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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 CHRISTINE S. 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

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I, Christine S. 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 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 Joint Stipulation of Class and PAGA Settlement and amendment thereto (“Agreement” or “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. 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. Through informal discovery and exchange of documents, it was discovered that Defendant initially paid employees 15 minutes of time to undergo COVID screening procedures after conducting a time study to assess the amount of time individuals might spend waiting for and getting through temperature check procedures. As the amount of time needed for temperature checks decreased, Defendant paid employees 5 minutes after conducting another time study and implementing a more efficient health screening system. Further, Defendant argued that it did not willfully fail to pay wages upon separation of employment and acted in good faith by retroactively paying regular rate of pay adjustments, thus precluding penalties.

1 Defendant also argued that any alleged wage statement violation was not knowing and
2 intentional, and as such, penalties would not be recoverable. I believe that a class can be
3 certified; however, I also believe in the fairness of the settlement that is based on factoring in the
4 uncertainty and risks to Plaintiff involved in not prevailing on one or more of the causes of
5 action or theories alleged in the operative Complaint, the possibility of non-certification, and
6 potential for appeals.

7 7. I am one of the attorneys on this matter. My qualifications are as follows: Prior to
8 attending law school, I had approximately 5 years of experience as a Litigation Paralegal.
9 During law school, I was a Legal Intern for the U.S. Department of Veterans Affairs, a Judicial
10 Intern for the Honorable James A. Bonifant of the Circuit Court for Montgomery County, and a
11 Summer Associate for the Law Firm of Paley Rothman. I was also a Law Clerk for the Law
12 Offices of Choi and Associates until I began my employment at Diversity Law Group, P.C. I
13 received my JD from University of Baltimore in 2021. Upon graduation from law school, I was
14 admitted to the California Bar in 2021.

15 8. I am currently an associate 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, on
17 both plaintiff and defense sides. The firm currently has cases in Alameda Superior Court, San
18 Diego Superior Court, Santa Clara Superior Court, Sacramento Superior Court, Alameda
19 Superior Court, Monterey Superior Court, San Francisco Superior Court, San Joaquin Superior
20 Court, Kern County Superior Court, San Bernardino Superior Court, and the United States
21 District Courts for the Central, Northern, and Eastern Districts of California.

22 9. I am currently handling numerous wage and hour class action and PAGA
23 lawsuits, including *Marin v. Sea World LLC* (Case Number 37-2021-00047859-CU-OE-CTL,
24 Case Number Case Number 37-2022-00001083-CU-OE-CTL); *Marin v. HB Leisure, Inc.* (Lead
25 Case Number 37-2021-00048225-CU-OE-CTL); *McFarland v. Helix Electric, Inc.* (Case
26 Number 21CV391268, Case Number 22CV394399); *Ford v. The Silver F, Inc.* (Case Number
27 34-202100313161, Case Number 34-2022-00315620); *Cook-Farrar v. The RealReal, Inc.* (Case
28 Number CGC-22-597986, Case Number CGC-22-599036); *Brown v. HP Hood LLC* (Case

Number 34-2022-00315068, Case Number 34-2022-00318020); *Levingston v. Commerce Distribution Company LLC* (Case Number 22STCV05730); *Deaver v. Blue Diamond Growers* (Case Number 34-2022-00316490, Case Number 34-2022-00319378); *Lang v. PNS Stores, Inc.* (Case Number 34-2022-00318520); *White v. Cortech West Staffing, LLC* (Case Number STK-CV-UOE-2022-0009807); *Chanley v. Growers Transplanting, Inc.* (Case Number 22CV002837); *Bolding v. Cardinal Financial Company* (Case Number CIVSB2206543); *Parra-Marquez v. PRC DeSoto International, Inc.* (Case Number BCV-22-100704); *Khoshchin v. Atria Management Company, LLC* (Case Number 2:22-cv-00916-TLN-KJN, Case Number 34-2022-00322277-CU-OE-GDS); *Galvez v. Joseph J. Albanese, Inc.* (Case Number 22CV397197); *Marsh v. Burberry* (Case Number 22CV016122); *Conner v. Red Wing Brands of America* (Case Number 22-CIV-03830). I have also assisted the firm in numerous wage and hour class action mediations. Most recently, I assisted the firm in successfully obtaining class certification by the United States District Court, Central District of California in the case of *Sims v. QG Printing II, LLC* (Case Number ED CV 20-1632-DMG (KKx)) and by the Santa Clara Superior Court in the case of *Flores v. San Jose, LLC* (Case Number 20CV371772).

10. My current billing rate is \$500.00 per hour. I was approved at an hourly rate of \$400.00 in *Bolding v. Cardinal Financial Company*, San Bernardino Superior Court, Case No. CIVSB2206543; *Marin v. HB Leisure, Inc.*, San Diego Superior Court, Case No. 37-2021-00048225-CU-OE-CTL; *Cook-Farrar v. The RealReal, Inc.*, San Francisco Superior Court, Case No. CGC-22-599036; and *Chanley v. Growers Transplanting, Inc.*, Monterey Superior Court, Case No. 22CV002837.

