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Attorneys for Plaintiff, the Class, and Aggrieved Employees

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

JOHN COOK, individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

APPLE INC., a California corporation; and DOES
1 through 50, inclusive,

Defendants.

Case No. 34-2021-00311177-CU-OE-GDS

(Assigned to the Hon. Lauri A. Damrell, Dept. 28)

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

Date: September 1, 2023

Time: 9:00 a.m.

Dept.: 28

Reservation No. A-311177-001

Complaint Filed: November 17, 2021

FAC Filed: May 18, 2023

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 John Cook (“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. The settlement was obtained for the benefit of the Class, as opposed to the individual Class Representative. Further, Class Counsel have been approved as class counsel on a number of prior cases, have litigated numerous other class action cases, and are competent to represent the Class

3. Both Plaintiff's and Defendant's counsel have a great deal of experience in wage and hour class action litigation. Plaintiff's counsel have been approved as class counsel in a number of wage and hour class actions.

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

5. I was retained based upon a contingency fee arrangement wherein Plaintiff's counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiff failed to prevail on these cases, counsel for Plaintiff would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiff also failed to prevail in the present case, Defendant would have been able to seek attorney's fees and costs in connection with its defense of the case.

6. I have spent significant time researching and pursuing the claims that have been alleged in this action. The parties engaged in informal discovery, with the production of documents and payroll information.

7. 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

1 the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon
2 graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins
3 Nash Smoak & Stewart, P.C., a national employment defense law firm that represents a significant
4 number of Fortune 500 companies.

5 8. My firm's primary focus is employment law. I have handled a number of wage and
6 hour matters including class actions and multiple-plaintiff actions. I have a practice that encompasses
7 cases throughout the State of California, including but not limited to the Los Angeles Superior Courts,
8 the Orange County Superior Courts, the San Francisco County Superior Courts, the San Diego County
9 Superior Courts, and the United States District Courts for the Central, Eastern, Northern, and Southern
10 Districts of California.

11 9. I have been named as class counsel in a number of class actions that have been granted
12 final approval by the Superior Courts of Los Angeles County, Orange County, San Francisco County,
13 Alameda County, Contra Costa County, Monterey County, San Bernardino County, Santa Clara
14 County, Sonoma County, and other counties, as well as the United States District Court for the
15 Central, Eastern, and Northern Districts of California, including but not limited to the following class
16 actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-
17 445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No. 05CC00263;
18 *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL (PJWx); *Universal*
19 *Protection Overtime Cases*, Orange County Superior Court, Judicial Council Coordination Proceeding
20 No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539;
21 *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v. Community*
22 *Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No. 17CV003452;
23 *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding
24 No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142;
25 and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

26 10. My co-counsel and I will adequately represent the Class Members in this action.
27 Plaintiff's counsel have and will zealously represent Plaintiff and the Class and pursue this lawsuit to
28 its conclusion. I have no conflicts with the Class and will adequately represent the Class.

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

3 Executed on this 10th day of August 2023, at Los Angeles, California.

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