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JAN 14 2022  
SUPERIOR COURT  
ADMINISTRATOR'S OFFICE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

JAKE MILLER and DOREEN MILLER, )  
husband and wife, on behalf of themselves and )  
all others similarly situated, )

Plaintiffs, )

vs. )

GUENTHER MANAGEMENT, LLC, a )  
Washington limited liability company, )

Defendant. )

Case No.: 20-2-02604-32

**DECLARATION OF KIRK D. MILLER  
IN SUPPORT OF PLAINTIFFS'  
UNOPPOSED MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Kirk D. Miller declares the following under penalty of perjury, as provided for and by the laws of the state of Washington:

1. I am one of the attorneys representing Plaintiffs in this matter.
2. This Declaration is based on my personal knowledge.
3. The parties, through counsel, engaged in extensive settlement discussions which ultimately resulted in the Settlement Agreement.
4. Counsel spent a considerable amount of time engaging in written discovery, document review, data analysis, and analyzing legal issues related to the lawsuit's claims.

1           5.       Class Counsel has a significant amount of experience in consumer individual and  
2 class actions, including consumer protection actions involving debt collection, and know from  
3 our own experience that any case involving a class of consumers can, and often does, lead to  
4 costly litigation that goes on for years.

5  
6           6.       Class Counsel has thoroughly analyzed the factual and legal issues involved in  
7 this case.

8           7.       In addition to the monetary relief achieved for the class members and proposed cy  
9 pres recipients, Defendant also changed its tenant screening processes to conform with  
10 Washington law and provide prospective tenants with information deemed essential by the  
11 Washington legislature for prospective tenants to make informed renting decisions.

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13           8.       Out of the 1,759 class members who received notice, not a single class member  
14 objected to the Parties Settlement, Class Counsel's requested attorneys' fees, or requested  
15 incentive awards to the Class Representatives, and only one class member requested to be  
16 excluded from the settlement. Accordingly, 1,758 class members will be issued payments in the  
17 amount of \$30.00 each.


18           9.       The proposed cy pres recipients for unclaimed class member funds are the Legal  
19 Foundation of Washington and Northwest Justice Project. Northwest Justice Project has a  
20 dedicated fair housing unit and accepts direct representation of low-income clients who are  
21 facing rental housing legal problems.

22  
23           10.      To the best of my knowledge, no government entity has objected to this  
24 Settlement.

25           11.      Class Counsel believes the Settlement is fair, reasonable, adequate, and in the best  
interest of the Settlement Class as a whole.

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RESPECTFULLY SIGNED this 14<sup>th</sup> day of January, 2022 at SPOKANE, WA.

  
KIRK D. MILLER, WSBA #40025  
*Attorney for Plaintiffs and Class*

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**CERTIFICATE OF SERVICE**

I hereby declare upon penalty of perjury under the laws of the state of Washington that on the date stated below I served a copy of this document in the manner indicated:

Jeffrey P. Downer  
Carinne E. Bannan  
LEE SMART, P.S. INC.  
1800 One Convention Place  
701 Pike Street  
Seattle WA 98101

- First Class U.S. Mail
- E-Mail: [jpd@leesmart.com](mailto:jpd@leesmart.com)  
[ceb@leesmart.com](mailto:ceb@leesmart.com)  
[kxc@leesmart.com](mailto:kxc@leesmart.com)
- Hand Delivery
- Next Day Air

DATED this 14<sup>th</sup> day of January, 2022.

  
\_\_\_\_\_  
Teri A. Brown, Paralegal