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9 *Attorneys for Plaintiff and the Putative Class*

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JEREMY MCARTHUR, individually and on
behalf of all others of the public similarly
situated,

Plaintiff,

v.

PACIFIC DESIGN CENTER 1, LLC, an out-of-
state, limited liability company; PACIFIC RED,
LLC, an out-of-state limited liability company;
and COHEN PDC, LLC, an out-of-state limited
liability company, and DOES 1 to 50, inclusive,

Defendants.

CLASS ACTION

Case No: 24STCV03908
Hon. Timothy P. Dillon
Dept. 15

**DECLARATION OF ALBRO L. LUNDY
III ESQ. IN SUPPORT OF PLAINTIFF
JEREMY MCARTHUR'S NOTICE OF
MOTION AND MOTION FOR
CONDITIONAL CLASS CERTIFICATION
AND PRELIMINARY APPROVAL OF
CLASS ACTION AND PRIVATE
ATTORNEY GENERAL ACT
SETTLEMENT**

Date: August 12, 2025
Time: 9:00 a.m.
Please: Dept. 15

Date of Filing: February 15, 2024
Trial Date: None Set

1 **DECLARATION OF ALBRO L. LUNDY III**

2 I, Albro L. Lundy III, declare and state as follows:

3 1. I am an attorney and principal of the Law Offices of Baker, Burton & Lundy, P.C.
4 Our firm is counsel of record for Plaintiff Jeremy McArthur (“Plaintiff” or “Mr. McArthur”) in this
5 matter. I have been licensed to practice law in the State of California since 1986.

6 2. No one at the firm of Baker, Burton & Lundy, P.C. (BB&L) has any conflicts of
7 interest with Plaintiffs nor with any members of the Class.

8 3. I submit this declaration in support of Plaintiff’s Motion for Conditional Class
9 Certification and Preliminary Approval of Class Action and Private Attorney General Act Settlement.

10 **COUNSEL’S EXPERIENCE AND QUALIFICATIONS**

11 4. BB&L has represented Mr. McArthur since August 27, 2024. As further set forth
12 below, the attorneys at BB&L are knowledgeable about the dedication necessary to successfully pursue
13 and resolve this case on behalf of the proposed class based on their history and experience in litigating
14 class action matters.

15 5. I received a Bachelor of Arts degree in Business Economics from UCLA in 1981 and
16 was honored as a banner-bearing Chancellor’s Marshall for outstanding citizenship and service to the
17 UCLA community. Before attending law school, I won one of twelve fellowships from the
18 prestigious CORO Foundation (former Coro fellows include current California Senator Alex Padilla,
19 past Senators Diane Feinstein and Barbara Boxer, and a host of other public servants). The Fellowship
20 also included credit towards a Master’s degree in Public Affairs with a focus on Public Policy
21 Analysis from Claremont Graduate School. I received my Juris Doctorate from Loyola Law School
22 in 1985. After honing my skills at several prominent litigation firms, including the preeminent trial
23 firm of Greene, O’Reilly Agnew & Broillet (working directly with Charlie O’Reilly, whom the
24 CAALA Trial Lawyer of the Year Award is named after) I joined Baker and Burton in 1994, which
25 became Baker, Burton & Lundy in 1996.

26 6. I was named one of the top trial lawyers in the State of California, winning the 2009
27 California Consumer Attorney Trial Lawyer of the Year award, and I was also among a select few
28 that have been nominated for Trial Lawyer of the Year for the Consumer Attorney Association of Los

1 Angeles (CAALA).

2 7. I am admitted to practice in the State of California, U.S. Supreme Court, U.S. Court of
3 Appeals and U.S. District Court, Southern, Central, and Eastern Districts. I am an AV rated lawyer
4 and have been selected for inclusion in the California Super Lawyers from 2008 to the present. I am a
5 member of CAALA, the Los Angeles plaintiff's bar with over 4,100 members. I have received
6 numerous case referrals from fellow CAALA members to litigate and to try their cases. Additionally,
7 I am a member of Consumer Attorneys of California (CAOC) and am a well-known speaker at its
8 conventions which are one of the largest in the United States. I have spoken on the medical
9 malpractice panel for several years as well as appellate practices and CCP 998s. I am also a member
10 of the American Association of Justice. I have served as a judicial settlement officer for the Los
11 Angeles Superior Court.

12 8. My firm and I co-founded the Consumer Protection Law Chair at Loyola Law School.
13 I am a member of the LMU Centennial Society and established a scholarship for single parents
14 enrolled in night school at Loyola Law School.

