

1 Barrett S. Litt, SBN 45527  
2 blitt@mbllegal.com  
3 Lindsay Battles, SBN 262862  
4 lbattles@mbllegal.com  
5 McLane, Bednarski & Litt, LLP  
6 975 East Green Street  
7 Pasadena, California 91106  
8 Telephone: (626) 844-7660  
9 Facsimile: (626) 844-7670

10 Attorneys for Plaintiffs

11 Other counsel not listed

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 MARY AMADOR et al.,  
15 individually and as class  
16 representative,

17 Plaintiffs,

18 vs.

19 COUNTY of LOS ANGELES, et al,

20 Defendants.

Case No. CV 10-1649 SVW (JEMx)  
[Hon. Stephen V. Wilson]

STIPULATION RE APPROVAL FOR  
LATE CLAIMS FILED AND  
MODIFICATION OF CLASS  
ADMINISTRATION FEES

21 **I. Introduction**

22 On August 8, 2020, this Court issued an order granting final approval to the  
23 settlement agreement in this matter. Dkt. 463 (8/11/2020 Final Approval Order).  
24 After final approval was granted, former class member and opt-out Lecia Shorter  
25 sought appellate review of her objections to the settlement agreement and motion  
26 to intervene. On February 12, 2021, the Ninth Circuit dismissed both appeals for  
27 lack of jurisdiction. (Case No. 20-55965, Dkt. 12; Case No. 20-56278, Dkt. 6). Ms.  
28

1 Shorter has since filed a petition for certiorari before the United States Supreme  
2 Court. The petition remains pending and will not be resolved until after the U.S.  
3 Supreme Court returns from summer recess in October 2021. The settlement does  
4 not become final, and no distributions will occur, until after Ms. Shorter's petition  
5 for certiorari is resolved.

6 Plaintiffs' counsel consider it very likely that the petition for a writ of  
7 certiorari will be denied at the beginning of the court's 2021-2022 session on  
8 October 4, 2021, and so wish to take steps to ensure that all outstanding issues are  
9 resolved prior to that time, so that the distribution of funds to class members can  
10 begin once the Settlement Agreement herein becomes effective.

11 This stipulation addresses two issues that have arisen during the pendency of  
12 Ms. Shorter's appeals that should be determined by this Court so that distribution  
13 can proceed expeditiously once the petition is finally resolved:

14 **(1) Late Claims:** Numerous class members have submitted late claims since  
15 the final approval motion was submitted. Since no distributions have  
16 occurred, payment of late claims will not disrupt final calculations of  
17 claimants' individual distributions. The parties propose a supplement to  
18 the final approval order to provide payment of the late claims received  
19 through the date of this stipulation, and to preclude consideration or  
20 payment of any further late claims.

21 **(2) Claims Administration Fees:** The delays in finalizing the settlement  
22 have apparently resulted in additional work for the Claims  
23 Administrator, which the Claims Administrator has stated were not  
24 contemplated in the accounting provided in connection with the final  
25 approval order, primarily in connection with class member inquiries  
26 regarding the delays. Plaintiffs' counsel has carefully reviewed the  
27 request for additional administration funds and supports a modification as  
28

1 detailed below. Defendants take no position on the additional funds  
2 requested by the Claims Administrator.

3  
4 **II. Request for Approval of Late Claims**

5 As the Court's August 11, 2020, Final Approval Order recognized, there  
6 were 129 late claims filed between the June 4, 2020 filing deadline and the final  
7 approval hearing on July 20, 2020. Since the final approval hearing, the claims  
8 administrator has received an additional 123 late claims. Although individual  
9 circumstances vary, most of the late claimants did not learn of the settlement until  
10 after the deadline. Because no distributions have yet occurred, payment of the late  
11 claims will not disrupt final calculations of individual recoveries. The parties agree  
12 that equity supports allowing these qualifying late claimants to receive their share  
13 of the settlement. The Parties hereby stipulate that late claims filed between July  
14 21, 2020 and September 2, 2021 shall be paid. No further late claims shall be  
15 approved.

16 Please see attached **Exhibit A** for a list of late claimants for whom the  
17 parties seek approval.

18 **III. Class Administration Fees**

19 At the time of final approval, Claims Administrator JND Legal Services  
20 submitted a declaration indicating that it had incurred \$503,501.96 in  
21 administration fees and expenses. JND estimated that it would incur an additional  
22 \$168,684 in fees and expenses in connection with curing deficient claims, paying  
23 the first round of claims and addressing additional late claims. It estimated a total  
24 of \$672,185.96 in administration fees through the first distribution. Dkt. 451,  
25 Declaration of Jennifer Keough, ¶33.

