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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**ANNE WOLF, INDIVIDUALLY
AND ON BEHALF OF ALL
OTHERS SIMILARLY
SITUATED,**

Plaintiff,

v.

**HEWLETT PACKARD
COMPANY,**

Defendant.

Case No.: 5:15-cv-01221-BRO-GJS

**DECLARATION OF CARLOS
ROMERO IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS
SETTLEMENT**

Hon. Terry J. Hatter Jr.

Date: November 5, 2018

Time: 1:30 p.m.

Place: Courtroom 9B

350 West 1st Street,

Los Angeles, CA 90012

1 **DECLARATION OF CARLOS ROMERO**

2 I Carlos Romero, declare:

- 3 1. I am the named plaintiff in this action. I have personal knowledge of the
4 following facts and, if called upon as a witness, could and would
5 competently testify thereto, except as to those matters which are explicitly
6 set forth as based upon my information and belief and, as to such matters,
7 I am informed and believe they are true and correct.
- 8 2. I am writing this declaration in support of Plaintiff's Motion for Final
9 Approval, and approval of Plaintiffs' Incentive Award in the above-
10 captioned action.
- 11 3. My attorneys have informed me of the responsibilities of a class
12 representative. I understand these responsibilities and am willing and
13 prepared to put the interest of the class members before my own.
14 Throughout this case, I believe that I served as an adequate class
15 representative. I worked with my attorneys throughout the case, assisting
16 in discovery, and assisting in drafting the complaint. I also regularly
17 discussed the case with my attorneys when they had questions, and also
18 participated in the mediation, by speaking with my attorneys about the
19 status of settlement discussions.
- 20 4. I have agreed to a class settlement in this case with Defendant. I have
21 reviewed the Complaint, the Settlement Agreement, and other related
22 materials, and have discussed their contents with my attorneys.
- 23 5. I believe that the settlement achieved is an outstanding result for the Class,
24 and is fair and reasonable, considering the potential risks of going forward
25 with litigation, especially in light of some of the defenses that Defendant
26 has raised with regards to identifying class members, and the amount of
27 damages owed to Class Members for the false advertising that I and other
28

1 Class Members experienced. In determining that this Settlement is fair
2 and reasonable, I considered the fact that a \$20 cash refund off of the
3 purchase price of all of the printers sold to Class Members represented a
4 significant reimbursement of the purchase price of these printers. Based
5 on speaking with my attorneys, who were working in conjunction with
6 their damages expert, I believe that it is likely that this amount of a
7 reimbursement is equivalent to or perhaps even greater than the amount of
8 money that would be recoverable to the Class if we prevailed at trial.

9
10 6. In light of the serious risks of going forward with this case, the more
11 limited Class size that was certified by the Honorable Court, the fact that
12 the Settlement Class is significantly broader than that Certified Class, the
13 likelihood of appeals, the potential for lengthy delay, and the ultimate
14 uncertainty of recovery through litigation of the claims brought under the
15 Consumer Legal Remedies Act, I believe the settlement is fair and
16 reasonable and represents an outstanding result for Class Members.

17 7. I understand that by settling this case, both Parties were able to avoid
18 costly and time consuming additional litigation and trial. I understand that
19 there are estimated to be approximately 55,000 Class Members who will
20 be entitled to claim benefits under this Settlement. I also understand that
21 even though Defendant does not maintain contact information for these
22 Class Members, my attorneys were able to obtain contact information for a
23 large percentage of the Class Members through third party subpoenas that
24 they sent to various retail companies that carried Class Products.

25
26 8. I am informed that a large percentage of the purchasers of the printers
27 submitted claims, which I believe strongly shows that there was a genuine
28 interest among other consumers like me in receiving the relief that was
negotiated for the Class.

1 9. To my knowledge, I have no interest that is not in line with the class
2 members. My goal in bringing this case was to ensure that Defendant was
3 made aware of the requirements under the Consumer Legal Remedies Act,
4 and that I could achieve a fair result for the Class Members who I believed
5 were affected by the policies and practices that affected me. I believe that
6 both of these goals have been achieved by this settlement, and I am proud
7 to have been a part of it.

8
9 10. My best estimate is that I spent somewhere between 10-15 hours of my
10 time in connection with this case to date. The activities I have performed
11 have included, but have not been limited to: obtaining legal counsel,
12 numerous telephone conversations with my attorneys, numerous emails
13 with my attorneys, gathering documents relating to the practices of
14 Defendant for my attorneys, maintaining my printer and the packaging,
15 assisting them in developing the claims in this case, sitting for a deposition,
16 being actively involved in the settlement process to ensure a fair result for
17 the Class as a whole, and spending time carefully reviewing the
18 Settlement, and other case related documents on my own and with my
19 attorneys to make sure that Settlement and the other work my attorneys
20 performed are in the best interests of the Class.

21 11. I also understand that my attorneys have submitted an application to this
22 Court for an Incentive Award to compensate me for my unique
23 contributions to the success of this action in the amount of \$2,000. I
24 believe this amount is fair and reasonable compensation for my efforts in
25 this case and the risks I have taken in pursuing a fair recovery for the
26 Class. There is now a public record - this publicly filed lawsuit - that I
27 served as a class representative in a lawsuit. Further, before I filed this
28 case, my counsel also advised me of the possibility that, if the case was

1 lost, I could have been ordered to pay Defendant's costs, which easily
2 could have totaled tens of thousands of dollars by the end, if not even
3 more.

4 12.Finally, I understand that the release of claims I have entered into by
5 virtue of this Settlement prevents me from bring any claims against
6 Defendant in the future and that the release I am entering into is much
7 broader than that of the Class Members I represent.

8 13.My understanding is that no class members have objected to this
9 settlement, and only two class members have opted out of the settlement.
10 I believe that, along with the high participation rate are strong indications
11 that the settlement that I and my attorneys were able to negotiate is fair
12 and reasonable for the Class Members.

13 14.For these reasons, I believe the Incentive Award requested is fair and
14 reasonable. I respectfully request the Court approve the Motion for Final
15 Approval, and the requested Incentive Award.

16 I declare under penalty of perjury under the laws of California and the
17 United States that the foregoing is true and correct, and that this declaration was
18 executed on August 31, 2017.
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22 _____
23 CARLOS ROMERO
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