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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 * * *

11 JULIAN SMOTHERS, ET AL.,

12 Plaintiffs,

13 vs.

14 NORTHSTAR ALARM SERVICES, LLC,

15 Defendant(s).

Case No. 2:17-CV-00548-KJM-KJN

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

Date: December 6, 2019

Time: 10:00 a.m.

Courtroom: 3

Judge: Hon. Kimberly J. Mueller

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1 I, JARED HAGUE, declare:

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

7 2. This declaration is submitted in support of Plaintiff's Motion for Attorneys' Fees,
8 Costs and Enhancement Awards.

9 3. With respect to my qualifications, I have over eleven years of experience as a
10 practicing attorney, all of which have focused on issues of employment and labor law. I
11 graduated from University of Utah in 2004, and graduated from Pacific University, McGeorge
12 School of Law in 2007. While in law school, I was on the Pacific McGeorge Global Business &
13 Development Law Journal. I have authored various articles for journals and newsletters on topics
14 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-
26 226450 (Tulare Sup. Ct.); *Valdez, et al. v. Dish Network Corporation et al.*, Case No. A-09-
27 604830-C (Nevada, Clark Sup. Ct., removed to Nevada District, Case No. 2:10-cv-00023-RLH-
28 PAL); *Wright, et al. v. LinkUs Enterprises, Inc.*, Case No. 2:07-cv-01347-MCE-CMK

1 (California Eastern District); *Heinz v. Pacific Gas & Electric Company, et al.*, Case No. CGC-
2 10-503452 (San Francisco Sup. Ct.); *Meza v. LinkUs Enterprises, Inc.*, Case No. S-1500-CV-
3 274733 LHB (Kern County Sup. Ct.); *Gutierrez v. LinkUs Enterprises, Inc.*, Case No.
4 MCV065774 (Madera County Sup. Ct.); *Buck v. Saputo Cheese USA, Inc.*, Case No. 256347
5 (Tulare County Sup. Ct.); *Turk v. Gale/Triangle, Inc. et al.*, Case No. 39-2014-00310027-CU-
6 OE-STK (San Joaquin County Sup. Ct.); *Torchia v. W.W. Grainger, Inc.*, Case No. 1:13-cv-
7 01427-LJO-JLT (California Eastern District); *Farnsworth v. California Transplant Donor*
8 *Network*, Case No. RG13669714 (Alameda County Sup. Ct.); *Hildebrand v. LinkUs Enterprises,*
9 *Inc.*, Case No. Dr150155 (Humboldt County Sup. Ct.); *Garcia v. Gordon Trucking, Inc.*, Case
10 No. 1:10-cv-00324-OWW-SKO (California Eastern District); *Van Kempen v. Matheson Tri-Gas,*
11 *Inc.*, Case No. 15-cv-00660-HSG (California Northern District); *Gonzalez-Garcia et al. v.*
12 *Firefly Westside, LLC*, Case No. A-15-717966-C (Eighth Judicial District Court of Nevada); and
13 *Nickeson v. Pacific Distributing, Inc. et al.*, Case No 15CECG00314 (Fresno County Sup. Ct.);
14 *Aguirre v. Mariani Nut Company, Inc.*, Case No. 34-2016-00190252 (Sacramento County Sup.
15 Ct.); *Brewer v. Saputo Dairy Foods USA, LLC*, Case No. VCU266443 (Tulare County Sup. Ct.);
16 *Turk v. Gale/Triangle, Inc. et al.*, Case No. 2:16-cv-00783-MCE-DB (California Eastern
17 District); *Snipes v. Dollar Tree Distribution, Inc.*, Case No. 2:15-cv-00878-MCE-DAD; *Slattery*
18 *et al. v. Boot Barn, Inc.*, Case No. 30-2016-00877430-CU-OE-CXC; *Blithe v. A&A Concrete*
19 *Supply, Inc. et al.*, Case No. 34-2016-00190795 (Sacramento County Sup. Ct.); *Haugen v. Big*
20 *League Dreams Cathedral City, LLC et al.*, Case No. RIC1515377 (Riverside County Sup. Ct.);
21 *Sadler v. Ensignal, Inc.*, Case No. MCV073249 (Madera County Sup. Ct.); *Easley v. Institute of*
22 *Technology, et al.*, Case No. 9000308 (Stanislaus County Sup. Ct.); *Uribe et al. v. Conduit*
23 *Language Specialists, Inc.*, Case No. BC589744 (Los Angeles County Sup. Ct.); and *Mikuta, et*
24 *al. v. Swift Pork Company, et al.*, Case No. BC618624 (Los Angeles County Sup. Ct.). I have
25 also handled numerous cases on behalf of plaintiffs and defendants involving wage and hour-
26 related claims brought on a representative basis under the Private Attorneys' General Act of
27 2004 ("PAGA").

