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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 NAPA

VICTOR FIGUEROA, ALDEN
PEREZ, CYNTHIA IZQUIERDO, and
KENNETH ZEIG on behalf of
themselves and all others similarly
situated,

Plaintiffs,

vs.

MULTI-COLOR CORPORATION, an
Ohio Corporation; WS PACKAGING
GROUP, INC.; and DOES 1-50,
inclusive,

Defendants.

Case No.: 24CV000347

[Assigned to the Hon. Joseph J. Solga, Dept. B]

**DECLARATION OF MISTY M. LAUBY,
ESQ. IN SUPPORT OF PLAINTIFFS'
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA REPRESENTATIVE ACTION
SETTLEMENT**

Date: October 20, 2026

Time: 8:30 a.m.

Dept.: B

Action Filed: March 7, 2024

Trial Date: None Set

I, Misty M. Lauby, state and declare:

1. I am an attorney licensed to practice before all of the courts of the State of California. I am a partner at Lauby, Mankin & Lauby LLP. I represent the Plaintiff Cynthia Izquierdo in this action and I am thoroughly familiar with and have personal knowledge of all of the facts set forth herein. I submit this declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement. If called as a witness, I could and would competently testify thereto.

2. For the sake of brevity, this declaration does not discuss the settlement itself, the procedural background of the litigation, the claims and investigation by my firm and why the settlement is fair and reasonable. Those topics are covered in detail in the concurrently filed Declaration of Matthew Moen. This declaration simply provides information requested by the court as to why I am adequate class counsel.

COUNSEL'S EXPERIENCE

3. I have been a member, in good standing, of the State Bar of California since 2006. I am licensed to practice before all courts of the State of California and am admitted to practice in the United States District Court for the Central District of California and have litigated cases in various courts and counties throughout California.

4. I began working as an attorney for Fernandez & Lauby, LLP (now Lauby, Mankin & Lauby, LLP) in 2006. From 2006 through 2018, I worked in the firm's insurance defense department as the handling attorney in approximately 250-350 complex construction defect litigation matters that I successfully managed and settled on behalf of multiple insurance carrier and contractor clients.

5. In or around March 2018, I transitioned to handling exclusively employee vs. employer litigation matters.

6. The vast majority of my employment cases have been litigated as class actions, representative PAGA actions or a combination of the two.

7. I have been the handling attorney on over 52 class action and/or representative PAGA actions. And, on these cases, myself and/or my firm have been appointed Class Counsel on over 36 cases, and have helped recover almost \$25,500,000 for my clients, the employees, and the State of California.

8. I have been involved in one contested class certification motion in a case that settled just prior to the class certification hearing.

9. Attached as **Exhibit A** is a list of 36 resolved and/or settlement class actions, collective actions, and/or PAGA actions that I have handled since 2018 years (note: this list excludes currently active cases and settlements pending approval).

HOURLY RATE

10. My billing rate is \$750 per hour, and this rate is usual and customary for class action and/or PAGA practitioners with my level of expertise and experience.

1. This rate is consistent with Plaintiff and Defense attorneys who handle complex class action litigation, if not somewhat lower. For instance, the 2023 Wolters Kluwer Real rate Report (“Real This rate is consistent with Plaintiff and Defense attorneys who handle complex class action litigation, if not somewhat lower. For example, my requested rate is reasonable, consistent, and less than the rate found in the Laffey Matrix (www.laffeymatrix.com), which indicates that the benchmark rate for an attorney that graduated law school in 2006 (the “20+ Years Out of Law School” category) is \$1141 per hour.

2. The reasonableness of my rate is also reinforced by facts showing that local attorneys in Los Angeles engaged in complex litigation bill at rates far higher than me – and far higher than the Laffey Matrix. Recent public filings confirm that the Los Angeles Department of Water and Power is paying outside counsel at minimum rates of \$1,180 per hour for associates with 7 years of experience or more, and LADWP even pays first year associates \$745 per hour. See <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 reasonable as an 20-year attorney, since my rate (\$750) is far less than the \$1,180 LADWP pays to 7-year associates – and only \$5 more than what LADWP pays to first-year associates.

3. Additionally, the 2023 Wolters Kluwer Real Rate Report (the “Real Rate Report”) confirms the reasonableness of my requested rate because it notes that for the Los Angeles area, which is a logical and reasonable comparison to this geographical marketplace given the overlap of counsel: (a) the rate for partners in Los Angeles is between \$840 and \$1,159 per hour for the middle and upper quartiles, and (b) the rates for associates with seven or more years of experience, the median rate is \$674 per hour, and the upper quartile rate is \$888 per hour. Being that I have been in practice for 20 years and helped collect almost \$25,000,000 on class/PAGA cases, I firmly believe that the Real Rate Report’s metrics (and the “upper quartile” rate) are an accurate standard to measure the reasonableness of my requested rate.

