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13 Attorneys for Plaintiffs

ELECTRONICALLY FILED
8/14/2025 4:59 PM
Kern County Superior Court
By Marina Mercado, Deputy

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 FOR THE COUNTY OF KERN

16 Scott Carney, Romein Martinez, Donovan Last,
17 and Michael Kaveler,

18 Plaintiffs,

19 vs.

20 California Resources Corporation, Geo Drilling
21 Fluids, Inc., M-I, LLC, and Does 1 through 10,

22 Defendants.

23 And related cross-actions.

Case No. BCV-15-101729

CLASS ACTION

*(Assigned to the Hon. Bernard C. Barmann, Jr.
– Dept. H)*

**Declaration of Lars Kindem in Support of
Motion for Preliminary Approval of Class
Action and PAGA Settlement**

Date: September 15, 2025

Time: 8:30 a.m.

Dept.: H

24 I, Lars Kindem, declare:

- 25 1. I am an attorney licensed to practice in California. The Peter R. Dion-Kindem, PC law firm is co-
26 counsel for Plaintiffs Scott Carney, Donovan Last, Michael Kaveler, and Romein Martinez in this
27 action. I have personal knowledge of the following facts.
- 28 2. I am the principal of Peter R. Dion-Kindem, P.C. I was admitted to the California Bar in December
2016.

**Declaration of Lars Kindem in Support of Motion for Preliminary Approval of Class Action and
PAGA Settlement**

3. I submit this declaration on behalf of the Peter R. Dion-Kindem, P.C. law firm.

Class Action Experience

4. My Firm was counsel of record in the following class and/or PAGA proceedings that were finally approved:

- Adauto v. Door Components Inc., et al, Case No. BC469230, California Superior Court, County of Los Angeles
- Arce v. MV Transportation, Inc., et al, Case No. BC457702, California Superior Court, County of Los Angeles
- Awad v. Elemental Energy, Inc., Case No. 1302544, Riverside County Superior Court
- Ayala v. Denbeste Manufacturing, et al, Case No. S-1500-CV-275248 WDP, California Superior Court, County of Kern
- Borchani-Torres v. Eisenhower Medical Center, Case No. INC1201246, California Superior Court, County of Riverside
- Browning, et al., v. McCarthy Building Companies, Inc., Case No. 5:18-cv-05882-BLF, United States District Court, Northern District of California
- Brown and Griffin v. Steve's Oilfield Service, Inc., et al., Case No. S1500-CV-283801, Kern County Superior Court
- Camacho v. Shred-it, Case No. 39-2014-00307879-CU-OE-STK, San Joaquin County Superior Court
- Cartwright v. Brahma Group, Inc., et al., Case No. BCV-18-102027, Kern County Superior Court
- Cartwright v. Sletten Construction Company, et al., Case No. 18CV04532, Santa Barbara Superior Court
- Deprizito, et al. v. PAMA Management, Inc., et al., Case No. BC723619, Los Angeles County Superior Court
- Erlandsen v. FlexCare, LLC, et al., Case No. 1390595, California Superior Court, County of Santa Barbara
- Espinoza, Wade v. Defender Security Company, Case No. 2:15-cv-7142-CAS-JC, United States District Court, Central District of California – Western Division
- Gonzalez v. Corrections Corporation of America, Case No. 1:16-cv-01891, United States District Court, Eastern District of California
- Grande v. Lawrence Recruiting Specialists d/b/a LRS Healthcare, Case No. 57 160 00080 13, American Arbitration Claim
- Grice v. Pepsi Beverages Company, Case No. 1:17-cv-08853-JPO, United States District Court, Southern District of New York

