

1 THE HONORABLE RICARDO S. MARTINEZ  
2 THE HONORABLE BRIAN A. TSUCHIDA  
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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON

12 CEDRIC JACKSON, MARYANNE )  
13 ATKINS, TORRY LOVE, TRISTAN ) CLASS ACTION  
14 PASCUA, PATRICK TABLES and all )  
15 others similarly situated, ) NO. 2:21-cv-00995  
16 )  
17 Plaintiffs, ) DECLARATION OF CLASS COUNSEL  
18 ) ALISON S. BILOW  
19 v. )  
20 )  
21 KING COUNTY, a municipal corporation, )  
22 )  
23 Defendants. )  
24 )  
25 \_\_\_\_\_

I, Alison S. Bilow, declare under penalty of perjury under the laws of the State of Washington:

1. I am an attorney with Columbia Legal Services (CLS) and co-counsel for Plaintiffs in this lawsuit. I make this declaration based on personal knowledge, and I am competent to testify regarding the statements made herein.

2. I am submitting this declaration in support of CLS's unopposed motion for approval of attorneys' fees and costs in the amount of \$50,000.

1       3. I have reviewed the costs that my office spent in investigation and negotiation of  
2 this class action settlement. Based on my review, total costs spent on this case are currently  
3 around \$13,105, broken down as follows:

- 4           a. \$6,105 paid to Judicial Dispute Resolution LLC for mediation costs for two full  
5 days of mediation regarding this matter on September 24, 2020 and October 9,  
6 2020. Mediation costs were split evenly between Defendant King County and  
7 Columbia Legal Services. The \$6,105 is Columbia Legal Services' half of the  
8 mediation costs for those dates.
- 9           b. \$3,460 paid by CLS to Judicial Dispute Resolution LLC for mediation costs for  
10 another full day of mediation on May 26, 2021.
- 11          c. \$1,535 spent on investigation and skip tracing costs in 2020, to locate last known  
12 addresses and contact information for Class members during the initial  
13 investigation and mediation of this case.
- 14          d. \$788 spent to obtain court documents from electronic court record systems, over  
15 the course of 2020-2021, for purposes of reviewing information to assess who  
16 may be a class member, and for skiptracing contact information for purposes of  
17 finding class members.
- 18          e. \$815 spent on translation costs for translating class notice information from  
19 English to Spanish.
- 20          f. \$402 paid in filing fees.

21       4. My office was initially billed an additional \$1,315 for a half day of mediation in  
22 this matter in July 2021, which was noted as a cost in our preliminary approval motion. The  
23 mediator ultimately agreed to waive this cost for both parties.  
24

1       5. If Class Counsel and King County Counsel cannot resolve or agree on any day  
2 count disputes for class members who choose to appeal their day count determination, the  
3 settlement in this case provides that day count disputes will go to an agreed third party neutral.  
4 In the event that the assistance of a third party neutral is needed, Columbia Legal Services and  
5 King County counsel have reserved the assistance of a mediator for a full day on December 1<sup>st</sup>.  
6 If mediation services are needed for a full day, this cost is expected to be in the \$3,000-\$4,000  
7 range. Columbia Legal Services is fully prepared to expend this cost or more, if needed, to  
8 resolve any day count disputes.

9       6. Columbia Legal Services also spent additional money on various costs, some of  
10 which were not itemized or readily available to me at the time of filing this motion. For  
11 instance, money has been spent over the past couple years on postage costs and postage costs  
12 for class notices. Postage costs typically come out of our overhead and existing prepaid postage  
13 and stamps, and are not individually calculated for each case by my office. However, my rough  
14 estimate of postage costs for this case based on the number of letters mailed over the course of  
15 2020-2021 would be in the range of at least \$200. A phone line was also set up for this case,  
16 the phone number of which was detailed on class notices. The phone number was set up as a  
17 collect number at multiple prisons and jails, so that class members could call into that line from  
18 prisons or jails without spending money on the call. I am not sure of the total amount that has  
19 been spent on those collect phone costs.

