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12 Individually and on Behalf of All Others Similarly Situated

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15 UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 TAQUELIA WASHINGTON TOLAND
18 and GEORGIA TOLAND, individually
19 and on behalf of All Others Similarly
20 Situated,

20 Plaintiffs,

21 vs.

22 NATIONSTAR MORTGAGE LLC, a
23 Delaware limited liability company;
24 VERIPRO SOLUTIONS INC., a Delaware
25 corporation, and DOES 1 through 20,

25 Defendants.

Case No. 3:17-cv-02575-JD

CLASS ACTION

**DECLARATION OF TAQUELIA
WASHINGTON TOLAND IN
SUPPORT OF PLAINTIFF'S MOTION
FOR AWARD OF ATTORNEYS'
FEES, EXPENSES, AND SERVICE
AWARDS**

**Date: April 21, 2022
Time: 10:00 a.m.
Courtroom 11, 19th Floor
Hon. James Donato**

Complaint Filed: March 24, 2017

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27 I, TAQUELIA WASHINGTON TOLAND, do hereby declare as follows:

28 1. I am an individual over 18 years of age living in Oakland, California. I am a Plaintiff and

1 co-Class Representative in the above-referenced matter. I have personal knowledge of all
2 information stated below and I am competent to testify thereto.

3 2. I am making this declaration in support of the class action settlement reached in this case
4 that includes my proposed receipt of a \$5,000.00 service award to me for my participation as
5 class representative in this case. I understand that this award will be subject to Court approval.

6 3. On November 2, 2006, Georgia and I bought a condominium together, located at
7 1318 "B" Street, Unit B208 in Hayward, California, as our personal residence. To finance the
8 condo, we obtained two loans from Countrywide Bank, N.A., a purchase money first mortgage
9 for \$332,000.00, and a purchase money second mortgage for \$83,000.00. We used these loans to
10 pay the purchase price. We moved into the condo and occupied it as our personal residence.

11 4. In May 2012, the Federal National Mortgage Association conducted a non-judicial
12 foreclosure sale of the condo. The foreclosure sale did not produce enough to pay off either the
13 first or the second mortgage, leaving an unsatisfied balance on both loans. After the foreclosure,
14 servicing of the second mortgage was transferred to Nationstar Mortgage, LLC.

15 5. On or about October 10, 2016, Veripro Solutions, Inc. sent Georgia the collection letter
16 attached to our Complaint as Exhibit "A" in our pending case against Nationstar and Veripro. In
17 or about January 12, 2017, Veripro sent the substantially similar letter to me, which is
18 attached as Exhibit "B" to our Complaint. In February 2017, each of us received a substantially
19 identical third letter from Veripro, which is attached as Exhibit "C" to our Complaint.

20 6. All of these letters were trying to collect a balance remaining on our second
21 purchase money mortgage after the 2012 foreclosure sale. When we received these letters,
22 Georgia and I became very worried that Veripro might take legal action against us. We contacted
23 Housing and Economic Rights Advocates (HERA) in Oakland for advice on our legal rights.

24 7. In March 2017, HERA and Kemnitzer, Barron & Krieg, acting as our attorneys, filed our
25 case against Nationstar and Veripro in Alameda County Superior Court.

26 8. I agreed to act as a Class Representative because I wanted to help protect homeowners
27 from the Defendants' unlawful behavior. This situation was extremely stressful and if we had not
28 reached out to HERA for advice, we would not have known that the defendants' behaviors were

1 wrong. Not everyone has the resources or capacity to access legal advice and it felt important
2 that we use the knowledge we received to try to help others. My primary goal in acting as a Class
3 Representative was to ensure that I could help individuals who had been hurt by Nationstar and
4 Veripro's practices as I had been. I feel a moral obligation to stand up for what is right and help
5 others who have been in my situation. I hold this moral obligation both in my profession as a
6 social worker and in how I navigate my life as a whole. I am proud that if this class action
7 settlement is approved, it will help hundreds of California homeowners who were in a same
8 position as me and my wife.

9 9. I have actively taken part in this lawsuit. I have been in frequent contact with my
10 attorneys over the nearly five years this case has been going. I estimate that I have spent 45 hours
11 assisting my attorneys with the case, including the following tasks:

- 12 • Contacting attorneys;
- 13 • Organizing and producing my documents;
- 14 • Meeting in person with my attorneys;
- 15 • Conferring with my attorneys many phone conferences, emails, and letters;
- 16 • Appearing and testifying at a deposition on July 19, 2019;
- 17 • Being available by telephone prior to or during multiple mediation and settlement
18 conferences;
- 19 • Reviewing and understanding the versions of the settlement documents which
20 were presented to me;
- 21 • Reviewing and correcting my declaration for the Motion for Preliminary
22 Approval and Motion for Final Approval of Class Action Settlement;
- 23 • Monitoring and conferring with my lawyers on an ongoing basis;
- 24 • Keeping up to date on the litigation;
- 25 • Reviewing all documents sent to me and asking questions about them; and
- 26 • Monitoring the progress of the settlement and settlement approval process.

27 10. I did not sign the settlement agreement as a condition of receiving a service award of
28 \$5,000.00, or any other amount. I understand that such an award is fully within the Court's

1 power to award. I signed the settlement agreement because I think it provides significant benefit
2 to many other class members. I am aware of the general terms of settlement, and I believe the
3 terms to be fair and reasonable. I would be grateful if the Court would approve the settlement,
4 including the requested service award.

5 I declare under penalty of perjury under the laws of California that the foregoing is true
6 and correct, and that this Declaration is executed on November 29th, 2021, at Oakland,
7 California.

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10 TAQUELIA WASHINGTON TOLAND

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