Laura L. Ho (SBN 173179)
lho@gbdhlegal.com
Anne Bellows (SBN 293722)
abellows@gbdhlegal.com
GOLDSTEIN, BORGEN, DARDARIAN & HO
155 Grand Avenue, Suite 900
Oakland, CA 94612
(510) 763-9800; (510) 835-1417 (Fax)

Andrew Wolff (SBN 195092)
andrew@awolfflaw.com
LAW OFFICES OF ANDREW WOLFF, PC
1615 Broadway, 4th Floor
Oakland, CA 94612
(510) 834-3300; (510) 834-3377 (Fax)

Jesse Newmark (SBN 247488)
jessenewmark@centrolegal.org
CENTRO LEGAL DE LA RAZA
3022 International Blvd., Suite 410
Oakland, CA 94601
(510) 437-1863; (510) 437-9164

Attorneys for Plaintiffs and Relators and the Certified Classes

**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF CALIFORNIA**
**SACRAMENTO DIVISION**

UNITED STATES OF AMERICA, *ex rel.* DENIKA TERRY, ROY HUSKEY III, and TAMERA LIVINGSTON, and each of them for themselves individually, and for all other persons similarly situated and on behalf of the UNITED STATES OF AMERICA

Plaintiffs/Relators,

vs.

WASATCH ADVANTAGE GROUP, LLC, WASATCH PROPERTY MANAGEMENT, INC., WASATCH POOL HOLDINGS, LLC, CHESAPEAKE APARTMENT HOLDINGS, LLC, LOGAN PARK APARTMENTS, LLC, LOGAN PARK APARTMENTS, LP, ASPEN PARK HOLDINGS, LLC, BELLWOOD JERRON HOLDINGS, LLC, BELLWOOD JERRON APARTMENTS, LP, BENT TREE APARTMENTS, LLC, CALIFORNIA PLACE APARTMENTS, LLC, CAMELOT LAKES HOLDINGS, LLC, CANYON, CLUB HOLDINGS, LLC, COURTYARD AT CENTRAL

Case No.: 2:15-CV-00799-KJM-DB

CLASS ACTION

**JOINT STIPULATION AND ORDER FOR APPOINTMENT OF THE IMPACT FUND AS CLASS COUNSEL**

Trial Date: None Set



AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO
839521.3

PARK APARTMENTS, LLC, CREEKSIDE HOLDINGS, LTD, HAYWARD SENIOR APARTMENTS, LP, HERITAGE PARK APARTMENTS, LP, OAK VALLEY APARTMENTS, LLC, OAK VALLEY HOLDINGS, LP, PEPPERTREE APARTMENT HOLDINGS, LP, PIEDMONT APARTMENTS, LP, POINT NATOMAS APARTMENTS, LLC, POINT NATOMAS APARTMENTS, LP, RIVER OAKS HOLDINGS, LLC, SHADOW WAY APARTMENTS, LP, SPRING VILLA APARTMENTS, LP, SUN VALLEY HOLDINGS, LTD, VILLAGE GROVE APARTMENTS, LP, WASATCH QUAIL RUN GP, LLC, WASATCH PREMIER PROPERTIES, LLC, WASATCH POOL HOLDINGS III, LLC, and DOES 1-4,

Defendants.

Plaintiffs Denika Terry, Roy Huskey III, and Tamera Livingston ("Plaintiffs") and Defendants Wasatch Advantage Group, LLC, Wasatch Property Management, Inc., Wasatch Pool Holdings, LLC, Chesapeake Apartment Holdings, LLC, Logan Park Apartments, LLC, Logan Park Apartments, LP, Aspen Park Holdings, LLC, Bellwood Jerron Holdings, LLC, Bellwood Jerron Apartments, LP, Bent Tree Apartments, LLC, California Place Apartments, LLC, Camelot Lakes Holdings, LLC, Canyon Club Holdings, LLC, Courtyard at Central Part Apartments, LLC, Creekside Holdings, Ltd., Hayward Senior Apartments, LP, Heritage Park Apartments, LP, Oak Valley Apartments, LLC, Oak Valley Holdings, LP, Peppertree Apartment Holdings, LP, Piedmont Apartments, LP, Point Natomas Apartments, LLC, Point Natomas Apartments, LP, River Oaks Holdings, LLC, Shadow Way Apartments, LP, Spring Villa Apartments, LP, Sun Valley Holdings, Ltd., Village Grove Apartments, LP, Wasatch Quail Run Gp, LLC, Wasatch Premier Properties, LLC, and Wasatch Pool Holdings III, LLC ("Defendants") (collectively, the "Parties"), by and through their respective counsel, hereby stipulate, pursuant to Local Rule 143, to appoint the nonprofit law firm the Impact Fund as class counsel in this matter and jointly request that the Court approve this stipulation:

WHEREAS on July 30, 2018, this Court granted Plaintiffs' motion for class certification as to the Rule 23(b)(3) class and granted conditionally Plaintiffs' motion for class certification as to the Rule 23(b)(2) class.

WHEREAS this Court previously appointed Centro Legal de la Raza and the Law Offices of Andrew Wolff, PC as class counsel on July 30, 2018.

WHEREAS this Court later appointed Goldstein, Borgen, Dardarian & Ho as class counsel on May 21, 2019, following stipulation by the parties.

WHEREAS Plaintiffs wish to have the Impact Fund appointed as class counsel in order to bring additional resources and expertise to the litigation of their class action.

