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Attorney for Plaintiff and all others
similarly situated and the general public

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

RORY MASSEY, on behalf of himself and all
others similarly situated and the general public,

Plaintiffs,

v.

MANN+HUMMEL WATER AND FLUID
SOLUTIONS, INC., a Delaware corporation;
MICRODYN-NADIR US, INC., a business form
unknown; and DOES 1 to 100, inclusive,

Defendants

) Case No.: 21CV02965
) Hon. Colleen K. Sterne
) Dept. 5
) CLASS ACTION

) **DECLARATION OF MANNY STARR**
) **IN SUPPORT OF PLAINTIFF'S**
) **MOTION FOR PRELIMINARY**
) **APPROVAL OF CLASS ACTION**
) **SETTLEMENT**

) Date: November 28, 2022
) Time: 10:00 a.m.
) Dept.: 5

1 I, Manny Starr, declare the following:

2 1. I am one of the attorneys representing plaintiff Rory Massey in the above captioned
3 action. I am one of the managing partners of Frontier Law Center. Employment law is my primary
4 area of practice. I have personal knowledge of the facts in this declaration and if called on to testify
5 about the facts I could and would competently do so.

6 2. My firm, along with Janelle Carney – Attorney At Law, APC, have diligently
7 litigated this case since it was filed on July 27, 2021.

8 3. The parties attended mediation with experienced employment law mediator Steven
9 G. Mehta on August 25, 2022.

10 4. Through informed, arm's length negotiations, and with the assistance of a neutral
11 mediator, the parties were able to settle this Class Action for \$800,000.

12 5. I believe this settlement is fair and reasonable given the facts of the case, the
13 affirmative defenses, the risks that Plaintiff faced in litigating this case, and based on my
14 assessment as an experienced employment law attorney.

15 6. In terms of my experience in this field, I have been named as Class Counsel in
16 several Class Actions, and have been lead counsel in numerous representative PAGA settlements
17 that have been granted approval, including the following:

- 18 a. *Joshua Albright, et al. v. Loma Linda Shared Services*, Case No. CIVDS1818361:
19 Class action and PAGA case involving failure to pay wages, meal and rest break
20 violations, and failure to indemnify work related expenses; \$600,000.00
21 settlement; final approval granted;
- 22 b. *Tri Nguyen v First Alarm Security & Patrol, Inc.*, Case No. 18CV332369: class
23 action and PAGA case on behalf of security guards involving various wage and
24 hour issues; \$7,250,000 settlement; final approval granted;
- 25 c. *Ronnie McNeal v. Platinum Security, Inc.*, Case No. 19STCV05709: PAGA action
26 on behalf of security guards involving meal and rest break violations and failure to
27 pay wages in a timely manner; \$300,000 settlement; PAGA settlement approved;
- 28 d. *Adolph Cruz, et al v. Holder Construction Group, LLC*, Case No. 19CV341862:
PAGA action on behalf of construction workers involving off the clock work and

- 1 meal and rest break violations; \$500,000 settlement; PAGA settlement approved;
- 2 e. *Mervyn Cole v. Saucey, Inc.* Case No. BC707895: class action and PAGA case
- 3 involving misclassification of employees and other wage and hour issues;
- 4 \$590,000 settlement; final approval granted;
- 5 f. *Kevin Hernandez v. Contemporary Services Corporation*, Case No. BC684206:
- 6 PAGA action on behalf of security guards involving various wage and hour issues;
- 7 \$795,000 settlement; PAGA settlement approved;
- 8 g. *Keosia Green v. American Guard Services, Inc.* Case No. BC688437: PAGA
- 9 action on behalf of security guards involving wage and hour issues; \$315,000
- 10 settlement; PAGA settlement approved;
- 11 h. *James Rushing v. Security Intelligence Specialist Corporation*, Case No. 18-civ-
- 12 1808, class action and PAGA case on behalf of security guards for breaks and
- 13 wage statement violations; \$480,000 settlement; final approval granted;
- 14 i. *Veronica Espinoza v. Sharp HealthCare*, Case No. 37-2018-00034031-CU-OE-
- 15 CTL, class action and PAGA case on behalf of hospital employees relating to meal
- 16 and rest break violations, among other things; \$2,125,000 settlement; final
- 17 approval granted; and
- 18 j. *Anthony Gaines, et al. v. Triple Canopy, Inc.*, 1 Case No. 9CV345169, class action
- 19 and PAGA case on behalf of approximately 550 security guards relating to meal
- 20 and rest break violations and other wage and hour issues; \$2,300,000 settlement;
- 21 final approval granted.

