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Attorneys for Plaintiff Kevin Hickey

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

KEVIN HICKEY, an individual, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

TRANSFORM SEARS HOME SERVICES,
LLC, a Delaware corporation; and DOES 1
through 10, inclusive,

Defendants.

CASE NO. 34-2022-00321759

REPRESENTATIVE ACTION

**DECLARATION OF WALTER L. HAINES
IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF PAGA
REPRESENTATIVE SETTLEMENT**

Date: March 28, 2025

Time: 9:00 a.m.

Dept: 22

Reservation No: A-321759-001

Complaint filed: June 14, 2022

Trial date: None Set

1 I, Walter L. Haines, declare:

2 1. I am an attorney licensed to practice before all courts of the State of California. I am
3 counsel of record for Plaintiff Kevin Hickey in this action. I make this Declaration in support of
4 Plaintiff's Unopposed Motion for Approval of PAGA Representative Settlement. I make this
5 declaration based on my personal knowledge, and if called to testify, I could and would competently
6 testify to the matters contained in this declaration.

7 2. The Settlement Agreement in this action is the result of vigorous and competent
8 representation of Plaintiff, and arms'-length, contentious negotiations with Defendant to reach the best
9 possible outcome for the Labor and Workforce Development Agency ("LWDA") and the aggrieved
10 employees. Based on my extensive experience as counsel in many class and representative action
11 settlements, I believe that the proposed Settlement is fair, reasonable, and adequate to the LWDA and
12 the aggrieved employees.

13 3. My firm is highly experienced in actions of this nature. I have been practicing law over
14 40 years and I am highly experienced in actions of this nature. I am the most senior attorney in my firm,
15 United Employees Law Group, PC and worked on the litigation of this matter. I formed United
16 Employees Law Group in 2005, primarily to represent employees in their wage claims. I have
17 represented over 1,500 clients in wage and hour disputes of which more than 300 cases were class
18 actions with settlements totaling over \$400,000,000. These complex class action cases include Fortune
19 500 companies such as Pepsi, Intel, Home Depot, Kaiser and Wells Fargo, Bank of America, Cisco
20 Systems, First American Title Co., Yahoo!, WellPoint, Inc., Sun Microsystems, and Kaiser Foundation
21 Hospitals.

22 4. United Employees Law Group has prosecuted this litigation solely on a contingent-fee
23 basis, and has been completely at risk that it would not receive any compensation for prosecuting claims
24 against the Defendant.

25 5. United Employees Law Group has participated in this litigation and has performed work
26 on behalf of Plaintiff since the inception of this litigation. The hours submitted with this declaration are
27 solely for work performed on behalf of the LWDA and aggrieved employees in the above-titled
28 California action and not any other state or federal matter.

1 6. I performed, among other things, the following general tasks related to this matter:
2 analyzed initial clients' claims; performed initial investigation inclusive of research necessary for case
3 evaluation and searched court records relative to possible competing cases; consulted with co-counsel as
4 to issues relating to the prosecution of this case; reviewed all settlement papers along with orders from
5 the court, law and motion papers; and assisted with client liaison and other tasks assigned by lead
6 counsel.

7 7. The hourly rate for my time is **\$725** per hour, which is my usual and customary hourly
8 rate charged for my services in similar class and representative action lawsuits.

9 8. The total number of hours spent by me on this litigation is 25.3 hours through February
10 25, 2025, as categorized herein below:

- | | |
|--|---------------------------|
| • Initial investigation case evaluation & court records search: | 6.50 hours |
| • Review pleadings, communications, mediation, settlement documents and various motions: | 18.80 hours |
| Total: | <u>25.30 hours</u> |

16 9. My total lodestar amount through February 25, 2025 is **\$18,342.50**.

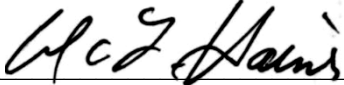
17 10. I have no conflicts of interest with the aggrieved employees or with the named Plaintiff. I
18 am not related to the representative Plaintiff. I have not previously represented Defendant in any matter.
19 I do not represent opposing factions within the aggrieved employee group in that all claims are
20 predicated upon the same theories of liability and benefit all aggrieved employees equally.

21 11. I believe that the Settlement is fair, adequate, and reasonable. The Settlement provides
22 substantial monetary benefits to the LWDA and aggrieved employees and is a product of diligent efforts
23 to obtain the best possible result for the LWDA and aggrieved employees. This Settlement was reached
24 following thorough legal and factual research and analysis, thorough review of data relative to the
25 claims in the action, arduous settlement negotiations, and thorough investigation of the underlying facts
26 by the respective parties and review of records. The settlement negotiations were, at all times,
27 adversarial and non-collusive in nature. In sum, I am well-suited to act as counsel for Plaintiff and other
28

1 aggrieved employees and will continue to vigorously represent the interests of the LWDA and the
2 aggrieved employees.

3 I declare under penalty of perjury under the laws of California and the United States of America
4 that the foregoing is true and correct to the best of my knowledge.

5 Executed this 26th day of February 2025 at Los Angeles, California.

6
7 
8 Walter L. Haines