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Attorneys for Plaintiff Roberto Ramon Joya Estrada,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

LEOPOLDO MARTINEZ-BRAVO, individually
and on behalf of others similarly situated, and as
an aggrieved employee and Private Attorney
General,

Plaintiff,

vs.

MIKE KELLEY CONSTRUCTION, INC., a
California corporation; BLAKE KELLEY, an
individual and DOES 1 through 50, inclusive,

Defendants.

ROBERTO RAMON JOYA ESTRADA AKA
ROBERTO R. FLORES CRUZ individually and
on behalf of all similarly situated individuals

Plaintiff,

vs.

MIKE KELLEY CONSTRUCTION, INC., a
California corporation; BLAKE KELLEY, an
individual and DOES 1 through 100, inclusive,

Defendants.

Lead Case No. 24CV05385 (Martinez-
Bravo)

Case No. 24CV05393 (Estrada)

[Cases consolidated on January 8, 2025]

[Assigned for all purposes to the
Honorable Thomas P. Anderle, Dept. 3]

**DECLARATION OF HEATHER
DAVIS IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Date: June 24, 2026
Hearing Time: 10:00 a.m.
Department.: 3

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1. I am an attorney duly admitted to the Bar of the State of California and all United States District Courts in the State of California. I am a Partner with Protection Law Group, LLP, counsel of record for Plaintiff Roberto Ramon Joya Estrada (“Plaintiff”). I have personal knowledge of the facts stated herein and if called as a witness I could and would competently testify thereto.

2. I am a duly licensed attorney and have been a member of the Colorado State Bar since 1998, the California State Bar since 2005, and the Arizona State Bar since 2007. I graduated from the University of Denver School of Law in 1998, and I am licensed to practice before all courts of the State of California and Colorado as well as the State of Arizona and District Courts throughout the country.

4. During my employment with Littler Mendelson, P.C., I continued my practice of employment law and was responsible for and defended dozens of complex class actions involving some of the largest representative and class actions brought under the California Labor Code, including meal and rest break violations, overtime, minimum wage claims, off-the-clock work, and other related wage claims. My practice included the management of dozens of class actions. My management of these cases included taking and defending hundreds of depositions and interviewing hundreds of putative class members as well as drafting extensive state, federal and appellate briefing on hundreds of wage and hour issues involving class actions.

5. During my employment at Littler Mendelson, I played a significant role in the class actions for which I was responsible. In particular, I was often in charge of leading the strategy of the cases and drafting all of the briefs. I received a wide-array of wage and hour class action experience performing the following types of tasks: drafting demurrers; motions to strike

1 and/or dismiss; removing actions from state court to federal court; drafting and responding to
2 written discovery; drafting and opposing discovery related motions; arguing discovery related
3 motions; drafting motions to consolidate related matters; interviewing putative class members and
4 obtaining declarations in connection with class certification; drafting oppositions to motions for
5 class certification; drafting motions for decertification following class certification; conducting
6 exposure analyses to assess the strengths and weaknesses of asserted claims, the likelihood of
7 prevailing at class certification and potential damages resulting from such claims; drafting
8 mediation briefs; serving as the primary contact to in-house counsel; deposing plaintiff and
9 putative class members; deposing retained expert witnesses; and defending the depositions of
10 corporate witnesses. In short, I played an integral role in all aspects of litigation from the inception
11 of a matter through and beyond class certification.

12 6. During my practice in other jurisdictions and continuing today, I have been
13 primarily devoted to working in employment law and on complex class action and representative
14 litigation and multi-plaintiff work.

15 7. Protection Law Group, LLP is a law firm specifically devoted to the representation
16 of employees against employers in California involving claims relating to violations of the
17 California Labor Code, including claims for failure to pay all wages owed, failure to pay overtime
18 premiums, failure to any meal and rest premiums and failure to provide accurate wage records.
19 The practice of employment law is a very specific, narrow field which requires diligence in an
20 ever-evolving field of substantive and procedural law.

21 8. Although not exhaustive, below is a representative list of several of the wage and
22 hour class actions that I performed substantial work on while I was an attorney with Littler
23 Mendelson, including, but not limited to: *Villacres v. ABM Industries, Inc.*, 189 Cal.App.4th 562
24 (2010); *Brizuela v. Copart, Inc.*, CIVRS11101592, (San Bernardino Superior Court class action
25 settlement); *Augustus v. ABM Industries, Inc.*, BC336416, 2 Cal. 5th 257 (2016); *Tagaki v. United*
26 *Airlines*, 2:11-CV9191 (Central District class action settlement); *Babasa v. Comerica, Inc.*, 3:11-
27 CV00595; *Leyva v. Medline Industries, Inc.* 5:11-cv-00164 (Central District); *Blue v. Coldwell*
28 *Banker Residential Brokerage Co.*, BC417335, (Los Angeles Superior Court, class action

1 settlement); and *Acosta v. Texwood Industries, Inc.*, 2:07-cv-03237-DDP-PLA (Central District
2 class action settlement).

