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9 Attorneys for Plaintiff Alonzo Pineda,  
and all Aggrieved Employees

10  
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **FOR THE COUNTY OF SANTA CLARA**

13 ALONZO PINEDA, individually, on behalf  
14 of those similarly situated, and all Aggrieved  
Employees

15 Plaintiff,

16 vs.

17 RECON360, LLC, a California limited  
18 liability company; ROSARIO WONG, an  
individual; and DOES 1 through 100,  
19 inclusive,

20 Defendants.

Case No.: 22CV398574  
Assigned to Hon. Charles F. Adams, Dept. 7

**DECLARATION OF ADRIAN C. BYRNE  
IN SUPPORT OF PLAINTIFF'S MOTION  
FOR APPROVAL OF REPRESENTATIVE  
PAGA SETTLEMENT**

Date: March 6, 2025  
Time: 1:30 p.m.  
Dept: 7

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I, Adrian C. Byrne, declare as follows:

1. I am an attorney licensed to practice before all of the courts of the State of California. I am co-lead counsel of record for Plaintiff Alonzo Pineda and the allegedly aggrieved employees in the above-captioned action. I have personal knowledge of the facts set forth in this declaration and, if called upon to do so, could and would testify competently thereto, except where I make a statement on information and belief, in which case I am informed and believe the statement to be true.

2. I, along with my co-counsel John Van Hook of Van Hook Law Firm, have been representing Plaintiff throughout this litigation. I make this declaration in support of Plaintiff's Motion for Approval of Representative PAGA Settlement (the "Motion").

3. The following is a brief description of my legal background: I graduated from Bristol Law School in the United Kingdom and was called to the Bar of England and Wales in 2010. In 2013, I became licensed to practice as a Solicitor of England and Wales. I subsequently became licensed as an attorney in California in 2015.

4. For over 9 years, I have worked exclusively on employment law with a focus on complex and individual wage and hour cases.

5. During that time, I estimate that I have litigated over 50 representative PAGA and/or class wage and hour actions.

6. I have been selected for several years to Southern California Super Lawyers – Rising Star list in the category of “Employment Litigation Plaintiff”.

7. It has been my custom and practice, both before this case and throughout the duration of this case, to enter my time consistent with my firm's timekeeping policies. That is, I use a digital timekeeping system and enter time to the tenth of the hour. I generally enter time directly after completing a billable task and, if that is not possible, I enter it as soon as practicable thereafter.

8. My hourly rate during most of the course of this litigation has been \$465. This rate has been approved by numerous courts and arbitrators in comparable litigation. While my

1 billing rate has subsequently increased, I seek a billing rate of only \$465 in this case. In litigating  
2 this PAGA representative action, I recorded 49.2 hours of billable time, for an individual lodestar  
3 exceeding \$22,878.00. For tasks that related to both the representative PAGA action, and  
4 Plaintiff's individual arbitration, such as the mediation, I apportioned the time between the two  
5 matters. This does not include the hours billed by my co-counsel on this matter. Attached as  
6 Exhibit 4 to this Declaration is a true and correct copy of my billing records for this  
7 representative PAGA action.

8 9. From the outset of the case to the present, prosecution of this action has involved  
9 significant financial risk. My co-counsel and I undertook this matter on a contingent basis,  
10 investing significant time, resources, and out-of-pocket costs, with no guarantee of recovery, and  
11 at the expense of other work that we could have performed.

12 10. At every stage of this litigation, including our investigation prior to filing this  
13 action, as well as the mediation and settlement negotiations, Mr. Pineda has provided regular,  
14 substantial assistance to myself and co-counsel and was always engaged in the pursuit of this  
15 case. He participated in a full day mediation, sat for a full day, in person deposition, and  
16 participated in dozens of telephone calls and Zoom calls with my co-counsel and me. Without  
17 Mr. Pineda's efforts and willingness to step forward on behalf of his former co-workers, we  
18 would not have been able to reach this outcome.

19 11. For all of the reasons set forth in Plaintiff's Motion and based on my experience  
20 litigating and settling wage and hour and class action cases, I believe the settlement reached in  
21 this case is fair, reasonable, and an excellent outcome for the State of California and the  
22 aggrieved employees. I strongly support this settlement and Plaintiff's Motion.

