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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CORY HORTON, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

CAVALRY PORTFOLIO SERVICES,
LLC,

Defendant.

Case No.: 13-CV-00307-JAH (WVG)

**SECOND SUPPLEMENTAL
DECLARATION OF JENNIFER M.
KEOUGH REGARDING
EXCLUSION REQUESTS**

Complaint Filed: February 7, 2013

Demand for Jury Trial

1 KEVIN KREJCI, on behalf of himself
2 and all others similarly situated,

Case No.: 13-CV-00307-JAH (WVG)

3 Plaintiff,

4 v.

5 CAVALRY PORTFOLIO SERVICES,
6 LLC,

7 Defendant.

8
9 I, Jennifer M. Keough, declare and state as follows:

10 1. I am Chief Executive Officer of JND Class Action Administration
11 (“JND”). This Second Supplemental Declaration Regarding Exclusion Requests is
12 based on my personal knowledge, as well as upon information provided to me by
13 experienced JND employees working under my supervision and by Counsel for the
14 Plaintiffs and Defendants, and if called upon to do so, I could and would testify
15 competently thereto. This Declaration is submitted as a supplement to my Declaration
16 Regarding Notice Administration, dated August 10, 2020 (“Initial Notice Declaration”)
17 and my Supplemental Declaration Regarding Notice Administration, dated August 27,
18 2020.
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1 2. JND is serving as the Settlement Administrator¹ in the above-captioned
2 litigation for the purposes of administering the Settlement Agreement and Release
3 preliminarily approved by the Court in its Preliminary Approval Order, dated April
4 13, 2020.

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6 3. In my Initial Notice Declaration, I stated that JND had received nine
7 requests for exclusion, all of which had been submitted timely.

8 4. On September 8, 2020, JND received an additional request for exclusion,
9 which was postmarked July 27, 2020 and was submitted by Edward Francis Toland.
10 Because the request was postmarked prior to the July 29, 2020 postmark deadline, it was
11 submitted timely. The telephone number provided in the exclusion request, which Mr.
12 Toland stated was the telephone number that Cavalry called, does not match the
13 telephone number in the Class Lists, but the mailing address he provided does
14 match. Accordingly, JND recommends that this exclusion request be deemed timely and
15 valid, bringing the total number of timely requests for exclusion to 10.
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22 ¹ Capitalized terms used and not otherwise defined herein shall have the meanings
23 given such terms in the Settlement Agreement or the Initial Notice Declaration.

1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct.

3 Executed on September 22, 2020, in Seattle, Washington.

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5 _____
Jennifer M. Keough

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CERTIFICATE OF SERVICE

I, Adrienne D. McEntee, hereby certify that on September 23, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Tomio B. Narita, CSB #156576
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Attorneys for Defendant

DATED this 23rd day of September, 2020.

TERRELL MARSHALL LAW GROUP PLLC

By: /s/ Adrienne D. McEntee, Pro Hac Vice
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