

Justin Lo, Esq. (SBN: 280102)
Justin@caworklawyer.com
WORK LAWYERS PC
22939 Hawthorne Blvd., Suite 300
Torrance, CA 90505
Telephone: (310) 248-2944
Facsimile: (424) 355-8335

Attorneys for Plaintiff ESTEBAN ROMO, as representative of the State of California and the Labor and Workforce Development Agency, and on behalf of himself and other current and former employees.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
THE COUNTY OF LOS ANGELES

ESTEBAN ROMO, on behalf of himself and
all other aggrieved employees,
Plaintiff,

v.

FLOWSERVE US INC., a Delaware
Corporation doing business in California;
and DOES 1-50, Inclusive,
Defendants.

CASE NO.: 22STCV27551

**DECLARATION OF JUSTIN LO IN
SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND
APPLICATION FOR ATTORNEY'S FEES
AND COSTS**

DATE: October 17, 2024
TIME: 9:00 AM
DEPT: 17

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

I, JUSTIN LO, Declare:

1. I am an attorney at law licensed to practice before all the courts of the State of California and before this Court. I am a founder of the law firm Work Lawyers P.C., and the attorney of record for the Plaintiff.
2. I have personal knowledge of the facts stated herein and if called as a witness, I could and would competently testify to the following under oath.
3. This declaration is submitted in support of Plaintiff's Motion for Final Approval of Class Action Settlement and Application for Attorney's Fees and Costs.
4. Work Lawyers P.C. is representing Plaintiff Esteban Romo in the above-entitled action.
5. I am unaware of any conflict of interest between myself or my law firm and any member of the proposed Class which should or would preclude me from representing the Class. I also am unaware of any other cases raising any issues that overlap with the proposed class or issues raised in this matter.

15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. I have ten years of experience as a practicing attorney, I graduated from University of California Irvine in 2006, and graduated from the University of California Los Angeles School of Law in 2011. While in law school, I obtained a specialization in business law and policy.
7. I was selected as a 2019, 2020 and 2021 as a Rising Star in Employment Law by Super Lawyers.
8. I have successfully represented hundreds of employees in legal matters including PAGA lawsuits, complex litigation cases and individual wage and hour and employment related matters. Work Lawyers PC's practice is devoted entirely to the prosecution of employment-related violations of the California Labor Code on behalf of California employees.
9. Our firm focuses entirely on labor and employment matters on behalf of California employees, and we have been exclusively practicing labor and employment, wage and

1 hour class and PAGA actions since 2017. My firm is currently lead or co-lead counsel in
2 over 30 wage and hour class actions and/or representative actions brought under the
3 Private Attorneys' General Act of 2004 ("PAGA") in both federal and state court.
4 Attached as Exhibit A is a list of my representative wage and hour cases where I am lead
5 or co-counsel.

6 **Settlement Agreement and Preliminary Approval**

7 10. The Parties Preliminary approval of the settlement of this matter was granted on or about
8 May 23, 2024, by the Hon Maren E. Nelson. This Court conditionally certified the
9 proposed Class for Settlement purposes. For purposes of the Settlement, the Court
10 preliminarily certified a Settlement Class consisting of all current and former employees
11 of Defendant who worked for Defendant in California as a non-exempt hourly paid
12 employee from August 25, 2018 through May 23, 2024 (the "Class Period.") Other than
13 those who opt out of the Settlement, the total number of Class Members consists of
14 Plaintiff and 371 individuals.

15 11. This Settlement is fair and reasonable because it provides substantial and immediate
16 benefits to the class members. The Settlement is jointly presented as the product of
17 extensive arms' length negotiations by experienced counsel on both sides after thorough
18 discovery, litigation, and reorganization of the strengths and weaknesses of each side's
19 position. In calculating the appropriate settlement amount, the parties had sufficient
20 information and had conducted an adequate investigation to allow them to make educated
21 and informed analyses and conclusions. Accordingly, on behalf of Plaintiffs and on behalf
22 of the Class, I submit that the calculated settlement for each participating class member is
23 fair, reasonable, and adequate given the inherent risk and costs of litigation. The
24 settlement was reached after months of negotiations with the aid of an experienced
25 mediator.

26 12. To date, the response to the Settlement has been extremely favorable. To date, there are no
27 objections to the proposed Settlement and Class Counsel and only two requests for
28

1 exclusion. is unaware of any Settlement Class Member who has filed an objection.
2 (Cofinco Dec. ¶ 16).