22 6. Plaintiff's counsel has spent a significant amount of time on this case, including

23 communicating with the client, evaluating and analyzing the legal theories, drafting and filing

24 PAGA letters, drafting the pleadings, engaging in both formal and informal discovery, engaging an

25 expert to perform an analysis on the time and payroll records, and preparing for and attending

26 mediation.

27 7. To date, the attorneys at our firm have collectively spent 100.60 hours litigating this

28 case, totaling \$55,930.00 in fees at their various billable rates. Specifically, attorney Adam Rose

1 has spent 31 hours working on this case at a rate of \$750 per hour, attorney Dan Ginzburg has spent
2 32 hours working on this case at a rate of \$375 per hour, and I have spent 37.60 hours working on
3 this case at a rate of \$550 per hour.

4 8. A true and correct copy of our firm's billable time is attached to this declaration as
5 **Exhibit 1.**

6 9. I expect to spend additional time working on this case throughout the approval and
7 settlement administration process.

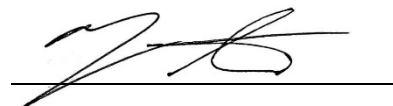
8 10. To date, my firm has incurred \$4,530.94 in costs. A true and correct copy of my
9 firm's costs is attached to this declaration as **Exhibit 2.**

10 11. I support a \$7,500 enhancement payment to Plaintiff Rory Massey. I believe an
11 enhancement of \$7,500 is fair and justified because Mr. Massey brought this case and the Class
12 Members will all benefit as a result of this settlement. Furthermore, Mr. Massey spent numerous
13 hours communicating with his attorneys, assisting in their information gathering, and being
14 involved in the mediation process.

15 12. Based on the foregoing, I respectfully request the Court to preliminarily approve this
16 settlement.

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

19 Date: October 10, 2022



Manny Starr

Exhibit 1

Bi

As of 2022-10-10 17:49:21 Pacific Standard Time/PST • Generated by Manny Starr • Sorted by Bill Rate (Ascending)

