

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Fletcher W. Schmidt (SBN 286462)
fschmidt@haineslawgroup.com
Matthew K. Moen (SBN 305956)
mmoen@haineslawgroup.com
Susan J. Perez (SBN 329044)
sperez@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiffs

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

Coordination Proceeding Special Title (Rule
3.550)

TARGET WAGE AND HOUR CASES

Included Actions:

Medina et al. v. Target Corporation
San Bernardino Superior Court, Case No.
CIVSB2209126

Torres v. Target Corporation
Sacramento Superior Court, Case No. 34-
2022-00319715.

Judicial Council Coordination Proceeding Case
No.: JCCP 5259

Assigned for All Purposes To:
Hon. Wilfred J. Schneider, Jr
Dept.: S-32

**DECLARATION OF PAUL K. HAINES IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS, SERVICE
AWARDS AND ADMINISTRATION
COSTS**

Date: December 5, 2024
Time: 8:30 a.m.
Dept.: S-32

Action Filed: February 23, 2022
Trial Date: None Set

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I, PAUL K. HAINES, declare as follows:

1. I am a shareholder and principal of the law firm Haines Law Group, APC, and co-counsel for the named Plaintiffs Gustavo Medina, Janira Perez, Sergio Garcia, Alicia Torres, Zachary Lomely, Angel Carter, Denise Cardenas, Brian Mena, Jimmy Perez, Emily Porcho, Sheemal Narayan, Juan Morales, Joaldi Gonzalez, and Martha Franco (together “Plaintiffs”) in the above-captioned matter. I am a member in good standing of the bar of the State of California and am admitted to practice in this Court. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I am a 2006 graduate of Pepperdine University School of Law, where I graduated *cum laude*. During law school, I worked as a law clerk for the appellate firm of Horvitz & Levy, located in Encino, California. I also spent a semester in law school working as an extern for the Honorable Edward Rafeedie, District Judge for the United States District Court for the Central District of California.

3. Since graduating from law school, my practice focused almost exclusively on employment litigation. In September 2007, I began working as an associate attorney at the international law firm of Littler Mendelson P.C., at its Los Angeles office, which according to its website is the “largest U.S.-based law firm exclusively devoted to representing management in every aspect of labor and employment law.” While at Littler Mendelson, I was primarily staffed on wage and hour class actions in both state and federal courts, and I also worked on a number of single and multi-plaintiff wage and hour matters as well.

4. During my employment at Littler Mendelson, I played a significant role in the class actions that I was staffed on, as I was often the only associate staffed on such cases. In particular, I received a wide array of wage and hour class action experience performing the following types of tasks: drafting demurrers and motions to strike and/or dismiss; removing actions from state court to federal court; drafting and responding to written discovery; drafting and opposing discovery related motions; arguing discovery related motions; drafting motions to consolidate related matters; interviewing putative class members and obtaining declarations in

1 connection with class certification; drafting oppositions to motions for class certification; drafting
2 motions for decertification following class certification; conducting exposure analyses to assess
3 the strengths and weaknesses of asserted claims, the likelihood of prevailing at class certification,
4 and potential damages resulting from such claims; drafting mediation briefs; serving as the
5 primary contact to in-house counsel; deposing named plaintiffs and putative class members;
6 deposing retained expert witnesses; and defending the depositions of corporate witnesses. In
7 short, I played an integral role in all aspects of litigation from the inception of a matter through
8 and beyond class certification. I also supervised the work of several junior attorneys who were
9 staffed on the same wage and hour class actions.

10 5. In June 2011, I voluntarily resigned from Littler Mendelson in order to accept an
11 associate attorney position with the international law firm of Morgan, Lewis & Bockius LLP, at
12 its Los Angeles office, where I began working in July 2011. During my employment at Morgan,
13 Lewis & Bockius, I worked exclusively on the defense of wage and hour class and collective
14 actions. For the majority of cases that I worked on, I was the only associate staffed on the case,
15 and I performed the same job duties as described in the immediately preceding paragraph. In
16 addition to working on wage and hour class actions, at Morgan, Lewis & Bockius I also worked
17 on a number of “hybrid” actions asserting nationwide wage and hour claims under the Fair Labor
18 Standards Act, as well as California-specific claims under Rule 23 of the Rules of Civil Procedure.

