February 2019

ATTENTION: CALIFORNIA CLASS ACTION ATTORNEYS
Please Consider LATLC as Your Next Cy Pres Recipient

Dear Sir or Madam:

We are the Los Angeles Trial Lawyers’ Charities (LATLC), a 501(c)(3) tax exempt non-profit corporation. We are trial lawyers who work to improve the lives of the most vulnerable among us and tackle a wide range of issues of great socioeconomic importance within our community. We assist persons with disabilities, aid survivors of abuse, provide funding for children’s education and extracurricular activities, support military veterans, and serve the homeless, hungry, and unemployed through financial support and community service. Most of the funds raised by LATLC go directly to members of our community, with only 12.2% allocated as administrative costs.

We humbly ask you to join our cause and take part in LATLC’s new outreach initiative called the Cy Pres Program.

Through the Cy Pres Program, LATLC is reaching out to every class action lawyer and law firm which has engaged in class action litigation in any California state or federal court within the past 24 months. Our hope is that you will consider recommending LATLC as a cy pres recipient on one or more of your cases in the near future, should the facts of the particular case support it.

Included with this letter is LATLC’s Cy Pres Program Packet, which consists of the following:

- Literature about LATLC, including “What We Do,” “Who We Support,” “Why We Began,” “LATLC By The Numbers” and a basic LATLC Fact Sheet
- An informative article entitled Who Gets the Leftovers? Understanding California’s Cy Pres Doctrine; and
- A sample Declaration In Support of Motion for Preliminary Approval previously used by several class action law firms to successfully direct cy pres funds to LATLC.

Los Angeles Trial Lawyers’ Charities
A California Nonprofit Public Benefit Corporation
2708 Wilshire Blvd., #391, Santa Monica, CA 90403
A 501(c)(3) Organization | Federal Tax ID # 20-5658982
844-44-LATLC
www.latlc.org
info@latlc.org
With its broad range of services and work with partner charities, LATLC is an ideal candidate for cy pres awards in a wide breadth of class action arenas.

For example, LATLC has received approval as a cy pres recipient from several California courts presiding over wage and hour class actions as a result of LATLC’s work with U.S. Vets, Clothes the Deal, Youth Mentoring Connection, Exceptional Children’s Foundation, and Imagine LA. Funds have been utilized to provide professional and educational advancement opportunities to members of the greater Los Angeles community.

Through our work feeding the hungry with partner charities such as LA Mission, Downtown Women’s Center, and The People Concern, among others, LATLC is also an ideal candidate for cy pres awards in consumer fraud class actions like food product mislabeling and dietary supplement cases.

If you have negotiated a class action settlement with a cy pres component and are looking for potential designees to work with you towards achieving preliminary and/or final approval, please contact LATLC to determine whether our organization would be an appropriate recipient. A member of our Board will be assigned to work with your team to provide everything you need to ensure a successful approval process.

We humbly ask for your support by allowing LATLC to present an application to receive cy pres funds in your next class action settlement.

In addition, LATLC is making a push to increase our class action attorney representation on LATLC’s Honorary Board of Governors (HBOG), the support of whom is vital to fulfilling our mission to make a positive difference in greater Los Angeles on issues related to education, children, survivors of abuse, persons with disabilities, and the homeless and hungry. Our current Honorary Board membership can be viewed at http://www.latlc.org/Honorary-Board/.

We also ask for your support in joining LATLC’s Honorary Board of Governors today. Please access the online contribution form at http://www.latlc.org/Donate.shtml.

With gratitude,

All Members of the Board of Directors,
Los Angeles Trial Lawyers’ Charities
JUSTICE IN THE COURTROOM. SERVICE IN THE COMMUNITY

FOR MORE INFORMATION:
Los Angeles Trial Lawyers’ Charities
2708 Wilshire Blvd., Suite 391
Santa Monica, CA 90403
844-44-LATLC | 844-445-2852
www.latlc.org
info@latlc.org
A 501(c)(3) Organization | Federal Tax ID #20-5658982
WHO WE ARE…
Los Angeles Trial Lawyers’ Charities (LATLC) was founded in 2006 by a group of seven plaintiff personal injury attorneys, whose mission was to make a positive difference in the quality of life for people in southern California.

Today, LATLC focuses on issues related to education, children, survivors of abuse, persons with disabilities, and homelessness. We have grown to more than 3,000 supporters, volunteering both our time and resources to serve the community.

WHAT WE DO …
LATLC currently partners with 93 non-profits throughout southern California. Because of our work, Los Angeles Trial Lawyers’ Charities has positively affected hundreds of thousands of lives through:

- **Contributions to the Community** – LATLC donated more than $4,415,000 in grants, gifts and goods.