28 6. As previously detailed for the Court, the Plaintiffs and Class Representatives

1 Julian Smothers and Asa Dhadda have been instrumental in prosecuting this action. Plaintiffs
2 have cooperated immensely with our office and have taken many actions to protect the
3 interests of the class. Plaintiffs provided valuable information regarding missed meal and rest
4 periods, unpaid work time, and kept themselves informed of the developments in this action,
5 informed my office of developments and information relevant in to this action, participated in
6 decisions concerning this action, and provided our office with the names and contact
7 information of potential witnesses in these actions. Plaintiffs diligently assisted our office in
8 the preparation to take the depositions of Defendants' representative Jason Dumas. The
9 information and documentation provided by Plaintiffs was instrumental in establishing the
10 wage and hour violations alleged in this action, and the recovery provided for in the settlement
11 agreement would have been impossible to obtain without their participation.

12 7. At the same time, Plaintiffs faced many risks in adding themselves as class
13 representatives in this matter. Plaintiffs faced actual risks with their future employment, as
14 putting themselves on public record in an employment lawsuit could also very well affect their
15 likelihood for future employment, particularly in the relatively small community of qualified
16 linguists. Even a rudimentary Google search of Plaintiffs' names will reveal their connection
17 to this lawsuit. For example a search of "Dhadda lawsuit" or "Smothers class action" will yield
18 results near the top of the list specifically identifying them as class representatives in this
19 lawsuit.

20 8. In turn, the other Class Members now have the opportunity to participate in a
21 settlement, compensating them for wage violations they may have never known about or which
22 they were unwilling to pursue on their own. If these class members would have each tried to
23 pursue their legal remedies on their own, that would have resulted in each having to expend a
24 significant amount of their own monetary resources and time, which were obviated by
25 Plaintiffs putting themselves on the line on behalf of these other class members.

26 9. In the final analysis, this Class Action would not have been possible without the
27 aid of Plaintiffs, who put their own time and effort into this litigation and placed themselves at
28 risk for the sake of the class members. An enhancement of \$10,000 for each of the Plaintiffs for

1 their service as the class representatives is a relatively small amount of money when the time and
2 effort put into the litigation are considered, and in comparison to enhancements granted in other
3 class actions. The requested enhancement award is therefore reasonable to compensate Plaintiffs
4 for their active participation in this lawsuit.

5 10. I personally invested 164.10 hours of work on this case. This amount does not
6 include work on the instant Motion, or the additional 20 – 40 hours of work to be spent preparing
7 for and participating in the hearing on the Motion for Final Approval. My hourly billing rate for
8 this case is \$650. My rate and the rates of the other attorneys who worked on this case are
9 calculated this rate by reference to the Laffey Matrix, available at <http://laffeymatrix.com>, which
10 California courts have recognized as one measurement for attorneys' fees in the context of wage
11 and hour class actions and lodestar cross-checks. Under the Laffey Matrix, an attorney in his or
12 her eleventh year of practice could have charged an hourly rate of between \$661.00 and \$742.00
13 during the pendency of this litigation. All of the 164.10 hours I have worked and will work on
14 this case are and were necessary to the litigation of this case.

15 11. This Settlement represents an outstanding outcome for the Settlement Class. The
16 average Settlement Class Member recovery is approximately \$4,034.65, a very favorable amount
17 in comparison with other wage and hour class action cases, and a significant result for hourly
18 wage earners who tend to be towards the bottom of the economic spectrum.

19 12. I have no knowledge of the existence of a conflict between any of the Class
20 Members and the Plaintiffs, or of any conflict between any of the Class Members and Sutton
21 Hague Law Corporation.

22 13. As of the filing of this Motion, none of the Class Members have opted-out of the
23 Settlement. We have not received any indication that any of the Class Members have any
24 intention of objecting to the Settlement.

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1 I declare under penalty of perjury under the laws of California that the foregoing is true
2 and correct and that this declaration was executed on this 4th day of November, 2019, at Las
3 Vegas, Nevada.

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6 JARED HAGUE

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