

1 MEYER WILSON CO., LPA
Matthew R. Wilson (SBN 290473)
2 mwilson@meyerwilson.com
Michael J. Boyle, Jr. (SBN 258560)
3 mboyle@meyerwilson.com
305 W. Nationwide Blvd.
4 Columbus, OH 43215
Telephone: (614) 224-6000
5 Facsimile: (614) 224-6066

6 *Attorneys for Plaintiff and the Proposed Class*

7
8 **IN THE SUPERIOR COURT OF CALIFORNIA**
9 **FOR THE COUNTY OF MONTEREY**

10 KEVIN HEALY and APRIL
11 HERNANDEZ, on behalf of themselves and
all others similarly situated,

12 *Plaintiffs,*

13 v.

14
15 REITER AFFILIATED COMPANIES,
16 LLC,

17 *Defendant*

Case No. 22CV003056

**JOINT SUPPLEMENTAL
DECLARATION SUPPORTING
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES, COSTS AND
INCENTIVE AWARDS**

18 I, Michael J. Boyle, Jr., declare under penalty of perjury:

19 1. I am counsel for plaintiffs Kevin Healy and April Hernandez ("Plaintiffs"), in the
20 above-captioned case. This declaration supports Plaintiffs' Motion for Preliminary Approval of
21 Class Action Settlement with defendant, Reiter Affiliated Companies, LLC ("Defendant"). This
22 declaration supplements the previous joint declaration in support of the Motion for Attorneys' Fees,
23 Costs, and Incentive Awards, providing additional information regarding Class Counsel's attorney
24 time and costs. We have personal knowledge of the facts in this declaration and could testify to
25 them if called on to do so.

26 **COUNSEL'S TIME AND BILLING RATES**

27 2. Work on this case can be broken down into the following categories:
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- a. **Initial Case Investigation:** Communicating with potential clients, legal and factual research on potential claims, drafting complaints and other initiating documents;
- b. **Early Litigation:** Ensuring service of initiating documents upon opposing counsel, initial appearances, motion practice;
- c. **Mediation:** Initial communications with opposing counsel, scheduling mediation, drafting mediation briefs, attending mediation;
- d. **Settlement:** Drafting term sheets, drafting settlement agreements and other related documents, negotiating disputed issues with opposing counsel, motion practice prior to preliminary approval;
- e. **Preliminary Approval:** Selecting a settlement administrator, drafting preliminary approval motions and supporting documents, attending and arguing preliminary approval motion;
- f. **Final Approval:** Coordinating with settlement administrator regarding notice and implementation of settlement, drafting motion for fees and incentive awards, drafting final approval motion, attending and arguing final approval motion.

3. Meyer Wilson has maintained contemporaneous time records since its initial involvement in this matter, in six-minute increments. Meyer Wilson attorneys and staff worked a total of **193.9** hours in this action as of the date of the Motion for Fees and Costs, for a total lodestar of **\$130,561.50**. Subsequent to that declaration, Meyer Wilson attorneys and staff have worked an additional **33.2** hours in this action, for a total of **227.1** hours and a combined total lodestar of **\$151,800.50**.

4. More specifically, the time spent, or will be spent, on tasks on this matter by my firm is broken down by time-keeper:

<u>Matthew R. Wilson (Principal—23 Years of Practice)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	15.5	\$825.00	\$12,787.50

Mediation	22.5	\$825.00	\$18,562.50
Settlement	13.2	\$825.00	\$10,890.00
Preliminary Approval	15.0	\$825.00	\$12,375.00
Total	66.20	\$825.00	\$54,615.00

Michael J. Boyle, Jr. (Special Counsel—16 Years of Practice)

<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	12.4	\$625.00	\$7,750.00
Early Litigation	2.0	\$625.00	\$1,250.00
Settlement	28.9	\$625.00	\$18,062.50
Preliminary Approval	52.5	\$625.00	\$32,812.50
Final Approval (As of Date of Motion for Fees and Costs)	15.1	\$625.00	\$9,437.50
Final Approval (After Date of Motion for Fees and Costs)	32.7	\$625.00	\$20,437.50
Total	143.6	\$625.00	\$91,982.00

Jared W. Connors (Associate—2 Years of Practice)

<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Mediation	1.0	\$395.00	\$395.00
Total	1.0	\$395.00	\$395.00

Danielle Aldach (Paralegal)

<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	1.0	\$295.00	\$295.00
Mediation	6.5	\$295.00	\$1,917.50
Settlement	4.0	\$295.00	\$1,180.00

Preliminary Approval	2.3	\$295.00	\$678.50
Final Approval (As of Date of Motion for Fees and Costs)	2.0	\$295.00	\$590.00
Final Approval (After Date of Motion for Fees and Costs)	0.5	\$295.00	\$147.50
Total	16.3	\$295.00	\$4,808.50

5. In addition to Meyer Wilson's time, Turke & Strauss attorneys and staff have worked a total of **51.2** hours, for a total lodestar of **\$27,047.50**.

6. More specifically, the time spent, or will be spent, on tasks on this matter by Turke & Strauss firm can be generally broken down by the following various topics:

<u>Samuel J. Strauss (Partner—10 Years of Practice)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	2.7	\$600.00	\$1,620.00
Final Approval	16.7	\$700.00	\$11,690.00
Total	19.40		\$13,310.00

<u>Raina C. Borrelli (Partner—12 Years of Practice)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	1.2	\$600.00	\$720.00
Mediation	4.3	\$600.00	\$2,580.00
Settlement	3.3	\$600.00	\$1,980.00
Preliminary Approval	1.4	\$600.00	\$840.00
Final Approval	3.7	\$700.00	\$2,590.00
Total	13.9		\$8,710.00

<u>Zog Begolli (Associate—6 Years of Practice)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	7.4	\$425.00	\$3,145.00
Total	7.4		\$3,145.00

<u>Alex Phillips (Associate—6 Years of Practice)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	1.5	\$330.00	\$495.00
Total	1.5		\$495.00

<u>Rachel Pollack (Legal Assistant)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	0.5	\$225.00	\$112.50
Total	0.5		\$112.50

<u>Rudis Requeno (Legal Assistant)</u>			
<u>Task Category</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Initial Case Investigation	8.5	\$150.00	\$1,275.00
Total	8.5		\$1,275.00

COUNSEL’S EXPENSES

7. In the prior declaration, Meyer Wilson reported **\$7,513.14** in hard costs. In reviewing the recorded costs in this matter, counsel has discovered an error, and now seeks to recover **\$6,517.64** in costs.

8. These costs fall into only two categories. Meyer Wilson paid Plaintiff’s share of the mediation fees in the case, in the amount of **\$3750.00**. The remainder, **\$2,767.64**, are filing fees

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

paid to the One Legal electronic filing service. This amount includes **\$1,580** in mandated filing fees paid to the Monterey County Clerk that were passed on by One Legal.

9. Turke & Strauss did not incur any costs.

Thus, Plaintiff's counsel asks the Court to Plaintiff's motion for approval of fees and expenses.

Executed on February 2, 2024 in Columbus, Ohio.

/s/ Michael J. Boyle, Jr.
Michael J. Boyle, Jr.