

Larry W. Lee (SBN: 228175)
Mai Tulyathan (SBN: 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

B. James Fitzpatrick (SBN: 129056)
Laura L. Franklin (SBN: 282642)
FITZPATRICK & SWANSTON
555 South Main Street
Salinas, CA 93901
Telephone: (831) 755-1311
Facsimile: (831) 755-1319

Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA**

NICOLAS SERAFICA, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

HGST, INC., a Delaware corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No. CU20-084680

**DECLARATION OF LAURA L.
FRANKLIN IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: January 12, 2023
Time: 1:30 p.m.
Dept.: 1

1 I, Laura L. Franklin, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
3 California, and am with the law firm Fitzpatrick & Swanston, counsel of record for the named
4 Plaintiff Nicholas Serafica (“Plaintiff”).

5 2. I am familiar with all aspects of this case and all tasks undertaken by the various
6 members of this firm in litigating this case. I have spent significant time researching and
7 pursuing the claims that have been alleged in this action. I believe this Settlement to be fair,
8 reasonable, and adequate, and in the best interest of the Class Members as a whole.

9 3. My qualifications are as follows: I received my bachelor’s degree with honors
10 from the University of California, Riverside and my Juris Doctor degree from Monterey College
11 of Law. I was admitted to the State Bar of California in 2012 and my primary practice has been
12 employment law for the past ten years. Beginning in 2012, I practiced employment litigation and
13 counseling and general civil litigation at Bohnen, Rosenthal & Kreeft in Monterey California, the
14 same firm at which I had been employed in various litigation support staff roles during the
15 preceding four years. As an associate at Bohnen, Rosenthal & Kreeft, I represented both
16 plaintiffs and defendants in wage and hour class action cases, and I was a member of a litigation
17 team that obtained a \$12.5 million verdict for a single plaintiff following a 5-week jury trial. In
18 January 2016, I continued my employment practice at the Salinas-based firm of L+G, LLP (now
19 JRG Attorneys at Law), representing both public and private employers and employees. From
20 July 2016 through January 2020, I practiced primarily employer-side employment litigation and
21 counseling as an associate at Fenton & Keller in Monterey, California. Since January 2020, I
22 have been an associate attorney at Fitzpatrick & Swanston where I practice labor and
23 employment litigation, primarily Plaintiff-side class and representative actions.

24 4. Over the past ten years, I have litigated numerous wage and hour class actions,
25 both as counsel for the plaintiff(s)/class and as defense counsel, and I have been certified as class
26 counsel in numerous wage and hour class actions in California. Currently, I serve as counsel for
27 plaintiff(s)/the class in multiple ongoing wage and hour class actions in Alameda County
28 Superior Court, Monterey County Superior Court, Nevada County Superior Court, Santa Clara
Superior Court, San Benito Superior Court, Santa Cruz Superior Court, Ventura County Superior

1 Court, and the United States District Court, Northern District of California, where we will seek
2 class certification by way of a settlement or a class certification motion.

3 5. I do not have a conflict of interest with any Plaintiff or Class Member.

4 6. I do not have any association with the designated *cy pres* recipient, Legal Aid at
5 Work, that would present a conflict of interest.

6 7. My hours expended on this case and requested hourly rate for such time are
7 included in the concurrently filed declaration of B. James Fitzpatrick and Exhibit A thereto.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct and if called as a witness I could and would competently testify to
10 each of the matters stated herein, and I state that these matters are based upon my own personal
11 knowledge acquired through first-hand observation, except where stated otherwise. This
12 declaration was executed by me on December 19, 2022, in Salinas, California.

13 /s/ Laura L. Franklin

14 Laura L. Franklin
15
16
17
18
19
20
21
22
23
24
25
26
27
28