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11 Attorney for Defendants  
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13 **UNITED STATES DISTRICT COURT**  
 14 **EASTERN DISTRICT OF CALIFORNIA**  
 15 **SACRAMENTO DIVISION**

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

19 Plaintiffs/Relators,

20 vs.

21 WASATCH ADVANTAGE GROUP, LLC,  
 WASATCH PROPERTY MANAGEMENT, INC.,  
 22 WASATCH POOL HOLDINGS, LLC,  
 CHESAPEAKE COMMONS HOLDINGS, LLC,  
 23 LOGAN PARK APARTMENTS, LLC, LOGAN  
 PARK APARTMENTS, LP, and DOES 1-30,  
 24

25 Defendants.

Case No.: 2:15-CV-0799 KJM-DB

CLASS ACTION

**JOINT STIPULATION AND ORDER FOR  
 APPOINTMENT OF CLASS COUNSEL**

Before: Hon. Kimberly Mueller

Trial Date: None Set

1 Andrew Wolff (SBN 195092)  
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2 Tony Ruch (SBN 242717)  
LAW OFFICES OF ANDREW WOLFF, PC  
3 1615 Broadway, 4th Floor  
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9 Attorneys for Plaintiffs and Relators  
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1 Plaintiffs Denika Terry, Roy Huskey III, and Tamara Livingston (“Plaintiffs”) and Defendants  
2 Wasatch Advantage Group, LLC, Wasatch Property Management, Inc., Wasatch Pool Holdings, LLC,  
3 Chesapeake Commons Holdings, LLC, Logan Park Apartments, LLC, and Logan Park Apartments,  
4 LLP (“Defendants”) (collectively, the “Parties”), by and through their respective counsel, hereby  
5 stipulate, pursuant to Local Rule 143, to appoint the law firm, Goldstein, Borgen, Dardarian & Ho  
6 (“GBDH”) as class counsel in this matter and jointly request that the Court approve this stipulation:

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

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

12 WHEREAS, Plaintiffs wish to have the law firm of Goldstein, Borgen, Dardarian & Ho  
13 (“GBDH”) appointed as class counsel in order to bring additional resources and expertise to the  
14 litigation of their class action.

15 WHEREAS, the Declaration of Laura L. Ho, filed herewith, sets forth her experience and  
16 expertise in class action litigation, as well as GBDH’s history of prosecuting class actions.

17 WHEREAS, Defendants consent to the appointment of GBDH as class counsel.

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

1           WHEREAS, since being retained, GBDH has been working closely with Centro Legal de la  
2 Raza and the Law Offices of Andrew Wolff, PC to litigate this case in an effective manner. *See* Ho  
3 Decl. ¶ 5.

4           WHEREAS, proposed class counsel are experienced in handling class actions and other  
5 complex litigation, including with regard to housing. *See* Ho Decl. ¶¶ 2-4.

6           WHEREAS, proposed class are knowledgeable of the applicable law. The declaration  
7 submitted in support of this stipulation demonstrates that Plaintiffs’ counsel have expertise in class  
8 actions, housing, and consumer law, and are capable of adequately representing Plaintiffs in the  
9 prosecution of this class action. *See* Ho Decl. ¶¶ 2-4.

10           WHEREAS, GBDH will commit sufficient resources to represent the class. GBDH, along with  
11 co- counsel, are advancing costs for this class action. Such a mechanism for funding litigation is  
12 appropriate in a case such as this. *See, e.g., Irwin v. Mascott*, 96 F. Supp. 2d 968 (N.D. Cal. 1999).  
13 *See* Ho Decl. ¶ 6.

14           WHEREAS, GBDH meets the standard for adequacy because plaintiffs and their new counsel  
15 have no interest which is antagonistic to the interests of the class, but rather share a common interest in  
16 challenging Defendants’ unlawful actions. *See* Ho Decl. ¶ 7.

17           WHEREAS, GBDH has been found adequate to represent classes of individuals in numerous  
18 cases. *See* Ho Decl. ¶¶ 3, 6 & Ex. A.

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

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

25           The law firm of Goldstein, Borgen, Dardarian & Ho is adequate to serve as class counsel and  
26 are hereby appointed as Class Counsel for the Classes previously certified by this Court on July 30,  
27 2018.

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Dated: May 15, 2019

Respectfully submitted,  
GOLDSTEIN, BORGEN, DARDARIAN & HO

/s/Laura L. Ho  
Laura L. Ho

Attorneys for Plaintiff and Relators

Dated: May 15, 2019

Respectfully submitted,  
LAW OFFICES OF ANDREW WOLFF, PC

/s/Andrew Wolff (as authorized on May 15, 2019)  
Andrew Wolff

Attorneys for Plaintiff and Relators

Dated: May 15, 2019

Respectfully submitted,  
CENTRO LEGAL DE LA RAZA

/s/Jesse Newmark (as authorized on May 15, 2019)  
Jesse Newmark

Attorneys for Plaintiff and Relators

Dated: May \_\_, 2019

Respectfully submitted,  
LEWIS BRISBOIS BISGAARD & SMITH LLP

\_\_\_\_\_  
Joseph A. Salazar Jr.  
Attorneys for Defendants

IT IS SO ORDERED.

DATED: May 21, 2019.

  
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UNITED STATES DISTRICT JUDGE