- **Feeding the Hungry** – LATLC distributed 545,359 pounds of food to groups like the L.A. Mission, L.A. Food Bank, Food Bank of Southern California and Delancy Street Foundation, providing for more than 848,000 meals.

- **Volunteer Events** – In 2018, LATLC participated in 18 service projects with our partner charities, involving more than 1,482 volunteer-hours. This was an increase of 300 volunteer hours from 2017.

- **College Scholarship Program** - $145,000 in scholarships awarded to 47 high school seniors based on academic achievement and need.

- **Youth Sports Program** - $126,000 in direct financial grants to organized youth sports and public school athletic programs, sponsoring everything from softball to soccer to football to dance and cheer, and even synchronized swimming.

- **Community Support**: LATLC initiated its own events and activities in the past three years, including: Holiday Village with Turkey & Toy Giveaway in south central Los Angeles for more than 550 families; Great Tryke Giveaway, where we built and presented custom bicycles to disabled children; and, assembled 500 “boo-boo” bags for children receiving medical exams at the Venice Family Clinic during the annual Consumer Attorneys Association of Los Angeles convention.

FOR MORE INFORMATION:
Los Angeles Trial Lawyers’ Charities
2708 Wilshire Blvd., Suite 391
Santa Monica, CA 90403
844-44-LATLC | 844-445-2852
www.latlc.org
info@latlc.org
A 501(c)(3) Organization | Federal Tax ID #20-5658982
WHO GETS THE LEFTOVERS?
Understanding California’s Cy Pres Doctrine

Cy pres—pronounced “sigh pray” (although some people pronounce it “see pray”)—is an abbreviated version of the French phrase *cy près comme possible*, which translates to “as near as possible.” When applied to a class action lawsuit, the doctrine allows for residual funds from a settlement to be distributed to a nonprofit organization “whose mission is consistent with the goals of the underlying litigation,” says Ryan J. Clarkson, President and principal shareholder at Clarkson Law Firm, P.C. in Los Angeles, California.

Pursuant to California Code of Civil Procedure Section 384, the leftovers may be distributed to one or more nonprofits that “promote justice for all Californians.” More specifically, funds are generally distributed to nonprofit organizations or foundations that support projects that will benefit the class or similarly situated persons, or that promote the law consistent with the objectives and purposes of the underlying cause of action, to child advocacy programs, or to nonprofit organizations providing civil legal services to the indigent.
Example: LATLC

With its wide range of services, the Los Angeles Trial Lawyers’ Charities (LATLC) is an ideal candidate for cy pres awards.

LATLC works with numerous charities in the greater Los Angeles area, focusing on issues related to children’s education, survivors of abuse, persons with disabilities, and the homeless and hungry.

Money from cy pres awards are put directly back into the Los Angeles community. For example, cy pres awards will help LATLC fund grants and scholarships for at-risk youths, clothe and feed the homeless, and render much needed support to various other groups in the Los Angeles area.

The Process

Potential recipients are typically proposed by plaintiff’s counsel; as a general rule, the defendant and defense counsel are not involved in the selection process, but they, as well as the class members, have the opportunity to object. The cy pres candidates are presented to the court in a written pleading. The trial judge makes the final decision subject to possible appellate review.

Choices

Courts carefully review the proposed cy pres recipients as part of their evaluation of the class action settlement.
It is not unheard of for a court to reject a proposed recipient. For example, in *Dennis v. Kellogg Company*, plaintiffs proposed that the *cy pres* award go to charities that provide food to people in need. While the agreement was deemed a “noble goal,” the Ninth Circuit said, “not just any worthy recipient can qualify as an appropriate *cy pres* beneficiary.” The settlement was reversed and remanded, and negotiations were reopened to select organizations that work to protect consumers from injuries caused by false advertising, a closer match to the issues of the lawsuit.

Choosing the right charities to pitch can be a daunting task considering there are about 1.5 million nonprofit organizations in the United States. Before entering into a settlement negotiation, attorneys familiarize themselves with programs, gather current information from organizations, brochures, documents, websites, and prepare to present the judge with a few options.

With its broad range of services and work with partner charities, LATLC is an ideal candidate for *cy pres* awards in a wide breadth of class action arenas.

For example, LATLC has received approval as a *cy pres* recipient from several California courts presiding over wage and hour class actions as a result of LATLC’s work with the LA Mission, Clothes the Deal, Youth Mentoring Connection, and LA Alliance. Funds have been utilized to provide professional and educational advancement opportunities to members of the greater Los Angeles community. In addition, through our work feeding the hungry with partner charities such as LA Mission, Downtown Women’s Center, and Ocean Park Community Center, among others, LATLC is also an ideal candidate for *cy pres* awards in consumer fraud class actions like food mislabeling and dietary supplement cases.

