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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

KALUM VAUGHNS, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

BERRY GLOBAL, INC., a Delaware corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. CIVSB2129167

**DECLARATION OF DAVID J. LEE IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 20, 2023
Time: 9:00 a.m.
Department: S-26

Complaint Filed: November 24, 2021

1 I, David J. Lee, declare as follows:

2 1. I am an attorney at law duly admitted to practice before all courts in the State of
3 California and am a member of the law firm, David Lee Law, one of the attorneys of record for Plaintiff,
4 on behalf of himself and other similarly situated individuals, in the above entitled action.

5 2. I have personal knowledge of the matters set forth herein, and if called upon as a witness
6 to testify thereto, I could and would competently do so.

7 3. I along with my co-counsel have diligently litigated this case and will continue to do so.
8 We have engaged in extensive informal discovery, reviewed classwide policies and documents, analyzed
9 classwide data, and engage in private mediation, on behalf of the class.

10 4. Based on our independent investigations and evaluations, we are of the opinion that
11 settlement for the consideration and on the terms set forth in the Settlement is fair, reasonable, and
12 adequate and is in the best interests of the Plaintiff, Class and the Defendant in light of all known facts
13 and circumstances and the expenses and risks inherent in litigation.

14 **ATTORNEY QUALIFICATIONS**

15 5. I am one of the primary attorneys on this matter. My qualifications are as follows: I
16 attended the University of California, Los Angeles for its undergraduate program and I received a B.A.
17 in Psychology. I received my J.D. from Thomas Jefferson School of Law in 2010. I was an intern at
18 Shouse Law Group before and after law school.

19 6. I practiced law as an associate at the Los Angeles County offices of Lee, Han &
20 Paciocco, LLP, an employment and commercial litigation law firm. Thereafter, in 2016, I started my
21 own law practice, David Lee Law, APC.

22 7. My primary practice is employment & labor law. I have handled a number of class
23 actions and individual actions, exclusively on the plaintiff side.

24 8. I have been approved as class counsel on *Carroll v. Golden State Supply LLC*, Riverside
25 Superior Court, Case No. RIC1706729; *Peterson v. Redwood Memorial Hospital of Fortuna*, Humboldt
26 Superior Court, Case No. DR170615; *Castillo v. Sheraton Operating Corporation*, United States District
27 Court, Central District of California Case No. 2:17-cv-07091-FMO-AS; *Chase v. New-Indy Ontario*,
28 *LLC*, San Bernardino Superior Court Case No. CIVDS1900901; *Valdez v. Mountain Valley Express*, San

1 Bernardino Superior Court Case No. CIVDS1800542; *Mendoza v. Avis Rent A Car System, LLC*, Case
2 No. BC681943, *Lahey v. Poshmark, Inc.*, Case No. 22CV395084; and *Garcia v. Genesis Healthcare,*
3 *LLC*, Case No. 18STCV06652. I also have several pending class actions throughout the State of
4 California.

5 9. My firm has incurred costs in the amount of \$14,756.39. The costs are all litigation
6 related costs, including filing fees and mediation fees. Attached hereto as **Exhibit A** is copy of the costs
7 my firm has incurred in connection with prosecution of this lawsuit.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is
9 true and correct. Executed this 25th day of August 2023, at Los Angeles, California.

10 

11 _____
David J. Lee

EXHIBIT A



Ortman Mediation, Inc.
1440 Broadway, Suite 700
Oakland, California 94612
(510) 707-6400
www.ortmanmediation.com

Invoice No. 2671
Mediation Date: August 24, 2022
Case Name: Kalum Vaughns, et al. vs. Berry Global, Inc.

March 9, 2022

INVOICE SUMMARY

David Lee Law, APC **\$13,000.00**

Littler Mendelson, P.C. **\$13,000.00**
(Defense: If this invoice is paid by the Employer, please pay the Employer's portion ONLY – NOT the total amount of the invoice.)

