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Attorneys for Plaintiff and the Class

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

DEWEY ANDERSON, as an individual and  
on behalf of all others similarly situated,

Plaintiff,

vs.

GRAHAM PACKAGING PET  
TECHNOLOGIES, INC., a Delaware  
corporation; and DOES 1 through 50,  
inclusive,

Defendant.

Case No.: CV-21-005550

(Assigned to the Hon. Sonny S. Sandhu, Dept. 24)

**DECLARATION OF NICHOLAS  
ROSENTHAL IN SUPPORT OF PLAINTIFF'S  
MOTION FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: August 15, 2023

Time: 8:30 a.m.

Dept.: 24

Complaint Filed: October 8, 2021

FAC Filed: February 8, 2022

Trial Date: Not Set

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I, Nicholas Rosenthal, 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 Dewey Anderson (“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 settlement was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including reviewing class data and information pertaining to relevant policies and practices of Defendant Graham Packaging Pet Technologies, Inc. (“Defendant”).

4. After further negotiations, the Parties reached the present class-wide settlement.

5. Based on Class Counsel's independent investigations and evaluations, 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. The Notice of Class Action Settlement (“Class Notice”) provided Class Members with my office’s contact information, where they could further seek information regarding the class settlement, information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Settlement Administrator, and update their address.

7. There were no objections to the amount of attorneys' fees or litigation costs that Class Counsel seek in this case and for which Plaintiff asks the Court for final approval.

8. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my JD from University of Southern California Gould School of Law in 2009. Upon graduation, I practiced law as an associate at Seyfarth Shaw LLP, representing corporate clients

1 in both single-plaintiff and wage hour class actions. In 2014, I began as an associate at Diversity  
2 Law Group.

3 9. I have handled a number of wage and hour matters including class actions and  
4 multiple-plaintiff actions. I have been named as class counsel in a number of class actions that  
5 have been granted certification or preliminary or final approval by the Superior Courts of Los  
6 Angeles County, Orange County, Alameda County, and Monterey County, the United States  
7 District Court for the Central District of California, and the United States District Court for the  
8 Northern District of California. These cases include, but are not limited to: *Naranjo v. Bank of*  
9 *America*, Northern District of California Case No. 5:14-cv-02748-LHK, *Chavez v. Converse,*  
10 *Inc.*, Northern District of California Case No. 15-cv-03746-NC, *Rodriguez v. Nike Retail*  
11 *Services, Inc.*, Northern District of California Case No. 5:14-cv-01508-BLF, *Figueroa v. Super*  
12 *King Market*, Los Angeles Superior Court Case No. BC538372, *Dall v. Post Alarm Systems*, Los  
13 Angeles Superior Court Case No. BC598528, *Diller v. Under Armour Retail, Inc.*, Santa Clara  
14 County Superior Court Case No. 114-CV-265729, *Dall v. Post Alarm Systems*, Los Angeles  
15 County Superior Court Case No. BC598528, *Lopez v. Imperial Body Shop, Inc.*, Orange County  
16 Superior Court Case No. Case No. 30-2015-00816193-CU-OE-CXC, and *Hughes v. Lincare, Inc.,*  
17 *et al.*, Monterey Superior Court Case No. M124764.

18 10. My firm has incurred costs in the amount of \$9,591.65. The costs are all  
19 litigation-related costs, including court filing fees, remote appearance expenses, mediation fees,  
20 meal expenses, reproduction and photocopy costs, and postage. Attached hereto as **Exhibit A** is  
21 a copy of costs my firm has incurred in connections with the prosecution of this lawsuit.

