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Attorneys for Plaintiff Semaj Graham

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

SEMAJ GRAHAM as individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

4283929 DELAWARE LLC; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 24STCV19351

**DECLARATION OF KRISTEN M. AGNEW IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT**

Date: March 30, 2026

Time: 10:00 a.m.

Dept.: 7

Action Filed: August 2, 2024

Trial Date: None Set

1 I, Kristen M. Agnew, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in the State of
3 California, and am with the law firm Diversity Law Group, P.C., counsel of record for Plaintiff
4 Semaj Graham (“Plaintiff”). I have personal knowledge of the facts set forth below and if called
5 to testify I could and would do so competently.

6 **FAIRNESS OF THE SETTLEMENT**

7 2. I am one of the primary attorneys on this matter. Based on my independent
8 investigation and assessment, I believe the settlement described in the Class Action and PAGA
9 Settlement Agreement (“Agreement” or “Settlement Agreement”) is fair, reasonable, and
10 adequate. The terms of the Agreement were reached through arms’ length negotiations—between
11 skilled and experienced counsel on both sides, who had access to and thoroughly analyzed the
12 relevant data and legal issues— including a full-day private mediation. The Settlement reflects a
13 reasoned and informed compromise that accounts for the material risks of adverse rulings at
14 summary judgment, denial or loss of class certification, reduced recoverable damages or
15 penalties, and delay through post-trial motions and appeals.

16 3. Class Counsel has a great deal of experience in wage and hour class action
17 litigation. Diversity Law Group has been approved as class counsel in a number of wage and
18 hour class actions and have extensive litigation experience.

19 4. My qualifications are as follows: I was the 2003 recipient of the Spelman
20 Presidential Scholarship to Emory University School of Law. During law school, I was a summer
21 associate at the law firm of Sonnenschein, Nath and Rosenthal, and clerked with the Atlanta
22 office of the Equal Employment Opportunity Commission. I received my J.D. from Emory
23 University in 2006 and was admitted to the California Bar in December 2006. Following law
24 school, I was an associate at Sonnenschein from September 2006 to May 2009.

25 5. Since 2009, my primary area of practice has been employment litigation. I have
26 practiced law at two preeminent employment defense firms. From May 2009 to June 2011, I was
27 an associate at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. I was also an associate, and then
28 senior associate, in the labor and employment practice group of Seyfarth Shaw, LLP from June

1 2011 to May 2016. At both Ogletree and Seyfarth, I represented a wide array of fortune 500
2 companies in employment litigation in both state and federal courts, as well as before
3 government agencies, including the California Department of Labor. My practice included the
4 defense of single plaintiff and multi-plaintiff lawsuits involving claims under the California Fair
5 Employment and Housing Act, the California Labor Code and the Fair Labor Standards Act. I
6 also handled a number of wage and hour class actions.

7 6. While at Ogletree and Seyfarth, I served as the lead associate on a number of
8 wage and hour class actions, including *Martha Cardenas v. Gold's Gym*, Los Angeles County
9 Superior Court Case No. BC445112; *Nathaniel Werner v. Crown Equipment Corporation*, Los
10 Angeles County Superior Court Case No. BC439428; *Christopher Williams v. Allstate Insurance*
11 *Co.*, Los Angeles County Superior Court Case No. BC382577; *Hwang v. Caltech*, Los Angeles
12 County Superior Court Case No. BC464894; *Melissa Roberts v. Zale Delaware, Inc.*, Los
13 Angeles Superior Court Case No. BC523610; *Michael Oliver v. Konica Minolta Business*
14 *Solutions U.S.A., Inc.*, Santa Clara County Superior Court Case No. 114-CV-263183; *Tessa*
15 *Hodge v. Zale Delaware, Inc., d/b/a Piercing Pagoda*, San Bernardino Superior Court Case No
16 CIVVS1301632; *Warren v. Paychex, Inc.*, N.D. Cal. Case No. 3:10-cv-02006; *Tapia v. Zale*
17 *Delaware Inc. et al*, S.D. Cal. Case No. 3:13-cv-01565; and *Benjamin Burgess et al v. Tesoro*
18 *Refining and Marketing Company et al*, C.D. Cal. Case No. 2:10-cv-05870.

19 7. I also second chaired two jury trials where I represented the prevailing defendant.
20 Both cases involved employees who brought claims against their former employers pursuant to
21 the Fair Employment & Housing Act. The cases are: *Jeff Cowell v. Eaton Aerospace LLC et al*,
22 Los Angeles County Superior Court Case No. BC401543; and *Richard Gulden v. Pratt &*
23 *Whitney Rocketdyne Inc. et al.*, Los Angeles County Superior Court Case No. BC468909.

24 8. In June 2016, I joined Diversity Law Group, P.C. where I spend most of my time
25 handling employment cases. I primarily represent employees.

