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10 **SUPERIOR COURT OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES—SPRING STREET COURTHOUSE**

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13 OSTON JEMBA MADENGUE, HECTOR
REYES, individually, and on behalf of other
14 members of the general public similarly situated
and on behalf of the other aggrieved employees
15 pursuant to the California Private Attorneys
General Act;

16 Plaintiffs,

17 vs.

18 GOORIN BROS., INC., a California
corporation; and DOES 1 through 100,
19 inclusive,

20 Defendants.
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Case No. 19STCV23129

Honorable Maren E. Nelson
Department SSC17

CLASS ACTION

**DECLARATION OF LINDSAY KLINE
REGARDING NOTICE AND
SETTLEMENT ADMINISTRATION**

DECLARATION OF LINDSAY KLINE

I, LINDSAY KLINE, hereby declare:

1. I am employed as a Project Manager by Simpluris, Inc. ("Simpluris"), the claims administrator in the above-entitled action. Our Corporate Office address is 3194-C Airport Loop Dr., Costa Mesa, CA 92626. My telephone number is (714) 640-5635. I am over twenty-one years of age and authorized to make this declaration on behalf of Simpluris and myself.

2. Simpluris is a Class Action Settlement Administration company located in Costa Mesa, California. It was founded by individuals who have each managed hundreds of settlements, along with professionals in the areas of Software Development, Third-Party Claims Administration, Mail-House Operations, and Call Center Support Management.

3. Simpluris was approved by the Court for Oston Jemba Madengue and Hector Reyes, ("Plaintiffs"), and Goorin Bros., Inc., ("Defendant"), (collectively the "Parties"), to provide settlement administration services in the *Madengue et al. v. Goorin Bros., Inc.* case ("Settlement"). In this capacity, Simpluris was charged with (a) establishing and maintaining a related settlement fund account; (b) establishing and maintaining a calendar of administrative deadlines and responsibilities; (c) processing and mailing payments to the Plaintiffs, Class Counsel and Class Members; (d) printing and mailing the Notice of Class Action Settlement to Class Members; (e) receiving and validating Requests for Exclusion, Objections or Workweeks Disputes submitted by Class Members; (f) calculating Employer Payroll Taxes and providing appropriate forms and calculations to Defendant; (g) mailing settlement checks, (h) providing counsel with weekly reports; and (i) other tasks as the Parties mutually agree or the Court orders Simpluris to perform.

TOLL FREE TELEPHONE HELPLINE

4. A toll-free telephone number was included in the Notice of Class Action Settlement for the purpose of allowing the Class Members to call Simpluris and to make inquiries regarding the Settlement. The system is accessible 24 hours a day, 7 days a week, and will remain in operation throughout the settlement process. Callers have the option to speak with a live call center representative during normal business hours or to leave a message and receive a return call during non-

1 business hours. Spanish-speaking representatives are available during normal business hours. The toll-
2 free telephone number included in the Notice of Class Action Settlement was (888) 369-3780 and was
3 live on March 1, 2022.

4 **NOTIFICATION TO THE CLASS**

5 5. On February 2, 2022, Simpluris received the Court-approved Notice of Class Action
6 Settlement (hereafter “Class Notice”). The Class Notice advised Class Members of their right to request
7 exclusion from the Class Settlement, object to the Class Settlement, dispute workweeks, do nothing,
8 and the implications of each such action. The Class Notice advised Class Members of applicable
9 deadlines and other events, including the Final Approval Hearing, and how Class Members could
10 obtain additional information.

11 6. On February 10, 2022, Defendant’s counsel provided Simpluris with a mailing list
12 (“Class List”) containing Class Members’ names, most recent mailing addresses, Social Security
13 numbers and dates of employment for each Class Member during the Class Period. The Class List
14 contained data for two hundred and seventy-four (274) Class Members.

15 7. The mailing addresses contained in the Class List were processed and updated utilizing
16 the National Change of Address Database (“NCOA”) maintained by the U.S. Postal Service. The
17 NCOA contains requested changes of address filed with the U.S. Postal Service. In the event that any
18 individual had filed a U.S. Postal Service change of address request, the address listed with the NCOA
19 would be utilized in connection with the mailing of the Class Notice. Simpluris was able to locate fifty
20 (50) updated addresses using NCOA prior to the mailing of the Class Notice.

21 8. On March 1, 2022, Class Notice was mailed to two hundred and seventy-four (274)
22 Class Members with addresses contained in the Class List via First Class mail or updated via the
23 NCOA search. A copy of the Class Notice is attached hereto as **Exhibit A**.

24 9. A total of fifty-five (55) Class Notices were returned to Simpluris. Of these, zero (0)
25 were returned with a forwarding address. If a Class Member’s Class Notice was returned by the USPS
26 as undeliverable and without a forwarding address, Simpluris performed an advanced address search
27 (i.e., skip trace) on all of these addresses by using Accurint, a reputable research tool owned by Lexis-
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1 Nexis. Simpluris used the Class Member's name and previous address to locate a current address.
2 Through the advanced address searches, Simpluris was able to locate forty-nine (49) updated addresses
3 and Simpluris promptly mailed a Class Notice to those updated addresses. Ultimately, there are six (6)
4 Class Notices that remain undeliverable.

5 **REQUESTS FOR EXCLUSION, OBJECTIONS AND DISPUTES**

6 10. The deadline for Class Members to submit a Request for Exclusion from the Class
7 Settlement, Object to the Class Settlement, or Workweek Dispute was May 2, 2022.

8 11. As of this date, Simpluris has not received any Requests for Exclusion from Class
9 Members.

10 12. As of this date, Simpluris has not received any Objections to the Settlement from Class
11 Members.

12 13. As of this date, Simpluris has not received any Workweek Disputes from Class
13 Members.

14 **CLASS MEMBER AWARDS**

15 14. As of this date, there are two hundred and seventy-four (274) Class Members who will
16 be paid their portion of the Net Settlement Amount.

17 15. The Net Settlement Amount of \$279,289.25 available to pay Class Members was
18 determined by subtracting the attorneys' fees (\$196,512.75), reimbursement of litigation costs and
19 expenses (\$25,000.00), Enhancement Payments (collectively, \$14,000.00), PAGA Amount
20 (\$40,000.00), and the Settlement Administration Costs (\$6,663.00) from the Gross Settlement Amount
21 (\$561,465.00).
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23 16. The ***average Individual Settlement Share*** is currently estimated to be at least \$1,019.30,
24 and the ***highest Individual Settlement Share*** is currently estimated to be at least \$5,952.20.

25 17. The ***average Individual PAGA Payment*** is currently estimated to be at least \$90.91, and
26 the ***highest Individual PAGA Payment*** is currently estimated to be at least \$313.08.
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 21st day of June 2022, in Costa Mesa, CA.

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DECLARATION OF LINDSAY KLINE REGARDING NOTICE AND SETTLEMENT ADMINISTRATION