WHEREAS the Declaration of Jocelyn D. Larkin, filed herewith, sets forth her experience and expertise in class action litigation, as well as the Impact Fund's history of prosecuting class actions.

WHEREAS Defendants consent to the appointment of the Impact Fund as class counsel.

WHEREAS under Rule 23(c)(1)(B) and Rule 23(g), a court appoints class counsel based on a variety of factors, including the work counsel has done in identifying or investigating potential claims in the action; counsel's experience in handling class actions, other complex litigation, and the types of claims asserted in the action; counsel's knowledge of the applicable law; and the resources that counsel will commit to representing the class. Fed. R. Civ. P. 23(g)(1)(A). The Declaration of Jocelyn D. Larkin filed in support of this stipulation provides further evidence demonstrating that Plaintiffs' new counsel have considerable experience in class actions, are qualified to represent the proposed class, and can be expected to perform their responsibilities adequately in light of that experience, the record to date in this case, and related considerations.

WHEREAS since being retained, the Impact Fund has been working closely with Centro Legal de la Raza, the Law Offices of Andrew Wolff, PC, and Goldstein, Borgen, Dardarian & Ho to litigate this case in an effective manner. *See* Larkin Decl. ¶ 6.

WHEREAS proposed class counsel are experienced in handling class actions and other complex litigation, including with regard to housing. *See* Larkin Decl. ¶¶ 3-5.

WHEREAS proposed class counsel are knowledgeable of the applicable law. The declaration submitted in support of this stipulation demonstrates that proposed class counsel have expertise in class actions and housing, and are capable of adequately representing Plaintiffs in the prosecution of this class action. *See id*.

WHEREAS the Impact Fund will commit sufficient resources to represent the class. The Impact Fund, along with co-counsel, are advancing costs for this class action. Such a mechanism for funding litigation is appropriate in a case such as this. *See, e.g.*, *Irwin v. Mascott*, 96 F. Supp. 2d 968 (N.D. Cal. 1999). *See* Larkin Decl. ¶ 7.

WHEREAS the Impact Fund meets the standard for adequacy because plaintiffs and their new counsel have no interest that is antagonistic to the interests of the class, but rather share a common interest in challenging Defendants' unlawful actions. *See* Larkin Decl. ¶ 8.

WHEREAS, the Impact Fund has been found adequate to represent classes of individuals in numerous cases. *See* Larkin Decl. ¶ 3 & Ex. A.

WHEREAS the appointment of additional class counsel is appropriate given the magnitude and scope of the litigation. The appointment of the Impact Fund is reasonably necessary and appropriate to effectively represent the class. The use of multiple law firms in large scale class actions is routine. *See Ellis v. Costco Wholesale Corp.*, -- F. Supp. 2d --, 2012 WL 4371817, *55 (N.D. Cal. Sept. 25, 2012) (appointing five law firms as class counsel in gender discrimination case).

THEREFORE, the Parties stipulate that the Court enter the following order:

The law firm of the Impact Fund is adequate to serve as class counsel and are hereby appointed as Class Counsel for the Classes previously certified by this Court on July 30, 2018.

Dated: September 30, 2021

Respectfully submitted,

GOLDSTEIN, BORGEN, DARDARIAN & HO

*/s/ Anne Bellows*
Anne Bellows

Attorneys for Plaintiffs and Relators

Dated: September 30, 2021

Respectfully submitted,

CENTRO LEGAL DE LA RAZA

*/s/ Jesse Newmark (as auhorized on 9/30/21)*
Jesse Newmark

Attorneys for Plaintiffs and Relators

Dated: September 30, 2021

Respectfully submitted,

LAW OFFICES OF ANDREW WOLFF

*/s/ Andrew Wolff (as auhorized on 9/30/21)*
Andrew Wolff

Attorneys for Plaintiffs and Relators

Dated: September 30, 2021

Respectfully submitted,

IMPACT FUND

*/s/ Jocelyn Larkin (as auhorized on 9/30/21)*
Jocelyn Larkin

Attorneys for Plaintiffs and Relators

Dated: September 30, 2021

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

*/s/ Ryan Matthews (as auhorized on 9/30/21)*
Ryan Matthews

Attorneys for Defendants

This order resolves ECF No. 139.

IT IS SO ORDERED.

Dated: November 1, 2021

CHIEF UNITED STATES DISTRICT JUDGE

Laura L. Ho (SBN 173179)
lho@gbdhlegal.com
Anne Bellows (SBN 293722)
abellows@gbdhlegal.com
GOLDSTEIN, BORGEN, DARDARIAN & HO
155 Grand Avenue, Suite 900
Oakland, CA 94612
(510) 763-9800; (510) 835-1417 (Fax)

Andrew Wolff (SBN 195092)
andrew@awolfflaw.com
LAW OFFICES OF ANDREW WOLFF, PC
1615 Broadway, 4th Floor
Oakland, CA 94612
(510) 834-3300; (510) 834-3377 (Fax)

Jesse Newmark (SBN 247488)
jessenewmark@centrolegal.org
CENTRO LEGAL DE LA RAZA
3022 International Blvd., Suite 410
Oakland, CA 94601
(510) 437-1863; (510) 437-9164

Attorneys for Plaintiffs and Relators and the Certified Classes

**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF CALIFORNIA**
**SACRAMENTO DIVISION**

UNITED STATES OF AMERICA, *ex rel.* DENIKA TERRY, ROY HUSKEY III, and TAMERA LIVINGSTON, and each of them for themselves individually, and for all other persons similarly situated and on behalf of the UNITED STATES OF AMERICA

Plaintiffs/Relators,

vs.

