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Attorneys for Plaintiffs and Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

CHRISTINA ABDELMALAK and PAZ
SALVADOR, on behalf of all Aggrieved
Employees and the State of California;

Plaintiff,

vs.

PRIME HEALTHCARE ANAHEIM, LLC, a
Delaware Limited Liability Company; and
DOES 1 through 20, inclusive;

Defendants.

Case No.: CIVSB2127232

*[Assigned to Hon. Joseph Ortiz, Dept S17 for
all purposes]*

**DECLARATION OF PETER J.
CARLSON, ESQ., IN SUPPORT OF
PLAINTIFFS' MOTION TO APPROVE
PAGA SETTLEMENT**

1 I, Peter J. Carlson, state and declare:

2 1. I am an attorney duly licensed to practice law in the State of California and am a
3 senior associate at Lauby, Mankin & Lauby LLP, attorneys of record for Plaintiffs. I am fully
4 familiar with the facts of this case and submit this declaration in support of Plaintiffs' Motion to
5 Approve the PAGA Settlement. The matters set forth herein are based upon my personal
6 knowledge and, if called upon as a witness, I could and would give competent testimony with
7 respect to the matters contained herein.

8 2. For the sake of brevity, this declaration does not discuss the settlement itself, the
9 procedural background of the litigation, the claims and investigation by my firm, and why the
10 settlement is fair and reasonable. Those topics are covered in detail in the concurrently filed
11 Declaration of Brian Mankin. This declaration simply provides information requested by the
12 court as to my qualifications, my billed hours, and my billable rate.

13 **QUALIFICATION OF COUNSEL**

14 3. I graduated from the University of Oregon School of Law in May 2013 and have
15 been a member, in good standing, of the State Bar of California since January 2014. I am
16 licensed to practice before all courts of the State of California and am admitted to practice in the
17 United States District Court for the Central District of California and have litigated cases in
18 various courts and counties throughout California, including successful briefing and argument in
19 the Court of Appeal.

20 4. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin
21 & Lauby LLP) in March 2016 and, since that time, my practice has consisted solely of
22 representing employees. The vast majority of my cases have been litigated as class actions,
23 representative PAGA actions, or a combination of the two.

24 5. I have been the handling attorney on over 190 class action and/or representative
25 PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel
26 on over half of these cases and have helped negotiate settlements totaling over \$137,000,000 for
27 my clients, the employees, and the State of California.

6. I was the handling attorney for the second largest PAGA-only settlement in California's history – a \$12.5 million-dollar court approved settlement, which followed extensive litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50 company (*Garcia v. Macy's*, San Bernardino Superior Court Case No. CIVDS1516007).

7. I have tried two major class and PAGA cases against Fortune 100 companies, both of which were appealed. In 2018, I was the handling attorney on a PAGA-only case in Orange County where my firm succeeded on a motion for summary adjudication and litigated through trial to obtain a \$425,000 judgment for over 1,600 aggrieved employees. Also, in 2019, I was the handling attorney for my firm on a class action against Walmart, where we obtained class certification on behalf of over 5,000 employees. After extensive litigation, the matter went to trial, and the jury returned a verdict of approximately \$6.1 million on the meal period claims.

8. Additionally, I have handled approximately 6 cases for which we received class certification orders following contested certification motions concerning similar claims.

9. In 2022, 2023, and 2024, I was also selected as a Super Lawyers Rising Star.

HOURS INCURRED

10. I have spent 237.8 hours working on this action and have kept contemporaneous records of these billable hours. This total includes significant pre-filing work, including legal research regarding nuanced and issues unique to this matter. My hours incurred also reflect the time spent drafting all relevant documents and memoranda in this case, including drafting the letter to the LWDA to begin the exhaustion of administrative remedies and drafting various pleadings during litigation. Moreover, this total captures the substantial time spent litigating the PAGA claims in arbitration to protect the rights of the State of California and Aggrieved Employees – in this regard, I was primarily responsible for all discovery and motion practice to defeat Defendant’s attempt to dispose of this case under a “statute of limitations” argument. My total hours also includes all time spent during preparation for mediation, including analysis of all necessary documents, data, and information needed for mediation, drafting informal requests, and then receiving, reviewing, and analyzing all pre-mediation documents and the sampling of payroll/timekeeping, followed by creation of a detailed PAGA damage model to be used at

1 mediation. Finally, this total also includes all time spent attending mediation, preparing the
2 settlement documents, reviewing revisions from defense counsel, and then drafting and filing all
3 approval documents.

4 **HOURLY RATE**

5 11. My billing rate is \$750 per hour, and this rate is usual and customary for class
6 action and/or PAGA practitioners with my level of expertise and experience.

7 12. This rate is consistent with Plaintiff and Defense attorneys who handle complex
8 class action litigation, if not somewhat lower. For example, my requested rate is reasonable,
9 consistent, and less than the rate found in the Laffey Matrix (www.laffeymatrix.com), which
10 indicates that the benchmark rate for an attorney that graduated law school in 2013 (the “11-19
11 Years Out of Law School” category) is \$878 per hour.

12 13. The reasonableness of my rate is also reinforced by facts showing that local
13 attorneys in Los Angeles engaged in complex litigation bill at rates far higher than me – and far
14 higher than the Laffey Matrix. Recent public filings confirm that the Los Angeles Department of
15 Water and Power is paying outside counsel at minimum rates of \$1,180 per hour for associates
16 with 7 years of experience or more, and LADWP even pays first year associates \$745 per hour.
17 See [https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-](https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-against-palisades-fire-lawsuits)
18 [against-palisades-fire-lawsuits](https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-against-palisades-fire-lawsuits) (last visited June 5, 2025). Considering these facts, my rate is
19 reasonable as an 11-year attorney, since my rate (\$750) is far less than the \$1,180 LADWP pays
20 to 7-year associates – and only \$5 more than what LADWP pays to *first-year associates*.

21 14. Additionally, the 2023 Wolters Kluwer Real Rate Report (the “Real Rate Report”)
22 confirms the reasonableness of my requested rate because it notes that for the Los Angeles area,
23 which is a logical and reasonable comparison to this geographical marketplace given the overlap
24 of counsel: (a) for associates generally, the upper quartile rate is \$880 per hour, and (b) for
25 associates with seven or more years of experience, the upper quartile rate is \$888 per hour.
26 Being that I have been in practice for over 11 years and helped collect more than \$130,000,000
27 on class/PAGA cases, I firmly believe that the Real Rate Report’s metrics (and the “upper
28 quartile” rate) are an accurate standard to measure the reasonableness of my requested rate.

15. I believe that the Real Rate Report is perhaps the best method to analyze my requested rate because it is based on an enormous and statistically significant compilation of data which is compiled to provide the hourly rates *actually* billed by partners and associates in metropolitan areas (such as Los Angeles). Thus, unlike other analyses or methods to review the reasonableness of hourly rates, the Real Rate Report is not based on self-reported numbers, surveys, sampling, or reviews or other publications – instead, the Real Rate Report is based on the actual hours and fees that law firms billed to clients. For this reason, the Real Rate Report is “a much better reflection of true market rates than self-reported rates in all practice areas.” *Brown v. CVS Pharmacy, Inc.* (C.D. Cal. Apr. 24, 2017) 2017 U.S. Dist. LEXIS 182309, at *21; *see also* *PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1085 (holding that rates should be premised upon precisely this form of independent, “objective” rate data that reflects “fair market” rates actually billed to clients “in the community for similar work”).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 12, 2025, at Riverside, California.

By:


Peter J. Carlson, Esq.