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13 Attorneys for Plaintiff Keith Brooks

14 UNITED STATES DISTRICT COURT
15
16 CENTRAL DISTRICT OF CALIFORNIA

17 Keith Brooks, an individual, on behalf of
18 himself and all others similarly situated
19 and as a private attorney general pursuant
20 to the Private Attorneys General Act,

21 Plaintiff,

22 vs.

23 Burlington Coat Factory Warehouse
24 Corporation, Burlington Coat Factory of
25 Texas, Inc., and Does 1 through 10,

26 Defendants.

Case No. 5:24-CV-0041-SRM-SHK

**Declaration of Lars Kindem in
Support of Motion for Order
Approving PAGA Settlement**

Date: October 22, 2025

Time: 1:30 p.m.

Crtrm: 5D

1 I, Lars Kindem, declare:

- 2 1. I am an attorney licensed to practice in California. The Peter R. Dion-Kindem,
3 PC law firm is co-counsel for Plaintiffs Keith Brooks in this action. I have
4 personal knowledge of the following facts.
5 2. I am the principal of Peter R. Dion-Kindem, P.C. I was admitted to the California
6 Bar in December 2016.
7 3. I submit this declaration on behalf of the Peter R. Dion-Kindem, P.C. law firm.
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9 **I. Experience of Counsel**

- 10 4. My Firm was counsel of record in the following class and/or PAGA proceedings
11 that were finally approved:
12 • Adauto v. Door Components Inc., et al, Case No. BC469230, California
13 Superior Court, County of Los Angeles
14 • Arce v. MV Transportation, Inc., et al, Case No. BC457702, California
15 Superior Court, County of Los Angeles
16 • Awad v. Elemental Energy, Inc., Case No. 1302544, Riverside County
17 Superior Court
18 • Ayala v. Denbeste Manufacturing, et al, Case No. S-1500-CV-275248 WDP,
19 California Superior Court, County of Kern
20 • Borchani-Torres v. Eisenhower Medical Center, Case No. INC1201246,
21 California Superior Court, County of Riverside
22 • Browning, et al., v. McCarthy Building Companies, Inc., Case No. 5:18-cv-
23 05882-BLF, United States District Court, Northern District of California
24 • Brown and Griffin v. Steve's Oilfield Service, Inc., et al., Case No. S1500-
25 CV-283801, Kern County Superior Court
26 • Camacho v. Shred-it, Case No. 39-2014-00307879-CU-OE-STK, San Joaquin
27 County Superior Court
28 • Cartwright v. Brahma Group, Inc., et al., Case No. BCV-18-102027, Kern
County Superior Court
• Cartwright v. Sletten Construction Company, et al., Case No. 18CV04532,
Santa Barbara Superior Court

- Deprizito, et al. v. PAMA Management, Inc., et al., Case No. BC723619, Los Angeles County Superior Court
- Erlandsen v. FlexCare, LLC, et al., Case No. 1390595, California Superior Court, County of Santa Barbara
- Espinoza, Wade v. Defender Security Company, Case No. 2:15-cv-7142-CAS-JC, United States District Court, Central District of California – Western Division
- Gonzalez v. Corrections Corporation of America, Case No. 1:16-cv-01891, United States District Court, Eastern District of California
- Grande v. Lawrence Recruiting Specialists d/b/a LRS Healthcare, Case No. 57 160 00080 13, American Arbitration Claim
- Grice v. Pepsi Beverages Company, Case No. 1:17-cv-08853-JPO, United States District Court, Southern District of New York
- Haakstad, et al. v. Fondnazio, et al., Case No. C15-02074, Contra Costa County Superior Court
- Hebert v. Barnes & Noble, Inc., Case No. 37-2019-00007178-CU-MC-CTL, San Diego County Superior Court
- Hebert v. Valley Children’s Hospital., Case No. MCV076409, Mader County Superior Court
- Johnson v. Field Nation, LLC, et al., 01-22-0005-2476, American Arbitration Association
- Judge v. PAMA, et al, Case No. 72 160 00975 12, American Arbitration Association
- Kalin, et al. v. Apple Inc., Case No. 13-CV-03451-WHA, United States District Court, Northern District of California
- Kirchner v. Shred-it USA Inc., CIV. 2:14-1437 WBS, 2014 WL 6685210 (E.D. Cal. Nov. 25, 2014)
- Lady v. Sacramento Drilling, Inc., et al., Case No. CU-18-00150, San Benito County Superior Court
- Lagos v. The Leland Stanford Junior University, Case No. 115CV284784, Santa Clara County Superior Court
- Liggitt v. Trueblue, Inc., et al., Case No. RIC1509572, Riverside County Superior Court

