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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

PERLA MARIN, individually and on behalf of
all others similarly situated,

Plaintiff,

vs.

HB LEISURE, INC., a Florida corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 37-2021-00048225-CU-OE-CTL

(Assigned to the Honorable Eddie C.
Sturgeon, Department 67)

**DECLARATION OF EDWARD W.
CHOI IN SUPPORT OF MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: February 16, 2024
Time: 9:00 a.m.
Dept.: 67

1 I, Edward W. Choi, declare as follows:

2 1. I am an individual over the age of 18. I am one of the attorneys of record for
3 Plaintiff Perla Marin (hereinafter referred to as "Plaintiff"). I have personal knowledge of the
4 facts set forth below and if called to testify I could and would do so competently.

5 2. From the inception of the case, Class Counsel have zealously represented the
6 interests of Plaintiff and the Class Members. The settlement was obtained for the benefit of the
7 Class, as opposed to the individual Plaintiff. Based on my review of all the information and
8 based on my experience in wage and hour litigation, I believe this settlement to be fair,
9 adequate, and reasonable.

10 3. Based on Class Counsel's independent investigations and evaluations, I am of the
11 opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests
12 of the Class Members, in light of all known facts and circumstances, and the expenses and risks
13 inherent in litigation. The settlement was negotiated at arm's length and thus, this settlement
14 should be granted final approval.

15 **ATTORNEY QUALIFICATIONS, FEES, AND COSTS**

16 4. I am one of the primary attorneys on this matter. My qualifications are as
17 follows: I received my *Juris Doctorate* degree from UCLA Law School in 2000. Upon
18 graduation, I joined the law firm of Lee & Associates in Los Angeles, California as an associate.
19 I started my own practice in October 2004.

20 5. During the course of my practice, I have primarily represented consumers and
21 obtained millions of dollars in recovery for my clients. I have handled numerous wage and hour
22 cases during my career. Since 2009, I have been certified as class counsel and granted final
23 approval in *Choi, et al. v. Midway International Inc., et al.* LASC Case No. BC394495; *Lee v.*
24 *The Men's Wearhouse, Inc., et al.* Alameda Superior Court Case No. RG09461973; *Garcia, et*
25 *al. v. RGIS, LLC, et al.* LASC Case No. BC 425624; *Choi v. Mazda, et al.* LASC Case No. BC
26 391638; *Cabrera v. Frazee, et al.* LASC Case No. BC 440309; *Vo, et al. v. The Party Staff, et*
27 *al.* OCSC Case No. 30-2011-00444836-CU-OE-CXC; *Oh, et al. v. Best Coach Technologies,*
28 *Inc., et al.* LASC Case No. BC 462848; *Rawley v. Freedom Mortgage, Inc.* Orange County

Superior Court Case No. 30-2014-00724164-CU-OE-CXC; *Mendez v. Stevenson Restaurant, Inc.* LASC Case No. BC536766; *Castro v. Continental Airlines*, USDC Central District Case No. 2:14-CV-00169-SVW-AGR; *Barreras v. Michaels Stores, Inc.* USDC – Northern District Case No. C12-04474 PJH, *Dynabursky v. AlliedBarton Security Services, LP, et al.*, SACV 12-02210 JST (RNBx), *Brown v. CVS Caremark, et al.* United States District Court, Central District, Case No.: 2:15-cv-07631-JFW-PJW; *Wu v. General Nutrition* Orange County Superior Court Case No. 30-2012-00593759-CU-OE-CXC; *Hernandez v. Pei Wei Asian Diner, LLC*, United States District Court, Case No.: 8:17-cv-00679 JLS (JCGx); 8:17-cv-00679 JLS (JCGx); *Son v. Phillips Steel*, Los Angeles Superior Court, Case No. BC 675988; and *Song v. THC – Orange County, Inc.* United States District Court, Case No. 8:17-cv-00965-JLS-DFM.

6. My current billing rate is \$850.00 per hour, which is typical of attorneys in the Los Angeles community that have been practicing for over 22 years. In fact, I have personal knowledge, many of my colleagues from UCLA Law School and opposing counsel are currently billing at rates much higher than \$850.00 per hour. Further, I have been previously approved at \$850.00 per hour by several courts, including *Audycki v. Stanford Health Care, Inc.* Santa Clara Superior Court, Case No. 19CV347173 and *Medina v. United Airlines, Inc.* Los Angeles Superior Court, Case No. BC 624742.

7. To date, I have billed approximately 45.6 hours in connection with this litigation including drafting correspondences, emails, pleadings, and discovery along with meeting and conferring with opposing counsel. I also anticipate approximately 5 more hours to attend the final approval hearing, coordinating the disbursement of the settlement funds, potential calls with class members, and potentially attending the final compliance hearing. Thus, my total lodestar \$43,010.00. Attached hereto as **Exhibit A** is a true and correct copy of my time and task chart.

8. Twenty-five percent (25%) of any remaining monies from uncashed settlement checks will be distributed to the State Treasury for deposit in the Trial Court Improvement and Modernization Fund. The remaining seventy-five percent (75%) will be distributed to Free to

1 Thrive, in accordance with California Code of Civil Procedure § 384. I do not have any
2 relationship with or connection or to said organizations/programs.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed on
4 January 22, 2024, at Los Angeles, California.

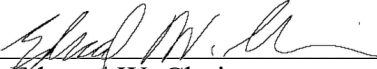
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EXHIBIT A

Perla Marin v. HB Leisure, Inc.
San Diego Superior Court
Case No. 37-2021-00048225-CU-OE-CTL
Time and Task Chart – Edward W. Choi

Hours	Description of Work
2.4	Initial meeting with co-counsel; review client documents; review PAGA letter
3.7	Review and revising of complaint and research causes of action in preparation for same
0.3	Review/revise Notice of Ruling
0.5	Review emails from opposing counsel; schedule conference call
0.7	Meet and confer regarding CMC and mediation
0.5	Review/revise CMC Statement
2.7	Review/revise Special Interrogatories and Request for Production of Documents
4.8	Review document production; review/revise meet and confer letter
1.5	Confer with co-counsel re: data and document request for settlement negotiations
8.6	Draft Settlement Agreement, Class Notice
4.7	Confer with opposing counsel re: Settlement Agreement; review/revise Settlement Agreement
8.5	Review and revise Motion for Preliminary Approval; Draft Declaration in Support of Preliminary Approval; Review and revise the same with co-counsel and opposing counsel
6.7	Review and revise Motion for Final Approval; Draft Declaration in Support of Final Approval
5.0	Anticipated time to finalize matter
50.6	TOTAL HOURS