26 The Administrator's previous estimates assumed that the first distribution  
27 would occur no later than November 2020, at which point many of the expenses,  
28 including communications with class members, would decrease or dissipate

1 entirely. The delay in distribution resulted in significant increased expenses to the  
2 class administrator. We now assume these increased expenses will continue  
3 through at least November 2021, the earliest time at which a distribution will  
4 occur.

5 The Claims Administrator seeks an order approving an additional \$130,040  
6 in administration fees to cover increased expenses through November 2021, plus  
7 an additional \$4,000 for each month funds are not distributed beyond November  
8 2021.<sup>1</sup> Upon careful review of the increased expenses, Plaintiffs’ counsel does not  
9 object to this request. Defendants’ counsel also do not object to this request.

10 Below we itemize and explain the request for increased fees. (See also  
11 Declaration of Jennifer Keough).

Category	Explanation	Increase Amount
Omission from earlier calculation	In calculating total administration costs performed through July 6, 2020, JND inadvertently omitted invoices for administration services performed in October and November 2019.	\$30,040
Increased distribution based on additional checks.	Due to a higher than anticipated claims rate, the number of claimants and total number of checks to be distributed has increased. The current number of claimants is 26,175. Because the settlement funds will be paid in three installments, each claimant will receive three checks. <sup>2</sup> We estimate 78,525 mailings, rather than 40,000 mailings as estimated in JND’s original bid. The additional management	\$6,660

22 <sup>1</sup> Although the parties anticipate that, assuming denial of the cert petition on the first  
23 Monday in October (October 4, 2021), the funds will become available the first week in  
24 November, it is unclear how quickly the first round of payments will occur.

25 <sup>2</sup> Instead of splitting each claimant’s recovery over three equal payments, the settlement  
26 agreement provides that payments would be distributed in a manner to reduce the total of  
27 mailings, by paying smaller claims entirely in the first and second rounds. Upon further  
28 analysis, Class Counsel determined that such a distribution model would not significantly  
reduce the number of mailings and, more problematically, would not result in equitable  
treatment for those with larger claims. Accordingly, Class Counsel has elected to  
distribute claims using the most equitable model (three equal payments for all class  
members) despite a small increase in administration costs.

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Category	Explanation	Increase Amount
	fees plus additional distribution expenses total \$6,600 more than originally estimated.	
Deficiency mailing	The previous estimate assumed deficiency mailing fees at \$5,240. JND received approximately 9,490 deficient claims, which required follow-up mailings and review at additional cost of \$1,487 beyond the previous estimate.	\$1,487
Project management	The previous estimate assumed project management fees for 5 months beyond the date of the final approval motion (July 2020), until the previously estimated distribution (November 2020), at which point project management fees would largely cease. Because the distribution has been delayed far beyond November 2020, project management fees have continued. The new estimate assumes 13 <i>additional</i> months, at a rate of \$1,350/month. (December 2020 – November 2021).	\$17,550
Class Member Communications – July – November	In July 2020, JND estimated \$60,000 for class member communications from July 2020 – November 2020 at \$12,000/month. Fees for these 5 months greatly exceeded the estimated amount. As far as can be determined, there were approximately 1,173 more hours than anticipated. JND and Plaintiffs’ counsel have agreed to an increase of \$41,125 for the increased communication expenses.	\$41,125
Class Member Communications December - February	Once Plaintiffs’ counsel learned that the volume of class member communications significantly exceeded estimates, counsel and JND devised a plan to limit communication expenses by eliminating live operator fees and individual responses to emails. Plaintiffs’ counsel is now handling most individual inquiries regarding the status of the case, at no additional cost to the class. These adjustments resulted in significantly reduced communication fees for December 2020 – February 2021:  December 2020: \$1,343.19 January 2021: \$931.48 February 2021: \$1,267.77	\$3,542
Class Member Communications	From February 2021 until the first distribution, JND’s bill for class member communications shall	\$10,800

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Category	Explanation	Increase Amount
March – November 2021	be limited to \$1,200/month. The estimate of \$10,800 reflects \$1,800 per month from March 2021 – November 2021.	
Recurring Monthly expenses	The previous estimate did not anticipate recurring monthly expenses after November 2020. JND seeks \$350/month for call center 1-800 number and website hosting for December 2020 through November 2021 (13 months).	\$4,550
Data storage	Estimate \$1,100/month for December 2020 – November 2021 (13 months)	\$14,300
<b>TOTAL</b>		<b>\$130,054</b>

In addition to the \$130,054 detailed above, the Claims Administrator seeks approval for administration fees not to exceed \$4,000 per month starting in December 2021 until the first distribution. This figure includes \$1,350 in project administration fees, \$1,200 for class member communications, \$350 for the call center number and website, and \$1,100 in data storage.

