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all others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

PHILLIP BERNAL, TRUHILL NOEL, KHYELL
MARTIN, DAMIEN MCNORTON, WADDIE
EARNEST, GILBERT ESTRADA, CARMEN
HERNANDEZ, and WENDY QUINTERO,
individually, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

EXPRESS MESSENGER SYSTEMS, INC., dba
ONTRAC, a Minnesota Corporation, ONTRAC
LOGISTICS, INC., a Delaware Corporation, and
DOES 2-10, Inclusive,

Defendants.

Case No. CIVSB2319614

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Joseph Ortiz

Department S-17

CLASS & REPRESENTATIVE ACTION

**DECLARATION OF TYLER J. WOODS
IN SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: July 21, 2026

Time: 1:30 p.m.

Dept. S-17

Complaint filed: August 15, 2023

Trial date: Not set

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Attorneys for Plaintiffs WENDY QUINTERO AND CARMEN HERNANDEZ

1 I, Tyler J. Woods, declare as follows:

2 1. I am admitted and in good standing, to practice as an attorney in the State of
3 California and the United States District Courts for the Central, Southern, Eastern, and Northern
4 Districts of California. I am a Senior Partner at Wilshire Law Firm, PLC (“WLF”), counsel of
5 record for plaintiffs Wendy Quintero and Carmen Hernandez (“Plaintiffs”). I, along with the
6 above-captioned attorneys of WLF (inclusively “Class Counsel”), have reviewed the case files for
7 this matter as routinely kept by WLF in the course of litigation. Based upon the information
8 available to Class Counsel through WLF’s record-keeping processes, I am competent to make this
9 declaration (this “Declaration”). This Declaration is submitted concurrently with and in support of
10 Plaintiffs’ Motion for Final Approval of Class Action Settlement (the “Motion”).

11 CASE BACKGROUND

12 2. This is a wage and hour class and Private Attorneys General Act (“PAGA”) (Lab.
13 Code §§ 2699, *et seq.*) representative action. Plaintiffs and the putative class members worked in
14 California as hourly-paid or non-exempt employees for Defendant OnTrac Logistics, Inc.
15 (“Defendant,” and together with Plaintiffs, the “Parties”) during the class period. Defendant
16 advertises itself as the “last-mile e-commerce delivery service” that is “1.9 days faster than national
17 carriers” and has “98%+ on-time delivery performance.” Warehouse employees are responsible
18 for unloading trucks and sorting packages by the delivery zip code.

19 3. On August 16, 2024, Plaintiffs Hernandez and Quintero filed a Class Action
20 complaint a year after the first-filed *Bernal*, and is pending in Los Angeles Superior Court,
21 Case No. 24STCV20860. Plaintiffs allege claims for unpaid wages, including overtime,
22 failure to provide meal and rest breaks and reimburse business expenses, failure to produce
23 requested employment records, as well as derivative claims. Plaintiffs sent a notice to Defendant
24 and the California Labor & Workforce Development Agency (“LWDA”) alleging similar wage
25 and hour violations pursuant to the PAGA on August 5, 2024. On December 12, 2024, Plaintiffs
26 Hernandez and Quintero filed First Amended Complaint against Defendant adding a claim for civil
27 penalties under PAGA.

28 ///

1 DISCOVERY, INVESTIGATION, AND SETTLEMENT

2 4. Following the filing of the initial complaint, the Parties exchanged documents and
3 information before mediating this action. Defendant produced a sample of time and pay records
4 for class members. Defendant also provided documents of its wage and hour policies and practices
5 during the class period, and information regarding the total number of current and former
6 employees in its informal discovery responses.

7 5. After reviewing documents regarding Defendant's wage and hour policies and
8 practices and analyzing Defendant's timekeeping and payroll records, Class Counsel was able to
9 evaluate the probability of class certification, success on the merits, and Defendant's maximum
10 monetary exposure for all claims. Class Counsel also investigated the applicable law regarding
11 the claims and defenses asserted in the litigation. Class Counsel reviewed these records and
12 prepared a damage analysis prior to mediation. This extensive investigation and discovery allowed
13 Class Counsel to act intelligently and effectively in negotiating the Settlement.

14 SETTLEMENT NEGOTIATIONS

15 6. On March 25, 2025, the Parties participated in private mediation with experienced
16 class action mediator Kevin Barnes, Esq. The mediation was conducted via Zoom. The settlement
17 negotiations were at arm's length and, although conducted in a professional manner, were
18 adversarial. The Parties went into the mediation willing to explore the potential for a settlement
19 of the dispute, but each side was also prepared to litigate their position through trial and appeal if
20 a settlement had not been reached.

21 7. Following the mediation session, Mr. Barnes issued a Mediator's proposal, which
22 the parties accepted, reaching the settlement in principle. After additional weeks of arms' length
23 negotiations, the Parties finalized the terms of the settlement in a Memorandum of Understanding,
24 which was fully executed on September 5, 2025.

25 SERVICE AWARDS ARE REASONABLE

26 8. Throughout this Action, Plaintiffs, who are former employees of Defendant, has
27 cooperated immensely with WLF and has taken many actions to protect the interests of the Class.
28 Plaintiffs provided valuable information regarding the off-the-clock, meal period, and rest period

claims. Plaintiffs also informed WLF of developments and information relevant to this Action, participated in decisions concerning this Action, and made himself available to answer questions during the mediation. Before we filed this Action, Plaintiffs provided Class Counsel with documents regarding the claims alleged in this Action. The information and documentation provided by Plaintiffs were instrumental in establishing the wage and hour violations alleged in this Action, and the recovery provided for in the Settlement Agreement would have been impossible to obtain without Plaintiffs' participation.

9. At the same time, Plaintiffs faced many risks in adding themselves as Plaintiffs in this Action. Plaintiffs faced actual risks with their future employment, as putting themselves on public record in an employment lawsuit could also very well affect their likelihood for future employment. Furthermore, as part of this Settlement, Plaintiffs are executing general releases of all claims against Defendant.

10. In the final analysis, this Action would not have been possible without the aid of Plaintiffs, who put their own time and effort into this Action, sacrificed the value of their own individual claims, and placed themselves at risk for the sake of the Class Members. The requested payment of up to \$7,500.00 to Plaintiff Wendy Quintero and Carmen Hernandez for their service as the Plaintiffs and in exchange for his general release of their individual claims (the "Service Payment"), is a relatively small amount of money. Considering the time and effort put into the Action, and in comparison to similar service awards granted in other class actions, the Service Payments are reasonable.

THE REQUEST FOR ATTORNEYS' FEES AND COSTS IS REASONABLE

11. The Settlement provides for an attorneys' fee payment in an amount up to 35% of the Gross Settlement Amount for a maximum payment of \$1,575,000.00 (the "Fees Payment"), plus a payment for litigation expenses of up to \$55,000.00 (the "Costs Payment").

12. The total current lodestar for WLF is not less than the following:

Person	Role	Hours	Rate	Lodestar
Tyler J. Woods	Senior Partner	1.2	\$1,200	\$1,440.00
Alan Wilcox	Senior Attorney	5.0	\$950	\$4,750.00

James Yoo	Senior Attorney	19.5	\$800	\$15,600.00
Conor Gomez	Settlement Attorney	1.0	\$575	\$575.00
Ruby Carrera	Associate Attorney	4.5	\$550	\$2475.00
Molly DeSario ¹	Partner	9.5	\$1,000	\$9,500.00
Total:		40.7		\$34,340.00

13. WLF has spent approximately 40.7 hours, for a lodestar of \$34,340.00 litigating this Action to bring it to resolution, not including time which will be expended monitoring the administration of the Settlement and distribution of funds to the Class Members. Efforts expended by Class Counsel to achieve this result include, but are not limited to, the following:

- a. the investigation of the Action, including meeting with Plaintiffs, reviewing Defendant's policies, and requesting and reviewing Plaintiffs' time and pay records, personnel files, and exploring the corporate structure of Defendant;
- b. filing the Action;
- c. attending hearings and meeting and conferring with Defendant regarding the Action;
- d. meeting and conferring with Defendant regarding mediation, exchange of informal discovery beforehand, and negotiating with opposing counsel regarding the parameters thereof;
- e. selecting mediator and mediation date;
- f. working with opposing counsel and an expert consultant for the receipt of a representative sampling and analyzing the same with the aid of expert consultant and Plaintiffs to perform analyses of liability and exposure prior to attendance of each mediation in this Action;
- g. reviewing policy documents from Defendant and researching applicable defenses;
- h. preparation of a mediation brief and damages model for use at mediation;
- i. attendance at mediation by the Parties and Class Counsel;

¹ Molly DeSario is no longer with Wilshire Law Firm, PLC. I have conservatively estimated their hours based on my independent review of the filed and corroboration of their work.

