

THE HONORABLE BRIAN MCDONALD  
Hearing Date: Friday, November 19, 2021  
Hearing Time: 9:00 am  
With Oral Argument

SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MIKE AALAND, individually and on behalf of  
those similarly situated,

Plaintiff,

vs.

CONTRACTORS.COM LLC, a California  
Limited Liability Company, and ONE PLANET  
OPS INC., a Delaware Corporation,

Defendant.

NO. 19-2-24212-4 SEA

**DECLARATION OF PETER  
STUTHEIT IN SUPPORT OF  
MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

I, Peter Stutheit, am over the age of 18 years old and declare as follows:

1. I am an attorney licensed to practice law in the state of Washington and a partner in the law firm of Stutheit Kalin LLC, attorneys of record for Named Plaintiff Michael Aaland and the settlement class he represents in the above-captioned matter. If called to testify as to the matters set forth herein, I could and would do so competently.

2. I graduated from the University of Redlands in 1998 and University of Pennsylvania Law School in 2001. Prior to opening Stutheit Kalin, I worked for Perkins Coie LLP and Yarmuth Wilsdon Calfo in Seattle, and McEwen Gisvold in Portland, where I represented people and businesses in employment, intellectual property, real estate, and legal malpractice cases.

3. My partner, Kyann Kalin, graduated from the Boalt Hall at the University of California - Berkeley in 2000. Prior to joining me as a partner in 2013, she worked at Perkins

1 Coie and Ongaro Burt P.C. (and successor firms) in California, devoting the bulk of her  
2 practice to employment defense, including defense of numerous class actions for publicly  
3 traded companies.

4 4. Since starting my own firm, my law partner and I have represented or currently  
5 represent both individual plaintiffs in employment cases and plaintiffs in numerous employment  
6 class actions in addition to this one. HKM Employment Attorneys LLP (“HKM”), co-counsel in  
7 this case, also has extensive experience representing plaintiffs in class actions. Over the last  
8 several years, my firm and HKM have jointly litigated the following class actions:

- 9 • *Bennett v. Providence Health & Services*, 21-2-13058-1 SEA (King County Superior Court 2021) (pending putative wage and hour class action);
- 10 • *Benelli and Dewitt v. PeaceHealth*, 6:21-cv-00825-AA (Dist. Or. Court of Oregon, Eugene Division) (pending putative wage and hour class action);
- 11 • *Bosch v. Peacehealth*, 20-2-00924-06 (Clark County Super Court 2020) (pending certified wage and hour class action);
- 12 • *Carson et al. v. AMD Kashi Inc. dba Cheers Bar & Grill*, Case No. 17-2-29644-9 SEA (King County Superior Court 2020) (class recovery on certified wage claims);
- 13 • *Giroux et al. v. Essex Property Trust, Inc.*, No 16-CV-01722-HSG (N.D. Cal. 2018) (class recovery in data breach case);
- 14 • *Gonzalez v. Providence*, No. 19-2-27751-3 SEA (King County Superior Court 2019) (pending putative wage and hour class action);
- 15 • *Koshman v. MultiCare Health System*, Case No. 20-2-15648-5 SEA (King County Superior Court) (pending putative wage and hour class action);
- 16 • *McGann v. Ladybug Espresso*, Case No. 19-2-31531-8 SEA (King County Superior Court) (settled class claim for unpaid wages);
- 17 • *McKiernan v. Act Fast Delivery of Washington*, Case No. 16- 2-03389-0-SEA (King County Superior Court) (class recovery in wage and hour case);
- 18 • *Monaco et al. v. D.A. Davidson Companies*, No. 5:16-cv-332 (C.D. Cal. 2016) (class recovery on claims under the Fair Credit Reporting Act);
- 19 • *Parsons v. Providence*, Case No. 19CV29335 (Multnomah County Oregon Superior Court) (preliminarily approved class settlement in excess of 9\$ million in total recovery in wage and hour case);
- 20 • *Passmore, et al. v. Duck Delivery*, Case No. 130812581 (Multnomah County Circuit Court) (settled class claim for overtime wages due to misclassification);
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- 1 • *Reese v. NPSG Global LLC*, No. 2:19-CV-00209-JCM-NJK (D. Nev. 2019)  
(pending conditionally certified FLSA collective action);
- 2 • *Sanchez et al. v. Retail Merchandising Services, Inc.*, No. 37-2017-12029 (San Diego  
3 Superior Court 2018) (class recovery on state wage claims);
- 4 • *Smith et al. v. G.C. Micro Corp.*, No SCV-255394 (Sonoma County Superior Court  
5 2016) (class recovery on wage and hour claims);
- 6 • *Steeb v. Overlake Hospital Medical Center*, Case No. 15-2-16399-0 SEA (King  
7 County Circuit Court) (certified wage and hour class action);
- 8 • *Stevenson et al. v. Pactera Technologies, Inc.*, No. 16-2-3148-0 (King County  
9 Superior Court 2017) (class recovery on claims for misclassification of independent  
10 contractors);
- 11 • *Wright v. Lyft*, Case No. 2:14-CV- 00421 (W.D. Wash.) (class recovery on  
12 claim for violations of Washington and Federal law for sending unwanted text  
13 messages);
- 14 • *Yi v. The Kroger Co.*, Case No. 14-2-19935-0 SEA (King County Superior  
15 Court) (class recovery of over \$4 million for approximately 14,000 in certified  
16 wage class action); and
- 17 • *Zindel v. El Gaucho Seattle, LLC et al.*, Case No. 20-2-13850-9 SEA (King  
18 County Superior Court) (pending putative wage and hour class action).

19 5. My co-counsel and I undertook significant risk in agreeing to litigate this case.

20 We filed this case in September 2019. We took the case on a contingency fee basis and agreed to  
21 front all litigation costs. The claims in this case presented significant legal and factual  
22 challenges. Based on our extensive experience litigating class action cases, we concluded that  
23 this settlement is in the best interest of Class Members.

24 I declare under penalty of perjury under the laws of the state of Washington that the  
25 foregoing is true and correct.

26 DATED this 5th day of November, 2021 at Portland, Oregon.

27 /s/ Peter Stutheit  
Peter Stutheit  
**STUTHEIT KALIN LLC**

1 **CERTIFICATE OF SERVICE**

2 I, Klarisse Leonor, certify under penalty of perjury under the laws of the State of  
3 Washington that I have caused service of a true and correct copy of the foregoing document, to  
4 be effected on the following named counsel in the manner identified below:

5  
6 Paul Karlsgodt, WSBA No. 40311  
James R. Morrison, WSBA No. 43043  
7 **Baker & Hostetler LLP** [ ] Via Email  
999 Third Avenue, Suite 3600 [ ] Via Messenger  
Seattle, WA 98104  
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11 rmann@bakerlaw.com  
jhickman@bakerlaw.com

12 *Attorneys for Defendant Contractors.com LLC*

13  
14 DATED this 5th day of November, 2021, at Seattle, Washington.

15 /s/ Klarisse Leonor  
16 Klarisse Leonor, Paralegal  
17 **HKM EMPLOYMENT ATTORNEYS LLP**