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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

LAMEISHA GEORGE, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

WESTWAYS STAFFING SERVICES,
INC., a California corporation; and DOES
1 through 50, inclusive,

Defendants.

Case No.: CIVSB2212594
[Consolidated with: CIVSB2217699]

[Assigned for all purposes to the Hon. Jessica
Morgan, Dept. S-26]

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF PLAINTIFF’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: May 29, 2024
Time: 8:30 a.m.
Dept: S-26

Complaint Filed: June 16, 2022
Trial Date: None

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I, Max W. Gavron, declare as follows:

1. I am an attorney at law duly admitted to practice before all courts in the State of Virginia and am a member of the law firm of the Diversity Law Group, P.C., one of the attorneys for Plaintiff Lameisha George (“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 competently do so.

2. The Notice of Class Action Settlement (“Class Notice”) provided Class Members 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. As part of the settlement process, I have received a number of phone calls from Class Members regarding this settlement, all of whom I have responded to.

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

4. The Stipulation of Class Action and PAGA Settlement and Release (“Settlement”) was the product of negotiation between highly able and experienced attorneys on both sides. Plaintiff’s attorneys, who possessed the relevant data and extensive legal research which they had carefully reviewed, engaged in extensive factual investigation before settling, including conducting discovery and reviewing class data produced by Defendant relating to the number of statements issued to each putative class member. This allowed Plaintiff to conduct a full and complete 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 reached after several months of arm's length negotiations following mediation, with the assistance of an experienced mediator. 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
I have been granted class certification and final approval.

1 7. To date, I have incurred approximately 160.4 hours in connection with the litigation
2 of this lawsuit. Attached as **Exhibit A** is a true and correct copy of a summary of the hours worked
3 on this action.

4 8. The total lodestar for my hours will be approximately \$104,260.00 based on an
5 hourly rate of \$650.00 per hour (160.4 hours x \$650.00 per hour). In January 2024, I increased my
6 hourly rate to \$650 per hour. I was approved at this rate in *Jaramillo v. USS-UPI, LLC*, Contra
7 Costa County Case No. C22-00641 (April 24, 2024). Prior to that, I have been approved at
8 \$600.00 per hour in *Weybrew v. BEI Construction*, Solano County Superior Court Case No.
9 FCS055658 (January 14, 2022), *In re See's Candies Wage and Hour Cases*, Case No. JCCP5004
10 (March 30, 2022), Los Angeles Superior Court, *Pevey v. Lumber City Corp*, San Bernardino
11 County Superior Court Case No. CIVDS2010240 (May 2, 2022), *Ross v Stater Bros. Markets*, San
12 Bernardino County Superior Court Case No. CIVDS1902518 (September 8, 2022), and *Schneider*
13 *v. Amazon Retail LLC*, Los Angeles County Superior Court Case No. 21STCV26226 (December 1,
14 2022). Prior to that throughout 2020 and 2021, I was approved at an hourly rate of at \$550.00 per
15 hour in *James v RADC Enterprises, Inc.*, San Bernardino County Superior Court, Case No. CIV-
16 DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy, Inc.*, Santa Clara County
17 Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert Magpugay v. Harbor*
18 *Electronics, Inc.*, Santa Clara County Superior Court Case No. 19CV352547 (January 27, 2021),
19 *Foster v. Schindler Elevator Corp.*, Alameda County Superior Court Case no. RG19029640 (March
20 2, 2021), *Martin v. Streetplus Company, LLC, et al*, Los Angeles Superior Court Case No.
21 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain Enterprises, LLC*, Solano County
22 Superior Court, Case No. FCS05858 (August 4, 2021).

23 9. Combining the hours for all of Class Counsel results in an lodestar of approximately
24 \$182,095.00, which includes 5 anticipated additional hours worked through the implementation of
25 the settlement, should the Court finally approve the settlement. Accordingly, the fees requested are
26 actually less than those reasonably incurred by Class Counsel, resulting in a negative multiplier of
27 approximately 0.77.

28 10. I am one of the primary attorneys on this matter. My qualifications are as follows: I

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

8 11. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately
9 September 2013, through January 2016. I was third-chair in a federal court jury trial that resulted in
10 a defense verdict in our client's favor on a \$21 million commercial breach of contract dispute. I also
11 regularly litigated cases across the civil litigation spectrum, including employment matters.

12 12. From February 2016, through Fall 2017, I practiced at the international law firm of
13 Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50
14 companies in Multi-District Litigation primarily in the product liability sphere. I also successfully
15 drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary judgment
16 decision regarding trade secret issues, in addition to working in several other practice groups.
17 During this time, the firm routinely charged \$500 per hour for my services to clients.

