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10 Attorneys for Plaintiff CARLOS
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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14
15 CARLOS MORENO, individually, and on
behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 PRETIUM PACKAGING, L.L.C., a
19 Delaware limited liability company, and
20 DOES 1 through 10, inclusive,

21 Defendants

Case No. 8:19-cv-02500-SB-DFM

[Hon. Stanley Blumenfeld, Jr.]

**DECLARATION OF LATLC
PRESIDENT DANIEL KRAMER IN
SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: March 12, 2021
Time: 8:30 a.m.
Courtroom: 6C

1 I, Daniel Kramer declare as follows:

2 1. I am President of the Los Angeles Trial Lawyers' Charities ("LATLC").
3 I have personal knowledge of all the facts stated herein, and if called to testify as a
4 witness, I could and would competently testify to them.

5 2. I submit this declaration in support of Plaintiffs' motion for preliminary
6 approval of settlement and in support of the *cy pres* distribution to LATLC.

7 **The Proposed Settlement**

8 3. After reviewing the terms of the proposed settlement, I approve of the
9 settlement for its fairness, adequacy, and reasonableness, as well as for its
10 consideration of the public good.

11 4. The donation of the remainder of the common fund, after the deduction
12 of claims, fees, and costs, will represent a generous and beneficial gift to LATLC and
13 the underserved persons whom LATLC serves.

14 **Utilization of the Funds**

15 5. In the past, LATLC has been the *cy pres* recipient in ten wage and hour
16 class action cases, including *Espinosa v. Big Lots Settlement Fund*, Case No.
17 CIV236538 (Ven. Sup. Ct. 2005); *Solis v. Hi-Tech Collision*, Case No. BC336338
18 (L.A. Sup. Ct. 2005); *Greenberg v. E-Trade Financial Corp.*, Case No. BC360152
19 (L.A. Sup. Ct.); *Elias v. El Pollo Loco, Inc.*, Case No. BC313875 (L.A. Sup. Ct.);
20 *Babayán v. BLS Limousine Service*, Case No. BC418088 (L.A. Sup. Ct.); *Gutierrez v.*
21 *California Commerce Club*, Case No. BC360704 (L.A. Sup. Ct.), *Kalbaklian v. PSI*
22 *Services*, Case No. BC637011; *Romagnolo v LA Bite*; *Eubanks v Panther II*
23 *Transportation*, Case 1:11-CV-02705-SC; and, *Glynn Van Norton v Associated*
24 *Ready Mixed Concrete*, Case BC 648499.

25 6. As the facts below attest, the proposed *cy pres* award to LATLC is a
26 commendable utilization of unpaid residuals because it furthers the essential public
27 interest of improving the conditions of the oppressed and underserved, fighting
28 unemployment, and enhancing education, safety, access to shelter, and opportunities.

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DECLARATION OF LATLC PRESIDENT DANIEL KRAMER

1 7. In connection with this *cy pres* wage and hour award, LATLC will
2 allocate the award to specific charitable efforts specifically related to employment
3 and professional development and monitor those charitable efforts to ensure the *cy*
4 *pres* funds are indeed utilized for the earmarked purposes.

5 8. Since it began in 2006, LATLC has donated \$2,778,784.69 to
6 organizations helping people seek employment and promoting educational and
7 professional opportunities. Specifically, \$597,025.03 was donated to the following
8 organizations:

- 9 a. The LA Mission: LATLC has donated \$96,570.03 to the LA Mission
10 which provides, among other things, training programs for people
11 seeking employment;
- 12 b. The United States Veterans Initiative: LATLC has donated \$55,000.00 to
13 U.S. Vets that provides housing, employment and counseling services to
14 the men and women from all branches of the Armed Forces;
- 15 c. Downtown Women’s Center: LATLC donated \$77,455.00 to Downtown
16 Women’s Center, addressing the needs of women overcoming poverty
17 and homelessness in the Skid Row area;
- 18 d. Imagine LA: LATLC has donated \$79,500.00 to Imagine LA whose
19 mission is to end the cycle of family homelessness; because of their
20 mentoring programs, family incomes are up 71% and their children are
21 thriving in school and graduating;
- 22 e. Clothes the Deal: LATLC has donated \$16,000.00 to Clothes the Deal,
23 an organization that provides business clothing and accessories to help
24 low-income people achieve their career goals; and
- 25 f. Additionally, LATLC has donated \$272,500.00 to programs such as
26 Youth Mentoring Connection (\$112,000.00), The Harmony Project
27 (\$75,000.00), Alliance for College Ready Schools (\$47,500.00), and
28 L.A. LGBT Center (\$38,000.00) which are aimed at training and

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1 educating the youth of Los Angeles, thereby giving them
2 access to better educational and professional opportunities.

3 9. The *cy pres* funds would allow LATLC to continue to provide
4 professional advancement opportunities to countless underserved members of the
5 greater Los Angeles community.

6 **About LATLC**

7 10. Formed in 2006, LATLC is a California non-profit corporation and
8 501(c)(3) tax exempt organization. Donations to LATLC qualify as charitable
9 contributions under the IRS Code. This document confirms LATLC's 501(c)(3)
10 status and that donations to LATLC qualify as charitable contributions under the IRS
11 Code.

12 11. LATLC is devoted to making a positive difference in the quality of life
13 for people within the greater Los Angeles area, focusing on issues related to
14 unemployment, homelessness, hunger, children's education, survivors of abuse, and
15 persons with disabilities. Boasting over 3,000 supporters, LATLC donated in excess
16 of \$5,034,013.00 in grants, gifts and goods to more than 106 partner charities,
17 including the LA Mission, Clothes the Deal, Youth Mentoring Connection, US Vets,
18 The Harmony Project, and LA Alliance for College Ready Public Schools as well as
19 Downtown Women's Center, Blind Children's Center, Clare Foundation, Imagine
20 LA, People's Concern (OPCC), St. Anne's, The Rape Foundation, Venice Family
21 Clinic, and Vista Del Mar Child & Family Services, Inner City Law, Jewish Family
22 Service, Toberman Neighborhood Center, and Our House. LATLC also awarded
23 \$200,000.00 in college scholarships to 69 high school seniors based on academic
24 achievement and need. LATLC's Youth Sports Program has provided \$164,000.00
25 in direct grants to organized youth sports, including Buddy Ball for disabled
26 children. In addition to financial grants, LATLC participants have spent more than
27 6,080 hours in community service since 2015 when the formal volunteer program
28 began. In 2019, only 17.0% of all funds raised went towards administrative costs.

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DECLARATION OF LATLC PRESIDENT DANIEL KRAMER

1 During the pandemic, with revenues reduced, 28.0% of all funds raised went toward
2 administrative costs.

3 12. LATLC’s mission is to make a positive difference in the quality of life
4 for people within the greater Los Angeles area. LATLC focuses on issues related to
5 unemployment, education, children, survivors of abuse, persons with disabilities, and
6 homelessness by providing financial and other assistance to those in need throughout
7 our community. A true and correct copy of LATLC’s informational flyers are
8 attached hereto as Exhibit 1, including *LATLC Fact Sheet, What We Do, Who We*
9 *Support, Why We Began, and LATLC By The Numbers.*

10 13. LATLC’s mission conforms to the underlying objectives and purposes
11 of the present action, as the organization strives to provide access to employment and
12 professional advancement.

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16 I declare under penalty of perjury under the laws of the State of California that
17 the foregoing is true and correct. This declaration was executed on February 4, 2021
18 at Los Angeles, CA.

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President,
Los Angeles Trial Lawyers’ Charities

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