

Larry W. Lee (State Bar No. 228175)
Kwanporn "Mai" Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
ktulyathan@diversitylaw.com

William L. Marder (State Bar No. 170131)
Polaris Law Group
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214
(831) 634-0333 facsimile
bill@polarislawgroup.com

Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN MATEO**

DAVID MONTOYA, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

DRAEGER'S SUPER MARKETS, a
California corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 21-CIV-05746

[Assigned for all purposes to the Honorable Susan
L. Greenberg, Department 3]

**DECLARATION OF WILLIAM L. MARDER
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: November 16, 2023

Time: 9:00 A.M.

Dept.: 3

Complaint Filed: October 25, 2021

FAC Filed: December 7, 2021

Trial Date: Not Set

1 **DECLARATION OF WILLIAM L. MARDER**

2 I, William L. Marder, declare as follows:

3 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
4 California, and am with the law firm Polaris Law Group, counsel of record for Plaintiff David
5 Montoya ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to
6 testify I could and would do so competently.

7 2. Based on my review of all the information, and based on my experience in class
8 action litigation, I believe this settlement to be fair, adequate, and reasonable.

9 3. I do not have any relationship with or connection to the Legal Aid at Work, the
10 proposed *cy pres* beneficiary.

11 4. I graduated from UCLA Law School in 1993 and was admitted to the California
12 Bar in 1994. Since that time, I have acquired substantial experience in employment litigation. I
13 have represented both plaintiffs and defendants. I estimate that I have handled more than 200
14 employment cases, litigating cases in state and federal courts.

15 5. I have defended large institutional employers in employment cases. From 1995-
16 1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented the City of
17 Sacramento, Yolo County, the City of Davis, Solano County, and other employers in
18 employment litigation in state and federal courts.

19 6. From 1997-2000, I served as a Deputy County Counsel in San Benito, handling
20 all of its employment matters. These matters include advising the county on compliance with
21 wage and hour laws, arbitrations, and litigation.

22 7. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an AV
23 rated firm, where I represented numerous plaintiffs and defendants in employment lawsuits.

24 8. In 2006, I co-founded the Polaris Law Group where I spend most of my time
25 handling employment cases. I primarily represent employees.

26 9. Finally, I have also been approved as class counsel in numerous cases including
27 *Sison v. Headway Technologies*, Case No. 1-13-CV-254591 and *Barrera v. Home Depot*,
28 Northern District of California Case No. C 12 5199 LHK.

10. My co-counsel and I will adequately represent the Class Members in this action. Plaintiff's counsel have and will zealously represent Plaintiff and the Class and pursue this lawsuit to its conclusion. I have no conflicts with the Class and will adequately represent the Class.

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

Executed on this 18th day of October 2023, at Hollister, California.


William L. Marder