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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SHASTA**

RYAN MIDDLEBROOKS, as an individual  
and on behalf of all others similarly situated,

Plaintiff,

vs.

FLEETPRIDE, INC., an Alabama  
corporation; and DOES 1 through 50,  
inclusive,

Defendants

Case No. 23CV-0202247

(Assigned to the Hon. Stephen H. Baker, Dept. 3)

**DECLARATION OF LARRY W. LEE IN  
SUPPORT OF PLAINTIFF’S MOTION FOR  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: March 24, 2025

Time: 8:30 A.M.

Dept.: 3

Action Filed: May 16, 2023

Trial Date: November 5, 2024

**DECLARATION OF LARRY W. LEE**

I, Larry W. Lee, 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 Plaintiff Ryan Middlebrooks ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. The Class Notice provided Settlement Class Members with my office's contact information, where they could further seek information regarding the settlement, leave questions for the Settlement Administrator, and update their address.

3. There were no objections to the amount of attorney's fees or litigation costs that Class Counsel seek in this case and for which Plaintiff asks the Court for final approval.

4. The Joint Stipulation Re: Class Action and Representative Action Settlement ("Settlement," "Agreement," or "Settlement Agreement") was the product of negotiation between highly able and experienced attorneys on both sides who possessed the relevant data and legal research which they had carefully analyzed. Class Counsel engaged in extensive factual investigation before settling, including reviewing class data and Defendant's pertinent policies and practices relevant to valuing this case. This allowed Plaintiff to conduct a full damage analysis.

5. The settlement in the case at bar warrants approval and carries a presumption of fairness. As previously noted in the application for Preliminary Approval, this current settlement was negotiated at arm's length. I support the settlement as fair, reasonable, and adequate, and in the best interest of the Settlement Class Members as a whole.

6. I have been approved as class counsel in numerous other wage/hour class actions that have been granted class certification and final approval.

7. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Phleger & Harrison. I graduated cum laude from Arizona State University College of Law in the top 10% of my class. While I was in law school, I was the Associate Managing

Editor of the Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a national employment defense law firm that represents a significant number of Fortune 500 companies.

8. My firm's primary focus is employment law. I have handled a number of wage and hour matters including class actions and multiple-plaintiff actions. I have a practice that encompasses cases throughout the State of California, including but not limited to the Los Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County Superior Courts, the San Diego County Superior Courts, and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California.

9. I have been named as class counsel in a number of class actions that have been granted final approval by the Superior Courts of Los Angeles County, Orange County, San Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino County, Santa Clara County, Sonoma County, and other counties, as well as the United States District Court for the Central, Eastern, and Northern Districts of California, including but not limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court, Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*, Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

10. To date, I have incurred approximately 26.9 hours in connection with the litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred

1 to date. I also anticipate spending an additional 10 hours finalizing the settlement following  
2 Court approval. This time will be spent interfacing with the administrator, defense counsel, and  
3 responding to questions and requests for information from class members.

4       11.     The total lodestar for my hours will be approximately \$33,210.00 which includes  
5 the anticipated time addressed above, based on an hourly rate of \$900.00 per hour. I recently  
6 increased my hourly rate to \$900.00 per hour. I was approved at \$900 per hour in *Abernathy v.*  
7 *Deacon Construction, LLC*, Santa Clara County Superior Court Case No. 20CV367327  
8 (February 10, 2025). Prior to that, I was approved at an hourly rate of \$800.00 per hour in  
9 *Martinez and Acosta v. City of Hope National Medical Center, et al.*, San Bernardino County  
10 Superior Court Case No. CIVDS2015729; *Jaime Moen v. Genentech, Inc.*, San Diego County  
11 Superior Court Case No. 37-2021-00008619-CU-OE-CTL; *Murray v. Granite Wellness Centers*  
12 *et al.*, Nevada County Superior Court Case No. CU20-084680; *Smith, et al. v. Clean Harbors*  
13 *Environmental Services, Inc.*, Sacramento County Superior Court Case No. 34-2021-00292526;  
14 *Correa et al. v. FedEx Supply Chain, Inc.*, San Bernardino County Superior Court Case No.  
15 CIVDS2023369; *Meguro v. Silicon Valley Bank*, Santa Clara County Superior Court Case No.  
16 20CV369854; *Linaki v. Genji Pacific, LLC*, Alameda County Superior Court Case No.  
17 RG20074795; and *Robert Jordan v. Mondelez Global, LLC*, San Bernardino County Superior  
18 Court Case No. CIVSB2202758I have been approved at \$850.00 per hour in *Stephenson v.*  
19 *Healthcare Services, Inc.*, Orange County Superior Court Case No. 30-2019-01078609-CU-OE-  
20 CXC, *Lakey v. Poshmark, Inc.*, Santa Clara Superior Court, Case No. 22CV395084; *Audycki v.*  
21 *Stanford Health Care*, Santa Clara Case No. 19CV347173; *Palomino v. Northrop Grumman*  
22 *Systems Corporation*, Santa Clara Superior Court Case No. 19CV345534; *Lakey v. Poshmark,*  
23 *Inc.*, Santa Clara Superior Court, Case No. 22CV395084; *Stephenson v. Healthcare Services,*  
24 *Inc.*, Orange County Superior Court Case No. 30-2019-01078609-CU-OE-CXC; and *Medina v.*  
25 *United Airlines, Inc.*, Los Angeles Superior Court, Case No. BC624742.

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

3 Executed on this 28th day of February 2025, at Los Angeles, California.

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5 \_\_\_\_\_  
6 Larry W. Lee

# EXHIBIT A

***Middlebrooks v. FleetPride, Inc.***  
**Larry W. Lee Time and Task Chart**

| <b>Hours</b> | <b>Description of Work</b>                                                                                                                               |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.3          | Review client documents and potential theories of recovery; review and revise class action complaint and PAGA letter; confer with counsel re same        |
| 1.4          | Review and research whether there were related cases and/or prior class settlements against Defendant                                                    |
| 1.9          | Review and revise joint CMC statements; meet and confer with counsel re same                                                                             |
| 1.3          | Review and revise First Amended Complaint                                                                                                                |
| 1.2          | Review and revise first set of discovery requests to defendant; confer with counsel re same                                                              |
| 2.1          | Perform legal research regarding theory of liability including issues concerning class certification and liability                                       |
| 1.3          | Review and revise mediation data request; confer with counsel re same.                                                                                   |
| 3.5          | Analyze and review data provided by defendant in advance of mediation and documents; confer with co-counsel re impact of same; prepare damages analysis. |
| 4.1          | Review and revise mediation brief; significant post-mediation settlement discussions with counsel and mediator.                                          |
| 1.5          | Review and revise MOU; confer with counsel re same                                                                                                       |
| 2.6          | Review and revise long form settlement agreement and supporting documents; confer with counsel re same.                                                  |
| 1.1          | Review and revise motion for preliminary approval and supporting documents                                                                               |
| 1.7          | Confer with class members re settlement issues                                                                                                           |
| .9           | Review and revise motion for final approval and supporting documents                                                                                     |
| <b>26.9</b>  | <b>TOTAL HOURS</b>                                                                                                                                       |