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Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

SINDE TORRES and CRISTINA
GUERRERO, as individuals and on behalf
of all others similarly situated,

Plaintiffs,

vs.

FIDELITY NATIONAL MANAGEMENT
SERVICES, LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 23CV416377

[Assigned to the Hon. Charles F. Adams,
Department 7]

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF PLAINTIFFS’ MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 4, 2025
Time: 1:30 P.M.
Dept.: 7

Action Filed: May 23, 2023
Trial Date: Not Set

DECLARATION OF MAX W. GAVRON

I, Max W. Gavron, 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, counsel of record for Plaintiffs Sinda Torres and Cristina Guerrero (together, “Plaintiffs”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The proposed settlement meets the criteria for this Court to grant final approval of this matter on a class-wide basis, as the settlement is fair, adequate, and reasonable.

3. The Joint Stipulation of Class Action and PAGA Settlement (“Agreement” or “Settlement Agreement”) was the product of arm’s length negotiations between highly able and experienced attorneys on both sides who possessed the relevant data and extensive legal research which they had carefully analyzed. Plaintiffs’ counsel engaged in extensive factual investigation before settling. The Parties also participated in a full day of mediation with the Honorable Brian C. Walsh (Ret.). The Parties conducted informal discovery prior to mediation, including reviewing necessary data pertaining to the number of putative class members and wage statements issued, as well as Plaintiffs’ personnel files, employee handbook, copies of wage statements, sampling of time and pay data, written policies, and bonus contracts. The exchange of information allowed Plaintiffs’ counsel to analyze liability and exposure.

4. I have spent significant time researching and pursuing the claims that have been alleged in this action. Based on my independent investigation and evaluation, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Settlement Class in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm’s length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted final approval.

5. The Court preliminary approved this settlement on March 10, 2025, directing distribution of the Notice of Class Action Settlement (“Class Notice”) and scheduling the hearing for final approval of the settlement (the “Preliminary Approval Order”). On April 3, 2025, pursuant to stipulation of the Parties, the Court amended the timeline for distribution of the class

1 notice.

2 6. There were no objections to the amount of attorneys' fees or litigation costs that
3 Plaintiffs' counsel seeks in this case and for which Plaintiffs ask the Court for final approval.

4 7. Any remaining monies from uncashed settlement checks will be transmitted to the
5 designated *cy pres* recipient, Legal Aid at Work. I do not have any conflicts of interest with the
6 proposed *cy pres* recipient.

7 **ATTORNEY EXPERIENCE**

8 8. I am one of the primary attorneys on this matter. My qualifications are as follows:
9 I received a full-tuition scholarship, and graduated from Southwestern Law School in 2013,
10 *magna cum laude*. I was in the top 5% of my class. During my time at Southwestern, I was a
11 Notes and Comments Editor on the Southwestern Law Review. I also received awards for
12 achieving the highest grade in my class in several courses. In 2012, I was a full-time extern, at
13 the United States District Court for the Central District. Immediately after law school, I taught
14 several courses at Southwestern, including Principles of Legal Analysis and Legal Methods. I
15 taught those courses for approximately four years.

16 9. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately
17 September 2013, through January 2016. I was third chair in a federal court jury trial that resulted
18 in a defense verdict in our client's favor on a \$21 million commercial breach of contract dispute.
19 I also regularly litigated cases across the civil litigation spectrum, including employment matters.

20 10. From February 2016, through Fall 2017, I practiced at the international law firm
21 of Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50
22 companies in Multi-District Litigation primarily in the product liability sphere. I also
23 successfully drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary
24 judgment decision regarding trade secret issues, in addition to working in several other practice
25 groups.

26 11. From September 2017, through September 2018, I served as a law clerk to a
27 Judge sitting on the United States District Court, Central District of California. I regularly
28 prepared bench memoranda, on cases involving all types of civil litigation, including regularly

1 working on wage and hour class actions.

