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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JOSHUA GIBBS, as an individual and on
behalf of all others similarly situated, and
as a private attorney general,

Plaintiff,

vs.

SWIFT TRANSPORTATION CO. OF
ARIZONA, LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 3:24-cv-02209-LL-DEB

[Assigned to Hon. Linda Lopez]

**DECLARATION OF LARRY W. LEE
IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 30, 2026
Time: N/A
Courtroom: 14B

Complaint Filed: April 2, 2024
FAC Filed: May 31, 2024

***PER CHAMBERS RULES, NO ORAL
ARGUMENT UNLESS SEPARATELY
ORDERED BY THE COURT***

1 I, Larry W. Lee, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and, with the
3 law firm Diversity Law Group, P.C., am counsel of record for Plaintiff. I make this
4 declaration on the basis of my own personal knowledge, except as to those matters stated
5 on information and belief and, as to those matters, I believe them to be true. If called as a
6 witness, I could testify competently as to the facts stated in this declaration.

7 2. From the inception of the case, Class Counsel has zealously represented the
8 interests of the Class. Class Counsel engaged in significant discussions with opposing
9 counsel to obtain informal and formal discovery and classwide data on behalf of the
10 Class. This settlement was obtained for the benefit of the Class, as opposed to the
11 individual Class Representatives.

12 3. I have spent significant time researching and pursuing the claims that have
13 been alleged in this action. I engaged in significant informal and formal discovery that
14 included the exchange of class data and Defendant's pertinent policies and practices.
15 Although I believe that litigation of the claims could potentially result in a classwide
16 judgment against Defendant, I recognize the inherent risks in litigation, including the
17 specific risks that Defendant could prevail on a motion for summary judgment, that class
18 certification could be denied, that liability could not be established at trial, or that the
19 applicable law could change, as well as the potential for appeals and the costs of pursuing
20 litigation. Based on my review of all the information, and based on my experience in
21 class action litigation, I believe this settlement to be fair, adequate, and reasonable.

22 4. I was retained based upon a contingency fee arrangement wherein Plaintiff's
23 counsel agreed to advance all costs and receive no fee unless a recovery was
24 accomplished. Specifically, had Plaintiff failed to prevail in this case, counsel for
25 Plaintiff would have spent a significant amount of time, money, and other resources
26 without any benefit or return. In addition, had Plaintiff failed to prevail in the present
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1 case, Defendant also would have been able to seek costs in connection with its defense of
2 the case.

3 5. I am one of the primary attorneys on this matter. My qualifications are as
4 follows: I received my J.D. from Arizona State University College of Law in 2003.
5 During law school, I was a summer associate at the law firm of Brobeck, Phleger &
6 Harrison. I graduated cum laude from Arizona State University College of Law in the top
7 10% of my class. While I was in law school, I was the Associate Managing Editor of the
8 Arizona State University College of Law, Law Journal. Upon graduation, I practiced law
9 as an associate at the Los Angeles County offices of Ogletree Deakins Nash Smoak &
10 Stewart, P.C., a national employment defense law firm that represents a significant
11 number of Fortune 500 companies.

12 6. My firm's primary focus is employment law. I have handled a number of
13 wage and hour matters including class actions and multiple-plaintiff actions. I have a
14 practice that encompasses cases in the Superior Courts of California for the Counties of
15 Alameda, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San
16 Francisco, Santa Barbara, and Santa Clara, among others, as well as the United States
17 District Courts for the Central, Eastern, Northern, and Southern Districts of California.

18 7. I have been approved as Class Counsel in a number of class actions,
19 including but not limited to *Chan-Lanier v. Citibank* (Case No. CGC-050445143);
20 *Hernandez v. CVS Pharmacy, Inc.* (Judicial Council Coordination Proceeding No. 4539),
21 *Tse v. Best Buy Co, Inc.* (Case Number BC 393717), *Orgeta v. AIG, Inc* (Case Number
22 CV 06—196-RSWL (PJWx)), and *Castro v. UPS Freight, Inc.* (Case Number CV 08-
23 4898 ODW (CWx)), and *Chavez v. PVH* (Case No. C 13-01797 LHK).

24 8. In addition, I was certified as class counsel by the United States District
25 Court, Central District of California in the cases *Abdullah v. U.S. Security* (Case Number
26 CV 09-09554 GHK), *Avilez v. Pinkerton Government Services, Inc.* (Case Number
27 SACV 11-0493-DOC), *Dynabursky v. Allied Barton Security Services* (Case Number
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1 SACV 12-02210 JST); and *Pace v. PetSmart, Inc.* (Case Number SACV 13-500-DOC);
2 by the Northern District of California in the cases of *Harris v. Vector Marketing Corp.*,
3 (Case Number CV 08 5198 EMC), and *Lemus et al. v. H&R Block Enterprises, LLC*
4 (Case Number CV-09-03179-SI); and by the Superior Court of California, Orange
5 County in the cases of *De la Cruz v. Abercrombie & Fitch Co. et al.* (Case Number 30-
6 2007-00036240) and *Wu v. General Nutrition Corporation* (Case Number 30-2012-
7 00593759), all as part of the Courts' orders granting class certification pursuant to Rule
8 23 of the FRCP and California Code of Civil Procedure § 382. I served as lead counsel on
9 these cases.

10 9. My co-counsel and I will adequately represent the Class Members in this
11 action. Plaintiff's Counsel have and will dutifully represent Plaintiff and the Class and
12 pursue this lawsuit to its conclusion. I have no conflicts with the Class.

13 I declare under penalty of perjury under the laws of the State of California and the
14 United States of America that the foregoing is true and correct. Executed this 19th day of
15 August 2026, at Los Angeles, California.

16
17 /s/ Larry W. Lee
Larry W. Lee