WASATCH ADVANTAGE GROUP, LLC, WASATCH PROPERTY MANAGEMENT, INC., WASATCH POOL HOLDINGS, LLC, CHESAPEAKE APARTMENT HOLDINGS, LLC, LOGAN PARK APARTMENTS, LLC, LOGAN PARK APARTMENTS, LP, ASPEN PARK HOLDINGS, LLC, BELLWOOD JERRON HOLDINGS, LLC, BELLWOOD JERRON APARTMENTS, LP, BENT TREE APARTMENTS, LLC, CALIFORNIA PLACE APARTMENTS, LLC, CAMELOT LAKES HOLDINGS, LLC, CANYON, CLUB HOLDINGS, LLC, COURTYARD AT CENTRAL PARK APARTMENTS, LLC, CREEKSIDE

Case No.: 2:15-CV-00799-KJM-DB

CLASS ACTION

**DECLARATION OF JOCELYN D. LARKIN**

Trial Date: None Set

HOLDINGS, LTD, HAYWARD SENIOR APARTMENTS, LP, HERITAGE PARK APARTMENTS, LP, OAK VALLEY APARTMENTS, LLC, OAK VALLEY HOLDINGS, LP, PEPPERTREE APARTMENT HOLDINGS, LP, PIEDMONT APARTMENTS, LP, POINT NATOMAS APARTMENTS, LLC, POINT NATOMAS APARTMENTS, LP, RIVER OAKS HOLDINGS, LLC, SHADOW WAY APARTMENTS, LP, SPRING VILLA APARTMENTS, LP, SUN VALLEY HOLDINGS, LTD, VILLAGE GROVE APARTMENTS, LP, WASATCH QUAIL RUN GP, LLC, WASATCH PREMIER PROPERTIES, LLC, WASATCH POOL HOLDINGS III, LLC, and DOES 1-4,

Defendants.

I, Jocelyn D. Larkin, declare as follows:

1. I am a member in good standing of the Bar of the State of California. I am providing this declaration of counsel in support of the joint stipulation and proposed order for appointment of the Impact Fund as Class Counsel. I have personal knowledge of the facts set forth in this Declaration and could and would testify competently to them.

2. I am a 1983 graduate of the University of California, Los Angeles School of Law and Executive Director of the Impact Fund in Berkeley, California. The Impact Fund was founded in 1992. The organization's mission includes providing advice, counseling, and training in class action and complex litigation for social justice litigators. The organization maintains an active class action litigation docket, has authored dozens of amicus briefs in class action cases, and has participated in hearings of the federal Advisory Committee on Civil Rules regarding rules of civil procedure, particularly Rule 23.

3. I joined the Impact Fund in December 1999 and became the Executive Director in July 2010. A copy of my resume is attached as Exhibit A. During my time with the Impact Fund, I have been appointed class counsel in major civil rights class actions, including *Ellis v. Costco Wholesale Inc.*, 657 F.3d 970 (9th Cir. 2011), *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338 (2011), and *Parra v. Bashas', Inc.*, 536 F.3d 975 (9th Cir. 2008). I am the co-editor of the *Class Action Strategy and Practice Guide*, published in 2018 by the American Bar Association. I have twice received the California Lawyer Magazine Attorney of the Year (CLAY) Award for Employment Law (2005 and 2015).

4. I will be joined by the Impact Fund's Director of Litigation and Training, Lindsay Nako. Ms. Nako graduated from the University of California, Berkeley School of Law in 2005 and is admitted to practice law in California and before this Court. Before joining the Impact Fund, Ms. Nako was a shareholder at an Oakland-based employment law firm, where she litigated extensively in the areas of employment discrimination and employee benefits. At the Impact Fund, Ms. Nako has led class and impact litigation challenging workplace discrimination and the illegal denial of public benefits. Ms. Nako has been appointed class counsel in multiple class actions, including *Akaosugi v. Benihana Nat'l Corp.*, No. C 11-01272 WHA, 2012 WL 1657099 (N.D. Cal. May 10, 2012); *Ellis v.*

*Costco Wholesale Inc.*, 657 F.3d 970 (9th Cir. 2011); and *Orsolini v. Mead Clark Lumber Co.*, No. C 10-04478 (N.D. Cal.). Ms. Nako was named a "Top Woman Attorney in Northern California" and "Northern California Rising Star" by Super Lawyers Magazine and San Francisco Magazine each year from 2009 to 2015 and received the East Bay Community Law Center's annual Attorney Award in 2012. She served as a Lawyer Representative for this District and the Ninth Circuit from 2017 to 2019. She now serves as a mediator with the ADR Program for the United States District Court for the Northern District of California.

5. In addition to the cases cited in paragraph 3 above, the Impact Fund was appointed class counsel in *Williams v. City of Antioch*, No. C 08-02301 SBA, 2010 WL 3632197 (N.D. Cal. Sept. 2, 2010), where we represented a certified class of African-American Section 8 housing voucher holders challenging a local police department's systematic targeting of Section 8 households. The case resolved in 2012.

6. The Court previously appointed co-counsel Centro Legal de la Raza, the Law Offices of Andrew Wolff, PC, and Goldstein, Borgen, Dardarian & Ho as class counsel. My firm is working cooperatively with those firms in litigating this case. The four firms have been coordinating to ensure that tasks are accomplished in an effective manner that avoids duplication of effort. In my experience, it is not unusual to have a number of plaintiffs' law firms cooperate to jointly litigate complex, resource intensive class actions in this manner.

