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Attorneys for Plaintiff and the Class

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LINDA SANDERS on behalf of herself, and
all others similarly situated,

Plaintiff,

v.

RBS CITIZENS, N.A.

Defendant.

CASE NO. 13-cv-3136 BAS (RBB)

CLASS ACTION

**DECLARATION OF LINDA
SANDERS IN SUPPORT OF
PLAINTIFF'S MEMORANDUM OF
POINTS AND AUTHORITIES
REQUESTING ATTORNEYS' FEES,
COSTS AND INCENTIVE PAYMENT**

Date: January 23, 2017

Time: 10:30 a.m.

Ctrm: 4B

Judge: Hon. Cynthia A. Bashant

1 I, Linda Sanders, declare as follows:

2 1. I am the named plaintiff and the class representative in the above
3 referenced litigation against RBS Citizens, N.A., now known as Citizens Bank, N.A. I
4 am over the age of 18 years and I make these statements based on personal knowledge
5 and would so testify if called as a witness at trial. I respectfully submit this declaration
6 in support of Plaintiff's Motion for Attorneys' Fees, Costs and for an Incentive
7 Payment to the Class Representative.

8 2. I received calls on my cell phone from RBS Citizens regarding collection
9 matters prior to contacting the Law Offices of Ronald A. Marron in 2013. I discussed
10 the calls and the circumstances with the attorneys in that office. The calls to my cell
11 phone from Defendant or its vendors began in approximately 2010, and were in regard
12 to two (2) student loans through which I was the borrower or co-signer. Both loans
13 were entered into in 2007, and on the applications I never listed my cell phone number.
14 I also never provided any type of consent to be call on my cell phone to Defendant or
15 any of its vendors, much less an prior express consent. It appears Defendant or its
16 vendors obtained my cell phone number through skip tracing methods, and thus they
17 never received my cell phone number from me, or permission to call me at the number.
18 I also never gave Defendant consent to call my cell phone with autodialed calls or
19 prerecorded messages.

20 3. I understand that the settlement agreement in this case provides for a
21 \$5,000 Service Award to me. I understand that this service award is *not* conditioned on
22 approval of the Settlement; in other words, I understand that this class settlement could
23 be approved, but that I could be awarded a sum smaller than \$5,000, or no service
24 award at all.

25 4. Prior to filing the case on December 20, 2013, I spent time with counsel
26 providing information about the many calls I received. I consulted with counsel about
27 when and in what manner I was called on my cell phone by Defendant and others. I
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1 provided Class Counsel with other pertinent information and reviewed the operative
2 complaint before it was filed.

3 5. On July 28, 2014, I personally appeared at the Early Neutral Evaluation
4 Conference before the Honorable Judge Brooks. Prior to the ENE Conference, I met
5 and consulted with my attorneys about the case and the facts surrounding the calls I
6 received from Defendant. Travel to and from the Conference, preparation with my
7 attorneys for the Conference and my attendance and participation at the Conference
8 required that I miss a full day of work.

9 6. Defendant also served discovery on me, including interrogatories and
10 document requests. I reviewed these with my counsel and worked with them on my
11 responses. The discovery was very involved and required me to produce information
12 regarding a prior bankruptcy and my cell phone records, totaling approximately 150
13 pages. The discovery also required me to provide detailed information about my prior
14 business dealings, in addition to the details of the calls I received from Defendant. I
15 spent many hours doing so in order to respond to both the interrogatories and document
16 requests in March, 2015. I read over those responses at counsel's request and verified
17 the responses.

18 7. In addition, counsel kept me informed of the progress made during the
19 lengthy mediation process that took place over many months. When that was
20 completed, I reviewed the proposed Settlement Agreement and discussed it with
21 counsel. I signed it and it was submitted to the Court.

22 8. Class Counsel kept me informed of the status of the case through
23 telephone calls, emails, and letters. I estimate that I spent approximately 30 to 40 hours
24 in assisting Class Counsel with this litigation, including approximately 5 hours pre-
25 filing, 8 to 12 hours in the discovery process pulling and reviewing documents and
26 answering interrogatories, and 12 to 18 hours at other times during the litigation since
27 December 2013, including my in person appearance at the ENE Conference, updates
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1 and discussions throughout the mediation and settlement period with my counsel, and
2 review and discussion about several Settlement Agreement.

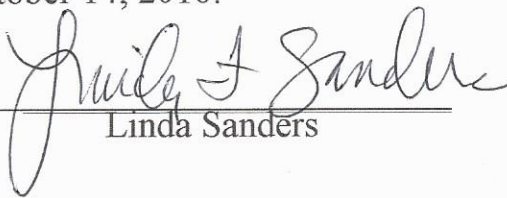
3 9. My goal in this lawsuit was to prevent myself and others from being
4 subject to automated calls from Defendant without our consent. This Settlement
5 appears to me to help to accomplish that goal.

6 10. At all times during the pendency of this case I have been willing and able
7 to respond to further discovery requests and to make myself available for deposition, if
8 necessary. I also understood that had this case gone to trial, my appearance would have
9 been necessary and I was willing to make that commitment, if necessary. I will
10 continue to be an engaged participant in this litigation to the extent necessary and
11 appropriate.

12 11. Furthermore, I am aware of the terms of the Settlement and I believe they
13 are fair and reasonable to the Class. I support the Settlement and request that the Court
14 grant final approval of the Settlement.

15
16 I declare under penalty of perjury of the laws of California and the United States
17 that the foregoing is true and correct, and that this declaration was executed in

18 Lakewood, California on October 14, 2016.

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21 _____
22 Linda Sanders
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