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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

GREGORY MEADE, as an individual and on behalf of all others similarly situated,

Plaintiff,

vs.

PUMPKIN CITY'S PUMPKIN FARM INC., a California corporation; and DOES 1 through 100,

Defendants.

CASE NO. 30-2024-01382083-CU-OE-CXC

[Assigned for all purposes to the Hon. *David A. Hoffer, Dept. CX103*]

DECLARATION OF JOSEPH TOJARIEH IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Date: June 20, 2025
Time: 10:00 a.m.
Dept.: CX103

Action Filed: February 27, 2024
Trial Date: None set

DECLARATION OF JOSEPH TOJARIEH

I, Joseph Tojarieh, am the attorney of record for Plaintiff Gregory Meade. I am duly licensed to practice law in the State of California and am in good standing before the California State Bar. I have personal knowledge of all the following facts stated in this declaration and if called as a witness, I could and would competently testify thereto under oath:

1. I graduated *summa cum laude* from the Honor's College of the University of California, Los Angeles (UCLA) with a Bachelor of Arts degree in Political Science and History. I subsequently received my Juris Doctor degree from Loyola Law School, Los Angeles, where I served as a staff member and Senior Note and Comment Editor of the Loyola Law School International Law Review.

2. I have been a practicing attorney for over 15 years.

3. I am duly licensed to practice before all state courts in California, all United States District Courts in California, all United States Bankruptcy Courts in California, and the United States Supreme Court. I am also an active member of the Consumer Attorneys Association of Los Angeles (CAALA) and California Employment Lawyers Association (CELA).

4. My practice has been devoted almost exclusively to employment litigation, including wage and hour class and representative actions. I have been appointed class counsel in numerous wage and hour class actions in California state and federal courts, including: *Mohorne v. Church & Dwight Co., Inc.* (LASC Case No. BC569117); *Lopez v. Aerotek, Inc.* (USDC CACD Case No. SACV 14-00803-CJC(JCGx)); *Silva v. ADJ Products* (LASC Case No. BC618581); *Hernandez v. Downey Wholesale, Inc.* (SBSC Case No. CIVDS1821370); *Walters v. Los Angeles County Fair* (SBSC Case No. CIVDS1825109); *Patton v. Midwest Construction Services, Inc.* (CACD Case No. 2:19-cv-08580-JFW-MAAx); *Fontenette v. Special Services for Groups, Inc.* (LASC Case No. 19STCV46726); *Basich-Mustafa v. Designer Fragrances & Cosmetics Company* (LASC Case No. 20STCV16314); *Miller v. Mountain High Reunited LLC* (SBSC Case No. CIVDS2010045); *Jones v. Peace Over Violence, et al.* (LASC Case No. 20STCV39038); *Tam v. Q Tech Corporation* (LASC Case No. 21STCV18635); *Ramirez v. Baxalta US, Inc.* (Los Angeles Superior Court Case No. 21STCV07572); *Celio v. Air

International US, Inc. (Alameda Superior Court Case No. RG21098764); *Hang v. Old Dominion Freight Line, Inc.* (CACD Case No. 5:21-cv-00287-JWH-KKx); and *Diaz v. Kaweah Delta Health Care District* (Tulare County Superior Court Case No. VCU97155).

5. I am very familiar with employment law relating to class actions, their dynamics, and also the risks inherent in litigating a class action through certification and trial. I have the resources, experience, and expertise necessary to protect fully and fairly the interests of the proposed class.

6. My office invested time and resources into this case, with payment contingent on the outcome of this case and deferred until the end of this case. The efforts of my firm have resulted in benefits to class members, allowing them to receive compensation for the alleged illegal wage and hour practices. Without the efforts of my firm, the claims at issue in this case may have gone without remedy.

7. The efforts of our office include, without limitation, interviewing Plaintiff and reviewing documents he provided; investigating Defendant's alleged violations of California wage and hour laws; researching theories of liability for the alleged violations; investigating the nature of Defendant's business, prior lawsuits, and business operations; and drafting and mailing to Defendant a letter requesting employment records pursuant to Labor Code sections 1198.5, 432, and 226(b); researching similar class action cases; and communicating with Plaintiff and co-counsel throughout the litigation process.