21       7. CLS staff keep contemporaneous time logs for hours spent on cases. This  
22 information is then input into a case management system. I have pulled the time logs for this  
23 case from February 2020 to September 2021 and made reasonable reductions to the hours  
24 spent. According to those time logs, myself and co-counsel Nicholas Straley have spent at least  
25

1,098.4 hours on this case during that time. In accord with reasonable hours reductions, this  
number does not include hours spent by a few additional CLS attorneys who assisted or  
consulted on this matter over the past two years. It also does not include time spent by  
paralegal and legal assistant staff. I also reduced the number of hours to not include substantial  
additional investigation time spent between the Summer of 2019 and February 2020, since  
some of that time overlapped with three other clients who had initially expressed interest in  
being class representatives but who agreed to settle their individual cases during an earlier  
round of mediation. In my opinion, a 1,000-1,100 hours would be a minimum reasonable  
lodestar hours number, with significant and substantial reasonable hours reductions.

8. This case presented complex legal questions and logistical considerations. A  
considerable amount of time was spent on this case over the Fall 2019-present, including three  
and a half mediation sessions, many negotiations with opposing counsel, substantial time  
finding and interviewing potential class members, legal research, and extensive review of  
records.

9. As noted in my co-counsel's declaration filed in support of preliminary approval  
of the settlement, Columbia Legal Services is a nonprofit organization. We specifically agreed  
on a reasonable figure for reimbursement of our costs and a portion of our fees, in order to  
maximize the amount of recovery that would be available to the class.

10. Prior to class notices being mailed, and under a protective order, Columbia Legal  
Services reviewed records and identified and agreed with King County that there were  
additional class members with additional solitary confinement days. 77 identified class  
members were provided with class action notices, and the total settlement award for this 77-  
person class is now *up to* \$1,231,510, subject to changes in the total amount depending on opt-

outs, claims, and day count disputes. Pursuant to the settlement agreement and subsequent discussions with Class Counsel and King County counsel, 60 individuals, who had prior contact with Columbia Legal Services and provided Releases of Information at some point, do not have to do anything to “claim” or be included in the settlement, but they still retain opt out and objection rights, in accord with the approved notice form. 17 class members who had not previously provided Columbia Legal Services a Release of Information form at any point have to contact Class Counsel by November 13<sup>th</sup> to be included in the case. Their notices contain different language to this effect.

DATED this 12th of November 2021 at Seattle, Washington

s/ Alison Bilow  
ALISON S. BILOW, WSBA #49823  
[nick.straley@columbialegal.org](mailto:nick.straley@columbialegal.org)

Columbia Legal Services  
101 Yesler Way, Suite 300  
Seattle, WA 98104  
(206) 464-0838 phone; (206) 382-3386 fax

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**CERTIFICATE OF SERVICE**  
2

3 Nicholas B. Straley declares as follows:  
4

5 I hereby certify that on November 12 2021, I electronically filed the foregoing document  
6 with the Clerk of the Court using the CM/ECF system.  
7

8 I further certify that I served the foregoing filing upon attorneys for Defendants in this  
9 action at their email addresses as listed below:  
10

11 DAN SATTERBERG, King County Prosecutor  
12 Civil Division  
King County Courthouse  
516 Third Avenue, W400  
Seattle, WA 98104  
13

14 Ann Summers, [Ann.Summers@kingcounty.gov](mailto:Ann.Summers@kingcounty.gov)  
15 Jessica Kozma, [Jessica.Kozma@kingcounty.gov](mailto:Jessica.Kozma@kingcounty.gov)  
16 Pascal Herzer, [Pascal.Herzer@kingcounty.gov](mailto:Pascal.Herzer@kingcounty.gov)  
17

18 DATED this 12<sup>th</sup> day of November, 2021.  
19

20  
21  
22  
23  
24  
25  
/s/ Nicholas B. Straley  
NICHOLAS B. STRALEY, WSBA #25963  
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