23 I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct. Executed on February 3, 2025.

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26 

27 Adrian C. Byrne  
28

## Exhibit 4



# Detailed report

2021-10-16 - 2025-01-29

Total: **49:12** Billable: **49:12** Amount: **22,878.00 USD**

| Date       | Description                                                                                    | Duration | Amount     |
|------------|------------------------------------------------------------------------------------------------|----------|------------|
| 2021-10-16 | Intake with A Pineda re Potential Claims.<br>Pineda, Alonzo -                                  | 1:36     | 744.00 USD |
| 2021-10-18 | Emails with Client, Review Documents.<br>Pineda, Alonzo -                                      | 0:24     | 186.00 USD |
| 2021-10-25 | Draft Fee Agreements and Class/PAGA Representative Acknowledgment.<br>Pineda, Alonzo -         | 0:54     | 418.50 USD |
| 2021-10-25 | Call with CC and Client re Representation.<br>Pineda, Alonzo -                                 | 0:42     | 325.50 USD |
| 2021-11-12 | Communicate with Client re Documents and Additional Case Facts.<br>Pineda, Alonzo -            | 0:36     | 279.00 USD |
| 2021-11-16 | Analyze Documents Produced by ER and Communicate with Client re Same.<br>Pineda, Alonzo -      | 1:12     | 558.00 USD |
| 2021-11-24 | Emails with Client, Download and Review Additional Documents.<br>Pineda, Alonzo -              | 0:30     | 232.50 USD |
| 2021-11-24 | Additional Drafting to PAGA Notice, Including 558.1 and OSHA Allegations.<br>Pineda, Alonzo -  | 1:30     | 697.50 USD |
| 2022-01-27 | Review, Research Diaz Settlement Admin and Call to Request Opt for Client.<br>Pineda, Alonzo - | 0:42     | 325.50 USD |
| 2022-01-27 | Email to CC re Call to Admin to Request Opt for Client.<br>Pineda, Alonzo -                    | 0:06     | 46.50 USD  |
| 2022-02-21 | Calls to IYLM Group to Opt Client Out of Settlement.<br>Pineda, Alonzo -                       | 0:24     | 186.00 USD |
| 2022-02-21 | Email to IYLM Group to Opt Client Out of Settlement.<br>Pineda, Alonzo -                       | 0:12     | 93.00 USD  |
| 2022-02-21 | Email from Client re Opt Out of Settlement.<br>Pineda, Alonzo -                                | 0:06     | 46.50 USD  |

|            |                                                                                                  |      |              |
|------------|--------------------------------------------------------------------------------------------------|------|--------------|
| 2022-02-21 | Review Case Status and Email to CC re PAGA Period.<br>Pineda, Alonzo -                           | 0:12 | 93.00 USD    |
| 2022-02-24 | Call with Client re Update.<br>Pineda, Alonzo -                                                  | 0:06 | 46.50 USD    |
| 2022-02-24 | Email to CC re Update and Strategy.<br>Pineda, Alonzo -                                          | 0:06 | 46.50 USD    |
| 2022-02-24 | Review Document Production and OCR.<br>Pineda, Alonzo -                                          | 0:24 | 186.00 USD   |
| 2022-05-02 | Updated Defendant Research via Lexis, Download, Name and Upload.<br>Pineda, Alonzo -             | 0:24 | 186.00 USD   |
| 2022-05-20 | Draft Class Action Complaint.<br>Pineda, Alonzo -                                                | 5:42 | 2,650.50 USD |
| 2022-05-23 | Revise Class Action/PAGA Complaint.<br>Pineda, Alonzo -                                          | 2:36 | 1,209.00 USD |
| 2022-05-23 | Legal Research re Waiver, Review New USSC Arbitration Waiver Case.<br>Pineda, Alonzo -           | 0:54 | 418.50 USD   |
| 2022-05-25 | Confer with CC re Status of Filing.<br>Pineda, Alonzo -                                          | 0:06 | 46.50 USD    |
| 2022-05-25 | Review Status of Filing via Santa Clara County Online Portal.<br>Pineda, Alonzo -                | 0:12 | 93.00 USD    |
| 2022-05-25 | Submit Conformed Copy of Complaint to LWDA.<br>Pineda, Alonzo -                                  | 0:24 | 186.00 USD   |
| 2022-05-25 | Draft Witness Declaration.<br>Pineda, Alonzo -                                                   | 1:12 | 558.00 USD   |
| 2022-05-25 | Call with Client re Update.<br>Pineda, Alonzo -                                                  | 0:06 | 46.50 USD    |
| 2022-05-30 | Review Case Status, Download Civil Lawsuit Notice, Name, Upload to Casefile.<br>Pineda, Alonzo - | 0:12 | 93.00 USD    |
| 2022-05-30 | Research Judge.<br>Pineda, Alonzo -                                                              | 0:24 | 186.00 USD   |
| 2022-05-30 | Review Court and Discovery Deadlines.<br>Pineda, Alonzo -                                        | 0:18 | 139.50 USD   |
| 2022-05-30 | Drafting Witness Declaration.<br>Pineda, Alonzo -                                                | 1:12 | 558.00 USD   |

