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Attorneys for Plaintiffs TODD PERRY (Individually and as Trustee of PERRY LIVING TRUST), and ELIZABETH PERRY (Individually and as Trustee of PERRY LIVING TRUST) on behalf of themselves and all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE**

GLENN LINDGREN, an individual,
CALVIN DUONG, an individual; ROBERT TRUJILLO, an individual; KELLY TRUJILLO, an individual; SANDRA SMITH, an individual; DAN O'HARA, an individual; EDEN O'HARA, an individual; TODD PERRY, Individually and as Trustee of the PERRY LIVING TRUST, and ELIZABETH PERRY, Individually and as Trustee of the PERRY LIVING TRUST; on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

SHEA HOMES, INC., a Corporation;
PLUMBING CONCEPTS, INC., a Corporation; MUELLER INDUSTRIES, INC., a Corporation; and DOES 1-100,

Defendants.

AND RELATED CROSS-CLAIM.

CASE NO. 30-2013-00649466-CU-CD-CXC
Assigned for all purposes to:
Judge Peter Wilson
Dept. CX-101

**DECLARATION OF TODD PERRY
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Date: June 29, 2023

Time: 2:00 p.m.

Dept.: CX-101

Complaint Filed: 05/09/2013

1 **DECLARATION OF TODD PERRY**

2 I, TODD PERRY, declare as follows:

3 1. I am over the age of 18 years and am one of the class representatives in the above-
4 captioned class action. I have personal knowledge of the matters contained in this declaration and if
5 called to testify, I would and could competently testify to such matters. I make this declaration upon my
6 personal knowledge and, if called upon and sworn as a witness, I could and would competently testify
7 hereto.

8 2. I am represented by my counsel Bridgford, Gleason & Artinian, Kabateck LLP
9 and McNicholas & McNicholas LLP.

10 3. I submit this declaration in support of the motion for preliminary approval of class
11 settlement.

12 4. I am a class member in this class action and have been asked to serve as one of
13 the class representatives in this action. My wife and I are owners of 36 Abyssinian, Ladera
14 Ranch, CA 92694 – a home included within this class action.

15 5. I have been kept apprised of this case through Plaintiff’s counsel since I became
16 involved in this action in early 2021, when I retained plaintiffs’ counsel.

17 6. My counsel has explained to me what my obligations are for serving as a class
18 representative in this matter, and I take those obligations seriously and intend to carry out those
19 obligations to the best of my ability. I understand that I may not put my personal interests ahead
20 of the Class Members’ interests as a whole and that my interests cannot be antagonistic to those
21 of the Class. My interests align with those of the Class, because the Class and I share the mutual
22 interest of establishing Defendant’s liability and obtaining relief for the Class.

23 7. I have actively worked with my attorneys to assist them in litigating this case, and
24 in the settlement discussions. I have also engaged in several discussions with my counsel
25 regarding the details and status of the lawsuit and settlement. My counsel has routinely informed
26 me of the status of the case and has attended to my questions and concerns about the litigation on
27

1 my behalf and all similarly situated. I will continue to remain engaged in this lawsuit through
2 the duration of the litigation and diligently discharge my duties as class representative.

3 8. My counsel has explained to me the terms of the proposed Settlement and
4 answered all questions that I had about its terms. I was fully advised as to the provisions of the
5 proposed Settlement and have reviewed the entire agreement before executing it. I fully support
6 the terms reached within the Settlement and find it to be fair and reasonable when taking into
7 account all aspects of this litigation and the risks as have been explained to me by my counsel.

8 9. I am currently not party to, nor have I been a party to at any time during the
9 course of this litigation, any cases which are similar to this case pending in other jurisdictions.

10
11 I declare under penalty of perjury under the laws of the State of California that the foregoing is
12 true and correct. Executed on April 10, 2023, at Ladera Ranch, California.

13
14 
15 Todd Perry

1 **PROOF OF SERVICE**

2 **Lindgren v. Shea Homes, Inc., et al.**

3 **Orange County Superior Court Case No.: 30-2013-00649466**

4 I, the undersigned, declare that:

5 I am over the age of 18 years and not a party to the within action. I am employed in the
6 County where the Proof of Service was prepared and my business address is Law Offices of
7 BRIDGFORD, GLEASON & ARTINIAN, 26 Corporate Plaza, Suite 250, Newport Beach, CA
8 92660.

9 On the date set forth below, I served the following document(s): **DECLARATION OF
10 TODD PERRY IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
11 APPROVAL OF CLASS ACTION SETTLEMENT** on the interested party(s):

12 **SEE ATTACHED SERVICE LIST**

13 by the following means:

14 () **BY MAIL:** By placing a true copy thereof, enclosed in a sealed envelope with
15 postage thereon fully prepaid. I am readily familiar with the business
16 practice for collecting and processing correspondence for mailing. On the
17 same day that correspondence is processed for collection and mailing it is
18 deposited in the ordinary course of business with the United States Postal
19 Service in Newport Beach, California to the address(es) shown herein.

20 () **BY PERSONAL SERVICE:** By placing a true copy thereof, enclosed in a
21 sealed envelope, I caused such envelope to be delivered by hand to the
22 recipients herein shown (as set forth on the service list).

23 () **BY OVERNIGHT DELIVERY:** I served the foregoing document by Overnight
24 Delivery as follows: I placed true copies of the foregoing document in
25 sealed envelopes or packages designated by the express service carrier,
26 addressed to recipients shown herein (as set forth on the service list), with
27 fees for overnight delivery paid or provided for.

28 (X) **BY ELECTRONIC MAIL (EMAIL):** I caused a true copy thereof sent via
email to the address(s) shown herein.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Dated: April 12, 2023

/s/Debbie Knipe

Debbie Knipe

SERVICE LIST

Lindgren v. Shea Homes, Inc., et al.

Orange County Superior Court Case No.: 30-2013-006494606

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| 13 14 15 | Shon Morgan, Esq. QUINN EMANUEL URQUHART & SULLIVAN LLP 865 S. Figueroa St., 10 th Floor Los Angeles, CA 90017 | Co-Counsel for Defendant SHEA HOMES, INC. Telephone: (213) 443-3252 Fax: (213) 443-3100 shonmorgan@quinnemanuel.com |