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12 Attorneys for Plaintiffs MILTON URBINA AND HECTOR ZAVALA

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

MILTON URBINA and HECTOR ZAVALA,
an individual and on behalf of all others
similarly situated;

Plaintiffs,

vs.

MONTECITO RETIREMENT
ASSOCIATION, a California corporation; and
DOES 1 through 50,

Defendants.

Case No.: 24CV03420

[Assigned for All Purposes to:
Hon. Thomas P Anderle, Dept. 3]

**DECLARATION OF MAX W. GAVRON
IN SUPPORT OF MOTION FOR
APPROVAL OF PAGA SETTLEMENT,
ATTORNEY'S FEES AND COSTS, AND
SERVICE AWARD**

(Filed Concurrently with Notice of Motion
and Motion and [Proposed] Judgment and
Order)

DATE: December 9, 2026
TIME: 10:00 a.m.
DEPT: 3

Action Filed: June 18, 2024
Trial Date: Not Set

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I, Max W. Gavron, 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, counsel of record for Plaintiff Hector Zavala (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

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1 the two actions and entered into the PAGA Settlement Agreement (the “Settlement” or
2 “Agreement”).

3 7. On July 29, 2026, Plaintiffs filed the operative Second Amended Representative
4 Action Complaint in the *Urbina* Action, adding Plaintiff Hector Zavala and his PAGA claims.

5 **ATTORNEY EXPERIENCE**

6 8. From the inception of the case, Plaintiffs’ counsel have zealously represented the
7 interests of the Aggrieved Employees. The settlement was obtained for the benefit of the Aggrieved
8 Employees, as opposed to the individual Plaintiffs.

9 9. I am one of the primary attorneys on this matter. My qualifications are as follows: I
10 received a full-tuition scholarship, and graduated from Southwestern Law School in 2013, *magna*
11 *cum laude*. I was in the top 5% of my class. During my time at Southwestern, I was a Notes and
12 Comments Editor on the Southwestern Law Review. I also received awards for achieving the
13 highest grade in my class in several courses. In 2012, I was a full-time extern, at the United States
14 District Court for the Central District. Immediately after law school, I taught several courses at
15 Southwestern, including Principles of Legal Analysis and Legal Methods. I taught those courses for
16 approximately four years.

17 10. I practiced civil litigation at Haight Brown & Bonesteel LLP from approximately
18 September 2013, through January 2016. I was third-chair in a federal court jury trial that resulted in
19 a defense verdict in our client’s favor on a \$21 million commercial breach of contract dispute. I
20 also regularly litigated cases across the civil litigation spectrum, including employment matters.

21 11. From February 2016, through Fall 2017, I practiced at the international law firm of
22 Arnold & Porter, which had recently merged with Kaye Scholer, LLP. I defended Fortune 50
23 companies in Multi-District Litigation primarily in the product liability sphere. I also successfully
24 drafted an appellate brief in the Ninth Circuit resulting in the reversal of a summary judgment
25 decision regarding trade secret issues, in addition to working in several other practice groups. *See*
26 *Experian Info. Solutions v. Nationwide Marketing Servs. Inc.*, 893 F.3d 1176 (9th Cir. 2018).

27 12. From September 2017, through September 2018, I served as a law clerk to a Judge
28 sitting on the United States District Court, Central District of California. I regularly prepared bench

1 memoranda, on cases involving all types of civil litigation, including regularly working on wage
2 and hour class actions.

3 13. I am currently an attorney at the law firm of Diversity Law Group, P.C., an
4 employment law firm that has handled numerous wage and hour class and individual actions, on
5 both plaintiff and defense sides. My current practice focuses on employment matters involving both
6 class actions, and single plaintiffs. The firm currently has cases in courts throughout the State of
7 California, including but not limited to the Los Angeles Superior Court, Orange County Superior
8 Court, San Diego County Superior Courts, Santa Clara County Superior Court, and the United
9 States District Courts for the Central, Northern, and Eastern Districts of California.

