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10 Attorneys for Plaintiffs,
11 MARIA MARAVILLA and JUAN TORRES REYES
on behalf of themselves and all similarly situated employees
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14 **SUPERIOR COURT OF CALIFORNIA**
15 **COUNTY OF MONTEREY**

16 MARIA MARAVILLA and JUAN TORRES
17 REYES on behalf of themselves and all similarly
situated employees,

18 v.

19 GREENGATE FRESH, LLLP; and DOES 1
20 through 50, inclusive,

21 Defendants.
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Case No. 21CV001258

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: July 26, 2024

Time: 8:30 a.m.

Dept: 14

Action Filed: April 15, 2021

Trial Date: Not Set

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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 Plaintiffs Maria Maravilla and Juan Reyes Torres (together, “Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The Joint Stipulation and Settlement Agreement of Class Action and PAGA Claims (“Stipulation of Settlement” or “Settlement”) was the product of negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. The Parties engaged in arm’s length negotiations during and post-mediation.

4. Class Counsel engaged in extensive factual investigation before settling, including the exchange of written discovery. Class Counsel also reviewed Defendant's written policies and procedures regarding meal and rest periods, timekeeping, overtime, reimbursement, payment of final wages, among others. Further, in connection with mediation, Class Counsel reviewed a 20% sampling of the putative class members' time and payroll records.

5. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on my independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The Settlement was negotiated at arm's length and was facilitated by an experienced and neutral mediator. Thus, this Settlement should be granted final approval.

6. Any remaining monies from uncashed settlement checks will be distributed to the *cy pres* recipient Watsonville Law Center, in accordance with Code of Civil Procedure § 384. I do not have any relationship with or connection to said organization.

1 7. I have been approved as class counsel in numerous other wage/hour class actions that
2 have been granted class certification and final approval.

3 8. To date, I have incurred approximately 29.4 hours in connection with the litigation of this
4 lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date.

5 9. I also anticipate spending an additional 10 hours conferring and reviewing e-mails and
6 other written communications with counsel for Defendant, the Settlement Administrator, and Class
7 Members regarding post final approval matters, including payments and related issues.

8 10. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by
9 various Courts. Examples of these Courts include the following cases: *Hernandez v. Wells Fargo Bank*,
10 Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New Balance Athletics, Inc.*,
11 Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United States
12 District Court, Northern District of California Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*,
13 United States District Court, Northern District of California Case No. 15-cv-03746-NC; *Foster v.*
14 *Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna*
15 *v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven*
16 *LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*
17 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez*
18 *Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael Randolph*
19 *v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Markham v.*
20 *Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case No. 19CV341582; *Siron v. Raypak,*
21 *Inc.*, Ventura County Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline*
22 *Services, Inc.*, San Bernardino County Superior Court Case No. CIVDS1828867, and *Prexxie Pascual*
23 *and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court Case No.
24 19CV345211.

25 11. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v. City of*
26 *Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No.
27 CIVDS2015729; *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No. 37-2021-
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00008619-CU-OE-CTL; *Murray v. Granite Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-084680; *Smith, et al. v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526; *Correa et al. v. FedEx Supply Chain, Inc.*, San Bernardino County Superior Court Case No. CIVDS2023369; *Meguro v. Silicon Valley Bank*, Santa Clara County Superior Court Case No. 20CV369854; and *Linaki v. Genji Pacific, LLC*, Alameda County Superior Court Case No. RG20074795.

12. Although I believe \$800.00 per hour is a reasonable rate for my services, as it has been approved throughout California, in this motion, I request a reduced hourly rate of \$595.00, which considers the jurisdiction where this Action was litigated. Accordingly, the total lodestar for my hours will be approximately \$23,443.00 based on an hourly rate of \$595.00 per hour [(29.4hours + 10 anticipated hours) x \$595.00].

13. 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.

14. My firm's primary focus is employment law. I have handled a number of wage and hour matters including class actions and multiple-plaintiff actions. I have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior Courts, and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California.

15. I have been named as class counsel in a number of class actions that have been granted final approval by the Superior Courts of Los Angeles County, Orange County, San Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino County, Santa Clara County,

1 Sonoma County, and the United States District Court for the Central, Eastern, and Northern Districts of
2 California, including but not limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*,
3 San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange
4 County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No.
5 CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
6 Judicial Council Coordination Proceeding No. 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case
7 No. BC392717; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539;
8 *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v. Community*
9 *Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No. 17CV003452; *DirecTv*
10 *Wage and Hour Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding No. 4850;
11 *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v.*
12 *Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

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

15 Executed on this 3rd day of July 2024, at Los Angeles, California.

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17 _____
Larry W. Lee

EXHIBIT A

Maravilla v. Greengate Fresh
Larry W. Lee Time and Task Chart

Hours	Description of Work
4.3	Review client documents and background information; confer with co-counsel re claims to be filed
1.8	Review and revise complaint and FAC and PAGA letter
6.1	Analyze and review Defendant's Motion and amended Motions to Compel Arbitration; Review and revise opposition to motion to compel arbitration; confer with co-counsel re same; conduct legal research re same.
1.2	Confer with co-counsel following ruling on motion to compel arbitration; strategize re same considering <i>Adolph v Uber</i> and <i>Viking River Cruises</i>
2.9	Revise and review supplemental briefing in opposition to motion to compel arbitration.
1.7	Confer with co-counsel re information needed to participate in mediation; further revise data request to defense counsel considering same.
3.8	Review and revise mediation brief in advance of mediation; confer with co-counsel re same; review and analyze data produced by Defendant in advance of mediation.
1.1	Confer with co-counsel and mediator following failed mediation attempt; strategize re litigation strategy moving forward.
2.3	Review and revise long form settlement agreement; confer with counsel re changes to same
1.2	Review and revise Motion for Preliminary Approval and supporting documents
1.9	Confer with class members re settlement issues
1.1	Draft, review and revise Motion for Final Approval and supporting documents
29.4	TOTAL HOURS