If you have a class action settlement with a *cy pres* component and are looking for potential *cy pres* designees to work with you towards achieving preliminary and/or final approval, please contact LATLC to determine whether our organization would be an appropriate recipient. A member of our Board will be assigned to work with your team to provide everything you need to ensure a successful approval process.

---

1 The information used in creating this document was gathered from The Bar Association of San Francisco. KATHLEEN GUTHRIE WOODS, UNDERSTANDING CALIFORNIA’S CY PRES DOCTRINE 32 – 35 (Fall 2014).
supporting our community.

Los Angeles Trial Lawyers’ Charities was formed to offer both financial support and community service to non-profit organizations in the greater Los Angeles area. LATLC’s focus is on issues related to education, children, survivors of abuse, persons with disabilities, and homelessness.

financial and inkind donations.

LATLC has donated more than $4,415,000 to non-profits in the greater Los Angeles area. Since the organization began in 2006, LATLC’s has made financial grants to 93 non-profits, plus 545,359 pounds of food donations to groups like L.A. Mission and Christian Food Center.

partner charity service projects

In 2006 a small group of Los Angeles trial lawyers for the people, consumer attorneys who fight for justice on behalf of the great people in our City of Los Angeles, embarked on a new way to serve our community beyond their roles as attorneys. LATLC’s most important and popular activities are the service projects in our community. In the last year alone, volunteers have:

- Cooked and served meals at Downtown Women’s Center
- Provided baseball equipment to Buddy Ball teams of disabled boys and girls;
- Painted low-income housing for Venice Housing Corporation
- Added mulch and a vegetable garden to the Exceptional Children’s Foundation playground;
- Purchased and handed-out healthy snacks at the El Nido Family Fair
- Added drought-resistant plants and vegetables to the Vista Del Mar Family Services’ gardens
- Painted rooms at the Haynes Family of Programs’ School for Autism
- Decorated and hosted a Valentine’s Day luncheon for the homeless at the Los Angeles Mission
- Added drought-resistant plants and vegetables to the Vista Del Mar Family Services’ gardens
- Painted rooms at the Haynes Family of Programs’ School for Autism
- Added drought-resistant plants and vegetables to the Vista Del Mar Family Services’ gardens
- Painted rooms at the Haynes Family of Programs’ School for Autism
- Decorated and hosted a Valentine’s Day luncheon for the homeless at the Los Angeles Mission

direct giving events

In 2016, LATLC initiated its first independent event – THE ANNUAL HOLIDAY TURKEY AND TOY GIVEAWAY – with the New Prospect Baptist Church in south central Los Angeles. Today, more than 100 volunteers distribute thousands of toys, along with all the “makings” of a holiday dinner (frozen turkeys, canned goods and boxes of stuffing mix) annually to more than 500 families in the community. LATLC also added a full holiday village, with snacks, games, arts and crafts, a petting zoo, pony rides and even “Mr. and Mrs. Santa Claus!” A second community event was added in 2017 – THE GREAT TRYKE GIVEAWAY – and today we have presented custom bicycles to 54 disabled children. In addition to LATLC-hosted events, volunteers have assembled 500 toiletry kits for the homeless and 500 “Boo-Boo Bags” for children at Venice Family Clinic in our booth during the Consumer Attorneys Association of Los Angeles conventions.
partner charities
LATLC was formed to offer both financial support and community service to non-profit organizations in the greater Los Angeles area, focusing on education, children, survivors of abuse, persons with disabilities, and homelessness. Since 2006, LATLC has worked with 93 partner charities and donated more than $4,415,000 in goods, gifts and grants:

- Ability First
- Advancement Project
- Airport Marina Counseling
- Alliance College
- Ready Public Schools
- A Place Called Home
- AVIVA
- Blessings in a Backpack
- Blind Children’s Center
- Bresse Foundation
- Buddy Ball
- CASA Los Angeles
- Child Advocacy Center of Pomona
- City Hearts
- CLARE Foundation
- Clothes the Deal
- Conejo Valley Free Clinic
- Downtown Women’s Center
- El Nido Family Centers
- Exceptional Children’s Foundation
- First Place for Youth
- First Tee of Los Angeles
- Foothill Family Service
- Foothill Unity Center
- FreeFrom
- Giving Spirit
- Harmony Project
- Haynes Family of Programs
- Imagine LA
- Independence Center
- Inner City Law Center
- Jewish Family Service of L.A.
- Kiwanis Club of Warner Center
- Lava Mae
- LA LGBT Center
- Los Angeles Mission
- March of Dimes Los Angeles
- Miracle Project
- NextStep Fitness
- OUR HOUSE Grief Support Center
- People Assisting The Homeless (P.A.T.H.)
- Pediatric Cancer Research Foundation
- People Concern
- Play It Forward
- POPS the Club
- Rape Foundation
- Red Star Riders
- SFV Community Mental Health Center
- SoCal Trykers
- South Central Scholars
- St. Anne’s Steam: Coders
- Team Prime Time
- Tobeman Neighborhood Center
- Triumph Foundation
- U.S. VETS
- Union Station Homeless Services
- Venice Community Housing Corp.
- Venice Family Clinic
- Vision to Learn
- Vista Del Mar Family Services
- Walk With Sally
- Westside Children’s Center
- Youth Mentoring Connection

college scholarships
In 2015, LATLC implemented its annual college scholarship program to help local high school seniors attend college and become future leaders of tomorrow. Today we have provided a total of $145,000 for 47 scholarships.

youth sports
In our effort to broaden our assistance directly to our local communities, the Los Angeles Trial Lawyers’ Charities launched the Youth Sports Sponsorship Program in 2014 to help children. LATLC provides grants to little leagues and public school athletic programs. We support sports from baseball to football to cheer and dance and even synchronized swimming! As of 2018, LATLC has donated more than $126,000 to 102 organizations.
WHY WE BEGAN

our mission.
The primary purpose of the Los Angeles Trial Lawyers' Charities (LATLC) is to make a positive difference in the quality of life for people within the greater Los Angeles area, focusing on issues related to education, children, survivors of abuse, persons with disabilities, and homelessness, by providing financial assistance to needy persons and groups. In addition to grants, LATLC organizes volunteer service projects throughout the community.

our history.
In 2006 a small group of Los Angeles trial lawyers for the people, consumer attorneys who fight for justice on behalf of the great people in our City of Los Angeles, embarked on a new way to serve our community beyond their roles as attorneys. Inspired by this concept of doing charitable works in our local communities, these lawyers channeled their passion for justice towards improving the conditions of the oppressed and underserved, enhancing education, safety, access to shelter and opportunities. Founded by Bruce Traney and supported by a handful of supporters, soon the group grew to a hundred founding friends and even more active members.

Today LATLC has more than 3,000 supporters, donated more than $4,415,000 in grants, gifts and goods, provided 47 students with $145,000 in college scholarships, and distributed 545,359 pounds of food to groups throughout our community. In 2018 alone, LATLC volunteers participated in 18 service projects for more than 1,482 hours, an increase of 300 hours from the year before. LATLC has been honored by the California State Assembly and State Senate.

our leadership.
2006 Bruce Traney
2007 Bruce Traney
2008 Bruce Traney
2009 Bruce Traney
2010 Pejman Ben-Cohen
2011 Joe Barrett
2012 Joe Barrett
2013 Robert Simon
2014 Minh Nguyen
2015 Aimee Kirby
2016 Scott J. Corwin
2017 C. Michael Alder
2018 Geraldine Weiss
2019 Gerald Marcus
Los Angeles Trial Lawyers’ Charities began over a dozen years ago to give back to our community. Plaintiff trial lawyers protect people from unsafe medicine, unsafe products and unfair business practices. We believe in justice in the courtroom and service in the community.

www.latlc.org
844.44.LATLC | info@latlc.org
Fed. Tax ID# 20-5658982
DECLARATION OF LATLC PRESIDENT GERALD L. MARCUS

ATTORNEY INFORMATION

Attorney for Plaintiffs

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF ____________

________________________
Plaintiff,

vs.

________________________
Defendants.

Case No. ____________

CLASS ACTION
Assigned to Hon. ____________

DECLARATION OF LATLC PRESIDENT GERALD L. MARCUS
IN SUPPORT OF PLAINTIFFS’ MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Date: ____________
Time: ____________
Dept: ____________

[Type text]

DECLARATION OF LATLC PRESIDENT GERALD L. MARCUS
I, Gerald L. Marcus, declare as follows:

1. I am President of the Los Angeles Trial Lawyers’ Charities (“LATLC”). I have personal knowledge of all the facts stated herein, and if called to testify as a witness, I could and would competently testify to them.

2. I submit this declaration in support of Plaintiffs’ motion for preliminary approval of settlement and in support of the *cy pres* distribution to LATLC.

**The Proposed Settlement**

3. After reviewing the terms of the proposed settlement, I approve of the settlement for its fairness, adequacy, and reasonableness, as well as for its consideration of the public good.