3 9. Since opening my firm, I have served as lead counsel or co-class counsel in several
4 wage and hour class and/or representative actions seeking wages and penalties owed on behalf of
5 employees for which final approval of the settlement or class certification has been granted,
6 including, but not limited to the following:

- 7 • *Holzer v. Wedbush Securities, Inc.*, BC 550462 (Los Angeles Superior Court wage
8 and hour class action certifying class of independent contractors and appointing
9 Protection Law Group, LLP as class counsel);
- 10 • *White v. Windy Pizza Plus, LLC*, BC593377 (Los Angeles Superior Court wage and
11 hour class action certifying class of all non-exempt employees and appointing
12 Protection Law Group, LLP as class counsel);
- 13 • *Morera v. Continental Assets Mgmt.*, BC502003 (Los Angeles Superior Court wage
14 and hour class action appointing Protection Law Group, LLP as class counsel in
15 settlement);
- 16 • *Fong et al. v. Regis Corporation*, 3:13-cv-13-04497-VC (United States District Court,
17 Northern District of California, wage and hour class action settlement and
18 appointment Protection Law Group, LLP as class counsel in settlement);
- 19 • *Espinoza v. Financial Partners Credit Union*, BC502165 (Los Angeles Superior Court
20 wage and hour Class action appointing Protection Law Group, LLP as class counsel
21 in settlement);
- 22 • *Kesheshian, et al v. S. Cal. Logistics*, BC557981 (Los Angeles Superior Court wage
23 and hour class action appointing Protection Law Group, LLP as class counsel in
24 settlement);
- 25 • *Sampson v. 24 HR Homecare LLC*, BC586019 (Los Angeles County Superior Court
26 wage and hour class action);
- 27 • *Glenn v. Decron Properties Corp.*, BC578035 (Los Angeles Superior Court wage and
28 hour class action appointing Protection Law Group, LLP as class counsel in

1 settlement);

- 2 • *Torres v. Auto Rescue et al.*, RIC1509900 (Riverside County Superior Court wage and
3 hour class action appointing Protection Law Group, LLP as class counsel in
4 settlement);
- 5 • *Kashanian v. Plus Labs, Inc.*, 2016-1-CV-294231 (Santa Clara County Superior Court
6 wage and hour class action appointing Protection Law Group, LLP as class counsel in
7 settlement);
- 8 • *Cadena v. Tetra Property Management*, 257425 (Tulare County Superior Court wage
9 and hour class action appointing Protection Law Group, LLP as class counsel in
10 settlement);
- 11 • *Drayton v. Hollywood Park Casino*, BC593935 (Los Angeles Superior Court wage
12 and hour class action appointing Protection Law Group, LLP as class counsel in
13 settlement);
- 14 • *Khan v. FPI Management, Inc.*, JCCP4819 (Los Angeles Superior Court wage and
15 hour class action appointing Protection Law Group, LLP as class counsel in
16 settlement);
- 17 • *Byrd v. Masonite Corp.*, 5:16-cv-00035-JGBKK (United States District Court, Central
18 District of California appointing Protection Law Group, LLP as class counsel in
19 settlement);
- 20 • *Hadrick v. Woodmont Real Estate Serv., et al.*, CIV530405 (San Mateo County
21 Superior Court wage and hour class action appointing Protection Law Group, LLP as
22 class counsel in settlement);
- 23 • *Utterbach v. Daylight Transport, LLC et al.*, BC600994 (Los Angeles Superior Court
24 wage and hour class action appointing Protection Law Group, LLP as class counsel in
25 settlement);
- 26 • *Eiden v. Olive & June*, BC654685 (Los Angeles Superior Court wage and hour class
27 action appointing Protection Law Group, LLP as class counsel in settlement);
- 28 • *Lemus v. Slater Inc.*, CIVDS1703633 (San Bernardino Superior Court wage and hour

