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Attorneys for Plaintiffs, the Proposed Class, and all Aggrieved Employees

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

JUANITA VILLA; JESSICA LESHER;
SHERI AMIES as individuals, on behalf of
themselves, all others similarly situated and
on behalf of the State of California, as a
private attorney general,

PLAINTIFFS,

v.

DOLGEN CALIFORNIA, LLC; and DOES 1
thru 50, inclusive,

DEFENDANTS.

CASE NO. 22STCV34189

[Case Assigned for All Purposes to Hon. Elihu
M. Berle in Dept. 6]

**SUPPLEMENTAL DECLARATION OF
KEVIN LEE WITH RESPECT TO
NOTICE AND SETTLEMENT
ADMINISTRATION**

Complaint Filed: October 24, 2022

Trial Date: None Set

1 **SUPPLEMENTAL DECLARATION OF KEVIN LEE**

2 I, Kevin Lee, declare as follows:

3 1. I am a Case Manager at Phoenix Settlement Administrators (“Phoenix”), the Court-
4 appointed Class Action Settlement Administrator for *Villa, et al. v. Dolgen California, LLC* (the
5 “Action”). I have personal knowledge of the facts stated herein and, if called upon to testify, I could
6 and would testify competently to such facts.

7 2. Phoenix was selected by the Parties to provide notice of the Settlement and perform
8 class administration duties in this Action. Pursuant to the Stipulation of Class Action and PAGA
9 Settlement (“Settlement Agreement” or “Settlement”) for this matter, Phoenix was responsible for:
10 (i) preparing, translating, printing, and mailing the *Notice of Class Action Settlement* (“Notice”); (ii)
11 responding to inquiries from Class Members; (iii) confirming the number of weeks each Class
12 Member worked during the period from July 6, 2016 to November 6, 2024 (“Class Period”) and the
13 number of workweeks that each Aggrieved Employee worked during the time period from June 22,
14 2017 to November 6, 2024 (“PAGA Period”); (iv) determining the validity of letters indicating a
15 request to be excluded from the Class Settlement (“Requests for Exclusion”), written objections
16 to the Class Settlement (“Objections”), and/or dispute regarding the number of Workweeks
17 submitted by Class Members; (v) calculating the Net Settlement Amount and the Individual
18 Settlement Shares to Class Members; (vi) calculating and issuing the Individual Settlement
19 Payments and distributing them to Participating Class Members and Individual PAGA Payments to
20 Aggrieved Employees; (vii) issuing the payment to Class Counsel for any awarded Fees Payment
21 and Litigation Expenses Payment, Class Representatives Service Payment to Class Representatives,
22 and the employer/employee payroll taxes to the appropriate taxing authorities; and (viii) such other
23 tasks as set forth in the Settlement Agreement or as the Parties mutually agree or as the Court orders.

24 3. On November 18, 2024, Phoenix received a data file from Defense Counsel that
25 contained names, last known mailing addresses, Social Security numbers, dates of employment, and
26 workweeks for each Class Member (“Class List”) during the Class Period. The final mailing list
27 contained eleven thousand seven hundred seventy (11,770) individuals identified as Class Members.
28

1 4. On December 2, 2024, Phoenix conducted a National Change of Address (“NCOA”)
2 search in an attempt to update the class list of addresses as accurately as possible. A search of this
3 database provides updated addresses for any individual who has moved in the previous four (4)
4 years and notified the U.S. Postal Service of their change of address.

5 5. On December 2, 2024, Phoenix mailed the Notice via U.S. first class mail, in English
6 and Spanish, to all eleven thousand seven hundred seventy (11,770) Class Members on the Class
7 List.

8 6. As of the date of this declaration, one hundred fifty-nine (159) Notices have been
9 returned to Phoenix. None were returned with a forwarding address. For the one hundred fifty-nine
10 (159) Notices returned from the Post Office without a forwarding address, Phoenix attempted to
11 locate a current mailing address using TransUnion TLOxp, one of the most comprehensive address
12 databases available for skip tracing. Of the one hundred fifty-six (156) Notices that were skip traced,
13 one hundred fifty-six (156) updated addresses were obtained and the Notice was promptly re-mailed
14 to those Class Members via first class mail.

