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SEP - 8 2010

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT**

1 W. Timothy Needham, State Bar No. 96542
Michael J. Crowley, State Bar No. 102343
2 Amelia F. Burroughs, State Bar No. 221490
JANSSEN, MALLOY, NEEDHAM, MORRISON,
3 REINHOLSTEN, CROWLEY & GRIEGO, LLP
730 Fifth Street
4 Eureka, CA 95501
Telephone: 707.445.2071
5 Facsimile: 707.445.8305

6 Michael D. Thamer, State Bar No. 101440
LAW OFFICES OF MICHAEL D. THAMER
7 Old Callahan School House
12444 South Highway 3
8 P.O. Box 1568
Callahan, CA 96014-1568
9 Telephone No.: 530.467.5307
Facsimile No.: 530.467.5437

10 Christopher J. Healey, State Bar No. 105798
11 Aaron T. Winn, State Bar No. 229763
LUCE, FORWARD, HAMILTON & SCRIPPS LLP
12 600 West Broadway, Suite 2600
San Diego, CA 92101-3372
13 Telephone No.: 619.236.1414
Fax No.: 619.232.8311

14
15 Attorneys for Plaintiffs

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17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **FOR THE COUNTY OF HUMBOLDT**

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20 VINNIE LAVENDER by and through her
Conservator, WANDA BAKER; WALTER
21 SIMON; JACQUELYN VILCHINSKY,

22 Plaintiffs,

23 v.

24 SKILLED HEALTHCARE GROUP, INC., et
al.,

25 Defendants.

Case No. DR060264

**DECLARATION OF DANIEL BURKE IN
SUPPORT OF PLAINTIFFS' MOTION
FOR AN ORDER GRANTING
PRELIMINARY APPROVAL OF
SETTLEMENT AGREEMENT, AND
CONDITIONAL APPROVAL OF
SETTLEMENT CLASS**

Dept.: Courtroom 1

Complaint Filed: May 4, 2006
Trial Date: November 30, 2009

1 I, Daniel Burke, hereby declare,

2 1. I have personal knowledge of the facts stated herein, and if called as a witness, I
3 would testify competently to them.

4 2. I am employed by Gilardi & Co., LLC ("Gilardi") a full service class action claims
5 administrator with nearly a quarter century of experience. The company has significant
6 experience in every phase of claims administration, from notice and publication through final
7 distribution and reporting. Our team has managed the administration of hundreds of class action
8 settlements and similar assignments. More detail about the company, including a list of some of
9 the cases we have handled in the past, can be found at www.Gilardi.com.

10 3. Gilardi was hired to, and did, provide notice to the Class after this Court certified
11 this lawsuit as a class action in June 2008.

12 4. Assuming the Court grants preliminary approval of the proposed settlement, Gilardi
13 is prepared to provide notice of the settlement to the Class, as set forth below.

14 5. I understand that the Defendants will provide Gilardi with the name and last known
15 address for each Class Member. To the extent not already done, Gilardi will run that information
16 through the National Change of Address Database (which the United States Postal Service
17 operates reflecting address changes going back four years). We will then mail a Notice and Claim
18 Form by way of first class mail to each Class Member. Undeliverable mailings returned to Gilardi
19 will be forwarded to the address provided, if there is one. If there is no forwarding address
20 provided, then we will perform a more detailed skip trace and send the Notice and Claim Form to
21 any addresses disclosed as part of that search.

22 6. We will arrange for a single publication of the "short form" Notice attached to the
23 Settlement Agreement in a newspaper of general circulation in the State of California, such as the
24 California version of the U.S.A. Today.

25 7. Gilardi will also create a website to provide information on the settlement,
26 including the complete Settlement Agreement, Notice, Claim Forms, and contact information for
27 both Gilardi and Class Counsel. The website will be provided on the Notice.

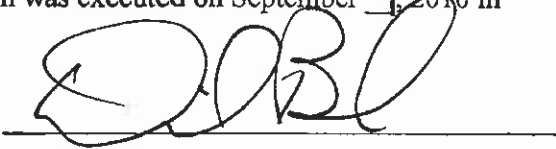
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8. Gilardi will also start and operate a toll-free telephone number (which will be provided on the Notice), which Class Members can call for more information, Class Notices, or Claim Forms. In addition to providing recorded information, the toll-free number will give each caller the option of speaking with a live person who can answer questions. The telephone number will also be provided on the Notice.

9. In view, the above-described notice plan and procedures, which include both mailed and published notice complies with California class action notice requirements and due process, as I understand the requirements, and constitutes the best notice practicable under the circumstances presented.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 7, 2010 in San Ramon, California.



Daniel Burke

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