- class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Deluna v. Amerit Fleet Solutions et al.*, CIVDS1721564 (San Bernardino Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Stone v. Universal Protection Services*, AAA Case No. 01-15-0002-7497 (American Arbitration Association wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement on behalf of class of 75,000+ putative class members)
 - *Commick v. Prometheus Real Estate Group*, CIV531264 (San Mateo Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Martinez v. AMRO Fabricating Corp.*, BC681938 (Los Angeles Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Ramirez v. Western National Properties*, BC639319 (Los Angeles Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Hernandez v. Access Dental Plan et. al*, 34-2017-00220944 (Sacramento Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Fernandez v. Sumitomo Rubber North America, Inc.*, CIVDS1803211 (San Bernardino Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Gomez v. Fairway Staffing Services, Inc.*, BC689771 (Los Angeles Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
 - *Fuentes v. Communications Test Design, Inc.*, CIVDS1802427 (San Bernardino Superior Court wage and hour class action appointing Protection Law Group, LLP as

class counsel in settlement);

- *Hartline v. Senior Operations, LLC*, BC697665 (Los Angeles Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Carrozzella v. Basalite Concrete Products, LLC*, 34-2014-00220214 (Sacramento Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Howey v. Battery Systems, Inc.*, 2026114 (Stanislaus Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Correa v. Cashbak, LLC*, BC723845 (Los Angeles Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Lemus v. Cass Construction*, 37-2017-00028180 (San Diego Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Sales v. J.S. International Shipping Corp.*, 18CIV05048 (San Mateo Superior Court wage and hour class action appointing Protection Law Group, LLP as class counsel in settlement);
- *Aparicio v. Advantage Painting*, CIVDS2013809 (San Bernardino County Superior Court approving PAGA Settlement);
- *Rodriguez v. TheRealReal, Inc.*, CGC-19-574661 (San Francisco County Superior Court approving PAGA Settlement);
- *Parm v. Think Together*, CIVDS1823659 (San Bernardino County Superior Court approving PAGA Settlement);
- *Casey-Neith v. Pacific Union Financial*, 30-2018-01014980 (Orange County Superior Court approving PAGA Settlement);
- *Wallace v. Alvarado Restaurant Group, LLC*, 20STCV26260 (Los Angeles County Superior Court approving PAGA Settlement);
- *Adams v. West Marine Products, Inc.*, 19CIV00436 (San Mateo Superior Court wage

1 and hour class action appointing Protection Law Group, LLP as class counsel in
2 settlement); and

- 3 • *Coronel, et al. v. CMH Manufacturing, Inc., et al.*, RIC2003070 (Riverside County
4 Superior Court approving PAGA Settlement).

5 10. I am fully familiar with the legal and factual issues in the Action and have specific
6 experience litigating complex wage and hour actions as class actions, including employment cases
7 as set forth above.

8 11. The Settlement presented here only resulted after having engaged in extensive
9 informal discovery and investigation and is the product of hard-fought litigation and extensive
10 arms' length negotiations. In my opinion as an experienced class counsel, the Settlement is fair,
11 reasonable, adequate, and in the best interests of the Class, Aggrieved Employees, and State of
12 California

13 **THE SETTLEMENT IS FAIR, ADEQUATE, AND REASONABLE**

14 12. Plaintiffs seek Final Approval of a Class Action and PAGA Settlement that will
15 resolve the alleged claims for a Gross Settlement Amount of \$499,000.00. The Court should
16 approve the Settlement because it is the product of informed, hard-fought arm's length
17 negotiations, and provides a fair, adequate, and reasonable resolution for the class in light of the
18 strengths and weaknesses of the alleged claims and the risks of continued litigation.

19 13. The Parties engaged in a full day mediation and had extensive conversations
20 regarding Defendants' policies and practices. Defendants at all times maintained that it had
21 complied with California wage and hour laws. At all times, Plaintiffs were willing and prepared
22 to litigate this matter through class certification and trial if the Parties had been unable to reach a
23 favorable resolution. The proposed settlement was reached at the end of a process that was neither
24 fraudulent nor collusive. Instead, both Parties advanced their positions throughout settlement
25 negotiations and after extensive discussions were able to reach compromise of these hotly
26 disputed claims.

27 14. Prior to the settlement of this matter, my office spent a substantial amount of time
28 researching and investigating the alleged claims. Prior to reaching a settlement my office and our

1 co-counsel reviewed and analyzed an extensive amount of informal discovery including a
2 sampling of Class Members' time and payroll records, as well as Defendants' relevant
3 employment policies. Defendants also produced other relevant data points including the
4 workweeks and pay periods at issue and through this discovery and investigation, my office and
5 co-counsel were able to conduct a class-wide assessment and analysis of potential damages. This
6 analysis and prior investigation permitted my office and co-counsel to effectively and intelligently
7 negotiate the Settlement.

