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19 **UNITED STATES DISTRICT COURT**  
20 **CENTRAL DISTRICT OF CALIFORNIA**  
21 **SOUTHERN DIVISION**

22 PHILIP ALVAREZ, RANDALL  
23 BETTISON, MARC KELLEHER, and  
24 DARLENE VAUGH, individually and  
on behalf of all others similarly situated,

25 Plaintiffs,

26 v.

27 SIRIUS XM RADIO INC.,

28 Defendant.

Case No. 2:18-cv-08605-JVS-SS

**DECLARATION OF RANDALL  
BETTISON IN SUPPORT OF  
MOTION FOR ATTORNEYS'  
FEES AND EXPENSES AND FOR  
SERVICE PAYMENTS**

1 I, Randall Bettison, declare as follows:

2 1. I submit this declaration in support of Plaintiffs' Motion for Attorneys'  
3 Fees and Expenses and for Service Payments in the matter of *Alvarez v. Sirius XM*  
4 *Radio Inc.*, Case No. 2:18-cv-08605-JVS-SS (C.D. Cal.). The matters stated herein are  
5 true of my own knowledge or, where indicated, I am informed and believe that they  
6 are true. If called upon as a witness, I could and would competently testify as follows.

7 2. I am a competent adult over the age of eighteen years of age and a resident  
8 of Oregon.

9 3. I am one of the named Plaintiffs in the above-captioned case. I was  
10 provisionally designated by the Court as a Settlement class representative.

11 4. I retained attorneys experienced in consumer class action litigation to  
12 represent me in this matter. At the outset, I was informed of and understood my duties  
13 as a class representative, and believe that I have fulfilled these duties.

14 5. I have actively participated in this litigation, including by discussing my  
15 experience with purchasing two lifetime subscriptions from Sirius XM, searching for  
16 and gathering relevant documents in my possession, and making myself available to  
17 my attorneys to assist them with whatever they needed related to the lawsuit. I stayed  
18 informed about major developments in this action and communicated with my  
19 attorneys through phone calls and e-mails throughout the pendency of this action. I  
20 reviewed the complaints filed in this and related actions on my behalf before they were  
21 filed, assisted my attorneys in preparing initial disclosures, and reviewed the proposed  
22 Settlement Agreement and other pleadings prepared by my attorneys.

23 6. After reviewing the Settlement Agreement and its exhibits, my attorneys  
24 and I went over the core terms of the Settlement and they answered all of my questions.  
25 I conducted a final review of the Settlement Agreement, understood and fully aged to  
26 the terms of the proposed Settlement and later on signed it.

27 7. I estimate that I spent approximately 15 hours performing my duties as a  
28

1 class representative in this case. I believe that this is a conservative estimate.

2 8. I approve and support the Settlement because I believe that it is fair,  
3 reasonable, and in the best interests of the Class. I have no conflict with the Class and  
4 pursued this litigation so that I would help others who similarly purchased a lifetime  
5 subscription from Sirius XM.

6 9. The lifetime subscriptions I purchased from Sirius XM are associated with  
7 Devices that were activated to receive Sirius XM's satellite radio service prior to June  
8 5, 2020 and that continue to receive the Sirius XM satellite radio service. My lifetime  
9 subscriptions are therefore Active Lifetime Subscriptions as this term is defined in the  
10 Settlement Agreement.

11 10. While I did not undertake any direct financial risks in pursuing this action,  
12 I understood that, by stepping forward as a named plaintiff in this case, I was taking  
13 certain risks, and that it was likely to generate some publicity and be associated with  
14 my name in the future. I also was aware that stepping forward as a plaintiff in this  
15 lawsuit may have a negative impact on certain aspects of my life. Despite these risks,  
16 I decided to pursue this case because I felt it was more important to vindicate the rights  
17 of hundreds of thousands of consumers who similarly purchased a lifetime subscription  
18 from Sirius XM.

19 11. I believe that a \$5,000 Service Payment as permitted by the Settlement  
20 Agreement and requested in Plaintiffs' Motion for Attorneys' Fees and Expenses and  
21 for Service Payments is fair compensation for my work on this case in securing relief  
22 for hundreds of thousands of consumers.

23 I declare under penalty of perjury under the laws of the United States that the  
24 foregoing is true and correct. Executed this 14th day of November 2020.

25   
26 Randall T Bettison (Nov 14, 2020 14:55 PST)  
27 Randall Bettison  
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