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Attorneys for Plaintiffs GRANT CAIN and DEBORAH CAIN,
on behalf of themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

MADLEN DYE, an individual; GRANT
CAIN, an individual; DEBORAH CAIN, an
individual, on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

RICHMOND AMERICAN HOMES OF
CALIFORNIA, INC., a Corporation;
M.D.C. HOLDINGS, INC., a Corporation;
PLUMBING CONCEPTS, INC., a
Corporation; MUELLER INDUSTRIES,
INC., a Corporation; and DOES 1-100,

Defendants.

AND RELATED
CROSS-CLAIMS.

Case No. 30-2013-00649415-CU-CD-CXC

Assigned for all purposes to:

Judge: Hon. Peter Wilson

Dept.: CX-101

**DECLARATION OF DEBORAH CAIN IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing Date: February 23, 2023

Time: 2:00 p.m.

Dept.: CX-101

Complaint Filed: 05/09/201

[Notice of Motion, Memoranda of Points and
Authorities in Support of Final Approval and
Attorneys' Fees, Declarations of Richard
Kellner, Michael Artinian, Patrick
McNicholas, Grant Cain, and Makenna Snow
filed concurrently herewith.]

1 I, DEBORAH CAIN, declare as follows:

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

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

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

11 4. My husband and I signed a retainer agreement with Class Counsel in 2017, to assist
12 and participate in the case and be named as a plaintiff if or when the need arose. I was kept up to
13 date on the progress of the case, and provided information requested by Class Counsel during the
14 litigation. And in July 2022, I was named as a plaintiff in this action, to consummate this class
15 settlement due to issues that arose with then-named-plaintiff Madlen Dye who had been serving as
16 the class representative (requiring her to be dismissed).

17 5. 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 believe I have carried out
19 those obligations to the best of my ability. I understand that I may not put my personal interests
20 ahead of the Class Members' interests as a whole and that my interests cannot be antagonistic to
21 those of the Class. My interests align with those of the Class, because the Class and I share the
22 mutual interest of establishing Defendant's liability and obtaining relief for the Class.

23 6. I have actively worked with my attorneys to assist them in litigating this case since I
24 signed a retainer agreement in 2017. I supplied information regarding my home, and regarding the
25 issues presented in this case concerning copper pipe corrosion and pinhole leaks. I participated in
26 consummating the settlement, and keeping informed in the other litigation activities during the time
27 I was involved in the case. My counsel has routinely informed me of the status of the case and has
28

1 attended to my questions and concerns about the litigation on my behalf and all similarly situated. I
2 will continue to remain engaged in this lawsuit through the duration of the litigation and diligently
3 discharge my duties as class representative – and believe I have done so to date.

4 7. Together with my husband and fellow class representative, I estimate that we
5 collectively spent approximately 15 hours doing the above-referenced activities in this case.

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


11 9. I have worked hard to fulfill my obligations and believe I have acted in the best
12 interests of the class members. I have responded to all of the inquiries my attorneys have made for
13 further information.

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

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

19 1/26/2023

20 Executed on January __, 2023 at Ladera Ranch, California.

21 DocuSigned by:
22 
23 ARF0R3F6A088408

24 DEBORAH CAIN

PROOF OF SERVICE
Dye v. Richmond American Homes, et al.
Orange County Superior Court Case No.: 30-2013-00649460

I, the undersigned, declare that:

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

On the date set forth below, I served the following document(s): **DECLARATION OF DEBORAH CAIN IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT** on the interested party(s):

SEE ATTACHED SERVICE LIST

by the following means:

- () **BY MAIL:** By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid. I am readily familiar with the business practice for collecting and processing correspondence for mailing. On the same day that correspondence is processed for collection and mailing it is deposited in the ordinary course of business with the United States Postal Service in Newport Beach, California to the address(es) shown herein.
- () **BY PERSONAL SERVICE:** By placing a true copy thereof, enclosed in a sealed envelope, I caused such envelope to be delivered by hand to the recipients herein shown (as set forth on the service list).
- () **BY OVERNIGHT DELIVERY:** I served the foregoing document by Overnight Delivery as follows: I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to recipients shown herein (as set forth on the service list), with fees for overnight delivery paid or provided for.
- (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: January 30, 2023

/s/Debbie Knipe

Debbie Knipe

SERVICE LIST**Dye v. Richmond American Homes, et al.****Orange County Superior Court Case No.: 30-2013-00649460**

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