

Larry W. Lee (State Bar No. 228175)
Kristen M. Agnew (State Bar No. 247656)
Max W. Gavron (State Bar No. 291697)
Kwanporn “Mai” Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
kagnew@diversitylaw.com
mgavron@diversitylaw.com
ktulyathan@diversitylaw.com

William L. Marder (State Bar No. 170131)
bill@polarislawgroup.com
Polaris Law Group
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214
(831) 634-0333 facsimile

Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

KALU EKEH, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

QUALITY TECHNOLOGY SERVICES,
LLC, a Delaware limited liability
company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 24CV019854

(Assigned to the Hon. Jill H. Talley, Dept. 23)

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

Date: November 14, 2025

Time: 9:00 a.m.

Dept.: 23

Reservation No.: A-19854-001

Action Filed: September 30, 2024

Trial Date: None Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

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

2. Based on their own independent investigation and evaluation, Plaintiff and his counsel are of the opinion that settlement for the consideration and on the terms set forth in the Joint Stipulation of Class Action Settlement and Release (“Settlement Agreement”) is fair, reasonable, and adequate and is in the best interests of the Settlement Class and Defendant Quality Technology Services, LLC (“Defendant”) in light of all known facts and circumstances and the expenses and risks inherent in litigation.

3. From the inception of the case, Class Counsel have zealously represented the interests of the Settlement Class. Class Counsel engaged in significant discussions with opposing counsel to obtain informal data on behalf of the Settlement Class. This settlement was obtained for the benefit of the Settlement Class, as opposed to the individual Class Representative.

4. I have spent significant time researching and pursuing the claims that have been alleged in this action. The Parties engaged in informal discovery and participated in the exchange of class and PAGA data and Defendant's pertinent policies and practices. Defendant provided Plaintiff's counsel with informal data and information pertaining to the number of putative class members, number of shifts, workweeks, and pay periods at issue, hourly rates of pay, data pertaining to the aggrieved employees, as well as information pertaining to Defendant's payroll policies and practices. Based on my review of all the documents and information, and based on my experience in class action litigation, I believe this settlement to be fair, adequate, and reasonable.

5. I was retained based upon a contingency fee arrangement wherein Plaintiff's counsel agreed to advance all costs and receive no fee unless a recovery was accomplished. For example, my office has expended costs to file this instant action, effect service of process, and

1 pay other litigation-related costs. Had Plaintiff failed to prevail in this case, counsel for Plaintiff
2 would have spent a significant amount of time, money, and other resources without any benefit
3 or return. In addition, had Plaintiff also failed to prevail in the present case, Defendant would
4 have been able to seek attorney's fees and costs in connection with their defense of the case.

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

13 7. My firm's primary focus is employment law. I have handled a number of wage
14 and hour matters including class actions and multiple-plaintiff actions. I have a practice that
15 encompasses cases throughout the State of California, including but not limited to the Los
16 Angeles Superior Courts, the Orange County Superior Courts, the San Francisco County
17 Superior Courts, the San Diego County Superior Courts, and the United States District Courts for
18 the Central, Eastern, Northern, and Southern Districts of California.

19 8. I have been named as class counsel in a number of class actions that have been
20 granted final approval by the Superior Courts of Los Angeles County, Orange County, San
21 Francisco County, Alameda County, Contra Costa County, Monterey County, San Bernardino
22 County, Santa Clara County, Sonoma County, and other counties, as well as the United States
23 District Court for the Central, Eastern, and Northern Districts of California, including but not
24 limited to the following class actions: *Chan Lanier v. Citigroup, Inc. et al.*, San Francisco
25 Superior Court Case No. CGC-05-445143; *Naqvi v. Acoustic Home Loans et al.*, Orange County
26 Superior Court Case No. 05CC00263; *Ortega v. AIG*, Central District of California Case No. CV
27 06-0196-RSWL (PJWx); *Universal Protection Overtime Cases*, Orange County Superior Court,
28 Judicial Council Coordination Proceeding No. 4480; *Hernandez v. CVS Corp. et al.*, Judicial

1 Council Coordination Proceeding No. 4539; *Padilla v. Safeway*, San Benito County Superior
2 Court Case No. CU-16-00182; *Valles v. Community Hospital of the Monterey Peninsula*,
3 Monterey County Superior Court Case No. 17CV003452; *DirecTv Wage and Hour Cases*, Santa
4 Clara Superior Court Judicial Council Coordination Proceeding No. 4850; *Perez v. Standard*
5 *Drywall, Inc.*, Alameda County Superior Court Case No. RG15761142; and *Davis v. Nugget*
6 *Market, Inc.*, Yolo County Superior Court Case No. CV-18-558.

7 9. My co-counsel and I will adequately represent the Settlement Class Members in
8 this action. Plaintiff's counsel have and will zealously represent Plaintiff and the Settlement
9 Class and pursue this lawsuit to its conclusion. I have no conflicts with the Settlement Class and
10 will adequately represent the Settlement Class.

11 10. I do not have any conflicts with the proposed *cy pres* recipient Legal Aid at Work.

12 11. I have reviewed the "Checklist for Approval of Class Action and/or Private
13 Attorneys General Act ("PAGA") Settlements" and believe that the briefing submitted herewith
14 complies with the Court's Checklist.

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

17 Executed on this 22nd day of October 2025, at Los Angeles, California.

18 
19 _____
20 Larry W. Lee