- j. communicating with Plaintiffs who requested updates or other information regarding this Action;
- k. engaging in settlement negotiations, followed by finalizing and fully executing the Settlement Agreement;
- l. preparing and assisting in the drafting of the Motion for Preliminary Approval of Class Action Settlement and supporting documents;
- m. communicating with the Administrator to ensure the Class Notice was properly distributed and engaging in extensive follow-up communications with the Administrator regarding Class Members who sought additional information about the Settlement; and
- n. assisting and preparing the instant Motion and supporting documents.

14. There are additional hours devoted by Class Counsel to this Action that are not reflected in the request for the Attorneys' Fees and Costs.

15. We can provide additional billing records in the event the Court requests them but would request the opportunity to redact attorney-client privileged information and any other privileged information.

16. I believe that the Attorneys' Fees and Costs reasonable. WLF invested significant time and resources into the Action, with payment deferred to the end of the case, and then, of course, contingent on the outcome.

17. It is further estimated that WLF will need to expend at least another 10 to 15 hours to monitor the process leading up to payments made to the Class. WLF also bears the risk of taking the necessary actions if Defendant fails to pay.

18. The risk to WLF has been significant, particularly if we would not be successful in pursuing this Action. In that case, we would have been left with no compensation for all the time taken in litigating this Action. The contingent risk in these types of cases is very real and they do occur regularly. WLF was precluded from focusing on, or taking on, other cases which could have resulted in a larger, and less risky, monetary gain.

19. Because most individuals cannot afford to pay for representation in litigation on an

hourly basis, WLF represents all employment law clients on a contingency fee basis. Pursuant to this arrangement, we are not compensated for our time unless we prevail at trial or successfully settle our clients' cases. Because WLF is taking the risk that we will not be reimbursed for our time unless our client settles or wins his or her case, we cannot afford to represent an individual employee on a contingency basis if, at the end of our representation, all we are to receive is our regular hourly rate for services. It is essential that we recover more than our regular hourly rate when we win or settle to remain in practice and continue representing other individuals in civil rights employment disputes.

20. As of the date of filing this Motion, WLF has incurred around \$3,197.84 in costs, and Defendant has agreed that they will not oppose an Attorneys' Costs payment request of up to \$55,000.00. Accordingly, Class Counsel respectfully requests reimbursements of \$3,197.84 in expenses, which should be reimbursed in full. Attached as **Exhibit 1** is a true and correct copy of our list of the costs and the categories of costs for the costs incurred in this Action to date by WLF.

CLASS COUNSEL'S EXPERIENCE AND QUALIFICATIONS

21. WLF was selected by Best Lawyers and U.S. News & World Report as one of the nation's Best Law Firms for every year since 2020 and is comprised of more than 100 attorneys and over 600 employees. WLF is actively and continuously practicing in employment litigation, representing employees in both individual and class actions in both state and federal courts throughout California.

22. WLF is qualified to handle this Action because its attorneys are experienced in litigating Labor Code violations in both individual, class action, and representative action cases. WLF has handled, and is currently handling, numerous wage and hour class action lawsuits, as well as class actions involving consumer rights and data privacy litigation.

CLASS COUNSEL'S EXPERIENCE

Tyler J. Woods's Qualifications

23. Tyler J. Woods graduated from the University of California, Davis in 1999 with a Bachelor of Arts degree in Communications with minors in Spanish and Psychology. He received by Juris Doctor from USC Gould School of Law in 2004.

24. Upon graduating from law school in 2004, Mr. Woods worked for international firm McDermott Will & Emery LLP practicing general litigation which included employment law matters. Since 2010, and exclusively since 2013, his practice has focused on labor and employment matters including handling wage and hour class, collective, and representative actions (including the California Private Attorneys general Act or “PAGA”), including at the law firms of McDermott Will & Emery LLP (where he was a partner), Pacific Trial Attorneys (where he was a partner), and labor and employment powerhouse Fisher Phillips (where he was a partner and head of Fisher Phillips Class Action Practice Group). At these law firms, he was the lead trial counsel or took a major leading role in defending employers on numerous wage and hour class, collective, and representative actions. Under his leadership as lead counsel during his tenure as defense counsel he successfully defeated class certification of a potential 10,000 plus class as lead counsel on behalf of a nationwide quick service restaurant during his time as defense counsel and negotiated several wage and hour class actions that were subsequently approved by the Courts.

25. In late March 2024, Mr. Woods left Fisher Phillips and joined WLF, to represent plaintiff employees. He has been and is handling many wage and hour class and representative actions litigating such matters on behalf of plaintiff employees in numerous Superior Courts. From matters representing both plaintiff and defendants, he has successfully mediated the resolution of many wage and hour class, collective, and representative actions.

26. In July 2025, he obtained a jury verdict in excess of \$6,000,000 in a wage and hour case in Los Angeles Superior Court against Javier’s Cantina & Grill (Los Angeles Superior Court Case No. 19STCV36438).

27. Mr. Woods has received numerous awards for his legal work. For example, from 2009-2011 and 2014, he was listed as a Rising Star in Los Angeles Super Lawyers (Thomas Reuters). He has also served on numerous prominent boards and in other leadership positions, including currently serving on the board of the Orange County Chapter of the California Restaurants Association.

28. He has also presented monthly webinars on labor and employment issues to hundreds of participants since 2022, including on wage and hour issues. For example, he presented

1 “10 Reasons Employers Get Sued (and How to Avoid These Mistakes” (while a partner with Fisher
2 Phillips) and “Key Insights for Hospitality Employers: Arbitration Agreements 101” (while a
3 partner with Fisher Phillips).

4 29. His hourly rate is reasonable given his experience and when compared to other
5 similarly experienced attorneys in this practice and geographic location. The reasonableness
6 of Class Counsels’ hourly rates is also supported by several surveys of legal rates, including the
7 following:

8 (a) The 2022 Real Rate Report survey compiled by Wolters Kluwer, which
9 presents the real market rates of Los Angeles area attorneys who practice
10 litigation. For that category, the third quartile 2022 rate was \$1,045 per hour
11 for partners and \$855 for associates. Likewise, page 32 of the Report
12 describes the rates charged by 183 Los Angeles partners with “21 or more
13 years of experience” and “Fewer than 21 years.” For those categories, the
14 third quartile Los Angeles partner rate in 2022 were \$1,133 per hour for 21
15 or more years and \$1,075 for attorneys with fewer than 21 years. A true and
16 correct copy of portions of the 2022 Real Rate Report is attached hereto
17 as Exhibit 2.

18 (b) In an article entitled “Big Law Rates Topping \$2,000 Leave Value ‘In Eye
19 of Beholder,’” written by Roy Strom and published by Bloomberg Law on
20 June 9, 2022, the author describes how Big Law firms have crossed the
21 \$2,000-per hour rate. The article also notes that law firm rates have been
22 increasing by just under 3% per year. A true and correct copy of this article
23 is attached hereto as Exhibit 3.

24 Alan Wilcox’s Qualifications

25 30. Alan Wilcox obtained his Bachelor’s degree from the University of California,
26 Berkeley in 2007. He graduated from Pepperdine University’s School of Law and became a
27 member of the California State Bar in 2012.

28 31. Throughout Mr. Wilcox’s career up until his employment at WLF, he was

1 essentially continuously employed as a civil litigation attorney at multiple law firms. He has
2 represented clients in both state and federal Courts in a wide variety of matters, including contract
3 disputes, wrongful foreclosure, unlawful detainer, divorce, product defect, tort, and employment.