- Haakstad, et al. v. Fondnazio, et al., Case No. C15-02074, Contra Costa County Superior Court
- Hebert v. Barnes & Noble, Inc., Case No. 37-2019-00007178-CU-MC-CTL, San Diego County Superior Court
- Hebert v. Valley Children's Hospital., Case No. MCV076409, Mader County Superior Court
- Johnson v. Field Nation, LLC, et al., 01-22-0005-2476, American Arbitration Association
- Judge v. PAMA, et al, Case No. 72 160 00975 12, American Arbitration Association
- Kalin, et al. v. Apple Inc., Case No. 13-CV-03451-WHA, United States District Court, Northern District of California
- Kirchner v. Shred-it USA Inc., CIV. 2:14-1437 WBS, 2014 WL 6685210 (E.D. Cal. Nov. 25, 2014)
- Lady v. Sacramento Drilling, Inc., et al., Case No. CU-18-00150, San Benito County Superior Court
- Lagos v. The Leland Stanford Junior University, Case No. 115CV284784, Santa Clara County Superior Court
- Liggitt v. Trueblue, Inc., et al., Case No. RIC1509572, Riverside County Superior Court
- Larroque v. First Advantage LNS Screening Solutions, Inc., et al., Case No. CAV 535083, San Mateo County Superior Court
- Martinez-Taft v. Children's Hospital Central California, Case No. MCV066748, California Superior Court, County of Madera
- Meza v. LinkUs Enterprises, Inc., et al, Case No. S-1500-CV-274733 LHB, California Superior Court, County of Kern
- Miller v. Mud-Check, Inc., et al., Case No. BCV-15-100921, Kern County Superior Court
- Oropeza v. Pick-N-Pull Auto Dismantlers, et al., Case No. RG11560441, Superior Court of California, County of Alameda
- Poisson v. Dispatch Transportation, Inc., et al., Case No. RIC1504851, Riverside County Superior Court
- Poisson v. Neal Trucking, Inc., et al., Case No. EDCV13-2241, United States District Court, Central District of California
- Robinson v. Turning Point of Central California, Inc., Case No. 14CECG03685, California Superior Court, County of Fresno
- Sander v. Shipt, Inc., Case No. RG19031481, Alameda County Superior Court
- Shakespeare, et al. v. Ameri-Force Craft Services, Inc., Case No. 37-2021-00013962-CU-OE-CTL, California Superior Court, County of San Diego
- Shakespeare and Hood v. National Steel and Shipbuilding Company, Case No. 37-2021-00013962-CU-OE-CTL, San Diego Superior Court

- Stone v. Universal Protection Service, Case No. 01-15-0002-7497, American Arbitration Association
- Syed, et al. v. M-I LLC, Case No. 1:12-cv-01718-AWI-MJS, United States District Court, Eastern District of California
- Syed v. M-I LLC, et al., Case No. 1:14-cv-00742-WBS-BAM, United States District Court, Eastern District of California
- Terry v. Ulta Salon, Cosmetics & Fragrance, Inc., Case No. 4:18-cv-07683-JST, United States District Court, Northern District of California
- Travis v. AMN Staffing Services, LLC, Kaiser Foundation Hospitals, Case No. 24STCV02711, Los Angeles Superior Court
- Tuliau v. The Kroger Co., Ralphs Grocery Company, Case No. RIC2002168, Riverside Superior Court
- Watson v. Wells Fargo Bank, N.A., Case No. BC559193, Los Angeles County Superior Court
- Weitz v. TakeLessons, Inc., Case No. 37-2024-00007416-CU-OE-CTL, San Diego Superior Court
- Wortham, et al. v. Turning Point of Central California, Inc., Case No. 15CECG02618, California superior Court, County of Fresno

5. My firm was counsel of record in at least 15 pending class and/or PAGA actions.

Adequacy of Counsel and Plaintiffs

6. No conflicts, disabling or otherwise, exist between Plaintiffs and class members because Plaintiffs have been damaged by the same alleged conduct resolved in this settlement and have the incentive to fairly represent all class members' claims to achieve the maximum possible recovery. Plaintiffs stand in the same shoes as the class members as to the class claims and have the same incentives to maximize the overall recovery on such claims.
7. I have no conflicts with any class members.
8. I and my co-counsel have the desire, intention, and ability to prosecute these claims and have been doing so in the face of strenuous opposition by Defendants.
9. My firm has incurred at least 2,362 hours in this litigation to date. These hours were incurred by Peter Dion Kindem, who was admitted to the California Bar in December 1980 and had practiced civil litigation, including the prosecution of employment claims, throughout his career.

