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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

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

JOSHUA TRCKA and TY SPRAGGINS,  
individually, on a representative basis, and  
on behalf of all others similarly situated;

Plaintiffs,

vs.

ROTOCO, LLC, a California Limited  
Liability Company; and DOES 1 through  
20, inclusive;

Defendants.

Case No.: CVRI2304897  
*[Assigned to Hon. Harold Hopp, Dept 1, for all  
purposes]*

**DECLARATION OF PETER J. CARLSON,  
ESQ., IN SUPPORT OF MOTION FOR  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT**

I, Peter J. Carlson, state and declare:

1. I am an attorney duly licensed to practice law in the State of California and am a senior associate at Lauby, Mankin & Lauby LLP, attorneys of record for Plaintiffs. I am fully familiar with the facts of this case and submit this declaration in support of Plaintiffs' Motion for Final Approval. The matters set forth herein are based upon my personal knowledge and, if called upon as a witness, I could and would give competent testimony with respect to the matters contained herein.

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1 QUALIFICATION OF COUNSEL

2 2. I graduated from the University of Oregon School of Law in May 2013 and have  
3 been a member, in good standing, of the State Bar of California since January 2014. I am  
4 licensed to practice before all courts of the State of California and am admitted to practice in the  
5 United States District Court for the Central District of California and have litigated cases in  
6 various courts and counties throughout California, including successful briefing and argument in  
7 the Court of Appeal.

8 3. I began working at Fernandez & Lauby LLP (the predecessor of Lauby, Mankin  
9 & Lauby LLP) in March 2016 and, since that time, my practice has consisted solely of  
10 representing employees. The vast majority of my cases have been litigated as class actions,  
11 representative PAGA actions, or a combination of the two.

12 4. I have been the handling attorney on over 210 class action and/or representative  
13 PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel  
14 on over half of these cases and have helped negotiate settlements totaling over \$145,000,000 for  
15 my clients, the employees, and the State of California.

16 5. I was the handling attorney for the second largest PAGA-only settlement in  
17 California's history – a \$12.5 million-dollar court approved settlement, which followed extensive  
18 litigation, summary adjudication and writs to the CA Supreme Court against a Fortune 50  
19 company (*Garcia v. Macy's*, San Bernardino Superior Court Case No. CIVDS1516007).

20 6. I have tried two major class and PAGA cases against Fortune 100 companies,  
21 both of which were appealed. In 2018, I was the handling attorney on a PAGA-only case in  
22 Orange County where my firm succeeded on a motion for summary adjudication and litigated  
23 through trial to obtain a \$425,000 judgment for over 1,600 aggrieved employees. Also, in 2019,  
24 I was the handling attorney for my firm on a class action against Walmart, where we obtained  
25 class certification on behalf of over 5,000 employees. After extensive litigation, the matter went  
26 to trial, and the jury returned a verdict of approximately \$6.1 million on the meal period claims.

27 7. Additionally, I have handled approximately 6 cases for which we received class  
28 certification orders following contested certification motions concerning similar claims.



1 indicates that the benchmark rate for an attorney that graduated law school in 2013 (the “11-19  
2 Years Out of Law School” category) is \$878 per hour.

3 12. The reasonableness of my rate is also reinforced by facts showing that local  
4 attorneys in Los Angeles engaged in complex litigation bill at rates far higher than me – and far  
5 higher than the Laffey Matrix. Recent public filings confirm that the Los Angeles Department of  
6 Water and Power is paying outside counsel at minimum rates of \$1,180 per hour for associates  
7 with 7 years of experience or more, and LADWP even pays first year associates \$745 per hour.  
8 See [https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-](https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-against-palisades-fire-lawsuits)  
9 [against-palisades-fire-lawsuits](https://www.latimes.com/california/story/2025-02-14/law-firm-1975-an-hour-defend-against-palisades-fire-lawsuits) (last visited June 5, 2025). Considering these facts, my rate is  
10 reasonable as an 11-year attorney, since my rate (\$750) is far less than the \$1,180 LADWP pays  
11 to 7-year associates – and only \$5 more than what LADWP pays to first-year associates.

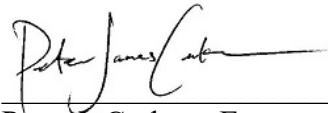
12 13. Additionally, the 2023 Wolters Kluwer Real Rate Report (the “Real Rate Report”)  
13 confirms the reasonableness of my requested rate because it notes that for the Los Angeles area,  
14 which is a logical and reasonable comparison to this geographical marketplace given the overlap  
15 of counsel: (a) for associates generally, the upper quartile rate is \$880 per hour, and (b) for  
16 associates with seven or more years of experience, the upper quartile rate is \$888 per hour.  
17 Being that I have been in practice for over 11 years and helped collect more than \$130,000,000  
18 on class/PAGA cases, I firmly believe that the Real Rate Report’s metrics (and the “upper  
19 quartile” rate) are an accurate standard to measure the reasonableness of my requested rate.

20 14. I believe that the Real Rate Report is perhaps the best method to analyze my  
21 requested rate because it is based on an enormous and statistically significant compilation of data  
22 which is compiled to provide the hourly rates *actually* billed by partners and associates in  
23 metropolitan areas (such as Los Angeles). Thus, unlike other analyses or methods to review the  
24 reasonableness of hourly rates, the Real Rate Report is not based on self-reported numbers,  
25 surveys, sampling, or reviews or other publications – instead, the Real Rate Report is based on  
26 the actual hours and fees that law firms billed to clients. For this reason, the Real Rate Report is  
27 “a much better reflection of true market rates than self-reported rates in all practice areas.”

28 *Brown v. CVS Pharmacy, Inc.* (C.D. Cal. Apr. 24, 2017) 2017 U.S. Dist. LEXIS 182309, at \*21;

1 *see also PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1085 (holding that rates should  
2 be premised upon precisely this form of independent, “objective” rate data that reflects “fair  
3 market” rates actually billed to clients “in the community for similar work”).

4 I declare under penalty of perjury under the laws of the State of California that the  
5 foregoing is true and correct. Executed on May 18, 2026, at Riverside, California.

6  
7 By:   
8 Peter J. Carlson, Esq.