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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 DARLENE
 VAUGH IN SUPPORT OF
 MOTION FOR ATTORNEYS'
 FEES AND EXPENSES AND FOR
 SERVICE PAYMENTS**

1 I, Darlene Vaughn, 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 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.

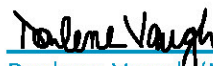
2 8. I approve and support the Settlement because I believe that it is fair,
3 reasonable, and in the best interests of the Class. I have no conflict with the Class and
4 pursued this litigation so that I would help others who similarly purchased a lifetime
5 subscription from Sirius XM.

6 9. The lifetime subscription I purchased from Sirius XM is associated with
7 a Device that was activated to receive Sirius XM's satellite radio service prior to June
8 5, 2020 and that continues to receive the Sirius XM satellite radio service. My lifetime
9 subscription is therefore an Active Lifetime Subscription 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
24 I declare under penalty of perjury under the laws of the United States that the
25 foregoing is true and correct. Executed this 15 th day of November 2020.

26 
27 Darlene Vaughn (Nov 15, 2020 15:24 EST)
28 Darlene Vaughn