26 9. I have been approved as class counsel in numerous wage/hour class actions that
27 have been granted class certification and final approval, including: *Antonio Becerra-Mata v. PSC*
28 *Industrial Outsourcing, LP*, San Benito County Superior Court Case No. CU-15-00030; *Kosal*

1 *So v. Owens-Brockway Glass Container, Inc.*, Los Angeles County Superior Court Case No.
2 BC608609; *Sarah Rodriguez v. Manpower, Inc.*, Santa Clara County Superior Court Case No. 1-
3 16-CV-294904; *Shannon Sanchez v. American Para Professional Systems, Inc.*, Santa Clara
4 County Superior Court Case No. 17CV306751; *Foaad Hanna v. Equinix, LLC*, Santa Clara
5 County Superior Court Case No. 18CV339365; *Alicia Harris v. 24 Seven LLC*, Los Angeles
6 County Superior Court Case No. BC720144; *Mary Della Maggiora v. Watsonville Community*
7 *Hospital*, Santa Cruz Superior Court Case No. 18CV00191; *Michael Randolph v. Pacific Racing*
8 *Association*, Alameda County Superior Court Case No. RG18908139; *Cody Wirbick v. Sundt*
9 *Construction, Inc.*, U.S. District Court for the Eastern District of California Case No. 2:19-cv-
10 02067-MCE-CKD; *Jose Vasquez Ruiz v. Perdue Foods, LLC*, Sonoma County Superior Court
11 Case No. SCV 264649; *Delmer Wood III v. Reeve Trucking Company Inc.*, San Joaquin
12 Superior Court Case No. STK-CV-UOE-2018-0004414; *Eric Chavez v. Converse, Inc.*, U.S.
13 District Court for the Northern District of California Case No. 15-cv-03746-NC; *Jharett Siron v.*
14 *Raypak, Inc.*, Ventura County Superior Court Case No. 56-2019-00527959-CU-OE-VTA;
15 *Prexxie Pascual and Arturo Fonseca v. Satellite Healthcare, Inc.*, Santa Clara Superior Court
16 Case No. 19CV345211; and *Markham v. Quik Stop Markets, Inc.*, Santa Clara Superior Court
17 Case No. 19CV341582.

18 10. I was lead trial counsel on two bench trials, in which the plaintiffs were the
19 prevailing party. The cases are: *Esteban Palomino v. Northrop Grumman Systems Corporation*,
20 Santa Clara County Superior Court Case No. 19CV345534; and *Jose Delgado v. Taylor Farms*
21 *California, Inc.*, Monterey County Superior Court Case No. 18CV001381.

22 **ATTORNEYS' FEES**

23 11. To date, I have incurred approximately 54.90 hours in connection with the
24 litigation of this lawsuit. Attached hereto as **Exhibit A** is a summary of the hours I have
25 incurred to date.

26 12. My hourly rate in class and representative actions is \$800. Accordingly, the total
27 lodestar for my hours will be approximately \$43,920 (54.90 hours x \$800). I have been approved
28 at an hourly rate of \$800 in the matters of *Robert Jordan v. Mondelez Global, LLC*, San

1 Bernardino County Superior Court Case No. CIVSB2202758; *Alexis Tristan v. American Homes*
2 *4 Rent, L.P.*, Los Angeles County Superior Court Case No. 23STCV17006; and *Jose Valencia v.*
3 *Sentinel Transportation, LLC*, Santa Barbara Superior Court Case No. 22CV00951; *In re*
4 *Humano Wage and Hour Cases*, Judicial Council Coordination Proceeding Case No. 5240;
5 *Justin Bui v. The Ranch Steakhouse and Saloon, Inc. and RGB Systems, Inc.*, Santa Clara
6 Superior Court Case No. 24CV439149; and *Palomino v. Northrop Grumman Systems*
7 *Corporation*, Santa Clara Superior Court Case No. 19CV345534. I was also previously
8 approved at an hourly rate of \$700.00 in a number of matters, including: *Foaad Hanna v.*
9 *Equinix, LLC*, Santa Clara County Superior Court Case No. 18CV339365; *Alicia Harris v. 24*
10 *Seven LLC*, Los Angeles County Superior Court Case No. BC720144; *Mary Della Maggiora v.*
11 *Watsonville Community Hospital*, Santa Cruz Superior Court Case No. 18CV00191; *Michael*
12 *Randolph v. Pacific Racing Association*, Alameda County Superior Court Case No.
13 RG18908139; *Gutierrez v. Spa Havens, LP*, San Diego Superior Court Case No. 37-2019-
14 00057065-CU-OE-NC; *Cruzado v. Ontario T, Inc.*, San Bernardino Superior Court Case No.
15 CIVSB2027249; *Ray v. C&W Facility Services, Inc.*, San Bernardino Superior Court Case No.
16 CIVSB2101321; *Alvarez v. Forterra Building Products*, San Diego Superior Court Case No. 37-
17 2020-00018179-CU-OE-CTL; *Dunn v. Universal Plant Services of California, Inc.*, Solano
18 County Superior Court Case No. FCS056134, *Pulido v. Georgia-Pacific Corrugated III LLC*,
19 Fresno Superior Court Case No. 18CECG00265; *In re: FPI Management Wage and Hour Cases*,
20 Los Angeles Superior Court Case No. JCCP5050; *Delgado v. Kloeckner Metals Corporation*,
21 Los Angeles Superior Court Case No. 20STCV22503; *Jackson v. Samuel, Son & Co. (USA) Inc.*,
22 Riverside County Superior Court Case No. CVRI2101679, *Blanton v. Communications Test*
23 *Design, Inc.*, San Joaquin Superior Court Case No. STK-CV-UOE-2021-0005136; *Diaz v. Acuity*
24 *Brands Lighting, Inc.*, San Bernardino Superior Court Case No. CIVDS2015583; *Flournoy v.*
25 *Partners Personnel – Management Services, LLC*, Riverside County Superior Court Case No.
26 CVRI2102372; *Idian v. VHSD ES INC.*, San Diego Superior Court Case No. 37-2019-00018927-
27 CU-OE-CTL; *Miller v. Stanbridge University*, Orange County Superior Court Case No. 30-2021-
28