7. The Impact Fund has handled many large class actions in conjunction with co-counsel firms. My firm will commit the staffing and other resources required to represent the class to a successful conclusion of this litigation, including advancement of a portion of costs and assignment of experienced attorneys and staff.

///

///

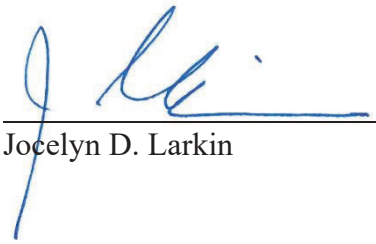
///

///

///

8. To my knowledge, the Impact Fund has no conflicts of interest that would prevent the firm from providing zealous representation of the named plaintiffs and the class.

I declare under penalty of perjury under the laws of the State of California and of the United States that the foregoing is true and correct, and that this Declaration was executed this 30th day of September 2021, in Berkeley, California.



Jocelyn D. Larkin

# EXHIBIT A

# Jocelyn D. Larkin

2080 Addison St., Suite 5
Berkeley, CA 94704
(510)845-3473, ext. 306
jlarkin@impactfund.org
www.impactfund.org


## EMPLOYMENT

**Impact Fund,** Berkeley, CA (December 1999 – present)

**Executive Director** (July 2010 to the present)

**Deputy Executive Director** (November 2009 to July 2010)

**Director of Litigation and Training** (December 1999 to October 2009)

I represent and have represented employees in many Title VII class actions, including *Wal-Mart Stores v. Dukes,* 564 U.S. 338 (2011); *Ellis v. Costco Wholesale Corp.,* 657 F.3d 970 (9th Cir. 2011); and *Parra v. Bashas' Stores Inc.,* 536 F.3d 975 (9th Cir. 2008). I also regularly author amicus briefs on a wide range of employment and class action subjects in federal and state courts. For more than a decade, I organized an annual conference of plaintiffs' class action practitioners, attended by over 200 lawyers, to discuss case law and strategy. I also developed and regularly teach an annual three-day Class Action Training Institute, which uses a hypothetical case file to teach class action strategy and practice to a small group of lawyers.

**Law Offices of Jocelyn D. Larkin** (January 1997 – December 1999)

I represented employees in mediation, severance negotiations and litigation. I also represented California class members in the *Amchem Products v. Windsor* litigation before the Third Circuit and the U.S. Supreme Court.

**Founding Partner, Ryu, Dickey & Larkin** (January 1995 to January 1997)

I represented employees in class action and individual litigation, including the class in the gender discrimination class action, *Vandell v. Chevron Corp.,* No. 945302 (S.F. Superior Court).

**Partner, Saperstein, Goldstein, Mayeda & Larkin** (April 1987 to June 1993) – Partner, 1991 – 93; Associate 1987 – 1990)

I represented employees in a wide range of class action and individual litigation, including discrimination, privacy and wrongful termination cases. The most important case was a class action gender discrimination class action, which I was

co-tried over eight weeks, to a successful judgment. *Stender v. Lucky Stores,* 803 F.Supp. 259 (N.D. Cal. 1992). The case ultimately settled for $120 million.

**Litigation Associate, Heller, Ehrman, White & McAuliffe,** San Francisco (September 1984 – April 1987)

**Fellow, Center for Law in the Public Interest** (September 1983 – September 1984)

## EDUCATION

**University of California, Los Angeles School of Law,** Juris Doctor degree, May 1983, Order of the Coif, UCLA Law Review.

**University of California, San Diego,** B.A. Political Science, Department Honors, June 1980.

## BAR ADMISSIONS

Admitted to the California Bar, December 1983.

Admitted to practice before the United States Supreme Court, the California Supreme Court, the Second, Third, Sixth, Seventh and Ninth Circuit Courts of Appeal, and all federal district courts in California.

## PROFESSIONAL ACTIVITIES

**American Bar Association, Section of Litigation** (1997 to the present)

Federal Practice Task Force (2016 – 2019)

Class Action and Derivative Suits Committee
- Committee Co-Chair (2010 – 2013);
- Newsletter Co- Editor (2007 - 2010);
- Outstanding Subcommittee Chair Award (2007 – 2008)
- Employment Subcommittee Co-Chair (1997 - 2006)

Task Force on Federal Pleading Standards (2010).

Task Force on Implicit Bias (2012).

Special Committee on the Future of Civil Litigation (2009 - 2010).

**American Civil Liberties Union of Northern California**

Legal Committee (2014 – present)

**Ninth Circuit Judicial Conference**

Lawyer Representative (2013 – 2015).

**U.S. District Court, Northern District of California**

Lawyer Representative (2012 – 2015).
Expedited Jury Trial Committee (2010 - 11).

**Civil Justice Research Initiative, Berkeley Law**

Board Member (2019 – present).

**Berkeley Fair Campaign Practices Commission,** Commissioner (2005-2009); Vice-Chair (2007 - 2009).

**WorkLife Law Advisory Board,** UC Hastings College of the Law (2007-2011).

**National Employment Lawyers Association,** (1992 to the present).

**Bar Association of San Francisco,** Litigation Committee (2005 to the present).

**Legal Aid Society-Employment Law Center**, San Francisco, Board of Directors (1991 – 2002).

**Common Cause**, National Governing Board Member (1998 - 2004).

**Common Cause Educational Fund,** Board Member (2001 – 2004).

**California Common Cause**, Chair of the Board and Board Member (1998 – 2002) Board Member (1994 – 1998).

**Learning Differences Network**, Founder and Co-Chair, Head-Royce School, Oakland, CA (2001 – 2011).

## AWARDS AND HONORS

Mary Burdick Advocate Award, Western Center on Law and Poverty (October 2018)

California Lawyer Magazine Attorney of the Year (CLAY) Award – Employment (March 2015)

Fellow, College of Labor and Employment Lawyers (November 2013)

Daily Journal's Top 75 California Labor and Employment Lawyers (2013, 2014)

Inductee, Alameda County Women's Hall of Fame (March 31, 2012)

Alumna of the Year, Head-Royce School (April 30, 2011)

SuperLawyer, Northern California (2008, 2009)

Daily Journal's Top 75 Women Litigators (May 2008).