8 15. Based on my experience, and as discussed extensively in Plaintiffs' motion for
9 preliminary approval, I believe this settlement represents a fair and reasonable compromise of the
10 class's claims against Defendants. Defendants strongly contested its liability and raised defenses
11 regarding whether these claims were appropriate for class certification and the merits of the
12 individual claims. Similarly, Plaintiffs were prepared to vigorously litigate the disputes including
13 through class certification and trial in the event a settlement could not be reached. The proposed
14 Settlement was reached at the end of a process that was neither fraudulent nor collusive. To the
15 contrary, counsel for the Parties advanced their respective positions throughout their settlement
16 discussions and were eventually able to reach an agreement to resolve these claims.

17 16. Based on my experience litigating similar and complex matters and the history of
18 this litigation, I would reasonably expect a vigorous and lengthy defense to both class certification
19 and merits absent a settlement with substantial risk that Class Members could be forced to wait
20 years and incur additional costs for the same or possibly worse result.

21 17. The lack of any objections to the terms of the proposed Settlement and the fact
22 that no class member has submitted a request for exclusion also supports the reasonableness of
23 the proposed Settlement. The strong participation by the Class to date, and the factors assessed
24 by Class Counsel both here and in the motion for preliminary approval, support that the Settlement
25 should not only be presumed fair but is reasonable.

26 **CLASS COUNSEL FEES**

27 18. Class Counsel are seeking attorneys' fees in the amount of \$174,650.00, which is
28 35% of the Gross Settlement Amount. The percentage award of the attorneys' fees is

1 commensurate with: (1) the economic risk Class Counsel took in commencing the Action on a
2 contingency basis, knowing that there would likely be a long battle with a premier defense firm;
3 (2) the time, effort and expense dedicated to the Action; (3) the skill and determination the Action
4 has required; (4) the results achieved throughout the litigation; and (5) the value of the settlement
5 achieved for Class Members, PAGA Members, and State of California.

6 19. Protection Law Group is a small law firm specifically devoted to the representation
7 of employees against employers in California involving claims relating to violations of the
8 California Labor Code, including claims for failure to pay all wages owed, failure to pay overtime
9 premiums, failure to pay meal and rest premiums and failure to provide accurate wage records.
10 The practice of employment law is a very specific, narrow field which requires diligence in an
11 ever-evolving field of substantive and procedural law. Class Counsel have devoted significant
12 time and attention to this matter on a contingent basis. The significant time and attention spent on
13 this matter was time we could not spend on other cases or clients.

14 20. My office and our co-counsel undertook extensive investigation, analysis, and
15 research prior to filing the lawsuit, during litigation, and in preparation for mediation. This
16 included attending client meetings, meeting and conferring with Defendants' Counsel on various
17 issues, and conducting legal research on unanticipated and remote legal defenses. The Parties
18 attended mediation and in advance of mediation, Class Counsel analyzed hundreds of pages of
19 documents, and thousands of pages of time and payroll data. Class Counsel participated in
20 extensive negotiations at and following mediation to reach a settlement and then spent substantial
21 time drafting and revising the Settlement Agreement and subsequent amendments thereto. A
22 settlement was achieved despite all of the obstacles that had to be overcome, because Class
23 Counsel used their complex wage-and-hour litigation experience and skills to obtain the
24 Settlement. Despite these challenges, Class Counsel negotiated an agreement that permitted
25 Defendants to pay a non-reversionary Gross Settlement Amount of more than \$499,000.00. Such
26 a settlement, against experienced defense counsel, in a case where legitimate defenses exist, may
27 not otherwise have been possible.

28 21. Additionally, the case was litigated on a contingent basis. Had Class Counsel not

1 been successful the time devoted to this matter would have been for naught and Class Counsel
2 would not have received any fee or any reimbursement for any of the expenses incurred on behalf
3 of the Class. Class Counsel has borne all the risks and costs of litigation and will not receive any
4 compensation until recovery is obtained in the Action.

5 22. The Settlement provides for a requested fee of approximately 35% of the Gross
6 Settlement Amount and this amount has not been objected to by any member of the Class. I am
7 aware that the common and acceptable rate for representation in wage-and-hour class action
8 litigation is normally twenty-five (25) to thirty-five (35) percent. A fee of approximately 35% of
9 the Gross Settlement Amount is appropriate here because of the excellent result achieved for the
10 Class, the Aggrieved Employees, and State of California despite the substantial risks described
11 above including the risk that the Class Members, the PAGA Members, and State of California
12 could recover nothing at all.

13 23. While the requested fee is a proper and commonly requested percentage of the
14 common fund, the fee request is also justified under a simple lodestar analysis.

