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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

STEPHANIE CUEVAS, individually, on a
representative basis, and on behalf of all others
similarly situated;

Plaintiff,

vs.

TARLANI CORP., a California Corporation;
and DOES 1 through 20, inclusive;

Defendants.

Case No.: CIVSB2202953

*[Assigned to Hon. Jessica Morgan, Dept. S26 for
all purposes]*

**DECLARATION OF KRISTINA BUI
CARLSON, ESQ., IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

I, Kristina Bui Carlson, state and declare:

1. I am an attorney duly licensed to practice law in the State of California and am an Associate at Lauby, Mankin & Lauby LLP, attorneys for Plaintiff in the above-entitled action. I am fully familiar with the facts of this case. The matters set forth herein are based upon my personal knowledge. I submit this declaration in support of Plaintiff's Motion for Final Approval of this Class Action Settlement and, if called upon as a witness, I could and would give competent testimony with respect to the matters contained herein.

QUALIFICATION OF COUNSEL

2. I graduated from the University of Oregon School of Law in May 2013 and have been a member, in good standing, of the State Bar of California since December 2013. I am licensed to practice before all courts of the State of California and am admitted to practice

1 in the United States District Court for the Central District of California and have litigated cases
2 in various courts and counties throughout California, including the Court of Appeal.

3 3. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin
4 & Lauby LLP) in September 2015 and, my current practice consists solely of representing
5 employees. All of my current cases have been litigated as class actions, representative PAGA
6 actions, or a combination of the two.

7 4. I have been the handling attorney on nearly two dozen class action and/or
8 representative PAGA actions. And, on these cases, myself and/or my firm have been
9 appointed Class Counsel and have helped negotiate settlements totaling millions of dollars for
10 our clients, the employees, and the State of California.

11 **HOURS INCURRED**

12 5. I have spent 182.3 hours working on this action on tasks including: in-dept
13 research into Defendant's corporate entity; docket searches to identify any pending or related
14 cases; drafting of the LWDA letter setting forth facts and claims on behalf of the Aggrieved
15 Employees; drafting the class and PAGA complaint; meetings and conference calls to discuss
16 viability of claims and impacts of new information learned during course of litigation; drafting
17 and revising various pleadings; drafting complete set of written discovery requests; meet and
18 confer with opposing counsel related to discovery and pre-mediation production issues;
19 investigation into the individual owners of Defendant and other corporate holdings and
20 financial viability; review, evaluation, and analysis of thousands of pages of data and
21 documents produced by Defendant prior to mediation; post-settlement work on various
22 documents; drafting of long form settlement agreement; drafting of motion for preliminary
23 approval and class notices; and the review and editing of preliminary and final approval
24 documents.

25 **HOURLY RATE**

26 6. My billing rate is \$550 per hour, and this rate is usual and customary for class
27 action and/or PAGA practitioners with my level of expertise and experience.

7. This rate is consistent with Plaintiff and Defense attorneys who handle complex class action litigation, if not somewhat lower. For instance, the Wolters Kluwer 2020 Real Rate Report (“Real Rate Report”) states that the median rates for associates in Los Angeles is \$576.00 per hour, with the upper quartile rate at \$770.00 per hour. The Real Rate Report also notes that the median and upper quartile rates for associates with 7 or more years of experience are \$520 and \$789, respectively. Being that I have been in practice for nearly 10 years, my experience falls squarely within the confines of that range, at a rate lower than those in the Real Rate Report.

8. Importantly, the Real Rate Report data is not based on self-reported numbers, surveys, or sampling; instead, these figures are based on the actual amounts billed to clients on more than 25.8 million billing entries and 23.9 million hours billed by over 112,100 individual timekeepers from 4,620 law firms. And, specifically, the Los Angeles data is based on review of 1,311 associates and the corresponding time and rates each billed to their client.

9. My requested rate is also reasonable, consistent, and less than the rate found in the Laffey Matrix (www.laffeymatrix.com), which indicates that the benchmark rate for an attorney that graduated law school in 2013 is \$676 per hour.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 12, 2023, at Riverside, California.

By: Kristina Bui Carlson
Kristina Bui Carlson, Esq.