

Larry W. Lee (State Bar No. 228175)
Max W. Gavron (State Bar No. 291697)
Mai Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
mgavron@diversitylaw.com
ktulyathan@diversitylaw.com

WILLIAM L. MARDER, ESQ. (CBN 170131)
Polaris Law Group
501 San Benito Street, Suite 200
Hollister, CA 95023
Tel: (831) 531-4214
Fax: (831) 634-0333
bill@polarislawgroup.com

Attorneys for Plaintiff Angelica Romero

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

MARIANO GAGLIARDI, individually and on
behalf of all similarly situated and aggrieved
employees,

Plaintiff,

v.

RALPH LAUREN RETAIL, INC., a Delaware
Corporation doing business in California, and
DOES 1 to 100,

Defendants.

Case No. CVRI2103581

**DECLARATION OF MAX W. GAVRON
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: November 20, 2024

Time: 8:30 a.m.

Dept.: 1

Reservation ID: Per July 12, 2024 Order

AND CONSOLIDATED ACTION.

DECLARATION OF MAX W. GAVRON

I, Max W. Gavron, 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 Angelica Romero ("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 proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The settlement was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and legal research which they had carefully analyzed. Plaintiff's counsel engaged in significant meet and confer discussions with opposing counsel to obtain informal data and documents and to discuss the merits of the claims on behalf of the Class.

4. Based on Plaintiff's counsel's independent investigations and evaluations, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Class Members, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm's length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

5. The Notice of Class and Representative Action Claims ("Class Notice") provided Class Members with Class Counsel's contact information, where they could further seek information regarding the class settlement, information as to how they can opt out or object to the settlement, what rights were affected, how to leave questions for the Settlement Administrator, and update their address.

6. There were only two objections to the settlement, which did not object to the amount of attorneys' fees or litigation costs that Class Counsel seek in this case and for which Plaintiffs ask the Court for final approval.

7. I am one of the primary attorneys on this matter. My qualifications are as follows: I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, magna

1 cum laude. I was in the top 5% of my class. During my time at Southwestern, I was a Notes and
2 Comments Editor on the Southwestern Law Review. I also received awards for achieving the
3 highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States
4 District Court for the Central District. Immediately after law school, I taught several courses at
5 Southwestern, including Principles of Legal Analysis and Legal Methods. I taught those courses for
6 approximately four years.

7 8. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately
8 September 2013, through January 2016. I was third-chair in a federal court jury trial that resulted in
9 a defense verdict in our client's favor on a \$21 million commercial breach of contract dispute. I
10 also regularly litigated cases across the civil litigation spectrum, including employment matters.

11 9. From February 2016, through Fall 2017, I practiced at the international law firm of
12 Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50
13 companies in Multi-District Litigation primarily in the product liability sphere. I also successfully
14 drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary judgment
15 decision regarding trade secret issues, in addition to working in several other practice groups.

16 10. From September 2017, through September 2018, I served as a law clerk to a Judge
17 sitting on the United States District Court, Central District of California. I regularly prepared bench
18 memoranda, on cases involving all types of civil litigation, including regularly working on wage
19 and hour class actions. *See Experian Info. Solutions v. Nationwide Marketing Servs. Inc.*, 893 F.3d
20 1176 (9th Cir. 2018).

21 11. I am currently an associate at the law firm Diversity Law Group, P.C., an
22 employment law firm that has handled numerous wage and hour class and individual actions, on
23 both plaintiff and defense sides. My current practice focuses on employment matters involving both
24 class actions, and single plaintiffs. The firm currently has cases in the Los Angeles Superior Courts,
25 the Orange County Superior Courts, the San Diego County Superior Courts, and the United States
26 District Courts for the Central, Northern, and Eastern Districts of California. I am currently
27 handling, or have handled, numerous wage and hour class action lawsuits with the firm, including,
28 but not limited to: *Agar v. Sensient Natural Ingredients, LLC* (Case No. CV-19-001906, Stanislaus

County Superior Court); *Cunningham, et al. v. Diverse Business Solutions* (Case No. CIVDS1817095, San Bernardino County Superior Court); *Heredia v. Eddie Bauer LLC* (Case No. 16CV300475, United States District Court, Northern District of California); *Parsons v. Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court); *Wood v. Reeve Trucking Co., Inc.* (Case No. STK-CV-UOE-2018-0004414, San Joaquin County Superior Court); and *Coronel v. Pinnacle Agriculture* (Case No. 18CV004287, Monterey County Superior Court), *Pevey v. Lumber City Corp.* (Case No. CIVDS2010240, San Bernardino County Superior Court), and *Weybrew v. BEI Construction, Inc.* (Case No. FCS055658, Solano County Superior Court), among many others.

12. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28, 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our clients. *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

13. I have also assisted the firm in numerous wage and hour class action mediations.

14. To date, I have incurred approximately 88 hours in connection with the litigation of this lawsuit. Attached hereto as **Exhibit A** is a chart summarizing the amount of work I have incurred to date on this matter.

15. In addition to the hours above, I also anticipate spending an additional 5 hours through the completion of this case to handle any post-final approval and settlement matters, including payments from the Settlement Administrator and any related issues.

16. Thus, I anticipate the total amount of my fees incurred in this case to be approximately \$60,450.00, based on an hourly rate of \$650.00 per hour, including 5 hours in anticipated time spent after the Court grants final approval (93 hours x \$650.00 per hour).

17. I have been approved at the hourly rate of \$650.00 in *Jaramillo v. USS-UP, LLC*, Contra Costa County Case No. C22-00641 (April 24, 2024), *Conner v Red Wing Brands of America, Inc.*, San Mateo County Case No. 22CIV03830 (August 12, 2024), and *Buford, et al. v. Estenson Logistics, LLC, et al.*, San Bernardino County Case No. CIVSB2133332 (October 23, 2024). Prior to that, I have been approved at \$600.00 per hour in *Weybrew v. BEI Construction*,

1 Solano County Superior Court Case No. FCS055658 (January 14, 2022), *In re See's Candies Wage*
2 *and Hour Cases*, Case No. JCCP5004 (March 30, 2022), Los Angeles Superior Court, *Pevey v.*
3 *Lumber City Corp*, San Bernardino County Superior Court Case No. CIVDS2010240 (May 2,
4 2022), *Ross v Stater Bros. Markets*, San Bernardino County Superior Court Case No.
5 CIVDS1902518 (September 8, 2022), and *Schneider v. Amazon Retail LLC*, Los Angeles County
6 Superior Court Case No. 21STCV26226 (December 1, 2022). Prior to that, throughout 2020 and
7 2021, I was approved at an hourly rate of at \$550.00 per hour in *James v RADC Enterprises, Inc.*,
8 San Bernardino County Superior Court, Case No. CIV-DS1933035 (September 29, 2020), *Hector*
9 *Luna v. Triple Canopy, Inc.*, Santa Clara County Superior Court, Case No. 19CV345169 (October
10 22, 2020), *Melbert Magpugay v. Harbor Electronics, Inc.*, Santa Clara County Superior Court Case
11 No. 19CV352547 (January 27, 2021), *Foster v. Schindler Elevator Corp.*, Alameda County
12 Superior Court Case no. RG19029640 (March 2, 2021), *Martin v. Streetplus Company, LLC, et al*,
13 Los Angeles Superior Court Case No. 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain*
14 *Enterprises, LLC*, Solano County Superior Court, Case No. FCS05858 (August 4, 2021).

15 18. To date, my office has incurred \$11,217.15 in costs. The costs are all litigation-
16 related costs, including filing fees, service of process costs, and mediation fees. Attached hereto as
17 **Exhibit B** is a copy of costs my firm has incurred in connection with the prosecution of this
18 lawsuit.

19 19. Counsel for Plaintiffs Mariano Gagliardi and Angelica Romero will be splitting the
20 approved fees as follows: 32.5% to Diversity Law Group; 17.5% to Polaris Law Group; and 50% to
21 Frontier Law Center, which the Plaintiffs have previously authorized in writing.

22 20. On October 28, 2024, my office submitted a copy of the Motion for Final Approval
23 to the LWDA. Attached hereto as **Exhibit C** is a true and correct copy of the submission
24 confirmation.

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

3 Executed on this 28th day of October 2024, at Los Angeles, California.

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6 Max W. Gavron

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EXHIBIT A

Angelica Romero v. Ralph Lauren Retail, Inc.
Time and Task Chart for Max W. Gavron

Hours	Description of Work
8.4	Factual investigation and review of relevant case law.
.8	Draft LWDA letter.
1.8	Draft complaint and FAC.
1.1	Confer with defense counsel re filing of FAC; draft and revise joint stipulation and proposed order re same.
3.5	Draft and revise several joint case management statements in advance of case management conferences; confer with defense counsel and co-counsel re same.
5.8	Analyze and review settlement agreement from prior action to determine impact on this case, if any; confer with defense and co-counsel counsel re same; analyze and review operative pleadings from former case.
1.7	Confer with counsel in related matter to determine litigation strategy and whether global mediation appropriate; confer with defense counsel re same.
1.4	Confer with counsel re potential mediators; conduct research re same.
2.3	Draft and revise data request to obtain information informally in advance of mediation; confer with co-counsel re same.
6.9	Analyze and review data and information produced by Defendant in advance of mediation; confer with consultant to analyze data produced; conduct legal research regarding theories of liability considering data and information produced by Defendant.
6.7	Draft and revise mediation brief; analyze and review documents to prepare same; confer with co-counsel and client re same.
9.9	Prepare for and participate in mediation; confer with mediator and co-counsel following mediation.
4.4	Draft and revise memorandum of understanding; confer with defense counsel re edits to same; conduct legal research re terms requested by defendant.
10.6	Draft and revise long form settlement agreement; confer with defense and co-counsel re same.
9.4	Review and revise Motion for Preliminary Approval and supporting documents; prepare supplemental papers required by Court; attend hearing on preliminary approval motion to address inquiries by court.
7.2	Confer with settlement administrator, defense, and co-counsel to implement terms of preliminary approval order; address inquiries from class members re settlement.
6.1	Draft and revise Motion for Final Approval and supporting documents.