4 32. From 2014 to the present, Mr. Wilcox has been exclusively practicing complex civil
5 litigation representing plaintiff employees in employment matters. In that time, he has become an
6 expert in the field. Mr. Wilcox has handled both individual wrongful discharge and collective
7 wage and hour actions, with class action and PAGA matters including *Flores v. Aqua Terra*
8 *Culinary, Inc.*, Monterey Superior Court Case No. 17CV002672, *Garcia v. Construction*
9 *Innovations Group, LLC*, Sacramento Superior Court Case No. 34-2020-00285239, *Kim v.*
10 *Sheraton Operating Corp.*, Central District of California Case No. 2:17-cv-09247-FMO-E, *Pease*
11 *v. Wattrans, Inc.*, San Bernardino Superior Court Case No. CIVDS1919832, and *Lachman v.*
12 *Berlitz Languages, Inc.*, Los Angeles Superior Court Case No. 19STCV01533, among others.

13 33. Mr. Wilcox used his programming skills to create complex systems for
14 automatically performing in-depth analyses of employment records to identify wage and hour
15 violations in both individual and collective action settings. He has tried several matters, including
16 multiple employment cases and multiple non-employment cases. His expertise has resulted in
17 obtaining multiple millions of dollars for his clients. He strives to represent individuals struggling
18 to enforce their rights and recover what is owed to them from employers who violate California
19 law. At WLF, he is a Senior Attorney charged with taking resolved class action and PAGA matters
20 and ensuring that they are carried through the approval and distribution process in an efficient
21 manner and in compliance with Court orders.

22 34. Mr. Wilcox's current hourly billing rate is \$950.00 per hour. This hourly rate is
23 reasonable and appropriate, given his background and experience. He is generally familiar with
24 hourly rates charged by attorneys in both Southern and Northern California whose training and
25 experience are similar, and believes this rate is competitive in both markets for attorneys.

26 35. Indeed, a commonly used metric for determining reasonable attorney fee rates based
27 upon years of experience, the Laffey Matrix (<http://www.laffeymatrix.com/see.html>), indicates
28 that it would be reasonable for Mr. Wilcox to charge approximately \$948.00 per hour. Prior to

1 taking on a Senior Attorney role at WLF, for multiple years his hourly billing rate stagnated at
2 \$650.00 per hour, following Judge Upinder S. Kalra granting the plaintiff's post-trial motion for
3 attorneys' fees and approving hours and rate billed in the matter of *Parker v. Innovative Speech*
4 *Therapy and Communications Servs., Inc.*, Los Angeles Superior Court Case No. 19STCV36310,
5 and when Judge Kory Mathewson approved Mr. Wilcox's fee rate for a default judgment in *Segura*
6 *v. Beyond Staffing Solutions, Inc.*, San Bernardino Superior Court Case No. CIVDS1908672.
7 While working for WLF, Mr. Wilcox has been repeatedly approved as class counsel and his hourly
8 billing rate has been approved for many class and PAGA action settlements.

9 James Yoo's Qualifications

10 36. James Yoo is a Senior Attorney at Wilshire Law Firm. He graduated from the
11 University of California, Los Angeles with a Bachelor of Arts in Philosophy and earned his
12 Juris Doctor degree from UCLA School of Law. He was admitted to practice law in the State of
13 California in 2016. Before joining Wilshire Law Firm, he served as head of the Wage and Hour
14 Department at Warmuth Law, where he gained extensive experience managing wage and hour
15 matters and negotiating settlements on behalf of employees. As a Senior Attorney at Wilshire
16 Law Firm, he leads and manages multiple complex wage and hour class and representative
17 actions under the California Private Attorneys General Act ("PAGA"). He is currently
18 overseeing more than one hundred active class action and PAGA representative matters pending
19 in courts throughout the State of California.

20 Conor J.D. Gomez's Qualifications

21 37. Conor J.D. Gomez is an Attorney at WLF. Mr. Gomez is responsible for finalizing
22 resolved class action and PAGA matters, ensuring that they are carried through the approval and
23 distribution process in an efficient manner and in compliance with court orders. He graduated from
24 the University of California, Los Angeles School of Law in May 2020. Mr. Gomez passed the
25 California Bar Examination on his first attempt and was admitted to practice in May 2021. He is
26 admitted to practice law in the State of California and before the Northern District of California.
27 Mr. Gomez also serves as an adjunct professor at the Thomas Jefferson School of Law in San
28 Diego, California, and he acts as a Bar Exam Preparation mentor to law students throughout San

Diego. He graduated from the University of California, San Diego in 2017 with a Bachelor of Arts in Sociology, concentrating in Law & Society. During law school, Mr. Gomez obtained credentials in course design, teaching innovation and technology, and business administration from the University of California, Irvine. He was awarded the Masin Family Foundation Gold Award in recognition of his academic performance in law school. Mr. Gomez began his legal career representing both for-profit and non-profit/tax-exempt organizations. He draws on that experience to achieve strong results for his clients, having represented businesses and understanding their perspectives. He has practiced plaintiff-side employment litigation for several years and has a strong record of securing settlements in individual wage-and-hour and FEHA matters, with results regularly reaching the six-figure range. Throughout his career, Mr. Gomez has worked with multiple firms, taking on increasing responsibility and mentoring dozens of new attorneys in employment law fundamentals and litigation strategies to achieve efficient and favorable outcomes. He transitioned into his current role at WLF to capitalize on his strengths in settlement negotiations, workflow optimization, and drafting clear and concise agreements and motions, with the goal of achieving maximal results for larger classes of workers. Mr. Gomez has served on the board of directors for local arts organizations and regularly hosts workshops throughout Southern California. He has guest lectured at the University of California, Irvine on various legal topics. He is also a certified mediator and serves on the California Lawyers for the Arts mediation panel, where he volunteers his time to mediate a wide range of disputes, including artistic business and ownership matters as well as employment disputes. Mr. Gomez has been appointed as class counsel in wage-and-hour matters throughout California, including most recently in *Sendis et al., v. Gucci America, Inc., et al.*, CVPS2404656, Motion for Final Approval Granted May 8, 2026; *Taylor v. Taylor Creative Inc., et al.*, 23CV012371, Motion for Final Approval Granted on May 4, 2026; *Martinez v. Inland Staffing Inc. et al.*, CIVSB2428153, Motion for Preliminary Approval Granted April 24, 2026; *Alvarado v. Northstar Chemical, Inc., et al.*, CV-23-001538, Motion for Final Approval Granted April 9, 2026; *Julius v. Amdal Transport Services, Inc.*, VCU309520, Motion for Final Approval Granted April 7, 2026; *Begley v. Genewiz, LLC*, 37-2022-00038762-CU-OE-CTL, Motion for Final Approval Granted April 3, 2026; *Canady*

1 *v. Sheffield Platers, Inc.*, 37-2024-00014952-CU-OE-CTL, Motion for Preliminary Approval
2 Granted March 4, 2026; *Molina v. CCN Framing, Inc.*, 22STCV10819, Motion for Preliminary
3 Approval Granted on March 4, 2026; and *Lucero v. Nissho of California, Inc.*, Case No. 37-2021-
4 00001528-CU-OE-CTL, consolidated with Case No. 37-2022-00012006-CU-OE-CTL, Motion for
5 Final Approval granted on February 20, 2026; *Atondo v. Laurel Ag & Water, LLC, et al.*, BCV-24-
6 102996, Motion for Final Approval Granted May 28, 2026; *Sisco v. ShoEi Foods (U.S.A.), Inc.*,
7 CVCV23-01306, Motion for Preliminary Approval Granted June 1, 2026.

8 Ruby Carrera's Qualifications

9 38. RUBY CARRERA is an Associate Attorney at Wilshire Law Firm. She graduated
10 from the University of California, Davis with a Bachelor of Arts in Communications, and earned
11 her Juris Doctor from Santa Clara University School of Law in 2020. She was admitted to the
12 California State Bar in 2022. Ruby has represented clients in both state and federal courts in a wide
13 range of matters, including wrongful termination, workplace harassment, wage and hour disputes,
14 partition actions, and real estate litigation. Before joining Wilshire Law Firm, she focused her
15 practice on single-plaintiff employment cases, where she gained significant experience litigating
16 wage and hour claims and other employment-related disputes. She now focuses her practice on
17 wage-and-hour law, including Private Attorneys General Act of 2004 ("PAGA") matters.

