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Attorneys for Plaintiffs
Trung Le and Kevin Lam

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

TRUNG LE, individually, KEVIN LAM,
individually, and on behalf of other members
of the general public similarly situated,

Plaintiff,

v.

M4D LLC, and DOES 1 through 25,

Defendants.

) **CASE NO.: 30-2021-01182977**
) [Honorable Judge Melissa R. McCormick,
) Dept. CX104]
)

) **DECLARATION OF KEVIN LAM IN**
) **SUPPORT OF PLAINTIFF'S MOTION**
) **FOR FINAL APPROVAL OF CLASS**
) **ACTION SETTLEMENT AND REQUEST**
) **FOR ATTORNEYS' FEES, COSTS, AND**
) **REPRESENTATIVE CLASS SERVICE**
) **PAYMENT**
)

) **Date: February 1, 2024**
) **Time: 2:00 p.m.**
) **Dept.: CX104**
)

) FAC Filed: August 11, 2022
) Complaint Filed: February 5, 2021
) Trial Date: None Set

1 I, Kevin Lam, declare:

2 1. I am one of the Class Representatives in the above-caption action. I submit this
3 declaration in support of Plaintiff's Motion for Final Approval of Class Action Settlement and
4 for Attorney's Fees, Litigation Costs, and Service Awards.

5 2. I make the statements herein based on personal knowledge and would so testify if
6 called as a witness.

7 3. I commenced employed at Defendant M4D LLC ("M4D") as a nonexempt
8 employee since March 15, 2016. My position was Senior Production Technician and I worked
9 out of its Orange County, California location.

10 4. Prior to this matter, I have never been a plaintiff in a class action lawsuit. I
11 became the Plaintiff in this lawsuit because I believe that M4D should have complied with all of
12 its wage and hour obligations and failed to do so.

13 5. As a current employee, I was concerned about my involvement in this lawsuit. I
14 was worried that I may be retaliated against by M4D and in the future, other employers might
15 find out about the case, and as a result not hire me.

16 6. Throughout the litigation, and continuing to today, I have had concerns that my
17 decision to sue my current employer would negatively impact my work.

18 7. As a Class Representative, my main goal has been to seek the best result for
19 M4D's current and former hourly employees. In my role as a Class Representative, I reviewed
20 the settlement terms reached in this case, and I approved the settlement because I believe the
21 settlement is a good result for class members.

22 8. At no time in this litigation was I promised any money to serve as the proposed
23 class representative. I also understood throughout the case that by filing this litigation against
24 M4D, I was taking the risk of having to pay a portion of the costs of Defendant if we were to
25 lose the case. I was willing to undertake that risk. I also understood that I risked the potential
26

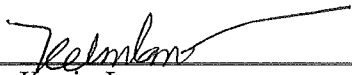
1 stigma of being a Class Representative in a Class Action lawsuit which could affect my future
2 employability.

3 9. In total, I estimate that I spent at least twenty (20) hours in my role as a Class
4 Representative in this case. At all times, I have remained actively involved and have remained
5 in contact with my attorneys. Moreover, as part of the settlement, I have agreed to sign a general
6 release of claims.

7 10. I am aware that, as part of the proposed settlement, the Parties have agreed to
8 request an enhancement award for my services as Class Representative in the amount of Ten
9 Thousand Dollars (\$10,000.00). Based upon the above, I believe that my request for an
10 enhancement award is fair and reasonable in light of the amount of work I put into this case to
11 ensure a good result for the Class as well as the risks I took in serving as Representative
12 Plaintiff.

13 I declare under penalty of perjury that the foregoing is true and correct under the laws of
14 the State of California. Executed the **12th** day of January, 2024 at Costa Mesa, California.
15

16
17
18 By: _____


Kevin Lam

PROOF OF SERVICE
STATE OF CALIFORNIA

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is: 161 Fashion Lane, Suite 207, Tustin, Ca 92780. On January 12, 2024, I served the within document(s):

- **PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND REQUEST FOR ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE PAYMENT**
- **DECLARATION OF TARUS DANCY IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND REQUEST FOR ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE PAYMENT**
- **DECLARATION OF MICHAEL A. GOULD IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND REQUEST FOR ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE PAYMENT**
- **DECLARATION OF KEVIN LAM IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND REQUEST FOR ATTORNEYS' FEES, COSTS, AND REPRESENTATIVE CLASS SERVICE PAYMENT**
- **[PROPOSED] ORDER AND JUDGMENT GRANTING PLAINTIFF LAM'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, PLAINTIFF LAM'S REQUEST FOR ATTORNEYS' FEES AND COSTS, AND CLASS REPRESENTATIVE SERVICE PAYMENT**

In the matter of **Le v. M4D LLC, 30-2021-01182977**

on the following interested party(ies) in this action:

O'HAGAN MEYER LLP Katherine C. Den Bleyker kdenbleyker@ohaganmeyer.com William B. Richards, Jr. wrichards@ohaganmeyer.com Tatyana Esmailian tesmailian@ohaganmeyer.com 550 S. Hope Street, Suite 2400 Los Angeles, California 90071 Tel: (213) 423-6006	Representing: Defendant(s): M4D LLC
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(By Mail) The envelope was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Tustin, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.



(By Hand Delivery) I delivered the within documents to the attorney service for delivery to the person(s) at the address(es) set forth below with instructions that such envelope be delivered personally on May 16, 2023.



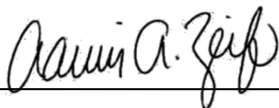
(By Overnight Mail) I am readily familiar with the firm's practice of collection and processing correspondence for mailing with FedEx. Under that practice it would be deposited with FedEx on that same day thereon fully prepaid at Tustin, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on that date following ordinary business practices.



(By Electronic Mail) The document listed above was transmitted via email to the email address(es) noted above

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

Executed on January 12, 2024, at Tustin, California



Aarin A. Zeif