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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SAN FRANCISCO
12 (UNLIMITED JURISDICTION)
13

14 COORDINATION
15 PROCEEDING SPECIAL TITLE
[RULE 3.550]

} Case No: Judicial Counsel Coordinated
Proceeding No. 4911

16 **SEPHORA WAGE AND HOUR**
17 **CASES**

} [CLASS ACTION PURSUANT TO CODE
OF CIVIL PROCEDURE §382]

18 Included actions:

} SUPPLEMENTAL DECLARATION OF
LACEY HERNANDEZ IN SUPPORT OF
MOTION FOR ATTORNEYS FEES AND
SERVICE AWARD

19 *Burnthorne-Martinez v. Sephora*
USA, Inc.
20 (San Francisco CGC 16-550894)

} Date: May 5, 2022
Time: 9:00 a.m.
Dept: 613

21 *Provencio v. Sephora USA, Inc.*
22 (Santa Clara 16CV294112)

23 *Hernandez v. Sephora USA, Inc.*
(San Francisco CGC-17-557031)

24 I, Lacey Hernandez declare as follows:

25 1. I am one of the Named Plaintiffs in the above-referenced matter. If called
26 upon as a witness, I could and would competently testify competently and fully to
27 the following facts based upon my personal knowledge or upon information and
28 belief.

1 2. I make this *supplemental* declaration in support of Plaintiff’s Motions for
2 Final Approval of Class Action Settlement and Fees, Costs and Service Awards
3 (the “Motions”).

4 3. The Court has asked me to supplement my earlier Declaration to answer
5 certain specific questions.

6 **Risks As a Named Plaintiff in the Action Against Sephora**

7 **Employment with Sephora**

8 4. I began this matter in May of 2016.

9 5. When I first initiated this lawsuit, I understood that I had several risks in
10 bringing this lawsuit. I am not someone with a large bank account. When I left
11 Sephora I had been a sales person with small annual income. Subsequently, I
12 became a teacher again with a small annual income.

13 6. Any costs assessed against me would be difficult to pay, so the risk to me
14 personally was very great.

15 7. Moreover, when I began the lawsuit my jobs had all been in retail all centered
16 around the Fresno area. I realized that given the small population in the area, I
17 probably would not be considered for other retail jobs when it became known that I
18 was suing a former employer.

19 8. As a result, I understood that I needed to begin a new career.

20 9. Finally, I recognized that I might lose friends – friends who still worked for
21 Sephora. Whether I like it or not, there is a stigma with suing an employer.

22 **Time and Effort Expended on the Litigation**

23 10. The Court also asked that I estimate the time and effort expended on this
24 lawsuit.

25 11. I have done my best to estimate my time by reconstructing my time by
26 reviewing the numerous emails and correspondence with my attorneys, plus
27 estimating my time for key events like my deposition, reviewing discovery, etc.

28 12. I reviewed my email account, and found that there were 94 different email
exchanges with my attorneys. I estimate that I spent at least 24 hours reviewing
and responding to these emails.

13. I was also involved with the following:

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- a. Research underlying facts such as paycard use and handbook versions;
- b. Three Sets of Interrogatories directed to me specifically;
 - i. I initially provided information for the responses,
 - ii. I then reviewed the actual responses, offered comments, and reviewed the final versions;
 - iii. I signed the verifications.
- c. Three Sets of Requests for Production directed to me;
 - i. I initially reviewed my files for any relevant documents;
 - ii. For each subsequent set of Requests, I would again review my files for any documents not previously provided;
 - iii. I sent documents to my counsel both at the beginning and as the case went on,;
 - iv. I then reviewed the responses, offered comments, and reviewed the final versions;
 - v. I signed the verifications.
- d. Four Sets of Interrogatories directed to Named Plaintiffs for each class and PAGA;
 - i. Again, I initially provided information for the responses,
 - ii. I then reviewed the actual responses, offered comments, and reviewed the final versions;
 - iii. I signed the verifications.
- e. Four Sets of Requests for Production directed to Named Plaintiffs for each class and PAGA;
 - i. I initially reviewed my files for any relevant documents;
 - ii. For each subsequent set of Requests, I would again review my files for any documents not previously provided;
 - iii. I then reviewed the responses, offered comments, and reviewed the final versions;
 - iv. I signed the verifications.
- f. My deposition;

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- i. As I declared above, I live in the Central Valley. I traveled from my home to Los Angeles for the deposition;
- ii. The deposition took the day, after which I traveled back home.
- iii. When the deposition transcript came in, I reviewed it over several days.

- g. Plaintiffs’ Motion for Class Certification
 - i. I assisted my counsel in preparing my declaration;
 - ii. Once it was completed, I reviewed it and executed the declaration.

- h. Plaintiffs Motion for Summary Adjudication –
 - i. I assisted my counsel in preparing my declaration;
 - ii. Once it was completed, I reviewed it and executed the declaration.

- i. The Mediation – I was involved before and during the entire mediation, which lasted all day.

- j. The Motion for Preliminary Approval –
 - i. Similar to the Motion for Summary Adjudication, I assisted my counsel in preparing my declaration;
 - ii. Once it was completed, I reviewed it and executed the declaration.

- k. The Motion for Final Approval --
 - i. I assisted my counsel in preparing my first declaration;
 - ii. Once it was completed, I reviewed it and executed the declaration;
 - iii. Subsequently, the Court asked for an estimate of my time in this litigation. For that, I went through all of my emails and all of the various work I had completed for this matter.
 - iv. I assisted my counsel in preparing this supplemental declaration;
 - v. Once it was completed, I reviewed it and executed the declaration.

1 14. I first contacted my attorney, John M. Norton in about May of 2016 and have
2 worked with him to the present day. In the past six years, I reasonably estimate I
3 have spent a total of about 105 to 108 hours on this matter.

4 15. Finally, my personal benefit or lack thereof – I understand that I will qualify
5 for payout as a class member, so that is a benefit

6 16. On the other hand, I have expended a lot of energy on this litigation, beyond
7 just the time I spent.

8 17. For instance, I cared for my grandfather, who took a lot of my time and
9 energy.

10 18. I understand that every new career takes focus, but teaching for me required
11 time and focus. Teaching children requires a tremendous amount of energy and
12 time.


13 19. I am also and have been deeply involved in my church. I teach Sunday
14 school, and act as a chaperone to the kids. I enjoy it, but again being involved with
15 children takes time, focus and a lot of energy.

16 20. At times, I have set these things aside, focused my attention on this lawsuit,
17 and oftentimes had to give up time that I would have preferred to spend on my
18 personal life.

19 21. The commitment to this matter was not something I did casually nearly six
20 years ago. I made this commitment because I believed that other Sephora
21 employees might not be able to do so.

22 22. I am proud of my decision, but it has cost me in the relationships that at
23 times took a back seat.

24 I declare under penalty of perjury under the laws of the United States, that the
25 above is true and correct to the best of my knowledge and was executed on May
26 3, 2022 at Kerman, California.


Lacey Hernandez, Declarant