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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

14 AUGUSTO DE LEON, as an individual, on
15 behalf of himself, and all other persons similarly
16 situated,

17 Plaintiffs,

18 v.

19 RICOH USA, INC., an Ohio
20 corporation authorized to do business in the state
of California; IKON OFFICE SOLUTIONS,
21 INC., also known as Ricoh USA, Inc., an Ohio
corporation authorized to do business in the state
22 of California; RICOH AMERICAS
CORPORATION, a Delaware corporation
23 previously authorized to do business in the state of
California and succeeded by Ricoh USA, Inc.; and
24 DOES 1 to 10 inclusive,

25 Defendants.
26
27
28

Case No. 3:18-cv-03725-JSC

**DECLARATION OF STEPHEN GOMEZ
ON BEHALF OF CPT GROUP INC. WITH
RESPECT TO SETTLEMENT
DISBURSEMENT**

Judge: Honorable Jacqueline Scott Corley

1 I, Stephen Gomez, declare as follows:

2 1. I am a Case Manager for CPT Group, Inc. ("CPT"), the Court-approved class action
3 Settlement Administrator for *Augusto De Leon v. Ricoh USA, Inc., et al.* I have personal knowledge
4 of the facts set forth in this declaration and, if called upon to testify, I could and would testify
5 competently to such facts.

6 2. On December 19, 2019, Notice Packets were mailed via U.S. First-Class mail to nine
7 hundred ninety-one (991) Class Members and/or Collective-Eligible Members. CPT also emailed
8 Notice Packets to the thirty-six (36) Class Members and/or Collective-Eligible Members for whom
9 we were provided email addresses. Of the mailed Notice Packets, a total of twelve (12) were deemed
10 undeliverable, as they were returned, and no updated address was located. Therefore, a total of nine
11 hundred seventy-nine (979) Class Members' Notice Packets were not undeliverable, a percentage of
12 98.78% of the class.

13 3. The settlement fund amount is \$2,200,000.00, plus the amount to pay employer-side
14 taxes of \$53,153.23. CPT received a wire transfer of \$2,200,000.00 on April 14, 2020 and \$53,153.23
15 on April 25, 2020. These deposits funded the settlement in full.

16 4. Class Members and/or Collective Eligible Class Members would automatically receive
17 their settlement awards unless they opted-out of the settlement. In total, one Class Member submitted
18 an opt-out to the settlement, a percentage of 0.1% of the class. As a result, 990 of the 991 Class
19 Members, or 99.9%, received a settlement award. There were no Class Members who submitted an
20 objection to the settlement.

21 5. On April 30, 2020, CPT mailed checks via U.S. First-Class mail to nine hundred
22 ninety (990) Participating Class Members. A breakdown of the settlement awards is as follows:

23 Average Settlement Award:	\$1,541.77
24 Largest Settlement Award:	\$2,846.45
25 Smallest Settlement Award:	\$9.44
26 Median Settlement Award:	\$1,483.84

6. In addition to the Settlement Class Members, CPT issued payment to the following parties as set forth below:

<u>Amount Funded:</u>	<u>\$2,253,153.23</u>
Less Class Counsel Fees (25% of Settlement Fund):	-\$550,000.00
Less Attorneys' Costs:	-\$13,643.03
Less Plaintiff Service Payment:	-\$5,000.00
Less LWDA PAGA Payment:	-\$75,000.00
Less CPT Administrator Fee:	-\$30,000.00
Less Payments to Settlement Class Members:	-\$1,526,356.96
<u>Less Employer's Taxes:</u>	<u>-\$53,153.23</u>
Balance	\$0.00

7. Sixty (60) days from check issuance, CPT will send a reminder postcard and make reminder phone calls to Class Members who have not cashed their check as of that date, June 29, 2020.

8. Settlement Class Members have 90 days from issuance to cash their checks, July 29, 2020. Per the Order of Final Approval, if funds from uncashed checks are less than \$80,000, the funds will be distributed cy pres to the East Bay Community Law Center's Community Economic Justice Clinic for its Services and/or Youth Advocacy Initiatives. If the funds are over \$80,000 CPT will do a second distribution to Class Members who cashed their check.

9. Below is a chart outlining the numbers in this declaration:

Total Class Members/Notices Mailed	991
Total Settlement Amount	\$2,200,000.00
Notice and Check Distribution Method	USPS First Class Mail
Total Number of Class Members Whose Notices Were Not Returned Undeliverable	979 (98.79% of Total Class Members)
Total Opt-Outs	1 (0.1% of Total Class Members)
Total Objections	0 (0.0% of Total Class Members)

Participating Class Members Who Received Settlement Award	990 (99.9% of Total Settlement Class)
Maximum Settlement Award	\$2,846.45
Minimum Settlement Award	\$9.44
Average Settlement Award	\$1,541.77
Median Settlement Award	\$1,483.84
Number and Total Dollar Amount of Uncashed Checks	Unknown at this time
Amount Distributed to Cy Pres Recipients	None at this time -will occur after expiration of check cashing deadline
Administrative Costs	\$30,000.00
Attorneys' Fees	\$550,000.00 (25% of Total Settlement Fund)
Attorneys' Costs	\$13,643.03
Settlement Class Members' Payment Method	Checks via USPS First Class Mail
Attorneys' Fees/Costs Payment Method	Via Wire Transfer
Administrator Payment Method	Via Wire Transfer
Attorneys' Fee Multiplier	1.09

I declare under penalty of perjury under the laws of the State of California and the State of Washington that the foregoing is true and correct, and that this declaration is executed this 19th day of May 2020, at Irvine, California.

Digitally signed by Stephen Gomez
 DN: cn=Stephen Gomez, o, ou,
 email=stephen@cptgroup.com, c=US
 Date: 2020.05.19 10:30:21 -07'00'

 Stephen Gomez