

Larry W. Lee (State Bar No. 228175)
Max W. Gavron (State Bar No. 291697)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

Attorneys for Plaintiffs

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

Luis Franco, individually, on behalf of
himself and all other similarly situated
employees,

Plaintiff,

vs.

The Goodyear Tire and Rubber Company,
an Ohio corporation, and Does 1-5

Defendants.

Case No.: 22CV393403

[Assigned for all purposes to the Hon. Patricia M.
Lucas, Dept. 3]

**DECLARATION OF MAX W. GAVRON IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: February 1, 2023

Time: 1:30 P.M.

Dept.: 3

Complaint Filed: January 18, 2022

FAC Filed: November 2, 2022

Trial Date: None 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 Named Plaintiff Daniel Rodas (“Plaintiff”). I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. My co-counsel and I will adequately represent the Class Members in this action. Class Counsel have and will zealously represent Plaintiff and the Class and pursue this lawsuit to its conclusion

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

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

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

1 Cir. 2018).

2 6. From September 2017, through September 2018, I served as a law clerk to a
3 Judge sitting on the United States District Court, Central District of California. I regularly
4 prepared bench memoranda, on cases involving all types of civil litigation, including regularly
5 working on wage and hour class actions.

6 7. I am currently an associate at the law firm Diversity Law Group, P.C., an
7 employment law firm that has handled numerous wage and hour class and individual actions, on
8 both plaintiff and defense sides. My current practice focuses on employment matters involving
9 both class actions, and single plaintiffs. The firm currently has cases in courts throughout the
10 State of California, including but not limited to the Los Angeles Superior Court, Orange County
11 Superior Court, San Diego County Superior Courts, Santa Clara County Superior Court, and the
12 United States District Courts for the Central, Northern, and Eastern Districts of California. I am
13 currently handling, or have handled, numerous wage and hour class action lawsuits with the firm,
14 including, but not limited to: *Agar v. Sensient Natural Ingredients, LLC* (Case No. CV-19-
15 001906, Stanislaus County Superior Court); *Heredia v. Eddie Bauer LLC* (Case No.
16 16CV300475, United States District Court, Northern District of California); *Martin v. Streetplus*
17 *Company, LLC* (Case No. 19STCV15522, Los Angeles County Superior Court); *Parsons v.*
18 *Estenson Logistics, LLC* (Case No. 34-2019-00252929, Sacramento County Superior Court),
19 *Pevey v. Lumber City Corp.* (Case No. CIVDS2010240, San Bernardino County Superior Court),
20 and *Weybrew v. BEI Construction, Inc.* (Case No. FCS055658, Solano County Superior Court),
21 among many others.

22 8. On June 14, 2019, I argued two related cases in front of the Ninth Circuit Court of
23 Appeals. One of them was *Rodriguez v Nike Retail Service Inc.*, Case No. 17-16866. On June 28,
24 2019, the Ninth Circuit issued a published decision, reversing and remanding in favor of our
25 clients. *Rodriguez v. Nike Retail Servs., Inc.*, 928 F.3d 810 (9th Cir. 2019).

26 9. I have also assisted the firm in numerous wage and hour class action mediations.

27 10. After taking into account sharply disputed factual and legal issues involved in this
28 litigation, the risks attending further prosecution, and the substantial benefits to be received