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Attorneys for Plaintiffs

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13
14 **FOR THE COUNTY OF LOS ANGELES**

15 PATRICK ECK, TYLER CHAPMAN,
16 BRENDAN EISAN, JUSTIN KRISTOPHER
17 LE-ROY, individually and on behalf of all others
18 similarly situated,
19 Plaintiffs,

v.

18 CITY OF LOS ANGELES, THE LOS
19 ANGELES DEPARTMENT OF WATER AND
20 POWER, LOS ANGELES DEPARTMENT OF
21 WATER AND POWER BOARD OF
22 COMMISSIONERS, and DOES 1 through 10,

23 Defendants.

Case No.: BC577028 (Lead)
Consolidated with Case No.: BS153395 &
Case No.: BC583788

*Assigned for all purposes to the
Honorable Ann I. Jones*

**NOTICE OF LODGMENT OF
PREVIOUSLY-FILED, ON JUNE 6, 2017,
DECLARATION OF GERALYN GOODMAN
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: February 14, 2018
Time: 9:00 a.m.
Dept. 308

Complaint Filed: April 1, 2015

[Filed concurrently with Motion for Final
Approval of Class Action Settlement]

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that Plaintiffs Patrick Eck, et al. hereby lodge and attach
3 hereto as Exhibit A, for the Court's convenience, the *Declaration of Geralyn Goodman in Support of*
4 *Motion for Preliminary Approval of Class Action Settlement*, previously filed on June 6, 2017.

5
6 Respectfully Submitted,

7
8 Dated: December 6, 2017

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21
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EXHIBIT A

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JUN 06 2017

Sherril R. Carter, Executive Officer/Clerk
By: Maria Aguirre, Deputy

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COMMISSIONERS, and DOES 1 through 10,

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Case No.: BC583788

*Assigned for all purposes to the
Honorable Ann I. Jones*

**DECLARATION OF GERALYN
GOODMAN IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: To Be Determined
Time: To Be Determined
Dept.: 308

DECLARATION OF GERALYN GOODMAN

I, GERALYN GOODMAN, declare as follows:

1. I am over the age of eighteen and I have personal knowledge of the facts stated herein, except those stated on information and belief, and as to those I believe them to be true; and, if called upon, I could and would competently testify thereto.

2. I am the Secretary of the Board of Directors of Friends of Westwood Recreation Complex DBA Friends of Los Angeles (“FOLA”).

3. I file this declaration in support of Plaintiffs’ Proposed Designation of *Cy Pres* Recipients Pursuant To The Stipulation of Settlement filed herein. I have been asked to provide this declaration in order to explain why the FO LA is an appropriate recipient of settlement funds in this matter.

4. FO LA is a 26 U.S.C. §501(c)(3) non-profit organization dedicated to supporting the City of Los Angeles’ schools, parks, libraries, police, and firefighters. Its exempt identification number is 26-1693591. For more information please visit: www.friendsof.la (last visited June 1, 2017).

5. Our Statement of Purpose, as set forth in our Bylaws, is as follows: *“The corporation is organized exclusively for charitable purposes within the meaning of Internal Revenue Code Section 501(c)(3). In the context of these general purposes, the corporation will undertake to improve the infrastructure of Los Angeles area through contributions to City facilities (including schools, parks, libraries, police and fire), through improving the efficiency of local facilities, through improving the efficiency and operation of local government and through any other means consistent within the limitations of Internal Revenue Code Section 501(c)(3).”*

1 6. Thanks to our community and corporate sponsors, FOLA currently contributes
2 services to: Fairburn Elementary, Overland Elementary, Westwood Charter, Castle Heights
3 Elementary, Emerson Community Charter, Palms Middle School, Rancho Park, Palms Park,
4 Westwood Recreation Center, Palms Library, Westwood Library, West Los Angeles Police
5 Department, and Fire Stations 37, 43, 59, and 92. In addition to accepting general contributions,
6 FOLA accepts contributions that can be allocated either to all of the aforementioned recipients,
7 dedicated to one of them, or dedicated to another school, park, library, police station, or fire
8 station. These general contributions have been used for, among other things, purchasing essential
9 equipment, hiring staff, and creating programming.
10

11 7. FOLA also dedicates significant resources to alternative energy. I am informed and
12 believe that the City of Los Angeles Department of Recreation and Parks spends over 10% of its
13 budget on utilities. To alleviate this burden, FOLA converts incandescent lights to LED lights in
14 public parks, and is currently developing models by which it can install solar panels, fuel cells,
15 and/or back-up power, as appropriate, in public parks, as well as fire stations, all across the City of
16 Los Angeles. Feasible alternative energy sources vary based on the circumstances and needs of
17 each public facility. For example, where solar energy is not an option, fuel cells may be more
18 appropriate at parks with pools, as hot water is a byproduct of fuel cells.
19
20

21 8. In the event FOLA receives any funds pursuant to the Settlement in this matter it
22 shall expend such funds only for the following:

- 23 a. Continue studying models for the deployment and installation of (i) various alternate
24 energy sources (solar and fuel cell) in public parks throughout the City of Los Angeles to improve
25 sustainability, offset energy bills, and generate revenue for cash-strapped parks; and (ii) battery-
26 backup systems at fire stations throughout the City of Los Angeles;
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