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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF RIVERSIDE

DANIEL DOMINGUEZ, on behalf of all  
Aggrieved Employees and the State of  
California;

Plaintiff,

vs.

KENCO LOGISTIC SERVICES, LLC, a  
Delaware Limited Liability Company; and  
DOES 1 through 20, inclusive;

Defendants.

CASE NO.: CVRI2105393

*[Assigned to Hon. Harold Hopp, Dept 1, for all  
purposes]*

**DECLARATION OF KRISTINA BUI  
CARLSON, ESQ., IN SUPPORT OF  
PLAINTIFF'S MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Complaint filed: 11/19/2021

I, Kristina Bui Carlson, state and declare:

1. I am an attorney duly licensed to practice law in the State of California and am an Associate at Lauby, Mankin & Lauby LLP, attorneys for Plaintiff in the above-entitled action. I am fully familiar with the facts of this case. The matters set forth herein are based upon my personal knowledge. I submit this declaration in support of Plaintiff's Motion for Final Approval of this Class Action Settlement and, if called upon as a witness, I could and would give competent testimony with respect to the matters contained herein.

**QUALIFICATION OF COUNSEL**

2. I graduated from the University of Oregon School of Law in May 2013 and have been a member, in good standing, of the State Bar of California since December 2013. I am licensed to practice before all courts of the State of California and am admitted to practice in the United States District Court for the Central District of California and have litigated cases in various courts and counties throughout California, including the Court of Appeal.

3. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin & Lauby LLP) in September 2015 and worked as in the firm's insurance defense department, handling complex construction defect actions. In 2021, I transitioned to my current practice that consists solely of representing employees. All of my current cases have been litigated as class actions, representative PAGA actions, or a combination of the two.

4. I have been the handling attorney on nearly two dozen class action and/or representative PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel and have helped negotiate settlements totaling millions of dollars for our clients, the employees, and the State of California.

5. I have yet to be involved in a contested class certification motion or trial involving class claims as I have successfully resolved majority of my cases prior to a contested motion for class certification.

HOURS INCURRED

6. I have spent 218.9 hours working on this matter and have kept contemporaneous records of these billable hours – the detailed billing records are attached to the Declaration of Brian J. Mankin, Esq. and are submitted for the Court’s review. My time spent on this case reflects the time spent for tasks, such as reviewing and analyzing the case file and all documents during the transition of this matter to myself for daily handling; legal research into issues unique to this matter based on the facts presented by Plaintiff; meetings and conference calls to discuss viability of claims and impacts of new information learned during course of litigation; drafting of stipulation for leave to file a first amended complaint; drafting of the first amended complaint to add corresponding class claims; drafting and revising various pleadings;

1 review, evaluation, and analysis of thousands of pages of data and documents produced by  
2 Defendant prior to mediation; drafting of settlement documents; drafting of the motion for  
3 preliminary approval and class notice documents; additional post-settlement work on various  
4 documents; and the review and editing of preliminary and final approval documents.

5 **HOURLY RATE**

6 7. My billing rate is \$550 per hour, and this rate is usual and customary for class  
7 action and/or PAGA practitioners with my level of expertise and experience.

8 8. This rate is consistent with Plaintiff and Defense attorneys who handle complex  
9 class action litigation, if not somewhat lower. For instance, the Wolters Kluwer 2020 Real  
10 Rate Report (“Real Rate Report”) states that the median rates for associates in Los Angeles is  
11 \$576.00 per hour, with the upper quartile rate at \$770.00 per hour. The Real Rate Report also  
12 notes that the median and upper quartile rates for associates with 7 or more years of experience  
13 are \$520 and \$789, respectively. Being that I have been in practice for over 9 years, my  
14 experience falls squarely within the confines of that range, at a rate lower than those in the  
15 Real Rate Report.

16 9. Importantly, the Real Rate Report data is not based on self-reported numbers,  
17 surveys, or sampling – instead, these figures are based on an analysis of the actual amounts  
18 billed to clients based on more than 25.8 million billing entries and 23.9 million hours billed by  
19 over 112,100 individual timekeepers from 4,620 law firms, totaling \$9.02 billion in fees billed.  
20 And, specifically, the Los Angeles data is based on review of 1,311 associates and the  
21 corresponding time and rates each billed to their client.

22 10. My requested rate is also reasonable, consistent, and less than the rate found in  
23 the Laffey Matrix ([www.laffeymatrix.com](http://www.laffeymatrix.com)), which indicates that the benchmark rate for an  
24 attorney that graduated law school in 2013 is \$676 per hour.

25 11. My hourly rate of \$550 has been approved by various courts in California,  
26 including the following non-exhaustive list of recent settlements for which I have been the  
27 handling attorney:  
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- 1 a. *Flores v. Sunrise Respiratory Care, Inc., et al.*, San Bernardino Superior Court,  
2 Case No. CIVSB2127592 (June 14, 2023) (\$385,300 wage-and-hour class and  
3 PAGA settlement)  
4 b. *Constant v. Rooter Ranger, LLC, et al.*, San Bernardino Superior Court, Case  
5 No. CIVSB2206149 (June 22, 2023) (\$400,000 wage-and-hour class and PAGA  
6 settlement)  
7 c. *Barboza v. Rudolph Foods Company, Inc.*, San Bernardino Superior Court, Case  
8 No. CIVSB2129090 (August 23, 2023) (\$1,250,000 wage-and-hour and PAGA  
9 settlement)

10 I declare under penalty of perjury under the laws of the State of California that the  
11 foregoing is true and correct. Executed on September 13, 2023, at Riverside, California.

12 By:   
13 Kristina Bui Carlson, Esq.  
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