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7 *and Collective Members, and Aggrieved*
8 *Employees*

9 *[Additional counsel on following page]*

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12

13 DIMITRI DIXON and RYAN SELTZ,
14 individually, and on behalf of all others
similarly situated,

15 Plaintiffs,

16 v.

17 CUSHMAN & WAKEFIELD WESTERN,
18 INC., CUSHMAN & WAKEFIELD, INC.,
and CUSHMAN & WAKEFIELD, OF
19 WASHINGTON DC, INC., and DOES 1-50,
inclusive,

20 Defendants.
21

Case No. 3:18-cv-05813-JSC

**DECLARATION OF PAOLO C. MEIRELES
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS, COLLECTIVE, AND
REPRESENTATIVE ACTION
SETTLEMENT**

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14 *Attorneys for Plaintiffs. Proposed Class*
15 *and Collective Members, and Aggrieved Employees*
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1 I, Paolo C. Meireles, declare as follows:

2 1. I am a Partner in the firm of the Shavitz Law Group, P.A. (“SLG”) in Boca Raton, Florida.
3 SLG is an 8-attorney firm based in Boca Raton, Florida with an office in New York, New York that
4 focuses on representing workers as plaintiffs in employment-related matters, including claims based upon
5 individual and class-wide violations of state and federal wage and hour laws. Along with lawyers from
6 Goldstein, Borgen, Dardarian & Ho (“GBDH”) and Outten & Golden LLP (“O&G”), SLG is counsel for
7 the Plaintiffs in the above-captioned matter.

8 2. I have been one of the lawyers primarily responsible for prosecuting Plaintiffs’ claims on
9 behalf of the collective.

10 3. I am a member in good standing of the bars of the states of Florida, New Jersey, and New
11 York. My motion for *pro hac vice* is forthcoming, pending my receipt of a current certificate of good
12 standing to include with same.

13 4. I make these statements based on personal knowledge and would so testify if called as a
14 witness.

15 **FIRM AND ATTORNEY BACKGROUND**

16 5. For the past 20 years, SLG has focused on representing workers in wage and hour matters,
17 including claims based upon individual and class-wide violations of state and federal wage and hour laws
18 across the United States. My background and those of other SLG employees who worked on this matter
19 are below.

20 6. I became an Associate Attorney with SLG in 2012, and became a Partner in January
21 2018. After receiving my Juris Doctor degree from Fordham University in 2010, I was admitted to the
22 New Jersey and New York Bars in November 2010 and February 2011, respectively. I relocated to Florida
23 and became a member of the Florida Bar in September 2011. I am also admitted to the Second Circuit
24 Court of Appeals and the U.S. District Courts for the Southern District of Florida, the Middle District of
25 Florida, the Northern District of Florida, the Northern District of New York, the Southern District of New
26 York, the District of New Jersey, the Eastern District of Michigan, the Northern District of Ohio, and the
27 District of Colorado.

1 7. Gregg I. Shavitz, founder of the Shavitz Law Group, is a graduate of the University of
2 Miami School of Law with an undergraduate degree from Tufts University.

3 8. Mr. Shavitz is an experienced trial attorney and member of the bar of the U.S. District
4 Court for the Southern District of Florida and the Florida Bar since 1994, and is also admitted to U.S.
5 District Courts for the Middle and Northern Districts of Florida, the United States Eleventh Circuit Court
6 of Appeals, and United States Third Circuit Court of Appeals.

7 9. Additionally, Mr. Shavitz has lectured in the past at seminars sponsored by the Labor and
8 Employment Section of the Florida Bar, and has spoken at the Labor and Employment Section
9 Certification Review Seminar on two separate occasions as well as the Academy of Florida Trial Lawyers
10 Workhorse Seminars. Mr. Shavitz has also been awarded Florida Trend Magazine's Legal Elite for
11 various years including 2014, 2015, and 2020 in the area of Labor & Employment law; Florida Super
12 Lawyers – Super Lawyer, Employment & Labor – 2013-2020; Top Lawyer Up and Comer – Wage and
13 Hour law – 2004, 2006 and 2009; and South Florida Legal Guide – Top Lawyers List – 2009-2019, among
14 other awards and honors. Mr. Shavitz has also earned the distinction of Top Lawyer in Palm Beach
15 Illustrated – 2018-2020, and am a lifelong fellow of the Florida Bar Foundation.

