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Attorneys for Plaintiff and the Class

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

SPENCER NORMAN, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

B & H GLOBAL MARKETING, LLC, a
California limited liability company;
GOLDEN STATE CRUSHING, a
business organization, form unknown; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 34-2022-00314707

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 1, 2023
Time: 9:00 a.m.
Dept.: 27

Complaint Filed: January 26, 2022
Trial Date: None

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I, Max W. Gavron, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of Virginia, and am with the law firm Diversity Law Group, counsel of record for Named Plaintiff Mr. Norman ("Plaintiff"). I have personal knowledge of the facts set forth below and if sworn to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of the settlement on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. I have spent significant time researching and pursuing the claims that have been in this action. The Parties engaged in informal discovery in connection with mediation participated in the exchange of class data and data pertaining to the PAGA group, time and records, and Defendants' pertinent wage and hour policies. Based on my review of all the events and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable. The settlement was negotiated at arm's length and facilitated by an experienced and neutral mediator. Thus, this settlement should be given final approval.

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

5. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class as a whole.

6. I am one of the primary attorneys on this matter. My qualifications are as follows: I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, cum laude. I was in the top 5% of my class. During my time at Southwestern, I was a Staff and Comments Editor on the Southwestern Law Review. I also received awards for achieving the highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States District Court for the Central District. Immediately after law school, I taught law courses at Southwestern, including Principles of Legal Analysis and Legal Methods. I have taught those courses for approximately four years.

1 7. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately
2 September 2013, through January 2016. I was third-chair in a federal court jury trial that resulted
3 in a defense verdict in our client's favor on a \$21 million commercial breach of contract dispute.

4 I also regularly litigated cases across the civil litigation spectrum, including employment matters.

5 8. From February 2016, through Fall 2017, I practiced at the international law firm
6 of Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50
7 companies in Multi-District Litigation primarily in the product liability sphere. I also
8 successfully drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary
9 judgment decision regarding trade secret issues, in addition to working in several other practice
10 groups.

11 9. From September 2017, through September 2018, I served as a law clerk to a
12 Judge sitting on the United States District Court, Central District of California. I regularly
13 prepared bench memoranda, on cases involving all types of civil litigation, including regularly
14 working on wage and hour class actions.

15 10. I am currently an associate at the law firm Diversity Law Group, P.C., an
16 employment law firm that has handled numerous wage and hour class and individual actions, on
17 both plaintiff and defense sides. My current practice focuses on employment matters involving
18 both class actions, and single plaintiffs. The firm currently has cases in the Los Angeles Superior
19 Courts, the Orange County Superior Courts, the San Diego County Superior Courts, and the
20 United States District Courts for the Central, Northern, and Eastern Districts of California. I am
21 currently handling, or have handled, numerous wage and hour class action lawsuits with the firm,
22 including, but not limited to: *Agar v. Sensient Natural Ingredients, LLC* (Case No. CV-19-
23 001906, Stanislaus County Superior Court); *Cunningham, et al. v. Diverse Business Solutions*
24 (Case No. CIVDS1817095, San Bernardino County Superior Court); *Heredia v. Eddie Bauer*
25 *LLC* (Case No. 16CV300475, United States District Court, Northern District of California);
26 *Parsons v. Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior
27 Court); and *Coronel v. Pinnacle Agriculture* (Case No. 18CV004287, Monterey County Superior
28 Court).

1 11. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
2 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,
3 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our
4 clients. *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

5 12. I have also assisted the firm in numerous wage and hour class action mediations.

6 13. To date, I have incurred approximately 60.3 hours in connection with the
7 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred
8 to date.

9 14. The total lodestar for my hours will be approximately \$36,180.00 based on an
10 hourly rate of \$600.00 per hour (60.3 hours x \$600). I have been approved at \$600.00 per hour in
11 *Weybrew v. BEI Construction*, Solano County Superior Court Case No. FCS055658 (January 14,
12 2022), *In re See's Candies Wage and Hour Cases*, Case No. JCCP5004 (March 30, 2022), Los
13 Angeles Superior Court, *Pevey v. Lumber City Corp*, San Bernardino County Superior Court
14 Case No. CIVDS2010240 (May 2, 2022), *Ross v Stater Bros. Markets*, San Bernardino County
15 Superior Court Case No. CIVDS1902518 (September 8, 2022), and *Schneider v. Amazon Retail*
16 *LLC*, Los Angeles County Superior Court Case No. 21STCV26226 (December 1, 2022), *Negrete*
17 *v. Winsupply, Inc., et al.*, Orange County Superior Court Case No. 30-2021-01188066-CU-OE-
18 CXC (July 14, 2023). Prior to that throughout 2020 and 2021, I was approved at an hourly rate of
19 at \$550.00 per hour in *James v RADC Enterprises, Inc.*, San Bernardino County Superior Court,
20 Case No. CIV-DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy, Inc.*, Santa
21 Clara County Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert Magpugay v.*
22 *Harbor Electronics, Inc.*, Santa Clara County Superior Court Case No. 19CV352547 (January
23 27, 2021), *Foster v. Schindler Elevator Corp.*, Alameda County Superior Court Case no.
24 RG19029640 (March 2, 2021), *Martin v. Streetplus Company, LLC*, et al, Los Angeles Superior
25 Court Case No. 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain Enterprises, LLC*,
26 Solano County Superior Court, Case No. FCS05.858 (August 4, 2021).

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

1 Executed on this 6th day of November 2023, at Los Angeles, California.

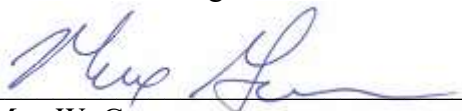
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4 Max W. Gavron

EXHIBIT A

Norman v. B&H Global Marketing, LLC, et al
MG Time and Task Chart

Hours	Description of Work
13.1	Initial research and review of background facts in preparation for filing of class action claims; draft and revise PAGA letter; confer with co-counsel re theories of liability and conduct research re same; analysis and research re defendant
2.1	Draft and revise initial set of written discovery.
1.9	Meet and confer with defense counsel and co-counsel re prospect of mediation; confer with co-counsel re same.
4.9	Analysis, strategy, and research re information required from defendant to participate in mediation; draft and revise data requests for defense counsel in advance of mediation; confer with co-counsel re the same
6.8	Analyze and review policies and information provided by defense counsel informally in advance of mediation to further evaluate liability and damages for mediation; conduct legal research re theories of liability given same.
7.1	Draft and revise mediation brief; conduct legal research for same; review of case law; confer with co-counsel
9.7	Prepare for and attend mediation; confer with client and co-counsel re same.
5.9	Review and revise settlement agreement and related documents (i.e., settlement agreement, class notice); conversations with opposing counsel re same; confer with co-counsel re terms of settlement agreement and make revisions in light of same
2.9	Review and revise Motion for Preliminary Approval and Declarations thereto; confer with co-counsel and opposing counsel re same
3.5	Correspond with settlement administrator regarding distribution of class notice; analyze and review reports from class administrator re opt-outs received; correspond and confer with class members and respond to inquiries re settlement
2.4	Further draft and revise motion for final approval and supporting documents; confer with co-counsel re the same.
<u>60.3</u>	<u>TOTAL HOURS</u>