

1 MEYER WILSON CO., LPA
2 Matthew R. Wilson, Esq. (SBN 290473)
3 mwilson@meyerwilson.com
4 Michael J. Boyle, Jr. (SBN 258560)
5 mboyle@meyerwilson.com
6 305 W. Nationwide Blvd.
7 Columbus, OH 43215
8 Telephone: (614) 224-6000
9 Facsimile: (614) 224-6066

10 *Attorneys for Plaintiff and the Proposed Class*

11 [Additional Counsel Listed on Signature Page]

12 **IN THE SUPERIOR COURT**
13 **FOR THE COUNTY OF MONTEREY**

14 KEVIN HEALY and APRIL HERNANDEZ,
15 on behalf of themselves and all others similarly
16 situated,

17 Plaintiffs,

18 v.

19 REITER AFFILIATED COMPANIES,
20 LLC,

21 Defendant.

Case No. 22 CV 003056

**PLAINTIFF KEVIN HEALY'S
DECLARATION IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS**

22 I, Kevin Healy, declare under penalty of perjury as follows:

23 1. I am a named Plaintiff in the above-captioned litigation. I submit this declaration
24 in support of Plaintiff's Motion for Attorneys' Fees, Costs, and Service Awards. The following
25 facts are based upon my personal knowledge and if called upon to do so, I could, and would,
26 competently testify thereto. I reside in Salinas, California

27 2. On or around September 22, 2022, I received notice of the Data Incident
concerning Ethos Technologies, Inc. After I received notice, I conducted some research
concerning the Data Incident and ultimately sought out and spoke with experienced attorneys to

1 determine if I would retain them to handle my case.

2 3. My attorneys spent significant time communicating with me about the facts of this
3 case and the law, including what was involved in being a class representative. In the end, I decided
4 to vindicate not only my own rights, but also those of others affected by the Reiter Affiliated
5 Companies data breach, by serving as a Plaintiff and proposed class representative in this class
6 action lawsuit. Instrumental in my decision to be a class representative was my own desire to
7 provide recourse to a proposed Class of other individuals whose personal information was
8 compromised in the Data Incident. Since agreeing to serve as a Plaintiff, I have diligently and
9 faithfully fulfilled my obligation, and I was instrumental in achieving the relief obtained for the
10 Class.

11 4. I have participated in this litigation from its inception through settlement
12 discussions. I have been in regular contact with my attorneys during the course of this matter.

13 5. Among other things, I have spent time researching the facts of the Data Incident,
14 searching for documents related to the breach, speaking with and communicating with my
15 attorneys, gathering information requested by my attorneys, and reviewing documents filed in
16 this action.

17 6. I am familiar with the work involved in prosecuting this action and have worked
18 with my attorneys to obtain the relief provided by the settlement. Throughout this litigation, I
19 made myself available to discuss developments in the case as part of my duty as a Class
20 Representative. All in all, I have devoted much time and attention to this case.

21 7. I have fairly represented the absent Class members and herein request that the
22 Court approve this settlement. I have maintained the best interests of the Class while performing
23 my class representative duties and I am unaware of any conflicts that would prevent me from
24 serving as a class representative.

25 8. Class Counsel have fairly and adequately represented the interests of the Class and
26 have demonstrated their valuable experience and qualifications in conducting the pending
27 litigation. They are experienced in prosecuting class actions such as this and have successfully

1 prosecuted numerous class actions in recent years, recovering hundreds of millions of dollars for
2 class members across the country. They have continued to provide fair and vigorous
3 representation for the Class in this matter.

4 9. By serving as a Class Representative in this action, I bore a certain amount of risk
5 that other Class members did not bear. In addition to the time I spent participating in the
6 prosecution of this case, I took a risk by coming forward and filing this class action, putting my
7 personal information into the public sphere once again. I was willing to participate in this case
8 through the discovery process, depositions, and through trial if there had not been a settlement.
9 As a result of my stepping forward and conducting a pre-suit investigation, Class members will
10 receive the benefits of the settlement to compensate them for the injuries directly and proximately
11 caused by Defendant's failure to implement or maintain adequate data security measures to
12 safeguard personally identifiable information ("PII") from unauthorized access and disclosure.

13 10. Based on the foregoing, I respectfully request that this Court award me a Service
14 Award of \$2,500.00.

15
16 Pursuant to 28 U.S.C. § 1746, we declare signed under penalty of perjury of the United
17 States of America that the foregoing is true and correct.

18
19 Executed on 01 / 30 / 2024 in Salinas, California.

20
21 
22 _____
Kevin Healy