SuperLawyer, Top 50 Women Lawyers in Northern California (2007)

California Lawyer Magazine Attorney of the Year (CLAY) Award – Employment (March 2005)

Center for Law in the Public Interest – Alumni of the Year (June 2005).

**SELECTED PUBLICATIONS AND PAPERS**

Larkin, J. & Cook, G., Co-Editors, Class Action Strategy and Practice Guide, (ABA Publications, 2018)

Larkin, J., Chapter Author, Class Action Fairness Act: Law and Strategy, (ABA Publications, 2014)

Larkin, J. & McGuinness, A., Class Actions 101: What Every Solo Practitioner Needs to Know About Class Actions, Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, September 2014)

Larkin, J., Has the Dust Settled? Class Certification After *Wal-Mart Stores v. Dukes*, ABA-EEO Committee Mid-Winter Meeting, March 2014

Barnett, D. & Larkin, J., Must Have Class-wide Proof of Damages But Can't Have Trial by Formula? Resolving the Whipsaw Between *Comcast* and *Dukes*, ABA Labor and Employment Law Conference, November 2013

Larkin, J. & Barnett, D., Living in a Post-*Dukes* World: What is the Meaning of Trial by Formula?" Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Fall 2013)

Larkin, J., Class Actions 101: We All Still Need Class Actions, Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Summer 2012).

Larkin, J., Expert Witnesses in EEO Class Actions: What Does *Wal-Mart v. Dukes* Mean for Future Cases, November 2011.

Larkin, J., Recent California and Federal Cases on *Cy Pres* Distribution in Class Settlements, January 2011.

Larkin, J. & Cook, G, Class Actions 101: Where Did My Class Action Go: MDL for Beginners, Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Fall 2010).

Larkin, J., Chavez, M. & Alvarez, F., Litigating on the Fault Line: Class Action Law in California, ABA Section of Litigation National Class Action Institute (October 2009); reprinted in Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Winter 2010).

Larkin, J., Pick Me, Pick Me: Getting Appointed as Class Counsel, Class Action and Derivatives Suit Committee Newsletter, (ABA Section of Litigation, Spring/Summer 2009), reprinted in ABA Litigation News (online newsletter).

Larkin, J., Getting It In: The Admissibility of Electronically Stored Information in Employment Litigation, prepared for National Employment Lawyers Association, Annual Meeting (Rancho Mirage, June 24, 2009)

Larkin, J. & Bass, G., Affirmatively Litigating - Co-Counseling With Private Law Firms on Major Litigation, Clearinghouse Review: Journal of Poverty Law and Policy (Shriver Center, March-April 2009).

Larkin, J., Stereotypes and Decision-making: Reconciling Discrimination Law With Science, California Public Employee Relations Journal (Inst. for Research on Labor and Employment, October 2008).

Larkin, J. & Boddy, J., Understanding and Evaluating Stereotyping Evidence: Applying the Social Science to the Law and to the Evidence, Federal Judicial Center, National Workshop for District Judges (San Antonio, September 2008).

Larkin, J, When and How Do I Send Class Notice in Federal Class Actions?, Class Action and Derivatives Suit Committee Newsletter, (ABA Section of Litigation, Spring/Summer 2008).

Larkin, J, How Do I Get this Class Action Settlement Approved? Q & A for New Lawyers about Federal Rule of Civil Procedure 23(e), Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Winter/Spring 2008).

Larkin, J, Can I Appeal this Class Certification Order? Q & A for New Lawyers on Rule 23(f), Class Action and Derivative Suit Committee Newsletter, (ABA Section of Litigation, Fall 2007).

Ryu D. & Larkin, J, "A Gender Discrimination Class Action from the Point of View of Plaintiffs' Lawyers," in SEX DISCRIMINATION IN THE WORKPLACE, (Blackwell 2007).

Co-Editor, *Class Actions* Chapter, in Lindemann, Grossman & Weirich, EMPLOYMENT DISCRIMINATION LAW (BNA 2007).

Larkin, J. Preserving the Employment Bias Class Action – *Dukes* v. *Wal-Mart*, Class Action Litigation, Vol. 8, No. 6 (BNA March 23, 2007)

Larkin, J. Expert Disputes in EEO Class Actions: What's *Daubert* Got to Do with It?, prepared for ABA Section of Labor and Employment Law, EEO Committee Mid-Winter Meeting (La Jolla 2006).

Larkin, J. and Webber, C., Challenging Subjective Criteria in Employment Class Actions, prepared for ABA Litigation Section Meeting, Class Action and Derivative Suits Committee, (New York, 2005).

Larkin, J. and Alvarez, F., Ten Reasons Why Discrimination Class Actions Do and Do Not Get Certified, (2005).

Larkin, J., Plaintiffs' Perspective On *Alch* v. *Superior Court* and *Brooks* v. *William Morris Agency*, California Labor & Employment Law Review, Vol. 18, No. 6 (Cal. State Bar Foundation December 2004).