Total Billables: \$55,930.00

Work Completed By: ↑		Bill Rate	Hours Billed	Date	Billing For:
Adam Rose	Sum	Senior Partner - \$750	1.1	7/7/2021	Analyze wage statments
		Senior Partner - \$750	0.2	8/7/2021	Confirm case filed
		Senior Partner - \$750	2.2	9/27/2021	Review outgoing discovery
		Senior Partner - \$750	2.2	10/4/2021	Review incoming discovery
		Senior Partner - \$750	1.6	9/27/2021	Review email re: contemplated demurrer and perform related research
		Senior Partner - \$750	1.8	9/20/2021	Review first amended complaint
		Senior Partner - \$750	0.3	10/19/2021	Review order allowing a SAC
		Senior Partner - \$750	1.1	12/2/2021	Review CMC statements
		Senior Partner - \$750	0.3	12/14/2021	Locate Zoom information
		Senior Partner - \$750	0.5	2/28/2022	Confirm mediation
		Senior Partner - \$750	0.6	6/15/2022	Review status conference statement
		Senior Partner - \$750	0.7	7/6/2022	Review stipulation to stay
		Senior Partner - \$750	3.3	8/12/2022	Initial review mediation brief
		Senior Partner - \$750	3.1	8/18/2022	Further help edit mediation brief
		Senior Partner - \$750	2.3	8/21/2022	Review MOU
		Senior Partner - \$750	2.1	8/29/2022	Further edits to the MOU
		Senior Partner - \$750	2.1	9/8/2022	Review settlement agreement
		Senior Partner - \$750	3.8	10/4/2022	Edit motion for preliminary approval
		Senior Partner - \$750	1.7	10/21/2021	Review letter requesting data
Subtotal	Sum		31		
Dan Ginzburg	Count		19		
		Associate Attorney - \$375	1	7/16/2021	Amending/ filing amended PAGA letters
		Associate Attorney - \$375	6	8/2/2022	Analyzing data for mediation damage calculations
		Associate Attorney - \$375	1	8/23/2022	talking to client
		Associate Attorney - \$375	3	8/22/2022	getting ready for mediaiton
		Associate Attorney - \$375	10	8/25/2022	Prepare for and attend mediation
		Associate Attorney - \$375	6	8/30/2022	Finalizing MOU and all of the communications regarding it
		Associate Attorney - \$375	5	9/14/2022	Work on settlement agreement, review, finalize, and discuss internally
Subtotal	Sum		32		
Manny Starr	Count		7		
		Partner - \$550	1	4/1/2021	Initial case Evaluation
		Partner - \$550	2.6	7/7/2021	Conversation with client, review file, review wage statements
		Partner - \$550	2	7/7/2021	Draft PAGA Letter
		Partner - \$550	0.5	7/16/2021	Call with client, finalize supplemental PAGA letter
		Partner - \$550	1.7	7/26/2021	Review first draft of complaint
		Partner - \$550	0.3	8/11/2021	Case & calendar update

	Partner - \$550		1	10/4/2021	Prep for and attend meet and confer call re demurrer
	Partner - \$550		0.8	10/21/2021	Review and edit informal discovery request
	Partner - \$550		1.5	5/20/2022	Initial review of informal production, emails to OC re production
	Partner - \$550		2.5	6/2/2022	Further review of informal discovery
	Partner - \$550		1	8/1/2022	Initial review of damages calc from expert
	Partner - \$550		3.5	8/22/2022	Working with expert to refine damages calc
	Partner - \$550		0.7	8/24/2022	Review draft MOU
	Partner - \$550		1	8/23/2022	Internal discussions with co-counsel re mediation
	Partner - \$550		3.5	8/24/2022	Review case file, prep for mediation.
	Partner - \$550		2	8/28/2022	Post mediation correspondence re confirmatory discovery
	Partner - \$550		1.5	8/28/2022	Review and revise MOU
	Partner - \$550		8	8/25/2022	Attend mediation
	Partner - \$550		2.5	4/7/2021	Initial case strategy development, in depth file review and research
	Subtotal		37.6		
	Sum				
	Count	19			
	Sum		100.6		
	Count	45			

Exhibit 2

Massey v. MANN+HUMMEL

As of 2022-10-10 17:53:47 Pacific Standard Time/PST

	Cost: Created Date	Costs for:	Cost Amount
	1/16/2021	Cert RR	\$6.90
	7/7/2021	PAGA Filing Fee	\$75.00
	7/8/2021	PAGA Letters Certified Mail	\$13.92
	7/19/2021	Amended PAGA letter	\$14.32
	8/11/2021	INVOICE: 5968304	\$55.00
	8/11/2021	Confirmation #25497303; POS (2)	\$17.15
	9/7/2021	United Legal #:5968307	\$65.00
	10/1/2021	Confirmation #25702536- Microdyn- Nadir POS	\$17.50
	10/4/2021	Confirmation #25711063- POS by FC Mail of Order and Ntr	\$16.15
	3/3/2022	Mediation fee - Steve Mehta	\$4,250.00
Sum			\$4,530.94
Count	10		
Sum			\$4,530.94
Count	10		