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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

AMY OROZCO, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

BETTS COMPANY, a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 34-2021-00309846

(Assigned to the Hon. Lauri A. Damrell, Dept. 28)

**DECLARATION OF KRISTEN M. AGNEW
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: October 27, 2023

Time: 9:00 a.m.

Dept.: 28

Complaint Filed: October 15, 2021

FAC Filed: December 27, 2021

SAC Filed: March 9, 2022

Trial Date: Not Set

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I, Kristen Agnew, 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, P.C., counsel of record for Plaintiff Amy Orozco (“Plaintiff”). 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 of Class Action and PAGA Settlement and Release (“Settlement Agreement”) 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 at mediation with an highly experienced and known wage-and-hour mediator, Tripper Ortman, Esq.

4. Class Counsel engaged in extensive factual investigation before settling, including exchange of informal discovery before mediation. In connection with mediation, Class Counsel reviewed class data pertaining to the number of putative class members, the hourly rates of pay, number of workweeks, as well as payroll data for the putative class, and pertinent policies regarding meal and rest periods, Opt-Out pay, and sick leave. Class Counsel subsequently evaluated and calculated the potential class and PAGA penalties available in this case.

5. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on my independent investigation and evaluation, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, 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 Boys and Girls Club of Fresno County, in accordance with C.C.P. § 384. I do not have any relationship with the Boys and Girls Club of Fresno County.

1 7. My qualifications are as follows: I was the 2003 recipient of the Spelman
2 Presidential Scholarship to Emory University School of Law. During law school, I was a summer
3 associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta office
4 of the Equal Employment Opportunity Commission. I received my J.D. from Emory University in
5 2006 and was admitted to the California Bar in December 2006. Following law school, I was an
6 associate at Sonnenschein from September 2006 to May 2009.

7 8. Since 2009, my primary area of practice has been employment litigation. I have
8 practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I was an
9 associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate, and then
10 senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP from June
11 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of fortune 500
12 companies in employment litigation in both state and federal courts, as well as before government
13 agencies, including the California Department of Labor. My practice included the defense of single
14 plaintiff and multi-plaintiff lawsuits involving claims under the California Fair Employment and
15 Housing Act, the California Labor Code and the Fair Labor Standards Act. I also handled a number
16 of wage and hour class actions.

17 9. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time
18 handling employment cases. I primarily represent employees.

19 10. I served as the lead associate on a number of wage and hour class actions, including
20 *Martha Cardenas v. Gold's Gym*, Los Angeles County Superior Court Case No. BC445112;
21 *Nathaniel Werner v. Crown Equipment Corporation*, Los Angeles County Superior Court Case No.
22 BC439428; *Christopher Williams v. Allstate Insurance Co.*, Los Angeles County Superior Court
23 Case No. BC382577; *Hwang v. Caltech*, Los Angeles County Superior Court Case No. BC464894;
24 *Melissa Roberts v. Zale Delaware, Inc.*, Los Angeles Superior Court Case No. BC523610; *Michael*
25 *Oliver v. Konica Minolta Business Solutions U.S.A., Inc.*, Santa Clara County Superior Court Case
26 No. 114-CV-263183; *Tessa Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino
27 Superior Court Case No CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-
28 02006; *Tapia v. Zale Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess*

1 *et al v. Tesoro Refining and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

2 11. I have been approved as class counsel in a number of class actions by the Superior
3 Courts of California and United States District Courts, including: *Antonio Becerra-Mata v. PSC*
4 *Industrial Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Andrew*
5 *Vasquez v. Earthbound Farm, LLC*, San Benito County Superior Court Case No. CU-17-00171;
6 *Francisco Pulido v. Westrock Services, Inc.*, San Benito County Superior Court Case No. CU-18-
7 00074; *Kosal So v. Owens-Brockway Glass Container, Inc.*, Los Angeles County Superior Court
8 Case No. BC608609; *John Obiols v. Lockheed Martin Corporation*, Santa Clara County Superior
9 Court Case No. 17CV314178; and *Eric Chavez v. Converse, Inc.*, N.D. Cal. Case No. 15-cv-03746-
10 NC.

11 12. I also second chaired two jury trials where I represented the prevailing defendant.
12 Both cases involved employees who brought claims against their former employers pursuant to the
13 Fair Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton Aerospace LLC et al*, Los
14 Angeles County Superior Court Case No. BC401543; and *Richard Gulden v. Pratt & Whitney*
15 *Rocketdyne Inc. et al.*, Los Angeles County Superior Court Case No. BC468909.

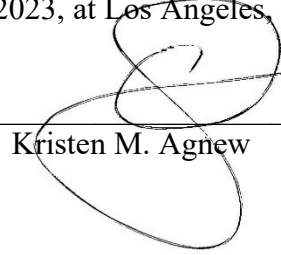
16 13. To date, I have incurred approximately 16.7 hours in connection with the litigation
17 of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date.

18 14. The total lodestar for my hours will be approximately \$12,525.00 based on an hourly
19 rate of \$750.00 per hour. Since at least 2017, I have been approved at an hourly rate of \$650.00 per
20 hour by various Courts, in a number of matters, including: *Antonio Becerra-Mata v. PSC Industrial*
21 *Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal So v. Owens-*
22 *Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609; *Sarah*
23 *Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-16-CV-294904;
24 *Shannon Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court
25 Case No. 17CV306751. More recently, I have been approved at an hourly rate of \$700.00 per hour
26 by the following courts: *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case
27 No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No.
28 BC720144; *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court

Case No. 18CV00191; and *Michael Randolph v. Pacific Racing Association*, Alameda County
Superior Court Case No. RG18908139.

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

Executed on this 5th day of October 2023, at Los Angeles, California.



Kristen M. Agnew

EXHIBIT A

OROZCO V. BETTS COMPANY
Time and Task Chart for Kristen Agnew

Hours	Description of Work
2.1	Review and edit complaint.
1.7	Review and edit mediation brief.
7.9	Attend mediation.
1.4	Review and edit long form settlement agreement.
2.7	Review and edit Motion for Preliminary Approval and supporting documents.
.9	Review and edit Motion for Final Approval.
Total: 16.7	