4. I believe that the Real Rate Report is perhaps the best method to analyze my requested rate because it is based on an enormous and statistically significant compilation of data which is compiled to provide the hourly rates *actually* billed by partners and associates in metropolitan areas (such as Los Angeles). Thus, unlike other analyses or methods to review the reasonableness of hourly rates, the Real Rate Report is not based on self-reported numbers, surveys, sampling, or reviews or other publications – instead, the Real Rate Report is based on the actual hours and fees that law firms billed to clients. For this reason, the Real Rate Report is “a much better reflection of true market rates than self-reported rates in all practice areas.” *Brown v. CVS Pharmacy, Inc.* (C.D. Cal. Apr. 24, 2017) 2017 U.S. Dist. LEXIS 182309, at *21; *see also* *PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1085 (holding that rates should be premised upon precisely this form of independent, “objective” rate data that reflects “fair market” rates actually billed to clients “in the community for similar work”).

CONCLUSION

11. As set forth above, I have litigated over 52 class and representative actions, and have successfully resolved at least 36 of those cases, with many others still pending that will resolve in the future.

12. For these reasons, as well as the facts and information presented in the concurrently filed Declaration of Matthew Moen, it is respectfully requested that the Court: (1) grant preliminary approval of the settlement as being fair, reasonable, and in the best interests of the class, (2) appoint Plaintiffs as the Class Representatives, and (3) appoint Brian J. Mankin and Misty M. Lauby of Lauby, Mankin & Lauby LLP as Class Counsel,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 23, 2026, at Los Angeles, California.

By: 
Misty M. Lauby

EXHIBIT “A”

Completed Class/Collective/PAGA Cases		
Case Name	Venue	Case Number
Allen v. KSG	Riverside	CVRI2303841
Arreola v. Fleet Services	Orange	30-2023-01316151
Calderon v. Prudential	Los Angeles	22STCV13172
Castelo v. Millemiaaero	San Bernardino	CIVDS1825783
Coleman v. Flagstar	San Bernardino	CIVSB2309384
Constante v. Eddie's Trucking	San Bernardino	CIVDS1902466
Blanton v. CTDI	San Joaquin	2021-0005136
Diaz v. Shamrock Foods	Riverside	RIC2004126
Gallardo v. Classic Collision	Riverside	CVRI2303068
Gallardo v. Tee For 2	San Bernardino	CIVDS1719564
Garcia v. Coach	USDC	5:18-cv-01537
Garcia v. Harkins	USDC	5:18-cv-02314
Guthrie v. ITS Logistics	USDC	1:21-cv-00729
Hagon v. Transport America	San Bernardino	CIVSB2203409
Johnson v. JG Wentworth	San Diego	37-2022-00048277
Legorreta v. Paradise	Riverside	RIC1723591
Lepe v. Big Lots	San Bernardino	CIVDS1825693
Lopez v. Martinez Concrete	San Bernardino	CIVSB2208282
Lupercio v. Access Exterminator	San Bernardino	CIVDS1921036
McCulloch v. The Gill	Los Angeles	BC722742
Morales v. VPET	San Bernardino	CIVSB2108161
Moreno v. JJ Kane	Riverside	CVRI2101236
Nava v. Temecula Valley Drywall	Riverside	CVRI2400423
Northrup v. Guyou	Riverside	CVRI2105858
Ortega v. Aggressive Transport	Stanislaus	CV-23-003207
Palmer v. Charter	San Bernardino	CIVDS2013037
Ramirez v. InlandSoCal211	Riverside	CVRI2305899
Ramos v. White Lines	San Bernardino	CIVSB2216314
Redman v. Zenith	San Bernardino	CIVDS1826759
Robertson v. All Care	Los Angeles	20STCV18318
Rodarte v. Wright Business	San Bernardino	CIVSB2206705
Rosas v. Furtniture Avenue	Orange	30-2022-01284958
Rueda/Valenzuela v. Clarkwestern	Sacramento	34-2021-00307823
Ruiz v. Unity Courier Service	Los Angeles	BC724435
Zubia v. P&G	Los Angeles	20STCV44506
Zuniga v. Desert AIDS	Riverside	RIC2003219