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7 **SULLIVAN & YAECKEL LAW GROUP, APC**

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11 Attorneys for Plaintiff LANCE HILD, in a Representative capacity only, and on behalf of other
12 members of the public similarly situated

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF SAN DIEGO**

15 LANCE HILD, in a Representative capacity
16 only, and on behalf of other members of the
17 public similarly situated

18 Plaintiff,

19 v.

20 WESTSIDE BUILDING MATERIAL
21 CORPORATION, a California Corporation,
22 and DOES 1-10, inclusive

23 Defendant

CASE NO. 37-2021-00041781-CU-OE-CTL

**DECLARATION OF WILLIAM B.
SULLIVAN IN SUPPORT OF
PLAINTIFF'S UNOPPOSED MOTION RE:
PAGA SETTLEMENT APPROVAL**

Date: August 5, 2022

Time: 10:30 a.m.

Dept.: C-70

Judge: Hon. Carolyn Caietti

1 I, William B. Sullivan, declare as follows:

- 2 1. I am an attorney licensed to practice law before this Court and am an employed at the law firm
3 of Sullivan & Yaeckel Law Group, APC, attorneys of record for Plaintiff LANCE HILD. I
4 make this declaration in support of Plaintiff's Motion for PAGA Settlement Approval.
- 5 2. I have personal knowledge of the facts set forth in this declaration and, if called to testify as
6 a witness, I could and would do so.

7 **Experience of Counsel**

- 8 3. I have been a California-licensed attorney for over 28 years. I have approximately 27 years of
9 experience in class action and representative-wide litigation, both as plaintiff and defense
10 counsel. I have argued a products liability action, with standing "class" claims, before the
11 California Supreme Court. My billing rate has consistently been found "reasonable" (and never
12 "unreasonable") by both state and federal courts in dozens of cases.
- 13 4. I am currently lead counsel on approximately 40 employment "wage and hour" claims with
14 class action allegations. These cases are set within the California Superior Court and Federal
15 District Courts in California. I am also currently lead counsel on claims that have been certified
16 by both Court Order and by stipulation of the parties.
- 17 5. The attorneys' fees requested in this action total **\$26,666.67** (Twenty Six Thousand Six
18 Hundred and Sixty Six dollars and Sixty Seven cents). As set forth below, the requested
19 amount is approximately equal to the amount of fees actually incurred in prosecution of this
20 matter.

21 **Attorney's Fees Personally Incurred**

- 22 6. I served as lead investigator and trial counsel in this matter. My work on this case consisted
23 of the majority of pre-filing investigations, and all client interactions.
- 24 7. At the outset of this case, my billing rate was \$600.00 (six hundred dollars) per hour, according
25 to the terms of the attorney-client agreement I entered into with Mr. Hild. Although my rate
26 is higher now, I am applying only this rate to the hours billed throughout this case.
- 27 8. I have currently **billed** for **21.5** hours in the service of this action. **Please Note:** My **actual**
28 hours spent in the service of this case is several times this amount. However, I am applying a

“zero charge” to all but 21.5 hours (as is the custom of this firm). 21.5 hours multiplied by \$6000.00 equals **\$12,900.00** (twelve thousand nine hundred dollars).

Associate Billing

9. Ryan T. Kuhn was the primary associate attorney assigned to this case. Leo Fletes, another associate, has also worked on this matter. The billing rate for the associate attorneys on this matter is \$360.00 (three hundred sixty dollars) per hour.

10. The work performed by the associate attorneys consisted of, for the most part, discovery creation and review, the preparation of “meet and confer” letters and other contact with defense counsel, motion work, and analysis of employment records. The associate attorneys also expended significant pre-filing time investigating the claims at issue, which are novel. The associate attorneys also spent a significant amount of time answering questions from representative employees.

11. The associate attorneys at Sullivan & Yaeckel Law Group have currently expended approximately **41.3** hours in the service of this action. Mr. Kuhn billed approximately 36.8 hours in this action. 36.8 hours multiplied by \$360.00 equals **\$13,248.00** (Thirteen thousand, two hundred and forty eight dollars). Mr. Kuhn’s work primarily consisted of the preparation of the pre-litigation “PAGA Notice” letters, the preparation of the operative pleading, and the preparation of all discovery requests. Mr. Kuhn’s billing also evidences the review of all documents received from Defendant (several hundred pages), and the preparation of the operative Mediation Brief. Finally, Mr. Kuhn billed for his preparation and attendance at the Mediation. Mr. Fletes billed approximately 4.5 hours in this action. 4.5 hours multiplied by \$360.00 equals **\$1,620.00** (One thousand, six hundred and twenty dollars). Mr. Fletes’ work primarily consisted of review of certain documentation received from Defendant, and the preparation of discovery requests.

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12. The sum total of the billed charges equals approximately \$27,648.00, which is slightly more than the requested amount.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 14th day of July, 2022, at San Diego, California.



WILLIAM B. SULLIVAN