Total Fees (combined amongst all parties) \$26,000.00

PAYMENT DUE: May 26, 2022

Please return **THIS COPY** with your **PAYMENT** and **INVOICE NUMBER** on Payment.
IF PAYING BY WIRE TRANSFER/ACH, please reference case name and invoice number.
OUR TAX ID NUMBER IS: 82-1691801

PAYMENT BY CHECK SHOULD BE SENT TO:

Ortman Mediation, Inc.
1440 Broadway, Suite 700
Oakland, California 94612

PAYMENT BY WIRE TRANSFER/ACH SHOULD BE MADE AS FOLLOWS:

Bank Name: Citibank
Account Name: Ortman Mediation, Inc.
Account Number: 206892440
ABA Wire Payment/Routing Number: 321171184
Swift Code: CITIUS33



1400 N. McDowell Blvd
Suite 300
Petaluma CA 94954
TIN : 85-4343705

Credit Card Sale

Date	11/24/2021
Customer	0107608
Credit Sale	03688389
Amount Due	\$0

Bill To

David Lee Law, APC
515 South Flower Street, Suite 1900
Los Angeles CA 90071

Order Number	17073697
Contact	David Lee
Attorney	David Lee
Billing Code	
Case Title	KALUM VAUGHNS v Berry Global, Inc.
Court	Superior Court of California, San Bernardino County
Court Transaction Number	
Case Number	CIVSB2129167
Documents	Complaint, Civil Case Cover Sheet, Summons

STATUTORY DISBURSEMENTS*	AMOUNT
Court Filing Fee	\$1,435.00
SUBTOTAL	\$1,435.00

ONE LEGAL FEES	AMOUNT
Convenience Fee‡	\$46.54
Court Filing Service Charge, 1 - 15 Pages	\$67.50
Urgent Service - Court Filing	\$75.00
SUBTOTAL	\$189.04

FEES SUMMARY	AMOUNT
Disbursements	\$1,435.00
One Legal Fees	\$189.04
TOTAL CHARGED	\$1,624.04

* These mandatory fees are charged by the court or required by statute and are not One Legal service fees. One Legal disburses these fees on your behalf.

‡ When paying invoices by credit card, a convenience fee will be assessed in accordance with applicable law and Terms of Service accepted at time of order. To avoid these fees, you can choose to pay via ACH.



2900 Bristol Street, E-106,
Costa Mesa, CA 92626
(714) 662-5555
DDS Tax Id: 33-0298466
www.ddslegal.com

INVOICE

PAYMENT DUE UPON RECEIPT

Customer No.

13034

Invoice No.

00000025032

Invoice Date

12/31/2021

Invoice Period

12/17/2021 - 12/31/2021

Invoice Amount

\$ 114.35

David Lee Law, APC

515 S Flower St Ste 1900
Los Angeles, CA 90071-2201

Emailed to david@davidjleelaw.com

Customer Number

13034

Invoice Date

12/31/2021

Invoice Number

00000025032

Invoice Amount

114.35

References - Vaughns, Kalum v. Berry Global

Order Date Caller Order Type	Order ID	Origin	Destination	References
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12/20/2021	225655A-01	David Lee Law, APC	Berry Global, Inc., a Delaware corporation	Vaughns, Kalum v. Berry Global
David J. Lee (213) 236-3677		515 S Flower St Ste 1900	2710 Gateway Oaks Dr., Ste 150N	
PROCESS SERVICE - STATEWIDE		Los Angeles, CA 90071-2201	Sacramento, CA 95833	CIVSB2129167

Remarks: SERVER: STW SP***DDS LDS: 01/03/22

Documents: Initial Complex Order and Guidelines; Guidelines for the Complex Litigation Program;

Base Rate : \$ 114.35

Total: \$ 114.35

Total Charges for Ref. - Vaughns, Kalum v. Berry Global: \$ 114.35
Total \$ 114.35

Invoices are due upon receipt of statement.

Accounts over 30 days past due are subject to a 1.5% finance charge (\$1.00 minimum) per month.