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

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

Plaintiff,

vs.

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

Defendants.

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

**DECLARATION OF MADELY
 NAVA OF ILYM GROUP, INC., IN
 SUPPORT OF MOTION FOR
 FINAL APPROVAL OF CLASS
 ACTION SETTLEMENT**

Date: August 6, 2021
Time: 8:30 a.m.

Judge: Stanley Blumenfeld, Jr.
Dep.: 6C

1 I, Madely Nava, declare as follows:

2 1. I am a resident of the United States of America and am over the age of
3 18. I am a Case Manager for ILYM Group, Inc., (herein after referred to as “ILYM
4 Group”), the professional settlement services provider who has been retained by the
5 Parties’ Counsel and subsequently appointed by the Court to serve as the Claims
6 Administrator for the above *Moreno v. Pretium Packaging, LLC* matter. I am
7 authorized to make this declaration on behalf of ILYM Group and myself. I have
8 personal knowledge of the facts herein, and, if called upon to testify, I could and
9 would testify competently to such facts.

10 2. ILYM Group has extensive experience in administering Class Action
11 Settlements, including direct mail services, database management, claims
12 processing and settlement fund distribution services for Class Actions ranging in
13 size from 26 to 4.5 million Settlement Class Members.

14 3. ILYM Group was engaged by the Parties’ Counsel and subsequently
15 approved and appointed by the Court to provide notification services and claims
16 administration, pursuant to the terms of the Settlement, in the above referenced
17 Action. Duties performed to-date and to be performed after Final Approval of the
18 Settlement is granted, include: (a) printing and mailing the *Notice Of Proposed*
19 *Settlement Of Class Action And Hearing Date For Final Court Approval* (referred
20 to as “Notice Packet”); (b) receiving and processing requests for exclusion; (c)
21 resolving Settlement Class Members’ disputes over the number of workweeks
22 Defendants have record of them working during the Class Period, which was pre-
23 printed on their individualized Class Notice; (d) calculating individual settlement
24 award amounts; (e) processing and mailing settlement award checks; (f) handling
25 tax withholdings as required by the Settlement and the law; (g) preparing, issuing
26 and filing tax returns and other applicable tax forms; (h) handling the distribution of
27 any unclaimed funds pursuant to the terms of the Settlement; and (i) performing
28

1 other tasks as the Parties mutually agree to and/or the Court orders ILYM Group to
2 perform.

3 4. On March 12, 2021, ILYM Group received the Court approved text for
4 the Notice Packet from Counsel for Plaintiff. ILYM Group prepared a draft of the
5 formatted Notice Packet, which was approved by the Parties' Counsel prior to
6 mailing.

7 5. On April 12, 2021, ILYM Group received the class data file from
8 Counsel for Defendants, which contained the name, social security number, last
9 known mailing address, and the total number of applicable workweeks worked for
10 each Settlement Class Member. The data file was uploaded to our database and
11 checked for duplicates and other possible discrepancies. The Class List contained
12 745 individuals.

13 6. As part of the preparation for mailing, all 745 names and addresses
14 contained in the Class List were then processed against the National Change of
15 Address ("NCOA") database, maintained by the United States Postal Service
16 ("USPS"), for purposes of updating and confirming the mailing addresses of the
17 Settlement Class Members before mailing of the Notice Packet. The NCOA
18 contains requested change of addresses filed with the USPS. To the extent that an
19 updated address was found in the NCOA database, the updated address was used for
20 the mailing of the Notice Packet. To the extent that no updated address was found
21 in the NCOA database, the original address provided by Counsel for Defendants was
22 used for the mailing of the Notice Packet.

23 7. On April 26, 2021, the Notice Packet was mailed, via U.S First Class
24 Mail, to all 745 individuals contained in the Class List. Attached hereto, as **Exhibit**
25 **A**, is a true and correct copy of the mailed Notice Packet.

