

Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Christine S. Lee (State Bar No. 339947)
christine@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

Attorneys for Plaintiff, the Class, and the Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

LATOYIA KIMII BROWN, as an
individual and on behalf of all others
similarly situated,

Plaintiff,

vs.

HP HOOD LLC, a Delaware limited
liability company; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 34-2022-00315068

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

Date: January 3, 2025

Time: 9:00 a.m.

Dept.: 22

Action Filed: February 4, 2022

Trial Date: None Set

DECLARATION OF LARRY W. LEE

I, Larry W. Lee, 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 Latoyia Kimii Brown (“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 Class Notice provided Class Members with my office’s contact information, where they could further seek information regarding the class settlement, leave questions for the Settlement Administrator, and update their address.

3. There were no objections to the amount of attorney’s fees or litigation costs that Class Counsel seek in this case and for which Plaintiff asks the Court for final approval.

4. The Settlement Agreement 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. Class Counsel engaged in extensive factual investigation before settling, including reviewing class data and Defendant’s pertinent policies and practices relevant to valuing this case. This allowed Plaintiff to conduct a full damage analysis.

5. The settlement in the case at bar warrants approval and carries a presumption of fairness. As previously noted in the application for Preliminary Approval, this current settlement was negotiated at arm’s length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class Members as a whole.

6. I have been approved as class counsel in numerous other wage/hour class actions that have been granted class certification and final approval.

7. I am one of the primary attorneys on this matter. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices

1 of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that
2 represents a significant number of Fortune 500 companies.

3 8. My firm's primary focus is employment law. I have handled a number of wage
4 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
5 encompasses cases throughout the State of California, including but not limited to the Los
6 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County
7 Superior Courts, the San Diego County Superior Courts, and the United States District Courts for
8 the Central, Eastern, Northern, and Southern Districts of California.

9 9. I have been named as class counsel in a number of class actions that have been
10 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
11 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
12 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
13 District Court for the Central, Eastern, and Northern Districts of California, including but not
14 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
15 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
16 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
17 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
18 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial
19 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior
20 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
21 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
22 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
23 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
24 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

25 10. To date, I have incurred approximately 115.8 hours in connection with the
26 litigation of this lawsuit. This includes time spent drafting the various pleadings, legal research,
27 analyzing the policies and payroll information, and engaging in settlement activities. Attached
28 hereto as **Exhibit A** is a summary of the hours I have incurred to date.

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

4 12. Thus, I anticipate the total amount of my fees incurred in this case to be
5 approximately \$108,720.00 based on an hourly rate of \$900.00 per hour [$\$900.00 \times (115.8 \text{ hours}$
6 $+ 5 \text{ additional hours})$]. I was approved at an hourly rate of \$800.00 per hour in *Martinez and*
7 *Acosta v. City of Hope National Medical Center, et al.*, San Bernardino County Superior Court
8 Case No. CIVDS2015729; *Jaime Moen v. Genentech, Inc.*, San Diego County Superior Court
9 Case No. 37-2021-00008619-CU-OE-CTL; *Murray v. Granite Wellness Centers et al.*, Nevada
10 County Superior Court Case No. CU20-084680; *Smith, et al. v. Clean Harbors Environmental*
11 *Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526; *Correa et al. v.*
12 *FedEx Supply Chain, Inc.*, San Bernardino County Superior Court Case No. CIVDS2023369;
13 *Meguro v. Silicon Valley Bank*, Santa Clara County Superior Court Case No. 20CV369854; and
14 *Linaki v. Genji Pacific, LLC*, Alameda County Superior Court Case No. RG20074795.

15 Additionally, I have been approved at an hourly rate of \$850.00 by various courts in a number of
16 matters, including most recently in *Audycki v. Stanford Health Care*, Santa Clara Superior Court
17 Case No. 19CV347173; *Palomino v. Northrop Grumman Systems Corporation*, Santa Clara
18 Superior Court Case No. 19CV345534; *Lakey v. Poshmark, Inc.*, Santa Clara Superior Court,
19 Case No. 22CV395084; and *Medina v. United Airlines, Inc.*, Los Angeles Superior Court, Case
20 No. BC624742. As of January 1, 2024, my hourly rate for class and representative actions
21 increased to \$900.00 per hour, which is typical of attorneys in the community that have been
22 practicing for over 20 years. Indeed, I have personal knowledge, many of my colleagues and
23 opposing counsel are currently billing at rates much higher than \$900.00 per hour. Further, I
24 have been approved at an hourly rate of \$900.00 in *Jordan v. Mondelez Global LLC*, San
25 Bernardino County Case No. CIVSB2202758; *Bolding v. Cardinal Financial Company*, San
26 Bernardino County Case No. CIVSB2206543.