- 1 10. Peter Dion-Kindem attended UCLA School of Law and graduated in 1980. He was admitted to the
2 California bar in 1980 and practiced as a litigation attorney in state and federal courts in California
3 and, on occasion, in other states, since such time. The focus of his practice was almost exclusively
4 civil litigation.
- 5 11. Peter Dion-Kindem was admitted in all the federal courts of California, the Ninth Circuit, and the
6 United States Supreme Court. He has been counsel of record and briefed over 50 appeals and
7 extraordinary writ petitions. Some of the published opinions in which he has been involved include
8 *Grande v. Eisenhower Medical Center* (Cal., June 30, 2022, No. S261247) 2022 WL 2349762 (*res*
9 *judicata* in wage and hour class action settlements), *Epstein vs. MCA*, 50 F.3d 644 (9th Cir. 1995)
10 (securities fraud), *Cloud v. Casey* (1999) 76 Cal.App.4th 895 (gender discrimination), and
11 *Gutierrez v. Girardi* (2011) 194 Cal.App.4th 925 (legal malpractice/breach of fiduciary duty),
12 *Prakashpalan v. Engstrom, Lipscomb & Lack* (2014) 223 Cal.App.4th 1105 [167 Cal.Rptr.3d 832]
13 (attorney fraud), *Syed v. M-I, LLC*, 853 F.3d 492 (9th Cir. 2017) (FCRA violations), *Meza v.*
14 *Pacific Bell Telephone Company* (Cal. Ct. App., June 17, 2022, No. B317119) 2022 WL 2186251
15 (wage and hour class certification), and *Huerta v. CSI Electrical Contractors* (2024) 15 Cal.5th
16 908 [319 Cal.Rptr.3d 376, 544 P.3d 1118] (hours worked claim for security process).
- 17 12. The time my firm spent on this case is consistent with the level of effort necessary to bring this
18 legally complex and data intensive case to a resolution and was reasonable and necessary. In
19 addition, many of the factors supporting a multiplier are present here, including the risk of an
20 uncertain result, the contingent nature of the work, and most significantly here, the result obtained.
- 21 13. As set forth in the Declaration of Lonnie C. Blanchard III, the \$1,141 hourly rate compares
22 favorably to the hourly rates being charged by other attorneys with Lonnie Blanchard's and Peter
23 Dion-Kindem's experience in class and PAGA actions and is reasonable for the level of services
24 provided by us and our experience.
- 25 14. As discussed in the Declaration of Lonnie C. Blanchard III, the lodestar analysis reflects that the
26 actual fees requested based on the number of hours worked results in a multiplier that is well within
27
28

1 the range of multipliers granted by numerous courts in approving attorney fee awards in wage and
2 hour settlements.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing is
4 true and correct.
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6 Dated: August 14, 2025

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9 Lars Kindem
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1 **PROOF OF SERVICE**

2 I am over the age of 18 and not a party to the within action. My business address is 3856 Davids
3 Road, Agoura Hills, CA 91301. On August 14, 2025, I served the following document(s) described as:

4 **Declaration of Lars Kindem in Support of Order Approving PAGA Settlement**

5 on interested parties in this action as follows:

6 *See below service list*

7 **(By Mail)** I deposited such envelope with postage thereon fully prepaid in the United States
8 mail at a facility regularly maintained by the United States Postal Service at Los Angeles,
California.

9 xxx **(By Email)** Based on a court order, Rules of Court, or an agreement of the parties to accept
10 electronic service, I caused the documents to be sent to the person(s) at the email addresses set
forth above.

11 **(By Overnight Delivery)** I enclosed the documents in an envelope or package provided by an
12 overnight delivery carrier and addressed to the persons at the address(es) identified above. I
placed the envelope or package for collection and overnight delivery at an office or a regularly
utilized drop box of the overnight delivery carrier.

13 **(By Personal Service)**

14 By personally delivering copies to the person served.

15 I delivered such envelope by hand to the offices of the addressee pursuant to Code of
Civil Procedure Section 1011.

16 I declare under penalty of perjury under the laws of the State of California that the above is true
17 and correct. Executed on August 14, 2025.

18 

19 _____
Kale M. Morita

Service List

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