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Attorneys for Plaintiff and Aggrieved Employees

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

MATTHEW MILLER as an individual and on
behalf of all others similarly situated, and as a
private attorney general,

Plaintiff,

vs.

STANBRIDGE UNIVERSITY, a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 30-2021-01206298-CU-OE-CXC

(Assigned for all purposes to the Hon. William
Claster, Dept. CX 104)

**DECLARATION OF KRISTEN M. AGNEW
IN SUPPORT OF PLAINTIFF'S MOTION
TO APPROVE SETTLEMENT
AGREEMENT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT**

Date: July 22, 2022

Time: 9:00 a.m.

Dept.: CX104

Reservation No.: 73787090

Complaint Filed: June 17, 2021

Trial Date: None

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I, Kristen M. Agnew, 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 Matthew Miller (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Plaintiff's Counsel have zealously represented the interests of Plaintiff and the Aggrieved Employees.

3. I strongly believe that Plaintiff can prevail at trial. However, I also believe in the fairness of the settlement. After taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Settlement Agreement and General Release of All Claims is appropriate and in the best interests of Plaintiff and the Aggrieved Employees.

4. My qualifications are as follows: I was the 2003 recipient of the Spelman Presidential Scholarship to Emory University School of Law. During law school, I was a summer associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta office of the Equal Employment Opportunity Commission. I received my J.D. from Emory University in 2006 and was admitted to the California Bar in December 2006. Following law school, I was an associate at Sonnenschein from September 2006 to May 2009.

5. Since 2009, my primary area of practice has been employment litigation. I have practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I was an associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate, and then senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP from June 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of fortune 500 companies in employment litigation in both state and federal courts, as well as before government agencies, including the California Department of Labor. My practice included the defense of single plaintiff and multi-plaintiff lawsuits involving claims under the California Fair Employment and Housing Act, the California Labor Code

1 and the Fair Labor Standards Act. I also handled a number of wage and hour class actions.

2 6. While at Ogletree and Seyfarth, I served as the lead associate on a number of wage and
3 hour class actions, including *Martha Cardenas v. Gold's Gym*, Los Angeles County Superior Court Case
4 No. BC445112; *Nathaniel Werner v. Crown Equipment Corporation*, Los Angeles County Superior
5 Court Case No. BC439428; *Christopher Williams v. Allstate Insurance Co.*, Los Angeles County
6 Superior Court Case No. BC382577; *Hwang v. Caltech*, Los Angeles County Superior Court Case No.
7 BC464894; *Melissa Roberts v. Zale Delaware, Inc.*, Los Angeles Superior Court Case No. BC523610;
8 *Michael Oliver v. Konica Minolta Business Solutions U.S.A., Inc.*, Santa Clara County Superior Court
9 Case No. 114-CV-263183; *Tessa Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino
10 Superior Court Case No CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-02006;
11 *Tapia v. Zale Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess et al v.*
12 *Tesoro Refining and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

13 7. I also second chaired two jury trials where I represented the prevailing defendant. Both
14 cases involved employees who brought claims against their former employers pursuant to the Fair
15 Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton Aerospace LLC et al*, Los Angeles
16 County Superior Court Case No. BC401543; and *Richard Gulden v. Pratt & Whitney Rocketdyne Inc. et*
17 *al.*, Los Angeles County Superior Court Case No. BC468909.

18 8. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time
19 handling employment cases. I primarily represent employees.

20 9. I have been approved as class counsel in numerous wage/hour class actions that have
21 been granted class certification and final approval, including: *Antonio Becerra-Mata v. PSC Industrial*
22 *Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal So v. Owens-*
23 *Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609; *Sarah*
24 *Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-16-CV-294904; *Shannon*
25 *Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court Case No.
26 17CV306751; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No.
27 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144;
28 *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court Case No.

1 18CV00191; *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case
2 No. RG18908139; *Cody Wirbick v. Sundt Construction, Inc.*, U.S. District Court for the Eastern District
3 of California Case No. 2:19-cv-02067-MCE-CKD; *Jose Vasquez Ruiz v. Perdue Foods, LLC*, Sonoma
4 County Superior Court Case No. SCV 264649; *Delmer Wood III v. Reeve Trucking Company Inc.*, San
5 Joaquin Superior Court Case No. STK-CV-UOE-2018-0004414; *Eric Chavez v. Converse, Inc.*, U.S.
6 District Court for the Northern District of California Case No. 15-cv-03746-NC; *Jharett Siron v.*
7 *Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-00527959-CU-OE-VTA; *Prexxie*
8 *Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara Superior Court Case No.
9 19CV345211; and *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court Case No.
10 19CV341582.

11 10. To date, I have incurred approximately 13.9 hours in connection with the litigation of this
12 lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have spent on this case to date.

13 11. The total lodestar for my hours will be approximately \$9,730.00 based on an hourly rate
14 of \$700.00 per hour (13.9 hours x 700). I have been approved at an hourly rate of \$700.00 per hour by
15 various Courts, including: *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No.
16 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144;
17 *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court Case No.
18 18CV00191; *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court Case
19 No. RG18908139; *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara
20 Superior Court Case No. 19CV345211; *Chavez v. Converse, Inc.*, United States District Court, Northern
21 District of California Case No. 15-cv-03746-NC; and *Carrillo v. New Balance Athletics, Inc.*, Santa
22 Clara Superior Court Case No. 19CV352469.

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

25 Executed on this 21st day of June 2022, at Los Angeles, California.

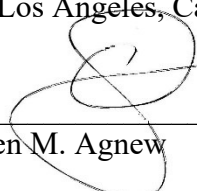
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Kristen M. Agnew

EXHIBIT A

Miller v. Stanbridge University
Time and Task Chart for Kristen Agnew

Hours	Description of Work
.7	Edit Complaint.
.4	Communications with defense re: mediation.
2.5	Edit mediation brief.
7.1	Attend mediation.
1.8	Edit long form settlement agreement.
1.4	Edit Motion for Approval.
13.9	TOTAL HOURS