

THE HONORABLE LEROY MCCULLOUGH
Department 32
Noted for Consideration: March 31, 2023
Without Oral Argument

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF KING

PCA ACQUISITIONS V, LLC,

Plaintiff,

v.

TERI R KIMMONSSTRUCK, AND DOES 1-
10,

Defendant.

NO. 22-2-08801-0 SEA

**DECLARATION OF AMANDA N.
MARTIN IN SUPPORT OF
COUNTER-PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL**

and

TERI R. KIMMONS-STRUCK,

Counter-Plaintiff,

v.

PCA ACQUISITIONS V, LLC,

Counter-Defendant,

and

LIPPMAN RECUPERO, LLC,

Third-Party Defendant.

1 I, Amanda N. Martin, under penalty of perjury under the laws of the State of
2 Washington, declare the following to be true and correct:

3 **A. Background and Experience**

4 1. I am one of the attorneys of record for Plaintiffs in this matter. I make this
5 declaration based on my personal knowledge. I am over the age of 18 and competent to testify
6 on the matters herein.

7 2. I am the Executive Director and an attorney at Northwest Consumer Law Center,
8 the only nonprofit legal services organization in Washington State solely focused on consumer
9 rights. NWCLC has represented over 4,000 low and moderate income Washington consumers
10 since opening its doors in 2013. Since joining Northwest Consumer Law Center in 2015, I have
11 represented hundreds of individuals in debt collection and consumer protection matters. *See e.g.*
12 *Saody Eng v. Specialized Loan Servicing*, 82378-7-I (Wash. Ct. App. Dec. 13, 2021); *Hoffman*
13 *v. Transworld Sys., Inc.*, 806 Fed.Appx. 549, 551 (9th Cir. 2020), *Columbia Recovery Group,*
14 *LLC v. Tanya Martin et al*, 16-2-24338-0 (King Co. Sup. Ct. 2016). I successfully argued in
15 front of the Washington Court of Appeals reversing dismissal of a consumer protection claim on
16 appeal. *Saody Eng v. Specialized Loan Servicing*, 82378-7-I (Wash. Ct. App. Dec. 13, 2021).
17 In 2012, I earned a bachelor's degree from the University of Nevada, Reno. In 2015, I earned a
18 J.D. cum laude from Seattle University School of Law where I completed multiple internships
19 at consumer protection organizations including an externship at the Federal Trade Commission.
20 In 2015, I wrote an article about litigating consumer protection act violations in the mortgage
21 servicing context that was published in the Seattle University Law Review. Amanda Martin,
22 *Litigating Consumer Protection Acts in the HAMP Context*, 38 Seattle U. L. Rev. 739 (2015).

23 3. I am a member of the National Association of Consumer Advocates, the National
24 Association for Consumer Bankruptcy Advocates, and the Washington State Association for
25 Justice. I volunteer at Northwest Justice Project's Debt Collection Defense Clinic and serve on
26 the Executive Committee for the WSBA Antitrust, Consumer Protection, and Unfair Business
27 Practices ("ACPUBP") section. I have attended the National Consumer Law Center's Consumer

1 Rights Litigation Conference hosted by the National Consumer Law Center every year since
2 2014.

3 4. I have presented at several CLEs and other presentations on consumer protection
4 and debt collection matters including the National Consumer Law Center's Consumer Rights
5 Litigation Conference, Seattle University's Social Justice Mondays, and the WSBA ACPUBP
6 Section CLEs. I also frequently present on consumer protection matters for the public as part of
7 NWCLC's Webinar Series.

8 5. I first represented Plaintiff Teri Kimmons-Struck when Counter-Defendants
9 initiated a lawsuit against her seeking to collect the alleged debt that is the subject of this
10 litigation. Upon discovery of the potential class action, I associated with Terrell Marshall Law
11 Group PLLC due to their extensive class action experience. The attorneys for Plaintiffs have
12 submitted with the motion for certification a declaration detailing their extensive qualifications.

13 **B. Class Counsel's Fees and Litigation Costs**

14 6. Attorneys and staff members at Northwest Consumer Law Center devoted more
15 than 23 hours investigating, litigating, and settling this case. There is still work to perform. Class
16 Counsel will oversee settlement administration, respond to class member inquiries, prepare the
17 motion for final approval and responses to any objections, attend the final approval hearing, and
18 if approved, manage distributions to class members. The Settlement is not contingent on
19 approval of either the requested attorneys' fees or service awards.

20 7. I request compensation at an hourly rate of \$325 for my work as class counsel in
21 this matter.