Dated: September 7, 2021

Respectfully submitted,  
 McLane, Bednarski & Litt  
 By: /s/ Lindsay Battles  
 Lindsay Battles

By: /s/ Barrett S. Litt  
 Barrett S. Litt

Attorneys for Plaintiffs

Dated: September 7, 2021

Glaser Weil et al.  
 By: /s/ Andrew Baum  
 Andrew Baum  
 Attorneys for County Defendants

**Exhibit A: List of Late Claims for Approval**

	<b>Date Received</b>	<b>Name</b>	<b>Number of Searches</b>
1.	7/21/2020	LAUREN DENISE HOLLAND	22
2.	7/22/2020	CECILIA MARTINEZ	3
3.	7/24/2020	CAROLINE MALDONADO	5
4.	7/24/2020	CHERYL MARTINEZ	52
5.	7/27/2020	NEKISHA BROWN	1
6.	7/27/2020	STARNISHA FOSTER	1
7.	7/28/2020	DANIELLE THERESA ACUNA	1
8.	7/28/2020	SANDRA GUZMAN	1
9.	7/30/2020	ASHLEY SPRINGFIELD	16
10.	7/30/2020	THE ESTATE OF BARBARA MIRANDA	1
11.	8/1/2020	ELIZABETH HALL	17
12.	8/3/2020	BRENDA HOGAN	2
13.	8/3/2020	JACQUELINE FARIAS	1
14.	8/3/2020	JHILMA MORALES	1
15.	8/3/2020	MAYRA PUERTO	
16.	8/3/2020	NEATA FAURE	8
17.	8/3/2020	OLGA SANCHEZ	2
18.	8/3/2020	TERCEL BURKE	1
19.	8/3/2020	VILMA FANG	1
20.	8/4/2020	KARLA SMITH	1
21.	8/5/2020	MARIA REYES	2
22.	8/5/2020	RISHA LAND	9
23.	8/6/2020	LIDIA ESTRADA	1
24.	8/7/2020	LETICIA DELATORRE	38
25.	8/10/2020	ROSA BARRIENTOSCAMEY	2
26.	8/11/2020	SHAUNA GILIBERTI	4
27.	8/13/2020	BRANDIE CAINE	5
28.	8/14/2020	ELSA HOWARD	1
29.	8/14/2020	FREDERICKA CARMOUCHE	77
30.	8/14/2020	JEAN ROBLEDO	3
31.	8/17/2020	JEAN MLADY	3
32.	8/17/2020	VYONNE DAVIS	11
33.	8/19/2020	THELMA VILLA	1
34.	8/20/2020	JOSEPHINE DARDON	16
35.	8/20/2020	YANIRA ACEVEDO	3
36.	8/24/2020	ANGELICA ESCALONA	1
37.	8/24/2020	BEVERLY HURTADO	1