26 8. As of the date of this declaration, 127 Notice Packets have been returned
27 to our office as undeliverable. Of the 127 returned Notice Packets, 2 were returned
28 with a forwarding address and promptly re-mailed to the forwarding address

1 provided. ILYM Group performed a computerized skip trace on the 125 returned
2 Notice Packets that did not have a forwarding address, in an effort to obtain an
3 updated address for purpose of re-mailing the Notice Packet. In addition to skip
4 tracing, the names of class members whom ILYM was unable to obtain an updates
5 address were provided to Plaintiff's Counsel in efforts to locate them. As a result of
6 ILYM's and Plaintiff's Counsel skip trace, 79 updated addresses were obtained and
7 the Notice Packet was promptly re-mailed to those Settlement Class Members, via
8 U.S First Class Mail.

9 9. As of the date of this declaration, a total of 81 Notice Packets have been
10 re-mailed. Specifically, 2 were re-mailed as a result of a forwarding address provided
11 by the USPS, 79 have been re-mailed as a result of ILYM's and Plaintiff's Counsel
12 skip tracing efforts.

13 10. As of the date of this declaration, a total of 46 Notice Packets have been
14 deemed undeliverable. Specifically, 46 have been deemed undeliverable as no
15 updated address was found notwithstanding the skip tracing performed by ILYM
16 and Plaintiff's Counsel. The total amount of \$21,043.31 is allocated to these 46 class
17 members for their individual settlement payments.

18 11. As of the date of this declaration, ILYM Group has not received any
19 request for exclusion. The deadline to request exclusion from the Settlement was
20 June 25, 2021.

21 12. As of the date of this declaration, ILYM Group has not received any
22 objections to the Settlement. The deadline to file an objection to the Settlement was
23 June 25, 2021.

24 13. As of the date of this declaration, ILYM Group has not received any
25 disputes to the Settlement. The deadline to submit a dispute for workweeks was June
26 25, 2021.

27 14. As of the date of this declaration, ILYM Group will report a total of
28 745 Participating Claimants, representing 100% of the 745 Settlement Class

1 Members.

2 15. Participating Claimants will receive a proportional share of the Net
 3 Settlement Amount through individual settlement payments, based on the number of
 4 workweeks worked by Class Members during the Class Period. The Net Settlement
 5 Amount is the amount remaining after deduction of the Court-approved payments
 6 from the Gross Settlement Amount for Class Counsel Fees and Litigation Costs, the
 7 Class Representative Enhancement Award, Claims Administration Fees to ILYM
 8 Group, and the PAGA allocation, e.g.,

9	Gross Settlement Amount	\$ 1,600,000.00
10	Class Counsel Fees	\$ 533,333.33
11	Class Counsel Litigation Costs	\$ 20,000.00
12	Enhancement Award	\$ 10,000.00
13	Administration Fees	\$ 15,000.00
14	LWDA Payment	\$ 37,500.00
15	Net Settlement Amount (estimated)	\$ 984,166.67

16 To determine a Participating Claimant’s individual settlement award payment, the
 17 distribution shall be divided among all Class Members on a pro rata basis, based on
 18 the ratio of the Applicable Workweeks worked by each Class Member during the
 19 Class Period, to the total number of Applicable Workweeks worked by all Class
 20 Members during the Class Period. Based on these calculations, the Participating
 21 Claimants will receive an estimated average gross payment of \$1,321.03, with the
 22 estimated highest gross payment being \$5,240.85.

23 16. ILYM Group’s total fees and costs for services in connection with the
 24 administration of this Settlement, which includes fees and costs incurred to-date, as
 25 well as anticipated fees and costs for completion of the settlement administration, are
 26 \$15,000.00. ILYM Group’s work in connection with this matter will continue with
 27 the calculation of the settlement award payments, issuance and mailing of the
 28 settlement award checks, the necessary tax filing and reporting on such payments,

1 and any other tasks that the Parties mutually agree to and/or the Court orders ILYM
2 Group to perform.

3 I declare under penalty of perjury under the laws of the State of California and
4 the United States that the foregoing is true and correct to the best of my knowledge
5 and that this Declaration was executed this 9th day of July 2021, at Tustin, California.

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MADELY NAVA