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ORIGINAL FILED**
Superior Court of California
County of Los Angeles

APR 19 2018

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FAX

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE

15 HOWARD JARVIS TAXPAYERS ASSN.;
16 LINNEA WARREN; THOMAS WOLFE;
17 EDWARD HENRY; AND ALL OTHERS
SIMILARLY STITUTED,

CASE NO. BC550394
Unlimited Jurisdiction

(Case assigned to Hon. Elihu M. Berle)

18 Plaintiffs,

CLASS ACTION

19 v.

**DECLARATION OF JON R. DI CRISTINA
IN SUPPORT OF JOINT SUPPLEMENTAL
BRIEF IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL**

20 CITY OF PASADENA,

21 Defendant.

Complaint Filed: July 21, 2014

Hearing Date: May 3, 2018

Time: 2:00 p.m.

Department: *JS* 6

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DECLARATION OF JON R. di CRISTINA

I, JON R. di CRISTINA, declare as follows:

1. I am an attorney licensed to practice law in the State of California and before this Court. I am an attorney with the law firm Colantuono, Highsmith & Whatley, PC, attorneys of record for the City of Pasadena ("City") in the above-entitled action. I submit this declaration in support of the Joint Supplemental Brief in support of Preliminary Approval of Settlement in the above-captioned case. Unless otherwise indicated, I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. In the regular course of representing the City in this action, I have been in contact with officers and employees of Kurtzman Carson Consultants LLC ("KCC") to inquire about its ability to provide class action administration services. Attached hereto as Exhibit A is a true and correct copy of a proposal and cost estimate ("Proposal") for KCC to serve as the claims administrator for this case. Ryanne Cozzi, Director of Operations for KCC, emailed this Proposal to me on April 19, 2018.

3. KCC proposes to (1) manage class members' information and (2) mail, publish, and process legal notifications ("Class Action Services"). Based on the anticipated Scope of Services, the Proposal estimates the cost of the Class Action Services to be \$19,958, including approximately \$3,096 in postage.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 19, 2018 at Grass Valley, California.



JON R. DI CRISTINA

Colantuono, Highsmith & Whatley, PC
790 E. COLORADO BOULEVARD, SUITE 850
PASADENA, CA 91101-2109

EXHIBIT A

April 19, 2018

Holly O. Whatley, Esq.
Colantuono, Highsmith & Whatley, PC
790 E. Colorado Blvd., Suite 850
Pasadena, CA 91101-2109

Re: *Warren v. City of Pasadena II*
Class Action Settlement Administration Services Estimate

Dear Holly,

We appreciate the opportunity to submit this proposal and cost estimate for class action administration services pertaining to the *Warren v. City of Pasadena* matter.

For the purposes of this proposal, we applied the following assumptions with respect to KCC's duties:

- KCC will print and mail a 2-page Notice and 1/3 sheet Opt-Out Card to approximately 6,500 class members;
- Conduct address searches for any mail returned as undeliverable and remail to any new found address;
- Supplement the noticing efforts with a 1/8 page black/white insertion to run for three consecutive weeks in the *Pasadena Star News*;
- Provide a case specific website with relevant case documents, important dates and deadlines and frequently asked questions; and
- Process any Opt-Out requests received and provide the parties with the requisite reporting.

With experience administering more than 6,000 settlements, KCC provides high-quality and cost-effective class action administration services including pre-settlement consulting, settlement funds escrow, class member data management, legal notification, call center support, claims administration as well as disbursement and tax reporting services. We are a knowledgeable partner who proactively works with you throughout the settlement administration process and are well-positioned to handle your matter immediately.

Our domestic infrastructure, the largest in the industry, includes a 1,200-seat call center and document production capabilities that handle hundreds of millions of documents annually. Last year, our disbursement services team distributed \$500 billion to payees in the form of 29 million checks and 11 million electronic transfers.

Please contact me with any questions regarding the enclosed case assumptions and cost estimate. We will hold this proposal and estimate open for ninety days from the date of this letter. Thank you for your time and consideration.

Sincerely,



Patrick J. Ivie
Senior EVP, Class Action Services
KCC LLC
Tel: (310) 776.7385
Cell: (310) 795.9742
Email: pivie@kccllc.com



COST SUMMARY & SCOPE OF SERVICES

The estimated total cost of the settlement administration as described, including approximately \$3,096 in postage, is \$19,958. The final cost of the administration depends primarily on, among other variables, the total number of opt-outs processed.