15 24. Protection Law Group actively and continuously represents plaintiffs in
16 employment class actions and representative actions, in Superior Courts throughout the State of
17 California, in the Court of Appeal, and in various Federal courts. Because of the unique history
18 and nature of our practice, all of the attorneys at Protection Law Group have a high level of
19 knowledge and experience in labor and employment law. Besides myself the following attorneys
20 at Protection Law Group spent significant time working on this matter:

- 21 a. Amir Nayebdadash – Founding Partner of Protection Law Group, LLP. Mr.
22 Nayebdadash received his Bachelor of Arts degree from University of California, Los
23 Angeles and a Juris Doctor degree from Pepperdine University School of Law. He
24 was admitted to practice law in California in November of 2004, and has been
25 admitted to practice in all federal district courts in the State of California. Prior to
26 founding Protection Law Group, LLP, Mr. Nayebdadash worked at Littler Mendelson,
27 P.C., the largest labor and employment law firm in the United States. In 2013, Mr.
28 Nayebdadash founded Protection Law Group LLP. Since the inception of Protection

1 of Law Group, LLP, Mr. Nayebdadash has focused his practice on the representation
2 of employees against employers in California. Mr. Nayebdadash has extensive
3 experience in all aspects of employment litigation, with a focus on wage and hour
4 class and representative action, including, but not limited to taking and defending
5 depositions, briefing and arguing motions, preparing for class certification,
6 negotiating complex wage and hour settlements, trial and appeal.

7 b. D. Luke Clapp – Senior Associate at Protection Law Group, LLP. Mr. Clapp received
8 his Bachelor of Arts degree from Macalester College, and a Juris Doctor degree from
9 Indiana University Maurer School of Law. He was admitted to practice law in
10 California in December of 2015, and has also been admitted to the Central District of
11 California. Since being admitted to California State Bar, Mr. Clapp’s practice has
12 focused on the representation of employee plaintiffs in complex wage and hour class
13 and representative actions. Mr. Clapp has extensive experience in briefing and arguing
14 motions, managing written discovery, preparing for class certification, and drafting
15 mediation briefs and complex wage and hour settlements.

16 c. Ryan Chuman –(Former) Senior Associate at Protection Law Group. Mr. Chuman
17 received a Bachelor of Arts degree in 2010 from the University of California, Los
18 Angeles and a Juris Doctorate degree from Southwestern University. Mr. Chuman was
19 admitted to practice law in California in December of 2014. Prior to joining Protection
20 Law Group, LLP, Mr. Chuman worked at Ogletree, Deakins, Nash, Smoak & Stewart
21 PC, one of the largest labor and employment law firms in the United States. While
22 employed at Protection Law Group Mr. Chuman was responsible for all aspects of
23 employment litigation, including but not limited to taking and defending depositions,
24 briefing and arguing motions, negotiating complex wage and hour settlements, trial,
25 arbitration and appeal

26 d. Brendan Burton—(Former) Senior Associate with Protection Law Group, LLP. Mr.
27 Burton received his Bachelor of Arts degree from the University of San Diego and a
28 Juris Doctor degree from California Western School of Law. Mr. Burton was admitted

1 to practice in California in December 2018. While employed at Protection Law Group,
2 LLP, Mr. Burton's practice focused solely on the representation of employee plaintiffs
3 in complex wage and hour class and representative actions. Mr. Burton has extensive
4 experience briefing and arguing motions, and managing written discovery.

5 e. Susan Huerta (Former) Senior Associate with Protection Law Group. Ms. Huerta
6 received her Juris Doctorate from Southwestern University School of Law and was
7 admitted to the State Bar of California in June 2008. While employed at Protection Law
8 Group Ms. Huerta exclusively represented employee plaintiffs in complex wage and
9 hour class and representative actions. While employed at Protection Law Group Ms.
10 Huerta's job duties included briefing and arguing motions, managing written discovery,
11 managing a team of associates, and helping direct case litigation.

12 f. Jeffrey Jimenez – (Former) Associate at Protection Law Group, LLP. Mr. Jimenez
13 received his Bachelor of Arts degree from the University of California at Irvine and
14 Juris Doctor degree from Southwestern School of Law. Mr. Jimenez was admitted to
15 practice in California in August 2021. While practicing at Protection Law Group, Mr.
16 Jimenez's practice focused on the representation of employee plaintiffs in complex
17 wage and hour class and representative actions.

