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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 MARC
KELLEHER IN SUPPORT OF
MOTION FOR ATTORNEYS'
FEES AND EXPENSES AND FOR
SERVICE PAYMENTS**

1 I, Marc Kelleher, 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 New Jersey.

9 3. I am one of the named Plaintiffs in the above-captioned case and 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 a lifetime subscription from Sirius XM, searching for and
16 gathering relevant documents in my possession, and making myself available to my
17 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 complaint filed in this action on my behalf before it was filed, the
21 proposed Settlement Agreement, and other pleadings prepared by my attorneys.

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

26 7. I estimate that I spent approximately 12 hours performing my duties as a
27 class representative in this case. I believe this to be a conservative estimate.