CLASS MEMBER DATA MANAGEMENT

Data and Forms Management

We will process class member data and pre-assign a unique sequential control number to each class member that will be used throughout the administration process. Prior to mailing, the addresses will be updated using the National Change of Address System ("NCOA") to increase mail deliverability and accuracy. Our estimate assumes that the class member data will be delivered in one electronic file in a complete and accurate form.

We will format all relevant documents and will send all document proofs to you for approval prior to printing.

We will store all paper and electronic documentation received throughout the duration of the case. Upon the conclusion of the case, and absent any court orders or client requests pertaining to retention specifications, we will return or dispose of the physical materials within ninety (90) days. Any returned undeliverable mail will be disposed of within 2 days of receipt, absent any court orders or client requests pertaining to retention specifications. The storage of returned undeliverable mail will be billed as incurred.

LEGAL NOTIFICATION

Print and Mail Notice Packet

The notice packet will be comprised of a 2-page Notice and 1/3 sheet Opt-Out card and inserted into a non-window envelope.

The notice packet will be mailed to class members via First Class U.S. mail. All notice packets returned by the postal service with a forwarding address will be re-mailed to the new address and the class member list will be updated accordingly.

Address Searches and Re-mails

We will track all returned undeliverable mail and conduct address searches using credit bureau information for all returned mail that does not have a forwarding address. We will re-mail to the class members for whom we locate updated address information.

Notice Publication

KCC's Legal Notification Services will produce and place the summary notice as a 1/8 page black/white ad in the *Pasadena Sun Times* for three consecutive weeks.

Website Set-up and Maintenance

We will establish and maintain a case-specific website incorporating important court documents, dates, FAQs, forms and other pertinent case information.

Opt Out Processing & Declaration of Notice Procedures

We will process any Requests for Exclusion, and provide copies to counsel and the Court. We will prepare a Declaration of Notice Procedures to report our compliance with all class notification requirements.



**Administration Services Estimate
Warren v. City of Pasadena II**

April 19, 2018

Patrick Ivie; pivie@kccllc.com; 310.776.7385

Key Assumptions Used in Estimate Preparation

Size of Class:	6,500 class members
Case Duration:	6 months
# of Electronic, Finalized Data Files Provided (Excel, Access, etc.):	1 file(s)
CAFA Notice Required?	No
Claims Processing:	No
Address Searches:	Yes
% of returned notices to be forwarded:	1%
% of returned undeliverable notices:	5%
% of successful address searches:	60%
Media Campaign Required:	Yes
Translations Required:	No
# of Email Campaigns:	N/A
Reminder Mailing:	No
Duration of Claims Filing Period:	N/A
Type of Telephone Support:	None
Type of Website Support:	Static
Online Claims Filing:	No
Duration of Website Support:	6 months

SUMMARY OF COSTS	
Notice Procedures	\$16,862
Plus Estimated Postage*	\$3,096
Total Estimated Cost**	\$19,958

NOTICE PROCEDURES	RESPONSE RATE	QUANTITY	RATE PER UNIT	ESTIMATED COST	TOTAL
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Data and Forms Set-up

- Intake and Process Data, Set up Case Management System
- Format Document(s)

Print/Mail Notice Packet

- NCOA Updates 6,500 units
- 2-page Notice, 1/3 sheet Opt-Out Card, #10 Non-Window Envelope 6,500 units
- Print Production Management
- Forwarding of Returned Mail with USPS Forwarding Addresses 1% 65 units
- Data Entry for Re-mails to New Addresses 65 units
- Returned Undeliverable Mail 5% 325 units
- Handling of Returned Undeliverable Mail

Address Searches/Re-mails

- Number of Address Searches Performed 325 units
- Number of New Addresses Found 60% 195 units
- Re-mails to Found Addresses 195 units
- Staff Time for Address Searches/Re-mails

Media Campaign

- Published Notice
- *Pasadena Star News*; 1/8 page black/white ad (4.89" x 5"); Main News section; valid Mon-Sat; consecutive weeks 3 insertion(s)

Website Set-up & Maintenance

- Design & Set up Static Website
- Domain Registration (5 yrs/Privacy Registration)
- Server Space rental 6 mos

