

David Mara, Esq. (230498)
Jill Vecchi, Esq. (299333)
MARA LAW FIRM, PC
2650 Camino Del Rio North, Suite 302
San Diego, California 92108
Telephone: (619) 234-2833
Facsimile: (619) 234-4048

Peter Horton, Esq. (227678)
LAWYERS FOR EMPLOYEE AND CONSUMER RIGHTS
4100 West Alameda Avenue, Third Floor
Burbank, California 91505
Telephone: (323) 486-5101
Facsimile: (323) 306-5571

Attorneys for WILLIAM GIRON, 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 LOS ANGELES

WILLIAM GIRON on behalf of himself,
all others similarly situated, and on behalf
of the general public,

Plaintiffs,

v.

ACCENT BUILDING RESTORATION,
INC.; and DOES 1-100,

Defendants.

Case No. 23STCV08941

*[Assigned for All Purposes to the
Hon. Elihu M. Berle; Dept. 6]*

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

Date: September 24, 2024
Time: 10:00 a.m.

Complaint Filed: April 21, 2023
Trial Date: None Set

1 I, PETER J. HORTON, declare the following:

- 2 1. I am the managing litigation attorney at the law firm of Lawyers for Employee and
3 Consumer Rights, and counsel of record for Plaintiff and the putative class in this matter.
4 I am duly admitted to practice before all the courts of the state of California. The following
5 facts are within my personal knowledge and, if called to testify, I could and would
6 competently testify thereto.
- 7 2. I graduated from California Western School of Law.
- 8 3. I was admitted to practice law in California in December 2003.
- 9 4. My firm and I handle employment cases that involve violations of the California Labor
10 Code and Industrial Welfare Commission Wage Orders, such as wage and hour class
11 actions and cases alleging violations of the Private Attorneys General Act of 2004
12 (“PAGA”). We are currently involved in litigation in over fifty (50) class and/or PAGA
13 cases.
- 14 5. My firm has been granted class certification in both state and federal courts.
- 15 6. Class Counsel applies for an award of attorneys’ fees in the sum of \$266,640 (33.33% of
16 the GSA), and litigation costs of \$16,764.40.
- 17 7. Class Counsel at Lawyers for Employee and Consumer Rights, PC, have worked 34.6
18 hours to date on this case and have calculated the lodestar fee on those hours at \$18,426.50
19 at rates reflecting those currently earned in the marketplace.
- 20 8. All of the work and tasks performed by Class Counsel were reasonable and necessary to
21 the prosecution of this case and are reflected in the result achieved.
- 22 9. This was a highly contested matter which required a significant amount of time and labor.
23 Class Counsel had to investigate and analyze documents and data for Plaintiff and a
24 sampling of Class Members. In addition, as part of the above investigation and analysis,
25 Plaintiff had to marshal the evidence in a manner in which it could be adjudicated on a
26 class-wide basis. So often, lawyers unskilled in the class action aspect of wage and hour
27 cases do not pay attention to or put the work into how the evidence must be presented for
28 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-wide proof while keeping an eye on the merits of the litigation required a considerable amount of attorney time and skill.

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

11. Class Counsel's hourly rates are between \$340 and \$800 and are in line with rates typically approved in wage and hour class action litigation and which rates have been approved by Courts in California in the Los Angeles, Sacramento, San Francisco, Alameda, Orange, and San Diego County Superior Courts.

12. I devoted 20.5 hours to this case. The following is a summary of my tasks and activities performed in the litigation of this matter: analyzing records produced by Defendant relating to its policies, pay structures and timekeeping; reviewing and revising mediation brief and mediation damage and exposure model; preparing for and attending mediation; reviewing and revising the settlement agreement and the Notice to the Class; reviewing and revising preliminary approval motion and supporting papers; drafting declaration in support of preliminary approval; reviewing weekly status reports from the Settlement Administrator regarding Class participation; drafting declaration in support of final approval; and reviewing and revising final approval motion and supporting documents.

13. My hourly rate is \$665. Based on my hourly rate and the hours expended 20.5, my fee is \$13,632.50, which is reasonable and necessary to the successful litigation of this matter.

14. Andrea Pearce is an associate at Lawyers for Employee and Consumer Rights. She handles wage and hour class actions and PAGA actions in addition to wage and hour matters in State Court. Ms. Pearce graduated from UC College of Law San Francisco and was admitted to practice law in California in October 2020.

15. Ms. Pearce devoted 14.1 hours to this case. The following is a summary of her tasks and activities performed in the litigation of this matter: interoffice discussions throughout the

1 case; discussions with Plaintiff; analyzing documents and information produced by
2 Defendant, including records produced by Defendant relating to its policies, pay structures,
3 and timekeeping.

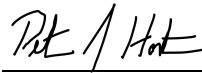
4 16. Ms. Pearce's hourly rate is \$340. Based on her hourly rate and the hours expended, 14.1,
5 her fee is \$4,794 which is reasonable and necessary to the successful litigation of this
6 matter.

7 17. A true and correct copy of Lawyer for Employee and Consumer Rights' Summary of Time
8 is attached hereto as **Exhibit 1**.

9 I hereby declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11
12 Dated: July 17, 2024

**LAWYERS FOR EMPLOYEE AND CONSUMER
RIGHTS**

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15 Peter J. Horton, Esq.

16 Attorneys for Plaintiff William Giron on behalf of
17 himself, all others similarly situated, and on behalf of
18 the general public.
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Exhibit 1

LAWYERS FOR EMPLOYEE AND CONSUMER RIGHTS SUMMARY OF TIME

William Giron v. Accent Building Restoration, Inc.
Los Angeles County Superior Court, Case Number 23STCV08941

Total Attorneys' Hours: 34.6

Total Lodestar Fees: \$18,426.50

As of 7/17/24

ATTORNEYS	YEAR ADMITTED	HOURS	HOURLY RATE	TOTAL
LAWYERS FOR EMPLOYEE AND CONSUMER RIGHTS				
Peter J. Horton, Esq.	2003	20.5	\$665	\$13,632.50
Andrea Pearce, Esq.	2020	14.1	\$340	\$4,794.00
TOTAL:				\$18,426.50