15 9. In 2013, I argued before the Supreme Court of California regarding the use of multiple
16 998 offers to encourage settlement in *Martinez v. Brownco Construction Co.* (2013) 56 Cal.4th 1014.
17 In a unanimous opinion by the California Supreme Court, new law was made and changed 40 years of
18 legal precedent. This change aided the settlement process and helped reduce litigation.

19 10. On the class action front, both myself and Brad Baker, another principal at BB&L,
20 coordinated at the time (to our knowledge) possibly the largest state class action in the history of
21 California, the Natural Gas Anti-Trust Cases (cited in paragraph 13 below), a task which took 14
22 years and 4 months of my legal career to complete. Two settlements were ultimately reached, one
23 with El Paso Natural Gas for \$1.7 Billion, and a second settlement with Sempra Energy, SoCalGas,
24 and SDG&E. Under the second settlement, the cash paid by defendants, the reduction in energy
25 contracts between Sempra and the State of California, and the correction of the flawed natural gas
26 pipeline delivery system to California has conferred a benefit to all California consumers and
27 Southern Nevada consumers exceeding \$3 Billion over the past 10 years. BB&L was responsible for
28 assuring that the billions of dollars of settlement proceeds were properly distributed with the final cy

1 pres check going to Legal Aid of San Diego in May of 2014 for approximately \$95,000.

2 11. I was one of the trial attorneys in that matter and during that litigation, our office
3 coordinated the work of five firms against the pipeline and energy companies and was in essence the
4 gatekeeper for all of the court filings and expert witness testimony to ensure consistency and conformity
5 to agreed-upon strategies. The second settlement was achieved after 5 months of trial in San Diego.

6 12. BB&L participated equally with the other four firms, which expended over nine
7 million dollars (\$9,000,000.00) in litigation costs for the Pipeline Cases.

8 13. BB&L was also one of three offices from the five-firm consortium to participate in the
9 Price Index Cases (cited below), which provided in excess of \$250 Million in settlements for
10 California consumers.

11 14. A representative sample of some of the class action cases in which BB&L has litigated
12 are as follows:

- 13 (a) *Natural Gas Anti-Trust Cases I, II, III & IV (Pipeline Cases)*; coordinated in
14 San Diego County, J.C.C.P. Nos. 4221, 4224, 4226 and 4228;
- 15 (b) *Team Design v. Reliant Energy, Inc., et al.* (Price Indexing Cases), MDL 1566,
16 CV-S-03-1432-PMP, C.A. No. 2:03-3644;
- 17 (c) *Cheryl Downey, et al., v. Public Storage*; LASC Case No. BC575661;
- 18 (d) *Susan Headley, et al, v. PODS Enterprises, Inc., et al*; LASC Case No.
19 BC509418;
- 20 (e) *David Jimenez v. Modern Interiors*; LASC Case No. BC549815;
- 21 (f) *Tasawar Abbas, et al. v. A-1 Security and Screens, Inc., et al.*; LASC Case No.
22 BC716438;
- 23 (g) *Carolina Perez, et al, v. Public Storage*; LASC Case No. BC611584;
- 24 (h) *23330 Arlington, LLC v. Wash Multi Family Laundry Systems*; LASC Case No.
25 18STCV09334, related to *Sherman Grove Apartments, et al. v. Wash Multi*
26 *Family Laundry Systems*, Case No. 18STCV00129;
- 27 (i) *John Serris v. Claire Matrix, Inc.*; LASC Case No. 24STCV21512;
- 28 (j) *Benny Adams v. Crossing, Inc., et al.*; LASC Case No. 24STCV27904;

- 1 (k) *Nicole Wheat v. Mario Marovic, et. al.*; Orange County Sup. Ct. Case No. 30-
2 2021-01210986-CU-OE-CXC (related case: *Natasha Konishi et al. v. The Lounge*
3 *Group, Inc., et al.*; Orange Count Sup. Ct. Case No. 30-2021-01201250-CU-OE-
4 CXC;
5 (l) *Kevin An, et al. v. Gen Alhambra LLC*; et al. LASC Case No. BC570051;
6 (m) *Josie DeBellis v. Randall Kaplan*; et al. LASC Case No. 25STCV10499.

7 15. With regard to the *Downey* matter referenced above, this matter was handled through
8 the trial level to appeal on the issue of class certification. I personally argued this interlocutory appeal
9 in the Court of Appeal of the State of California, Second Appellate District, Division Two, which
10 resulted in the published opinion on February 6, 2020. *See Downy v. Public Storage, Inc.* (2020) 44
11 Cal.App.5th 1103.