18 g. Shadi Sahebghalam – Associate at Protection Law Group, LLP. Ms. Sahebghalam
19 received her Bachelor of Liberal Arts degree from University of California, Los
20 Angeles and a Juris Doctor degree from Pacific Coast University, School of Law. Ms.
21 Sahebghalam was admitted to practice in California in April 2022 and is admitted to
22 practice law in Eastern and Southern Districts of California Federal Courts. Prior to
23 joining Protection Law Group, LLP, Ms. Sahebghalam's practice focused on
24 representing plaintiffs in individual employment discrimination cases and wage and
25 hour disputes in state and federal court as well as arbitration. After joining Protection
26 Law Group, LLP, Ms. Sahebghalam's practice has focused solely on the representation
27 of employee plaintiffs in complex wage and hour class and representative actions.
28

1 25. My current billing rate and the actual rate charged clients is \$900 per hour. Amir
2 Nayebdadash a partner with the firm currently bills at a rate of \$825 per hour. D. Luke Clapp, a
3 current Senior Associate with the firm who worked on the matter currently bills at a rate of \$750
4 per hour. Several former associates with Protection Law Group also worked on this matter. While
5 employed at Protection Law Group Mr. Chuman's last billing rate was \$750 per hour, Ms. Huerta's
6 last used billing rate was \$775 per hour, and Mr. Burton and Mr. Jimenez's last billed at a rate of
7 \$500 per hour. Finally, Shadi Sahebghalam, a current associate with the firm bills at a rate of \$400
8 per hour. While the overwhelming majority of my firm's practice is contingency-based, this is the
9 actual rate we charge billing clients if retained on an hourly basis to handle employment-law
10 related issues.

11 26. Based on my familiarity with prevailing market rates for work of similar
12 complexity in California, including my extensive involvement in fee application work on my own
13 behalf and on behalf of others, I can attest that these hourly rates are within the prevailing market
14 rate for work of similar complexity performed by attorneys of similar skill and experience. I have
15 extensive knowledge of the prevailing hourly rates in the community for work of similar nature
16 and complexity to the work in this case. My experience and knowledge in this regard comes from
17 a variety of sources, including: (a) reviewing dozens of fee applications in other matters; (b) my
18 familiarity with fee application orders in other cases; and (c) my independent research and
19 knowledge of the prevailing market rates based on fee requests of other counsel and my familiarity
20 with rates charged in other law firms; and (d) my independent reading and research regarding law
21 firm billing rates.

22 27. As such, it is my opinion that our requested hourly rates of \$900 for myself, \$825
23 for Mr. Nayebdadash, \$750 for Mr. Chuman and Mr. Clapp, \$775 for Ms. Huerta, \$500 for Mr.
24 Burton and Mr. Jimenez, \$400 for Ms. Sahebghalam, and the use of a blended rate of at least \$700
25 for Protection Law Group based on the work performed in this matter is well within the range of
26 a reasonable rates for attorneys of our skill, knowledge, experience, and ability.

27 28. My office has spent substantial time on this Action. The tasks performed include
28 investigating Defendants' policies, practices, business model, significant time investigating and

1 reviewing Plaintiffs' personnel file, time records, and payroll records, researching Defendants'
2 organization, and strategizing how to certify the alleged claims and bring these claims to trial. My
3 office spent significant time drafting and revising the complaint, drafting the pleadings filed with
4 this Court. My office spent substantial time preparing for and attending mediation and has devoted
5 substantial time to negotiating and obtaining this settlement on behalf of the Class.

6 29. Since beginning work on this matter, Protection Law Group has spent at least
7 154.90 hours litigating this case. To date, applying a blended rate of \$700.00 for the work
8 performed by Protection Law Group results in an estimated lodestar value of \$108,430.00
9 Attached hereto as **Exhibit 1** is a time and task sheet detailing the estimated hours spent on the
10 different tasks associated with the Action.

11 30. Given the complex nature of these claims and daunting legal challenges, I believe
12 there are very few law firms who could have obtained the settlement obtained here by my office.
13 My office has devoted itself to pursuing and understanding these types of cases and was able
14 litigate this matter despite risks that may have dissuaded other counsel from pursuing this case.

15 31. I believe that the efforts of my office have resulted in substantial benefits to the
16 Settlement Class, in the form of a substantial settlement fund established to compensate Class
17 Members for Defendants' wage and hour violations. I am informed and believe that, without the
18 efforts of my office, the Labor Code and Wage Order violations alleged in the Complaint would
19 have gone completely unremedied. The allocation of 35% of the Gross Settlement Amount as
20 provided for in the Settlement is reasonable given the result achieved.

21 **PROTECTION LAW GROUP'S COSTS AND EXPENSES**

22 32. To date, Class Counsel have borne all risks and costs of litigation and will
23 not receive any compensation until recovery is obtained by Plaintiffs and the participating
24 members of the Settlement Class. To date, Protection Law Group has incurred \$9,604.75 in
25 costs and litigation expenses. These costs were necessary for the resolution of the Action, and I
26 would request that the Court award Protection Law Group \$9,604.75 to cover the costs and
27 expenses associated with this litigation. Attached hereto as **Exhibit 2** is a costs sheet detailing the
28

1 various costs incurred by Protection Law Group associated with the Action prior to the filing of
2 this motion.

