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Attorneys for Plaintiff ERIC CALDERON, on behalf of himself,
all others similarly situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

ERIC CALDERON on behalf of himself,
all others similarly situated, and on behalf
of the general public,

Plaintiffs,

v.

CELS ENTERPRISES, INC. DBA
CHINESE LAUNDRY; and DOES 1-100,
Defendants.

Case No. CIVSB2308785

*[Assigned for All Purposes to the
Hon. Jessica Morgan, Dept. S26]*

**DECLARATION OF PETER J. HORTON,
ESQ., IN SUPPORT OF PLAINTIFF ERIC
CALDERON'S MOTION FOR FINAL
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT**

Complaint Filed: April 14, 2023
Trial Date: None Set

I, PETER J. HORTON, declare as follows:

1. I am the managing litigation attorney at the law firm of Lawyers for Employee and Consumer Rights and counsel of record for Plaintiff and the aggrieved employees in this matter. I am duly admitted to practice before all the courts of the state of California. The following facts are within my personal knowledge and, if called to testify, I could and would competently testify thereto.

2. I graduated from California Western School of Law in 2002.
3. I was admitted to practice law in California in December 2003. I have practiced law in State and Federal court since that time.
4. My firm and I handle employment cases which involve violations of the California Labor Code and Industrial Welfare Commission Wage Orders, such as wage and hour class actions and cases alleging violations of the Private Attorneys General Act of 2004 ("PAGA"). We are currently involved in litigation in over fifty (50) PAGA cases.
5. My firm has been granted class certification in both state and federal courts.
6. Class Counsel at Lawyers for Employee and Consumer Rights, PC, have worked 60.5 hours to date on this case and have calculated the lodestar fee on those hours at \$40,232.75 at rates reflecting those currently earned in the marketplace.
7. All of the work and tasks performed by Class Counsel were reasonable and necessary to the prosecution of this case and are reflected in the result achieved.
8. All services were performed by Plaintiff's Counsel on a contingent basis with no guarantee of any payment. Had the litigation continued, Defendants would undoubtedly have mounted an aggressive defense. A defeat on the merits would have foreclosed the possibility of recovering any remuneration for Plaintiff's Counsel's time and effort.
9. This was a highly contested matter which required a significant amount of time and labor. Class Counsel had to investigate and analyze documents and data for Plaintiff and a sampling of Class Members. In addition, as part of the above investigation and analysis, Plaintiff had to marshal the evidence in a manner in which it could be adjudicated on a class-wide basis. So often, lawyers unskilled in the class action aspect of wage and hour cases do not pay attention to or put the work into how the evidence must be presented for class-wide adjudication. Strong class-wide cases perish in the hands of inexperienced counsel because the case has not been worked up to succeed at certification. Class Counsel here has considerable experience in class litigation and, from the beginning of the case, is marshaling the evidence with a sharp focus on class-wide proof needed for the matter to get certified. This case was no different. This filtering of voluminous evidence into class-

1 wide proof while keeping an eye on the merits of the litigation required a considerable
2 amount of attorney time and skill.

3 10. Class Counsel performed all services on a contingent basis.

4 11. Class Counsel's hourly rates are between \$600 and \$800 and are in line with rates typically
5 approved in wage and hour class action litigation and which rates have been approved by
6 Courts in California in the Los Angeles, Sacramento, San Francisco, Alameda, Orange,
7 and San Diego County Superior Courts.

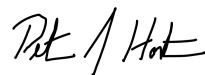
8 12. I devoted 60.5 hours to this case. The following is a summary of my tasks and activities
9 performed in the litigation of this matter: analyzing records produced by Defendant relating
10 to its policies, pay structures and timekeeping; reviewing and revising mediation brief and
11 mediation damage and exposure model; preparing for and attending mediation; reviewing
12 and revising the settlement agreement and the Notice to the Class; reviewing and revising
13 preliminary approval motion and supporting papers; drafting declaration in support of
14 preliminary approval; reviewing weekly status reports from the Settlement Administrator
15 regarding Class participation; drafting declaration in support of final approval; and
16 reviewing and revising final approval motion and supporting documents.

17 13. My hourly rate is \$665. Based on my hourly rate and the hours expended 60.5, my fee is
18 \$40,232.50, which is reasonable and necessary to the successful litigation of this matter.

19 I declare under penalty of perjury under the laws of the State of California that all the foregoing is
20 true and correct.

21
22 Dated: March 10, 2025

**LAWYERS FOR EMPLOYEE AND CONSUMER
RIGHTS**

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25 _____
26 Peter J. Horton, Esq.
27 Attorney for Eric Calderon, on behalf of himself,
28 all others similarly situated, and on behalf of the
general public.