Case Management, Opt Out Processing, and Declaration of Notice Procedures

SUB-TOTAL OF NOTICE PROCEDURES

\$16,862

SUB-TOTAL ADMINISTRATION COSTS

\$16,862

Plus Estimated Postage*

\$3,096

TOTAL ESTIMATED COST**

\$19,958



Administration Services Estimate

Warren v. City of Pasadena II

April 19, 2018

Patrick Ivie; pivie@kccllc.com; 310.776.7385

OTHER SERVICES AND OUT-OF-POCKET EXPENSES **RATE PER UNIT**

Other Services and Ad Hoc Reporting, as needed or requested

(standard hourly rates)

Other Charges and Out-of-Pocket Costs***

(actual)

- * Estimated Postage and Handling.
- ** Does not include applicable taxes or escheatment services.
- *** Includes, but is not limited to long distance calls, overnight shipping, photocopies, storage, PO Box rentals, broker fees, etc.

This Class Action Administration Services Estimate and the attached Cost Summary & Scope of Services (together, the "Proposal") are valid for ninety days from 4/19/2018. After such period, KCC reserves the right to amend the Proposal (including, without limitation, by increasing fees and costs) or to withdraw the Proposal in its sole discretion.

All services to be provided to the undersigned (the "Client") and all fees and costs set forth in the Proposal are subject to the terms, specifications, assumptions and conditions set forth in the Proposal and the attached Terms and Conditions (the "Terms of Service"). The estimated fees and charges in the Proposal are based on certain information provided to KCC as well as significant assumptions. Accordingly, this estimate is not intended to limit KCC's actual fees and charges, which may be less or more than estimated due to the scope of actual services or changes to the underlying facts or assumptions.

KCC Class Actions Services, LLC

BY: _____ DATE: _____

TITLE:

Colantuono, Highsmith & Whatley, PC

BY: _____ DATE: _____

TITLE:

PROOF OF SERVICE
Howard Jarvis Taxpayers Assn., et al. v. City of Pasadena
Case No. BC550394

I, Angelo McCabe, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 790 E. Colorado Boulevard., Suite 850, Pasadena, California 91109.

Pursuant to the Court's Order Authorizing Electronic Service of Documents dated **February 15, 2018**, I instituted service of the attached document described as follows:

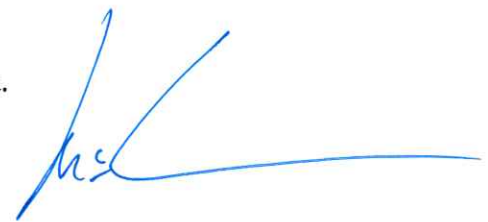
DECLARATION OF JON R. DI CRISTINA IN SUPPORT OF JOINT SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL

on the interested parties in this action (**See Attached Service List**) as follows:

BY ELECTRONIC MAIL: I electronically transmitted a copy of the within document in a PDF or word processing format to those persons noted on the attached list at their respective electronic mailbox addresses **using CaseHomePage** in accordance with the Cal. Rules of Court rule 2.251(g) on the date set forth above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **April 19, 2018**, at Pasadena, California.



ANGELO MCCABE

Colantuono, Highsmith & Whatley, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

SERVICE LIST

Howard Jarvis Taxpayers Association, et al. v. City of Pasadena
Los Angeles County Superior Court Case No. BC550394 - Hon. Elihu M. Berle, Dept. 323

<p>Jonathan M. Coupal, Esq. Trevor A. Grimm, Esq. Timothy A. Bittle, Esq. Laura E. Murray, Esq. HOWARD JARVIS TAXPAYERS FOUNDATION 921 Eleventh Street, Suite 1201 Sacramento, CA 95814 Tel: (916) 444-9950 Tgrimm.kg@gmail.com tim@hjta.org ryan@hjta.org</p>	<p><i>Attorneys for Plaintiffs, Howard Jarvis Taxpayers Association; Linnea Warren; Thomas Wolfe; Edward Henry; and all others similarly situated</i></p>
<p>Michele Beal Bagneris, Esq. CITY OF PASADENA 100 North Garfield Avenue, Suite N210 Pasadena, CA 91109 mbagneris@ci.pasadena.ca.us Tel: (626) 744-4141 Fax: (626) 744-4190</p>	<p><i>Counsel for Defendant, City of Pasadena</i></p>

Colantuono, Highsmith & Whatley, PC
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