3 **PLAINTIFFS' ENHANCEMENT AWARDS**

4 33. Here, the requested Class Representative Enhancement Payments of \$10,000.00
5 to Plaintiff Roberto Ramon Joya Estrada and \$15,000.00 to Plaintiff Leopoldo Martinez Bravo
6 are justified. It is very reasonable in my experience for Class and PAGA Representatives to
7 recover a service payment/enhancement award in the range contemplated here. This amount is
8 justified because of the extensive time Plaintiffs have spent and the assistance they have provided
9 to Class Counsel. Plaintiffs have taken actions throughout the litigation to protect the interests of
10 those they now represent and provided valuable information regarding the allegations in the case.
11 The information provided by Plaintiffs was instrumental in establishing the wage and hour
12 violations alleged in the Action, and the recovery provided for in the Settlement Agreement would
13 have been impossible to obtain without their participation.

14 34. Additionally, Plaintiffs face actual risks with their future employment by putting
15 themselves on public record in an employment lawsuit. As this Court is aware, prospective
16 employers conduct searches on job applicants. One type of search is to learn about an applicant's
17 litigation history. These searches are easy to run on the internet and relatively inexpensive.

18 35. As a result of Plaintiffs' actions, other employees have the opportunity to
19 participate in a settlement, reimbursing them for wage violations they may have never known
20 about or been willing to pursue on their own.

21 36. As such, Plaintiffs did more than simply lend their name for the lawsuit, and I
22 believe they deserve the requested Enhancement Awards.

23
24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct.

26 Executed on May 26, 2026

27 

28 Heather Davis

Exhibit 1

Martinez-Bravo v. Mike Kelley Construction, Inc.
SANTA BARBARA COUNTY SUPERIOR COURT CASE NO. 24CV05385

And

Estrada v. Mike Kelley Construction, Inc.
SANTA BARBARA COUNTY SUPERIOR COURT CASE NO. 24CV05393

ATTORNEY TASK AND TIME CHART

TASK	PROTECTION LAW GROUP LLP
Investigation and Research / Due Diligence	
Pre-Lawsuit Investigation of the Key Facts with a Focus on Class Certification Elements including Adequacy, Typicality, Superiority, and Commonality	7.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Roberto Ramon Joya Estrada's ("Plaintiff") Claims and the Merits of the Claims of other Putative Class Members,	6.00
Pre-Lawsuit Investigation of Potential Damages and Penalties Exposure of Defendant Mike Kelley Construction, Inc. ("Defendant") with Respect to Plaintiff, Putative Class Members, and Aggrieved Employees	2.00
Investigation of Defendant, Defendant's Business Relationships, and the Industry in which Defendant Operates	1.00
Investigation of Defendant's Organizational and Corporate Structure, and Executive Reporting Structure as They Relate to the Employment and Management of the Putative Class Members	2.50
Research and Investigation Re: Defendant's Policies, Practices, and Procedures Relating to Reporting Time, Timekeeping, Meal/Rest Breaks, Overtime Compensation, and Reimbursement of Business-Related Expense	3.00

Investigation re related Action <i>Martinez-Bravo v. Mike Kelley Construction</i> Case No. 24CV05385, review and analysis complaints regarding alleged, claims, scope of proposed class, and overlap between actions	1.50
Prepare a Discovery Strategy Plan of Action, Including Topics of Inquiry Important to Class Certification, Manageability, Liability, and Damages/Civil Penalties	4.00
Meet and Communicate with Plaintiff Roberto Ramon Joya Estrada Throughout the Pendency of the Case	9.40
Pleadings and Court Filings	
Research and Draft, Review, and Revise Plaintiff Estrada's Class Action Complaint with the Santa Barbara County Superior Court (filed on September 30, 2024)(Case No. 24CV05393 hereinafter " <i>Estrada Action</i> ")	7.50
Review Notice of Case Assignment (filed October 1, 2024)(<i>Estrada Action</i>).	0.10
Draft, Review, and Revise Plaintiff Estrada's First Amended Class Action and PAGA Complaint (filed November 14, 2024)(<i>Estrada Action</i>).	2.00
Review and Analyze Defendant's Answer to Complaint and Research Affirmative Defenses (filed December 2, 2024, 2024)(<i>Estrada Action</i>).	1.50
Review Defendant's Case Management Conference Statement (filed January 7, 2025)(<i>Estrada Action</i>).	0.10
Draft Case Management Conference Statement (filed January 8, 2025)(<i>Estrada Action</i>).	0.10
Review and Revise Stipulation to Consolidate Cases and Proposed Order Thereon (filed January 8, 2025, in Case No. 24CV05385 hereinafter " <i>Martinez-Bravo Action</i> ").	0.20