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

22 14. I am currently an associate at the law firm Diversity Law Group, P.C., an
23 employment law firm that has handled numerous wage and hour class and individual actions, on
24 both plaintiff and defense sides. My current practice focuses on employment matters involving both
25 class actions, and single plaintiffs. The firm currently has cases in the Los Angeles Superior Courts,
26 the Orange County Superior Courts, the San Diego County Superior Courts, and the United States
27 District Courts for the Central, Northern, and Eastern Districts of California. I am currently or have
28 handled numerous wage and hour class action lawsuits with the firm, including, but not limited to:

1 *Agar v. Sensient Natural Ingredients, LLC* (Case No. CV-19-001906, Stanislaus County Superior
2 Court); *Cunningham, et al. v. Diverse Business Solutions* (Case No. CIVDS1817095, San
3 Bernardino County Superior Court); *Heredia v. Eddie Bauer LLC* (Case No. 16CV300475, United
4 States District Court, Northern District of California); *Parsons v. Estenson Logistics, LLC* (Case
5 No. 34-2019-00252929, Sacramento County Superior Court); and *Coronel v. Pinnacle Agriculture*
6 (Case No. 18CV004287, Monterey County Superior Court).

7 15. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
8 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,
9 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our clients.
10 *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

11 16. I have also assisted the firm in numerous wage and hour class action mediations.

12 17. To date, my office has incurred \$15,318.03 in costs. The costs are all litigation-
13 related costs, including filing fees, service of process fees, and mediation costs. Attached hereto as
14 **Exhibit B** is a copy of costs my firm has incurred in connection with the prosecution of this
15 lawsuit.

16 18. I do not have any conflicts of interest with the proposed cy pres recipient, Legal Aid
17 at Work.

18 19. Concurrent with the filing of this Motion, my office provided notice to the Labor and
19 Workforce Development Agency ("LWDA").

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

22 Executed on this 6th day of May 2024, at Los Angeles, California.

23 
24 _____
25 Max W. Gavron
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EXHIBIT A

George v Westways Staffing Services, Inc.
Max W. Gavron Time and Task Chart

Hours	Description of Work
10.4	Initial research and review of background facts in preparation for filing of claims; draft PAGA letter; confer with co-counsel re theories of liability and conduct research re same; analysis and research re defendant
8.5	Meet and confer with defense counsel re theories of liability and Defendant's anticipated demurrer and motion to strike; conduct legal research re same.
1.1	Analysis, research, and strategy re assignment to Judge and evaluation re initial court notices.
1.1	Draft and revise Case Management Statement for initial conference; prepare for and attend same; confer with defense counsel re same and re consolidation of PAGA and class cases.
12.1	Analysis and legal research re defenses premised on basic math argument given Defendant's contentions; draft and revise opposition to demurrer and motion to strike; confer with co-counsel re same.
2.7	Prepare drafts of initial written discovery requests
18.1	Analyze and review Defendant's responses to written discovery; meet and confer with defense counsel re same; draft and revise meet and confer correspondence; confer with co-counsel re same.
5.9	Analyze, review, and summarize Defendant's document production; further meet and confer efforts with Defendant following review of documents; confer with co-counsel re theories of liability and anticipated defenses.
2.6	Meet and confer with defense counsel re anticipated motion for summary judgment premised on basic math argument; confer with co-counsel re same.
6.7	Prepare Plaintiff for deposition; analyze and review discovery responses and documents to prepare for same; confer with co-counsel re same.
7.9	Travel to and from and defend Plaintiff's deposition.
3.1	Draft and revise notice of deposition of person most qualified; analyze and review documents to prepare same; confer with client and co-counsel re same.
3.2	Meet and confer with defense counsel re PMQ deposition topics and designation of appropriate witness; confer with co-counsel re same.
6.5	Draft and revise deposition outline for PMQ; analyze and review documents to prepare exhibits re same.
7.8	Depose Defendant's PMQ; summarize testimony following deposition; confer with co-counsel re same.

Hours	Description of Work
3.8	Communications with witnesses identified by client and further investigation re claims and defenses.
3.7	Confer with defense counsel re mediation and information required for the same; research potential mediators; confer with co-counsel re same.
2.9	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
8.4	Draft and revise mediation brief; conduct legal research for same; review of case law; analyze and review data provided by Defendants to calculate damages exposure in advance of mediation; confer with co-counsel
1.5	Research re settlements of similar claims to prepare for mediation; confer with co-counsel re same.
10.8	Prepare for, and attend, mediation; confer with and co-counsel client re same.
3.4	Multiple follow up calls with mediator and co-counsel following failed mediation attempt; further analysis and strategy given relative settlement positions.
10.1	Review and revise settlement agreement; conversations with opposing counsel re same; confer with co-counsel re terms of settlement agreement and make revisions considering same
8.9	Draft and revise motion for preliminary approval and supporting documents; confer with co-counsel re the same; conduct legal research re same.
2.3	Confer with settlement administrator following preliminary approval; field calls from class members following distribution of class notice.
6.9	Draft and revise motion for final approval and supporting documents; confer with co-counsel and defense counsel re the same.
160.4	TOTAL HOURS

EXHIBIT B

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DIVERSITY LAW GROUP
Slip Listing