19 6. In July 2012, I transitioned into litigating wage and hour class actions from the
20 Plaintiff’s side, first as a Partner with the law firm of Boren, Osher & Luftman, LLP, and since
21 February 2016 as a Shareholder of Haines Law Group, APC. Currently, over ninety percent (90%)
22 of my practice is dedicated exclusively to the prosecution of wage and hour class actions, and my
23 law firm is currently responsible for prosecuting over seventy-five (75) wage and hour class
24 actions filed in both State and Federal courts throughout California.

25 7. I have also moved to certify and have received an order certifying a class action
26 and/or conditionally certifying a collective action in the following cases:

- 27 • *Medeiros v. Vortex Financial Management Inc.*, Case No. 30-2013-00644741-CU-OE-
28 CXC, California Superior Court, County of Orange, Honorable Judge Gail A. Andler,

1 presiding (certifying a class of employees who were misclassified as independent
2 contractors);

- 3 • *Javine v. San Luis Ambulance Service, Inc.*, Case No. CV13-07480 BRO (SSx), United
4 States District Court, Central District of California, Honorable Judge Beverly Reid
5 O’Connell, presiding (conditionally certifying an unpaid FLSA overtime wage class);
- 6 • *Prado v. Warehouse Demo Services, Inc.*, Case No. CV14-3170 JFW (Ex), United States
7 District Court, Central District of California, Honorable Judge John F. Walter, presiding
8 (certifying a rest period violation class and conditionally certifying a FLSA unpaid
9 overtime wage class);
- 10 • *Bower v. Cycle Gear, Inc.*, Case No. CV14-2712 HSG, United States District Court,
11 Northern District of California, Honorable Judge Haywood S. Gilliam, Jr., presiding
12 (conditionally certifying an unpaid FLSA overtime wage class);
- 13 • *Vega v. Weatherford U.S., Limited Partnership*, Case No. CV14-1790-JLT, United States
14 District Court, Eastern District of California, Honorable Jennifer L. Thurston, presiding
15 (conditionally certifying an unpaid FLSA overtime wage class);
- 16 • *Galvan v. AMVAC Chemical Corporation*, Case No. 30-2014-00716103-CU-OE-CXC,
17 California Superior Court, County of Orange, Honorable Judge William Claster, presiding
18 (certifying unpaid overtime wage class and waiting time penalty class);
- 19 • *Camacho v. Residential Fire Systems, Inc.*, Case No. 30-2015-775372-CU-OE-CXC,
20 California Superior Court, County of Orange, Honorable Glenda Sanders, presiding
21 (certifying piece rate pay plan classes, expense reimbursement class, wage statement
22 class, and waiting time penalties class);
- 23 • *Ontiveros v. Safelite Fulfillment, Inc., et al*, Case No. CV 15-7118-DMG (RAOx), United
24 States District Court, Central District of California, Honorable Dolly M. Gee presiding
25 (certifying six classes of employees for rest period violations, wage statement violations,
26 meal period violations, and overtime and double-time violations);
- 27 • *Vasquez v. Kraft Heinz Foods Company*, Case No. 16-cv-2749-WQH-BLM, United States
28 District Court, Southern District of California, Honorable William Q. Hayes presiding

(certifying classes for automatic meal period deductions, manual time deductions, late meal periods, and derivative wage statement and waiting time penalties);

- *Caudle, et al. v. Sprint/United Management Company, et al.* Case No. C 17-06874-WHA, United States District Court, Northern District of California, Honorable William H. Alsup presiding (certifying three classes of employees for unlawful wage deduction violations, wage statement violations, and waiting time violations);
- *Barbara J. Bowlin-Burdick v. Life Care Centers of America, Inc.*, Case No. BC657139, Los Angeles County Superior Court, Honorable Maren E. Nelson, presiding (certifying classes for late meal period violations, on-remises rest period violations, wage statement violations, and waiting time violations);
- *Staublein v. Wells Fargo Bank, National Association*, Case No. CIVDS1712267, San Bernardino County Superior Court, Honorable David Cohn, presiding (certifying a wage statement class);
- *Danica N. Keich, et al. v. U.S. Healthworks, Inc., et al.*, Case No. 37-2017-00015343-CU-OE-CTL, San Diego County Superior Court, Honorable Eddie C. Sturgeon, presiding (certifying classes for rest period violations, meal period violations, on-call pay violations, wage statement violations, and waiting time violations);
- *George Gomez v. The Bedrock Company*, Case No. CIVDS1824255, San Bernardino County Superior Court, Honorable David Cohn, presiding (certifying claims for unpaid overtime and minimum wage violations, meal period violations, rest period violations, wage statement violations, and waiting time penalties); and
- *Aurora Gatica v. Valley Ag, Inc. et al.*, Case No. 19CECG03018, Fresno County Superior Court, Honorable Tyler D. Tharpe, presiding (certifying claims for meal period violations, unpaid rest period violations, wage statement violations, and waiting time penalties).