|            |                                                                                                 |      |            |
|------------|-------------------------------------------------------------------------------------------------|------|------------|
| 2022-06-01 | Finalize Drafting Witness Declaration [REDACTED].<br>Pineda, Alonzo -                           | 1:24 | 651.00 USD |
| 2022-06-01 | Witness Interview with [REDACTED].<br>Pineda, Alonzo -                                          | 0:24 | 186.00 USD |
| 2022-06-01 | Initial Drafting Witness Declaration [REDACTED].<br>Pineda, Alonzo -                            | 0:42 | 325.50 USD |
| 2022-06-01 | Conference Call with CC re Strategy.<br>Pineda, Alonzo -                                        | 0:24 | 186.00 USD |
| 2022-06-06 | Confer with CC re Peremptory Challenge.<br>Pineda, Alonzo -                                     | 0:12 | 93.00 USD  |
| 2022-06-06 | Download Complex Designation rCourt Order and Email CC re Same.<br>Pineda, Alonzo -             | 0:18 | 139.50 USD |
| 2022-06-06 | Translate Witness [REDACTED] Declaration into Spanish.<br>Pineda, Alonzo -                      | 0:54 | 418.50 USD |
| 2022-06-06 | Call with Witness [REDACTED] to Confirm Witness Declaration.<br>Pineda, Alonzo -                | 0:24 | 186.00 USD |
| 2022-06-06 | Email Witness [REDACTED] Copy of Witness Declaration via Adobe Sign.<br>Pineda, Alonzo -        | 0:12 | 93.00 USD  |
| 2022-06-06 | Call with Client re Witness Declarations.<br>Pineda, Alonzo -                                   | 0:12 | 93.00 USD  |
| 2022-06-13 | Review Status and Email CC re Complex Filing Fee.<br>Pineda, Alonzo -                           | 0:12 | 93.00 USD  |
| 2022-06-13 | Email to Client re Declaration.<br>Pineda, Alonzo -                                             | 0:06 | 46.50 USD  |
| 2023-01-11 | Call with Client re Status.<br>Pineda, Alonzo -                                                 | 0:06 | 46.50 USD  |
| 2023-01-24 | Review and Additional Drafting of Opposition to MTC.<br>Pineda, Alonzo -                        | 0:42 | 325.50 USD |
| 2023-05-15 | Communicate with Client re Additional Documents, Download and Analyze Same.<br>Pineda, Alonzo - | 0:24 | 186.00 USD |
| 2023-05-15 | Zoom Meeting with Client re Additional Claims.<br>Pineda, Alonzo -                              | 1:18 | 604.50 USD |
| 2023-09-05 | Email OC re CMS.<br>Pineda, Alonzo -                                                            | 0:06 | 46.50 USD  |

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| 2023-09-05 | Review Case Status and Email CC re CMC.<br>Pineda, Alonzo -                                                                      | 0:12 | 93.00 USD    |
| 2023-09-08 | Draft Stipulation and Proposed Order for Continuance of CMC.<br>Pineda, Alonzo -                                                 | 0:36 | 279.00 USD   |
| 2023-09-18 | Finalize, Serve OC, and File Stipulation and Proposed Order for Continuance of CMC.<br>Pineda, Alonzo -                          | 0:30 | 232.50 USD   |
| 2024-03-13 | Attend Deposition of Plaintiff [8.0hrs Total - 4.0hrs Billed to Arb]<br>Pineda, Alonzo -                                         | 4:00 | 1,860.00 USD |
| 2024-04-14 | Attend PMK Deposition [7:36Hrs Total - 3:48Hrs Billed to Arb]<br>Pineda, Alonzo -                                                | 3:48 | 1,767.00 USD |
| 2024-05-23 | Emails with CC and Communicate with Client re Mediation.<br>Pineda, Alonzo -                                                     | 0:24 | 186.00 USD   |
| 2024-07-08 | Attend Mediation. [6:48Hrs Total - 3:24Hrs Billed to Arb]<br>Pineda, Alonzo -                                                    | 3:24 | 1,581.00 USD |
| 2024-07-08 | Review and Draft Revisions to Mediation Brief. [2:12Hrs Total - 1:06 Billed to Arb]<br>Pineda, Alonzo -                          | 1:06 | 511.50 USD   |
| 2024-07-19 | Review and Draft Revisions to PAGA Long Form Agreement.<br>Pineda, Alonzo -                                                      | 0:30 | 232.50 USD   |
| 2024-08-07 | Review and Draft Revisions to Motion for Approval of PAGA Settlement.<br>Pineda, Alonzo -                                        | 0:24 | 186.00 USD   |
| 2024-08-07 | Review and Draft Additional Revisions to OC's Revisions to PAGA Long Form Agreement.<br>Pineda, Alonzo -                         | 0:24 | 186.00 USD   |
| 2025-01-29 | Review and Draft Additional Revisions to Motion for Approval of PAGA Settlement and Supporting Declarations.<br>Pineda, Alonzo - | 2:30 | 1,162.50 USD |