3 **THE SETTLEMENT IS FAIR, JUST AND REASONABLE**

- 4 13. There was a significant amount of work performed by Work Lawyers PC on behalf of
5 Plaintiffs and the Plaintiff Class on a contingency basis. Not less than 55.30 hours have
6 been expended by Work Lawyers PC on this matter.
- 7 14. Plaintiff now seeks an award of attorneys' fees in the amount of \$365,898.03 or one third
8 of the gross escalated settlement amount of the \$1,097,694.10 as legal fees for services
9 rendered on a wholly contingent basis as well as reimbursement of out-of-pocket litigation
10 expenses reasonable incurred in the prosecution of this litigation in the amount of
11 \$817.01.
- 12 15. The Court has the power to award attorney's fees and expenses to Plaintiff's counsel
13 under the "common fund" theory as held by the California Supreme Court in *Laffitte v.*
14 *Robert Half International, Inc.* (2016) 1 Cal.5th 480. The "common fund" theory permits
15 attorneys' fees in a class action to be calculated as a percentage of the common fund
16 created by a settlement or judgment and an award is not per se unreasonable merely
17 because it is calculated as a percentage of the common fund. *Laffitte* at 486.
- 18 16. The applicable hourly billing rates for the attorneys who worked on this matter on behalf
19 of Plaintiff and the Plaintiff Class are as follows: \$750 per hour for Justin Lo. Using the
20 lodestar method, attorney time multiplied by counsel's billing rate yields a lodestar of
21 \$41,475 based upon my 55.30 contingent hours of service performed.
- 22 17. In determining my hourly rate, I have taken into consideration the Laffey Matrix. The
23 Laffey Matrix is a "pay table for attorneys put out by the Department of Justice."(*Nemecek*
24 *& Cole v. Horn* (2012) 208 Ca.App.4th 641, 65-651 [approving attorney fees based on the
25 Laffey Matrix]; see also *Tukes v. Richard* (2022) 81 Cal.App.5th 1, 18 [approving
26 attorney fees based on the Laffey Matrix].) The Laffey Matrix represents "an official
27 source of attorney rates based in the District of Columbia area, which can be adjusted" to
28

1 the California community in question "by using Locality Pay Tables." (*Syers Properties*
2 *III, Inc. v. Rankin* (2014) 226 Cal.App.4th 691, 695 [quoting, with approval, *In*
3 *re HPL Technologies, Inc. Securities Litigation* (N.D. Cal. 2005) 366 F.Supp.2d 912,
4 922].) Following the approach taken in *Syers* and *HPL Technologies*, I have located my
5 hourly rate on the Laffey Matrix, attached hereto as Exhibit B. Being an attorney for over
6 13 years, my hourly rate on the Laffey Matrix is \$878 per hr.

7 18. Accordingly, my requested rate of \$750 per hour is conservative as compared to my rate
8 under the Laffey Matrix.

9 19. To date Work Lawyers PC, through the efforts of myself has spent at least a cumulative
10 55.30 contingent hours litigating this matter. See contemporaneously recorded time
11 attached as Exhibit C. Work Lawyers PC has also incurred reasonable and necessary costs
12 of \$817.01 These costs are detailed as Exhibit D.

13
14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct.

16
17 Executed September 20, 2024, at Torrance, California.

