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9 Attorneys for Plaintiffs

10 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
11 **COUNTY OF MERCED**

12 LISA HAGGERTY and CHRIS SWEARINGIN,
13 on behalf of themselves and all others similarly
14 situated,

15 Plaintiffs,

16 vs.

17 CONSUMER SAFETY TECHNOLOGY, LLC
18 d/b/a INTOXALOCK and DOES 1 - 10,
19 inclusive,

20 Defendants.

Case No. 22CV-01414

*Assigned for All Purposes to Hon. Brian
McCabe, Courtroom 8*

**DECLARATION OF CHRIS SWEARINGIN
IN SUPPORT OF PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing Date: October 28, 2024

Hearing Time: 8:15 a.m.

Courtroom: 8

Complaint Filed: May 18, 2022

Trial Date: None Set

This e-copy is the official court record (GC68150)

DECLARATION OF CHRIS SWEARINGIN

I, Chris Swearingin, respectfully declare as follows:

1. I am over 18 years of age and a resident of California. I am the class representative in the above-captioned case, *Haggerty et al. v. Consumer Safety Technology, LLC d/b/a Intoxalock*, Merced County Superior Court Case No. 22CV-01414. I have personal knowledge of the facts stated herein and if called as a witness I could and would competently testify thereto.

2. I make this declaration in support of the parties’ Settlement Agreement and Release (“Settlement” or “Settlement Agreement”) and Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

3. Prior to agreeing to be a class representative, my counsel provided me with information regarding class actions, how they work, and what my duties would be as a class representative. I agreed to serve as a class representative in this case so that I could seek damages on behalf of not just myself but also on behalf of other individuals in California who I allege, like me, had their privacy invaded by Defendant’s call recording practices.

4. As part of becoming the class representative, I understood that I have a fiduciary duty to the Settlement Class. My duties were explained to me by my attorneys. I understood that in representing the interest of other class members, I must consider their interests above my own interests in this case. I was also aware that serving in this role required me to monitor the progress of the lawsuit, and actively participate as necessary or required, including possibly responding to discovery and giving deposition and trial testimony. I understood that I might have to miss time from work in order to perform these duties. I still agreed to serve as the class representative in order to recover damages allegedly suffered by myself and other individuals.

5. Since initiating this lawsuit, I have considered the interests of the members of the Settlement Class just as I would consider my own interests and have understood that I must put the interests of the Settlement Class Members before my own interests. I am not aware of any interests that I have that are contrary to the interests of Settlement Class Members and I do not know of any conflicts of interest that would keep me from adequately representing the Settlement Class.

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6. Throughout the course of the lawsuit, I have spent the time necessary to speak with my attorneys at Greenstone Law APC regarding the case and fulfilling my responsibilities as a class representative. I have had numerous, extensive discussions with attorneys regarding Defendant’s practices, how Defendant operates, as well as my experiences generally with Defendant.

7. Throughout my involvement in this case, I have routinely checked in with my attorneys and their staff to monitor the status of the case. I also promptly responded to inquiries from my attorneys throughout the case and provided additional information as needed for the case. I spoke with my attorneys before mediation and attempted to provide any help I could to prepare for the settlement negotiations. I kept in contact with my attorneys throughout the mediation and settlement process. I will continue to actively participate in this lawsuit and monitor the case until it is finalized.

8. When the case settled, I reviewed the Settlement Agreement and discussed its terms with my attorneys. I believe the Settlement is fair and reasonable in light of the issues presented by this case.

9. I fully understand the reputational risk I faced in serving as a class representative in a public lawsuit. I decided to put my own interests aside and bring a lawsuit that would be beneficial not just for myself, but for all Settlement Class Members. I have not received any benefit for representing the Settlement Class, nor for the help I provided my attorneys.

10. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the Settlement Class. I think my efforts helped get the results obtained in this case.

11. Furthermore, as part of the settlement I have agreed to a much broader release of all claims, known and unknown, I may have against Defendant. This release is far broader than that entered into by the other Settlement Class Members.

12. Accordingly, I respectfully request that the Court award me the class representative service award in the amount of \$5,000.00 in recognition of the benefit I helped obtain for other Settlement Class Members, my active participation in this case, and the broader release I have agreed to as part of the settlement.

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

Executed on September ²⁶, 2024 at Madera California

DocuSigned by:
Chris Swearingin
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Chris Swearingin