12 16. Over my 40 plus year career I have represented many clients in various MDL and
13 coordinated cases including but not limited to silicon breast implant litigation against Dow Corning
14 and 3M; L-Tryptophan vs. Showa Denko K.K; the asbestos cases against Johns-Manville; the mass
15 tort litigation against Union Carbide in Bhopal, India; 3M earplug cases; and transvaginal mesh
16 implant cases, among others.

17 17. BB&L has a heavy emphasis on employment and related litigation. The attorneys at
18 BB&L have actively and successfully litigated a significant number of employment cases to
19 completion, including cases concerning wage and hour issues, wrongful termination, claims of
20 discrimination and sexual harassment, among other forms of employment litigation. BB&L has
21 represented both employees and employers in such manners.

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1 18. I am a Managing Partner at Baker, Burton & Lundy, P.C., and my current hourly rate is
2 \$900, which is reasonable and consistent with prevailing rates for attorneys with similar experience
3 and expertise in litigation in the Los Angeles legal community.¹
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5 I declare under penalty of perjury, under the laws of the State of California, that the foregoing
6 is true and correct, this 11th day of July, 2025, in Hermosa Beach, California.

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10 ALBROY L. LUNDY III
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27 ¹ According to the 2022 Real Rate Report (Wolters Kluwer), the third quartile hourly rate for partners with
28 21 years of experience in Los Angeles is approximately \$1,075, while Los Angeles litigation partners fall within
a third quartile rate of approximately \$1,045 per hour.

1 **PROOF OF SERVICE**

2 **RE: *McArthur v. Pacific Design Center 1, LLC, et al.***
3 **Case No: 24STCV03908**
LWDA Case No: LWDA-CM-1006481-24

4 I am employed in the State of California, County of Los Angeles. I am over the age of 18 and
5 not a party to this action. My business address is 515 Pier Avenue, Hermosa Beach, CA 90071.

6 On **July 11, 2025**, I served the following document(s) described as:

7 **DECLARATION OF ALBRO L. LUNDY III ESQ. IN SUPPORT OF PLAINTIFF JEREMY**
8 **MCARTHUR'S NOTICE OF MOTION AND MOTION FOR CONDITIONAL CLASS**
9 **CERTIFICATION AND PRELIMINARY APPROVAL OF CLASS ACTION AND PRIVATE**
10 **ATTORNEY GENERAL ACT SETTLEMENT**

11 on the interested parties as follows:

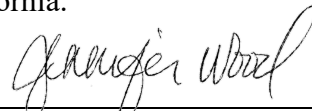
12 Labor and Workforce Development Agency
13 800 Capital Mall, Suite 500
14 Sacramento, California 95814

15 ☒ **BY ELECTRONIC SUBMISSION:** Complying with CAL. LAB. CODE §§ 2699(l)(4) and
16 2699.3, I caused true and correct copies of the documents to be served on the Labor and
17 Workforce Development Agency through its online platform at
18 <https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>.

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

21 Executed on **July 11, 2025** at Hermosa Beach, California.

22 Jenny Wood
23 Type or Print Name

24 
25 Signature

1 **PROOF OF SERVICE**

2 **RE: *McArthur v. Pacific Design Center 1, LLC, et al.***
3 **Case No: 24STCV03908**

4 I am employed in the State of California, County of Los Angeles. I am over the age of 18 and
not a party to this action. My business address is 515 Pier Avenue, Hermosa Beach, CA 90071.

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on the interested parties as follows:

10 Summy Kim, *Esq.*
11 skim@ohaganmeyer.com
12 J. Cruz Zavala-Garcia, *Esq.*
13 czavala@ohaganmeyer.com
14 **O'HAGAN MEYER**
15 One Embarcadero, Ste. 2100
San Francisco, CA 94111

16 *Counsel for Defendants*
17 Pacific Red, LLC
18 Pacific Design Center 1, LLC
19 Cohen PDC, LLC

20 [] **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for
21 mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar"
22 with this firm's practice of collection and processing correspondence for mailing. Under that
23 practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the
24 ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

25 [✓] **BY CASE ANYWHERE:** On the above-mentioned date, from Los Angeles, California, I
26 caused each such document to be transmitted electronically to the party(ies) at the e-mail
27 address(es) indicated below via CASE ANYWHERE. To the best of my knowledge, the
28 transmission was reported as complete, and no error was reported that the electronic
transmission was not completed.

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

Executed on **July 11, 2025** at Hermosa Beach, California.

25 Jenny Wood
26 Type or Print Name


Signature