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Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA**

TONY CATELLI, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

INNOVATIVE CONSTRUCTION
SOLUTIONS, a California corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: MSC21-01257

(Assigned for all purposes to the Honorable
Charles S. Treat, Dept. 12)

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

Date: June 8, 2023

Time: 9:00 a.m.

Dept.: 12

Complaint Filed: June 1, 2021

Trial Date: None Set

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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 Tony ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to testify I will and would do so competently.

3. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of Fortune 500 companies.

5. I have been named as class counsel in a number of class actions that have been

1 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
2 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
3 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
4 District Court for the Central, Eastern, and Northern Districts of California, including but not
5 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
6 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
7 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
8 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
9 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial
10 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior
11 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
12 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
13 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
14 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
15 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

16 6. To date, I have incurred approximately 27.4 hours in the prosecution of this
17 matter, with an hourly rate of \$800.00 per hour. I anticipate spending an additional 4 hours
18 through final approval and post-approval, including conferring with class members, defense
19 counsel, and the administrator. The total lodestar for my hours will be approximately \$25,120.00.
20 Attached as **Exhibit A** is a summary of my hours and tasks on this matter.

21 7. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by
22 various Courts. 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*
24 *Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen*
25 *Co.*, United States District Court, Northern District of California Case No. 18-cv-03921-EJD,
26 *Chavez v. Converse, Inc.*, United States District Court, Northern District of California Case No.
27 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda County Superior Court
28 Case No. RG19029640; *Foad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case

1 No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No.
2 BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
3 Superior Court Case No. 18CV00191; *Pittman v. Martinez Steel Corporation*, San Bernardino
4 County Superior Court Case No. CIVDS1823132; *Michael Randolph v. Pacific Racing*
5 *Association*, Alameda County Superior Court Case No. RG18908139; *Markham v. Quik Stop*
6 *Markets, Inc.*, Santa Clara County Superior Court Case No. 19CV341582; *Siron v. Raypak, Inc.*,
7 Ventura County Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline*
8 *Services, Inc.*, San Bernardino County Superior Court Case No. CIVDS1828867, and *Prexxie*
9 *Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court
10 Case No. 19CV345211. I was approved at an hourly rate of \$800.00 per hour in *Martinez and*
11 *Acosta v. City of Hope National Medical Center, et al.*, San Bernardino County Superior Court
12 Case No. CIVDS2015729, *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court
13 Case No. 37-2021-00008619-CU-OE-CTL, *Murray v. Granite Wellness Centers et al.*, Nevada
14 County Superior Court Case No. CU20-084680, and *Smith, et al. v. Clean Harbors*
15 *Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526.

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

18 Executed on this 16th day of May 2023, at Los Angeles, California.

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20 /s/ Larry W. Lee
Larry W. Lee
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EXHIBIT A

Catelli v. Innovative Construction Solutions
Larry W. Lee Time and Task Chart

Hours	Description of Work
2.4	Review client documents; confer with co counsel re theories of case; research potential causes of action and viability of same
1.5	Review and revise complaint and PAGA letter
1.1	Confer with counsel re CMC and case issues; review and revise joint statements
6.6	Extensive discussions with Defendant's counsel re potential settlement
1.3	Review payroll data produced by Defendant; review and revise class damages re same
8.6	Review and revise long form settlement documents; conferences with opposing counsel re same
3.6	Review and revise Motion for Preliminary Approval and supporting documents
2.3	Review and revise Motion for Final Approval and supporting documents
27.4	TOTAL HOURS