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Selection Criteria

Slip Classification Open
Client (hand select) Include: George v. Westways 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		
72190	EXP	Mariana Becerra	1	75.00	75.00
6/13/2022		Court fees			
WIP		George v. Westways CA			
LWDA					
72402	EXP	Erika Mejia	1	1695.49	1695.49
6/16/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Complaint					
72517	EXP	Olympia	1	0.25	0.25
6/30/2022		Photocopies			
WIP		George v. Westways CA			
Photocopies					
72518	EXP	Olympia	1	6.13	6.13
6/30/2022		Postage			
WIP		George v. Westways CA			
Postage					
72680	EXP	Erika Mejia	1	90.60	90.60
7/26/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Complaint Service					
72954	EXP	Erika Mejia	1	68.27	68.27
8/2/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Complaint Service					
72974	EXP	Erika Mejia	1	1662.71	1662.71
8/17/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Complaint					
72901	EXP	Linda Lee	1	15.00	15.00
9/7/2022		Online researc			
WIP		George v. Westways CA			
Online LASC					

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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		
72900	EXP	Linda Lee	1	86.80	86.80
9/7/2022		Online researc			
WIP		George v. Westways CA			
Online LASC					
73512	EXP	Erika Mejia	1	69.27	69.27
10/13/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Joint Report					
73481	EXP	Nick Rosenthal	1	94.00	94.00
11/3/2022		Court fees			
WIP		George v. Westways CA			
Courtcall					
73813	EXP	Olympia	1	88.62	88.62
11/7/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Notice of Initial CMC Order					
73822	EXP	Erika Mejia	1	86.12	86.12
11/14/2022		Atty Service			
WIP		George v. Westways CA			
Attorney Service - POS of Summons					
73753	EXP	Olympia	20	0.25	5.00
11/30/2022		Photocopies			
WIP		George v. Westways CA			
Photocopies					
73754	EXP	Olympia	1	1.05	1.05
11/30/2022		Postage			
WIP		George v. Westways CA			
Postage					
74067	EXP	Olympia	2	36.95	73.90
1/3/2023		Delivery serv			
WIP		George v. Westways CA			
Federal Express					
74341	EXP	Erika Mejia	1	85.62	85.62
1/3/2023		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Oppo					
74189	EXP	Max Gavron	1	72.00	72.00
1/17/2023		Court fees			
WIP		George v. Westways CA			
Courtcall					

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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		
74190	EXP	Max Gavron	1	72.00	72.00
1/17/2023		Court fees			
WIP		George v. Westways CA			
Courtcall					
74776	EXP	Max Gavron	1	71.40	71.40
3/29/2023		Other travel			
WIP		George v. Westways CA			
Mileage re Plaintiff's Deposition (109 miles)					
75074	EXP	Erika Mejia	1	87.62	87.62
4/26/2023		Atty Service			
WIP		George v. Westways CA			
Attorney Service - IDC Statement					
75183	EXP	Olympia	1	895.60	895.60
5/18/2023		Transcript/DEP			
WIP		George v. Westways CA			
Steno - Deposition Transcript of Eric Lawton, PMK					
75847	EXP	Erika Mejia	1	73.38	73.38
7/11/2023		Atty Service			
WIP		George v. Westways CA			
Attorney Service - Joint Report					
75884	EXP	Olympia	1	8375.00	8375.00
8/10/2023		Arbitrators			
WIP		George v. Westways CA			
Judicate West Mediation					
76435	EXP	Linda Lee	1	6.60	6.60
8/24/2023		Online researc			
WIP		George v. Westways CA			
Research					
76434	EXP	Linda Lee	1	3.00	3.00
8/25/2023		Online researc			
WIP		George v. Westways CA			
Research					
76013	EXP	Olympia	1	572.05	572.05
8/28/2023		Transcript/DEP			
WIP		George v. Westways CA			
Advanced One/Lexitas - Deposition Transcript of Lameisha George					

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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
76026 EXP 8/30/2023 WIP Online Order	Max Gavron Online researc George v. Westways CA	1	1.00	1.00
76298 EXP 9/13/2023 WIP Attorney Service - Joint Stip	Erika Mejia Atty Service George v. Westways CA	1	110.62	110.62
76212 EXP 9/20/2023 WIP JTC Corporation	Olympia Experts George v. Westways CA	1	450.00	450.00
76865 EXP 11/29/2023 WIP Odyssey - MPA	Erika Mejia Court fees George v. Westways CA	1	66.79	66.79
77377 EXP 2/1/2024 WIP Online MPA Order	Olympia Online researc George v. Westways CA	1	2.00	2.00
77378 EXP 2/1/2024 WIP Odyssey - NOE	Olympia Court fees George v. Westways CA	1	5.14	5.14
78082 EXP 4/18/2024 WIP MFA Filing	Olympia Court fees George v. Westways CA	1	250.00	250.00
Grand Total	Billable Unbillable Total	0.00 0.00 0.00		15318.03 0.00 15318.03