Larkin, J., Title VII Class Actions and Punitive Damages: A Guide to Class Certification and Trial, (2004)

Larkin, J. Commentary on New Class Action Fairness Act, California Labor and Employment Law Review (Cal. State Bar Foundation , 2005).

Larkin, J., Incentive Awards to Class Representatives in Class Action Settlements, California Labor & Employment Law Review, Vol. 18, No. 3 (Cal. State Bar Foundation June 2004)

Larkin, J. & Coukos, P., Rule 23 Revisions: Ten Tips For Plaintiffs' Lawyers, prepared for American Bar Assn. Section of Litigation, Seventh Annual National Institute on Class Actions (October 2003).

Seligman, B. & Larkin, J., Fluid Recovery and Cy Pres: A Funding Source for Legal Services

Larkin, J., Incentive Awards to Named Plaintiffs, Class Action Litigation, Vol. 3, No. 6 (BNA March 22, 2002)

Larkin, J. Keeping Your Business and Professions Code § 17200 Claim in State Court – How to Avoid Removal to Federal Court, Forum Magazine (CAOC January/February 2002).

Seligman, B. & Larkin, J., Lessons in Class Certification, Trial Magazine, (ATLA October 2001)

Larkin, J., The Use of Experts in Employment Class Action Trials, prepared for National Employment Lawyers Association, Annual Meeting (Seattle June 28, 2001)

Larkin, J. & Seligman, B., Certification and Trial of Title VII Class Actions, Civil Rights Litigation and Attorneys Fees Annual Handbook (West Group, 2001).

Larkin, J., A Plaintiff's Perspective on the EEO Implications of Salary Decision-Making by Corporate Managerial Groups, prepared for ABA Labor and Employment Section, EEO Committee Mid-Winter Meeting (Tucson, March 2000)

**SELECTED TRAINING, PRESENTATIONS, TESTIMONY AND PANELS**

Recent Developments in Civil Rights Class Action Law, Impact Fund Class Action Conference (Online, February 25, 2021)

Class Actions and Social Justice Reform, Pound Civil Justice Institute, Lewis and Clark Law School (Portland, OR, November 1, 2019)

A Winning Hand or a Flop: After 50 Years, Are Class Actions Still Legit?, ABA National Institute on Class Actions (Las Vegas, NV, October 19, 2016)

The Reading and Misreading of Recent Supreme Court Class Action Decisions, Keynote Address, Consumer Attorneys of San Diego Class Action Conference (San Diego, CA, May 2, 2014)

Title VII After 50 Years: Still Room for Creativity?, ABA-EEO Committee Mid-Winter Meeting (Rancho Mirage, CA, March 28, 2014)

Comments on Proposed Amendments to Federal Civil Rules, Testimony on Proposed Amendments to Civil Rules for Discovery (Phoenix, AZ, Jan. 9, 2014)

Overcoming New Hurdles to Class Certification, ABA Labor and Employment Law Conference (New Orleans, LA, November 7, 2013)

Trial By Formula, ABA Class Action Institute 2013 (Boston, MA, October 24, 2013)

Class Actions, Cy Pres and Legal Services, State Bar of California Annual Meeting (San Jose, CA, October 12, 2013)

Recognizing and Understanding Implicit Bias, Legal Aid Association of California (Webinar, August 28, 2013)

Effective Brief Writing, Disability Rights California Advocacy Staff Training, (Los Angeles, April 16, 2013)

Representing the Pro Bono Client: Effective Written Advocacy, Practising Law Institute (San Francisco, March 7, 2013)

Recent Developments in Civil Rights Class Action Law, Impact Fund Class Action Conference (Oakland, March 1, 2013)

The Courthouse Doors: How Much Money Does It Take to Get (and Stay) Inside?, Twenty-First Century Litigation: Pathologies and Possibilities, Symposium in Honor of Stephen Yeazell, UCLA Law Review (Los Angeles, January 25, 2013)

Writing Effective Amicus Briefs, Impact Fund and U.C. Davis Supreme Court Clinic (San Francisco, November 28, 2012)

The Interaction of Rule 23(c)(4) and Rule 23(b)(3) Predominance, National Consumer Advocates Association, Class Action Symposium (Seattle, October 28, 2012)

Engaging the Judiciary, National Employment Lawyers Association, Bias 2.0: What Every Advocate Needs to Know (Atlanta, October 12, 2012)

Recent Developments Panel, California Employment Lawyers Association Eighth Annual Advanced Wage and Hour Seminar (San Francisco, May 18, 2012)

Disability Class Actions After *Dukes,* Disability Rights Bar Association Legal Strategy Meeting (Baltimore, April 20, 2012)

Putting Wal-Mart Stores v. Dukes to the Test: Can This Class Be Certified ? Mock Class Certification Argument, ABA Section of Litigation Annual Conference (Washington D.C., April 19, 2012)

Dukes I: The Opinion, Its Progeny, And The Effect On Class Litigation, ABA Labor and Employment Section Annual Meeting (San Francisco, March 21, 2012)

Keynote Speaker, Georgetown Public Interest Law Scholars Annual Dinner (Washington, D.C., March 14, 2012)

Recent Developments in Employment Discrimination Class Action Law, Impact Fund Employment Discrimination Class Action Conference, (Berkeley, March 2, 2012).

