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9 *Attorneys for Plaintiffs and Class Representatives*

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE EASTERN DISTRICT OF WASHINGTON**

12 RYAN DALEY, and individual, and)
13 ISAAK CURRY, an individual, each on)
behalf of himself and all others)
14 similarly situated,)

15 Plaintiffs,)
16 vs.)

17 GREYSTAR REAL ESTATE)
18 PARTNERS, LLC, a Delaware limited)
liability company; GREYSTAR)
19 MANAGEMENT SERVICES, L.P., a)
Delaware corporation; GREYSTAR RS)
20 WEST, LLC, a Delaware limited)
liability company,)

Defendants.)

Case No.: 2:18-cv-00381-SMJ

**DECLARATION OF KIRK D.
MILLER IN SUPPORT OF
PLAINTIFFS' UNOPPOSED
MOTION FOR FINAL APPROVAL
OF CLASS SETTLEMENT**

1
2 Kirk D. Miller, under penalty of perjury of the laws of the United States, 28
3 U.S.C. § 1746, declares the following:

4 1. I am one of the attorneys representing Plaintiffs in this matter.
5
6 2. This Declaration is based on my personal knowledge.
7
8 3. The parties, through counsel, engaged in mediation and settlement
9 discussions over a period of weeks, which ultimately resulted in the Settlement
10 Agreement.

11 4. Counsel spent a considerable amount of time engaging in written
12 discovery, document review, data analysis, and analyzing legal issues related to the
13 lawsuit's claims.

14 5. Class Counsel has a significant amount of experience in consumer
15 individual and class actions, including consumer protection actions involving debt
16 collection, and know from our own experience that any case involving a class of
17 consumers can, and often does, lead to costly litigation that goes on for years.

18 6. Class Counsel has thoroughly analyzed the factual and legal issues
19 involved in this case.

20 7. In addition to the monetary relief achieved for the class members and
proposed cy pres recipients, Defendant also changed its tenant screening processes
to conform with Washington law and provide prospective tenants with information

1 deemed essential by the Washington legislature for prospective tenants to make
2 informed renting decisions.

3 8. Out of the more than 70,000 class members who received notice, two
4 class members objected but only one of them appears to be continuing with his
5 objection. The objection, however, appears to be non-substantive and rather
6 focused on details of the case, including notice, which this court already deemed
7 constitutional, and its fairness supported by the declaration of Ryan Aldridge. The
8 objection to the settlement also appears to coincide with a request to be
9 compensated as a class member which, according to the class administrator, will
10 happen. The other basis for objection was a request for information regarding fees
11 and incentive awards and that information is posted on the settlement website and
12 available in the public record.

13 9. I have exchanged emails with that objector, Mr. Jacobson, but I am
14 unclear whether he intends to pursue his objection. He has stated that he wishes to
15 be heard at the final fairness hearing, and counsel have no objection to him
16 addressing the court regarding his continued objection, if any.

17 10. The other objection from Gabrielle Holman is apparently resolved.
18 Ms. Holman was unclear about the nature of the action and, after discussion with
19 her, it is my understanding that she does not intend to pursue her objection.

1 11. The proposed cy pres recipients are Northwest Justice Project and
2 Family Promise Spokane. Northwest Justice Project has a dedicated fair housing
3 unit and accepts direct representation of low-income clients who are facing rental
4 housing legal problems. Family Promise Spokane is a Washington-based non-
5 profit, which houses homeless families, works to prevent homelessness, and
6 provides services to families before, during, and after incidents that have or could
7 lead to a housing crisis for the family.

8 12. I have spoken with a number of individuals who are members of the
9 class and they have expressed gratitude and appreciation for the result of this case.

10 13. To the best of my knowledge, no government entity has objected to
11 this Settlement.

12 14. Class Counsel believes the Settlement is fair, reasonable, adequate,
13 and in the best interest of the Settlement Class as a whole.

14 SIGNED and DATED this 18th day of October, 2021 at Spokane WA.

15
16 s/ Kirk D. Miller
17 KIRK D. MILLER, WSBA #40025
18 Attorney for Plaintiffs and Class
19 Representatives
20

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2 **CM/ECF CERTIFICATE OF SERVICE**

3 I hereby certify that on the 18th day of October 2021, I electronically filed
4 the foregoing with the Clerk of the Court using the CM/ECF System which will
5 send notification of such filing to the following:

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15
16
17 *s/ Teri A. Brown*
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