

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CHERRY LYN MICLAT and BENZOR  
SHEM VIDAL, individually and on behalf  
of all others similarly situated,

*Plaintiffs,*

v.

ADVANCED CARE STAFFING, LLC, and  
PRIORITY CARE STAFFING, LLC,

*Defendants.*

Civ. Action No.: 23-cv-5296

**DECLARATION OF  
HUGH BARAN  
IN SUPPORT OF PLAINTIFFS’  
MOTION FOR ATTORNEYS’ FEES,  
COSTS, SERVICE PAYMENTS, &  
SETTLEMENT ADMINISTRATION  
EXPENSES**

I, Hugh Baran, declare the following:

1. I am an attorney admitted in this District, a partner at Katz Banks Kumin LLP and one of Plaintiffs’ counsel in this matter.
2. I submit this declaration in support of the Plaintiffs’ motion for attorneys’ fees, costs, service payments, and settlement administration expenses.

**Background on Katz Banks Kumin LLP**

3. Katz Banks Kumin (“KBK”) is a nationally prominent whistleblower and employment discrimination firm headquartered in Washington, D.C., with offices in Philadelphia, New York, and San Francisco. Best Lawyers ranked KBK as the “Top-Listed Firm in the United States in Civil Rights Law” for 2026 with more attorneys ranked for their work in Civil Rights Law than any other U.S. firm.

4. Nearly all of the firm’s work is done on a contingency basis, with the firm advancing extensive litigation costs in class and collective matters. Our class and collective plaintiffs do not pay us out-of-pocket and, rather, any amounts received come from settlements or

verdicts.

**My Qualifications and Work on this Matter**

5. I have been the primary counsel from my firm on this case and was appointed as Class Counsel, along with my co-counsel, in the Court's Preliminary Approval Order .

6. I was admitted to practice in New York State in April 2018.

7. I am also admitted to the bar in New York, New Jersey, Connecticut, and the District of Columbia.

8. I am also admitted in the United States District Courts for the Southern, Northern, and Eastern Districts of New York, as well as in the United States Court of Appeals for the First and Second Circuits.

9. I am also currently a Board Member of the National Employment Lawyers Association/New York, a role I have served in since 2024.

10. I am a 2017 graduate of New York University School of Law, where I was a Root-Tilden-Kern Public Interest Scholar, and a 2009 graduate of Yale University.

11. From 2017 to 2018, I served as a law clerk to the Hon. Robert M. Levy, United States Magistrate Judge, in this District.

12. From 2018 to 2019 I served as a law clerk to the Hon. Victor A. Bolden, United States District Judge, in the United States District Court for the District of Connecticut.

13. I began working at the National Employment Law Project (NELP) as a Skadden Fellow and Staff Attorney in September 2019, and became a Senior Staff Attorney in January 2021.

14. While at NELP, I represented individual workers in wage theft and harassment cases, successfully settling several of their claims, in addition to working on many policy matters.

15. I started in private practice at Kakalec Law PLLC where I worked from September

2021 through July 2024 and represented workers in collective, class, and individual actions concerning wage theft, trafficking, discrimination, and other employment violations.

16. I was an attorney at Kakalec Law at the inception of the *Vidal* and *Miclat* actions.

17. While at Kakalec Law, I worked on the drafting and filing of the complaints in both actions, as well as the preliminary injunction motion in *Vidal*. I appeared before Your Honor to argue the preliminary injunction motion alongside my co-counsel from Towards Justice.

18. Also while at Kakalec Law, I drafted and filed Plaintiff's brief and supporting papers defending the Court's preliminary injunction, and argued for Plaintiff Vidal in defending this Court's preliminary injunction order before the Second Circuit. *See* <https://www.courtlistener.com/audio/90851/vidal-v-advanced-care-staffing-llc/> (audio recording).

19. I joined Katz Banks Kumin LLP as Counsel in August 2024 and was promoted to Partner in January 2025.

20. While at KBK, I have been the sole attorney at my firm working on this matter. I participated heavily in both mediations and the extensive settlement negotiations that followed, including the drafting and revision of the settlement agreement, the preliminary approval motion, and the instant motion. I am also working on Plaintiffs' briefing for our motion for final approval, and will be appearing on behalf of Plaintiffs at the final approval hearing scheduled for March 4, 2026.

21. With respect to other class and collective matters, I am currently lead or co-lead counsel in multiple other putative class and/or collective actions involving allegations of wage theft and/or violations of the Trafficking Victims Protection Act (TVPA), including: *Villarín v. Health Care Facility Management, LLC, D/B/A Communicare Family Of Companies*, Case No. 1:23-cv-00097-MRB (pending in the U.S. District Court for the Southern District of Ohio,

settlement approval motion is forthcoming); *Calderon et al. v. Public Partnerships, LLC*, Case No. Case No. 25-cv-2320 (FB)(LKE) (pending in this District), *Zambrano et al. v. Strategic Delivery Sols., LLC et al.*, No. 15-cv-8410 (ER) (pending in the U.S. District Court for the Southern District of New York), and *Kratzert et al. v. Target Corporation*, No. 25-cv-1171-AMN-DJS (pending in the U.S. District Court for the Northern District of New York).

### **KBK's Fees and Costs**

22. Our firm advanced \$1,943.75 in costs in this matter, representing a one-quarter share of mediation fees paid to JAMS for the first mediation.

23. After discounting for time that is potentially duplicative, I have spent a total of 71.7 hours on this matter, for a total lodestar of \$43,020.00.

24. I used a \$600 hourly rate in calculating my lodestar for my work in this case, which is warranted in light of my varied experiences as a law clerk, public interest attorney, and now in private practice, as it reflects the rate prevailing for similar services of lawyers of reasonably comparable skill, experience, and reputation. *See generally Rubin v. HSBC Bank USA, NA*, 763 F. Supp. 3d 233, 239–44 (E.D.N.Y. 2025) (awarding hourly rates of up to \$650 for partners based on inflation).

25. My rate is also warranted in light of the inherent risks associated with TVPA cases, which represent an emerging area of litigation for which there is no established legal market. *See Moore v. Rubin*, 766 F. Supp. 3d. 423, 427–432 (E.D.N.Y. 2025) (Cogan, J.) (approving hourly rates of \$1,000 for partners, \$800 for of counsel, \$500 for senior attorneys, and \$400 for mid-level attorneys, based on an enhancement in light of risks inherent in litigation under the TVPA given the number of “untested legal and factual issues under the TVPA” and the “absence of a market for TVPA cases”).

26. My rate here also reflects a discount from the \$750-800 hourly rates I currently charge and am paid in other comparable employment matters by non-contingency clients.

27. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: February 3, 2026  
New York, NY



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