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Attorneys for Plaintiff Yung Kim

11 Attorneys for Plaintiffs Ali Asghari
and Daniel Tran

12 *Additional attorneys listed on signature page*

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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA—WESTERN DIVISION**

18 ALI ASGHARI, DANIEL TRAN,
19 YUNG KIM, ARA DERSARKISSIAN,
20 and KATRINA NOBLE, individually,
21 and on behalf of a class of similarly
situated individuals,

22 Plaintiffs,

23 vs.

24 VOLKSWAGEN GROUP OF
25 AMERICA, INC., VOLKSWAGEN AG,
26 AND AUDI AG,

27 Defendants.
28

Case No.: CV13-02529-MMM (VBKx)

Hon. Margaret M. Morrow

CLASS ACTION

**DECLARATION OF LARRY W.
LEE IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEY'S FEES AND COSTS**

Date: May 4, 2015
Time: 10:00 a.m.
Place: Courtroom 780

1 I, Larry W. Lee, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in
3 the State of California, and am a shareholder in the law firm Diversity Law Group,
4 P.C., counsel of record for Plaintiff YUNG KIM (“KIM”). I have personal
5 knowledge of the facts set forth below and if called to testify I could and would do
6 so competently.

7 2. On or about February 7, 2012, my co-counsel and I filed the initial
8 Complaint against Defendants in the Northern District of California. Thereafter,
9 subsequent to providing notice under the Consumer Legal Remedies Act, Plaintiff
10 KIM filed his First Amended Complaint on or about April 3, 2012. Subsequent to
11 the filing of the foregoing Complaint, *Asghari v. Volkswagen Group of America,*
12 *Inc. et al.*, 2:13-cv-02529-DMG (JEMx), was filed. The *Asghari* action was
13 Ordered by the Northern District Judge (Wilken, C.J.) to be administratively
14 related to this action (Doc. 25).

15 3. Defendants filed a Motion to Dismiss KIM’s First Amended
16 Complaint (“FAC”) pursuant to Fed. R. Civ. P. 12(b) and 9(b), as well as a
17 Motion to Transfer Venue. My office spent considerable time researching
18 relevant authority related to opposing these Motions, and prepared and filed
19 Oppositions to same (Docs. 18 and 23).

20 4. Before the hearing on these Motions could take place, on or about
21 April 10, 2013, the Hon. Claudia Wilken transferred this matter to the Central
22 District of California. Thereafter, the KIM matter was deemed related to the
23 *Asghari* matter, and transferred to this Court on May 8, 2013. Thereafter, it was
24 agreed that Plaintiff KIM would be added as a plaintiff in the *Asghari* matter, and
25 that the separate KIM action would be dismissed.

26 5. Thereafter, my office participated in the mediation which took place
27 on March 27, 2014. As a result of the mediation, a settlement was reached.
28

1 Judicial Council Coordination Proceeding No. 4539. I have also been certified as
2 class counsel on currently pending class actions in both the federal and state
3 courts.

4 10. As class counsel, collectively we are seeking the total combined sum
5 of Two Million Three Hundred Thousand Dollars (\$2,300,000.00) in fees. My
6 current billing rate is \$600.00 per hour, which is typical of attorneys in the Los
7 Angeles community that have been practicing for more than 10 years. In fact, I
8 have recently been approved at this rate in the case of *Montero v. Empire Today*,
9 Sacramento Superior Court Case No. 34-2013-00145259. Moreover, I routinely
10 engage in negotiations with attorneys who have practiced many more years than I
11 have. I have a great deal more responsibility and discretion than attorneys with
12 the same number of years' experience at mid-to-big size firms.

13 11. To date, I have accrued 109.80 hours of time in litigating this matter.
14 The hours accrued include the time that was spent in pre-litigation investigation,
15 opposing Defendant's Motions to Dismiss and Motion to Transfer Venue,
16 corresponding with opposing counsel, corresponding with co-counsel,
17 corresponding with putative class members during the claims process, travelling to
18 and from court and drafting the necessary documents to litigate this matter for the
19 past three years. My total lodestar is \$65,880.00 in fees. Attached hereto as
20 Exhibit "1" is a chart identifying the amount of time spent in each of the following
21 categories: pre-filing investigation and pleadings; post-filing investigation and
22 discovery; opposing Defendant's Motion to Dismiss and Motion to Transfer
23 Venue; and preparing for and attending mediation and other settlement
24 negotiations. Finally, my office has also incurred \$3,204.08 in costs.

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

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Executed on this 27th day of February, 2015, at Los Angeles, California.



Larry W. Lee