Changing Landscape: Class Action Litigation after Wal-Mart and AT&T Mobility, ABA Section of Litigation, Corporate Counsel (Carlsbad, February 18, 2012)

Views From the Bench: The Judiciary Weighs in on the Implications of the Dukes Case on Class Certification, National Bar Association (St. Maarten, January 19, 2012)

Who's the Know It All? Expert Testimony, ABA Labor and Employment Law Conference (Seattle, WA, November 3, 2011)

Subconscious Bias in Employment Cases, Alameda County Bar Association (Oakland, CA, September 30, 2011)

Effective Written Advocacy for Public Interest Lawyers, Law Foundation of Silicon Valley (San Jose, CA, July 28, 2011)

Wal-Mart v. Dukes Panel, Bar Association of San Francisco (San Francisco, CA, July 27, 2011)

Put Up Your Dukes: Understanding the Supreme Court Decision, Legal Aid Society – Employment Law Center Brown Bag Series (San Francisco, CA, July 19, 2011)

Effective Written Advocacy for Public Interest Lawyers, Public Counsel (Los Angeles, CA, May 20, 2011)

Hot Topics in Class Actions, ABA Section of Litigation Annual Conference, (Miami Beach, FL, April 14, 2011).

*Dukes v. Wal-Mart* in the Supreme Court, Sacramento Women Lawyers, (Sacramento, March 24, 2011)

Recent Developments in Employment Discrimination Class Action Law, Impact Fund Employment Discrimination Class Action Conference, (Oakland, February 24, 2011).

Attorneys' Fees: Beyond the Basics, Legal Aid Association of California (Sacramento, December 8, 2010).

Drafting Effective and Admissible Declarations, Santa Clara County Bar Association (San Jose, October 8, 2010).

Effective Written Advocacy for Public Interest Lawyers, Law Foundation of the Silicon Valley, (San Jose, July 22, 2010).

Implicit Bias Research and Practical Applications in Employment Cases, National Employment Lawyers Association, (Washington D.C., June 26, 2010)

Deconstructing *Dukes* Webinar Impact Fund (June 9, 2010)

Pleadings and Dispositive Motions Panel, Civil Rules Advisory Committee 2010 Conference on U.S. Civil Litigation, Duke University School of Law (Raleigh-Durham, N.C., May 10, 2010).

Effective Written Advocacy for Public Interest Lawyers, Legal Services of Northern California, UC Davis Law School (Davis, April 7, 2010).

Recent Developments in Employment Discrimination Class Action Law, and *Iqbal* and Motions to Dismiss Under the Federal Rules, Impact Fund, Employment Discrimination Class Action Conference, (Oakland, February 24 and 25, 2010).

Attorneys' Fees Law for Federally-Funded Legal Services Programs, Legal Aid Association of California (Oakland, CA February 5, 2010; Sacramento, CA February 8, 2010; Los Angeles, March 2, 2010; San Diego, March 9, 2010)

Drafting Effective and Admissible Declarations, Legal Aid Association of California (Fresno, CA. November 17, 2009).

Recognizing and Addressing Implicit Bias in the Workplace and in the Courtroom, The Rutter Group, Elimination of Bias (Sherman Oaks, CA, November 11, 2009).

Basics of Attorneys' Fees Law Webinar, Impact Fund (September 22 & November 5, 2009).

Living on the Fault Line: Class Action Issues in California, ABA Section of Litigation National Class Action Institute (October 30, 2009).

Effective Written Advocacy for Public Interest Lawyers, Equal Justice Works Fellows Training (Arlington, VA, October 29, 2009).

Electronic Evidence 2009, National Employment Lawyers Association (Palm Springs, June 26, 2009).

Ethical Issues in Class Actions Webinar, Impact Fund (May 12, 2009).

Statistics 101 for Public Interest Lawyers, Legal Aid Association of California, Directors of Litigation and Advocacy Meeting (Los Angeles, April 30, 2009).

Recent Developments in Employment Discrimination Class Action Law, Impact Fund Employment Discrimination Class Action Conference (Berkeley, March 5, 2009)

Drafting Effective and Admissible Declarations and Effective Written Advocacy for Public Interest Lawyers, Legal Aid Association of California (Riverside, CA. November 19, 2008).

Pre-Trial Litigation Training, Equal Justice Works (Oakland, November 13 and 14, 2008).

Co-Counseling Webinar, Impact Fund (November 12, 2008).

Effective Written Advocacy for Public Interest Lawyers, East Bay Community Law Center (February 12, 2009), Public Interest Law Foundation (San Jose, October 3, 2008).

Effective Direct Examination Skills, Protection & Advocacy, Inc. (Sacramento, September 25, 2008).

Class Action Basics: Federal Law Webinar, Impact Fund, (September 10, 2008).

Understanding and Evaluating Stereotyping Evidence, Federal Judicial Center, National Workshop for District Judges (Redondo Beach, March 11, 2008; Boston, July 17, 2008; San Antonio, September 9, 2008).

Recent Developments in Employment Discrimination Class Action Law, Impact Fund Employment Discrimination Class Action Conference (Berkeley, February 28, 2008)

Novel Legal Ethics Solutions for Unfamiliar Situations, Bar Association of San Francisco (Yosemite, February 22, 2008)

Effective Written Advocacy for Public Interest Lawyers, Bay Legal Aid (Oakland, January 29, 2008)

Ethics for Public Interest Lawyers, ACLU of Northern California (San Francisco, January 24, 2008)

Recent Developments in California Class Action Law, Legal Aid Association of California, Directors of Litigation and Advocacy Meeting (San Francisco, December 14, 2007)

The New Discovery Rules and FLSA Actions, National Employment Lawyers Association (New Orleans, October 20, 2007).