18 Molly DeSario's Qualifications

19 39. Molly DeSario was a Partner at WLF. She graduated cum laude from the Carl H.
20 Lindner School of Business at the University of Cincinnati in 1999 and received her Juris Doctor
21 from Northeastern University School of Law in 2003. Ms. DeSario has over 19 years of experience
22 in litigating class action and mass litigation and has spent 16 years prosecuting class and PAGA
23 actions at well-known plaintiff-side wage and hour firms in California. As a Partner, Ms. DeSario
24 oversaw the prosecution of hundreds of representative wage and hour actions in California state
25 and federal courts.

26 ///

27 ///

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

3 Executed on June 9, 2026, in Los Angeles, California.

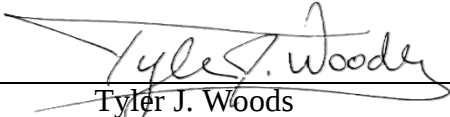
4
5 
6 Tyler J. Woods

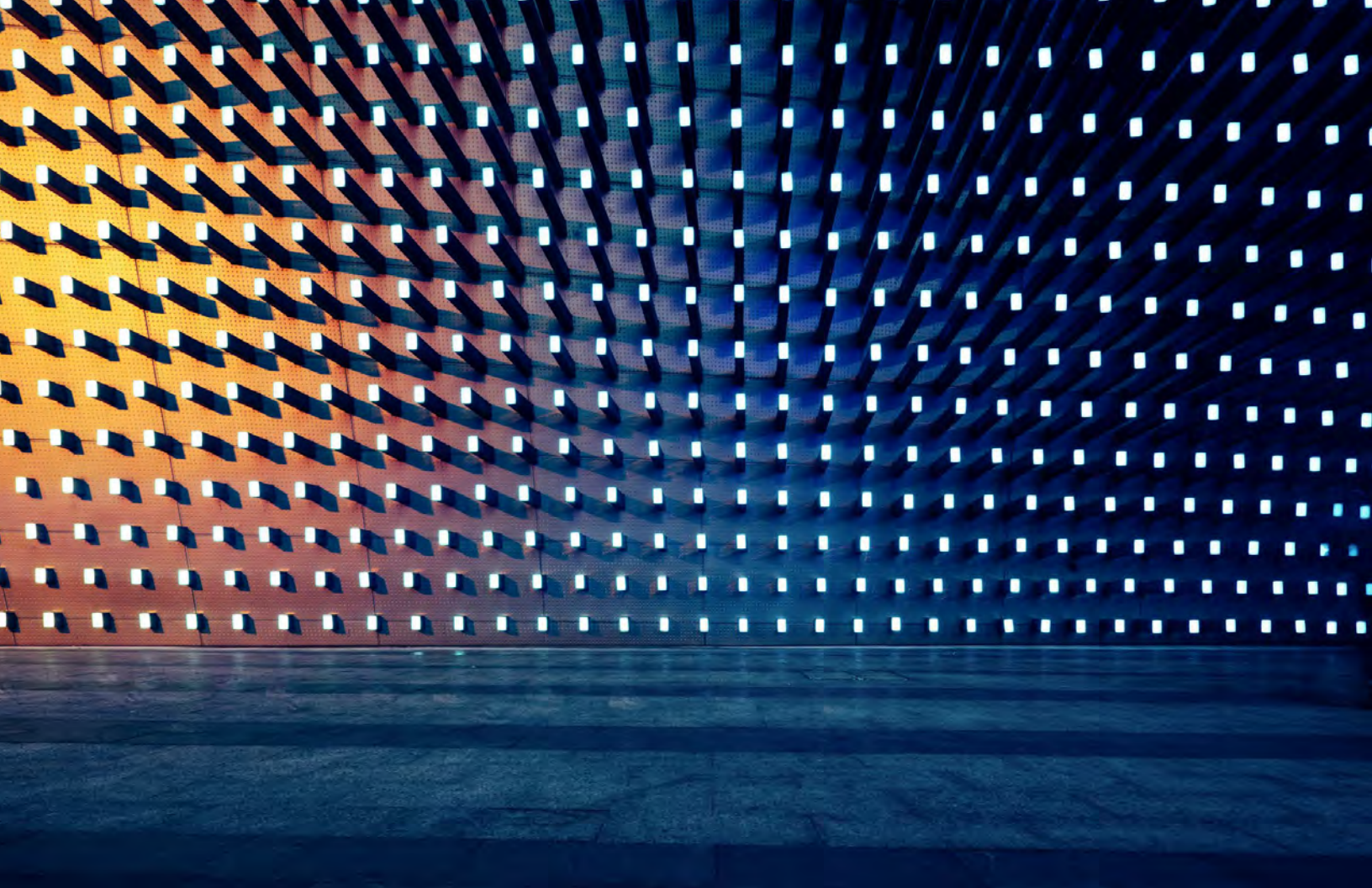
Exhibit 1

Wilshire Law Firm, PLC
Transaction Detail by Account
All Transactions

6/9/2026
Accrual Basis

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Description</u>	<u>Amount</u>	<u>Balance</u>
COS						
Filing Fees						
	08/19/2024	23547372	Filing Fee - One Legal LLC	Compl,Sum,CCCS	\$1,497.05	\$1,497.05
	08/20/2024	80446	Service Fee - Valpro Attorney Services, LLC		\$104.00	\$1,601.05
	08/21/2024	80520	Valpro Attorney Services, LLC	POS	\$45.00	\$1,646.05
	09/23/2024	23777539	Filing Fee - One Legal LLC	POS	\$19.77	\$1,665.82
	11/01/2024	24065549	Filing Fee - One Legal LLC	SCR	\$21.37	\$1,687.19
	12/12/2024	24316229	Filing Fee - One Legal LLC	Amended Compl	\$21.37	\$1,708.56
	12/13/2024		Filing Fee - San Bernardino Superior Court	RM	\$0.52	\$1,709.08
	12/13/2024		Filing Fee - San Bernardino Superior Court	RM	\$0.09	\$1,709.17
	12/13/2024		Filing Fee - San Bernardino Superior Court	RM	\$2.00	\$1,711.17
	12/13/2024		Filing Fee - San Bernardino Superior Court	RM	\$11.50	\$1,722.67
	12/30/2024		Filing Fee - San Bernardino Superior Court	RM	\$0.65	\$1,723.32
	12/30/2024		Filing Fee - San Bernardino Superior Court	RM	\$14.50	\$1,737.82
	02/03/2025	360632	Service Fee - Case Anywhere LLC		\$147.12	\$1,884.94
	03/05/2025	371336	Service Fee - Case Anywhere LLC		\$49.00	\$1,933.94
	03/17/2025		Filing Fee - Los Angeles Superior Court	RM PA	\$5.00	\$1,938.94
	03/27/2025		Filing Fee - San Bernardino Superior Court	RM	\$0.22	\$1,939.16
	03/27/2025		Filing Fee - San Bernardino Superior Court	RM	\$5.00	\$1,944.16
	04/04/2025	383718	Service Fee - Case Anywhere LLC		\$49.00	\$1,993.16
	05/02/2025		Filing Fee - Los Angeles Superior Court	RM PA	\$10.40	\$2,003.56
	06/01/2025	395657	Service Fee - Case Anywhere LLC		\$49.00	\$2,052.56
	7/1/2025	407655	Service Fee - Case Anywhere LLC		\$49.00	\$2,101.56
	7/1/2025	419928	Service Fee - Case Anywhere LLC		\$49.00	\$2,150.56
	8/4/2025	432499	Service Fee - Case Anywhere LLC		\$49.00	\$2,199.56
	9/2/2025	444965	Service Fee - Case Anywhere LLC		\$49.00	\$2,248.56
	10/1/2025	457640	Service Fee - Case Anywhere LLC		\$49.00	\$2,297.56
	11/3/2025	470534	Service Fee - Case Anywhere LLC		\$49.00	\$2,346.56
	12/1/2025	483406	Service Fee - Case Anywhere LLC		\$49.00	\$2,395.56
	1/2/2026	496379	Service Fee - Case Anywhere LLC		\$49.00	\$2,444.56
	2/1/2026	509591	Service Fee - Case Anywhere LLC		\$49.00	\$2,493.56
	3/2/2026	522885	Service Fee - Case Anywhere LLC		\$49.00	\$2,542.56
	3/23/2026		Document Purchase - San Bernardino Superior Court	Document Purchase	\$0.11	\$2,542.67
	3/25/2026		Document Purchase - San Bernardino Superior Court	Document Purchase	\$2.50	\$2,545.17
	4/1/2026	536247	Service Fee - Case Anywhere LLC		\$49.00	\$2,594.17
	5/1/2026	549721	Service Fee - Case Anywhere LLC		\$49.00	\$2,643.17
	6/1/2026	563093	Service Fee - Case Anywhere LLC		\$49.00	\$2,692.17
	FUTURE		Service Fee - Case Anywhere LLC	Billing until Compliance Dec is filed	\$500.00	\$3,192.17
Total FILING FEES					\$3,192.17	\$3,192.17
Other Costs						
	2/27/2023	E-3129135	Docusign Envelope		\$1.89	\$1.89
	11/19/2023	E-3161427	Docusign Envelope		\$1.89	\$3.78
	5/3/2024	E-3211424	Docusign Envelope		\$1.89	\$5.67
Total OTHER COSTS					\$5.67	\$5.67
TOTAL					\$3,197.84	\$3,197.84

