

1 Drew E. Pomerance, Esq. (SBN. 101239), dep@rpnalaw.com
2 Burton E. Falk, Esq. (SBN. 100644), bef@rpnalaw.com
3 David R. Ginsburg, Esq. (SBN. 210900), drg@rpnalaw.com
4 **ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP**
5 5820 Canoga Avenue, Suite 250
6 Woodland Hills, California 91367
7 Telephone: (818) 992-9999
8 Facsimile: (818) 992-9991

9 [Additional Counsel Continued On Next Page]

10 Attorneys for Plaintiff GENE CASTILLO,
11 individually, and on behalf of
12 all others similarly situated

13 **UNITED STATES DISTRICT COURT**
14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

15 GARY DAVIS, an individual; on
16 behalf of himself, and as PRIVATE
17 ATTORNEY GENERAL, and on
18 behalf of all others similarly situated,

19 Plaintiff,

20 v.

21 CHASE BANK U.S.A., N.A., a
22 Delaware corporation; and DOES 1
23 through 50, inclusive,

24 Defendants.

Case No. CV 06 4804 DDP (PJWx)

Honorable Dean D. Pregerson

**PLAINTIFF’S SUPPLEMENTAL
REPORT REGARDING OPT-OUTS
AND OBJECTIONS IN SUPPORT
OF MOTIONS FOR (1) FINAL
APPROVAL OF SETTLEMENT
AND (2) ATTORNEYS’ FEES AND
EXPENSES AND SERVICE
AWARDS**

**[Declaration of Wyatt Lim-Tepper,
Filed Concurrently]**

Date: October 27, 2014
Time: 11:00 a.m.
Courtroom: 3

1 Jeff Westerman, Esq. (SBN. 94559)
2 jwesterman@jswlegal.com
3 **WESTERMAN LAW CORP.**
4 1900 Avenue of the Stars, 11th Floor
5 Los Angeles, California 90067
6 Telephone: (310) 698-7450
7 Facsimile: (310) 775-9777

8 Nicole Duckett Fricke, Esq. (SBN. 198168)
9 ndfricke@milberg.com
10 **MILBERG, LLP**
11 One California Plaza
12 300 South Grand Avenue, Suite 3900
13 Los Angeles, California 90071
14 Telephone: (213) 617-1200
15 Facsimile: (213) 617-1975

16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Plaintiff
GENE CASTILLO, individually,
and on behalf of all others similarly situated

1 Plaintiff Gene Castillo (Plaintiff) submits the following supplemental
2 information in support of the Motion for Final Approval of Settlement and Motion
3 for Attorneys' Fees and Expenses and Service Awards, which are set for hearing
4 on October 27, 2014 at 11:00 a.m.

5 On June 5, 2014, the Court granted preliminary approval of the Stipulation
6 and Agreement of Settlement (Settlement) filed on April 23, 2014, and approved
7 the proposed notice program. (Docket No. 340.) The Preliminary Approval
8 Order also provided for a 105-day deadline (through September 18, 2014) to opt-
9 out or object to the Settlement. *Id.* at ¶¶ 12-13.

10 Notices were subsequently mailed out to 438,969 Settlement Class
11 Members. There were 37,695 notices returned as undeliverable and, of those,
12 32,024 were re-mailed to updated addresses. As of September 23, 2014, no
13 objections have been received. There have been 22 timely opt-outs and 1 opt-out
14 that was untimely. (Declaration of Wyatt Lim-Tepper, ¶¶ 1-5, and Exhibit A).

15
16 DATED: September 24, 2014 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP

17 By: s/ Drew E. Pomerance
18 DREW E. POMERANCE
19 BURTON E. FALK
20 Attorneys for Plaintiff
21 GENE CASTILLO, individually,
22 and on behalf of all others similarly situated

23 DATED: September 24, 2014 WESTERMAN LAW CORP.

24 By: s/ Jeff Westerman
25 JEFF WESTERMAN
26 Attorneys for Plaintiff
27 GENE CASTILLO, individually,
28 and on behalf of all others similarly situated

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: September 24, 2014 MILBERG LLP

By: s/ Nicole Duckett Fricke
NICOLE DUCKETT FRICKE
Attorneys for Plaintiff
GENE CASTILLO, individually,
and on behalf of all others similarly situated

CERTIFICATE OF SERVICE

I hereby certify that, on September 24, 2014, a true and correct copy of the foregoing PLAINTIFF’S SUPPLEMENTAL REPORT REGARDING OPT-OUTS AND OBJECTIONS IN SUPPORT OF MOTIONS FOR (1) FINAL APPROVAL OF SETTLEMENT AND (2) ATTORNEYS’ FEES AND EXPENSES AND SERVICE AWARDS was filed electronically and served by U.S. Mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court’s electronic filing system or by facsimile to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court’s CM/ECF System.

s/ Elia Ramirez
Elia Ramirez