2 12. I am currently an attorney at the law firm Diversity Law Group, P.C., an
3 employment law firm that has handled numerous wage and hour class and individual actions, on
4 both plaintiff and defense sides. My current practice focuses on employment matters involving
5 both class actions, and single plaintiffs. The firm currently has cases in the Los Angeles Superior
6 Courts, the Orange County Superior Courts, the San Diego County Superior Courts, and the
7 United States District Courts for the Central, Northern, and Eastern Districts of California. I am
8 currently handling, or have handled, numerous wage and hour class action lawsuits with the firm,
9 including, but not limited to: *Weybrew v. BEI Construction*, Solano County Superior Court Case
10 No. FCS055658 (January 14, 2022), *In re See's Candies Wage and Hour Cases*, Case No.
11 JCCP5004 (March 30, 2022), Los Angeles Superior Court, *Pevey v. Lumber City Corp*, San
12 Bernardino County Superior Court Case No. CIVDS2010240 (May 2, 2022), *Ross v Stater Bros.*
13 *Markets*, San Bernardino County Superior Court Case No. CIVDS1902518 (September 8, 2022),
14 and *Schneider v. Amazon Retail LLC*, Los Angeles County Superior Court Case No.
15 21STCV26226 (December 1, 2022); *James v RADC Enterprises, Inc.*, San Bernardino County
16 Superior Court, Case No. CIV-DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy,*
17 *Inc.*, Santa Clara County Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert*
18 *Magpugay v. Harbor Electronics, Inc.*, Santa Clara County Superior Court Case No.
19 19CV352547 (January 27, 2021), *Foster v. Schindler Elevator Corp.*, Alameda County Superior
20 Court Case no. RG19029640 (March 2, 2021), *Martin v. Streetplus Company, LLC, et al*, Los
21 Angeles Superior Court Case No. 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain*
22 *Enterprises, LLC*, Solano County Superior Court, Case No. FCS05.858 (August 4, 2021).

23 13. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
24 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,
25 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our
26 clients. *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

27 14. I have also assisted the firm in numerous wage and hour class action mediations.

28 15. To date, I have incurred approximately 221.9 hours in connection with the

1 litigation of this lawsuit. I also anticipate spending an additional 10 hours on post-approval
2 matters, including, but not limited to, responding to inquires from class members and
3 corresponding with the administrator. Attached hereto as **Exhibit A** is a chart summarizing the
4 amount of work I have incurred to date on this matter. Thus, the total amount of my fees incurred
5 in this case will be approximately \$173,925.00 based on an hourly rate of \$750.00 per hour
6 ((221.9+10 anticipated hours) x \$750.00 per hour).

7 16. I have been approved at \$750.00 per hour in *Aristondo v. Prospera Management*
8 *Inc.* Orange County Superior Court Case No. 30-2023-01334274-CU-OE-CXC (July 30, 2025).
9 Prior to that, I was approved at \$700.00 per hour in *Abernathy v. Deacon Construction, LLC*,
10 Santa Clara County Superior Court Case No. 20CV367327 (February 10, 2025), and
11 *Middlebrooks v. Fleetpride, Inc.*, Shasta County Superior Court, Case No. 23CV-0202247
12 (March 24, 2025); *Shams v. Revature LLC*, Santa Clara Superior Court, Case No. 22cv394270
13 (June 6, 2025).

14 17. Since January 2024, I have been approved at the rate of \$650.00 per hour. I was
15 approved at this rate in *Jaramillo v. USS-UPI, LLC*, Contra Costa County Case No. C22-00641
16 (April 24, 2024), *Conner v Red Wing Brands of America, Inc.*, San Mateo County Case No.
17 22CIV03830 (August 12, 2024), and *Buford, et al. v. Estenson Logistics, LLC, et al.*, San
18 Bernardino County Case No. CIVSB2133332 (October 23, 2024).

19 18. Prior to that, I have been approved at \$600.00 per hour in *Weybrew v. BEI*
20 *Construction*, Solano County Superior Court Case No. FCS055658 (January 14, 2022), *In re*
21 *See's Candies Wage and Hour Cases*, Case No. JCCP5004 (March 30, 2022), Los Angeles
22 Superior Court, *Pevey v. Lumber City Corp*, San Bernardino County Superior Court Case No.
23 CIVDS2010240 (May 2, 2022), *Ross v Stater Bros. Markets*, San Bernardino County Superior
24 Court Case No. CIVDS1902518 (September 8, 2022), and *Schneider v. Amazon Retail LLC*, Los
25 Angeles County Superior Court Case No. 21STCV26226 (December 1, 2022).

26 19. Prior to that throughout 2020 and 2021, I was approved at an hourly rate of at
27 \$550.00 per hour in *James v RADC Enterprises, Inc.*, San Bernardino County Superior Court,
28 Case No. CIV-DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy, Inc.*, Santa

1 Clara County Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert Magpugay v.*
2 *Harbor Electronics, Inc.*, Santa Clara County Superior Court Case No. 19CV352547 (January
3 27, 2021), *Foster v. Schindler Elevator Corp.*, Alameda County Superior Court Case no.
4 RG19029640 (March 2, 2021), *Martin v. Streetplus Company, LLC, et al*, Los Angeles Superior
5 Court Case No. 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain Enterprises, LLC*,
6 Solano County Superior Court, Case No. FCS05858 (August 4, 2021).