16 10. Mr. Shavitz has held the highest AV Peer Review Rating from LexisNexis Martindale-
17 Hubbell for preeminent attorneys from 2000 to the present.

18 11. Attorney Christine M. Duignan has been an associate with SLG for over ten years. Ms.
19 Duignan is an employment attorney with nearly 30 years' experience. Ms. Duignan provides litigation
20 support in complex wage and hour actions arising under the Fair Labor Standards Act and Fed. R. Civ. P.
21 Rule 23, in a variety of jurisdictions nationally. Ms. Duignan has been a member of the Florida Bar since
22 1991 when she received her Juris Doctor degree with high honors, from University of Florida. She is
23 admitted to the Florida Bar, the U.S. District Court for the Southern District of Florida, the Eleventh
24 Circuit Court of Appeals and the U.S. Supreme Court.

25 12. Attorney Logan A. Pardell has been an Attorney with SLG in 2017. Since joining SLG,
26 Mr. Pardell has represented employees in in federal and state courts throughout the United States,
27 primarily litigating complex wage and hour class and collective cases. After receiving his Juris Doctor
28

1 and Masters in Business Administration degrees, *cum laude*, from the University of Florida in 2015, Mr.
 2 Pardell was admitted to the Florida Bar in September 2015. Mr. Pardell is also admitted to the U.S.
 3 District Courts for the Southern District of Florida, Middle District of Florida and District of Colorado.

4 13. SLG has significant experience prosecuting wage and hour class and collective actions
 5 such as this one. In recent years, the firm has served or been appointed as class counsel or co-class counsel
 6 in the following cases, among others:

7 *Biscoe-Grey v. Sears Holding Corp.*, Case No. 09-81408-Civ-Marra / Johnson (S.D. Fla.)

8 *Cerrone v. KB Home Florida, LLC et al.*, Case No. 07-14402-Civ-Martinez (S.D. Fla.)

9 *Danley v. Office Depot, Inc., et al.*, Case No. 9:14-cv-81469-KAM (S.D. Fla.)

10 *Ellerd v. County of Los Angeles*, Case No. CV05-1211 SVW (CWX) (C.D. Cal.)

11 *Fiore v. Goodyear Tire & Rubber Co.*, Case No. 2:09-CV-843-FtM-29SPC (M.D. Fla.)

12 *Heitzenrater, et al. v. Officemax, Inc., et al.*, No. 12 Civ. 900S (W.D.N.Y.)

13 *Hosier v. Mattress Firm, Inc.*, Case No. 3:10-cv-00294-TJC-JRK (M.D. Fla.)

14 *Lewis v. Iowa College Acq. Corp. & Kaplan Higher Educ. Corp.*, Case No.
 15 08-61011-Civ-Jordan (S.D. Fla.)

16 *Mayfield v. Lennar Corp.*, Case No. 6:08-cv-426-Orl-31-DAB (M.D. Fla.)

17 *Nash v. CVS Caremark Corp.*, Case No. 09 Civ. 79 (D.R.I.)

18 *Patterson v. Palm Beach County School Board*, No. 07 Civ. 80240 (S.D. Fla.)

19 *Raley v. Kohl's Corporation, et al.*, Case No. 8:09-cv-2340 (M.D. Fla.)

20 *Robbins v. Abercrombie & Fitch Co.*, Case No. 15-cv-6187 (W.D.N.Y.)

21 *Roberts v. TJX Companies, Inc., et al.*, Case No. 13-cv-13142 (D. Mass)

22 *Romero v. Florida Power & Light Company*, Case No. 6:09-cv-1401-Orl-35-GJK (M.D. Fla.)