Draft Case Management Conference Statement (filed January 8, 2025)(<i>Martinez-Bravo</i> Action).	0.10
Draft, Review, and Revise Consolidated Class Action Complaint (filed January 14, 2025)(<i>Martinez-Bravo</i> Action).	0.40
Review Defendant's Answer to Consolidated Complaint and Compare to Answer filed in <i>Estrada</i> (filed January 16, 2025)(<i>Martinez-Bravo</i> Action).	1.0
Draft, review, and revise Joint Stipulation to Vacate Plaintiff's Motion for Class Certification Deadlines and Hearing; Proposed Order (filed November 12, 2025)(<i>Martinez-Bravo</i> Action).	0.70
Discovery	
Draft, Review, and Revise, Form Interrogatories—General (Set One), Special Interrogatories (Set One), Requests for Production of Documents (Set One), Proposed <i>Belaire-West</i> Notice (served November 11, 2024) (<i>Estrada</i> Action).	6.00
Letters and Correspondence	
Research and Draft, Review, and Revise PAGA Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Roberto Ramon Joya Estrada for Penalties Under California Labor Code section 2698, et seq. (served on September 27, 2024)	3.50
Draft Correspondence to and Upload Correspondence with California Labor and Workforce Development Agency Re: Plaintiff's Claims for Penalties Under California Labor Code section 2698; Payment of Filing Fees; Proposed Settlement; and Additional Communications	0.50
Preparation for and Discussions with Defendant's Counsel, Draft Correspondence to Defendant's Counsel, and Review and Respond to Correspondence from Defendant's Counsel	16.40

Draft Correspondence to and Review and Respond to Correspondence from Third Party Settlement Administrators Regarding Settlement Administration Quotes, Individual Settlement Payment Calculations, and Settlement Administration.	3.20
Appearances	
Prepare for and Attend Case Management Conference January 29, 2025) (<i>Martinez-Bravo</i> Action).	1.10
Settlement Negotiations	
Review and Analyze Information, Data, and Documents Produced by Defendant including amongst other relevant documents, employee handbooks, time and payroll records of the putative class members and personnel file in preparation for settlement negotiations and prepare damages analysis regarding alleged claims.	18.00
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, and Compiling Exhibits in Support of Mediation Brief; Analyzing and preparing Comprehensive Damages Analysis in advance of Mediation on July 9, 2025, with Kevin Barnes, Esq.	12.00
Prepare for and Attend Mediation with Kevin Barnes, Esq. (July 9, 2025)	11.00
Draft, Review, and Revise Memorandum of Understanding (fully executed August 15, 2025)	2.50
Draft, Revise, Review, Negotiate, and Finalize Joint Stipulation of Class Action and PAGA Settlement and Notice of Class Action and PAGA Settlement and Proposed Class Notice (fully executed October 28, 2025)	7.30
Law and Motion	
Research and Draft, Review, and Revise Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action and PAGA Settlement, Declaration of Heather Davis in Support Thereof,	18.00

Declaration of Plaintiff Roberto Ramon Joya Estrada in Support Thereof; Declaration of Leopoldo Martinez-Bravo in Support Thereof; Declaration of Xavier Villegas in Support Thereof; Declaration of Elliot J. Siegel in Support Thereof; (filed on December 11, 2025) (<i>Martinez-Bravo</i> Action).	
Review and Analyze Tentative Ruling Granting Motion for Preliminary Approval	0.10
Review Signed Order Granting Motion for Preliminary Approval and Draft Notice of Entry of Order (filed March 2, 2026) (<i>Martinez-Bravo</i> Action).	0.20
Draft, Review, and Revise Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement; Declaration of Heather Davis in Support Thereof; and [Proposed] Final Approval Order and Judgment (Anticipated) (<i>Martinez-Bravo</i> Action).	4.50
Total Hours:	154.90

Exhibit 2

***Martinez-Bravo v. Mike Kelley Construction, Inc.* Santa Barbara Superior Court Case No. 24CV05385**

and

***Estrada v. Mike Kelley Construction, Inc .* Santa Barbara Superior Court Case No. 24CV05393**

PROTECTION LAW GROUP LLP - EXPENSE REPORT

Date	Memo	Debit	
September 2024-March 2026	PAGA Filings, Court Filings, Attorney Service Fees	\$	3,138.75
February 2025	Mediation with Kevin Barnes	\$	2,666.00
June 2025	Expert Costs (Codicci, LLC)	\$	3,800.00
TOTAL COSTS		\$	9,604.75