7 20. Based on the hours and applicable rate, the total lodestar to be expended by Class
8 Counsel through finalizing this settlement will be approximately \$381,285.00, based on 481.8
9 total hours, which includes 20 hours of anticipated time, at each attorney's respective billing
10 rates. This results in a modest requested multiplier of 1.98 (\$758,333.33 / \$381,285.00).

11 21. My office has incurred costs in the amount of \$12,312.87. The costs are all
12 litigation related costs, including filing and service fees, postage fees, and costs associated with
13 mediation. Attached hereto as **Exhibit B** is a true and correct copy of the costs incurred in
14 connection with prosecution of this lawsuit.

15 **NOTICE TO THE LWDA**

16 22. Concurrent with the filing of the Motion for Final Approval of Class Action
17 Settlement, my office uploaded the Motion to the LWDA's website.

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

20 Executed on this 12th day of August 2025, at Los Angeles, California.

21 
22 Max W. Gavron

EXHIBIT A

Torres and Guerrero v. Fidelity National Management Services, LLC
Time and Task Chart for Max W. Gavron

Hours	Description of Work
14.5	Factual investigation, interviews with client; draft and revise PAGA letter, further confer with co-counsel and client to prepare for filing of action.
2.4	Analyze and review dockets re potential prior actions filed against Defendant; research and strategize re same.
9.8	Conduct legal research re impact of signing bonuses on regular rate of pay analysis for purposes of overtime wages; analyze and review client documents re same.
1.5	Draft class action complaint; further review and revise complaint
1.0	Draft and revise PAGA complaint; confer with defense counsel re same.
5.5	Meet and confer with opposing counsel for case management conferences, draft, review and revise several joint statements and updated statements in connection therewith
3.4	Draft and revise first set of written discovery; review client documents to prepare same; confer with co-counsel re same.
5.6	Meet and confer with opposing counsel regarding mediation; draft and prepare informal discovery request in connection with mediation.
2.3	Follow up with defense counsel re production of data in advance of mediation; meet and confer conferences regarding continuance of mediation given delay in production of data for mediation.
25.5	Review and analyze production of informal discovery for mediation, including class payroll data; numerous meet and confer communications with opposing counsel regarding data and documents and regarding liability issues
9.4	Confer with expert regarding analysis required to prepare for mediation; analyze and review production of individual bonus agreements to prepare framework for analyses; confer with clients re same; conduct additional legal research re how to characterize sign on bonuses for purposes of regular rate of pay analyses.
7.9	Draft and revise outline for outreach to putative class members for purposes of interviewing and understanding practices as applied; confer with co-counsel and clients re same.
35.1	Conduct interviews of putative class members; report to litigation team re findings of same; strategize re findings from same; confer with co-counsel re same.
11.2	Draft and revise mediation brief for first mediation; further consultation with expert regarding exposure analysis; confer with co-counsel re same.
14.3	Prepare for and attend mediation; confer with client re same; confer with co-counsel re same.

4.5	Review and revise MOU; confer with opposing counsel regarding the terms therein; confer with co-counsel and clients re same
15.3	Draft, review and revise long-form settlement agreement; confer with opposing counsel regarding terms therein; confer with client regarding same.
5.7	Draft and revise stipulation and proposed First Amended Complaint and request to dismiss separately filed PAGA action without prejudice; confer with defense counsel re drafts of same; confer with clients re same.
8.4	Draft motion for preliminary approval of settlement, proposed order, and supporting documents; further revise same
1.1	Review the Court's tentative ruling granting preliminary approval of settlement; confer with defense counsel re same.
1.9	Draft and revise stipulation and proposed order re altering timeline for distribution following notice from defense counsel re delays in data collection.
5.1	Confer and correspond with settlement administrator regarding administration timeline and dissemination of class notice; confer with defense counsel re same.
1.2	Review reports from settlement administrator re response to class notice
20.9	Field calls and correspondence from class members following distribution of notice; confer with co-counsel re same.
8.4	Draft motion for final approval of settlement, proposed order, and supporting documents; further revise same.
<u>221.9</u>	<u>TOTAL HOURS</u>

EXHIBIT B



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250,
Los Angeles, California, 90071
lwlee@diversitylaw.com

Invoice # 10204
Invoice Date 08/11/2025
Terms Upon Receipt
Due Date 08/11/2025
PO #

Invoice Total: 12312.87
Payment Applied: 0.00
Total Due: 12312.87

Summary By Type

Type	Description	Subtotal	Discount	Tax	Total
Fees & Other Charges		0.00	-0.00	0.00	0.00
Billed Time		0.00	-0.00	0.00	0.00
Expenses		12,312.87	-0.00	0.00	12,312.87
		\$12,312.87	\$0.00	\$0.00	\$12,312.87

