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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN MATEO**

MICHAEL CONNER, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

RED WING BRANDS OF AMERICA,
INC., a Minnesota corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 22CIV03830

[Assigned for all purposes to the Hon. V. Raymond
Swope, Department 23]

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFF’S MOTION TO
APPROVE SETTLEMENT AGREEMENT
PURSUANT TO THE PRIVATE ATTORNEYS
GENERAL ACT**

Date: August 12, 2024
Time: 3:00 P.M.
Dept.: 23

Action Filed: September 20, 2022
Trial Date: Not Set

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I, Larry W. Lee, 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, counsel of record for Named Plaintiff Michael Conner (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. From the inception of the case, Plaintiff's Counsel have zealously represented the interests of Plaintiff and the aggrieved employees. The settlement was obtained for the benefit of the aggrieved employees, as opposed to the individual Plaintiff.

3. I strongly believe that Plaintiff can prevail at trial. However, I also believe in the fairness of the settlement, which is based on factoring in the inherent risks in drawn-out litigation, as well as the possibility of appeals.

4. After taking into account sharply disputed factual and legal issues involved in this litigation, the risks attending further prosecution, and the substantial benefits to be received pursuant to the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Settlement Agreement is appropriate and in the best interests of Plaintiff and the aggrieved employees.

5. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of Fortune 500 companies.

6. My firm's primary focus is employment law. I have handled a number of wage and hour matters including class actions and multiple-plaintiff actions. I have a practice that encompasses cases in the Los Angeles Superior Courts, Orange County Superior Courts, San

1 Francisco County Superior Courts, San Diego County Superior Courts, and the United States
2 District Courts for the Central, Eastern, Northern, and Southern Districts of California.

3 7. I have been named as class counsel in a number of class actions that have been
4 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
5 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
6 County, Santa Clara County, Sonoma County, and the United States District Court for the
7 Central, Eastern, Northern, and Southern Districts of California, including but not limited to the
8 following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case
9 No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case
10 No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL
11 (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court, Judicial Council
12 Coordination Proceeding No. 4480; *Tse v. Best Buy*, Los Angeles Superior Court Case No.
13 BC392717; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539;
14 *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v.*
15 *Community Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No.
16 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council
17 Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior
18 Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court
19 Case No. CV-18-558.

20 8. To date, I have incurred approximately 15.8 hours in connection with the
21 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred
22 to date. I anticipate spending an additional 10 hours corresponding with the settlement
23 administrator and defense counsel to implement the settlement, if the Court grants approval.

24 9. The total lodestar for my hours will be approximately \$21,930.00 based on an
25 hourly rate of \$850.00 per hour. I have been approved at an hourly rate of \$800.00 per hour by
26 various courts, including: *Martinez and Acosta v. City of Hope National Medical Center, et al.*,
27 San Bernardino County Superior Court Case No. CIVDS2015729; *Jaime Moen v. Genentech,*
28 *Inc.*, San Diego County Superior Court Case No. 37-2021-00008619-CU-OE-CTL; *Murray v.*

1 *Granite Wellness Centers et al.*, Nevada County Superior Court Case No. CU20-084680; *Smith,*
2 *et al. v. Clean Harbors Environmental Services, Inc.*, Sacramento County Superior Court Case
3 No. 34-2021-00292526; *Correa et al. v. FedEx Supply Chain, Inc.*, San Bernardino County
4 Superior Court Case No. CIVDS2023369; *Meguro v. Silicon Valley Bank*, Santa Clara County
5 Superior Court Case No. 20CV369854; and *Linaki v. Genji Pacific, LLC*, Alameda County
6 Superior Court Case No. RG20074795. I recently increased my hourly rate to \$850.00 per hour. I
7 have been approved at \$850.00 per hour in *Stephenson v. Healthcare Services, Inc.*, Orange
8 County Superior Court Case No. 30-2019-01078609-CU-OE-CXC, *Lakey v. Poshmark, Inc.*,
9 Santa Clara Superior Court, Case No. 22CV395084; and *Audycki v. Stanford Health Care*, Santa
10 Clara Case No. 19CV347173.

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

13 Executed on this 14th day of June 2024, at Los Angeles, California.

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EXHIBIT A

Michael Conner v. Red Wing Brands
Time and Task Chart for Larry W. Lee

Hours	Description of Work
1.2	Review client documents and research Defendant's background and prior litigation history
1.0	Review and revise PAGA letter; review and revise complaints
1.9	Review and revise class action complaint; confer with client and counsel re same.
1.5	Analyze and review arbitration agreement to determine whether challenge appropriate.
.9	Review and revise amended complaint considering arbitration agreement.
2.5	Review and revise joint case management conference statements; confer with counsel re same
2.1	Confer with counsel re data and settlement position given information produced by Defendant.
1.9	Review and revise settlement agreement; confer with counsel re same
.5	Review and revise notice to be sent to aggrieved employees.
2.3	Review and revise Motion for Approval and supporting documents
15.8	TOTAL HOURS