

LAKESHORE LAW CENTER

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THE SPENCER LAW FIRM

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT,

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

MICHELL T. FRANKLIN,

KARA SAMPSON,

CYBELE A. MUNSON,

on behalf of themselves and all

persons similarly situated,

Plaintiff,

v.

MIDWEST RECOVERY

SYSTEMS, LLC., ET. AL.,

Defendants.

) Case No. 8:18-cv-02085-SB-DFMx

)

)

) Complaint filed July 11, 2018

) Trial Date:

) Pre-Trial Date:

) Discovery Cutoff:

) **Class Action**

)

) **DECLARATION OF CYBELE A.**

) **MUNSON IN SUPPORT OF**

) **MOTION FOR INCENTIVE**

) **AWARD**

) Hrng Date: September 24, 2021, 8:30am

) Department 6C (1st Street)

) Hon. Stanley Blumenfeld, Jr.

)

1 I, CYBELE A. MUNSON, hereby declare:

- 2 1. I am a Plaintiff in this lawsuit. I could and would competently testify to
3 the below stated facts of my own personal knowledge if called as a witness.
4
- 5 2. I agreed to join this lawsuit so that I can get restitution of money I paid
6 and other victims paid to Midwest Recovery Systems and so that myself
7 and all the other victims get damages for what Midwest or other
8 responsible parties did to us.
9
- 10 3. I understand this is a class action and I am one of the persons representing
11 the “class” which is the people whose credit was damaged by Midwest
12 Recovery and also those persons who paid money to Midwest to get the
13 negative information removed from our credit reports.
14
- 15 4. Back in December 2017, I became aware that a collection agency, Midwest
16 Recovery Services, had had placed a collection account on my on my credit
17 report(s). On January 2, 2018, I mailed a letter to Midwest Recovery
18 demanding they prove this was a valid debt. I never received a response.
19 Thereafter, I called the phone number for Midwest Recovery and spoke to
20 Rich Akerman of Midwest Recovery. He said I owed \$505 and unless I
21 paid that money Midwest would keep reporting the debt on my credit
22 report. If I paid, it would be removed.
23
- 24 5. This supposed debt was for a payday loan I got years earlier in 2012 from
25
26
27
28

1 an online company that appeared to have gone out of business. I did not
2 think I owed any money because it was too old and I'm not even sure the
3 company was legal. Also, Midwest never responded to my letter so most
4 likely it had no proof this was a valid debt.
5

6 6. Nevertheless, under duress, and in an effort to remove the damaging
7 adverse information, I paid the money. Shortly thereafter, the debt was
8 removed from my credit reports as promised.
9

10 7. I would not have paid any money on this supposed debt if Midwest
11 Recovery had not put it on my credit report.
12

13 8. I hired Lakeshore Law Center and Spencer Law Firm in June 2019 when
14 I learned that a lawsuit had been filed by them to recover money on behalf
15 of people Midwest Recovery coerced them to pay.
16

17 9. I was very pleased to learn these lawyers were going after Midwest
18 Recovery, which I believed had violated my rights but I simply did not
19 have the resources to fight on my own.
20

21 10. This case took much longer to resolve than I imagined it would, but I
22 stayed faithful to the original goal, which was to make Midwest Recovery
23 pay back the money it made this group of people (including me) pay.
24

25 11. During the lengthy prosecution of this case, I personally spent at least 50
26 hours of my time 1) gathering documents and information to provide
27
28

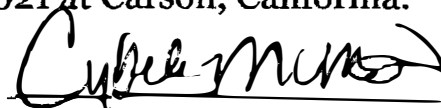
1 counsel at the beginning of the case; 2) identifying payday lenders I had
2 dealt with; 3) reviewing and responding to requests for production of
3 documents; 4) meeting or conferring with counsel on multiple occasions;
4
5 5) preparing for and testifying in a deposition; 6) assisting in the
6 preparation of declarations for use in the certification proceedings and to
7 oppose summary judgment; and 7) assisting my attorneys with the
8 settlement process.
9

10 12. I understand that Midwest Recovery is being required by the settlement
11 to pay me and some 208 other victims 100% of the money we paid. I
12 consider that a good result. I do not believe there is anything else I could
13 have personally done to obtain a better result.
14
15

16 I declare under penalty of perjury under the laws of the State of
17 California and the United States that the foregoing is true and correct, except
18 as to those matters stated on information and belief, and as to those matters,
19 I believe them to be true.
20

21 Executed on July 21, 2021 at Carson, California.

22 By



23
24 CYBELE A. MUNSON
25 Plaintiff
26
27
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