Summary By Matter

Matter	Fee and Other Charges	Billed Time	Expenses	Discount	Tax	Total
Torres, Sinda T. and Cristina						
Guerrero v. Fidelity National	0.00	0.00	12,312.87	-0.00	0.00	12,312.87
Management Services, LLC - CA						
	\$0.00	\$0.00	\$12,312.87	\$0.00	\$0.00	\$12,312.87

Subtotal: \$12,312.87
Discount: -\$0.00
Subtotal after Discount:\$12,312.87
Taxable Subtotal: \$12,312.87
Tax: \$0.00
Total: \$12,312.87
Payment Applied: \$0.00
Total Due: \$12,312.87



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Notes

Terms & Conditions



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Summary- Torres, Sinda T. and Cristina Guerrero v. Fidelity National Management Services, LLC - CA (20057.001)

Type	Description	Amount
Fees & Other Charges		0.00
Billed Time		0.00
Expenses		12,312.87

Subtotal: \$12,312.87
Discount: -\$0.00
Subtotal after Discount: \$12,312.87
Taxable Subtotal: \$12,312.87
Tax: \$0.00
Total: \$12,312.87

Details - Torres, Sinda T. and Cristina Guerrero v. Fidelity National Management Services, LLC - CA (20057.001)

Expenses

Category	Date	Expense Code	Description	Amount (\$)
	05/02/2023	Court fees	LWDALWDA	75.00
	05/23/2023	Court fees	Odyssey - ComplaintOdyssey - Complaint	1,483.77
	05/31/2023	Photocopies	PhotocopiesPhotocopies	14.50
	05/31/2023	Postage	PostagePostage	45.12
	06/26/2023	Court fees	Odyssey - POS of Summons & N&A	5.72
	07/06/2023	Court fees	Odyssey - Notice of Order Deeming Case	5.72
	07/07/2023	Court fees	Odyssey - ComplaintOdyssey - Complaint	1,483.77
	07/13/2023	Court fees	Odyssey - Notice of Related Case	5.72
	07/14/2023	Court fees	Odyssey - Notice of Related Case	5.72
	08/02/2023	Court fees	Odyssey - POS of SummonsOdyssey - POS of Summons	5.72
	07/31/2023	Photocopies	PhotocopiesPhotocopies	1.50
	07/31/2023	Postage	PostagePostage	0.60
	09/26/2023	Court fees	Odyssey - Stip to Cont CMCOdyssey - Stip to Cont CMC	26.32
	09/26/2023	Court fees	Odyssey - Stip to Cont CMCOdyssey - Stip to Cont CMC	26.32



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Due Date 08/11/2025
PO #

Category	Date	Expense Code	Description	Amount (\$)
	04/25/2024	Court fees	Odyssey - Joint CMSOdyssey - Joint CMS	5.72
	04/25/2024	Court fees	Odyssey - Joint CMSOdyssey - Joint CMS	5.72
	07/22/2024	Arbitrators/mediators	JAMS MediationJAMS Mediation	6,500.00
	08/02/2024	Arbitrators/mediators	JAMS MediationJAMS Mediation	2,000.00
	08/23/2024	Court fees	Odyssey - Joint CMSOdyssey - Joint CMS	5.72
	08/23/2024	Court fees	Odyssey - Joint CMSOdyssey - Joint CMS	5.72
	07/23/2024	Out-of-town travel	ParkingParking	38.50
	05/10/2023	Court fees	LWDA (Cristina Guerrero)LWDA (Cristina Guerrero)	75.00
Court Fees	01/31/2025		Odyssey - Joint CMS (Envelope #18112178)	7.19
Court Fees	01/31/2025		Odyssey - Joint CMS (Envelope #18112317)	7.19
Court Fees	02/10/2025		Online OC Doc (ID CIVIL67728203)	9.39
Court Fees	02/10/2025		Online Docs	71.33
Court Fees	02/10/2025		Odyssey - MPA	68.84
Court Fees	02/10/2025		Odyssey - Stip to file FAC	27.74
Court Fees	02/10/2025		Odyssey - Request for Dismissal	7.19
Court Fees	02/26/2025		Odyssey - Stip to File FAC	27.74
Court Fees	02/27/2025		Odyssey - Joint CMS (Envelope Number: 18424664)	7.19
Court Fees	03/04/2025		Odyssey - FAC	7.19
Court Fees	08/11/2025		WIP - MFA Filing Fees	250.00
Subtotal:				\$12,312.87
Total:				\$12,312.87