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11 Attorneys for Plaintiffs Pamela Carter, et al.

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF ORANGE – CIVIL COMPLEX CENTER**

14 PAMELA CARTER, DEBORAH
15 MARTIN, CHRISTINE MORALES,
16 STANLEY CARAKER, STANLEY
17 NICKS, MICHAELA VECHT, BERT
18 SCHORLING, JEANETTE BREITEN,
19 RAYMOND BACHAR, KATHERINE
20 MITCHELL, STEPHANIE CASTRO,
21 BRUCE HINSLEY, ARLENE
22 POUNDS, individually and as
23 Representatives of All Others Similarly
24 Situated,

25 Plaintiffs,

26 vs.

27 STRATEGIC EQUITY GROUP;
28 CHRISTOPHER KRAMER;
SHORELINE CAPITAL, INC.;
EDGEWATER CAPITAL, LLC and
DOES 1-100, inclusive,

Defendants.

Case No.:
30-2016-00866025-CU-BT-CXC

**DECLARATION OF ALEXANDER
H. WINNICK IN SUPPORT OF
PLAINTIFFS' MOTION FOR
AWARD OF ATTORNEYS' FEES,
LITIGATION EXPENSES, AND
SETTLEMENT ADMINISTRATION
COSTS**

Date: August 22, 2019
Time: 2:00 p.m.
Dept: CX102
Judge: Hon. Peter J. Wilson

I, Alexander H. Winnick, declare as follows:

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

2. I make this declaration in support of Plaintiffs' concurrently filed Motion for Award of Attorneys' Fees, Litigation Expenses, and Settlement

1 Administration Costs and the Declaration of Jeffrey T. Belton, Esq. The following
2 facts are within my personal knowledge and, if called as a witness herein, I could
3 and would competently testify thereto.

4 3. I graduated from Brown University in 2000 and from Pepperdine Law
5 School in 2005. I have been a member of the California bar since 2005.

6 4. I have previously worked at the Rhode Island Commission for Human
7 Rights, as a Senate Intern, a White House Intern, and as a coordinator for the
8 California Democratic Party during the election of 2000. During and following law
9 school, I have clerked at the District Attorney's Office of Los Angeles County,
10 worked as in-house counsel at a prestigious real estate investment firm from 2006
11 until 2008, and as an associate counsel at the litigation firm Rosoff, Schiffres &
12 Barta ("RSB") from June 2009 to December 2012. Beginning in January 2013, I co-
13 founded Trujillo & Winnick, LLP with Anthony W. Trujillo, Esq., who has an
14 extensive background in employment matters.

15 5. I have represented a wide array of clients in civil matters in state court
16 in California. My practice, located in Los Angeles, California,³ is focused on
17 employment litigation and complex bank cases. Trujillo & Winnick, LLP
18 consistently faces off against large banking entities, such as Wells Fargo and Bank
19 of America, and their determined and adept counsel. I have litigated or currently am
20 litigating cases involving wage-and-hour, discrimination and harassment, identity
21 theft, California Rosenthal Fair Debt Collections Practices Act claims, fraudulent
22 conveyance, California Homeowners Bill of Rights cases, and foreclosure matters.
23 I litigated a wage-and-hour case with 15 defendants. I, along with Mr. Trujillo,
24 have litigated or currently am litigating numerous appeals before the
25 California Court of Appeals. I also have experience litigating shareholder derivative
26 actions and claims by shareholders against corporate officers and directors.

27 6. In this case, I worked extensively on the Complaint, including research
28 issues; the Motion for Preliminary Approval, and the Request for Dismissal of

1 certain defendants following Judge Dunning's instruction. I have actively worked
2 on the Federal Class Action, which included the Defendants at the time, since mid-
3 June 2015, and have worked on this Action from its inception, including the drafting
4 of the original Complaint, filed on July 26, 2016. However, any billing showing my
5 hours and time spent which I submit in support of Class Counsel's Motion for
6 Attorney's Fees begins only with the researching and drafting of the Complaint in
7 this Action, beginning in June 2016. In other words, excluded from my submitted
8 billing is any time prior to Defendants' dismissal from the Federal Court Action. I
9 also excluded any time working on the mediation, where those hours were included
10 with the Federal Court motion for attorney's fees, and any duplicate time with co-
11 counsel.

12 7. I further have excluded from my billing any time spent on this Motion
13 for Attorney's Fees and any anticipated time working with the Settlement
14 Administrator or preparing and attending the hearing for the Motion for Final
15 Approval.

16 8. While the majority of my cases are handled purely on contingency,
17 since June 1, 2016, I do maintain, and charge when applicable, an hourly billing rate
18 of \$375. I believe that this rate is comparable to, if not below, other attorneys with
19 my level of experience and skill in the greater Los Angeles area and attorneys
20 involved in class action litigation in the California.

21 9. On or about January 27, 2016, Hon. Daniel S. Murphy of Los Angeles
22 County Superior Court awarded me my then reasonable hourly rate of \$350.00
23 following a successful special motion to strike (Anti-SLAPP) on seven causes of
24 action against three plaintiffs and subsequent motion for attorneys' fees. (*U Turn*
25 *Seven Corporation, et. al. v. Ben Marc Golub, et. al.* Los Angeles County Superior
26 Court Case No. BC576862; January 28, 2016. On or about June 1, 2016, my hourly
27 rate increased to \$375.00.

28 10. In the Federal Court Action, Hon. James V. Selna of the Central District

1 Court, in his Order Granting Plaintiffs' Motion for Class Action Settlement and
2 Motion for Attorney Fees, found that my reasonable hourly rate of \$375, since June
3 1, 2016, to be reasonable. (A copy of Judge Selna's Order Granting Plaintiff's
4 Motion for Class Action Settlement and Motion for Attorney Fees is attached as
5 Exhibit A to the Request for Judicial Notice, filed concurrently with Plaintiffs'
6 Motion and this Declaration). (RJN, ¶ 1, Exhibit A, pgs. 17-18).

7 11. My time records in this case, Exhibit 2 to the Belton Declaration, reflect
8 a billing rate of \$375 for the time period June 2016 to the February 2019, when this
9 Court granted Preliminary Approval. The total number of hours submitted is 46.9.
10 My total lodestar in this case is \$17,587.50.

11 12. Attorney Belton has attached a detailed breakdown of all expenses
12 incurred by Trujillo & Winnick in the litigation to his Declaration, and the amount
13 claimed in expenses by Class Counsel is a true and correct accounting.

14 13. Trujillo & Winnick took this case on a contingent basis. This case was a
15 risk for our law firm. I believe Class Counsel has obtained an excellent result in this
16 case, based on the payouts to the Class Members and the risks and costs involved in
17 pursuing the claims.

18
19 I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct. Executed on this 6th day of March,
21 2019 at Santa Monica, California.

22
23 DATED: March 6, 2019

TRUJILLO & WINNICK, LLP

24
25 By: 

Alexander H. Winnick

26 Attorneys for Plaintiffs Pamela Carter, et al.
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