1 01206298-CU-OE-CXC; *Romano v. SSA Terminals, LLC*, Los Angeles Superior Court Case No.
2 20STCV29048; *Wise v. Le Petite Academy, Inc.*, San Joaquin Superior Court Case No., STK-
3 CV-UOE-2021-10561; *Chambers v. SOMACIS, Inc.*, San Diego Superior Court Case No. 37-
4 2021-00033445-CU-OE-CTL; *Johnson v. FS Palo Alto Employment, Inc.*, Santa Clara Superior
5 Court Case No. 21CV389927; *Rodriguez v. U.S. Bank National Association*, Los Angeles
6 Superior Court Case No. BC617356; *Moss v. Sares Regis Operating Company, L.P.*, Orange
7 County Superior Court Case No. 30-2021-01201041-CU-OE-CXC; and *Rodriguez v. City*
8 *National Bank*, Los Angeles Superior Court Case No. 20STCV29761.

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

11 Executed on this 6th day of March 2026, at Los Angeles, California.

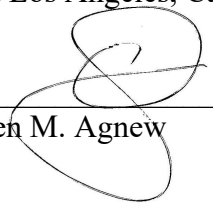
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15 Kristen M. Agnew
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EXHIBIT A

Graham v. West Coast Pet Memorial
Superior Court of the State of California, County of Los Angeles, Case No. 24STCV19351
Time and Task Chart for Kristen M. Agnew

Hours	Description of Work
6.20	Participate in initial client interview regarding Plaintiff's employment, job duties, compensation practices, and separation from employment; review and analyze Plaintiff's wage records; conduct legal research regarding the merits of the potential Labor Code violations and scope of potential penalties under PAGA; confer with co-counsel regarding factual development of the claims and the strengths and weaknesses of the case.
1.50	Review and finalize PAGA notice and class action complaint to ensure the factual allegations and causes of action were consistent with intake notes; confer with co-counsel regarding final edits.
1.10	Confer with co-counsel regarding the initial status conference, anticipated procedural issues, and overall litigation strategy.
7.50	Review and analyze Defendant's arbitration agreement; conduct legal research regarding enforceability of the arbitration agreement; confer with co-counsel regarding legal arguments regarding same.
2.30	Review and analyze pleadings in related matter of <i>Darren Reveles, v. 4283929 Delaware LLC, dba West Coast Pet Memorial Services, et al.</i> ; assess overlap in factual allegations and legal theories; confer with co-counsel regarding coordination of litigation and consistency of positions across the related matter.
.90	Confer with co-counsel and defense counsel regarding mediation, including mediator selection, timing, and the exchange of information needed to facilitate meaningful settlement discussions.
1.70	Confer with co-counsel regarding the scope of informal discovery needed for mediation; review and finalize informal discovery requests; review and analyze Defendant's informal discovery responses and document production for use in mediation preparation.
2.20	Confer with co-counsel and consulting expert regarding methodology for estimating damages and penalties; review and analyze the damages and penalties model, including assumptions concerning wage rates, pay periods, penalty calculations, and potential settlement value.
12.40	Conduct legal research regarding the merits of Plaintiffs' claims and Defendant's anticipated defenses; analyze likely risks to class certification, liability, damages, and PAGA recovery; revise Plaintiffs' joint mediation statement; confer with co-counsel during mediation regarding pace of negotiations and developments.
1.70	Review and revise memorandum of understanding ("MOU"); confer with co-counsel regarding revisions to MOU.

Hours	Description of Work
3.40	Review and revise long form settlement agreement and proposed class notice; confer with co-counsel regarding revisions to settlement agreement and consistency with MOU.
2.20	Review and revise motion for preliminary approval and supporting declarations; confer with co-counsel regarding revisions to the motion.
1.90	Confer with co-counsel regarding tentative order concerning motion for preliminary approval; confer with co-counsel regarding proposed amendments to settlement agreement; review and revise amended settlement agreement.
1.30	Review the settlement administrator's calculations concerning class size, pay periods, estimated settlement shares, and related notice data; confer with co-counsel regarding same; review and finalize class notice.
8.60	Draft motion for final approval and supporting declarations; conduct legal research re same; confer with co-counsel and the settlement administrator regarding final approval issues, notice results and supporting information needed for the motion.
54.90	<u>TOTAL HOURS</u>