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

24 Executed on July 24, 2023, at Los Angeles, California.

25  
26 

27 Nicholas Rosenthal  
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# EXHIBIT A

7/24/2023  
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DIVERSITY LAW GROUP  
Slip Listing

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Selection Criteria

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Slip Classification Open  
Client (hand select) Include: Anderson, Dewy v. Graham  
Slip.Transaction Ty 2 - 2

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Rate Info - identifies rate source and level

| Slip ID                              |     | Timekeeper               | Units     | Rate        | Slip Value |
|--------------------------------------|-----|--------------------------|-----------|-------------|------------|
| Dates and Time                       |     | Activity                 | DNB Time  | Rate Info   |            |
| Posting Status                       |     | Client                   | Est. Time | Bill Status |            |
| Description                          |     | Reference                | Variance  |             |            |
| 69044                                | EXP | Linda Lee                | 1         | 75.00       | 75.00      |
| 9/27/2021                            |     | Court fees               |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| LWDA                                 |     |                          |           |             |            |
| 69235                                | EXP | Olympia                  | 1         | 7.33        | 7.33       |
| 9/30/2021                            |     | Postage                  |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Postage                              |     |                          |           |             |            |
| 69774                                | EXP | Christine S. Lee         | 1         | 1478.06     | 1478.06    |
| 10/13/2021                           |     | Court fees               |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Complaint                  |     |                          |           |             |            |
| 69588                                | EXP | Christine S. Lee         | 1         | 68.74       | 68.74      |
| 10/14/2021                           |     | Atty Service             |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Attorney Service - Complaint Service |     |                          |           |             |            |
| 69921                                | EXP | Christine S. Lee         | 1         | 3.60        | 3.60       |
| 10/21/2021                           |     | Court fees               |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey                              |     |                          |           |             |            |
| 70004                                | EXP | Olympia                  | 14        | 0.25        | 3.50       |
| 11/30/2021                           |     | Photocopies              |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Photocopies                          |     |                          |           |             |            |
| 70005                                | EXP | Olympia                  | 1         | 0.53        | 0.53       |
| 11/30/2021                           |     | Postage                  |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Postage                              |     |                          |           |             |            |
| 70525                                | EXP | Christine S. Lee         | 1         | 3.60        | 3.60       |
| 1/31/2022                            |     | Court fees               |           |             |            |
| WIP                                  |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Stip to file FAC           |     |                          |           |             |            |

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| Slip ID                    |     | Timekeeper               | Units     | Rate        | Slip Value |
|----------------------------|-----|--------------------------|-----------|-------------|------------|
| Dates and Time             |     | Activity                 | DNB Time  | Rate Info   |            |
| Posting Status             |     | Client                   | Est. Time | Bill Status |            |
| Description                |     | Reference                | Variance  |             |            |
| 70811                      | EXP | Olympia                  | 21        | 0.25        | 5.25       |
| 1/31/2022                  |     | Photocopies              |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Photocopies                |     |                          |           |             |            |
| 70812                      | EXP | Olympia                  | 1         | 1.16        | 1.16       |
| 1/31/2022                  |     | Postage                  |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Postage                    |     |                          |           |             |            |
| 70663                      | EXP | Christine S. Lee         | 1         | 24.15       | 24.15      |
| 2/4/2022                   |     | Court fees               |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Stip to file FAC |     |                          |           |             |            |
| 70637                      | EXP | Christine S. Lee         | 1         | 3.60        | 3.60       |
| 2/8/2022                   |     | Court fees               |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - FAC              |     |                          |           |             |            |
| 71114                      | EXP | Olympia                  | 16        | 0.25        | 4.00       |
| 2/28/2022                  |     | Photocopies              |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Photocopies                |     |                          |           |             |            |
| 71115                      | EXP | Olympia                  | 1         | 1.16        | 1.16       |
| 2/28/2022                  |     | Postage                  |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Postage                    |     |                          |           |             |            |
| 71087                      | EXP | Erika Mejia              | 1         | 24.15       | 24.15      |
| 3/9/2022                   |     | Court fees               |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Stip to Stay     |     |                          |           |             |            |
| 71195                      | EXP | Erika Mejia              | 1         | 3.60        | 3.60       |
| 3/14/2022                  |     | Court fees               |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - NOE              |     |                          |           |             |            |
| 72182                      | EXP | Olympia                  | 2         | 3737.50     | 7475.00    |
| 6/13/2022                  |     | Arbitrators              |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| JAMS Mediation             |     |                          |           |             |            |
| 72861                      | EXP | Kristen Agnew            | 1         | 33.32       | 33.32      |
| 7/1/2022                   |     | Meals                    |           |             |            |
| WIP                        |     | Anderson, Dewy v. Graham |           |             |            |
| Meal                       |     |                          |           |             |            |