88	<u>Total Hours</u>
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EXHIBIT B

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DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Romero, Angelica v. Ralph
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
70735	EXP	Mariana Becerra	1	75.00	75.00
2/14/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
LWDA					
71181	EXP	Olympia	1	0.25	0.25
2/28/2022		Photocopies			
WIP		Romero, Angelica v. Ralph			
Photocopies					
71182	EXP	Olympia	1	6.13	6.13
2/28/2022		Postage			
WIP		Romero, Angelica v. Ralph			
Postage					
70950	EXP	Erika Mejia	1	1499.31	1499.31
3/1/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Complaint					
71356	EXP	Linda Lee	1	73.10	73.10
3/7/2022		Atty Service			
WIP		Romero, Angelica v. Ralph			
Attorney Service - Complaint Service					
71320	EXP	Erika Mejia	1	5.81	5.81
4/6/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - POS of Summons					
71608	EXP	Olympia	1	5.81	5.81
4/29/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Rejected 170.6					
71609	EXP	Olympia	1	5.81	5.81
4/29/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - 170.6					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
71988	EXP	Olympia	8	0.25	2.00
4/30/2022		Photocopies			
WIP		Romero, Angelica v. Ralph			
Photocopies					
71989	EXP	Olympia	1	0.73	0.73
4/30/2022		Postage			
WIP		Romero, Angelica v. Ralph			
Postage					
71618	EXP	Erika Mejia	1	5.81	5.81
5/2/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - CMS					
71621	EXP	Olympia	1	5.81	5.81
5/2/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - NOE					
71902	EXP	Erika Mejia	1	26.41	26.41
5/10/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Joint Stip to file FAC					
72071	EXP	Olympia	1	0.73	0.73
5/31/2022		Postage			
WIP		Romero, Angelica v. Ralph			
Postage					
72070	EXP	Olympia	9	0.25	2.25
5/31/2022		Photocopies			
WIP		Romero, Angelica v. Ralph			
Photocopies					
72179	EXP	Olympia	1	5.81	5.81
6/10/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - NOE & FAC					
72884	EXP	Erika Mejia	1	13.61	13.61
9/2/2022		Class Notice			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Joint CMS					
73399	EXP	Erika Mejia	1	13.61	13.61
10/18/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Joint CMS					

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
73536	EXP	Olympia	1	3750.00	3750.00
11/9/2022		Arbitrators			
WIP		Romero, Angelica v. Ralph			
Steven G. Pearl Mediation					
73794	EXP	Olympia	1	30.36	30.36
11/9/2022		Delivery serv			
WIP		Romero, Angelica v. Ralph			
Federal Express					
73787	EXP	Olympia	1	1550.16	1550.16
12/8/2022		Experts			
WIP		Romero, Angelica v. Ralph			
Econ one					
73900	EXP	Erika Mejia	1	14.61	14.61
12/8/2022		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Joint CMS					
74280	EXP	Erika Mejia	1	14.61	14.61
1/26/2023		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - CMS					
75004	EXP	Olympia	1	3750.00	3750.00
5/1/2023		Arbitrators			
WIP		Romero, Angelica v. Ralph			
Steve Pearl Mediation #2					
75615	EXP	Olympia	1	30.38	30.38
5/1/2023		Delivery serv			
WIP		Romero, Angelica v. Ralph			
Federal Express					
75781	EXP	Erika Mejia	1	14.61	14.61
7/31/2023		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - CMS					
76630	EXP	Erika Mejia	1	35.21	35.21
11/14/2023		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - Stip for Leave to file SAC					
76866	EXP	Olympia	1	14.61	14.61
11/16/2023		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - NOE & Consolidated SAC & POS					

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Slip Listing

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
78178	EXP	Erika Mejia	1	14.61	14.61
4/29/2024		Court fees			
WIP		Romero, Angelica v. Ralph			
ACE E Filing - CMS					
79439	EXP	Max Gavron	1	250.00	250.00
10/14/2024		Court fees			
WIP		Romero, Angelica v. Ralph			
MFA Filing					
Grand Total					
			Billable	0.00	11217.15
			Unbillable	0.00	0.00
			Total	0.00	11217.15

EXHIBIT C