

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

William L. Marder (State Bar No. 170131)
Polaris Law Group
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214
(831) 634-0333 facsimile

Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

ALICIA FERRELL, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

CORESITE, L.L.C., a Delaware limited liability
company; and DOES 1 through 50, inclusive,

Defendants.

Case No. 22CV396904

(Assigned to the Honorable Sunil R. Kulkarni,
Department 1)

**DECLARATION OF MAX W. GAVRON
IN SUPPORT OF PLAINTIFF'S MOTION
TO APPROVE SETTLEMENT
AGREEMENT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT**

Date: September 21, 2023

Time: 1:30 P.M.

Dept.: 1

Complaint Filed: April 14, 2022

DECLARATION OF MAX W. GAVRON

I, Max W. Gavron, hereby declare and state as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of California and am a member of the law firm of the Diversity Law Group, P.C., one of the attorneys of record for Plaintiff Alicia Ferrell ("Plaintiff") in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon as a witness to testify thereto, I could and would competently do so.

2. From the inception of the case, Plaintiff's counsel has zealously represented the interests of the aggrieved employees (or "PAGA Group"). The settlement was obtained for the benefit of the aggrieved employees, as opposed to the individual Plaintiff.

3. I strongly believe that Plaintiff can prevail at trial. However, I also believe in the fairness of the settlement, which is based on factoring in the inherent risks in drawn-out litigation, as well as the possibility of appeals. However, after taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Settlement Agreement is appropriate and in the best interests of Plaintiff and the aggrieved employees.

4. My qualifications are as follows: I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, magna cum laude. I was in the top 5% of my class. During my time at Southwestern, I was a Notes and Comments Editor on the Southwestern Law Review. I also received awards for achieving the highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States District Court for the Central District. Immediately after law school, I taught several courses at Southwestern, including Principles of Legal Analysis and Legal Methods. I taught those courses for approximately four years.

5. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately September 2013, through January 2016. I was third-chair in a federal court jury trial that

1 resulted in a defense verdict in our client's favor on a \$21 million commercial breach of
2 contract dispute. I also regularly litigated cases across the civil litigation spectrum, including
3 employment matters.

4 6. From February 2016, through Fall 2017, I practiced at the international law firm
5 of Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune
6 50 companies in Multi-District Litigation primarily in the product liability sphere. I also
7 successfully drafted an appellate brief in the Ninth Circuit resulting in the reversal of a
8 summary judgment decision regarding trade secret issues, in addition to working in several
9 other practice groups. *See Experian Info. Solutions v. Nationwide Marketing Servs. Inc.*, 893
10 F.3d 1176 (9th Cir. 2018).

11 7. From September 2017, through September 2018, I served as a law clerk to a
12 Judge sitting on the United States District Court, Central District of California. I regularly
13 prepared bench memoranda, on cases involving all types of civil litigation, including regularly
14 working on wage and hour class actions.

15 8. I am currently an attorney at the law firm Diversity Law Group, P.C., an
16 employment law firm that has handled numerous wage and hour class and individual actions,
17 on both plaintiff and defense sides. My current practice focuses on employment matters
18 involving both class actions, and single plaintiffs. The firm currently has cases in the Los
19 Angeles Superior Courts, the Orange County Superior Courts, the San Diego County Superior
20 Courts, and the United States District Courts for the Central, Northern, and Eastern Districts of
21 California. I am currently handling, or have handled, numerous wage and hour class action
22 lawsuits with the firm, including, but not limited to: *Agar v. Sensient Natural Ingredients, LLC*
23 (Case No. CV-19-001906, Stanislaus County Superior Court); *Heredia v. Eddie Bauer LLC*
24 (Case No. 16CV300475, United States District Court, Northern District of California); *Parsons*
25 *v. Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court);
26 *Wood v. Reeve Trucking Co., Inc.* (Case No. STK-CV-UOE-2018-0004414, San Joaquin
27 County Superior Court); *Coronel v. Pinnacle Agriculture* (Case No. 18CV004287, Monterey
28 County Superior Court), and *Tice v. Trader Joe's Company* (Case No. 20CV00892, Santa

Barbara County Superior Court), among others.

9. I have been certified as class counsel in a number of cases, including *Smith v. Gold Country Health Center, Inc.* (Case No. PC20180491, El Dorado County Superior Court) and *Pantoja v. RAMCO Enterprises, L.P.* (Case No. M126835, Monterey County Superior Court). I have also assisted in numerous wage and hour class action mediations.

10. 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). The related case decision was *Chavez v. Converse, Inc.*, 772 Fed. Appx. 571 (June 28, 2019).

11. To date, I have incurred approximately 36.2 hours in connection with the litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date in connection with this lawsuit.

12. The total lodestar for my hours will be approximately \$21,720.00 based on an hourly rate of \$600.00 per hour at 36.2 hours. I have been approved at \$600.00 per hour in *Weybrew v. BEI Construction*, Solano County Superior Court Case No. FCS055658 (January 14, 2022), *In re See's Candies Wage and Hour Cases*, Case No. JCCP5004 (March 30, 2022), *Pevey v. Lumber City Corp*, San Bernardino County Superior Court Case No. CIVDS2010240 (May 2, 2022), *Anguiano v. Mann Packing Co., Inc.*, Monterey County Superior Court Case No. 19CV001178, and *Schneider v. Amazon Retail LLC*, Los Angeles County Superior Court Case No. 21STCV26226 (December 1, 2022), among others. Prior to that throughout 2020 and 2021, I was approved at an hourly rate of at \$550.00 per hour in *James v RADC Enterprises, Inc.*, San Bernardino County Superior Court, Case No. CIV-DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy, Inc.*, Santa Clara County Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert Magpugay v. Harbor Electronics, Inc.*, Santa Clara County Superior Court Case No. 19CV352547 (January 27, 2021), *Foster v. Schindler Elevator Corp.*, Alameda County Superior Court Case no. RG19029640 (March 2, 2021), *Martin v. Streetplus Company, LLC, et al*, Los Angeles Superior Court Case No. 19STCV15522 (July 13, 2021),

1 *Morris v. Blue Mountain Enterprises, LLC*, Solano County Superior Court, Case No.
2 FCS05858 (August 4, 2021).

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

5 Executed on this 28th day of August 2023, at Los Angeles, California.

6
7 
8 Max W. Gavron

EXHIBIT A

Alicia Ferrell v. CoreSite, L.L.C.
Time and Task Chart for Max W. Gavron

Hours	Description of Work
3.6	Confer with client re claims; analyze and review client documents to evaluate theories of liability; confer with counsel re same.
2.3	Confer with defense counsel re prospect of mediation; conference with client and co-counsel re same.
6.8	Draft and revise request for data in advance of mediation; review file and case law to determine information necessary to obtain to conduct exposure analysis; meet and confer with defense counsel re same; investigation and research re potential mediators.
7.3	Analyze and review data produced by Defendant in advance of mediation; conduct damages analysis; draft and revise mediation brief; conduct legal research re same; confer with client and co-counsel in advance of mediation.
9.6	Prepare for and attend mediation.
3.1	Post-mediation conferences with client, defense counsel, and mediator; further negotiations; draft and revise memorandum of understanding; confer with client re same.
2.4	Review and revise settlement agreement and supporting documents.
1.1	Review and revise Motion for Approval and supporting documents thereto.
36.2	TOTAL HOURS