Anthony E. Cook. During this time, Professor Cook and I researched Social Enterprises throughout the United States in order to determine which Social Enterprise would most benefit the homeless community in the District of Columbia. Subsequently, Professor Cook and I worked with investors to help create a system of low-income housing in Washington D.C. that incorporated the Social Enterprise that we determined would most benefit the homeless community in the District. It was during this time that I began planning to practice in an area of law connected to civil rights. In May 2014, I graduated from Georgetown University Law Center on the Dean's Honor Roll.

4. From about June 2015 to about June 2017, I was an attorney at the Velez Law Firm where I represented numerous plaintiffs in employment lawsuits. During this time, Mr. Velez and I obtained a jury verdict, in a single plaintiff, age discrimination case, in the amount of \$4,750,000.00 (*Barbara Anderton v. Bass Underwriters*, Sacramento County Superior Court, Case No. 34-2013-00149236). For my work in this trial, I was nominated for Advocate of the Year by the Capital City Trial Lawyers Association.

5. From about July 2017 to April 2019, I worked as an attorney at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. Ogletree, Deakins is a national employment defense law firm that represents a large number of Fortune 50 companies. During this time, I litigated numerous actions involving wage and hour issues.

6. From about April 2019 to March 2020, I worked as an attorney at Carothers,

1 DiSante, and Freudenberger LLP. Carothers, DiSante, and Freudenberger is a California
2 employment defense law firm that specializes in defending class actions and PAGA cases. During
3 this time, I litigated numerous actions involving wage and hour issues.

4 7. In March 2020, I founded the Webber Law Group, P.C. I now spend most of my
5 time litigating employment related lawsuits, representing California employees.

6 8. Currently, my office represents plaintiffs in a number of class actions, including
7 but not limited to: *Michael Gibson v. Southwest Traders Incorporated* (San Joaquin County
8 Superior Court, Case No. STK-CV-UOE-2020-0010620); *Derek Austin v. BQ Express Inc.*
9 (Sacramento County Superior Court, Case No. 34-2021-00297271); *Wendie Brandt v. Kids Care*
10 *Dental & Orthodontics* (Sacramento County Superior Court, Case No. 34-2021-00296816); *Paul*
11 *Gullett v. Apple American Group, LLC* (Placer County Superior Court, Case No. S-CV-0045844);
12 *Antonio Jesus Jaramillo De La Cruz v. Weidner Property Management, LLC* (Sacramento County
13 Superior Court, Case No. 34-2021-00308697); *James Jones v. TFC Partners, Inc.* (Alameda
14 County Superior Court, Case No. RG21087839); *Gerardo Negrete v. Ace Hardware Corporation*
15 (Placer County Superior Court, Case No. S-CV-0047322).

16 9. I have received numerous awards, including being named to the Top 40 Under 40
17 by the National Trial Lawyers Association in 2020, 2021, and 2022.

18 10. Based on my independent investigation and evaluation, I am of the opinion that
19 settlement for the consideration and on the terms set forth in the Joint Stipulation of Class Action
20 and PAGA Settlement and Release ("Stipulation" or "Settlement Agreement") is fair, reasonable,
21 and adequate and is in the best interests of the Class, in light of all known facts and circumstances
22 and the expenses and risks inherent in litigation.

23 11. I have no interest in or affiliation with the *cy pres* beneficiary, Legal Aid at Work.
24 No member of my firm has an interest in or is affiliated with the *cy pres* beneficiary.

25 12. Below is a summary of the hours I have expended in litigating this case to date:

26 ///

27 ///

Name	Position	Hours	Rate	Lodestar
Kelsey Webber	Shareholder	11.4	\$650.00	\$7,410.00
TOTAL				\$7,410.00

13. The hours I have spent litigating this case to date include time spent in meetings/conversations with Plaintiff to discuss the facts and theories of the case, analysis and review of documents provided by Plaintiff to determine viable causes of action; conferences with co-counsel regarding the same; and the drafting and review of settlement documents, including my declarations in support of preliminary and final approval. I believe my hourly rate is justified in light of my experience, and the results I have achieved in the past and in this case.

