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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

ROBERT LEWIS, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

IMERYS FILTRATION MINERALS, INC., a
Delaware corporation; IMERYS
PERFORMANCE MINERALS AMERICAS,
INC., a Delaware corporation; and DOES 1
through 100,

Defendants.

Case No.: 22CV04874

*[Assigned for all purposes to the Hon. Jed
Beebe; Dept. 4]*

**DECLARATION OF FLETCHER W.
SCHMIDT IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: April 20, 2023
Time: 8:30 a.m.
Dept.: 4

Action Filed: December 8, 2022
Trial Date: None Set

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I, FLETCHER W. SCHMIDT, declare as follows:

1. I am a Partner at the Haines Law Group, APC, and counsel for Plaintiff Robert ("Plaintiff") in the above-captioned matter. I am a member in good standing of the bar of the State of California and am admitted to practice in this Court. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I am a 2012 graduate of Loyola Law School, Los Angeles, where I graduated *cum* and was awarded membership in the Order of the Coif. From August 2013 to March 2016, ed as an associate attorney at Boren, Osher & Luftman LLP. Since March 2016 I have at my current firm, Haines Law Group, APC, where, in 2018, I became a Partner.

3. During my time with Boren, Osher & Luftman LLP and Haines Law Group, APC, my practice has been solely devoted to litigating plaintiff-side wage and hour class actions in California state and federal court. I am currently responsible for managing a caseload of over seventy-five (75) active wage and hour class actions in which I am integrally involved in all aspects of the litigation.

4. The following is a non-exhaustive list of class action settlements in which I have served as Class Counsel, and which have been granted final approval: *Julio v. Anthony, Inc.*, Case No. CV14-03172 AB (SHx), United States District Court, Central District of California, Honorable Judge Andre Birotte, Jr. presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015); *Litt v. Western Stone & Metal Corp.*, Case No. 3:14-cv-02804-PJH, United States District Court, Northern District of California, Honorable Judge Phyllis J. Hamilton presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015); *Rubalcava v. Towing and Transport Burbank, et al.*, Case No. BC518468, California Superior Court, County of Los Angeles, Honorable Judge Kenneth Freeman presiding (approving an hourly rate of \$350 for work performed in 2013, 2014 and 2015); *Rivera Regalado v. Jaguar Farm Laborers Union, Local 1028*, Case No. CV 130569, California Superior Court, County of San Luis Obispo, Honorable Martin J. Tangeman presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015); *Sanchez v. Res-Care, Inc.*, Case No. BC526175, California Superior Court, County of Los Angeles, Honorable Judge Kenneth Freeman presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015).

County of Los Angeles, Honorable John S. Wiley presiding (approving an hourly rate of \$350 for work performed in 2013, 2014 and 2015); *Rodas v. Gateways Hospital and Mental Health Center*, Case No. BC503179, California Superior Court, County of Los Angeles, Honorable Judge Amy D. Hogue presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015); *Prado v. Warehouse Demo Services, Inc.*, Case No. CV14-3170 JFW (Ex), United States District Court, Central District of California, Honorable Judge John F. Walter presiding (approving an hourly rate of \$350 for work performed in 2014 and 2015); *Shaw v. Conant Auto Retail, San Diego*, Case No. 37-2014-00044052-CU-OE-CTL, California Superior Court, County of San Diego, Honorable Judge Joan M. Lewis presiding (approving an hourly rate of \$375 for work performed in 2014, 2015, and 2016); *Tirado v. Ricon Corp.*, Case No BC537042, California Superior Court, County of Los Angeles, Honorable Judge John Shepard Wiley, Jr. presiding (approving an hourly rate of \$375 for work performed in 2014, 2015, and 2016); *Tesla Motors Wage and Hour Litigation*, JCCP 4792, California Superior Court, County of Santa Clara, Honorable Peter H. Kirwan presiding (approving an hourly rate of \$375 for work performed in 2013, 2014, 2015, and 2016); *Lopez v. RM HQ LLC, et al.*, Case No. BC525592, California Superior Court, County of Los Angeles, Honorable Elihu M. Berle presiding (approving an hourly rate of \$375 for work performed in 2013, 2014, 2015, and 2016); *Horta v. Searles Valley Minerals, Inc.*, Case No. CIVDS 1507615, California Superior Court, County of San Bernardino, Honorable Donald Alvarez presiding (approving an hourly rate of \$375 for work performed in 2015 and 2016); *Mansilla v. Haeco Americas Line Services, LLC, et al.*, Case No. BC615310, Superior Court of California, County of Los Angeles, Honorable Judge Elihu M. Berle presiding (approved at an hourly rate of \$425 for work performed in 2016 and 2017); *Khosravi v. Enterprise Rent-A-Car Company of Los Angeles, LLC, et al.*, Case No. 30-2016-00829923-CU-OE-CXC, Superior Court of California, County of Orange, Honorable Judge Thierry Patrick Colaw presiding (approved at an hourly rate of \$425 for work performed in 2016 and 2017); *Nieves v. Ta Chen International, Inc.*, Case No. BC609005, Superior Court of California, County of Los Angeles, Honorable Judge Kenneth R. Freeman presiding (approved at an hourly rate of \$425 for work performed in 2016 and 2017); *Berkel v. Pride Bakeries, LLC*, Case No. 30-2017-00923148-CU-

