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Attorneys for Plaintiffs TAQUELIA WASHINGTON TOLAND AND GEORGIA TOLAND Individually and on Behalf of All Others Similarly Situated

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

TAQUELIA WASHINGTON TOLAND  
and GEORGIA TOLAND, individually  
and on behalf of All Others Similarly  
Situated,

Plaintiffs,

vs.

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

Defendants.

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

CLASS ACTION

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

**Date: April 21, 2022**

**Time: 10:00 a.m.**

**Courtroom 11, 19<sup>th</sup> Floor**

**Hon. James Donato**

Complaint Filed: March 24, 2017

I, GEORGIA TOLAND, do hereby declare as follows:

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, Taquelia 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 me 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 Taquelia, 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 Taquelia and I became very worried that Veripro might take legal action against us. We  
23 contacted Housing and Economic Rights Advocates (HERA) in Oakland for advice on our legal  
24 rights.

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

27 8. I agreed to act as a Class Representative because it is important to me that the  
28 Defendants' unlawful behavior is stopped and that those impacted by their actions are

1 appropriately reimbursed. I believe that it is not only my personal but also moral obligation to  
2 stand up for what is right, help others who are in my situation, and to prevent any others from  
3 being in the same situation. For me, this whole process has been about taking a stand for those  
4 that have been harmed (including my wife and me). I am proud that if this class action settlement  
5 is approved, it will help hundreds of California homeowners who were in the same position as  
6 my wife and me.

7 9. I have actively taken part in this lawsuit. I have been in frequent contact with my  
8 attorneys over the nearly five years this case has been going. I estimate that I have spent 60 hours  
9 assisting my attorneys with the case, including the following tasks:

- 10 • Contacting attorneys;
- 11 • Organizing and producing my documents;
- 12 • Meeting in person with my attorneys;
- 13 • Conferring with my attorneys many phone conferences, emails, and letters;
- 14 • Appearing and testifying at a deposition on July 18, 2019;
- 15 • Being available by telephone prior to or during multiple mediation and settlement  
16 conferences;
- 17 • Reviewing and understanding the versions of the settlement documents which  
18 were presented to me;
- 19 • Reviewing and correcting my declaration for the Motion for Preliminary  
20 Approval and Motion for Final Approval of Class Action Settlement;
- 21 • Preparing for and appearing at settlement hearings on July 27, 2020 and August  
22 25, 2020;
- 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.

1 10. I did not sign the settlement agreement as a condition of receiving a service award of  
2 \$5,000.00, or any other amount. I understand that such an award is fully within the Court's  
3 power to award. I signed the settlement agreement because I think it provides significant benefit  
4 to many other class members. I am aware of the general terms of settlement, and I believe the  
5 terms to be fair and reasonable. I would be grateful if the Court would approve the settlement,  
6 including the requested service award.

7 11. I am represented by Arthur Levy, Housing and Economic Rights Advocates, and the law  
8 firm of Kennitzer, Barron & Krieg, LLP, all of whom I believe are competent to represent me  
9 and the class. I rely on my attorneys' expertise in class actions to assist and counsel me in  
10 fulfilling my obligations to the class.

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

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15 GEORGIA TOLAND  
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