

Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com

Kristen Agnew (State Bar No. 247656)
kagnew@diversitylaw.com

Nicholas Rosenthal (State Bar No. 268297)
nrosenthal@diversitylaw.com

Max W. Gavron (State Bar No. 291697)
mgavron@diversitylaw.com

DIVERSITY LAW GROUP, A Professional Corporation

515 S. Figueroa St., Suite 1250

Los Angeles, CA 90071

(213) 488-6555

(213) 488-6554 facsimile

WILLIAM L. MARDER, ESQ. (State Bar No. 170131)

Polaris Law Group LLP

501 San Benito Street, Suite 200

Hollister, CA 95023

Tel: (831) 531-4214

Fax: (831) 634-0333

Email: bill@polarislawgroup.com

Dennis S. Hyun (State Bar No. 224240)

dhyun@hyunlegal.com

HYUN LEGAL, APC

515 S. Figueroa St., Suite 1250

Los Angeles, CA 90071

(213) 488-6555

(213) 488-6554 facsimile

Attorneys for Plaintiff and the Class

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ERIC CHAVEZ, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

vs.

CONVERSE, INC., a Delaware
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 15-cv-03746-NC

**DECLARATION OF KRISTEN M.
AGNEW IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: July 8, 2020

Time: 1:00 p.m.

Courtroom: 5, 4th Floor

Judge: Hon. Nathanael Cousins

DECLARATION OF KRISTEN M. AGNEW

I, Kristen M. Agnew, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff Eric Chavez ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I am one of the primary attorneys on this matter. My qualifications are as follows: I was the 2003 recipient of the Spelman Presidential Scholarship to Emory University School of Law. During law school, I was a summer associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta office of the Equal Employment Opportunity Commission. I received my J.D. from Emory University in 2006 and was admitted to the California Bar in December 2006. Following law school, I was an associate at Sonnenschein from September 2006 to May 2009.

3. Since 2009, my primary area of practice has been employment litigation. I have practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I was an associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate, and then senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP from June 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of fortune 500 companies in employment litigation in both state and federal courts, as well as before government agencies, including the California Department of Labor. My practice included the defense of single plaintiff and multi-plaintiff lawsuits involving claims under the California Fair Employment and Housing Act, the California Labor Code and the Fair Labor Standards Act. I also handled a number of wage and hour class actions.

4. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time handling employment cases. I primarily represent employees.

5. I served as the lead associate on a number of wage and hour class actions, including *Martha Cardenas v. Gold's Gym*, Los Angeles County Superior Court Case No. BC445112; *Nathaniel Werner v. Crown Equipment Corporation*, Los Angeles County Superior Court Case No. BC439428; *Christopher Williams v. Allstate Insurance Co.*, Los Angeles County Superior Court Case No. BC382577; *Hwang v. Caltech*, Los Angeles County Superior Court Case No. BC464894; *Melissa*

1 *Roberts v. Zale Delaware, Inc.*, Los Angeles Superior Court Case No. BC523610; *Michael Oliver v.*
 2 *Konica Minolta Business Solutions U.S.A., Inc.*, Santa Clara County Superior Court Case No. 114-CV-
 3 263183; *Tessa Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino Superior Court
 4 Case No CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-02006; *Tapia v. Zale*
 5 *Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess et al v. Tesoro Refining*
 6 *and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

7 6. I have been approved as class counsel in numerous other wage/hour class actions that
 8 have been granted class certification and final approval, including: *Antonio Becerra-Mata v. PSC*
 9 *Industrial Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal So v.*
 10 *Owens-Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No. BC608609;
 11 *Sarah Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-16-CV-294904;
 12 *Shannon Sanchez v. American Para Professional Systems, Inc.*, Santa Clara County Superior Court Case
 13 No. 17CV306751; *Foaad Hanna v. Equinix, LLC*, Santa Clara County Superior Court Case No.
 14 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County Superior Court Case No. BC720144;
 15 *Mary Della Maggiora v. Watsonville Community Hospital*, Santa Cruz Superior Court Case No.
 16 18CV00191; and *Michael Randolph v. Pacific Racing Association*, Alameda County Superior Court
 17 Case No. RG18908139.

18 7. I also second chaired two jury trials where I represented the prevailing defendant. Both
 19 cases involved employees who brought claims against their former employers pursuant to the Fair
 20 Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton Aerospace LLC et al*, Los Angeles
 21 County Superior Court Case No. BC401543; and *Richard Gulden v. Pratt & Whitney Rocketdyne Inc. et*
 22 *al.*, Los Angeles County Superior Court Case No. BC468909.

23 8. Based on my own independent investigation and evaluation, I am of the opinion that the
 24 settlement for the consideration and on the terms set forth in the Settlement Agreement is fair,
 25 reasonable, and adequate and that the settlement is in the best interests of the Settlement Class, in light
 26 of all known circumstances and the expenses and risks inherent in litigation. I also believe in the fairness
 27 of the settlement based on factoring in the uncertainty and risks to Plaintiff involved in not prevailing on
 28 his certified class claims at trial and the possibility of appeals.

1 9. I have no conflicts with the class and will adequately represent the class.

2 10. I do not have any relationship with Legal Aid at Work.

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

5 Executed on this 3rd day of June, 2020, at Los Angeles, California.

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Kristen M. Agnew