8. My hourly rate is currently $750 (approved by Judge Hillman in May 2025 in *Diaz v. Kaweah Delta Health Care District* (Tulare County Superior Court Case No. VCU97155)). In fact, this rate is lower than the rates charged by other California attorneys of similar experience, according to the *Laffey* Matrix. The *Laffey* Matrix is "a widely recognized compilation of attorney and paralegal rate data used in the District of Columbia, frequently used in fee award cases." (See *Bond v. Ferguson Enterprises, Inc.*, Case No. 1:09-cv-1662 OWW MJS, 2011 WL 2648879 at *12 (E.D. Cal. June 30, 2011.) The *Laffey* Matrix has been used in California. (See, e.g., *Nemecek & Cole v. Horn*, 208 Cal.App.4th 641, 650-651 (2012) [affirming award of attorneys' fees based on the *Laffey* Matrix as reasonable].) A true and correct copy of

the current *Laffey* Matrix is attached as **Exhibit 1**. According to the *Laffey* Matrix, for the period June 1, 2024, to May 31, 2025, the hourly rate is $948 for an attorney who is in the 11th to 19th year out of law school. I am in my 15th year out of law school.

9. Moreover, in 2012, the Daily Journal concluded that the average hourly rate for associates in Los Angeles is $550, while the average hourly rate for partners is $797. A true and correct copy of the Daily Journal article is attached hereto as **Exhibit 2**. Given my skill and experience, fee awards to other attorneys of similar experience in California, and the *Laffey* Matrix, my hourly rate of $750 is reasonable.

10. I did not keep contemporaneous billing records in this case. However, I can reconstruct from the documents, notes, call logs, emails, and calendar entries that I have on this case and verify that, throughout my over two and a half years of involvement in this case, I have spent approximately 22.8 hours handling the matter. (See *Martino v. Denevi* (1986) 182 Cal.App.3d 553, 559, [contemporaneous time records need not be submitted]; *Lobatz v. U.S. W. Cellular, Inc*. (9th Cir 2000) 222 F3d 1142, 1149 [court may rely on time summaries rather than on contemporaneous records*]; PLCM Group, Inc. v. Drexler* (2000), 22 Cal.4th 1084, 1095, n. 4 [fee claim based on reconstructed records upheld].)

11. Therefore, based on my hourly rate of $750, my lodestar amount is $17,100.

12. The costs my office has expended in this matter are *de minimis*. Therefore, I will not request costs in this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 27, 2025 at Los Angeles, California.

STONEBROOK LAW

By: ______________________________

JOSEPH TOJARIEH
Attorney for Plaintiff
GREGORY MEADE

EXHIBIT 1

LAFFEY MATRIX

History

Case Law

See the Matrix

Contact us

Home

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/23- 5/31/24	1.059295	$239	$437	$538	$777	$878	$1057
6/01/22- 5/31/23	1.085091	$225	$413	$508	$733	$829	$997
6/01/21- 5/31/22	1.006053	$208	$381	$468	$676	$764	$919
6/01/20- 5/31/21	1.015894	$206	$378	$465	$672	$759	$914
6/01/19- 5/31/20	1.0049	$203	$372	$458	$661	$747	$899
6/01/18- 5/31/19	1.0350	$202	$371	$455	$658	$742	$894
6/01/17- 5/31/18	1.0463	$196	$359	$440	$636	$717	$864
6/01/16- 5/31/17	1.0369	$187	$343	$421	$608	$685	$826
6/01/15- 5/31/16	1.0089	$180	$331	$406	$586	$661	$796
6/01/14- 5/31/15	1.0235	$179	$328	$402	$581	$655	$789
6/01/13- 5/31/14	1.0244	$175	$320	$393	$567	$640	$771
6/01/12- 5/31/13	1.0258	$170	$312	$383	$554	$625	$753
6/01/11- 5/31/12	1.0352	$166	$305	$374	$540	$609	$734
6/01/10- 5/31/11	1.0337	$161	$294	$361	$522	$589	$709
6/01/09- 5/31/10	1.0220	$155	$285	$349	$505	$569	$686
6/01/08- 5/31/09	1.0399	$152	$279	$342	$494	$557	$671
6/01/07-5/31/08	1.0516	$146	$268	$329	$475	$536	$645
6/01/06-5/31/07	1.0256	$139	$255	$313	$452	$509	$614
6/1/05-5/31/06	1.0427	$136	$249	$305	$441	$497	$598
6/1/04-5/31/05	1.0455	$130	$239	$293	$423	$476	$574
6/1/03-6/1/04	1.0507	$124	$228	$280	$405	$456	$549
6/1/02-5/31/03	1.0727	$118	$217	$267	$385	$434	$522
6/1/01-5/31/02	1.0407	$110	$203	$249	$359	$404	$487
6/1/00-5/31/01	1.0529	$106	$195	$239	$345	$388	$468
6/1/99-5/31/00	1.0491	$101	$185	$227	$328	$369	$444
6/1/98-5/31/99	1.0439	$96	$176	$216	$312	$352	$424
6/1/97-5/31/98	1.0419	$92	$169	$207	$299	$337	$406
6/1/96-5/31/97	1.0396	$88	$162	$198	$287	$323	$389
6/1/95-5/31/96	1.032	$85	$155	$191	$276	$311	$375