Exhibit 2



ELM Solutions

2022 Real Rate Report[®]

The industry's leading
analysis of law firm rates,
trends, and practices

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Report Use Considerations

2022 Real Rate Report

- Examines law firm rates over time
- Identifies rates by location, experience, firm size, areas of expertise, industry, and timekeeper role (i.e., partner, associate, and paralegal)
- Itemizes variables that drive rates up or down

All the analyses included in the report derive from the actual rates charged by law firm professionals as recorded on invoices submitted and approved for payment.

Examining real, approved rate information, along with the ranges of those rates and their changes over time, highlights the role these variables play in driving aggregate legal cost and income. The analyses can energize questions for both corporate clients and law firm principals.

Clients might ask whether they are paying the right amount for different types of legal services, while law firm principals might ask whether they are charging the right amount for legal services and whether to modify their pricing approach.

Some key factors¹ that drive rates²:

Attorney location - Lawyers in urban and major metropolitan areas tend to charge more when compared with lawyers in rural areas or small towns.

Litigation complexity - The cost of representation will be higher if the case is particularly complex or time-consuming; for example, if there are a large number of documents to review, many witnesses to depose, and numerous procedural steps, the case is likely to cost more (regardless of other factors like the lawyer's level of experience).

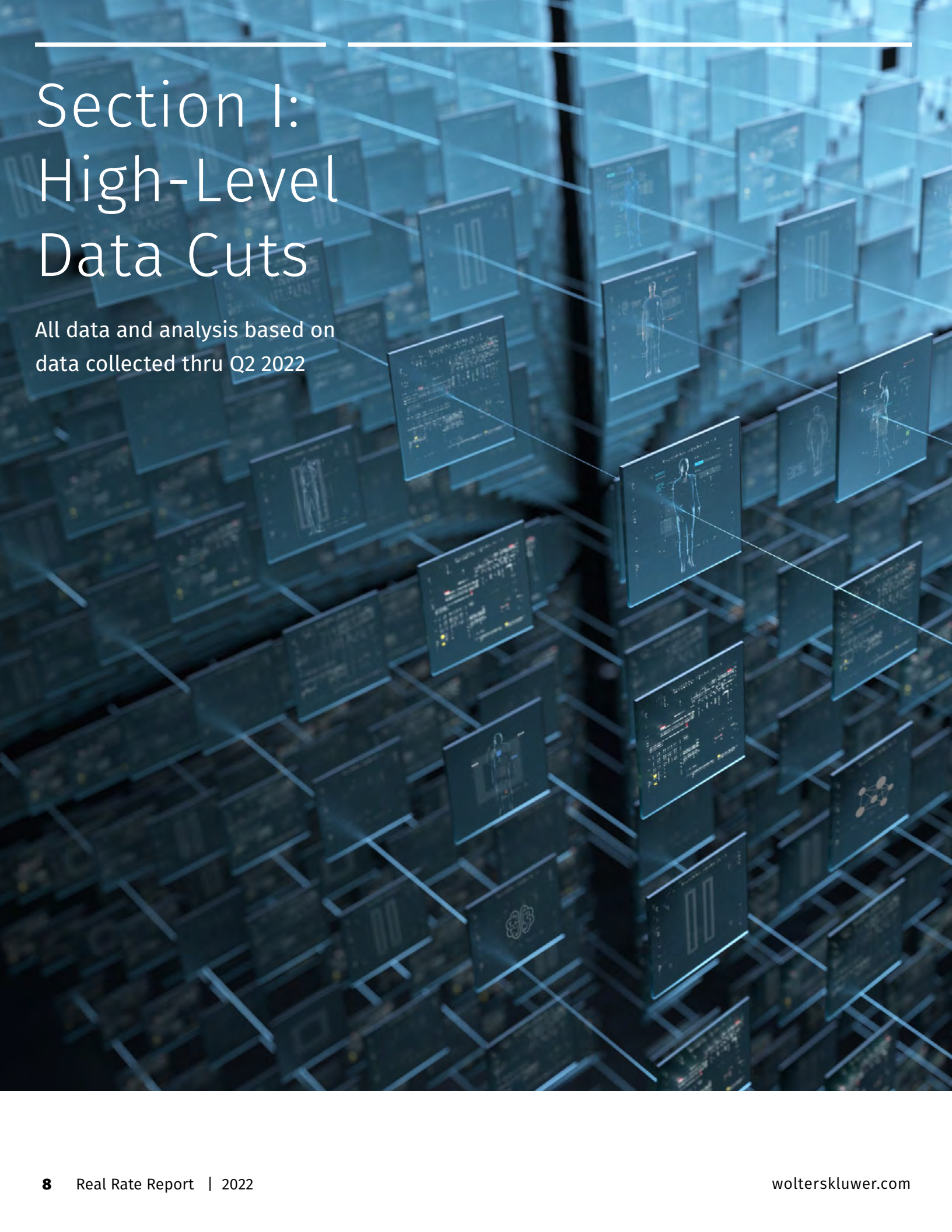
Years of experience and reputation - A more experienced, higher-profile lawyer is often going to charge more, but absorbing this higher cost at the outset may make more sense than hiring a less expensive lawyer who will likely take time and billable hours to come up to speed on unfamiliar legal and procedural issues.

Overhead - The costs associated with the firm's support network (paralegals, clerks, and assistants), document preparation, consultants, research, and other expenses.

Firm size - The rates can increase if the firm is large and has various timekeeper roles at the firm. For example, the cost to work with an associate or partner at a larger firm will be higher compared to a firm that has one to two associates and a paralegal.