	<b>Date Received</b>	<b>Name</b>	<b>Number of Searches</b>
38.	8/24/2020	CECILIA HAMBURG	1
39.	8/24/2020	ERIKA LOPEZ	2
40.	8/24/2020	GENNELL HARTSFIELD	13
41.	8/24/2020	JULIE SPITZER	10
42.	8/24/2020	LATASHA YATES	14
43.	8/24/2020	LAURA BARRERA	3
44.	8/24/2020	PAMELA LEADBETTER	1
45.	8/24/2020	TALOMA MILLER	13
46.	8/25/2020	YEVETTE REYES	2
47.	8/26/2020	DANIELA ONTIVEROS	19
48.	8/26/2020	SONIA MARIE VEGA	3
49.	8/31/2020	MARITZA SILVAR	2
50.	8/31/2020	RAELENE SUZETTE GUEVARA	3
51.	9/1/2020	PEGGY MORABITO	5
52.	9/1/2020	TRACY JONES	2
53.	9/2/2020	BRITTNEY JACKSON	3
54.	9/8/2020	ANDREA KELLEY	2
55.	9/8/2020	ANGELICA CABRERA	1
56.	9/8/2020	ELENA SIEGER	3
57.	9/8/2020	JEWEL BLANKENSHIP	5
58.	9/8/2020	LIZETH GUTIERREZ	12
59.	9/9/2020	NICOLE SHANK	1
60.	9/10/2020	TINESHA JACOBS	4
61.	9/14/2020	ANA CISNEROS	1
62.	9/14/2020	ANGIE RIVERAFLORES	1
63.	9/15/2020	MEGAN CONNOR	1
64.	9/18/2020	SILVIA CERVANTES	7
65.	9/21/2020	DORA BOOKER	1
66.	9/22/2020	BATHSHEBA MAZEN	2
67.	9/24/2020	NICHOLE MOSLEY	4
68.	9/29/2020	PHENECHIA WEBB	2
69.	10/2/2020	AUDREY FEE	23
70.	10/6/2020	BELKIN MEDINA	2
71.	10/9/2020	ADRIANNE REED	29
72.	10/9/2020	DIANNE ESTES	25
73.	10/19/2020	RAQUEL CASTANEDA	1
74.	10/20/2020	BERTHA MONTELLANO	2
75.	10/22/2020	ELIZABETH HALES	1
76.	10/22/2020	JACKIE ALARCON	1



	<b>Date Received</b>	<b>Name</b>	<b>Number of Searches</b>
77.	10/23/2020	DOMINIQUE ALEX	1
78.	10/27/2020	DAYSIE GALEANO	1
79.	10/29/2020	JULIET DE GUZMAN	1
80.	11/5/2020	LEQUITA WILLIAMS	6
81.	11/6/2020	JESSICA CALVILLO	7
82.	11/6/2020	LORRAINE VALENCIA	1
83.	11/9/2020	MARTHA SECHRIST	4
84.	11/9/2020	MIRIAM MARTINEZ	3
85.	11/16/2020	JEANAI MADISON	3
86.	11/16/2020	KALISHA ATLAS	2
87.	11/16/2020	NECIA JONES	3
88.	11/16/2020	STAR ESPINOZA	1
89.	11/20/2020	OTILIA GONZALEZ	1
90.	11/20/2020	ZADONNA SELLS	7
91.	11/23/2020	JASMINE CRUZ	14
92.	11/23/2020	LETITIA YARBROUGH	16
93.	11/23/2020	SEITASI PULALASI	14
94.	11/23/2020	TONISHA DAVIS	4
95.	11/23/2020	YOLANDA CASTILLO	1
96.	12/1/2020	LAURA JEAN PERNA	4
97.	12/4/2020	JASVEEN DHALIWAL	1
98.	12/7/2020	ERICA WATSON	14
99.	12/22/2020	JACQUELINE MORENO	5
100.	12/28/2020	CATHERINE DAVIS	3
101.	1/12/2021	KIRSTIN SHOST	1
102.	1/20/2021	MARIA GUERRERO	13
103.	2/4/2021	BEATRIZ ZUSTOVICH	1
104.	2/9/2021	ROBIN ALLEN	1
105.	2/12/2021	ARGELIA GUEVARA	9
106.	3/2/2021	BRANDY OLIVERA	1
107.	3/8/2021	PERLA GOMEZ	1
108.	3/9/2021	HAYDEE SANCHEZ	1
109.	3/10/2021	HALEY RUDE	7
110.	3/12/2021	CLEMENTINA PEREZ	3
111.	3/15/2021	LAURA AGUIRRE	1
112.	3/22/2021	MARIA SANJUAN	3
113.	4/7/2021	ARETHA WILSON	17
114.	4/19/2021	KASHAREEH HAWKINS	1
115.	5/3/2021	JOAN BERNIER	1

	<b>Date Received</b>	<b>Name</b>	<b>Number of Searches</b>
116.	5/4/2021	ELIZABETH BLANCO	1
117.	5/12/2021	HEATHER CHERI POE	11
118.	5/21/2021	EVA FADINO	1
119.	5/24/2021	JULIE NAVARRO	1
120.	6/4/2021	VICKIE STROGIN	1
121.	6/10/2021	CARMEN RODRIGUEZ	1
122.	7/19/2021	NAKISHA MAYO	30
123.	7/26/2021	NAFIAH LYNN AVERY	53