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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KERRY CONNELLY, as an individual and as a
private attorney general,

Plaintiff,

vs.

STARBUCKS CORPORATION, a Washington
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 1:21-cv-00746-ADA-SAB

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

Date: August 28, 2023
Time: 1:30 p.m.
Courtroom: 1

Complaint Filed: January 21, 2021

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

7 2. I have spent significant time researching and pursuing the claims that have been alleged
8 in this action. I engaged in numerous discussions with Defendant's counsel and in informal discovery
9 that included the exchange of employee data and Defendant's pertinent policies and practices. Although
10 I am confident that litigation of the claims would result in a judgment against Defendant, I recognize the
11 inherent risks in litigation, including the specific risks that liability could not be established at trial or
12 that the applicable law could change, as well as the potential for appeals and the costs of pursuing
13 litigation. Based on my review of all the information, and based on my experience in class and
14 representative action litigation, I believe this settlement to be fair, adequate, and reasonable.

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

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

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

7 6. I have been approved as Class Counsel in a number of class actions, including but not
8 limited to *Chan-Lanier v. Citibank* (Case No. CGC-050445143); *Hernandez v. CVS Pharmacy, Inc.*
9 (Judicial Council Coordination Proceeding No. 4539), *Tse v. Best Buy Co, Inc.* (Case Number BC
10 393717), *Orgeta v. AIG, Inc* (Case Number CV 06—196-RSWL (PJWx)), and *Castro v. UPS Freight,*
11 *Inc.* (Case Number CV 08-4898 ODW (CWx)), and *Chavez v. PVH* (Case No. C 13-01797 LHK).

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

1 8. My firm has incurred costs in the amount of \$4,794.16. The costs are all litigation related
2 costs, including filing fees and service fees. Attached hereto as **Exhibit A** is copy of the costs my firm
3 has incurred in connection with prosecution of this lawsuit.

4 I declare under penalty of perjury under the laws of the State of California and the United States
5 of America that the foregoing is true and correct. Executed this 20th day of July 2023, at Los Angeles,
6 California.

7 

8 _____
Larry W. Lee

EXHIBIT A

7/17/2023
2:47 PM

DIVERSITY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip.Classification Open
Client (hand select) Include: Connelly, Kerry v. Starbucks
Slip.Transaction Ty 2 - 2

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
65839	EXP	Olympia	1	75.00	75.00
1/29/2021		Court fees			
WIP		Connelly, Kerry v. Starbucks			
LWDA					
66092	EXP	Olympia	1	6.90	6.90
1/31/2021		Postage			
WIP		Connelly, Kerry v. Starbucks			
Postage					
66694	EXP	Olympia	1	1478.06	1478.06
3/29/2021		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Odyssey - Complaint					
66726	EXP	Erika Mejia	1	3.60	3.60
4/2/2021		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Odyssey - FAC					
67155	EXP	Olympia	1	69.49	69.49
4/6/2021		Atty Service			
WIP		Connelly, Kerry v. Starbucks			
Attorney Service - Complaint Service					
66951	EXP	Erika Mejia	1	3.60	3.60
4/20/2021		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Odyssey - POS of Summons					
72458	EXP	Erika Mejia	1	3.60	3.60
7/15/2022		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Odyssey - CMS					
72600	EXP	Simon Yang	1	96.35	96.35
8/1/2022		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Stanislaus Remote Appearance					

7/17/2023
2:47 PM

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
74690	EXP	Olympia	1	1499.90	1499.90
3/15/2023		Transcript/DEP			
WIP		Connelly, Kerry v. Starbucks			
Steno - Deposition Transcript of Meredith Nappi, PMK [DELAY PAY, NOT YET PAID]					
74711	EXP	Olympia	1	1054.06	1054.06
3/20/2023		Transcript/DEP			
WIP		Connelly, Kerry v. Starbucks			
Aptus Court Reporting - Deposition Transcript of Kerry Connelly					
75689	EXP	Erika Mejia	1	3.60	3.60
7/14/2023		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Odyssey - CMS					
75692	EXP	Simon Yang	1	500.00	500.00
7/17/2023		Court fees			
WIP		Connelly, Kerry v. Starbucks			
Filing Fees					
Grand Total					
			Billable	0.00	4794.16
			Unbillable	0.00	0.00
			Total	0.00	4794.16