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10 Attorneys for Plaintiff: Joseph Payne, on behalf of
11 himself and others similarly situated

12 **SUPERIOR COURT OF CALIFORNIA**

13 **COUNTY OF KERN**

14 JOSEPH PAYNE, an individual,
15
16 Plaintiff,

17 vs.

18 PROS, INCORPORATED, a California
Corporation; JAMES LEAL, an individual;
19 TERESA LEAL, an individual; and Does 1
through 50, inclusive,

20 Defendants.
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Case No. BCV-16-100356DRL

CLASS ACTION

[Honorable David R. Lampe - Dept. 11]

**DECLARATION OF JARED HAGUE
IN SUPPORT OF UNOPPOSED
MOTION FOR ATTORNEYS' FEES,
COSTS AND ENHANCEMENT
AWARD**

FINAL APPROVAL HEARING

Date: August 29, 2018

Time: 8:30 a.m.

Dept. 11

Motion Reservation No.:

Complaint Filed: February 22, 2016

1 I, JARED HAGUE, declare:

2 1. I am an attorney licensed to practice law in the States of California and Nevada, and
3 before this Court. I am an attorney of the law firm of Sutton Hague Law Corporation, P.C.,
4 attorneys for Plaintiff Joseph Payne (“Plaintiff”). The facts set forth herein are personally known
5 to me and, unless otherwise noted, are based on my firsthand knowledge and/or observation. If
6 called as a witness, I could and would competently testify thereto under oath.

7 2. This declaration is submitted in support of this Motion for Attorneys’ Fees, Costs
8 and Enhancement Award.

9 3. With respect to my qualifications to be appointed as class counsel, I have over ten
10 years of experience as a practicing attorney, all of which have focused on issues of employment
11 and labor law. I graduated from University of Utah in 2004, and graduated from Pacific University,
12 McGeorge School of Law in 2007. While in law school, I was on the Pacific McGeorge Global
13 Business & Development Law Journal. I have authored various articles for journals and newsletters
14 on topics related to employment law matters.

15 4. I began my career as an employment law attorney with the Fresno firm of Sutton
16 Hatmaker Law Corporation where I immediately began working on complex litigation matters,
17 including wage-and-hour class actions.

18 5. Sutton Hague Law Corporation was founded in 2014. Our firm specializes in
19 employment and labor law, and represents both plaintiffs and defendants in such matters. Mr.
20 Sutton and I worked closely together on a number of wage-and-hour class action cases at Sutton
21 Hatmaker Law Corporation, where we successfully recovered millions of dollars on behalf of
22 plaintiffs, and Sutton Hague has also recovered millions of dollars on behalf of plaintiffs. I have
23 worked on both the plaintiff and defense side of a number of wage-and-hour class action cases in
24 both federal and state court, including: *Bermejo, et al. v. Ro's Precise Painting, et al.*, Case No.
25 10CECG01318 (Fresno Sup. Ct.); *Gonzalez, et al. v. California Dairies, Inc.*, Case No. 08-226450
26 (Tulare Sup. Ct.); *Valdez, et al. v. Dish Network Corporation et al.*, Case No. A-09-604830-C
27 (Nevada, Clark Sup. Ct., removed to Nevada District, Case No. 2:10-cv-00023-RLH-PAL);
28 *Wright, et al. v. LinkUs Enterprises, Inc.*, Case No. 2:07-cv-01347-MCE-CMK (California Eastern

1 District); *Heinz v. Pacific Gas & Electric Company., et al.*, Case No. CGC-10-503452 (San
2 Francisco Sup. Ct.); *Meza v. LinkUs Enterprises, Inc.*, Case No. S-1500-CV-274733 LHB (Kern
3 County Sup. Ct.); *Gutierrez v. LinkUs Enterprises, Inc.*, Case No. MCV065774 (Madera County
4 Sup. Ct.); *Buck v. Saputo Cheese USA, Inc.*, Case No. 256347 (Tulare County Sup. Ct.); *Turk v.*
5 *Gale/Triangle, Inc. et al.*, Case No. 39-2014-00310027-CU-OE-STK (San Joaquin County Sup.
6 Ct.); *Torchia v. W.W. Grainger, Inc.*, Case No. 1:13-cv-01427-LJO-JLT (California Eastern
7 District); *Farnsworth v. California Transplant Donor Network*, Case No. RG13669714 (Alameda
8 County Sup. Ct.); *Hildebrand v. LinkUs Enterprises, Inc.*, Case No. Dr150155 (Humboldt County
9 Sup. Ct.); *Garcia v. Gordon Trucking, Inc.*, Case No. 1:10-cv-00324-OWW-SKO (California
10 Eastern District); *Van Kempen v. Matheson Tri-Gas, Inc.*, Case No. 15-cv-00660-HSG (California
11 Northern District); *Gonzalez-Garcia et al. v. Firefly Westside, LLC*, Case No. A-15-717966-C
12 (Eighth Judicial District Court of Nevada); and *Nickeson v. Pacific Distributing, Inc. et al.*, Case
13 No 15CECG00314 (Fresno County Sup. Ct.); *Aguirre v. Mariani Nut Company, Inc.*, Case No. 34-
14 2016-00190252 (Sacramento County Sup. Ct.); *Brewer v. Saputo Dairy Foods USA, LLC*, Case
15 No. VCU266443 (Tulare County Sup. Ct.); *Turk v. Gale/Triangle, Inc. et al.*, Case No. 2:16-cv-
16 00783-MCE-DB (California Eastern District); *Snipes v. Dollar Tree Distribution, Inc.*, Case No.
17 2:15-cv-00878-MCE-DAD; *Slattery et al. v. Boot Barn, Inc.*, Case No. 30-2016-00877430-CU-
18 OE-CXC; and *Blithe v. A&A Concrete Supply, Inc. et al.*, Case No. 34-2016-00190795
19 (Sacramento County Sup. Ct.).