18
19 
20 Justin Lo

EXHIBIT A

- *Sanae Matsuda v. Harry T. Nomura, D.D.S. Inc.*, San Francisco Case No. CGC-19-574949
- *Hector Montoya v Kings Oil Tools Inc.*, San Luis Obispo Superior Court, Case No. 19CVP-0413;
- *Stephen Bailey v. Kinder Morgan G.P.* United States District Court, Case No. 3:18-cv-03424-TSH
- *Genevieve Rangel v. Bassett Furniture NC LLC*. Orange County Superior Court Case No. 30-2018-01040101-CU-OE-CXC
- *Martin Rubio v. Altman Specialty Plants, Inc.* Los Angeles Superior Court Case No. 18STCV09215
- *Caroline Villata v. Stars Recreation Center, Solano County Superior Court Case No. FCS054507*
- *Jason Hogan v. Wolverine Distribution Inc.*, Riverside County Superior Court Case No. RIC1902891
- *Jose Rosales v. IDT America Corp. et al.*, Los Angeles Superior Court Case No. 19STCV01581
- *Eric Hardie v. Mattel Inc. et al.*, Los Angeles Superior Court Case No. 21STCV11096
- *Richard Ward v. Miller Jones Mortuary & Crematory, Inc.* Riverside Superior Court Case No. RIC2002589
- *Michael Franchini v. General Consolidated Constructors, Inc.* Riverside Superior Court Case No. RIC2001600
- *Christopher Marrone v. Caffeine Studios LLC.*, San Mateo Superior Court Case No. 20-CIV-04830
- *Annette Arredondo v. UFIT Physical Therapy Enterprise Los Angeles Superior Court Case No. 21STCV07346*
- *Chelsea Bedoni v. LPDB Joint Ventures, Yuba Superior Court Case No. CVCV19-01058*
- *Brandon Burton v. G&M Hire Enterprises, LLC*, Riverside Superior Court Case No. CVSW2106409
- *Allan Castaneto v. Calop Business Systems, Inc.*, Los Angeles Superior Court Case No. 20STCV03772
- *Joaquin Del Cid, Jr. v. Jonathan Club*, Los Angeles Superior Court Case No. 20STCV12113
- *John Coles v. Sally Beauty Holdings, Inc.*, Los Angeles Superior Court Case No. 21STCV01648
- *Adam Davidson v. Los Angeles Truck Centers, LLC*, Los Angeles Superior Court Case No. 20STCV41572
- *Donald Dumas v. Allied Nationwide Security, Inc.*, Los Angeles Superior Court Case No. 21STCV26647
- *Shawn Fitzpatrick v. Concord Foods, Inc.* San Bernardino Superior Court Case No. CIVSB2116303
- *Eduardo Galeana v. Master Property Management, Inc.*, Los Angeles Superior Court Case No. 21STCV16625
- *Ronak Garg v. Providence Medical Associates, Inc.* Los Angeles Superior Court Case No.

22STCV03368

- *Maria Magdalena Gomez v. Bel Aire Bridal, Inc., Los Angeles Superior Court Case No. 21STCV27188*
- *Brenda Hayden vs. Aftermath Services, LLC, Sacramento Superior Court Case No. 34-2020-00287716-CU-OE-GDS*
- *Courtney Haynes vs. The GAP, Inc., Fresno Superior Court Case No. 21CECG02615*
- *Chad Hooper v. Vizio, Inc., Orange Superior Court Case No. 30-2020-01144007-CU-OE-CXC*
- *Ghufran Khan v. Atlas Air, Inc., Los Angeles Superior Court Case No. 20STCV40478*
- *Blanca Machain v. SST Senior Care, LLC Contra Costa Superior Court Case No. MSC20-00204*
- *Cheyenne Mallas v. Alexander Rivkin, MD, Inc. Los Angeles Superior Court Case No. 21STCV21726*
- *Charlie Meas v. Excel Test Prep Alameda Superior Court Case No. HG19027287*
- *Sharon Park v. American Contractors Indemnity Company Los Angeles Superior Court Case No. 22STCV03555*
- *Fernando Pereyra v. Maverick Aerospace, LLC Los Angeles Superior Court Case No. 20STCV29642*
- *Natalie Randazzo v. BCSF, Inc. San Francisco Superior Court Case No. CGC-20-585430*
- *Geovanni Romero v. The Nu Paradigm House, LLC Los Angeles Superior Court Case No. 21STCV35414*
- *R*
Christina Zamora v. Fresno Community Hospital Medical Center Fresno Superior Court Case No. 20CECG01220

EXHIBIT B

LAFFEY MATRIX

History

Case Law

See the Matrix

Contact us

Home

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *DL v. District of Columbia*, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $i_{L/2}$ Years Out of Law School $i_{L/2}$ is calculated from June 1 of each year, when most law students graduate. $i_{L/2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $i_{L/2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $i_{L/2}$ 1-3" from June 1, 1996 until May 31, 1999, would move into tier $i_{L/2}$ 4-7" on June 1, 1999, and tier $i_{L/2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT C

ITEM	DATE	HRS.	RATE	TOTAL	BILLED BY
Communicate (with client) Complete intake with client and collect documents	5/4/2022	2.4	\$750.00	\$1,800.00	JL
Time Draft letter to request for personnel records per Labor Code Section 226.	5/18/2022	0.5	\$750.00	\$375.00	JL
Communicate (with client) Follow up with client to get further details and facts	5/20/2022	1.5	\$750.00	\$1,125.00	JL
Draft/revise Draft PAGA Notice	5/25/2022	1.5	\$750.00	\$1,125.00	JL
Other Upload PAGA Notice	5/26/2022	0.1	\$750.00	\$75.00	JL
Draft/revise Draft PAGA Complaint	8/24/2022	2.6	\$750.00	\$1,950.00	JL
Draft/revise Draft Case Management Statement	12/9/2022	0.5	\$750.00	\$375.00	JL
Draft/revise Draft Case management statement	3/17/2023	0.5	\$750.00	\$375.00	JL

