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Attorneys for Plaintiff Ramiro Penaloza Jr.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN**

RAMIRO PENALOZA JR. and PETER
FERRY, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

WWS ACQUISITION LLC., a Missouri
Limited Liability Company; and DOES 1
through 50, inclusive,

Defendants.

Case No.: STK-CV-UOE-2024-0004594

(Assigned to the Honorable Esmeralda Zendejas,
Dept. 11A)

**DECLARATION OF LARRY W. LEE IN
SUPPORT OF PLAINTIFF'S MOTION TO
APPROVE SETTLEMENT PURSUANT TO
THE PRIVATE ATTORNEYS GENERAL
ACT**

Date: October 7, 8, 10, 15 or 17, 2025
Time: 9:00 a.m.
Dept.: 11A

Action Filed: April 15, 2024
Trial Date: None Set

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I, Larry W. Lee, declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts in the State of California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff Penaloza Jr. I have personal knowledge of the facts set forth below and if called to testify I would do so competently.

2. I was retained based upon a contingency fee arrangement wherein counsel for Mr. Ramiro Penaloza Jr. and Peter Ferry (together, "Plaintiffs") agreed to advance all costs and receive no fee unless a recovery was accomplished. Specifically, had Plaintiffs failed to prevail in this case, counsel for Plaintiffs would have spent a significant amount of time, money and other resources without any benefit or return. In addition, had Plaintiffs also failed to prevail in the other cases, Defendant would have been able to seek costs in connection with their defense of the

3. From the inception of the case, Plaintiff's Counsel have zealously represented the interests of Plaintiffs and the aggrieved employees. The settlement was obtained for the benefit of the aggrieved employees, as opposed to the individual Plaintiffs.

4. I strongly believe that Plaintiffs can prevail at trial. However, I also believe in the merits of the settlement, which is based on factoring in the inherent risks in drawn-out litigation, as well as the possibility of appeals.

5. After taking into account sharply disputed factual and legal issues involved in this case, the risks attending further prosecution, and the substantial benefits to be received from the compromise and settlement of the litigation, I have concluded that settlement on the terms set forth in the Private Attorneys General Act Settlement Agreement and Release Agreement is appropriate and in the best interests of Plaintiffs and the aggrieved parties.

6. My qualifications are as follows: I received my J.D. from Arizona State University College of Law in 2003. During law school, I was a summer associate at the law firm of Brobeck, Rose & Harrison. I graduated *cum laude* from Arizona State University College of Law in the

1 top 10% of my class. While I was in law school, I was the Associate Managing Editor of the
2 Arizona State University College of Law, Law Journal. Upon graduation, I practiced law as an
3 associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak & Stewart, P.C., a
4 national employment defense law firm that represents a significant number of Fortune 500
5 companies.

6 7. My primary practice is employment law. I have handled a number of wage and hour
7 matters including class actions and individual actions, on both plaintiff and defense sides. I have a
8 practice that encompasses cases in the Los Angeles Superior Courts, the Orange County Superior
9 Courts, the San Francisco County Superior Courts, the San Diego County Superior Courts, and the
10 United States District Courts for the Central, Northern, and Eastern Districts of California. I have
11 been named as Class Counsel in a number of class actions that have been granted final approval by
12 the Superior Courts of Los Angeles County, Orange County, San Francisco County, and the United
13 States District Court for the Central District of California, including the following class actions:
14 *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco Superior Court Case No. CGC-05-445143;
15 *Naqvi v. Acoustic Home Loans et al.*, Orange County Superior Court Case No. 05CC00263; *Ortega*
16 *v. AIG*, Central District of California Case No. CV 06-0196-RSWL (PJWx); *Universal Protection*
17 *Overtime Cases*, Orange County Superior Court Case No. JCCP 4480; *Tse v. Best Buy*, Los Angeles
18 Superior Court Case No. BC392717; and *Hernandez v. CVS Corporation*, Los Angeles Superior
19 Court Case No. JCCP 4539.

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

22 Executed on this 2nd day of September 2025, at Los Angeles, California.

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25 _____
26 Larry W. Lee
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