10 14. I am currently handling, or have handled, numerous wage and hour class action
11 lawsuits with the firm, including, but not limited to: *Agar v. Sensient Natural Ingredients, LLC*
12 (Case No. CV-19-001906, Stanislaus County Superior Court); *Heredia v. Eddie Bauer LLC* (Case
13 No. 16CV300475, United States District Court, Northern District of California); *Martin v.*
14 *Streetplus Company, LLC* (Case No. 19STCV15522, Los Angeles County Superior Court); *Parsons*
15 *v. Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court),
16 *Pevey v. Lumber City Corp.* (Case No. CIVDS2010240, San Bernardino County Superior Court),
17 and *Weybrew v. BEI Construction, Inc.* (Case No. FCS055658, Solano County Superior Court),
18 among many others.

19 15. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
20 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,
21 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our clients.
22 *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

23 16. I have also assisted the firm in numerous wage and hour class action mediations.

24 17. To date, I have incurred approximately 52.4 hours in connection with the litigation of
25 this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have incurred to date.

26 18. The total lodestar for my hours will be approximately \$39,300.00 based on an hourly
27 rate of \$750.00 per hour and 52.4 hours.

28 19. I have been approved at \$750.00 per hour rate in *Aristondo v. Prospera Management*

1 *Inc. Orange County Superior Court Case No. 30-2023-01334274-CU-OE-CXC* (July 30, 2025),
2 *Torres v. Fidelity Management Services, LLC*, Santa Clara Superior Court Case No. 23CV416377
3 (September 8, 2025), and *Custodio v. Randstad Inhouse Services, LLC*, Alameda County Superior
4 Court, Case No. 23cv029977 (January 15, 2026). Prior to that, I was approved at 700.00 in
5 *Abernathy v. Deacon Construction, LLC*, Santa Clara County Superior Court Case No.
6 20CV367327 (February 10, 2025), *Middlebrooks v. Fleetpride, Inc.*, Shasta County Superior Court,
7 Case No. 23CV-0202247 (March 24, 2025), and *Shams v. Revature LLC*, Santa Clara Superior
8 Court, Case No. 22CV394270 (June 6, 2025).

9 20. Since January 2024, I was approved at an hourly rate of \$650.00 per hour. I was
10 approved at this rate in *Jaramillo v. USS-UPI, LLC*, Contra Costa County Case No. C22-00641
11 (April 24, 2024).

12 21. Prior to that, I have been approved at \$600.00 per hour in *Weybrew v. BEI*
13 *Construction*, Solano County Superior Court Case No. FCS055658 (January 14, 2022), *In re See's*
14 *Candies Wage and Hour Cases*, Case No. JCCP5004 (March 30, 2022), *Pevey v. Lumber City Corp.*,
15 San Bernardino County Superior Court Case No. CIVDS2010240 (May 2, 2022), *Anguiano v.*
16 *Mann Packing Co., Inc.*, Monterey County Superior Court Case No. 19CV001178, and *Schneider v.*
17 *Amazon Retail LLC*, Los Angeles County Superior Court Case No. 21STCV26226 (December 1,
18 2022), *Hyde v. Prime Now LLC*, Alameda County Superior Court Case No. RG20068286 (August
19 11, 2023), among others.

20 22. Prior to that throughout 2020 and 2021, I was approved at an hourly rate of at
21 \$550.00 per hour in *James v RADC Enterprises, Inc.*, San Bernardino County Superior Court, Case
22 No. CIV-DS1933035 (September 29, 2020), *Hector Luna v. Triple Canopy, Inc.*, Santa Clara
23 County Superior Court, Case No. 19CV345169 (October 22, 2020), *Melbert Magpugay v. Harbor*
24 *Electronics, Inc.*, Santa Clara County Superior Court Case No. 19CV352547 (January 27, 2021),
25 *Foster v. Schindler Elevator Corp.*, Alameda County Superior Court Case No. RG19029640 (March
26 2, 2021), *Martin v. Streetplus Company, LLC, et al*, Los Angeles Superior Court Case No.
27 19STCV15522 (July 13, 2021), *Morris v. Blue Mountain Enterprises, LLC*, Solano County Superior
28 Court, Case No. FCS05.858 (August 4, 2021).