4. The donation of the remainder of the common fund, after the deduction of claims, fees, and costs, will represent a generous and beneficial gift to LATLC and the underserved persons whom LATLC serves.

**Utilization of the Funds**


6. As the facts below attest, the proposed *cy pres* award to LATLC is a commendable utilization of unpaid residuals because it furthers the essential public interest of improving the conditions of the oppressed and underserved, fighting unemployment, and enhancing education, safety, access to shelter, and opportunities.

7. In connection with this *cy pres* wage and hour award, LATLC will allocate the award to specific charitable efforts specifically related to employment

[Type text]

DECLARATION OF LATLC PRESIDENT GERALD L. MARCUS
and professional development and monitor those charitable efforts to ensure the cy
pres funds are indeed utilized for the earmarked purposes.

8. Since it began in 2006, LATLC has donated over $1,438,289 to
organizations helping people seek employment and promoting educational and
professional opportunities. Specifically, $494,785 was donated to the following
organizations:

a. The LA Mission: LATLC has donated $81,800 to the LA Mission
which provides, among other things, training programs for people
seeking employment;

b. The United States Veterans Initiative: LATLC has donated $45,000 to
U.S. Vets that provides housing, employment and counseling services to
the men and women from all branches of the Armed Forces;

c. Downtown Women’s Center: LATLC donated $61,985 to Downtown
Women’s Center, addressing the needs of women overcoming poverty
and homelessness in the Skid Row area;

d. Imagine LA: LATLC has donated $67,500 to Imagine LA whose
mission is to end the cycle of family homelessness; because of their
mentoring programs, family incomes are up 71% and their children are
thriving in school and graduating;

e. Clothes the Deal: LATLC has donated $16,000 to Clothes the Deal, an
organization that provides business clothing and accessories to help low-
income people achieve their career goals; and

f. Additionally, LATLC has donated $222,500 to programs such as Youth
Mentoring Connection ($100,000), The Harmony Project ($60,000),
Alliance for College Ready Schools ($37,500), and L.A. LGBT Center
($25,000) which are aimed at training and educating the youth of Los
Angeles, thereby giving them access to better educational and
professional opportunities.

DECLARATION OF LATLC PRESIDENT GERALD L. MARCUS
9. The *cy pres* funds would allow LATLC to continue to provide professional advancement opportunities to countless underserved members of the greater Los Angeles community.

**About LATLC**

10. Formed in 2006, LATLC is a California non-profit corporation and 501(c)(3) tax exempt organization. Donations to LATLC qualify as charitable contributions under the IRS Code. This document confirms LATLC’s 501(c)(3) status and that donations to LATLC qualify as charitable contributions under the IRS Code.

11. LATLC is devoted to making a positive difference in the quality of life for people within the greater Los Angeles area, focusing on issues related to unemployment, homelessness, hunger, children’s education, survivors of abuse, and persons with disabilities. Boasting over 3,000 supporters, LATLC donated in excess of $4,415,000 in grants, gifts and goods to more than 93 partner charities, including the LA Mission, Clothes the Deal, Youth Mentoring Connection, US Vets, The Harmony Project, and LA Alliance for College Ready Public Schools as well as Downtown Women’s Center, Blind Children’s Center, Clare Foundation, Imagine LA, People’s Concern (OPCC), St. Anne’s, The Rape Foundation, Venice Family Clinic, and Vista Del Mar Child & Family Services, Inner City Law, Jewish Family Service, Toberman Neighborhood Center, and Our House. LATLC also awarded $145,000 in college scholarships to 47 high school seniors based on academic achievement and need. LATLC’s Youth Sports Program has provided $126,000 in direct grants to organized youth sports, including Buddy Ball for disabled children. In addition to financial grants, LATLC volunteers participated in 18 projects in 2018 for a total of 1,482 hours. Only 12.2% of all funds raised went towards administrative costs.
12. LATLC’s mission is to make a positive difference in the quality of life for people within the greater Los Angeles area. LATLC focuses on issues related to unemployment, education, children, survivors of abuse, persons with disabilities, and homelessness by providing financial and other assistance to those in need throughout our community. A true and correct copy of LATLC’s informational flyers are attached hereto as Exhibit 1, including LATLC Fact Sheet, What We Do, Who We Support, Why We Began, and LATLC By The Numbers.

13. LATLC’s mission conforms to the underlying objectives and purposes of the present action, as the organization strives to provide access to employment and professional advancement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration was executed on __________ at Los Angeles, CA.

/s/ Gerald L. Marcus
President,
Los Angeles Trial Lawyers’ Charities