15 7. As of the date of this declaration, three (3) Notices are considered undeliverable.

16 8. As of the date of this declaration, Phoenix has received four (4) Requests for
17 Exclusion from Class Members. The deadline to request exclusion from the Class Settlement was
18 January 31, 2025.

19 9. As of the date of this declaration, Phoenix has received zero (0) Notices of Objection
20 from Class Members. The deadline for objecting to the Class Settlement was January 31, 2025.

21 10. As of the date of this declaration, Phoenix has received zero (0) Workweek disputes
22 from Class Members. The deadline for submitting a dispute was January 31, 2025.

23 11. There are eleven thousand seven hundred sixty-six (11,766) Class Members who did
24 not submit timely and valid Requests for Exclusion and are therefore deemed Participating Class
25 Members, representing 99.97% of the Class. Participating Class Members have worked a collective
26 total of seven hundred three thousand six hundred seventy-one (703,671) Workweeks during the
27 Class Period. Each Workweek is valued at approximately \$0.80.

12. The Net Settlement Amount of \$563,333.34 available to pay Participating Class Members was determined by subtracting the requested Class Counsel Fees Payment (\$396,666.66), and Class Counsel Litigation Expenses Payment (\$105,000.00), requested Class Representative Service Payments to Plaintiffs Villa, Leshner, and Ames for \$5,000.00 each (totaling \$15,000.00), the PAGA Penalties Payment (\$50,000.00), and the requested Settlement Administrator Expenses (\$60,000.00) from the Gross Settlement Amount (\$1,190,000.00).

13. Based upon the calculations stipulated in the Settlement, the highest Individual Settlement Payment to be paid is approximately \$349.05, the lowest Individual Settlement Payment to be paid is approximately \$0.80, while the average Individual Settlement Payment to be paid is approximately \$47.88. Participating Class Members will be issued payment of their Individual Settlement Shares subject to reduction for the employee's share of taxes and withholdings with respect to the wages portion of the Individual Settlement Payment.

14. Additionally, \$50,000.00 of the Gross Settlement Amount has been allocated toward penalties under the Private Attorneys General Act (“PAGA Penalties Payment”), of which 75%, or \$37,500.00, shall be paid to the Labor and Workforce Development Agency (“LWDA” and “LWDA PAGA Payment”), and 25%, or \$12,500.00, of which shall be paid to all current and former hourly non-exempt individuals who are or were employed by Defendant during the PAGA Period. There are ten thousand nine hundred seventy (10,970) Aggrieved Employees who worked a total of six hundred forty-seven thousand seven hundred thirty-one (647,731) workweeks during the PAGA Period. The highest Individual PAGA Payment to be paid is approximately \$7.45, and the average Individual PAGA Payment to be paid is approximately \$1.14.

15. Pursuant to the Settlement, Individual Settlement Payments shall be allocated entirely to non-wage claims; therefore, no additional employer-side tax contributions will be paid from, or in addition to, the Gross Settlement Amount.

16. Phoenix's costs associated with the administration of this matter are \$60,000.00. This includes all costs incurred to date, as well as estimated costs involved in completing the settlement distribution.

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

3 Executed on March 28, 2025, at Orange, California.

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7 KEVIN LEE
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On March 28, 2025, I served all interested parties in this action the following documents described as: **SUPPLEMENTAL DECLARATION OF KEVIN LEE WITH RESPECT TO NOTICE AND SETTLEMENT ADMINISTRATION** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Mike Arias
mike@aswtlawyers.com

Craig S. Momita
craig@aswtlawyers.com

**ARIAS SANGUINETTI WANG
& TORRIJOS LLP**
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Los Angeles, CA 90045

MCGUIREWOODS LLP
Sabrina A. Beldner
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Sarah Y. Oh
Email: soh@mcguirewoods.com
1800 Century Park East, 8th Floor
Los Angeles, CA 90067

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 28, 2025, at Lynwood, California.



Paola Estrada