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*Counsel for Plaintiffs and the Proposed
FLSA Collective, Class and PAGA Action*

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

SHEILA LOPEZ, GEORGINA BAUTISTA,
and FE ADRIANO, on behalf of themselves
and all those similarly situated,

Plaintiffs,

v.

WILLISTON FINANCIAL GROUP, LLC, a
Delaware Limited Liability Company; WFG
NATIONAL TITLE INSURANCE
COMPANY, a Florida Corporation; MY
HOME, A WILLISTON FINANCIAL
GROUP COMPANY, LLC, a Delaware
Limited Liability Company; WFG
NATIONAL TITLE COMPANY OF
CALIFORNIA, a California Corporation;
WFG NATIONAL TITLE COMPANY OF
CLARK COUNTY WA, LLC, a business
entity unknown; WFG NATIONAL TITLE
COMPANY OF WASHINGTON, a business
entity unknown; WFG NATIONAL TITLE
COMPANY OF TEXAS, LLC, a business
entity unknown; WFG LENDER SERVICES,
LLC, a business entity unknown; and DOES
1-10, inclusive,

Defendants.

Case No.: 24CU015835C

**DECLARATION OF BENJAMIN
GALDSTON IN SUPPORT OF
UNOPPOSED MOTION FOR ORDER
AWARDING ATTORNEYS' FEES
AND COSTS, AND FOR
ENHANCEMENT PAYMENT**

Date: May 2, 2025

Time: 10:15 a.m.

Dept: C-66

Judge: Hon. Wendy M. Behan

Complaint Filed: October 8, 2024

Trial Date: None

1 I, Benjamin Galdston, declare as follows:

2 1. I am the President and Chief Executive Officer of Omnum Law, APC in San
3 Diego, California (“Omnum Law”). Omnum Law specializes in representing plaintiffs in
4 complex representative actions nationwide, including prosecuting wage and hour claims in
5 employment matters involving alleged violations of state and federal employment laws.

6 2. Omnum Law, together with Shavitz Law Group, P.A. of Boca Raton Florida
7 (“SLG”) and Sullivan & Yaeckel Law Group (“SLYG”) of San Diego, California, represents
8 Plaintiffs in the above-captioned matter.

9 3. I have been one of the lawyers primarily responsible for prosecuting Plaintiffs’
10 claims on behalf of the proposed FLSA collective, class, and PAGA action. I have personal
11 knowledge of the facts set forth below and, if called as a witness, could testify thereto.

12 4. I respectfully submit this Declaration in support of Plaintiffs’ unopposed Motion
13 for an Order Awarding Attorneys’ Fees and Costs, and for Enhancement Payment, filed
14 contemporaneously herewith.

15 **Counsel’s Background and Professional Experience**

16 5. I received my Bachelor of Arts degree from Oberlin College in 1990 and my Juris
17 Doctor from the University of San Diego School of Law in 2000 where I served on the Moot Court
18 Board and received numerous awards for outstanding oral advocacy.

19 6. I was admitted to practice law in California in December 2000 and have been
20 admitted in federal district courts in California, Colorado, New York, Minnesota, Ohio, and
21 Washington State.

22 7. My professional career has focused primarily on representing plaintiffs in class and
23 collective actions. I was formerly a partner at two leading national plaintiffs’ representative action
24 firms, Bernstein Litowitz Berger & Grossmann LLP and Berger Montague PC, where I served as
25 co-chair of the Securities Litigation Department. Over the past 24 years, I have served as a lead or
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1 co-lead counsel in numerous securities fraud, antitrust, consumer, and employment representative
2 actions, including:

- 3 a. *In re McKesson HBOC Sec. Litig.*, the largest securities fraud class action recovery
4 in the Ninth Circuit at more than \$1.2 billion;
- 5 b. *In re Lehman Brothers Holdings, Inc.*, which recovered more than \$735 million for
6 shareholders of the defunct brokerage firm;
- 7 c. *In re Citigroup Bond Litig.*, which recovered \$730 million for Citigroup
8 bondholders; and
- 9 d. *In re Wachovia Corp. Sec. Litig.*, a \$627 million recovery.

10 8. In 2021, I established Omnum Law to provide strategic, cost-effective solutions for
11 plaintiffs in complex litigation. Omnum Law specializes in employment, securities, antitrust, and
12 consumer actions. Most recently, I secured a historic recovery on behalf of defrauded investors in
13 one of the largest Ponzi schemes in San Diego, involving Chicago Title and Gina Champion-Cain.

14 9. I have been invited to speak at various professional functions and publish on topics
15 relating to complex civil litigation, securities regulation, representative actions, corporate
16 governance, investor advocacy, and consumer protection.

17 **The Litigation and Proposed Settlement**

18 10. Omnum Law was retained in this litigation in 2023 to represent the Plaintiffs on
19 behalf of themselves and all other Class Members, Collective Members, and PAGA Group
20 Members who are similarly situated current and former non-exempt employees of Defendants in
21 California (as to Class Members and PAGA Group Members), and similarly situated non-exempt
22 Escrow Officers employed by Defendants.

