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11 Attorneys for Petitioner and Plaintiff

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF SAN BERNARDINO

14 CHRISTINA LOPEZ-BURTON, an
15 individual, on behalf of herself and all others
16 similarly situated,

17 Petitioner and Plaintiff,

18 v.

19 TOWN OF APPLE VALLEY, a general law
20 city; and DOES 1-10,

21 Respondents and Defendants.
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 28 2019

BY Amber M. Gear
AMBER M. GEAR, DEPUTY

Case No.: CIVDS1725027

Assigned for all purposes to Hon. David S. Cohn

DECLARATION OF PRESCOTT W. LITTLEFIELD IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT

Petition/Complaint Filed: December 20, 2017

DATE: July 23, 2019

TIME: 8:30 a.m.

DEPT: S26

1 I, Prescott W. Littlefield, declare:

2 1. I am an attorney duly admitted to practice law before all courts of the State of
3 California and am a partner at the law firm of Kearney Littlefield, LLP. I am one of the attorneys
4 for Plaintiff and the proposed Class herein. I make this declaration in support of the Plaintiff's
5 Motion for Preliminary Approval of Class Settlement. If called as a witness, I would and could
6 testify to the following.

7 2. I graduated from UCLA Law School in 2008. I have worked on class actions on
8 both the plaintiff and defendant side. I have represented exclusively plaintiffs since 2010.
9 During this time, I have worked on a number of class actions, including *Do Rights Plaintiff*
10 *Growers v. RSM EquiCo, et al.*, Superior Court for the State of California, County of Orange,
11 Case No. 06CC00137 (consumer fraud), *Pompa v. Target Corp.*, United States District Court for
12 the Central District of California, Case No. 10-cv-0634 (wage and hour) and *Paladini v.*
13 *Nordstrom, Inc.*, Superior Court for the State of California, Los Angeles County, Case No.
14 BC394603 (wage and hour); *Nader v. Capital One Bank (U.S.A.), N.A.* United States District
15 Court for the Central District of California, Case No. CV-12-01265-DSF (privacy class action);
16 *Estes, et al. v. Abercrombie and Fitch Stores, Inc.*, Superior Court for the State of California,
17 Sacramento County, Case No. CV-34-2013-00151787 (wage and hour class action); *Delfierro v.*
18 *White House Black Market, Inc.*, Superior Court for the State of California, Sacramento County,
19 Case No. CV-34-2014-00159390 (wage and hour class action); *Angelone v. Midway Rent A Car,*
20 *Inc., et al.*, Superior Court for the State of California, Los Angeles County Case No. BC 485275
21 (consumer class action); *Graehl v. WellPoint, Inc.*, United States District Court, Central District
22 of Los Angeles, Case No. 14-0421 BRO (wage and hour class action). In total, I have been
23 involved in over two dozen class actions. My partner Thomas A. Kearney and I are currently
24 representing plaintiffs in other class actions, in addition to the current one.

25 3. In 2017 my firm and I tried the class action case *Angelone v. Midway Rent A Car,*
26 *Inc.*, Los Angeles Superior Court Case No. BC485275 to verdict. It is my understanding that we
27 are among the few class action firms to take a class action case through trial and to a verdict.
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2 4. I have also litigated a number of cases under Propositions 218 and 26. These cases
3 are often filed as class action and as writs of mandate. Through these cases, I have challenged
4 local governments' imposition of various fees and charges, including electricity, natural gas, solid
5 waste, water, and waste water, as well as challenges to regulatory/police permit fees and utility
6 user taxes. In total, I have filed approximately 10 cases under Propositions 218 and 26. In these
7 matters, I have tried two of the writ cases, settled others, and the remainder are still pending.

8 5. I am familiar with the terms of the settlement reached in this matter. After
9 reviewing the potential recovery in this matter I participated in both mediations that ultimately
10 resulted in the settlement reached herein. In my view, the settlement is fair, adequate, and
11 reasonable and I believe it is in the best interests of the Class and that the settlement be
12 preliminarily approved.

13 6. To date, my firm has incurred costs in this matter totaling \$1,720.16 for which we
14 seek reimbursement. An itemization of these costs is attached hereto as **Exhibit A**.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct, and that this declaration was executed on June 25, 2019 in Glendale,
17 California.

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PRESCOTT W. LITTLEFIELD

Exhibit A

Selection Criteria

Clie.Selection Include: Apple Valley
Slip.Classification Open

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		Bill Status	
Description					
2296	EXP	TK	181.2	0.50	90.60
2/28/2018		Mileage			
WIP		Apple Valley			
Mileage - PWL CMC in San Bernardino					
2311	EXP	TK	1	143.24	143.24
7/30/2018		Service			
WIP		Apple Valley			
Depo Subpoena Serving for production of business records					
2315	EXP	TK	1	2.98	2.98
10/5/2018		Transportation			
WIP		Apple Valley			
Troll Road Charges for Depo of Richard Nino					
2349	EXP	TK	1	97.45	97.45
9/4/2018		Messenger Service			
WIP		Apple Valley			
Messenger Service of Depo Subpoena to Richard Nino					
2354	EXP	TK	1	28.16	28.16
10/5/2018		Copy Service			
WIP		Apple Valley			
Reproduction for Richard Nino Depo					
2383	EXP	TK	1	6.93	6.93
12/7/2018		Transportation			
WIP		Apple Valley			
Toll Road Payment to CMC Hearing PWL					
2414	EXP	TK	1	102.50	102.50
11/21/2018		Filing Service			
WIP		Apple Valley			
Stip and Order to Continue					
2415	EXP	TK	1	102.50	102.50
11/30/2018		Filing Service			
WIP		Apple Valley			
Notice of Oder San Bernardino Center					

5/29/2019
12:24 PM

Kearney Alvarez, LLP
Slip Listing

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description					
2419	EXP	TK	208	0.50	104.00
12/6/2018		Mileage			
WIP		Apple Valley			
Mileage from Valencia to Depo PWL					
2442	EXP	TK	1	900.00	900.00
3/22/2019		Mediation			
WIP		Apple Valley			
JAMS Mediation Hon. Jeffrey King					
2462	EXP	TK	173.6	0.50	86.80
2/4/2019		Mileage			
WIP		Apple Valley			
Mileage for PWL for Depo of Kofi					
2509	EXP	TK	1	28.00	28.00
11/2/2018		Postage & Delivery			
WIP		Apple Valley			
Shipping Cost					
2510	EXP	TK	1	27.00	27.00
12/3/2018		Postage & Delivery			
WIP		Apple Valley			
Shipping cost					
Grand Total					
		Billable	0.00		1720.16
		Unbillable	0.00		0.00
		Total	0.00		1720.16