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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF ALAMEDA**

13 TAMIKA THOMAS, an individual, on
14 behalf of herself, and on behalf of all
15 persons similarly situated,

16 Plaintiff,

17 vs.

18 CENTER FOR ELDER'S
19 INDEPENDENCE, a California
20 corporation; and DOES 1 through 50,
21 inclusive,

22 Defendants.

CASE NO.: 22CV024221

ASSIGNED FOR ALL PURPOSES TO:
HON. EVELIO GRILLO

DEPT. NO.: 21

**WALKER MACON'S CODE OF
CIVIL PROCEDURE SECTION 382.4
DECLARATION REGARDING CY
PRES BENEFICIARY**

Complaint Filed: December 20, 2022
Trial Date: None Set

1 I, Walker Macon, declare as follows:

2 1. I am an attorney with Berger Kahn, A Law Corporation, counsel of record
3 for Center for Elders' Independence in this matter. The facts in this declaration are
4 personally known to me, and I could and would testify competently to them under oath if
5 called as a witness in this matter.

6 2. I have never been employed by, or otherwise previously worked with, Legal
7 Assistance for Seniors, Inc.

8 3. To the best of my knowledge, no one employed by my firm has previously
9 been employed by, or otherwise previously worked with, Legal Assistance for Seniors,
10 Inc.

11 4. I first discovered Legal Assistance for Seniors, Inc. on or around January 3,
12 2024. After reviewing publicly available information, I determined that Legal Assistance
13 for Seniors, Inc.'s mission aligns with that of Center for Elders' Independence, and that
14 Legal Assistance for Seniors, Inc. would be a suitable Cy Pres beneficiary in this matter.
15 This was the only reason that Legal Assistance for Seniors, Inc. was chosen as the
16 proposed Cy Pres beneficiary. I do not have a prior connection to or relationship with
17 Legal Assistance for Seniors, Inc. that could have influenced the decision to propose
18 Legal Assistance for Seniors, Inc. as the Cy Pres beneficiary.

19 I declare under penalty of perjury under the laws of the State of California and the
20 United States of America that the foregoing is true and correct.

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22 Executed this 22nd day of January 2024 in Lake Forest, California.

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WALKER MACON