11. To date, I have incurred approximately 120.7 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.

12. In addition to the hours above, I also anticipate spending an additional 6.5 hours through the completion of this case to handle any post-final approval and settlement matters, including communications with the Settlement Administrator and/or any potential issues related to payments from the Settlement Administrator and any other related issues.

1 13. Thus, I anticipate the total amount of my fees incurred in this case to be
2 approximately \$63,600.00 based on 127.2 total hours, which includes 6.5 anticipated hours, at an
3 hourly rate of \$500.00 per hour.

4 14. My firm has incurred costs in the amount of \$12,091.18. The costs are all
5 litigation-related costs, including filing fees, messenger costs, mediation fees, and other costs.
6 The costs include charges incurred in litigating both the class action complaint and the
7 representative action complaint (whose claims were later incorporated into the current Action).
8 Attached hereto as **Exhibit B** is a copy of the costs my firm has incurred in connection with
9 prosecution of this lawsuit.

10 **NOTICE TO THE LWDA**

11 15. Concurrently with this the filing of this Motion, I caused the Motion to be
12 uploaded to the LWDA's website. Attached hereto as **Exhibit C** is the confirmation of
13 submission.

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

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

17 

18 Christine S. Lee

EXHIBIT A

Brown v. HP Hood LLC
Christine S. Lee Time and Task Chart

Hours	Description of Work
4.2	Initial research and review of background facts in preparation for filing of class action claims; review PAGA letter; confer with co-counsel re theories of liability and conduct research re same; analysis and research re defendant
3.1	Draft and revise complaint.
1.4	Review Defendant's Answer.
3.3	Draft initial discovery requests, including Requests for Production and Special Interrogatories.
1.6	Analyze and review notice of case management conference; meet and confer with defense counsel re same.
2.4	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.
2.6	Draft and revise Joint Stipulation and Proposed Order to Amend Complaint adding PAGA claims to class complaint
2.3	Review notice of case management conference and order to amend complaint
2.8	Draft and revise First Amended Complaint;
1.2	Review Defendant's Answer to Plaintiff's First Amended Complaint.
4.5	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 co-counsel regarding Joint Stipulation and Proposed Order to Continue Case Management Conference.
3.6	Further discussions with opposing counsel and co-counsel regarding informal discovery exchange and data related to direct negotiations.
2.5	Draft and revise Joint Stipulation and Proposed Order to Continue Case Management Conference.
3.1	Meet and confer with opposing counsel regarding Joint Case Management Conference Statement; draft and revise the same.
0.3	Review tentative ruling.
2.9	Further discussions with opposing counsel and co-counsel regarding informal discovery exchange and data related to direct negotiations.
1.4	Meet and confer with opposing counsel regarding Joint Case Management Conference Statement; Draft and revise the same.

Hours	Description of Work
0.2	Review tentative ruling.
2.2	Confer with co-counsel and opposing counsel re possible mediation; exchange correspondence re proposed mediators
1.4	Review and revise joint case management conference.
0.3	Review tentative ruling.
3.6	Analysis, strategy, and research re information required from defendant to participate in mediation; draft and revise data requests for defense counsel in advance of mediation; confer with co-counsel re the same
4.5	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
5.7	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
7.2	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.
9.3	Prepare for and attend mediation with Brandon McKelvey.
1.2	Continued negotiations and discussions with mediator and defense counsel after mediation to address anticipated terms of settlement, including revisions to memorandum of understanding
4.9	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
7.6	Review and revise Motion for Preliminary Approval and Declarations thereto; confer with co-counsel and opposing counsel re same
2.3	Review minute order and confer with opposing counsel regarding same.
6.4	Draft and revise Supplemental Brief, declarations thereto, and amendment to settlement agreement in response to Court's minute order.
2.8	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.
4.5	Further revisions to settlement agreement amendment, supplemental brief, and supporting declarations.

Hours	Description of Work
1.3	Analyze and review Court's preliminary approval order; confer with defense counsel
3.6	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
7.3	Draft and revise motion for final approval and supporting documents; confer with co-counsel re the same; conduct legal research re same
120.7	TOTAL HOURS

EXHIBIT B

12/5/2024
3:16 PM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip.Classification Open
Client (hand select) Include: Brown, Latoyia Kimii v. HP CA
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		
70819	EXP	Olympia	2	0.25	0.50
1/31/2022		Photocopies			
WIP		Brown, Latoyia Kimii v. HP C			
Photocopies					
70820	EXP	Olympia	1	6.13	6.13
1/31/2022		Postage			
WIP		Brown, Latoyia Kimii v. HP C			
Postage					
70533	EXP	Mariana Becerra	1	75.00	75.00
2/1/2022		Court fees			
WIP		Brown, Latoyia Kimii v. HP C			
LWDA					
71008	EXP	Olympia	1	1646.71	1646.71
2/4/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - Complaint					
71040	EXP	Olympia	1	74.60	74.60
2/16/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - Complaint Service					
71123	EXP	Olympia	2	0.25	0.50
2/28/2022		Photocopies			
WIP		Brown, Latoyia Kimii v. HP C			
Photocopies					
71124	EXP	Olympia	1	6.13	6.13
2/28/2022		Postage			
WIP		Brown, Latoyia Kimii v. HP C			
Postage					
71351	EXP	Olympia	1	57.21	57.21
3/3/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - POS of Summons					