¹ David Goguen, J.D., University of San Francisco School of Law (2020) Guide to Legal Services Billing Retrieved from: <https://www.lawyers.com/legal-info/research/guide-to-legal-services-billing-rates.html>

² Source: 2018 RRR. Factor order validated in multiple analyses since 2010



Section I: High-Level Data Cuts

All data and analysis based on
data collected thru Q2 2022

Section I: High-Level Data Cuts

Cities

By Matter Type

2022 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2022	2021	2020
Jackson MS	Litigation	Associate	56	\$55	\$225	\$250	\$178	\$203	\$175
	Non-Litigation	Partner	24	\$315	\$420	\$485	\$418	\$394	\$375
		Associate	25	\$55	\$126	\$255	\$155	\$125	\$259
Kansas City MO	Litigation	Partner	74	\$413	\$450	\$556	\$472	\$450	\$450
		Associate	50	\$252	\$329	\$385	\$319	\$316	\$305
	Non-Litigation	Partner	101	\$411	\$487	\$615	\$519	\$487	\$464
		Associate	73	\$250	\$320	\$385	\$322	\$312	\$285
Las Vegas NV	Non-Litigation	Partner	20	\$350	\$425	\$525	\$440	\$422	\$432
		Associate	11	\$238	\$267	\$368	\$301	\$297	\$282
Little Rock AR	Non-Litigation	Partner	11	\$215	\$215	\$308	\$264	\$256	\$298
Los Angeles CA	Litigation	Partner	322	\$516	\$725	\$1,045	\$799	\$739	\$702
		Associate	408	\$400	\$615	\$855	\$642	\$606	\$564
	Non-Litigation	Partner	521	\$596	\$868	\$1,201	\$903	\$902	\$858
		Associate	667	\$441	\$603	\$845	\$653	\$712	\$648

Section I: High-Level Data Cuts

Cities

By Matter Type

2022 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2022	2021	2020
Minneapolis MN	Non-Litigation	Associate	83	\$340	\$421	\$528	\$425	\$408	\$384
Nashville TN	Litigation	Partner	24	\$275	\$320	\$456	\$363	\$378	\$403
	Non-Litigation	Partner	78	\$412	\$484	\$576	\$505	\$481	\$470
		Associate	59	\$270	\$330	\$384	\$340	\$315	\$285
New Orleans LA	Litigation	Partner	47	\$290	\$332	\$412	\$343	\$330	\$340
		Associate	42	\$231	\$243	\$340	\$278	\$290	\$275
	Non-Litigation	Partner	32	\$295	\$347	\$405	\$419	\$380	\$391
		Associate	21	\$244	\$250	\$278	\$273	\$303	\$258
New York NY	Litigation	Partner	614	\$475	\$675	\$1,088	\$808	\$784	\$746
		Associate	631	\$323	\$460	\$729	\$545	\$527	\$509
	Non-Litigation	Partner	1,376	\$765	\$1,235	\$1,638	\$1,189	\$1,139	\$1,090
		Associate	1,809	\$550	\$776	\$1,050	\$796	\$766	\$716
Oklahoma City OK	Non-Litigation	Partner	14	\$235	\$338	\$393	\$337	\$319	\$311
Omaha NE	Litigation	Partner	12	\$293	\$339	\$353	\$329	\$338	\$341

Section I: High-Level Data Cuts

Cities

By Matter Type

2022 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2022	2021	2020
Rochester NY	Non-Litigation	Partner	12	\$270	\$360	\$488	\$386	\$341	\$446
		Associate	13	\$220	\$310	\$375	\$314	\$278	\$287
Sacramento CA	Non-Litigation	Partner	11	\$381	\$437	\$682	\$534	\$559	\$516
Salt Lake City UT	Litigation	Partner	14	\$246	\$353	\$468	\$363	\$333	\$379
	Non-Litigation	Partner	42	\$297	\$371	\$447	\$391	\$363	\$353
		Associate	22	\$220	\$240	\$270	\$248	\$247	\$228
San Diego CA	Litigation	Associate	23	\$151	\$225	\$300	\$255	\$258	\$264
	Non-Litigation	Partner	89	\$332	\$540	\$1,066	\$699	\$667	\$649
		Associate	71	\$250	\$325	\$424	\$373	\$378	\$351
San Francisco CA	Litigation	Partner	143	\$423	\$675	\$995	\$742	\$711	\$691
		Associate	98	\$325	\$430	\$731	\$525	\$517	\$470
	Non-Litigation	Partner	221	\$475	\$750	\$950	\$758	\$746	\$741
		Associate	151	\$338	\$486	\$702	\$545	\$563	\$507
San Jose CA	Litigation	Partner	33	\$654	\$921	\$1,133	\$916	\$907	\$864

Section I: High-Level Data Cuts

Cities

By Matter Type

2022 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2022	2021	2020
San Jose CA	Litigation	Associate	22	\$461	\$580	\$745	\$608	\$593	\$498
	Non-Litigation	Partner	50	\$660	\$864	\$1,303	\$969	\$985	\$887
		Associate	46	\$380	\$460	\$775	\$616	\$639	\$567
Seattle WA	Litigation	Partner	76	\$497	\$655	\$760	\$635	\$567	\$510
		Associate	61	\$394	\$468	\$530	\$447	\$453	\$395
	Non-Litigation	Partner	148	\$410	\$526	\$760	\$571	\$547	\$547
		Associate	113	\$310	\$395	\$502	\$422	\$401	\$377
St. Louis MO	Litigation	Partner	46	\$260	\$350	\$435	\$376	\$373	\$388
		Associate	17	\$197	\$225	\$250	\$228	\$237	\$232
	Non-Litigation	Partner	57	\$352	\$419	\$540	\$451	\$446	\$473
Tampa FL	Litigation	Partner	31	\$369	\$508	\$595	\$490	\$467	\$452
		Associate	15	\$269	\$298	\$368	\$316	\$302	\$306
Trenton NJ	Non-Litigation	Partner	21	\$408	\$600	\$700	\$569	\$620	\$581
		Associate	12	\$480	\$495	\$500	\$448	\$376	\$387

Section I: High-Level Data Cuts

Cities

By Years of Experience

2022 - Real Rates for Associate

Trend Analysis - Mean

City	Years of Experience	n	First Quartile	Median	Third Quartile	2022	2021	2020
Kansas City MO	3 to Fewer Than 7 Years	15	\$270	\$325	\$360	\$318	\$295	\$283
	7 or More Years	28	\$292	\$334	\$391	\$333	\$312	\$302
Los Angeles CA	Fewer Than 3 Years	63	\$429	\$595	\$654	\$556	\$524	\$488
	3 to Fewer Than 7 Years	144	\$486	\$688	\$838	\$662	\$626	\$530
	7 or More Years	171	\$351	\$550	\$840	\$600	\$634	\$586
Miami FL	3 to Fewer Than 7 Years	19	\$300	\$360	\$457	\$380	\$331	\$313
	7 or More Years	36	\$295	\$450	\$595	\$460	\$433	\$385
Minneapolis MN	Fewer Than 3 Years	11	\$374	\$405	\$446	\$408		\$230
	3 to Fewer Than 7 Years	27	\$340	\$451	\$510	\$421	\$358	\$356
	7 or More Years	27	\$423	\$468	\$585	\$478	\$438	\$392
Nashville TN	7 or More Years	12	\$219	\$245	\$345	\$282	\$266	\$262
New Orleans LA	3 to Fewer Than 7 Years	12	\$232	\$243	\$265	\$261	\$242	\$245
	7 or More Years	18	\$243	\$312	\$343	\$306	\$318	\$294
New York NY	Fewer Than 3 Years	142	\$443	\$622	\$775	\$629	\$600	\$652

Section I: High-Level Data Cuts

Cities

By Years of Experience

2022 - Real Rates for Partner

Trend Analysis - Mean

City	Years of Experience	n	First Quartile	Median	Third Quartile	2022	2021	2020
Kansas City MO	Fewer Than 21 Years	46	\$400	\$450	\$537	\$473	\$411	\$397
	21 or More Years	68	\$440	\$553	\$658	\$539	\$497	\$491
Las Vegas NV	Fewer Than 21 Years	12	\$284	\$381	\$495	\$389	\$349	\$343
	21 or More Years	13	\$350	\$425	\$515	\$468	\$456	\$472
Los Angeles CA	Fewer Than 21 Years	183	\$533	\$801	\$1,075	\$804	\$797	\$682
	21 or More Years	333	\$550	\$765	\$1,133	\$863	\$842	\$808
Memphis TN	Fewer Than 21 Years	14	\$288	\$331	\$380	\$345	\$317	\$328
	21 or More Years	15	\$355	\$415	\$425	\$394	\$382	\$375
Miami FL	Fewer Than 21 Years	57	\$370	\$450	\$598	\$490	\$498	\$443
	21 or More Years	104	\$388	\$581	\$749	\$584	\$580	\$536
Milwaukee WI	21 or More Years	16	\$302	\$454	\$613	\$589	\$515	\$530
Minneapolis MN	Fewer Than 21 Years	36	\$470	\$530	\$607	\$532	\$486	\$499
	21 or More Years	84	\$507	\$675	\$796	\$656	\$620	\$589
Nashville TN	Fewer Than 21 Years	28	\$375	\$405	\$535	\$449	\$405	\$397