23 *Simpkins v. Pulte Home Corporation*, 6:08-cv-00130-PCF-DAB (M.D. Fla.)

24 *Snodgrass v. Bob Evans Farms, Inc.*, No. 12-cv-768 (S.D. Ohio)

25 *Stewart v. Prince Telecom, et al.*, Case No. 10-civ-4881 (S.D.N.Y.)

26 *Zolkos v. Scriptfleet, Inc.*, No. 12 Civ. 8230 (N.D. Ill.)

27 **Time Spent on the Litigation**

28 14. Plaintiffs' Counsel is requesting one-third of the settlement fund for attorneys' fees. In our
 5

1 experience, law firms that represent plaintiffs in employment matters like this matter typically charge their
 2 clients legal fees of at least one-third of their gross recoveries when they represent them on a contingency
 3 fee basis.

4 15. When SLG lawyers spend time on selected contingency matters, they do so at significant
 5 risk and opportunity cost for the firm. SLG frequently turns away additional cases, including hourly
 6 litigation matters and other contingency matters, in order to enable its attorneys to work on pending
 7 contingency matters, primarily (though not exclusively) class or collective actions.

8 16. Counsel's skill and experience was directly responsible for bringing about the positive
 9 settlement in the instant case and weigh in favor of granting the requested fees.

10 17. Due to the experience of its attorneys in representing workers in litigation of this type, SLG
 11 is adept at minimizing duplication of efforts and maximizing billing judgment. SLG makes every effort
 12 to have the work performed by the attorney or paralegal with the lowest hourly rate who is able to
 13 effectively perform each task.

14 18. To date, SLG has spent more than 399.7 hours investigating, researching, litigating,
 15 mediating, and settling this case. This number includes approximately 376.6 attorney hours and 23.1
 16 paralegal hours. To date, SLG's lodestar on the case is approximately \$201,730.00. This is in addition to
 17 co-counsel GBDH's and O&G's lodestar incurred in this matter.

18 19. The hours reported are reasonable for a case of this complexity and size and were compiled
 19 from contemporaneous time records maintained by each attorney and paralegal participating in the case.

20 20. SLG ordinarily and regularly bills legal time on an hourly fee basis by the tenth of an hour,
 21 based upon each attorney's standard hourly rate. Currently, SLG's complex litigation rates range from
 22 \$400 to \$700 per counsel's hour, \$150 per law clerk's hours, and \$150 per hour for paralegals and legal
 23 assistants. The rates of the SLG attorneys who worked on this matter are as follows:

Attorney	Hourly Rate	Hours	Total
Gregg Shavitz	\$ 700.00	66.50	\$ 46,550.00
Paolo Meireles	\$ 550.00	180.10	\$ 99,055.00

Christine Duignan	\$ 600.00	3.30	\$ 1,980.00
Logan Pardell	\$ 400.00	126.70	\$ 50,680.00
Paralegal	\$ 150.00	23.10	\$ 3,465.00

21. The requested attorneys’ fees are not based solely on time and effort already expended; they are also meant to compensate Plaintiff’s Counsel for time that they will be required to spend administering the settlement in the future. In our experience, administering class settlements of this nature and size requires a substantial and ongoing commitment. Plaintiff’s Counsel expects to respond to more inquiries after final approval.

Costs Incurred in the Litigation

22. In addition to its fees, SLG has incurred approximately \$12,071.56 in out-of-pocket costs prosecuting this litigation, which were incidental and necessary to the representation of the class and which include investigation of Plaintiffs’ claims and travel to and from out-of-state mediation. SLG’s costs are summarized as follows:

Category	Cost Incurred
Travel, Food, and Lodging:	\$5,272.38
Mediation Fees:	\$6,350.00
Third-party Administration Fees:	\$449.18
SLG Total Costs:	\$12,071.56

23. This is in addition to the costs co-counsel GBDH’s and O&G incurred in prospecting this matter.

* * *

I declare under penalty of perjury, under 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: June 30, 2021

Respectfully submitted,



 Paolo C. Meireles