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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.

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

Date: March 24, 2023

Time: 9:00 a.m.

Dept.: 28

**Reservation No.: 2704731**

RELATED CASE: 34-2021-00302928-CU-OE-  
GDS

Complaint Filed: June 21, 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 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. Based on their own independent investigation and evaluation, the Parties and their respective counsel are of the opinion that settlement for the consideration and on the terms set forth in the Joint Stipulation of Class Action and PAGA Settlement (“Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Class and Defendants in light of all known facts and circumstances and the expenses and risks inherent in litigation.

3. From the inception of the case, Class Counsel have zealously represented the interests of the Class. Class Counsel engaged in significant discussions with opposing counsel to obtain informal data on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

4. I have spent significant time researching and pursuing the claims that have been alleged in this action. The Parties engaged in formal and informal discovery and participated in the exchange of class data and Defendants' pertinent policies and practices. Based on my review of all the documents and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

5. I was retained based upon a contingency fee arrangement wherein Plaintiff's counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. For example, my office has expended costs to file this instant action, effect service of process, and pay other litigation related costs. Had Plaintiff failed to prevail on this case, counsel for Plaintiff would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiff also failed to prevail in the present case, Defendants would have been able to seek attorney's fees and costs in connection with their defense of the case.

6. My qualifications are as follows: I received my J.D. from Arizona State

1 University College of Law in 2003. During law school, I was a summer associate at the law firm  
2 of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College  
3 of Law in the top 10% of my class. While I was in law school, I was the Associate Managing  
4 Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I  
5 practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash  
6 Smoak & Stewart, P.C., a national employment defense law firm that represents a significant  
7 number of Fortune 500 companies.

8         7. My firm's primary focus is employment law. I have handled a number of wage  
9 and hour matters including class actions and multiple-plaintiff actions. I have a practice that  
10 encompasses cases throughout the State of California, including but not limited to the Los  
11 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County  
12 Superior Courts, the San Diego County Superior Courts, and the United States District Courts for  
13 the Central, Eastern, Northern, and Southern Districts of California.

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

1 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

2 9. My co-counsel and I will adequately represent the Class Members in this action.  
3 Plaintiff's counsel have and will zealously represent Plaintiff and the Class and pursue this  
4 lawsuit to its conclusion. I have no conflicts with the Class and will adequately represent the  
5 Class.

6 10. I do not have any relationship with the designated *cy pres* recipient, Legal Aid at  
7 Work that would constitute a conflict of interest.

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

10 Executed on this 2<sup>nd</sup> day of March 2023, at Los Angeles, California.

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