- Larroque v. First Advantage LNS Screening Solutions, Inc., et al., Case No. CAV 535083, San Mateo County Superior Court
- Martinez-Taft v. Children’s Hospital Central California, Case No. MCV066748, California Superior Court, County of Madera
- Meza v. LinkUs Enterprises, Inc., et al, Case No. S-1500-CV-274733 LHB, California Superior Court, County of Kern
- Miller v. Mud-Check, Inc., et al., Case No. BCV-15-100921, Kern County Superior Court
- Oropeza v. Pick-N-Pull Auto Dismantlers, et al., Case No. RG11560441, Superior Court of California, County of Alameda
- Poisson v. Dispatch Transportation, Inc., et al., Case No. RIC1504851, Riverside County Superior Court
- Poisson v. Neal Trucking, Inc., et al., Case No. EDCV13-2241, United States District Court, Central District of California
- Robinson v. Turning Point of Central California, Inc., Case No. 14CECG03685, California Superior Court, County of Fresno
- Sander v. Shipt, Inc., Case No. RG19031481, Alameda County Superior Court
- Shakespeare, et al. v. Ameri-Force Craft Services, Inc., Case No. 37-2021-00013962-CU-OE-CTL, California Superior Court, County of San Diego
- Shakespeare and Hood v. National Steel and Shipbuilding Company, Case No. 37-2021-00013962-CU-OE-CTL, San Diego Superior Court
- Stone v. Universal Protection Service, Case No. 01-15-0002-7497, American Arbitration Association
- Syed, et al. v. M-I LLC, Case No. 1:12-cv-01718-AWI-MJS, United States District Court, Eastern District of California
- Syed v. M-I LLC, et al., Case No. 1:14-cv-00742-WBS-BAM, United States District Court, Eastern District of California
- Terry v. Ulta Salon, Cosmetics & Fragrance, Inc., Case No. 4:18-cv-07683-JST, United States District Court, Northern District of California
- Travis v. AMN Staffing Services, LLC, Kaiser Foundation Hospitals, Case No. 24STCV02711, Los Angeles Superior Court

- Tuliau v. The Kroger Co., Ralphs Grocery Company, Case No. RIC2002168, Riverside Superior Court
- Watson v. Wells Fargo Bank, N.A., Case No. BC559193, Los Angeles County Superior Court
- Weitz v. TakeLessons, Inc., Case No. 37-2024-00007416-CU-OE-CTL, San Diego Superior Court
- Wortham, et al. v. Turning Point of Central California, Inc., Case No. 15CECG02618, California superior Court, County of Fresno

5. My firm was counsel of record in at least 15 pending class and/or PAGA actions.
6. Peter Dion-Kindem attended UCLA School of Law and graduated in 1980. He was admitted to the California bar in 1980 and practiced as a litigation attorney in state and federal courts in California and, on occasion, in other states, since such time. The focus of his practice was almost exclusively civil litigation.
7. The time my law firm spent on this case is consistent with the level of effort necessary to bring this legally complex and data intensive case to a resolution and was reasonable and necessary. In addition, many of the factors supporting a multiplier are present here, including the risk of an uncertain result, the contingent nature of the work, and most significantly here, the result obtained.
8. Peter Dion-Kindem was admitted in all the federal courts of California, the Ninth Circuit, and the United States Supreme Court. He has been counsel of record and briefed over 50 appeals and extraordinary writ petitions. Some of the published opinions in which he has been involved include *Grande v. Eisenhower Medical Center* (Cal., June 30, 2022, No. S261247) 2022 WL 2349762 (*res judicata* in wage and hour class action settlements), *Epstein vs. MCA*, 50 F.3d 644 (9th Cir. 1995) (securities fraud), *Cloud v. Casey* (1999) 76 Cal.App.4th 895 (gender discrimination), and *Gutierrez v. Girardi* (2011) 194 Cal.App.4th 925 (legal malpractice/breach of fiduciary duty), *Prakashpalan v. Engstrom, Lipscomb & Lack* (2014) 223 Cal.App.4th 1105 [167 Cal.Rptr.3d 832] (attorney fraud), *Syed*

1 v. *M-I, LLC*, 853 F.3d 492 (9th Cir. 2017) (FCRA violations), *Meza v. Pacific*
2 *Bell Telephone Company* (Cal. Ct. App., June 17, 2022, No. B317119) 2022 WL
3 2186251 (wage and hour class certification), and *Huerta v. CSI Electrical*
4 *Contractors* (2024) 15 Cal.5th 908 [319 Cal.Rptr.3d 376, 544 P.3d 1118] (hours
5 worked claim for security process).

- 6 9. My firm has incurred at least 119 hours in this litigation to date. These hours
7 were incurred solely by Peter Dion Kindem, who was admitted to the California
8 Bar in December 1980 and had practiced civil litigation, including the
9 prosecution of employment and PAGA claims, throughout his career.
- 10 10. As set forth in the Declaration of Lonnie C. Blanchard III, the \$1,141 hourly rate
11 compares favorably to the hourly rates being charged by other attorneys with our
12 experience in class and PAGA actions and is reasonable for the level of services
13 provided by us and our experience.
- 14 11. As discussed in the Declaration of Lonnie C. Blanchard III, the lodestar analysis
15 reflects that the actual fees requested based on the number of hours worked
16 results in a multiplier that is well within the range of multipliers granted by
17 numerous courts in approving attorney fee awards in wage and hour settlements.

18 **Attorneys' Costs**

- 19 12. The out-of-pocket costs my office incurred related to this litigation are of the
20 type we charge to our individual clients, and we do not charge for items which
21 are part of our business overhead (*e.g.*, phone usage, *etc.*). The firm does not
22 incur expenses in this or any case unless we believe that they are necessary for
23 the prosecution of the case. Except for office photocopies and scanning, we bill
24 every expenditure in the case to the client/case in the exact amount that we are
25 charged. We do not charge anything for interest, carrying, or accounting for
26 these expenditures. These costs were all necessarily and reasonably incurred in
27 the prosecution of this litigation.

1 13. The total amount of costs incurred by my firm in connection with the litigation
2 for which it is now seeking reimbursement are a total of \$9,987.89 as set forth
3 below.

Category	Cost
Attorney Service	\$437.42
Photocopy/Scanning/Postage	\$200.59
Expert	\$3,281.25
Filing Fees	\$1,761.13
Mediation	\$3,962.50
Data Analysis	\$345
Grand Total	\$9,987.89

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

12 Dated: September 15, 2025

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15 Lars Kindem
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