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10 **Attorneys for Plaintiff JENNIFER MODICA, individually and on behalf of other similarly**
11 **situated current and former employees and as a proxy for the Labor & Workforce Development**
12 **Agency (“LWDA”)**

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 **JENNIFER MODICA, individually and on**
16 **behalf of other similarly situated current and**
17 **former employees and as proxy for the LWDA,**

18 **Plaintiff,**

19 **v.**

20 **IRON MOUNTAIN INFORMATION**
21 **MANAGEMENT SERVICES, INC., a Delaware**
22 **corporation; and DOES 1-100, inclusive,**

23 **Defendants.**

24 **Case No. 2:19-cv-00370-TLN-EFB**

25 **DECLARATION OF ELIZABETH**
26 **KRUCKENBERG REGARDING NOTICE**
27 **AND SETTLEMENT ADMINISTRATION**

28 **Date: December 17, 2020**
Time: 2:00 p.m.
Dept.: Courtroom 6, 14th Floor
Judge: Hon. Troy L. Nunley

DECLARATION OF ELIZABETH KRUCKENBERG

I, Elizabeth Kruckenberg, declare under penalty of perjury as follows:

1. I am the Director of Case Management at Phoenix Settlement Administrators (PSA), the Court-appointed Class Action Settlement Administrator for *Jennifer Modica. v. Iron Mountain Information Management Services, Inc.* I have personal knowledge of the facts stated herein and, if called upon to testify, I could and would testify competently to such facts.

2. PSA was selected by the Parties to provide notice of the Settlement and class administration duties in this action. Pursuant to the Settlement Agreement for this matter, PSA is responsible for (i) preparing, printing, and mailing the *Notice of Proposed Class Action Settlement* (herein referred to as the “Notice Packet”); (ii) setting up and maintaining the informational website (www.ironmountainclassaction.com); (iii) responding to inquiries from Class Members; (iv) determining the validity of opt-outs; (v) calculating the Net Settlement Amount and the Individual Settlement payments; (vi) issuing the Individual Settlement Payment checks and distributing them to Participating Class Members; (vii) issuing the payment to Class Counsel for attorneys’ fees and costs, the Enhancement check to Named Plaintiff, and the employer/employee payroll taxes to the appropriate taxing authorities; and (viii) such other tasks as set forth in the Agreement or as the Parties mutually agree or as the Court orders.

3. On September 1, 2020, PSA received a data file from Defense Counsel that contained names, last known mailing addresses, Social Security numbers, dates of employment, and subclass information for each Class Member during the Class Period. The final mailing list contained one thousand two hundred sixty-four (1,264) Class Members.

4. On September 15, 2020, PSA conducted a National Change of Address (NCOA) search in an attempt to update the class list of addresses as accurately as possible. A search of this database provides updated addresses for any individual who has moved in the previous four (4) years and notified the U.S. Postal Service of their change of address.

5. On September 15, 2020, PSA mailed the Notice Packet via U.S. first class mail, in English to all one thousand two hundred sixty-four (1,264) Class Members on the Class List. A true

1 and correct copy of the mailed Notice Packet is attached to the Declaration of Jenny D. Baysinger

2 **Exhibit B.**

3 6. As of the date of this declaration, seven (7) Notice Packets have been returned to
4 PSA. None were returned with a forwarding address. For the seven (7) Notice Packets returned from
5 the Post Office without a forwarding address, PSA attempted to locate a current mailing address
6 using TransUnion TLOxp, one of the most comprehensive address databases available for skip
7 tracing. Of the seven (7) Notice Packets that were skip traced, seven (7) updated addresses were
8 obtained and the Notice Packet was promptly re-mailed to those Class Members via first class mail.

9 7. As of the date of this declaration, there are zero (0) undeliverable Notice Packets.

10 8. PSA has received zero (0) Request for Exclusion (*i.e.* "Opt-Out's"). The deadline for
11 Class Members to submit an "Opt-Out" request is October 30, 2020.

12 9. PSA has received zero (0) Objections to the Settlement. The deadline for Class
13 Members to submit an "Objection" to the Settlement is October 30, 2020.

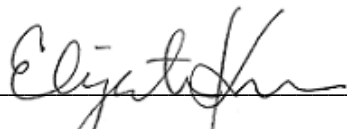
14 10. There are no outstanding disputes.

15 11. PSA has been emailing reports informing counsel of the status of the administration.
16 A true and correct copy of the most recent weekly report is also attached to the Declaration of Jenny
17 D. Baysinger as **Exhibit B.**

18 12. PSA will submit a supplemental declaration after the Response Deadline detailing the
19 final responses received along with providing our Invoice supporting our fees in this matter.

20 I declare under penalty of perjury of the laws of the State of California that the foregoing is
21 true and correct.

22 Executed this 20th day of October 2020, at Fullerton, California.

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26 ELIZABETH KRUCKENBERG
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