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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SONOMA

JOSE VASQUEZ RUIZ, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

vs.

PERDUE FOODS, LLC., a Maryland
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No.: SCV 264649

(Assigned to the Honorable Patrick M. Broderick,
Dept. 16)

**DECLARATION OF NICHOLAS
ROSANTHAL IN SUPPORT OF PLAINTIFF
JOSE VASQUEZ RUIZ'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
AND PAGA SETTLEMENT**

Date: May 12, 2021

Time: 3:00 P.M.

Dept.: 16

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I, Nicholas Rosenthal, 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 Gasquez Ruiz ("Plaintiff"). I have personal knowledge of the facts set forth below and if sworn to testify I could and would do so competently.

2. The Settlement Agreement was the product of negotiation between highly able experienced attorneys on both sides who possessed the relevant data and extensive legal knowledge with which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including reviewing class data produced by Defendant relating to the number of wage statements issued to each putative class member. This allowed Plaintiff to conduct a full damage analysis.

3. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Class Members as a whole.

4. My qualifications are as follows: I received my JD from University of Southern California Gould School of Law in 2009. Upon graduation, I practiced law as an associate at Shaw LLP, representing corporate clients in both single-plaintiff and wage hour class actions. In 2014, I began as an associate at Diversity Law Group.

5. I have handled a number of wage and hour matters including class actions and e-plaintiff actions. I have been named as Class Counsel in a number of class actions that have been granted certification or preliminary or final approval by the Superior Courts of Los Angeles County, Orange County, Alameda County, and Monterey County, the United States District Court for the Central District of California, and the United States District Court for the Southern District of California. These cases include, but are not limited to: *Diller v. Under Armour Retail, Inc.*, Santa Clara County Superior Court Case No. 114-CV-265729, *Dall v. Post Systems*, Los Angeles County Superior Court Case No. BC598528, *Lopez v. Imperial Carpet Shop, Inc.*, Orange County Superior Court Case No. Case No. 30-2015-00816193-CU-OE-15, *Hughes v. Lincare, Inc., et al.*, Monterey County Superior Court Case No. M124764,

1 *Pittman v. Martinez Steel Corporation*, San Bernardino County Superior Court Case No.
2 CIVDS1823132, *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County
3 Superior Court Case No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County
4 Superior Court Case No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento
5 County Superior Court Case No. 34-2018-00245481-CU-OE-GDS, *Chavez v. Converse, Inc.*,
6 United States District Court – Northern District of California Case No. 15-cv-03746-NC, and
7 *Rodriguez v. Nike Retail Services, Inc.*, United States District Court – Northern District of
8 California Case No. 5:14-CV-1508 BLF.

9 6. To date, I have incurred approximately 30.1 hours in connection with the
10 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred
11 to date.

12 7. I also anticipate spending an additional 5 hours conferring and reviewing e-mails
13 and other written communications with counsel for Defendant, the Settlement Administrator, and
14 Class Members regarding post final approval matters, including payments and related issues.

15 8. The total lodestar for my hours will be approximately \$22,815 based on an hourly
16 rate of \$650.00 per hour. I have been approved at this rate by various courts, including: *Pittman*
17 *v. Martinez Steel Corporation*, San Bernardino County Superior Court Case No. CIVDS1823132,
18 *Della Maggiora v. Watsonville Community Hospital*, Santa Cruz County Superior Court Case
19 No. 18CV00191, *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case
20 No. RG18908139, *Morones v. Bimbo Bakeries USA, Inc.*, Sacramento County Superior Court
21 Case No. 34-2018-00245481-CU-OE-GDS *Foaad Hanna v. Equinix, LLC*, Santa Clara County
22 Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles County
23 Superior Court Case No. BC720144; *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior
24 Court Case No. 19CV341582; *Siron v. Raypak, Inc.*, Ventura Superior Court Case No. 56-2019-
25 005279959-CU-OE-VTA; *Carter v. Kline Services, Inc.*, San Bernardino Superior Court Case
26 No. CIVDS1828867, *Pascual v. Satellite Healthcare, Inc.*, Santa Clara County Superior Court
27 Case No. 19CV345211; *Carrillo v. New Balance Athletics, Inc.*, Santa Clara County Superior
28 Court Case No. 19CV352469; *Vogel v. Veolia North America, LLC*, Monterey County Superior

1 Court Case No. 19CV001443; and *Holman v. American Sugar Refining, Inc.*, Contra Costa
2 County Superior Court Case No. MSC18-00415.

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

5 Executed on this 20th day of April 2021, at Los Angeles, California.

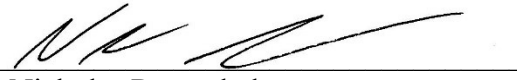
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8 Nicholas Rosenthal

EXHIBIT A

Jose Vasquez Ruiz v. Perdue Foods, LLC
Nicholas Rosenthal Time and Task Chart

Hours	Description of Work
2.7	Research and review of background facts in preparation for filing of class action claims.
1.4	Draft PAGA letter and Class and Representative Action Complaint for Damages.
4.4	Review Defendant's demurrer to Complaint; conduct legal research re opposition.
.8	Review FAC.
.3	Review Defendant's Answer to FAC.
1.0	Review and edit Plaintiff's Requests for Production of Documents (Set One) and Interrogatories (Set One).
.6	Review PMK Deposition Notice.
1.1	Analyze and review Defendant's responses to Requests for Production of Documents (Set One), Interrogatories (Set One).
5.1	Review and edit Motion to Compel Further Responses to Special Interrogatories (Set One) and supporting documents; review Defendant's opposition to Motion to Compel; edit Reply in Support of Motion to Compel.
1.8	Analyze and review policies and data provided by defense counsel to evaluate liability; prepare analysis of liability and damages exposure model; confer with co-counsel re same.
2.5	Review and revise Joint Stipulation of Class Action and PAGA Settlement and proposed settlement notice to class members.
3.9	Review and edit Motion for Preliminary Approval and supporting documents.
.3	Analyze and review Court's preliminary approval order.
4.2	Review and revise Motion for Final Approval and supporting declarations.
30.1	TOTAL HOURS