1 OE-CXC, Superior Court of California, County of Orange, Honorable Judge William Cluster
2 presiding (approved at an hourly rate of \$425 for work performed in 2017 and 2018); *Ruvalcaba*
3 *Quiroz v. Circle M Contractors, Inc.*, Case No. 30-2016-00885065-CU-OE-CXC, Superior Court
4 of California, County of Orange, Honorable William D. Cluster presiding (approving an hourly
5 rate of \$425 for work performed in 2016, 2017 and 2018); *Armenta, et al., v. California Friends*
6 *Homes d/b/a Quaker Gardens*, Case No. 30-2016-00883282-CU-OE-CXC, Superior Court of
7 California, County of Orange, Honorable Randall J. Sherman presiding (approving an hourly rate
8 of \$425 for work performed in 2016, 2017 and 2018); *Sandra Zinnerman v. Tumbleweed*
9 *Educational Enterprises, Inc.*, Case No. BC673708, Superior Court of California, County of Los
10 Angeles, Honorable Maren E. Nelson presiding (approving an hourly rate of \$425 for work
11 performed in 2016, 2017, and 2018); *Tina Arellano v. Williams Sonoma Stores, Inc.*, Case No.
12 BC693760, Los Angeles County Superior Court, Honorable Daniel J. Buckley, presiding; *William*
13 *Cuellar v. UMA Enterprises, Inc.*, Case No. BC657146, Los Angeles County Superior Court,
14 Honorable Maren E. Nelson, presiding (approving an hourly rate of \$475 for work performed in
15 2017, 2018 and 2019); *Maria C. Garcia, et al. v. Simplified Labor Staffing Solutions, Inc.*, Case
16 No. BC696898, Los Angeles County Superior Court, Honorable Elihu M. Berle, presiding
17 (approving an hourly rate of \$475 for work performed in 2018 and 2019); *Arturo Delgado v.*
18 *Spears Manufacturing Co.*, Case No. BC709665, Los Angeles County Superior Court, Honorable
19 Maren E. Nelson, presiding (approving an hourly rate of \$595 for work performed in 2018, 2019
20 and 2020); *Soto v. L I Metal Systems*, Case No. 37-2017-00009607-CU-OE-CTL, San Diego
21 County Superior Court, Honorable Timothy Taylor, presiding (approving an hourly rate of \$595
22 for work performed in 2017-2020); *Michael Fishback v. Paragon Framing, Inc.*, Case No.
23 CIVDS1906610, San Bernardino County Superior Court, Honorable David Cohn, presiding
24 (approving an hourly rate of \$595 for work performed in 2019 and 2020); *Francisco Garcia v.*
25 *Searing Industries, Inc.*, Case No. CIVDS1932477, San Bernardino County Superior Court,
26 Honorable David Cohn, presiding (approving an hourly rate of \$595 for work performed in 2019
27 and 2020); *David Hasler, et al. v. Anheuser-Busch, LLC*, Case No. 19STCV00802, Los Angeles
28 County Superior Court, Honorable Daniel J. Buckley, presiding; *Angel Ochoa v. Fonseca*

