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 5 *Attorneys for Plaintiffs United Desert Charities, Fred Ede III, Emily Williams,  
 Bruce Pritchard, Jean Steiner and Settlement Class*

6 **IN THE UNITED STATES DISTRICT COURT**  
 7 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

9 UNITED DESERT CHARITIES,  
 10 FRED EDE, III, EMILY WILLIAMS,  
 BRUCE PRITCHARD, and JEAN  
 11 STEINER, on behalf of themselves and  
 all others similarly situated,

12 Plaintiffs,

13 vs.

14 SLOAN VALVE COMPANY,  
 AMERICAN STANDARD BRANDS  
 15 AS AMERICA, INC. KOHLER CO.,  
 GERBER PLUMBING FIXTURES,  
 16 LLC, MANSFIELD PLUMBING  
 PRODUCTS, LLC, and HOME  
 17 DEPOT, U.S.A., INC.,

18 Defendants.

Case No. 2:12-cv-06878 SJO (SHx)

**SUPPLEMENTAL DECLARATION  
 OF STEVEN H. FRANKEL IN  
 SUPPORT OF JOINT MOTION FOR  
 FINAL APPROVAL OF  
 MODIFICATIONS OF SETTLEMENT  
 AGREEMENT AND PLAN OF  
 ALLOCATION**

*The Honorable. S. James Otero*

Date: September 18, 2017

Time: 10:00 a.m.

Courtroom: 10C

Consolidated Cases:

*Berube v. Flushmate*

2:13-cv-02372-SJO-SH

*Brettler v. Flushmate*

2:13-cv-02499-SJO-SH

*Kubat, et al. v. Flushmate*

2:13-cv-02425-SJO-SH

*Patel v. Flushmate*

2:13-cv-02428-SJO-SH

Related Cases:

*Mergens v. Sloan Valve Co.*

2:16-cv-05255-SJO-SKx

*Dimov v. Sloan Valve Co.*

1:12-cv-09700 (N.D. Ill)

1 I, Steven H. Frankel, declare as follows:

2 1. I am an attorney duly licensed to practice law before all courts of the  
3 State of California, and I am a partner in the law firm of Dentons US LLP, counsel  
4 of record for Defendants Sloan Valve Company, Flushmate, a division of Sloan  
5 Valve Company (“Flushmate”), AS America, Inc., doing business as American  
6 Standard Brands, Kohler Co., Gerber Plumbing Fixtures, LLC, and Mansfield  
7 Plumbing Products, LLC, in this action. I submit this supplemental declaration in  
8 support of the Joint Motion for Final Approval of Modifications of Settlement  
9 Agreement and Plan of Allocation. I have personal knowledge of all facts set forth  
10 herein, and, if called as a witness, I can and would testify competently thereto under  
11 oath.

12 2. Pursuant to the Notice Program and the April 10, 2017 Amended  
13 Order Conditionally Approving Modifications to Settlement Agreement and Plan of  
14 Allocation (ECF No. 164), Settlement Class Members<sup>1</sup> were given the opportunity  
15 to submit written comments on the proposed modifications by sending them to my  
16 attention, postmarked no later than August 21, 2017. As of August 31, 2017, I have  
17 not received any written comments on the proposed modifications from any  
18 Settlement Class Member.

19 I declare under penalty of perjury, under the laws of the United States of  
20 America, that the foregoing is true and correct.

21 Executed this 1st day of September 2017, at Oakland, California.

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/s/ Steven H. Frankel  
Steven H. Frankel

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<sup>1</sup> Initial capitalized terms utilized herein have the same definitions as set forth in the Class Action Settlement Agreement and Release, filed January 31, 2014 (ECF No. 119-1) unless otherwise specified.