14. In conjunction with litigating this case, my firm has expended costs without reimbursement to date. My firm's costs total \$3,811.27, which relate to the mediation and a court filing in this matter. Attached as **Exhibit A** are the invoices and receipts demonstrating the costs for which my firm seeks reimbursement.

15. Plaintiff signed a written retainer agreement that governs my firm and my co-counsel's representation of him in this action. The written agreement expressly provides that the fees ultimately approved by the Court will be split between counsel. Pursuant to the written agreement, Diversity Law Group will receive two-thirds (2/3) of the legal fees recovered and Webber & Egbert Employment Law, P.C. (formerly Webber Law Group, P.C.) will receive one-third (1/3) of the legal fees recovered. The written agreement advised Plaintiff that the agreement to split legal fees would not increase the fees owed by Plaintiff for his representation.

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

Executed on this August 2, 2023, at El Dorado Hills, California.

Kelsey Webber

 Kelsey Webber

Exhibit A

STATEMENT



Date
02/16/22 through 08/31/23

Bill To: **Shaelyn Stewart Esq.**
Webber Law Group
1215 K Street
17th Floor
Sacramento CA 95814
US

Reference #: **1100113301 - Rep# 4**
Billing Specialist: **Mason, Glenn T**
Email: **gmason@jamsadr.com**
Telephone: **949-224-4654**
Employer ID: **68-0542699**

RE: **Long, David et al. vs. Capitol Compliance**
Representing: **David Long et al.**

Neutral(s): **Michael Loeb, Esq.**
Hearing Type: **MEDIATION**

Date / Time	Description	Hours	Rate/Hr.	Total Billed	Parties Billed	Your Share
			Balance Forward:			\$0.00
7/12/22 9:30 AM	Michael J Loeb Esq. Session Time	8.00		\$14,000.00	3	\$3,500.00
3/18/22	Initial Non-Refundable Fee					\$237.50
			Fees:			\$3,737.50
			Total:			\$3,737.50
Payment Activity:						
6/7/22	Check No. visa 7505 Paid By: Kelsey Webber					(\$3,737.50)
			Total Payments:			(\$3,737.50)
			Balance on Account:			\$0.00

Unused Deposits will not be refunded until the conclusion of the case.
Statement total is based on the fee split agreed upon by all parties. If the case cancels or continues, fees are due per our cancellation and continuance policy. Please make checks payable to JAMS, Inc.

Standard mail:
P.O. Box 845402
Los Angeles, CA 90084

Overnight mail:
18881 Von Karman Ave. Suite 350
Irvine, CA 92612



1400 North McDowell Blvd, Suite 300
Petaluma, CA 94954
1-800-938-8815 ext. 1
TIN: 85-4343705

Credit Card Sale

Date	8/1/2023
Customer	0144453
Credit Sale	05193994
Amount Due	\$0.00

Bill To

Webber Law Group, P.C.
1610 R Street
Suite 300
Sacramento CA 95811

One Legal Order Number	20697179
Contact	Kelsey Webber
Attorney Name	Kelsey Webber
Case Title	David Long
Case Number	34-2021-00301119
Court	Superior Court of California, Sacramento County
Documents	Notice of Change of Firm Name

ONE LEGAL FEES	AMOUNT
eServe Charge	\$1.00
Court Filing Service Charge, 1 - 15 Pages	\$70.00
Convenience Fee‡	\$2.77
SUBTOTAL	\$73.77

FEES SUMMARY	AMOUNT
One Legal Fees	\$73.77
TOTAL CHARGED	\$73.77

Past due balance may be charged a late payment fee and/or a late charge of up to 1.5% per month (18% per annum).

‡ When paying invoices by credit card, a convenience fee will be assessed in accordance with applicable law and Terms of Service accepted at time of order. To avoid these fees, you can choose to pay via ACH.