23. I have spent significant time researching and pursuing the claims that have been alleged in the *Zavala* action. Based on my independent investigation and evaluation, I am of the opinion that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the Aggrieved Employees, in light of all known facts and circumstances, and the expenses and risks inherent in litigation. The settlement was negotiated at arm's length and was facilitated by an experienced and neutral mediator. Thus, this settlement should be granted approval.

24. I believe that the request for a \$5,000.00 service award to each plaintiff is reasonable given their efforts taken in the case.

25. I believe that an attorneys' fees award of one-third of the common fund is in line with the authority considered by courts in awarding attorneys' fees in cases like these. Plaintiffs' counsel took this litigation on a contingency basis with the risk of not recovering anything, yet provided an outstanding result to the State and Aggrieved Employees. Accordingly, I request that the Court award attorneys' fees totaling \$118,333.33, or 33 1/3% of the common fund, as provided in the Agreement.

LITIGATION COSTS

26. To date, my office has incurred \$1,940.61 in costs. The costs are all litigation-related costs, including filing fees, service of process costs, postage fees, and other litigation expenses. Attached hereto as **Exhibit B** is a copy of the costs my firm has incurred in connection with the prosecution of this lawsuit.

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

Executed on this 10th day of September 2026, at Los Angeles, California.


Max W. Gavron

EXHIBIT A

Zavala v. Montecito Retirement
Time and Task Chart for Max Gavron

Hours	Description of Work
8.2	Review of client documents and analysis of potential claims; draft and revise complaint and PAGA letter; confer with co-counsel re same; conduct preliminary legal research re claims.
1.5	Analyze and review dockets and pleadings from related action to determine status following disclosure by defense; confer with co-counsel re strategy considering same.
12.5	Analyze and review arbitration agreement; conduct legal research re enforceability and case strategy moving forward considering same; confer with co-counsel re same; confer with client re circumstances surrounding onboarding/arbitration agreements.
6.9	Meet and confer with defense counsel concerning arbitration agreement; analyze and review Motion to Compel arbitration and supporting documents following discussions; conduct additional legal research re same.
2.8	Confer with defense counsel and co-counsel re prospect of mediation; review client documents to prepare for same.
4.2	Draft and revise mediation brief as applicable to claims brought by Zavala; confer with client and co-counsel re same.
9.1	Prepare for and participate in mediation.
4.7	Review and revise long form settlement agreement
2.5	Draft, review and revise motion for approval of settlement and supporting docs
<u>52.4</u>	<u>TOTAL HOURS</u>

EXHIBIT B



INVOICE

Diversity Law Group

515 South Figueroa Street, Suite 1250
Los Angeles, California 90071
lwlee@diversitylaw.com

Invoice # 10552
Invoice Date 09/08/2026
Terms Upon Receipt
Due Date 09/08/2026
PO #

Summary- Zavala, Hector v. Montecito Retirement Association (26015.001)

Type	Description	Amount
Fees & Other Charges		0.00
Billed Time		0.00
Expenses		1,940.61

Subtotal: \$1,940.61
Discount: \$0.00
Subtotal after Discount:\$1,940.61
Taxable Subtotal: \$1,940.61
Tax: \$0.00
Total: \$1,940.61

Details - Zavala, Hector v. Montecito Retirement Association (26015.001)

Expenses

Date	Category	Expense Code	Description	Amount (\$)
04/02/2026	Court Fees		LWDA - PAGA Letter	75.00
04/07/2026	Court Fees		Odyssey - Complaint (Filing ID: 14178992 Envelope No: 23265763)	1,496.81
04/07/2026	Attorney Service		ACE - Complaint Service (Montecito Retirement Association)	357.86
04/30/2026	Photocopies		Photocopies	0.50
04/30/2026	Postage and delivery		Postage	10.44
Subtotal:				\$1,940.61
Total:				\$1,940.61