ITEM	DATE	HRS.	RATE	TOTAL	BILLED BY
Appear for/attend Attend Case Management Conference	4/3/2023	1	\$750.00	\$750.00	JL
Time Review and analyze client's personnel records produced by Defendant in preparation for informal mediation exchange	5/18/2023	4.5	\$750.00	\$3,375.00	JL
Review/analyze Reviewing and analyzing the clients intake and documents in preparation for call with defense counsel	5/19/2023	1.3	\$750.00	\$975.00	JL
Draft/revise Finalize mediation brief, mark exhibits with notes, extract relevant documents for mediator, research relevant case	5/23/2023	6.5	\$750.00	\$4,875.00	JL
Appear for/attend Mediation with Kelly Knight, Esq.	5/26/2023	7.5	\$750.00	\$5,625.00	JL
Draft/revise Speak with client regarding potential settlement and draft an email to send to client re memorandum of Understanding. Coordinate with Andrews to send out DocuSign and email at the same time.	5/26/2023	1.5	\$750.00	\$1,125.00	JL

ITEM	DATE	HRS.	RATE	TOTAL	BILLED BY
Communicate (other external) Email OPC and counsel for Hensley RE settlement terms, conditions and procedures for settlement	6/20/2023	1.75	\$750.00	\$1,312.50	JL
Draft/revise Draft and review settlement agreement terms.	7/27/2023	12.5	\$750.00	\$9,375.00	JL
Communicate (with client) Conversation with client over settlement agreement	4/23/2024	0.9	\$750.00	\$675.00	JL
Communicate (other external) Follow up email with OPC re settlement terms and executing settlement	4/25/2024	1.25	\$750.00	\$937.50	JL
Time Review Amended Motion for Preliminary Approval	4/26/2024	3.5	\$750.00	\$2,625.00	JL
Appear for/attend Appearance for Motion for preliminary approval of settlement	5/23/2024	1	\$750.00	\$750.00	JL
Draft/revise Draft Declaration for Final Approval	9/10/2024	1.5	\$750.00	\$1,125.00	JL

ITEM	DATE	HRS.	RATE	TOTAL	BILLED BY
Appear for/attend anticipated attendance for Final Approval hearing	10/17/2024	1	\$750.00	\$750.00	
		55.30	\$41,475.00 USD		

EXHIBIT D

EXPENSE	STATUS	DATE	PRICE	TOTAL	QTY	MATTER	BILLED BY
Courtfees E-Filing Notice of Change of Address	BILLABLE	3/28/2024	\$17.72	\$17.72	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees E-Filing CMC Statement	BILLABLE	6/26/2023	\$34.15	\$34.15	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees Case Management Statement	BILLABLE	3/28/2023	\$34.15	\$34.15	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees Documents: Case Management Statement	BILLABLE	12/9/2022	\$34.15	\$34.15	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees NOTICE OF CASE MANAGEMENTCONFERENCE	BILLABLE	10/18/2022	\$34.15	\$34.15	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees Processing Fees	BILLABLE	8/31/2022	\$83.84	\$83.84	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Courtfees E-Filing Complaint	BILLABLE	8/24/2022	\$482.20	\$482.20	1	Romo, Esteban v. Flowserve USA, Inc.	RS
Postage Certified Mailing Costs for PAGA Notice to three addresses.	BILLABLE	5/26/2022	\$4.33	\$12.99	3	Romo, Esteban v. Flowserve USA, Inc.	TT
Courtfees LWDA Submission Fees.	BILLABLE	5/26/2022	\$75.00	\$75.00	1	Romo, Esteban v. Flowserve USA, Inc.	TT

EXPENSE	STATUS	DATE	PRICE	TOTAL	QTY	MATTER	BILLED BY
Postage Certified Mailing Costs for Personnel Records Request to HR/Legal Dept. & Agent for Service.	BILLABLE	5/18/2022	\$4.33	\$8.66	2	Romo, Esteban v. Flowserve USA, Inc.	

\$817.01 USD

