

The Honorable Robert S. Lasnik

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRUCE CORKER d/b/a RANCHO ALOHA, *et al.*,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a
Washington corporation, *et al.*

Defendants.

No. 2:19-cv-00290-RSL

**DECLARATION OF CECELIA SMITH
IN SUPPORT OF PLAINTIFFS’
MOTION FOR ATTORNEYS’ FEES,
REIMBURSEMENT OF EXPENSES,
AND SERVICE AWARDS**

Cecelia Smith declares as follows:

1. I am a Plaintiff in the above-captioned case and a Kona coffee farmer. All statements in this Declaration are based on my personal knowledge and I am competent to testify to them.
2. I, alongside my husband Robert Smith, have been a Kona coffee farmer for over thirty years. My husband and I bought the farm in 1988 and have been selling coffee as “Smithfarms” since 1989. In 2016, for estate planning purposes, my husband and I formed Smithfarms, LLC. My husband and I are the only members of Smithfarms, LLC and the two of us are wholly responsible for the farm’s operations.

1 3. Throughout the course of the pre-suit investigation conducted by Nathan Paine and
2 Paul Brown of Karr Tuttle Campbell (“KTC”) through the prosecution of the case to date, I have
3 willingly, constructively, and effectively contributed to all aspects of the case.

4 4. Initially, I helped to educate our attorneys on Kona coffee farming and processing
5 practices as well as the industry as a whole. I reviewed and approved the Complaint that was filed
6 on behalf of a proposed class of Kona coffee farmers. And since the lawsuit commenced, I have
7 actively been involved in the case.

8 5. I have provided information and documents relevant to the prosecution of
9 this case, responded to discovery, and maintained regular communication with the KTC and LCHB
10 attorneys.

11 6. My role in the discovery process included meeting with attorneys, including at our
12 farm, to locate and produce documents responsive to defendants’ discovery requests as well as
13 answer interrogatories and requests for admission. In August of 2020, I sat for an all-day
14 deposition even though Hawaii was completely locked- down due to the pandemic. I also worked
15 with the attorneys to prepare for that deposition.

16 7. Along with the other class representatives, I have stayed abreast of the
17 developments in the litigation through regular meetings with counsel, both in person and virtual.
18 I also fully participated in each of the five mediations. I reviewed, provided my input, and
19 approved all the settlement agreements we have entered into to date.

20 8. I understand the responsibilities of a Class Representative and I have fulfilled, and
21 I continue to fulfill, my duties to the Class. I have been actively involved in the litigation of this
22 case, as described above, and have been in close contact with my attorneys representing the Class
23 to monitor and contribute to this case throughout.

24 9. On many occasions, I have provided my attorneys with input and advice regarding
25 various aspects of the litigation, and I believe I have done my part to vigorously represent the
26 Class’s interests pursuant to my fiduciary duties to the Class.

1 10. I was not promised any amount of money to serve as a Class Representative, or in
2 connection with my approval of this proposed Settlement.

3
4 **Benefits to the Class from My Contributions as A Class Representative**

5 11. In my role as Class Representative, I have expended substantial time and effort to
6 perform actions that have benefited the Class and have helped make this proposed Settlement
7 possible.

8 12. Since I first began working with my attorneys, I have spent well over 250 hours
9 fulfilling my role as a Class Representative, including participating in the initial investigation,
10 discovery, and mediation. A summary of my activities is as follows:

11
12 a. Meeting with and speaking with my attorneys as part of the initial investigation of
13 the case, and then regularly meeting with my attorneys throughout the case to discuss the case
14 status and strategies;

15 b. Preparing, reviewing, and finalizing the Complaint;

16
17 c. Gathering documents and other potential evidence about my claims to provide to
18 my attorneys and produce to defendants, including providing documents and electronically stored
19 information to support my claims and the Class's claims as well as educate the attorneys about
20 Kona coffee farming and processing practices so that they could formulate discovery requests to
21 serve on defendants and prepare for depositions;

22 d. Preparing, reviewing, finalizing, and verifying my responses to hundreds of
23 discovery requests from defendants, while also assisting my attorneys with the preparation with
24 the discovery requests served on defendants;

25
26 e. Preparing and then sitting for a full-day deposition in August 2020;

1 f. Reviewing and correcting my deposition transcript;

2 f. Participating in multiple mediations, which involved countless meetings with the
3 attorneys both before and after the mediations;

4
5 g. Always making myself available to assist the attorneys in all aspects of the case,
6 and then being responsive whenever called upon to take any action to support the case;

7
8 h. Being available to answer questions, which my husband and I often received, from
9 my fellow Kona coffee farmers about the progress of the litigation;

10 i. Being committed to serving the best interests of the Class all the way through the
11 completion of the case.

12 13. —Although the time commitment and the work involved has been considerably more
13 than I anticipated, I have thoroughly enjoyed being involved in this case, the success of which I
14 believe is critical for the survival of Kona coffee farmers such as myself.

15
16 I declare under penalty of perjury under the laws of the State of Washington that the
17 foregoing is true and correct.

18
19 Dated at Honolulu Hawaii, this 20 day of April 2021.

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21 Cecelia B. Smith
22 Cecelia Smith
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