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DIVERSITY LAW GROUP
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		
72380	EXP	Olympia	1	63.21	63.21
6/7/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - Notice of CMC					
72393	EXP	Erika Mejia	1	64.71	64.71
6/14/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - FAC					
72490	EXP	Olympia	1	2.69	2.69
6/30/2022		Postage			
WIP		Brown, Latoyia Kimii v. HP C			
Postage					
72489	EXP	Olympia	31	0.25	7.75
6/30/2022		Photocopies			
WIP		Brown, Latoyia Kimii v. HP C			
Photocopies					
73181	EXP	Valeria Tril	1	4.00	4.00
10/6/2022		Online researc			
WIP		Brown, Latoyia Kimii v. HP C			
Online Sac Order					
75437	EXP	Erika Mejia	1	62.74	62.74
5/10/2023		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - CMS					
75416	EXP	Olympia	1	7500.00	7500.00
6/7/2023		Arbitrators			
WIP		Brown, Latoyia Kimii v. HP C			
McKelvey Resolution Mediation					
76302	EXP	Erika Mejia	1	97.49	97.49
9/14/2023		Atty Service			
WIP		Brown, Latoyia Kimii v. HP C			
Attorney Service - CMS					
77281	EXP	Olympia	1	13.70	13.70
1/19/2024		Court fees			
WIP		Brown, Latoyia Kimii v. HP C			
ACE E Filing - Notice of Dept Relocation					
77515	EXP	Erika Mejia	1	75.50	75.50
2/9/2024		Court fees			
WIP		Brown, Latoyia Kimii v. HP C			
ACE E Filing - MPA					

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DIVERSITY LAW GROUP
Slip Listing

Page 3

Slip ID Dates and Time Posting Status Description	Timekeeper Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
78210 EXP 5/3/2024 WIP ACE E Filing - Stip to Cont Supp Briefing	Erika Mejia Court fees Brown, Latoyia Kimii v. HP C	1	34.30	34.30
78242 EXP 5/10/2024 WIP ACE E Filing - Joint CMS	Erika Mejia Court fees Brown, Latoyia Kimii v. HP C	1	13.70	13.70
78400 EXP 6/3/2024 WIP ACE E Filing - Supp Brief iso MPA	Erika Mejia Court fees Brown, Latoyia Kimii v. HP C	1	13.70	13.70
78667 EXP 7/1/2024 WIP ACE E Filing - CMS	Olympia Court fees Brown, Latoyia Kimii v. HP C	1	13.70	13.70
78849 EXP 7/19/2024 WIP ACE E Filing - NOE	Olympia Court fees Brown, Latoyia Kimii v. HP C	1	13.70	13.70
79971 EXP 12/5/2024 WIP Final Approval Costs	Christine S. Lee Court fees Brown, Latoyia Kimii v. HP C	1	250.00	250.00
Grand Total	Billable Unbillable Total	0.00 0.00 0.00		10097.67 0.00 10097.67

12/5/2024
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DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip Classification Open
Client (hand select) Include: Brown, Latoyia Kimii v. HP PAG
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		
71672	EXP	Erika Mejia	1	1672.27	1672.27
4/8/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - Complaint					
71715	EXP	Erika Mejia	1	73.10	73.10
4/27/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - Complaint Service					
72142	EXP	Valeria Tril	1	59.21	59.21
5/6/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - Notice of Order					
72146	EXP	Erika Mejia	1	57.21	57.21
5/9/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - POS					
72033	EXP	Olympia	6	0.25	1.50
5/31/2022		Photocopies			
WIP		Brown, Latoyia Kimii v. HP P			
Photocopies					
72034	EXP	Olympia	1	0.73	0.73
5/31/2022		Postage			
WIP		Brown, Latoyia Kimii v. HP P			
Postage					
72378	EXP	Olympia	1	63.21	63.21
6/7/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - Notice of CMC					
72411	EXP	Erika Mejia	1	57.71	57.71
6/27/2022		Atty Service			
WIP		Brown, Latoyia Kimii v. HP P			
Attorney Service - Request for Dismissal					

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Slip Listing

Page 2

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		
72491	EXP	Olympia	23	0.25	5.75
6/30/2022		Photocopies			
WIP		Brown, Latoyia Kimii v. HP P			
Photocopies					
72492	EXP	Olympia	1	2.82	2.82
6/30/2022		Postage			
WIP		Brown, Latoyia Kimii v. HP P			
Postage					
Grand Total					
			0.00		1993.51
			0.00		0.00
			0.00		1993.51

EXHIBIT C