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| Slip ID                                |     | Timekeeper               | Units     | Rate        | Slip Value |
|----------------------------------------|-----|--------------------------|-----------|-------------|------------|
| Dates and Time                         |     | Activity                 | DNB Time  | Rate Info   |            |
| Posting Status                         |     | Client                   | Est. Time | Bill Status |            |
| Description                            |     | Reference                | Variance  |             |            |
| 72448                                  | EXP | Erika Mejia              | 1         | 3.60        | 3.60       |
| 7/13/2022                              |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Post-Mediation Status Report |     |                          |           |             |            |
| 72813                                  | EXP | Erika Mejia              | 1         | 3.60        | 3.60       |
| 8/19/2022                              |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - Oppo to Demurrer             |     |                          |           |             |            |
| 72923                                  | EXP | Mariana Becerra          | 1         | 31.40       | 31.40      |
| 8/19/2022                              |     | Delivery serv            |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Federal Express                        |     |                          |           |             |            |
| 72824                                  | EXP | Erika Mejia              | 1         | 3.60        | 3.60       |
| 8/22/2022                              |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - CMS                          |     |                          |           |             |            |
| 72849                                  | EXP | Kristen Agnew            | 1         | 5.00        | 5.00       |
| 9/1/2022                               |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Stanislaus Superior Remote Appearance  |     |                          |           |             |            |
| Cancellation Fee                       |     |                          |           |             |            |
| 72871                                  | EXP | Nick Rosenthal           | 1         | 96.35       | 96.35      |
| 9/6/2022                               |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Stanislaus Superior Court Remote       |     |                          |           |             |            |
| Appearance                             |     |                          |           |             |            |
| 74436                                  | EXP | Erika Mejia              | 1         | 3.60        | 3.60       |
| 2/16/2023                              |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - CMS                          |     |                          |           |             |            |
| 74533                                  | EXP | Nick Rosenthal           | 1         | 30.35       | 30.35      |
| 3/6/2023                               |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Stanislaus Superior Remote Appearance  |     |                          |           |             |            |
| 74602                                  | EXP | Erika Mejia              | 1         | 65.25       | 65.25      |
| 3/7/2023                               |     | Court fees               |           |             |            |
| WIP                                    |     | Anderson, Dewy v. Graham |           |             |            |
| Odyssey - PAGA Motion                  |     |                          |           |             |            |

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| Slip ID                             |     | Timekeeper               | Units      | Rate        | Slip Value |
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| Dates and Time                      |     | Activity                 | DNB Time   | Rate Info   |            |
| Posting Status                      |     | Client                   | Est. Time  | Bill Status |            |
| Description                         |     | Reference                | Variance   |             |            |
| 74603                               | EXP | Erika Mejia              | 1          | 65.25       | 65.25      |
| 3/7/2023                            |     | Court fees               |            |             |            |
| WIP                                 |     | Anderson, Dewy v. Graham |            |             |            |
| Odyssey - MPA                       |     |                          |            |             |            |
| 74757                               | EXP | Nick Rosenthal           | 2          | 30.35       | 60.70      |
| 3/29/2023                           |     | Court fees               |            |             |            |
| WIP                                 |     | Anderson, Dewy v. Graham |            |             |            |
| Stanislaus Remote Appearance        |     |                          |            |             |            |
| 74817                               | EXP | Olympia                  | 1          | 3.60        | 3.60       |
| 4/5/2023                            |     | Court fees               |            |             |            |
| WIP                                 |     | Anderson, Dewy v. Graham |            |             |            |
| Odyssey - NOE                       |     |                          |            |             |            |
| 74818                               | EXP | Olympia                  | 1          | 3.60        | 3.60       |
| 4/5/2023                            |     | Court fees               |            |             |            |
| WIP                                 |     | Anderson, Dewy v. Graham |            |             |            |
| Odyssey - Revised Prop Order re MPA |     |                          |            |             |            |
| Grand Total                         |     |                          |            |             |            |
|                                     |     |                          | Billable   | 0.00        | 9591.65    |
|                                     |     |                          | Unbillable | 0.00        | 0.00       |
|                                     |     |                          | Total      | 0.00        | 9591.65    |