6/1/94-5/31/95	1.0237	$82	$151	$185	$267	$301	$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g.,DL v. District of Columbia, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* ï¿½Years Out of Law Schoolï¿½ is calculated from June 1 of each year, when most law students graduate. ï¿½1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). ï¿½4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier ï¿½1-3" from June 1, 1996 until May 31, 1999, would move into tier ï¿½4-7" on June 1, 1999, and tier ï¿½8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT 2

LOS ANGELES
Daily Journal
www.dailyjournal.com

VOL. 125 NO. 155 FRIDAY, AUGUST 10, 2012

Daily Journal File Photo

Fountain Valley lawyer Roger W. Simpson, who represented the state in insurance litigation before the state Supreme Court

State wins large insurance suit

State Supreme Court rules insurers must pay out claims that are 'stacked.'

By Emily Green
Daily Journal Staff Writer

In a major win for the government, the state Supreme Court unanimously ruled Thursday that insurance companies must pay out millions of dollars in liability insurance for the cleanup of a Riverside hazardous waste site.

The decision was a blow to the insurance industry, which sought to limit liability and pay out only a portion of maximum policy limits. It could have a wide-ranging impact, giving insured parties the ability to capture much greater coverage for long-term damage.

Attorneys on both sides expressed surprise that Justice Ming W. Chin wrote the 17-page decision. Chin is considered more business-friendly than some of his colleagues, and during oral arguments he expressed the most skepticism about the state's position.

The ruling upheld Division 2 of the 4th District Court of Appeal. It makes clear that when long-term, continuous damage occurs, individuals and entities seeking to recoup money from their insurance companies are entitled to "all sums" coverage, or the full amount provided by their policy limit, even if some of the damage occurred outside of the policy period.

> 'This is going to make it much more difficult for insurers to offer such abysmally low sums to their insured during settlement negotiations.'
>
> — *Roger W. Simpson*

The court also ruled that when an entity purchases insurance policies from several companies over an extended period of time, the insured can recoup the maximum amount of the policy limits from each company — a practice known as stacking. Insurance companies argued that the insured should only recover the maximum amount of money provided during a single policy period, and that the insurance companies would split that cost.

"An all-sums-with-stacking rule has numerous advantages," Chin wrote. He said it resolves the question of insurance coverage "as equitably as possible." It also "comports with the parties' reasonable expectations," both for the insurance companies which expect to pay for damage that occurs and for the policy holder that "reasonably expects indemnification for the time periods in which it purchased coverage." *State of California v. Continental Insurance Co.*, S170560.

The decision could eventually lead to efforts by the insurance industry to exclude coverage for high exposure claims, such as buildings with potential asbestos problems.

The case concerns the Stringfellow quarry in Riverside County. Opened in 1956 as an industrial waste deposit site, it collected more than 30 million gallons of industrial waste during its operation. But the quarry had several flaws leading to contaminants reaching groundwater. In 1972, the site was closed, but it continued to leak. In 1998, a federal court

See Page 4 — INSUREDS

Associate billing rates start climbing again

Average rates going back up after stagnation brought on by recession

By Kevin Lee
Daily Journal Staff Writer

Average law firm billing rates are back on the rise after stagnating somewhat in the years following the 2008 financial crisis. But most of the action is taking place in associate billing rates, which jumped 7.5 percent in the first half of the year compared to the same period in 2011, more than twice the average rate increase in partner billing rates nationwide.

Industry experts say the discrepancy appears to be the market correcting itself after firms sloughed off associates and froze associate hiring in 2009 and 2010.

Partner billing rates, by comparison, rose 3.4 percent in the first half of the year compared to the year-earlier period, according to the latest research by Valeo Partners LLC, a Washington D.C.-based consulting firm.

Valeo compiled data on the billing rates of lawyers at 550 U.S. law firms through publicly available documents, such as court filings, fee applications and disclosure statements submitted to federal agencies.

Chuck Chandler, a Valeo co-founder and partner, said this year's rate increases were instituted to offset the lack of rate movement during the recession.