22 8. Northwest Consumer Law Center sets its rates for attorneys based on a variety of
23 factors, including the education, experience, reputation, and ability of each attorney. The rates
24 charged by Northwest Consumer Law Center are consistent with those charged by other
25 attorneys who practice consumer litigation in Washington State.

Exhibit A

Northwest Consumer Law Center
Lippman Recupero Class Action

| Date | Activity category | Description | Hours | Rate (\$) | Billable (\$) | User |
|------------|-------------------------------|---|-------|-----------|---------------|-----------------|
| 7/13/2021 | Review Documents | Review of letter, researched licensing prior to call, call with client re debt collection. | 0.5 | 325 | 162.5 | Amanda Martin |
| 7/13/2021 | Legal Research | Research on Lippman Recupero -- whether debt collection law firm, license status. Created debt validation letter to send to client. | 0.7 | 325 | 227.5 | Amanda Martin |
| 7/13/2021 | Review Documents | Convert, rename, and save documents to PNC folder. | 0.1 | 100 | 10 | Victoria Stoner |
| 7/13/2021 | Review Documents | Mail letter to client via COS. | 0.1 | 100 | 10 | Victoria Stoner |
| 8/12/2021 | Email Communications | Reviewed email from client re debt validation response, forwarded to VS for review. | 0.2 | 325 | 65 | Amanda Martin |
| 10/20/2021 | Preparation of pleadings | Reviewed draft complaint | 0.2 | 325 | 65 | Amanda Martin |
| 10/25/2021 | Preparation of pleadings | Reviewed complaint with VS, made its | 0.4 | 325 | 130 | Amanda Martin |
| 10/25/2021 | Review Documents | Going over Kimmons-Struck first draft. | 0.5 | 100 | 50 | Victoria Stoner |
| 12/15/2021 | Preparation of pleadings | Prepared complaint, looked up corporation search, emailed client with draft complaint for review. | 1.3 | 325 | 422.5 | Amanda Martin |
| 1/10/2022 | Preparation of pleadings | Reviewed complaint, prepared answer, revised counterclaims and added cross claims. Prepared notice of appearance and filed and served NOA. Emailed client with update on case status. | 1.6 | 325 | 520 | Amanda Martin |
| 1/14/2022 | Review Documents | Review ANM's Answer & Counterclaims; update case status | 0.4 | 300 | 120 | Alyssa Au |
| 1/14/2022 | Review Documents | Reviewed case status, emailed AA re next steps | 0.2 | 325 | 65 | Amanda Martin |
| 1/24/2022 | Email Communications | Emailed opposing counsel re copy of counterclaims | 0.2 | 325 | 65 | Amanda Martin |
| 1/26/2022 | Email Communications | Emailed client re confirmation of settlement proposal for | 0.2 | 325 | 65 | Amanda Martin |
| 1/26/2022 | Phone conference with client. | Phone call with client reviewing settlement options | 0.6 | 325 | 195 | Amanda Martin |
| 1/28/2022 | Email Communications | Email to/from opposing counsel re extension | 0.1 | 325 | 32.5 | Amanda Martin |
| 2/2/2022 | Email Communications | Reviewed court rules on serving counterclaim, emailed client re current case status. | 0.4 | 325 | 130 | Amanda Martin |
| 2/17/2022 | Expense | KCDC Counterclaims Fee. | 1 | 167 | 167 | Amanda Martin |
| 2/17/2022 | Preparation of pleadings | Prepared amended answer, notice of unavailability, and acceptance of service, emailed to Lippman and served and filed. | 1.8 | 325 | 585 | Amanda Martin |
| 2/24/2022 | Phone conference. | Call with opposing counsel re settlement. | 0.3 | 325 | 97.5 | Amanda Martin |
| 3/8/2022 | Expense | Service of counterclaims on Lippman Recupero | 1 | 171.5 | 171.5 | Amanda Martin |
| 3/10/2022 | Phone conference with client. | Call with client re settlement offer. | 0.3 | 325 | 97.5 | Amanda Martin |
| 3/16/2022 | Legal Research | Research on FDCA claims based on WCAA violations. | 0.8 | 325 | 260 | Amanda Martin |
| 3/16/2022 | Email Communications | Emailed client re case status. | 0.1 | 325 | 32.5 | Amanda Martin |