23 11. Following an extensive factual investigation, on November 13, 2023, Omnum Law
24 and SLG filed a PAGA Notice with the California Labor & Workforce Development Agency
25 (“LWDA”), notifying the LWDA of Plaintiffs’ intent to seek PAGA penalties for Defendants’
26 alleged labor violations, including failure to pay all wages (including overtime, straight-time, and
27 minimum wages), failure to provide meal periods and premium payments in lieu thereof, failure
28

1 to provide rest periods and premium payments in lieu thereof, failure to timely pay wages, failure
2 to timely pay wages upon termination, failure to provide compliant wage statements, and failure
3 to maintain accurate payroll records. To date, Plaintiffs have not received any response from the
4 LWDA.

5 12. Separately, the Parties discussed resolution of Plaintiffs' claims, including
6 exchanging information relevant to damages and various risks involved in the Parties' claims and
7 defenses. On May 21, 2024, the Parties finally reached an agreement on the principal terms of a
8 resolution, which was finalized in a formal written Settlement Agreement executed by the Parties
9 on August 9, 2024.

10 13. The Settlement Agreement provides for payment by Defendants of \$1,000,000.00
11 for the benefit of Class, Collective, and PAGA Group Members. I, along with the Plaintiffs and
12 other counsel at SLG and SLYG, believe this is a significant, and excellent outcome for Class,
13 Collective, and PAGA Group Members of a heavily disputed matter, particularly in light of the
14 risks of continued litigation and the real possibility that Plaintiffs might recover significantly less
15 or nothing at all at trial, as well as risk of delay including the potential for appeals. The recovery
16 obtained by the proposed settlement will provide meaningful and immediate relief for harmed
17 collective, class and PAGA action members now, while avoiding the additional costs and
18 uncertainties of continued litigation.

19 14. For these reasons, I respectfully submit that based upon my professional experience
20 and judgment, the proposed settlement represents an exceptional recovery for the FLSA collective,
21 class and PAGA action members.

22 **The Firm's Time and Expenses Devoted to This Contingent Fee Action**

23 15. Omnum Law has devoted considerable time and advanced expenses in this action
24 on a contingency basis without any assurance of compensation. As set forth in greater detail below,
25 the firm's total lodestar consisting of time and litigation costs in this matter is \$36,592.54.
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1 16. Omnum Law typically records and bills its clients on an hourly basis in tenth of
2 hour increments. The current hourly rates for Omnum Law attorneys range from \$425 to \$575.
3 Paralegals bill at \$150 per hour.

4 17. I have personal knowledge of the hourly rates charged by other attorneys with
5 comparable experience and specializing in complex representative actions. Based on that
6 information, I believe that the firm's rates are fully consistent with the market rate in San Diego
7 for attorneys with similar expertise and qualifications, and that Omnum Law's rates are also
8 comparable to rates of attorneys specializing in complex litigation around the country. Based on
9 the information I have, I believe that the rates charged by Omnum Law for its attorney and staff
10 time are reasonable and appropriate fees for those with comparable expertise, experience, and
11 qualifications and within the range of rates typically approved by courts in complex representative
12 litigation.

13 18. The total hours and corresponding hourly rates of Omnum Law attorneys and staff
14 incurred in this action are as follows:

OLA Personnel	Total Hours	Hourly Rate	Total Fees
Benjamin Galdston	60.3	\$575.00	\$34,672.50
Paralegal	6.5	\$150.00	\$975.00
TOTAL			\$35,647.50

18 19. The time summarized above were compiled from the firm's records, which are
19 maintained contemporaneously with the work performed.

20 20. I expect to expend further time in connection with the final approval and
21 administration of this matter, totaling approximately six-eight hours of attorney time.

22 21. Throughout the litigation, the three law firms representing Plaintiffs and the
23 putative class and FLSA collective made concerted efforts to maximize efficiency, reduce costs,
24 and avoid duplication of effort.

22. Omnum Law also advanced and paid expenses in connection with this action, including filing fees paid to the State of California's Department of Industrial Relations and to this Court.

23. Omnum law regularly maintains records of expenses in each matter contemporaneously as they are incurred. I have reviewed the records of litigation expenses incurred in this matter. According to our records, Omnum Law advanced expenses totaling \$945.04.

24. Omnum Law's actual, out-of-pocket costs advanced in this case are detailed as follows:

DATE	DESCRIPTION	AMOUNT
11/13/2023	PAGA Filing Fee	\$75.00
11/07/2024	SD Sup. Ct. Filing Fee	\$51.63
11/07/2024	SD Sup. Ct. Filing Fee	\$536.59
12/04/2024	SD Sup. Ct. Filing Fee	\$23.44
01/04/2025	SD Sup. Ct. Doc Copy Fee	\$5.00
01/31/2025	SD Sup. Ct. Filing Fee	\$144.55
02/11/2025	SD Sup. Ct. Filing Fee	\$19.31
02/18/2025	SD Sup. Ct. Filing Fee	\$89.52
	TOTAL	\$945.04

25. I respectfully submit that these expenses were necessary for the representation of the Plaintiffs and putative class and collective and typical in prosecuting this complex civil matter.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: April 10, 2025


Benjamin Galdston