"The associates took the hit after 2008. Some firms laid off as much as 10 percent of their associates, delayed hiring new classes and froze compensation," he said. "Naturally, billing rates were slow to increase during that period."

For the first six months of this year, California markets all saw associate rate increases below the national average. Associates in San Francisco and Silicon Valley together claimed the highest average rate increase of the California markets — 7.3 percent.

"Northern California has all of the social media, the technology companies, which creates a lot of dealmaking and IPOs and also good fees and hourly rates," Chandler said.

By comparison, Los Angeles associates saw their rates go up an average of 6.6 percent. In San Diego, associate rates rose 4.2 percent.

Law firms generally increase billing rates each year, according to Sheppard, Mullin, Richter & Hampton LLP partner Marc A. Sockol, who manages the firm's Palo Alto office.

"If inflation goes up 3 percent, so do our associate billing rates, because that is what covers rent, lights, computers, telephones, desks," Sockol said. "During those first couple years of this recession, we chose not to

See Page 5 — ASSOCIATE

Quinn Emanuel attorney explains belated admission to court

By Hadley Robinson
Daily Journal Staff Writer

Quinn Emanuel Urquhart & Sullivan LLP partner Susan R. Estrich may have experience running a presidential campaign, teaching law students, and working as a Fox News commentator, but she forgot a few important details before arguing a motion this week for Samsung Electronics Co. Ltd. in its patent lawsuit against Apple Inc.

... advertence and oversight, and my conduct was not willful," Estrich wrote.

Grewal filed an order Wednesday asking that Estrich explain why she hadn't entered an appearance in the case, and whether she had been admitted to practice in the Northern District. If not, he called it a "serious breach," writing that the requirements for admission "are no mere formality."

Estrich filed a belated notice of ap-

... Cupertino-based consumer technology company spoliated evidence. Grewal previously ordered a similar instruction against Samsung for failing to preserve evidence.

Attorneys for Apple claimSamsung infringed on patents protecting the design and functionality of Apple's smartphones and tablet computers, and are seeking a permanent injunction on several devices in addition to at least $2.5 billion in damages. Samsung also

... John B. Quinn for defying the court by releasing excluded evidence to the media. Then, Samsung lawyers broke minor rules when they took some of the witnesses on a tour of the court when it wasn't in session.

But Morris Ratner, associate professor at UC Hastings College of the Law, says such rule breaking doesn't necessarily say anything about Samsung and its attorneys in the case.

Average Law Firm Billing Rates

Location	Position	2012	2011	Percent Increase
Los Angeles	Partner	$797	$766	4.0%
	Associate	$550	$516	6.6%
San Diego	Partner	$568	$568	0%
	Associate	$394	$378	4.2%
San Francisco	Partner	$675	$654	3.2%
	Associate	$482	$449	7.3%
National	Partner	$750	$725	3.4%
	Associate	$495	$460	7.5%

Source: Valeo 2012 Halftime Report

Associate billing rates going up

Continued from page 1

boost our billing rates."

Sockol declined to provide specific billing rates but said the firm varies its associate rates by practice group and geography. For 2012, the firm raised associate billing rates roughly 3 percent, he said.

James G. Leipold, executive director of the National Association for Law Placement in Washington D.C., said the jump in billing rates results from the overall decrease of associates at law firms, especially at large law firms. Large law firms, which are the biggest employers of junior lawyers, are relying less on partnership-track associates and more on staff lawyers, paralegals and contract lawyers.

NALP data reveals that from 2008 to 2011, large law firms on average hired entry-level associates at an annual starting salary of $160,000. Some law firms cut their starting salaries to $145,000 during that time but not many. Leipold said he thought more firms would follow suit.

'If inflation goes up 3 percent, so do our associate billing rates, because that is what covers rent, lights, computers, telephones, desks.'

— Marc A. Sockol

"What we saw was that law firms reduced their associate class sizes dramatically, but they didn't reduce their pay," Leipold said. "They just provided many fewer jobs."

Some large firms have turned to creating nonpartnership-track staff lawyer positions for new classes of junior lawyers, whose billing rates and compensation are lower than those of partnership-track associates.

Law firms can then maintain or increase the billing rates for the small number of associates on the partnership track, knowing they can turn to their staff lawyers, paralegals or contract lawyers to drive down the cost of legal services for clients.

"I think you'll see that [approach] more in the next couple of years," Leipold said. "It's another way for them to bring the salary structure back down and meet the cost-containment demands of clients and use people more efficiently."

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