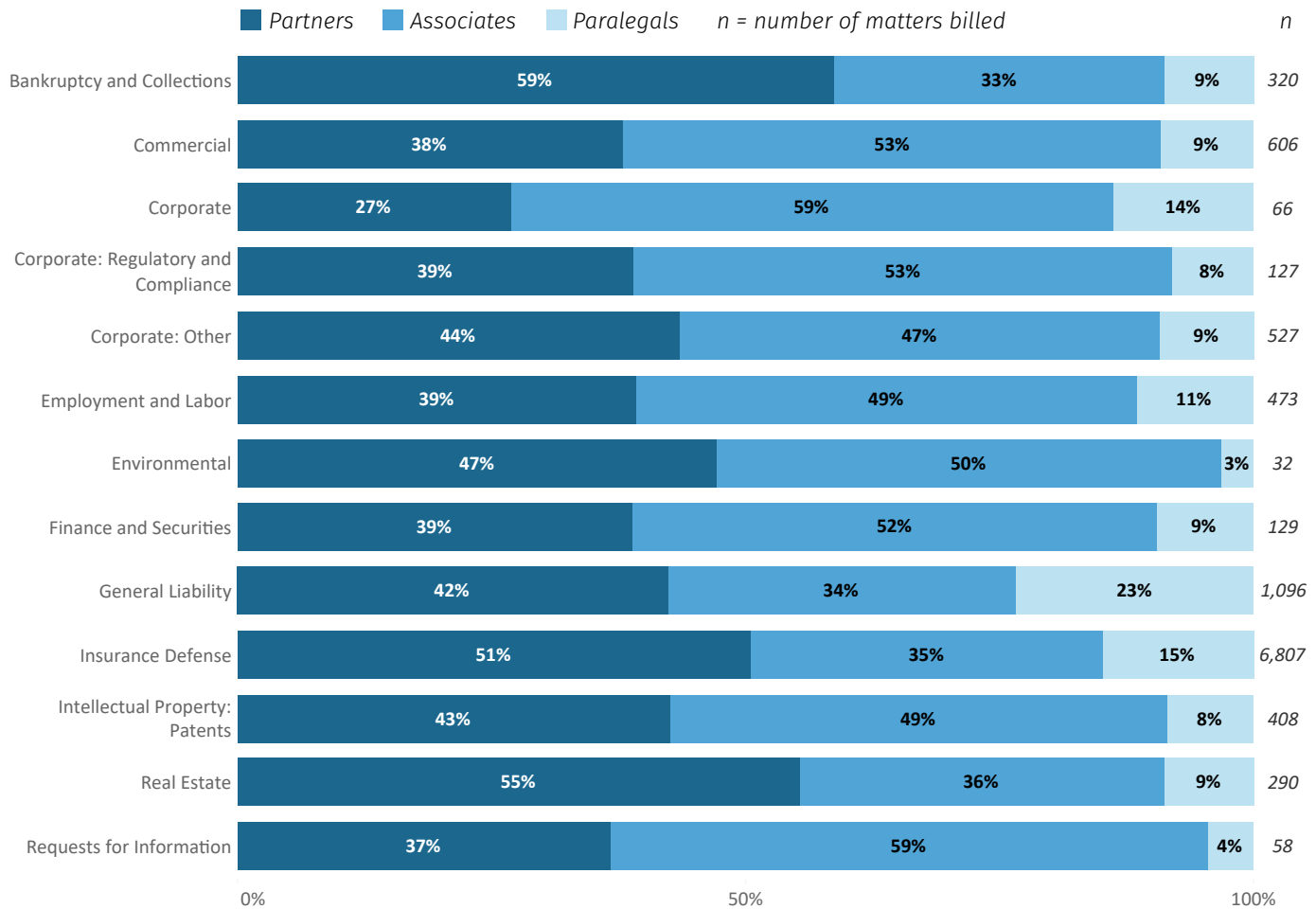
Section VI: Matter Staffing Analysis

All data and analysis based on
data collected thru Q2 2022

Section VI: Matter Staffing Analysis

Long Litigation Matters, More Than 100 Total Hours Billed

2019 to 2022 -- Percentage of Hours Billed per Matter



Section VII: Data Methodology

All data and analysis based on
data collected thru Q2 2022

Appendix: Data Methodology

Invoice Information

Data in Wolters Kluwer ELM Solutions' reference database and the 2022 Real Rate Report were taken from invoice line-item entries contained in invoices received and approved by participating companies.

Invoice data were received in the Legal Electronic Data Exchange Standard (LEDES) format (LEDES.org). The following information was extracted from those invoices and their line items:

- Law firm (which exists as a random number in the ELM Solutions reference database)
- Timekeeper ID (which exists as a random number in the ELM Solutions reference database)
- Matter ID (which exists as a random number in the ELM Solutions reference database)
- Timekeeper's position (role) within the law firm (partner, associate, paralegal, etc.)
- Uniform Task-Based Management System Code Set, Task Codes, and Activity Codes (UTBMS.com)
- Date of service
- Hours billed
- Hourly rate billed
- Fees billed

Non-Invoice Information

To capture practice area details, the matter ID within each invoice was associated with matter profiles containing areas of work in the systems of each company. The areas of work were then systematically categorized into legal practice areas. Normalization of practice areas was done based on company mappings to system-level practice areas available in the ELM Solutions system and by naming convention.

The majority of analyses included in this report have been mapped to one of 11 practice areas, further divided into sub-areas and litigation/non-litigation (for more information on practice areas and sub-areas, please refer to pages 232-234).

To capture location and jurisdiction details, law firms and timekeepers were systematically mapped to the existing profiles within ELM Solutions systems, as well as with publicly available data sources for further validation and normalization. Where city location information is provided, it includes any address within that city's defined Core-Based Statistical Area (CBSA) as defined by the Office of Management and Budget (OMB). The CBSAs are urban centers with populations of 10,000 or more and include all adjacent counties that are economically integrated with that urban center.

Where the analyses focus on partners, associates, and paralegals, the underlying data occasionally included some sub-roles, such as "senior partner" or "junior associate." In such instances, those timekeeper sub-roles were placed within the broader partner, associate, and paralegal segments.

Demographics regarding law firm size, location, and lawyer years of experience were augmented by incorporating publicly available information.

Appendix: Data Methodology

A Note on US Cities

Principal City	CBSA Name
Hartford, CT	Hartford-East Hartford-Middletown, CT
Honolulu, HI	Urban Honolulu HI
Houston, TX	Houston-The Woodlands-Sugar Land, TX
Indianapolis, IN	Indianapolis-Carmel-Anderson, IN
Jackson, MS	Jackson, MS
Jacksonville, FL	Jacksonville, FL
Kansas City, MO	Kansas City, MO-KS
Lafayette, LA	Lafayette, LA
Las Vegas, NV	Las Vegas-Henderson-Paradise, NV
Lexington, KY	Lexington-Fayette, KY
Little Rock, AR	Little Rock-North Little Rock-Conway, AR
Los Angeles, CA	Los Angeles-Long Beach-Anaheim, CA
Louisville, KY	Louisville/Jefferson County, KY-IN
Madison, WI	Madison, WI
Memphis, TN	Memphis-Forrest City, TN-MS-AR
Miami, FL	Miami-Fort Lauderdale-Pompano Beach, FL
Milwaukee, WI	Milwaukee-Waukesha, WI
Minneapolis, MN	Minneapolis-St. Paul-Bloomington, MN-WI
Nashville, TN	Nashville-Davidson-Murfreesboro-Franklin, TN
New Haven, CT	New Haven-Milford, CT
New Orleans, LA	New Orleans-Metairie, LA
New York, NY	New York-Newark-Jersey City, NY-NJ-PA
Oklahoma City, OK	Oklahoma City, OK
Omaha, NE	Omaha-Council Bluffs, NE-IA
Orlando, FL	Orlando-Kissimmee-Sanford, FL
Philadelphia, PA	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD
Phoenix, AZ	Phoenix-Mesa-Chandler, AZ
Pittsburgh, PA	Pittsburgh, PA
Portland, ME	Portland-South Portland, ME
Portland, OR	Portland-Vancouver-Hillsboro, OR-WA
Providence, RI	Providence-Warwick, RI-MA
Raleigh, NC	Raleigh-Cary, NC
Reno, NV	Reno-Carson City-Fernley, NV

