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Attorneys for Plaintiff JAVIER MARIN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

THERESA BENDORF, JAVIER MARIN, and
KRISTY PRATHER, on behalf of themselves
and others similarly situated, and on behalf of
other aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiffs,

v.

SEA WORLD LLC, a Delaware limited liability
company doing business as SEAWORLD SAN
DIEGO or AQUATICA SAN DIEGO;
SEAWORLD PARKS & ENTERTAINMENT,
INC., a Delaware corporation; and DOES 1
through 25, inclusive,

Defendants.

Lead Case No. 37-2021-00034922-CU-OE-CTL

Other Included Actions:

Case No. 37-2021-00036521-CU-OE-CTL
Case No. 37-2021-00049040-CU-OE-CTL
Case No. 37-2021-00047859-CU-OE-CTL
Case No. 37-2022-00001083-CU-OE-CTL

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF WILLIAM L.
MARDER IN SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: September 13, 2024
Time: 1:30 P.M.
Department: C-69
Judge: Hon. Katherine A. Bacal

DECLARATION OF WILLIAM L. MARDER

I, William L. Marder, 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 Polaris Law Group, counsel of record for Plaintiff Javier Marin ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The Class Action and PAGA Settlement Agreement ("Settlement Agreement") was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including reviewing class data produced by Defendants. This allowed Plaintiff to conduct a full damage analysis. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class.

3. I graduated from UCLA Law School in 1993 and was admitted to the California Bar in 1994. Since that time, I have acquired substantial experience in employment litigation. I have represented both plaintiffs and defendants. I estimate that I have handled more than 300 employment cases, litigating cases in state and federal courts.

4. I have defended large institutional employers in employment cases. From 1995-1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented the City of Sacramento, Yolo County, the City of Davis, Solano County, and other employers in employment litigation in state and federal courts.

5. From 1997-2000, I served as a Deputy County Counsel in San Benito, handling all of its employment matters. These matters include advising the county on compliance with wage and hour laws, arbitrations, and litigation.

6. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an AV rated firm, where I represented numerous plaintiffs and defendants in employment lawsuits.

7. In 2006, I co-founded the Polaris Law Group where I spend most of my time handling employment cases. I primarily represent employees.

8. I have been the sole trial attorney in two jury trials in which I represented a plaintiff who

1 prevailed on wrongful termination claims brought pursuant to the California Fair Employment &
2 Housing Act, California Government § 12900 *et seq.* These three cases are: *Gamayo v. Drobny Law*
3 *Offices*, Sacramento Superior Court Case No.: 34-2008-00005372CU; and *Cherub Berlanga v. Willow*
4 *Grove School District*, San Benito County Superior Case No.: CU-09-00100.

5 9. I have been the sole trial attorney in two court trials in which I represented plaintiffs who
6 prevailed on wage and hour claims. These cases are: *Smith v. Joyce*, Monterey County Superior Court
7 Case No.: M74334; and *Nava v. Rodriguez*, San Benito County Superior Court Case No.: CU-08-00022.

8 10. I have also been approved as class counsel in numerous cases including *Sison v.*
9 *Headway Technologies*, Case No. 1-13-CV-254591 and *Barrera v. Home Depot*, Northern District of
10 California Case No. C 12 5199 LHK.

11 11. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour by
12 various Courts. Examples of these Courts include the following cases: *Hernandez v. Wells Fargo Bank*,
13 Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New Balance Athletics, Inc.*,
14 Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v. Walgreen Co.*, United States
15 District Court, Northern District of California Case No. 18-cv-03921-EJD, *Chavez v. Converse, Inc.*,
16 United States District Court, Northern District of California Case No. 15-cv-03746- NC; *Foster v.*
17 *Schindler Elevator Corporation*, Alameda County Superior Court Case No. RG19029640; *Foaad Hanna*
18 *v. Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven*
19 *LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville*
20 *Community Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez*
21 *Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael Randolph*
22 *v. Pacific Racing Association*, Alameda County Superior Court Case No. RG18908139; *Markham v.*
23 *Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case No. 19CV341582; *Siron v. Raypak*,
24 *Inc.*, Ventura County Superior Court Case No. 56-2019-005279959-CU-OE-VTA; *Carter v. Kline*
25 *Services, Inc.*, San Bernardino County Superior Court Case No. CIVDS 1828867, and *Prexxie Pascual*
26 *and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court Case No.
27 19CV34521 I. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v. City of*
28 *Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No. CIVDS2015729,

1 *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No. 37-2021-00008619-CU-
2 OE-CTL, *Murray v. Granite Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-
3 084680, and *Smith, et al. v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior
4 Court Case No. 34-2021-00292526. Thus, I believe an hourly rate of \$900.00 per hour is reasonable

5 12. To date, I have incurred approximately 21.1 hours in the prosecution of this matter, with
6 an hourly rate of \$900.00 per hour. The total lodestar for my hours will be approximately \$18,990.00.

7 Attached as **Exhibit A** is a summary of my hours and tasks on this matter.

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

10 Executed on this 21st day of August 2024, at Hollister, California.

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12 William L. Marder
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EXHIBIT A

Javier Marin v. Sea World
William L. Marder Time and Task Chart

Hours	Description of Work
2.2	Perform client intake and interview; analyze and review documents provided by client upon receipt; confer with co-counsel re anticipated claims and discuss same with client.
0.4	Review file and client documents; review PAGA letter
1.3	Review and revise class action complaint.
0.2	Review pleadings and settlement documents in <i>Jones v. Seaworld</i>
0.3	Review/revise Special Interrogatories, Request for Production of Documents
0.4	Review/revise PAGA Complaint
0.3	Meet and confer with co-counsel regarding mediator selection and scheduling of mediation
0.4	Review/revise data and document request for mediation
0.3	Review Case Management Statement.
0.3	Confer with counsel regarding data production and further data necessary for mediation
0.4	Review Defendant's responses to Special Interrogatories and Production of Documents; confer with co-counsel re: meet and confer letter
0.3	Review Case Management Statement.
0.4	Review Notice of Related Cases; review operative Complaints and dockets in the related cases; Confer with counsel regarding the same
0.5	Confer with counsel on related cases
0.8	Confer with all counsel regarding global mediation
2.3	Review/revise mediation brief with co-counsel
1.6	Review/revise MOU; conference calls with co-counsel; Negotiate with opposing counsel regarding the same
0.4	Review/revise Joint CMC Statement
0.7	Continue negotiating MOU
0.3	Review/revise Joint CMC Statement
2.6	Review/revise Long Form Settlement Agreement; Multiple conferences with co-counsel regarding the same

Hours	Description of Work
0.4	Review/revise First Amended Consolidated Complaint; Confer with co-counsel regarding the same
0.3	Review/revise Joint CMC Statement
0.5	Continue revising FAC
1.1	Confer with counsel on the <i>Bendorf</i> action; Review documents for <i>Bendorf</i>
2.4	Further review/revise long form Settlement Agreement to include <i>Bendorf</i>
21.1	TOTAL HOURS