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

Executed on this 10th day of December 2024, at Los Angeles, California.



Larry W. Lee

EXHIBIT A

Brown v. HP Hood LLC
Larry W. Lee Time and Task Chart

Hours	Description of Work
3.2	Initial research and review of background facts in preparation for filing of class action claims; draft PAGA letter; confer with co-counsel re theories of liability and conduct research re same; analysis and research re defendant
2.1	Review and revise complaint.
1.3	Review Defendant's Answer
3.8	Review drafts of initial discovery requests, including Requests for Production and Special Interrogatories.
1.4	Analyze and review notice of case management conference; meet and confer with defense counsel re same.
6.4	Meet and confer with opposing counsel regarding Joint Stipulation and Proposed Order to Amend Complaint adding PAGA claims to class complaint; confer with co-counsel regarding same.
1.2	Review and revise Joint Stipulation and Proposed Order to Amend Complaint adding PAGA claims to class complaint
2.1	Review notice of case management conference and order to amend complaint
3.7	Review and revise First Amended Complaint;
1.2	Review Defendant's Answer to Plaintiff's First Amended Complaint.
4.6	Review Defendant's confidential settlement communication and review Defendant's policy and practices, data, and sample wage statements; confer with co-counsel regarding same.
1.2	Meet and confer with opposing counsel regarding Joint Stipulation and Proposed Order to Continue Case Management Conference.
2.4	Further discussions with opposing counsel and co-counsel regarding informal discovery exchange and data related to direct negotiations.
2.1	Review and revise Joint Stipulation and Proposed Order to Continue Case Management Conference.
1.3	Meet and confer with opposing counsel regarding Joint Case Management Conference Statement; review and revise the same.
0.3	Review tentative ruling.
2.8	Further discussions with opposing counsel and co-counsel regarding informal discovery exchange and data related to direct negotiations.
2.2	Meet and confer with opposing counsel regarding Joint Case Management Conference Statement; review and revise the same.

Hours	Description of Work
0.3	Review tentative ruling.
1.4	Confer with defense counsel re possible mediation; exchange correspondence re proposed mediators
1.5	Review and revise joint case management conference.
0.3	Review tentative ruling.
2.5	Analysis, strategy, and research re information required from defendant to participate in mediation; review and revise data requests for defense counsel in advance of mediation; confer with co-counsel re the same
3.4	Analyze and review policies and procedures, employee handbook, covid policy, etc., and sampling of time and pay records, provided by defense counsel informally to further evaluate liability in advance of mediation
3.6	Conduct legal research re claims in light of data provided by defendant in advance of mediation and prepare analysis of liability and damages exposure model re the same; confer with co-counsel re same
5.7	Draft and revise mediation brief; conduct legal research for same; review of case law; further analyze and review data provided by defendant to calculate damages exposure in advance of mediation; confer with co-counsel.
8.2	Prepare for and attend mediation with Brandon McKelvey.
3.4	Continued negotiations and discussions with mediator and defense counsel after mediation to address anticipated terms of settlement, including revisions to memorandum of understanding
6.9	Review and revise settlement agreement and related documents (i.e., settlement agreement, class notice); conversations with opposing counsel re same; confer with co-counsel re terms of settlement agreement and make revisions in light of same
8.2	Review and revise Motion for Preliminary Approval and Declarations thereto; confer with co-counsel and opposing counsel re same
2.7	Review minute order and confer with opposing counsel regarding same.
5.6	Review and revise Supplemental Brief, declarations thereto, and amendment to settlement agreement in response to Court's minute order.
4.8	Meet and confer with opposing counsel regarding Joint Stipulation and Proposed Order to Continue the Supplemental brief Deadline; further meet and confer with opposing counsel regarding settlement agreement amendment.
2.5	Further revisions to settlement agreement amendment, supplemental brief, and supporting declarations.

Hours	Description of Work
1.2	Analyze and review Court's preliminary approval order; confer with defense counsel
2.4	Correspond with settlement administrator regarding distribution of class notice; analyze and review reports from class administrator re opt-outs received; correspond and confer with class members and respond to inquiries re settlement
7.9	Draft and revise motion for final approval and supporting documents; confer with co-counsel re the same; conduct legal research re same
115.8	TOTAL HOURS