Appendix: Data Methodology

Bankruptcy and Collections

Chapter 11
Collections

General/Other
Workouts and Restructuring

Commercial (Commercial Transactions and Agreements)

Contract Breach or Dispute
General, Drafting, and Review
General/Other

Corporate¹

Antitrust and Competition
Corporate Development
General/Other
Governance
Information and Technology
Mergers, Acquisitions, and Divestitures

Partnerships and Joint Ventures
Regulatory and Compliance
Tax
Treasury
White Collar/Fraud/Abuse

Employment and Labor

ADA
Agreements
Compensation and Benefits
Discrimination, Retaliation, and Harassment/EEO
Employee Dishonesty/Misconduct
ERISA

General/Other
Immigration
Union Relations and Negotiations/NLRB
Wages, Tips, and Overtime
Wrongful Termination

Environmental

General/Other
Health and Safety

Superfund
Waste/Remediation

Finance and Securities

Commercial Loans and Financing
Debt/Equity Offerings
Fiduciary Services
General/Other

Investments and Other Financial Instruments
Loans and Financing
SEC Filings and Financial Reporting
Securities and Banking Regulations

General Liability

Asbestos/Mesothelioma
Auto and Transportation
Consumer Related Claims
Crime, Dishonesty and Fraud
General/Other

Personal Injury/Wrongful Death
Premises
Product and Product Liability
Property Damage
Toxic Tort

¹ All references to “Corporate: General/Other” in the Real Rate Report are the aggregation of all Corporate sub-areas excluding the Mergers, Acquisitions, and Divestitures sub-area and the Regulatory and Compliance sub-area.

Exhibit 3

Free Newsletter Sign Up

Business & Practice

Big Law Rates Topping \$2,000 Leave Value ‘In Eye of Beholder’

By Roy Strom

Column

June 9, 2022, 2:30 AM

Welcome back to the Big Law Business column on the changing legal marketplace written by me, Roy Strom. Today, we look at a new threshold for lawyers' billing rates and why it's so difficult to put a price on high-powered attorneys. Sign up to receive this column in your inbox on Thursday mornings. Programming note: Big Law Business will be off next week.

Some of the nation's top law firms are charging more than \$2,000 an hour, setting a new pinnacle after a two-year burst in demand.

Partners at Hogan Lovells and Latham & Watkins have crossed the threshold, according to court documents in bankruptcy cases filed within the past year.

Other firms came close to the mark, billing more than \$1,900, according to the documents. They include Kirkland & Ellis, Simpson Thacher & Bartlett, Boies Schiller Flexner, and Sidley Austin.

Simpson Thacher & Bartlett litigator Bryce Friedman, who helps big-name clients out of jams, especially when they're accused of fraud, charges \$1,965 every 60 minutes, according to a court document.

In need of a former acting US Solicitor General? Hogan Lovells partner Neal Katyal bills time at \$2,465 an hour. Want to hire famous litigator David Boies? That'll cost \$1,950 an hour (at least). Reuters was first to report their fees.

Eye-watering rates are nothing new for Big Law firms, which typically ask clients to pay higher prices at least once a year, regardless of broader market conditions.

"Value is in the eye of the beholder," said John O'Connor, a San Francisco-based expert on legal fees. "The perceived value of a good lawyer can reach into the multi-billions of dollars."

Kirkland & Ellis declined to comment on its billing rates. None of the other firms responded to requests to comment.

Charge It Up

Big Law firms are crossing the \$2,000-an-hour threshold after two years of surging rates driven by an increase in demand for lawyers.

Firm	Highest Billing Rate
Hogan Lovells	\$2,465
Latham & Watkins	\$2,075
Kirkland & Ellis	\$1,995
Simpson Thacher & Bartlett	\$1,965
Boies Schiller Flexner	\$1,950
Sidley Austin	\$1,900

Source: Court documents

Bloomberg Law

Law firms have been more successful raising rates than most other businesses over the past 15 years.

Law firm rates rose by roughly 40 percent from 2007 to 2020, or just short of 3 percent per year, Thomson Reuters Peer Monitor data show. US inflation rose by about 28% during that time.

The 100 largest law firms in the past two years achieved their largest rate increases in more than a decade, Peer Monitor says. The rates surged more than 6% in 2020 and grew another 5.6% through November of last year. Neither level had been breached since 2008.

The price hikes occurred during a once-in-a-decade surge in demand for law services, which propelled profits at firms to new levels. Fourteen law firms reported average profits per equity partner in 2021 over \$5 million, according to data from The American Lawyer. That was up from six the previous year.

The highest-performing firms, where lawyers charge the highest prices, have outperformed their smaller peers. Firms with leading practices in markets such as mergers and acquisitions, capital markets, and real estate were forced to turn away work at some points during the pandemic-fueled surge.

Firms receive relatively tepid pushback from their giant corporate clients, especially when advising on bet-the-company litigation or billion-dollar deals.

The portion of bills law firms collected—a sign of how willingly clients pay full-freight—rose during the previous two years after drifting lower following the Great Financial Crisis. Collection rates last year breached 90% for the first time since 2009, Peer Monitor data show.

Professional rules prohibit lawyers from charging “unconscionable” or “unreasonable” rates. But that doesn’t preclude clients from paying any price they perceive as valuable, said Jacqueline Vinaccia, a San Diego-based lawyer who testifies on lawyer fee disputes.

Lawyers’ fees are usually only contested when they will be paid by a third party.

That happened recently with Hogan Lovells’ Katyal, whose nearly \$2,500 an hour fee was contested in May by a US trustee overseeing a bankruptcy case involving a Johnson & Johnson unit facing claims its talc-based powders caused cancer.

The trustee, who protects the financial interests of bankruptcy estates, argued Katyal’s fee was more than \$1,000 an hour higher than rates charged by lawyers in the same case at Jones Day and Skadden Arps Slate Meagher & Flom.

A hearing on the trustee’s objection is scheduled for next week. Hogan Lovells did not respond to a request for comment on the objection.

Vinaccia said the firm’s options will be to reduce its fee, withdraw from the case, or argue the levy is reasonable, most likely based on Katyal’s extensive experience arguing appeals.

Still, the hourly rate shows just how valuable the most prestigious lawyers’ time can be—even compared to their highly compensated competitors.

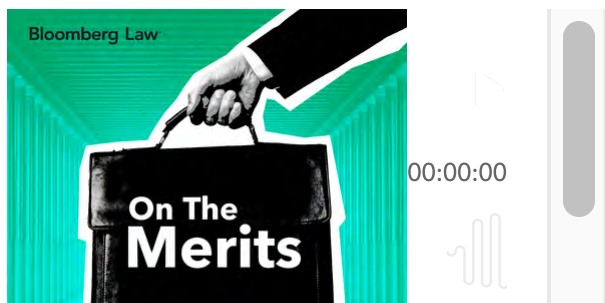
“If the argument is that Jones Day and Skadden Arps are less expensive, then you’re already talking about the cream of the crop, the top-of-the-barrel law firms,” Vinaccia said. “I can’t imagine a case in which I might argue those two firms are more reasonable than the rates I’m dealing with.”

Worth Your Time

On Cravath: Cravath Swaine & Moore is heading to Washington, opening its first new office since 1973 by hiring former heads of the U.S. Securities and Exchange Commission and Federal Deposit Insurance Corporation. Meghan Tribe reports the move comes as Big Law firms are looking to add federal government expertise as clients face more regulatory scrutiny.

On Big Law Promotions: It’s rare that associates get promotions to partner in June, but Camille Vasquez is now a Brown Rudnick partner after she shot to fame representing Johnny Depp in his defamation trial against ex-wife Amber Heard.

On Working From Home: I spoke this week with Quinn Emanuel’s John Quinn about why he thinks law firm life is never going back to the office-first culture that was upset by the pandemic. Listen to the podcast [here](#).



That's it for this week! Thanks for reading and please send me your thoughts, critiques, and tips.

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Documents

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