Civil Appellate Advocacy for Public Interest Lawyers, The Impact Fund and Golden Gate University School of Law (San Francisco, September 21, 2007); The Impact Fund and McGeorge School of Law (Sacramento, November 30, 2007); The Impact Fund and MALDEF (Los Angeles, March 20, 2008).

Work/Life Balance Issues, American Bar Association Annual Meeting, Section of Labor and Employment Law, (San Francisco, August 10, 2007)

Taking Depositions in Employment Cases, California Employment Lawyers Association (San Francisco, July 27, 2007)

Labor and Employment Issues in the Retail Industry, State Bar of California, Labor and Employment Law Section (San Francisco, July 19, 2007)

Negotiations, Legal Aid Association of California (Fresno, July 11, 2007)

Effective Written Advocacy for Public Interest Lawyers, Legal Aid Association of California (Fresno, July 11, 2007)

Recent Developments in Class and Collective Actions, National Employment Lawyers Association Annual Meeting (San Juan, June 29, 2007)

The Essentials of E-Discovery, Legal Aid Association of California (Santa Ana, March 1, 2007)

Giving an Effective Presentation with Powerpoint, Legal Aid Association of California (Santa Ana, February 28, 2007); Western Center on Law and Poverty (Los Angeles, May 1, 2007)

Ninth Circuit's Class Certification Ruling in *Dukes* v. *Wal-Mart* Stores, Bureau of National Affairs (Audio Conference, April 5, 2007)

What's New in Disability Rights Class Actions, Bar Association of San Francisco (San Francisco, November 29, 2006)

When Do You Need An Expert?, National Employment Lawyers Association, Beyond Stereotypes Conference (Washington D.C., October 14, 2006)

Lessons Learned: Dos and Don'ts for Handling "Hidden Bias" in Employment Claims, National Employment Lawyers Association, Beyond Stereotypes Conference (Washington D.C., October 14, 2006)

Best Practices for Co-Counseling and Working with a Litigation Team, Legal Aid Association of California (Los Angeles, February 2, 2006)

Mediation and Settlement Strategies for Class and Collective Actions, National Employment Lawyers Association, Impact Litigation Conference (Cambridge, MA, October 14, 2005)

The Class Action Fairness Act: How Is It Impacting Employment Cases, Bar Association of San Francisco (San Francisco, July 27, 2005)

Settling Wage and Hour Class Actions and Ethical Issues, California Employment Lawyers Association, Latest Developments in Wage and Hour Law (San Francisco, July 15, 2005)

Class Action Fairness and Tort Reform, Legal Aid Society – Employment Law Center, (San Francisco, July 12, 2005)

California Class Action Basics, Bar Association of San Francisco (San Francisco, June 23, 2005)

*Dukes v. Wal-Mart Stores*: Use of Evidence and Experts to Support Class Certification, Multi-State Labor and Employment Law Seminar (Tucson, May 21, 2005)

Ethical Issues in Litigating and Settling Class Action Cases, Bar Association of San Francisco (San Francisco, May 12, 2005)

Big Boxes, Big Cases: The Rise of Mass Employment Class Actions, American Bar Association Section of Litigation Annual Conference (New York, April 21, 2005)

Investigating and Proving Glass Ceiling Gender Discrimination in the 21st Century, Sacramento Women Lawyers (Sacramento, March 23, 2005)

You *Can* Afford to Handle Class Actions, National Employment Lawyers Association, Annual Meeting (San Antonio, June 26, 2004).

Being Creative in the Search for Truth: Optimizing Your Use of Informal Discovery Techniques, National Employment Lawyers Association, Discovery and Damages Conference (San Diego, March 19, 2004).

Class Action Basics 2004, American Bar Association Section of Litigation and Center for Continuing Legal Education, Multi-Site Teleconference and Live Audio Webcast (February 10, 2004).

Comments on Proposed Amendments to Civil Rules, Testimony for Public Hearings on Proposed Amendments to Civil Rules for Electronic Discovery 8-11 (Jan. 12., 2004), http://www.uscourts.gov/rules/e-discovery/04-CV-028.pdf (opposing proposed Rules 26(b)(2) and 37(f)).

Who Moved My Rule 23?, American Bar Association Section of Litigation, Seventh Annual National Institute on Class Actions, (San Francisco, October 24, 2003).

Money Matters: Practical Seminar for Impact Litigators, The Impact Fund (Berkeley, January 26, 2002); (Escondido, February 15, 2002); (Sacramento, November 6, 2002).

Putting the Impact Litigation Team Together, The Impact Fund (Los Angeles, March 17, 2001; Fresno, November 16, 2001)

Class Action Developments, Practicing Law Institute (PLI), Annual Institute on Employment Law (San Francisco, October 18, 2001)

The Class Action Revolution: Past, Present and Future, ABA Annual Meeting, Section of Litigation (Chicago, August 6, 2001)

The Nuts and Bolts of Class Action Trials, National Employment Lawyers Association, Annual Meeting (Seattle, June 28, 2001)

Class Action Developments, Practicing Law Institute (PLI), Annual Institute on Employment Law (San Francisco, October 16, 2000)

Challenging Systemic Civil Rights and Statutory Violations, The Impact Fund (San Francisco, Sacramento March 2, 2000; San Diego, June 10, 2000)

Equal Pay Class Actions, American Bar Association, Section of Labor and Employment Law, EEO Committee Mid-Winter Meeting (Tucson, March 22, 2000)