8. I have been appointed as Class Counsel in hundreds of wage and hour class action settlements in state and federal courts within California, and my law firm has recovered in excess of \$500 million dollars on behalf of our clients.

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1 9. In every year from 2015 through 2017, Thomson Reuters recognized me as a Top
2 Young Attorney in Southern California in the annual Rising Stars Edition of Super Lawyer. This
3 is an honor awarded to no more than two-and-a-half percent of attorneys under the age of forty in
4 Southern California each year. In every year from 2018 through 2024, Thomson Reuters
5 recognized me as a “Super Lawyer” in the annual Super Lawyer magazine, an honor awarded to
6 no more than five percent of all attorneys in Southern California each year.

7 10. In approximately 2018, I was selected to be a member of the Los Angeles Superior
8 Court, Complex Civil Department Ad Hoc Wage and Hour Committee, which was chaired by the
9 Honorable Judge Amy D. Hogue and Honorable Judge David S. Cunningham. The committee
10 was comprised of 8 plaintiff’s attorneys and 8 defense attorneys, and was consulted for
11 recommendations regarding wage and hour class action cases, including preparing model class
12 action and PAGA action settlement agreements which are now publicly available at
13 <http://www.lacourt.org/forms/all>.

14 11. In April 2019, I served as trial counsel for the Plaintiff in the matter of *Calhoun v.*
15 *Aqua Tech Water Management Inc.*, Case No. BS169815, Los Angeles County Superior Court,
16 Honorable Theresa M. Traber presiding, which was an individual wage-and-hour case that
17 resulted in a six-figure verdict in favor of Plaintiff. I was subsequently awarded attorney’s fees at
18 my requested rate of \$650 per hour in 2020.

19 12. In March 2023, my firm served as trial counsel for the plaintiff and the aggrieved
20 employees in the matter of *Abraham Taduran v. James R. Glidewell, Dental Ceramics, Inc. dba*
21 *Glidewell Laboratories*, Case No. 30-2017-00934037-CU-OE-CXC, Orange County Superior
22 Court, Honorable William Claster presiding, which was a case brought under the Private
23 Attorneys General Act, Labor Code §§ 2698 *et seq.*, and resulted in a six-figure verdict in favor
24 of the aggrieved employees.

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1 13. I have recently been awarded attorney's fees following a lodestar cross-check
2 based on a rate of \$850 per hour in the following cases:

- 3 • *Arcos v. Panoramic Doors, LLC*, Case No. 37-2021-00048823-CU-OE-CTL, San
4 Diego County Superior Court, Honorable Loren G. Freestone, presiding (using
5 an hourly rate of \$850 for work performed in 2021-2023);
- 6 • *Ramirez v. Wyndham Vacation Ownership, Inc.*, Case No. 20CV01715, Santa
7 Barbara County Superior Court, Honorable James F. Rigali, presiding (using an
8 hourly rate of \$850 for work performed from 2020-2024);
- 9 • *Aaron Hallum, et al. v. FCA US, LLC*, Case No. CIVDS1936782, San Bernardino
10 County Superior Court, Honorable Joseph T. Ortiz, presiding (using an hourly
11 rate of \$850 for work performed in 2021-2024); and
- 12 • *Kevin Murphy, et al. v. Fusion Learning, Inc.*, Case No. 2:21-cv-06732-JAK
13 (ASx), United States District Court, Central District of California, Honorable
14 John A. Kronstadt, presiding (approving and finding reasonable an hourly rate of
15 \$850 for work performed in 2022-2024).

16 14. Fletcher W. Schmidt, a Partner at my firm, is a 2012 graduate of Loyola Law
17 School, Los Angeles, where he graduated *cum laude* and was awarded membership in the Order
18 of the Coif. Since August 2013, Mr. Schmidt's practice has been solely devoted to litigating
19 plaintiff-side wage and hour class actions in California state and federal court, and he is currently
20 responsible for managing a caseload of over seventy-five (75) active wage and hour class actions
21 in which he is integrally involved in all aspects of the litigation. In each year from 2018 through
22 2024, Thomson Reuters and Los Angeles Magazine recognized Mr. Schmidt as a Top Young
23 Attorney in Southern California in the annual Rising Star Edition of Super Lawyers. Mr. Schmidt
24 has moved to certify and received an order certifying a class action and/or conditionally certifying
25 a collective action as Class Counsel in twelve (12) cases, most recently in *Aurora Gatica v. Valley*
26 *Ag, Inc. et al.*, Case No. 19CECG03018, Fresno County Superior Court. Mr. Schmidt has been
27 named as Class Counsel in over fifty class action settlements that have been granted final
28 approval, including most recently in *Ramirez v. Wyndham Vacation Ownership, Inc.*, Case No.

