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Attorneys for *Plaintiffs*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

PAMELA CARTER, DEBORAH
MARTIN, CHRISTINE MORALES,
STANLEY CARAKER, STANLEY
NICKS, MICHAELA VECHT, BERT
SCHORLING, JEANETTE BREITEN,
RAYMOND BACHAR, KATHERINE
MITCHELL, STEPHANIE CASTRO,
BRUCE HINSLEY, ARLENE POUNDS,
JOSE GURROLA, AARON STRAW,
ELDON ROSS, individually and as
Representatives of the Participants and
Beneficiaries of the Fleet Card Fuels
Employees Stock Ownership Plan,

Plaintiffs,

vs.

SAN PASQUAL FIDUCIARY TRUST
COMPANY; FLEET CARD FUELS;
WILLIAM DAVIES; RICHARD
DAVIES; STRATEGIC EQUITY
GROUP; CHRISTOPHER KRAMER;
SHORELINE CAPITAL, INC.;
EDGEWATER CAPITAL, LLC,

Defendants.

CASE NO.: 8:15-CV-01507-JVS-JCG

**DECLARATION OF ANTHONY W.
TRUJILLO, ESQ. IN SUPPORT OF
PLAINTIFFS' MOTION FOR
AWARD OF ATTORNEYS' FEES,
LITIGATION EXPENSES, AND
SERVICE PAYMENTS**

Date: February 26, 2018
Time: 1:30 p.m.
Ctm: 10C
Judge: Hon. James V. Selna

1 I, Anthony W. Trujillo, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and
3 before this Court and a partner with Trujillo & Winnick, LLP.

4 2. I make this declaration in support of Plaintiffs' concurrently filed Motion
5 for Award of Attorneys' Fees, Litigation Expenses, and Service Payments. The
6 following facts are within my personal knowledge and, if called as a witness herein, I
7 could and would competently testify thereto.

8 3. I graduated from La Sierra University in 2002 and obtained a Bachelors of
9 Science in Business Administration: Finance.

10 4. I attended law school at Pepperdine University in Malibu, California. I
11 graduated in the top of my class with a Juris Doctorate, while also receiving a Certificate
12 in Dispute Resolution from the Straus Institute for Dispute Resolution. I graduated from
13 Pepperdine Law School in 2005 and have been member of the California bar since 2006

14 5. I also obtained a Masters in Business Administration from Pepperdine
15 University's Gradazio School of Business and Management in 2006.

16 6. After graduation, I began working for La Follette, Johnson, De Hass, Fesler
17 & Ames in Santa Ana, California where he obtained valuable experience with insurance
18 defense litigation. I also gained significant experience with real estate, employment, and
19 business litigation while working for Eskridge Law prior to co-founding his firm.

20 7. Beginning in January 2013, I co-founded Trujillo & Winnick, LLP with
21 Alexander H. Winnick, who has an extensive with litigating a variety of employment
22 matters.

23 8. I have represented a wide array of clients in civil matters in state court. My
24 practice is considerably focused on employment litigation and complex bank cases.
25 Trujillo & Winnick, LLP consistently faces off against large banking entities, such as
26 Wells Fargo and Bank of America, and their determined and adept counsel. I have
27 litigated or currently am litigating cases involving wage-and-hour, discrimination and
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1 harassment, identity theft, California Rosenthal Fair Debt Collections Practices Act
2 claims, fraudulent conveyance, California Homeowers Bill of Rights (“HBOR”), and
3 foreclosure matters. I am currently litigating a wage-and-hour case with 15 defendants.
4 I, along with Mr. Trujillo, have litigated or currently am litigating numerous appeals
5 before the California Court of Appeals. I also have experience litigating shareholder
6 derivative actions and claims by shareholders against corporate officers and directors.
7 This is my first ERISA case, but I found that my skills and experience on my other cases
8 translated well to working on this case.

9 9. In this case, I worked extensively with the expert Adam Minow, including
10 reviewing the financial records, the valuations and determining the basis for liability
11 against Defendants. I also primarily drafted the complaint in the case and assisted with
12 the oppositions to the three motions to Dismiss filed by the Defendants, the motion for
13 class certification, the 26f Joint Report, the motion for preliminary approval and its
14 exhibits. I was primarily engaged in drafting, legal research, document analysis and
15 discovery. I communicated with the Plaintiffs regarding document production, the facts
16 of this case, and the settlement. I worked in large part on Plaintiffs’ mediation briefs and
17 attended two mediations. I have actively worked on this case since mid-June 2015, but I
18 did not bill on this case until July 1, 2015. The total amount of time I spent working on
19 this case from July 1, 2015 until September 20, 2017 was 242.0 hours. I further did not
20 include any hours that could be considered duplicate, such as the time spent meeting and
21 conferring with Class Counsel. Attached to the Declaration of Jeffrey T. Belton
22 (“Belton Decl.”) as **Exhibit 3** is a detailed billing report for the hours worked by me, in
23 this matter.

24 10. Only a small percentage of my work is purely on contingency, therefore, I
25 maintain, and charge when applicable, an hourly billing rate of \$400. I believe that this
26 rate is comparable to, if not below, other attorneys with my level of experience and skill
27 in the greater Los Angeles area and attorneys involved in class action litigation in the
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1 Central District.

2 11. My time records in this case, attached as **Exhibit 3** to the Declaration of
3 Jeffrey T. Belton, reflect a billing rate of \$400 for the time period July 1, 2015 to the
4 present. My total lodestar in this case is **\$96,800.00**.

5 12. Attorney Belton has collected all expenses incurred by me in the litigation
6 in his Declaration and in the Motion, and the amount claimed in expenses by Class
7 Counsel is a true and correct accounting.

8 13. Expert Witness Adam Minow was consulted to review the financial records
9 provided to defendants relating to the valuation to determine whether liability existed
10 and to identify what facts supported liability. This involved reviewing a significant
11 amount of financial information, numerous meetings, outside research and analysis. Mr.
12 Minnow's input was crucial and indispensable to Plaintiffs' ability to proceed against
13 Defendants. Plaintiffs offer to provide upon request Mr. Minow's itemized billing
14 relating to his work on this matter. Attached as **Exhibit 6** to the Declaration of Jeffrey
15 T. Belton is a copy of Mr. Minow's CV.

16 14. I believe Class Counsel has obtained an excellent result in this case, based
17 on the payouts to the Class Members and the risks and costs involved in pursuing the
18 claims. I concur with the statements in this and all regards made in the declarations of
19 attorneys Belton and Trujillo.

20 I declare under penalty of perjury under the laws of the United States of America
21 that the foregoing is true and correct. Executed on this 18th day of October 2017 at
22 Santa Monica, California.

23 TRUJILLO & WINNICK, LLP

24
25 /s/ Anthony W. Trujillo
26 Anthony W. Trujillo
27 Attorneys for Plaintiffs
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