20 6. Our office is fully committed to dedicating the time and resources to see this case
21 through to its conclusion.

22 7. I have no knowledge of the existence of a conflict between any of the putative
23 members of the Class and the Plaintiff. I have no knowledge of the existence of a conflict between
24 this office and any of the putative members of the Class.

25 8. The Plaintiff and proposed Class Representative Joseph Payne has been
26 instrumental in prosecuting this action. He has been, and continues to be, an important source of
27 information during the course of this litigation—having aided in the investigation into the policies
28 and practices of Defendants. He prepared for and participated in a full day of deposition. He

1 further educated proposed Class Counsel and staff in furtherance of their investigation into the
2 facts by assisting with preparation of discovery requests, assisting with preparation of the
3 confidential mediation brief, and fully participating in negotiation discussions.

4 9. I personally invested 144.3 hours of work on this case. My hourly billing rate for
5 this case is \$580. My rate and the rates of the other attorneys who worked on this case are
6 calculated this rate by reference to the Laffey Matrix, available at <http://laffeymatrix.com>, which
7 California courts have recognized as one measurement for attorneys' fees in the context of wage
8 and hour class actions and lodestar cross-checks. Under the Laffey Matrix, an attorney in his or her
9 tenth year of practice could have charged an hourly rate of between \$586.00 and \$636.00 during
10 the pendency of this litigation. All of the 144.3 hours I worked on this case were necessary to the
11 litigation of this case. I anticipate spending an additional 12-18 hours on this case through hearing
12 on Plaintiff's Motion for Final Approval of Class Settlement.

13 10. I have no knowledge of the existence of a conflict between any of the putative
14 members and the Plaintiff, or of any conflict between any of the putative class members and Sutton
15 Hague Law Corporation.

16 11. As of the filing of this Motion, none of the Class Members have opted-out of the
17 Settlement. We have not received any indication that any of the Class Members have any intention
18 of objecting to the Settlement.

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PROOF OF SERVICE

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2 My business address is **5200 N. Palm Ave., Suite 203, Fresno, California**
3 **93704**. I am employed in Fresno, California. I am over the age of 18 years and am not a party
4 to this case.

5 On the date indicated below, I served the foregoing document(s) described as:

6 **NOTICE OF MOTION AND MOTION IN SUPPORT OF PLAINTIFF’S MOTION**
7 **FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT AWARD;**
8 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF**
9 **PLAINTIFF’S UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND**
10 **ENHANCEMENT AWARD; DECLARATION OF JARED HAGUE IN SUPPORT OF**
11 **UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT**
12 **AWARD; DECLARATION OF S. BRETT SUTTON IN SUPPORT OF PLAINTIFF’S**
13 **UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT**
14 **AWARD; AND DECLARATION OF ZACHARY CROSNER IN SUPPORT OF**
15 **MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT AWARD**

16 on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes
17 addressed as follows:

18 Jerry Wayne Pearson Jr., Esq. 19 Young Wooldridge LLP 20 1800 30th Street, Fourth Floor 21 Bakersfield, CA 93301-1919	22 Zachary Crosner, Esq. 23 Michael Crosner, Esq. 24 Crosner Legal, PC 25 345 Reeves Dr., Suite 2 26 Beverly Hills, CA 90212
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27 X (BY FIRST CLASS MAIL) I am readily familiar with the business' practice for
28 collection and processing of correspondence for mailing, and that correspondence,
with postage thereon fully prepaid, will be deposited with the United States Postal
Service on the date noted below in the ordinary course of business, at Fresno,
California.

_____ (BY PERSONAL SERVICE) I caused such envelopes to be delivered by hand to
the office(s) of the addressee(s).

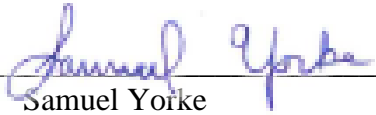
_____ (BY FACSIMILE) I caused the above-referenced document to be delivered by
facsimile to the facsimile number(s) of the addressee(s).

_____ (BY OVERNIGHT MAIL) I am readily familiar with the business' practice for
collection and processing of correspondence for mailing and that correspondence
will be deposited with an overnight carrier on the date noted below in the ordinary
course of business, in accordance with the overnight carrier’s method for billing
for same, and before the last scheduled pick-up time, at Fresno, California.

EXECUTED on June 22, 2018, at Fresno, California.

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 X (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Samuel Yorke