1 *Construction, Inc.*, Case No. CIVDS1928625, San Bernardino County Superior Court, Honorable
2 David Cohn, presiding (approving an hourly rate of \$595 for work performed in 2019 to 2021);
3 *William Chang v. Avcorp Composite Fabrication, Inc.*, Case No. BC715159, Los Angeles County
4 Superior Court, Honorable Amy D. Hogue, presiding (approving an hourly rate of \$595 for work
5 performed in 2018 to 2021); *David Alvarado, et al. v. J.G. Boswell Company*, Case No.
6 19STCV19033, Los Angeles County Superior Court, Honorable Daniel J. Buckley, presiding
7 (approving an hourly rate of \$595 for work performed in 2019 to 2021); *Gaudencio Arroyo*
8 *Reynoso, et al. v. Cream of the Crop Ag Service, Inc.*, Case No. VCU278847, Tulare County
9 Superior Court, Honorable Bret D. Hillman, presiding (approving an hourly rate of \$595 for work
10 performed in 2019 to 2022); *Alejandra Parra v. Sixty Collective, LLC*, Case No. 19STCV01016,
11 Los Angeles County Superior Court, Honorable Carolyn B. Kuhl, presiding (approving an hourly
12 rate of \$625 for work performed in 2019-2022); *Veronica Gonzalez v. Precision Hospitality &*
13 *Development, LLC*, Case No. 30-2020-01127597-CU-OE-CXC, Orange County Superior Court,
14 Honorable Randall J. Sherman, presiding (approving an hourly rate of \$625 for work performed
15 in 2020-2021); *David Montalvo v. Warehouse Services No. 4 LLC*, Case No. CIVDS1931568,
16 San Bernardino County Superior Court, Honorable David Cohn, presiding (approving an hourly
17 rate of \$625 for work performed in 2019-2022); *Steve Qawas v. Socal Framing, Inc.*, Case No
18 RIC1902588, Riverside County Superior Court, Honorable Sunshine S. Sykes, presiding
19 (approving an hourly rate of \$650 for work performed in 2019-2022); *Jessica Burrola v.*
20 *Trademark Cosmetics, Inc.*, Case No. RIC2002311, Riverside County Superior Court, Honorable
21 Sunshine S. Sykes, presiding (approving an hourly rate of \$650 for work performed in 2020-
22 2022); *Elmy Calderon v. Personnel Staffing Group, LLC*, Case No. VCU278910, Tulare County
23 Superior Court, Honorable David C. Mathias, presiding (approving an hourly rate of \$650 for
24 work performed in 2019-2022); *Santos Orellana v. Smarte Carte, Inc.*, Case No. 20STCV08890,
25 Los Angeles County Superior Court, Honorable Yvette M. Palazuelos, presiding (approving an
26 hourly rate of \$650 for work performed in 2020-2022); *Luis Montanez v. MEI Rigging & Crating,*
27 *LLC, et al.*, Case No. 21STCV04062, Los Angeles County Superior Court, Honorable Carolyn B.
28 Kuhl, presiding (approving an hourly rate of \$650 for work performed in 2021-2022); *Ketema*

1 *Nelson v. Santini Foods, Inc.*, Case No. RG21090890, Alameda County Superior Court,
2 Honorable Evelio Grillo, presiding (approving an hourly rate of \$650 for work performed in 2021-
3 2022); and *Edward Salgado v. S.R. Bray LLC, dba Power Plus!, et al.*, Case No. 30-2020-
4 01172134-CU-OE-CXC, Orange County Superior Court, Honorable Lon F. Hurwitz, presiding
5 (approving an hourly rate of \$725 for work performed in 2020-2023).

