

1 David W. Tyra, SBN 116218
Alec D. Tyra, SBN 339922
2 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
1331 Garden Highway, 2nd Floor
3 Sacramento, CA 95833
4 Telephone: 916-321-4500
Facsimile: 916-321-4555
5 Email: dtyra@kmtg.com
Email: atyra@kmtg.com

6
7 Attorneys for Defendants, LAKEVIEW CENTER
and RHONDA HOWE

8 Ronald W. Makarem, SBN 18442
9 Daniel J. Bass, SBN 287466
MAKAREM & ASSOCIATES, APLC
10 11601 Wilshire Boulevard, Suite 2440
Los Angeles, California 90025-1760
11 Telephone: 310-312-0299
12 Facsimile: 310-312-0296
Email: makarem@law-rm.com
13 Email: bass@law-rm.com

14 Attorneys for Plaintiff, VERONICA
15 SANCHEZ, individually and on behalf of
all others similarly situated

16
17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **YUBA COUNTY**

19 VERONICA SANCHEZ, individually, and on
20 behalf of all others similarly situated,

21 Plaintiff,

22 vs.

23 LAKEVIEW CENTER, a California
Corporation, RHONDA HOWE, an individual;
24 and DOES 1-20, inclusive;

25 Defendants.

Case No.: CVCV20-00425

**DECLARATION OF TIM CUNNINGHAM
(ON BEHALF OF CPT GROUP, INC.)
WITH RESPECT TO NOTIFICATION AND
SETTLEMENT ADMINISTRATION**

Date: October 7, 2024
Time: 10:00 a.m.
Dept.: 4
Judge: Hon. Stephen W. Berrier

Complaint Filed: May 20, 2020

DECLARATION OF TIM CUNNINGHAM

1
2 1. I am an Associate Director for CPT Group, Inc., the Court-approved class action
3 settlement administrator for *Sanchez v. Lakeview Center, et al.* I have personal knowledge of the
4 facts set forth in this Declaration and, if called as a witness, could and would testify competently
5 thereto.

6 2. Settlement Administrator (“CPT”) has extensive experience providing notice of
7 class actions and administering class action settlements. In the past 30 years, CPT has provided
8 notification and/or settlement administration services in over one thousand class action cases. CPT
9 was selected by the parties to provide notice of the settlement and process exclusions in this
10 action. In this capacity, CPT was charged with (a) printing and mailing to Class Members the
11 *Notice of Proposed Class Action Settlement, and Hearing Date for Final Court Approval of*
12 *Settlement and Request for Exclusion Form*, and hereinafter referred to as the “Notice Packet”;
13 (b) processing undeliverable mail and locating updated addresses for Class Members; (c) receiving
14 other communications about the settlement; (d) notifying the parties of the number of Class
15 Members that filed timely requests for exclusion; (e) notifying the parties of the number of Class
16 Members who filed untimely or deficient requests for exclusion, and taking steps to cure the
17 deficiencies; (f) establishing and maintaining a toll-free case hotline where Class Members can
18 speak to case representatives regarding case specific questions; (g) establishing and maintaining a
19 static website where Class Members may access relevant documentation
20 (www.cptgroupcaseinfo.com/LakeviewCenterSettlement); and (h) issuing and mailing settlement
21 checks, including the Class Representative Incentive Award, to all Class Participants with the
22 appropriate tax reporting.

23 3. CPT received the Court-approved text for the content of the Notice Packet from
24 Class Counsel on June 14, 2024. CPT prepared a draft of the documents for mailing to the Class
25 Members. Attached hereto as Exhibit A is a true and correct copy of the Notice Packet.

26 4. On June 20, 2024, CPT received a data file from Defense Counsel containing Class
27 Members’ names, last-known mailing addresses, social security numbers, and qualifying
28 workweeks. The finalized mailing list contained one hundred forty-four (144) Class Members.

1 5. On June 21, 2024, CPT caused a National Change of Address (NCOA) database
2 search to be performed in attempt to update the mailing list of addresses as accurately as possible.
3 A search of this database provides updated addresses for any individual who has moved in the
4 previous four years and has notified the U.S. Postal Service of his or her change of address.

5 6. The Notice Packet was enclosed in an envelope with the individual Class
6 Member's name and known address printed on the envelope. On June 25, 2024, the Notice Packet
7 was mailed via U.S. First-Class Mail to all Class Members.

8 7. As of the date of this declaration, thirty-eight (38) Notice Packets were returned to
9 our office by the U.S. Post Office, none of which were provided a new address by the Post Office.
10 For these Notice Packets, CPT performed a skip trace to locate a better address using Accurant,
11 one of the most comprehensive address databases available. It utilizes hundreds of different
12 databases supplied by credit reporting agencies, public records and a variety of other national
13 databases.

14 8. As a result of skip trace effort, or re-mail requests from Counsel or the Class
15 Members themselves, a total of thirty-five (35) Notice Packets have been re-mailed to date. In
16 addition, one (1) Notice Packet was also forwarded by CPT. As of the date of this declaration,
17 CPT reports a total of five (5) undeliverable Notice Packets.

18 9. As of the date of this declaration, CPT has received one (1) response, of which one
19 (1) was a request for exclusion.

20 10. As of the date of this declaration, CPT has received zero (0) disputes regarding
21 workweeks and zero (0) objections to the Settlement.

22 11. As of the date of this declaration, CPT reports a total of one hundred forty-three
23 (143) Class Participants, representing 99.31% of the Class.

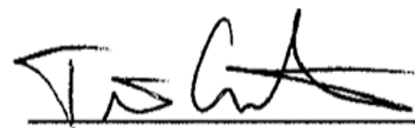
24 12. The Gross Settlement Amount is \$250,000.00 and will have the following
25 anticipated deductions: attorneys' fees of \$82,500.00, litigation costs of \$15,000.00, Class
26 Representative Incentive Award of \$10,000.00, PAGA civil penalties of \$7,500.00 of which
27 \$5,625.00 will be paid to the Labor Workforce and Development Agency, and CPT's settlement
28 administration expenses of \$8,500.00.

1 13. Pursuant to the terms of the Settlement, Class Participants will receive a
2 proportionate share of the Net Settlement Amount, currently estimated to be \$126,500.00, based
3 upon the number of weeks worked from May 20, 2015 through October 2, 2022 ("Class Period")
4 in relation to the number of weeks worked by all Class Participants during the relevant period. The
5 total number of weeks worked for all Class Participants is 2,249. Based on estimated settlement
6 calculations at this time, the highest settlement amount is estimated to be \$6,862.16 and the
7 average settlement amount is estimated to be \$884.62.

8 14. Pursuant to the terms of the Settlement, PAGA Group Members will receive a
9 proportionate share of the PAGA Net Settlement Amount, currently estimated to be \$1,875.00,
10 based upon the number of PAGA weeks worked from February 15, 2020 through October 2, 2022
11 ("PAGA Period") in relation to the number of PAGA weeks worked by all PAGA Group
12 Members during the relevant period. There are a total of 48 PAGA Group Members that worked a
13 total of 507 PAGA weeks. Based on estimated settlement calculations at this time, the highest
14 PAGA amount is estimated to be \$136.83 and the average PAGA amount is estimated to be
15 \$39.06.

16 15. CPT will charge a total of \$8,500.00 in costs associated with the administration of
17 the settlement. This includes all costs incurred to date, as well as estimated costs involved in
18 completing the settlement.

19
20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct and that this declaration is executed on this 22nd day of August,
22 2024, at Irvine, California.

23
24
25
26
27
28

TIM CUNNINGHAM