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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 LARRY W. LEE 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

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I, Larry W. Lee, 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, counsel of record for Plaintiff David Montoya (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Class Counsel have zealously represented the interests of the Class. Class Counsel engaged in discovery and significant discussions with opposing counsel to obtain informal data and documents on behalf of the Class. This settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative.

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

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

5. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of Fortune 500 companies.

6. My firm's primary focus is employment law. I have handled a number of wage and hour matters including class actions and multiple-plaintiff actions. I have a practice that encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior Courts, and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California.

7. I have been named as class counsel in a number of class actions that have been

1 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
2 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
3 County, Santa Clara County, Sonoma County, and the United States District Court for the
4 Central, Eastern, and Northern Districts of California, including but not limited to the following
5 class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-
6 05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No.
7 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL (PJWx);
8 *Universal Protection Overtime Cases*, Orange County Superior Court, Judicial Council
9 Coordination Proceeding No. 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No.
10 BC392717; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539;
11 *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v.*
12 *Community Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No.
13 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council
14 Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior
15 Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court
16 Case No. CV-18-558.

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

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

23 Executed on this 18th day of October 2023, at Los Angeles, California.

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25 _____
26 Larry W. Lee
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