20CV01715, Santa Barbara County Superior Court, Honorable James F. Rigali, presiding (awarding attorney's fees following a lodestar cross-check based on a rate of \$750 per hour for work performed in 2020-2024); *Aaron Hallum, et al. v. FCA US, LLC*, Case No. CIVDS1936782, San Bernardino County Superior Court, Honorable Joseph T. Ortiz, presiding (awarding attorney's fees following a lodestar cross-check based on an hourly rate of \$750 for work performed in 2021-2024); and *Kevin Murphy, et al. v. Fusion Learning, Inc.*, Case No. 2:21-cv-06732-JAK (ASx), United States District Court, Central District of California, Honorable John A. Kronstadt, presiding (approving and finding reasonable an hourly rate of \$750 for work performed in 2022-2024).

15. Matthew K. Moen, a Senior Associate at my firm, is a 2015 graduate of Loyola Law School, Los Angeles. Since January 2016, Mr. Moen's practice has been dedicated exclusively to the practice of Plaintiff-side employment law in California state and federal court, and he is currently staffed on over thirty (30) active wage and hour class actions in which he is integrally involved in all aspects of the litigation. In each year from 2020 through 2024, Thomson Reuters and Los Angeles Magazine recognized Mr. Moen as a Top Young Attorney in Southern California in the annual Rising Star Edition of Super Lawyers. Mr. Moen has moved to certify and received an order certifying a class action and/or conditionally certifying a collective action as Class Counsel in three (3) cases, most recently in *Aurora Gatica v. Valley Ag, Inc. et al.*, Case No. 19CECG03018, Fresno County Superior Court. Mr. Moen has been named as Class Counsel in over thirty class action settlements that have been granted final approval, including most recently in *Roberto Arcos, et al. v. Panoramic Doors, LLC*, Case No. 37-2021-00048823-CU-OE-CTL, San Diego County Superior Court, Honorable Loren G. Freestone, presiding (awarding attorney's fees following a lodestar cross-check based on an hourly rate of \$650 per hour for work performed in 2021-2023); *Aaron Hallum, et al. v. FCA US, LLC*, Case No. CIVDS1936782, San Bernardino County Superior Court, Honorable Joseph T. Ortiz, presiding (awarding attorney's fees following a lodestar cross-check based on an hourly rate of \$650 for work performed in 2021-2024); and *Kevin Murphy, et al. v. Fusion Learning, Inc.*, Case No. 2:21-cv-06732-JAK (ASx), United States District Court, Central District of California, Honorable John A. Kronstadt,

1 presiding (approving and finding reasonable an hourly rate of \$650 for work performed in 2022-
2 2024).

3 16. In approximately December 2022, Plaintiff Joaldi Gonzalez retained my firm to
4 represent him in claims against Defendant Target Corporation (“Defendant”). On January 5,
5 2023, my office assisted Plaintiff Gonzalez in filing a class action lawsuit against Defendant in
6 Kern County Superior Court, entitled *Joaldi Gonzalez v. Target Corporation*, Case No. BCV-23-
7 100057. Shortly thereafter, my office was informed of the instant litigation initiated against
8 Defendant by Plaintiff Gustavo Medina.

9 17. As counsel for Plaintiffs, I have been intimately involved in every aspect of this
10 case since my office was first retained by Plaintiff Gonzalez through the present. Based on my
11 extensive knowledge of the facts and the law in this case, I believe that the proposed settlement
12 is a fair, reasonable and adequate result for, and in the best interest of, the Class.

13 18. My firm reviews our attorney billing rates on an annual basis and makes
14 adjustments to remain current with the prevailing rates charged by comparable class action
15 attorneys practicing in Southern California. As part of this process, I regularly consult with other
16 plaintiff-side and defense-side class action attorneys in Southern California regarding their
17 current rates. Based on my experience and the experience of Fletcher W. Schmidt and Matthew
18 K. Moen, I believe that our 2024 billing rates of \$850, \$750, and \$650, respectively, are well in
19 line with the prevailing market rates for other attorneys of comparable experience and reputation.

