

1 B. James Fitzpatrick (SBN: 129056)
2 Laura L. Franklin (SBN: 282642)
3 **FITZPATRICK & SWANSTON**
4 555 S. Main Street
5 Salinas, CA 93901
6 Telephone: (831) 755-1311
7 Facsimile: (831) 755-1319

8 Larry W. Lee (SBN 228175)
9 Max W. Gavron (SBN 291697)
10 **DIVERSITY LAW GROUP, P.C.**
11 515 S. Figueroa Street, Suite 1250
12 Los Angeles, California 90071
13 Telephone: (213) 488-6555
14 Facsimile (213) 488-6554
15 lwlee@diversitylaw.com
16 mgavron@diversitylaw.com

17 Attorneys for Plaintiff,
18 JUAN RAMON TORRES REYES on behalf of himself
19 and all similarly aggrieved employees

20 **SUPERIOR COURT OF CALIFORNIA**

21 **COUNTY OF MONTEREY**

22 JUAN RAMON TORRES REYES, on behalf
23 of himself and all similarly aggrieved
24 employees,

25 Plaintiff,

26 v.

27 MB LABOR CONTRACTING, INC.;
28 D'ARRIGO BROS. CO., OF CALIFORNIA;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 22CV000682

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

Date: December 13, 2024

Time: 8:30 A.M.

Dept.: 14

Complaint Filed: March 11, 2022

Trial Date: None Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3
4
5
6

7
8

9
10
11
12

13
14
15

16
17
18
19
20
21

22
23
24

25

26

27
28

1 incurred to date.

2 9. I also anticipate spending an additional 5 hours conferring and reviewing e-mails
3 and other written communications with counsel for Defendants, the Settlement Administrator,
4 and Class Members regarding post final approval matters, including payments and related
5 issues.

6 10. Since at least 2020, I have been approved at an hourly rate of \$750.00 per hour
7 by various Courts. Examples of these Courts include the following cases: *Hernandez v. Wells*
8 *Fargo Bank*, Santa Clara County Superior Court Case No. 16CV299319, *Carrillo v. New*
9 *Balance Athletics, Inc.*, Santa Clara County Superior Court Case No. 19CV352469; *Ramirez v.*
10 *Walgreen Co.*, United States District Court, Northern District of California Case No. 18-cv-
11 03921-EJD, *Chavez v. Converse, Inc.*, United States District Court, Northern District of
12 California Case No. 15-cv-03746-NC; *Foster v. Schindler Elevator Corporation*, Alameda
13 County Superior Court Case No. RG19029640; *Foaad Hanna v. Equinix, LLC*, Santa Clara
14 County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles
15 County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community*
16 *Hospital*, Santa Cruz County Superior Court Case No. 18CV00191; *Pittman v. Martinez Steel*
17 *Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132; *Michael*
18 *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
19 RG18908139; *Markham v. Quik Stop Markets, Inc.*, Santa Clara County Superior Court Case
20 No.19CV341582; *Siron v. Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-
21 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino County Superior
22 Court Case No. CIVDS1828867, and *Prexxie Pascual and Arturo Fonseca v. Satellite*
23 *Healthcare, Inc.*, Santa Clara County Superior Court Case No. 19CV345211.

24 11. I was approved at an hourly rate of \$800.00 per hour in *Martinez and Acosta v.*
25 *City of Hope National Medical Center, et al.*, San Bernardino County Superior Court Case No.
26 CIVDS2015729, *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court Case No.
27 37-2021-00008619-CU-OE-CTL, *Murray v. Granite Wellness Centers et al.*, Nevada County
28 Superior Court Case No. CU20-084680, and *Smith, et al. v. Clean Harbors Environmental*

1 *Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526.

2 12. Although I believe \$800.00 per hour is a reasonable rate for my services, as it
3 has been approved throughout California, in this motion, I request a reduced hourly rate of
4 \$595.00, which considers the jurisdiction where this Action was litigated. Accordingly, the
5 total lodestar for my hours will be approximately \$17,017.00 based on an hourly rate of
6 \$595.00 per hour [(23.6 hours + 5 anticipated hours) x \$595.00].

7 13. I am one of the primary attorneys on this matter. My qualifications are as
8 follows: I received my J.D. from Arizona State University College of Law in 2003. During law
9 school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated
10 cum laude from Arizona State University College of Law in the top 10% of my class. While I
11 was in law school, I was the Associate Managing Editor of the Arizona State University
12 College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los
13 Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national
14 employment defense law firm that represents a significant number of Fortune 500 companies.

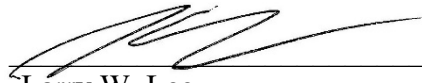
15 14. My firm's primary focus is employment law. I have handled a number of wage
16 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
17 encompasses cases in the Los Angeles Superior Courts, the Orange County Superior Courts,
18 the San Francisco County Superior Courts, the San Diego County Superior Courts, and the
19 United States District Courts for the Central, Eastern, Northern, and Southern Districts of
20 California.

21 15. I have been named as class counsel in a number of class actions that have been
22 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
23 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
24 County, Santa Clara County, Sonoma County, and the United States District Court for the
25 Central, Eastern, and Northern Districts of California, including but not limited to the
26 following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court
27 Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior
28 Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-

1 0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
2 Judicial Council Coordination Proceeding No. 4480; *Tse v. Best Buy*, Los Angeles Superior
3 Court Case No. BC392717; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination
4 Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-
5 00182; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey County Superior
6 Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court
7 Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*,
8 Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*,
9 Yolo County Superior Court Case No. CV-18-558.

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

12 Executed on this 19th day of November 2024, at Los Angeles, California.

13 
14 _____
Larry W. Lee

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

Torres Reyes v. MB Labor Contracting, Inc.
Larry W. Lee Time and Task Chart

Hours	Description of Work
2.4	Confer with client and co-counsel re theories of liability; legal research and strategy re same; analyze and review client documents to prepare for same.
1.4	Further revise and review Plaintiff's responses to written discovery; review Defendants' responses to discovery.
1.7	Further draft and revise data requests to participate in mediation; confer with co-counsel re same.
2.9	Analyze and review policies and sampling of time and pay data produced in advance of mediation; confer with co-counsel re same; further draft and revise mediation brief considering same.
8.4	Prepare for and participate in mediation.
3.4	Further draft and revise MOU, settlement agreement, and supporting documents.
2.3	Further draft and revise motion for preliminary approval and documents in support of same.
1.1	Further draft and revise motion for final approval and documents in support of same.
23.6	TOTAL HOURS