6 5. I have also moved to certify and have received an order certifying a class action
7 and/or conditionally certifying a collective action as Class Counsel in the following cases:
8 *Medeiros v. Vortex Financial Management Inc.*, Case No. 30-2013-00644741-CU-OE-CXC,
9 California Superior Court, County of Orange, Honorable Judge Gail A. Andler presiding
10 (certifying a class of employees who were misclassified as independent contractors); *Javine v.*
11 *San Luis Ambulance Service, Inc.*, Case No. CV13-07480 BRO (SSx), United States District
12 Court, Central District of California, Honorable Judge Beverly Reid O'Connell presiding
13 (conditionally certifying an unpaid FLSA overtime wage class); *Prado v. Warehouse Demo*
14 *Services, Inc.*, Case No. CV14-3170 JFW (Ex), United States District Court, Central District of
15 California, Honorable Judge John F. Walter presiding (certifying a rest period violation class and
16 conditionally certifying a FLSA unpaid overtime wage class); *Bower v. Cycle Gear, Inc.*, Case
17 No. CV14-2712 HSG, United States District Court, Northern District of California, Honorable
18 Judge Haywood S. Gilliam, Jr. presiding (conditionally certifying an unpaid FLSA overtime wage
19 class); *Vega v. Weatherford U.S., Limited Partnership*, Case No. CV14-1790-JLT, United States
20 District Court, Eastern District of California, Honorable Judge Jennifer L. Thurston presiding
21 (conditionally certifying an unpaid FLSA overtime wage class); *Galvan v. AMVAC Chemical*
22 *Corporation*, Case No. 30-2014-00716103-CU-OE-CXC, California Superior Court, County of
23 Orange, Honorable Judge William Claster presiding (certifying unpaid overtime wage class and
24 waiting time penalty class); *Camacho v. Residential Fire Systems, Inc.*, Case No. 30-2015-
25 00775372-CU-OE-CXC, California Superior Court, County of Orange, Honorable Judge Glenda
26 Sanders presiding (certifying five separate classes for claims for unpaid wages, unreimbursed
27 expenses, failure to authorize and permit rest periods, and derivative claims); *Ontiveros v. Safelite*
28 *Fulfillment, Inc., et al*, Case No. CV 15-7118-DMG (RAOx), United States District Court, Central

District of California, Honorable Dolly M. Gee presiding (certifying six classes of employees for rest period violations, wage statement violations, meal period violations, and overtime and double-time violations); *Staublein v. Wells Fargo Bank, National Association*, Case No. CIVDS1712267, San Bernardino Superior Court, Honorable David Cohn presiding (certifying a wage statement class); and *Danica N. Keich, et al. v. U.S. Healthworks, Inc., et al.*, Case No. 37-2017-00015343-CU-OE-CTL, San Diego County Superior Court, Honorable Eddie C. Sturgeon, presiding (certifying classes for rest period violations, meal period violations, on-call pay violations, wage statement violations, and waiting time violations).

6. In March 2023, I served as trial counsel for the Plaintiff and the aggrieved employees in the matter of *Abraham Taduran v. James R. Glidewell, Dental Ceramics, Inc. dba Glidewell Laboratories*, Case No. 30-2017-00934037-CU-OE-CXC, Orange County Superior Court, Honorable William Claster presiding, which was a case brought under the Private Attorneys General Act, Labor Code §§ 2698 *et seq.*, that resulted in a six-figure verdict in favor of the aggrieved employees.

7. In every year from 2018 through 2023, Thomson Reuters and Los Angeles Magazine recognized me as a Top Young Attorney in Southern California in the annual Rising Star Edition of Super Lawyers. This is an honor awarded to no more than two-and-a-half percent (2.5%) of attorneys under the age of forty in Southern California each year.

8. As counsel for Plaintiff, I have been closely involved in all aspects of this litigation since its inception. The details of the work completed by Class Counsel in this case are set forth in the declaration of Matthew K. Moen, filed concurrently herewith.

9. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on March 24, 2023, at El Segundo, California.


Fletcher W. Schmidt