20 19. Attached hereto as **Exhibit A** is a true and correct copy of a report of my firm’s
21 out-of-pocket litigation expenses to date associated with this matter. The total amount of costs
22 incurred by my firm for which reimbursement is being sought is **\$2,252.35**, which includes the
23 costs reported in Exhibit A plus an additional \$72.00 CourtCall fee that my firm will incur to
24 attend the Final Approval hearing on December 5, 2024.

25 20. My firm has a total estimated lodestar in this matter of \$177,935.00, as follows. I
26 have personally billed a total of approximately 150 hours at an hourly rate of \$850 per hour. My
27 Partner, Fletcher W. Schmidt (a 12th year attorney) has billed a total of approximately 27.0 hours
28 at an hourly rate of \$750 per hour, and Senior Associate Matthew K. Moen (a 9th year attorney)

1 has billed a total of approximately 43.1 hours at an hourly rate of \$650 per hour. My firm's
2 paralegals have collectively billed a total of approximately 12.4 hours at an hourly rate of \$175
3 per hour.

4 I declare under penalty of perjury under the laws of California and the United States that
5 the foregoing is true and correct. Executed on October 31, 2024, at El Segundo, California.

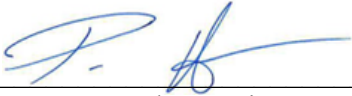
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7 _____
8 Paul K. Haines

Exhibit A

October 31, 2024

Joaldi Gonzalez

Charges :

		<u>Qty/Price</u>	<u>Amount</u>
1/5/2022	IDLC LWDA Filing fee Order #: ORD-000205766	1 75.00	75.00
12/31/2022	ALL Postage for December, 2022.	1 13.14	13.14
	ALL Copying cost for December, 2022.	21 0.25	5.25
1/12/2023	IDLC One legal's fee for filing of: Summons, complaint - Complex, Civil case cover sheet Order #: 19584924	1 1,494.06	1,494.06
1/24/2023	IDLC One legal's fee for filing of: Affidavit of prejudice peremptory challenge to judicial officer, Notice of jury fee deposit. Order #: 19687394	1 171.62	171.62
1/31/2023	ALL Postage for January, 2023.	1 6.81	6.81
	ALL Copying cost for January, 2023.	7 0.25	1.75
4/20/2023	IDLC One legal's filing fee for: Declaration of MKM in response to court's order to show cause re: CRC Rule 3.110. Order #: 20256952	1 17.04	17.04
4/27/2023	IDLC CourtCall fee for hearing on April 27, 2023.	1 72.00	72.00
4/30/2023	ALL Postage for April, 2023.	1 0.60	0.60

10/31/2024

			<u>Qty/Price</u>	<u>Amount</u>
4/30/2023	IDLC	Pacer expense for April, 2023.	1 2.20	2.20
	ALL	Copying cost for April, 2023.	5 0.25	1.25
6/9/2023	IDLC	One legal's filing fee for: Plaintiff's request for dismissal, Declaration of MKM in support of plaintiff's request, [Proposed] order granting request for dismissal, Proof of service. Order #: 20581666	1 37.78	37.78
6/30/2023	ALL	Postage for July, 2023.	1 0.84	0.84
	ALL	Copying cost for June, 2023.	9 0.25	2.25
7/13/2023	IDLC	Pacer expense for June, 2023.	1 1.20	1.20
8/31/2023	ALL	Copying cost for August, 2023.	3 0.25	0.75
9/18/2023	IDLC	FedEx for August 2023.	1 25.59	25.59
	IDLC	Pacer expense for August, 2023.	1 4.10	4.10
11/30/2023	PKH	FedEx for November 2023.	1 28.41	28.41
	ALL	Westlaw cost for November, 2023.	1 45.00	45.00
	ALL	Copying cost for November, 2023.	17 0.25	4.25
4/30/2024	ALL	Postage for April, 2024.	1 3.71	3.71
	ALL	Copying cost for April, 2024.	85 0.25	21.25
7/31/2024	IDLC	CourtCall fee for hearing on 7/11/2024.	1 72.00	72.00
	IDLC	CourtCall fee for hearing on 7/22/2024.	1 72.00	72.00

10/31/2024

	<u>Qty/Price</u>	<u>Amount</u>
7/31/2024 ALL Copying cost for July, 2024.	2 0.25	0.50
Total charges		\$2,180.35