Northwest Consumer Law Center
Lippman Recupero Class Action

| Date | Activity category | Description | Hours | Rate (\$) | Billable (\$) | User |
|-----------|-------------------------------|--|-------|-----------|---------------|---------------|
| 3/16/2022 | Phone conference with client. | Call re B. Chandler re potential class action, call with client re permission to share file. Emailed pleadings to B. chandler. | 0.7 | 325 | 227.5 | Amanda Martin |
| 3/21/2022 | Review Documents | Reviewed Joint Prosecution Agreement and Client Rep. Agreement. Signed and emailed back to B. Chandler. | 0.4 | 325 | 130 | Amanda Martin |
| 3/21/2022 | Email Communications | Emailed client re class action rep. agreement. | 0.2 | 325 | 65 | Amanda Martin |
| 3/21/2022 | Email Communications | Emailed representation agreement to H. Rota. Emailed B. Chandler re status of answers from defendants. | 0.3 | 325 | 97.5 | Amanda Martin |
| 4/8/2022 | Phone conference. | Call with Blythe and Eden re next steps in case. | 0.4 | 325 | 130 | Amanda Martin |
| 4/26/2022 | Review Documents | Reviewed draft amended complaint. Reviewed .260 claims. Emailed co-counsel with questions on complaint and .260 pleadings. | 0.8 | 325 | 260 | Amanda Martin |
| 5/9/2022 | Review Documents | Reviewed latest edits on second amended answer with counterclaims, emailed back TMLG team with no edits. | 0.6 | 325 | 195 | Amanda Martin |
| 5/23/2022 | Email Communications | Email to/from E. Norby re permission to amend complaint, Emailed opposing counsels re the same. | 0.2 | 325 | 65 | Amanda Martin |
| 5/24/2022 | Email Communications | Email opposing counsel with copy of second amended | 0.1 | 325 | 32.5 | Amanda Martin |
| 6/3/2022 | Email Communications | Reviewed case status, email to/from co-counsel re next steps. | 0.3 | 325 | 97.5 | Amanda Martin |
| 6/6/2022 | Email Communications | Email to/from B. Chandler and E. Norby re consent to amended filing | 0.2 | 325 | 65 | Amanda Martin |
| 6/16/2022 | Email Communications | Email to/from co-counsel re OCs' requests to extend answer deadlines. | 0.2 | 325 | 65 | Amanda Martin |
| 6/16/2022 | Email Communications | Email to/from OCs re agreeing to requests to extend answer deadlines. | 0.2 | 325 | 65 | Amanda Martin |
| 6/23/2022 | Phone conference. | Call with client | 0.4 | 325 | 130 | Amanda Martin |
| 7/26/2022 | Email Communications | Email to/from co-counsel re scheduling meeting | 0.1 | 325 | 32.5 | Amanda Martin |
| 7/26/2022 | Phone conference. | Call with co-counsel re discovery strategy | 0.4 | 325 | 130 | Amanda Martin |
| 7/27/2022 | Review Documents | Reviewed case schedule, reviewed email from client | 0.4 | 325 | 130 | Amanda Martin |
| 8/3/2022 | Review Documents | Reviewed offer of judgment. | 0.4 | 325 | 130 | Amanda Martin |
| 8/8/2022 | Preparation of pleadings | Finished reviewing draft discovery requests, sent edits to TMLG team. | 0.4 | 325 | 130 | Amanda Martin |
| 8/8/2022 | Email Communications | Reviewed email from BC re offer of judgment and discovery. | 0.3 | 325 | 97.5 | Amanda Martin |
| 8/10/2022 | Email Communications | Emailed client re offer of judgment, emailed co-counsel re status. | 0.5 | 325 | 162.5 | Amanda Martin |
| 8/11/2022 | Phone conference | Call with client re offer of judgment | 0.4 | 325 | 130 | Amanda Martin |
| 8/19/2022 | Email Communications | Emailed co-counsel to check on status | 0.1 | 325 | 32.5 | Amanda Martin |

Northwest Consumer Law Center
Lippman Recupero Class Action

| Date | Activity category | Description | Hours | Rate (\$) | Billable (\$) | User |
|-------------|--------------------------|--|--------------|------------------|----------------------|---------------|
| 8/19/2022 | Email Communications | Reviewed debt validation letter | 0.3 | 325 | 97.5 | Amanda Martin |
| 9/2/2022 | Email Communications | Email to/from BC re offer of judgment, discovery | 0.2 | 325 | 65 | Amanda Martin |
| 9/15/2022 | Email Communications | Call with client re case status | 0.3 | 325 | 97.5 | Amanda Martin |
| 9/20/2022 | Email Communications | Reviewed emails from opposing counsel, emailed BC to set up meeting. | 0.2 | 325 | 65 | Amanda Martin |
| 9/28/2022 | Phone conference. | Call with co-counsel re case status, review of file prior to call. | 0.4 | 325 | 130 | Amanda Martin |
| 10/27/2022 | Email Communications | Reviewed email from L. Strickland, emailed co-counsel re status. | 0.2 | 325 | 65 | Amanda Martin |
| | | | | | 7516 | |