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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**

19 JOE S. YEARBY, on behalf of himself and all
20 others similarly situated,
21 Plaintiff,
22 v.
23 AMERICAN NATIONAL INSURANCE
COMPANY,
24 Defendant.

Case No. 3:20-cv-09222-EMC

**DECLARATION OF JOE S. YEARBY IN
SUPPORT OF PLAINTIFF'S MOTION
FOR ATTORNEYS' FEES,
REIMBURSEMENT OF LITIGATION
EXPENSES, AND SERVICE AWARD**

1 I, Joe S. Yearby, hereby declare as follows:

2 1. I submit this declaration in support of Plaintiff’s Motion for Attorneys’ Fees,
3 Reimbursement of Litigation Expenses, and Service Award in connection with the proposed class
4 action settlement between Plaintiff Joe S. Yearby, individually and on behalf of the Class¹ and
5 Defendant American National Insurance Company (“ANICO”).

6 2. I am an individual over the age of 18 who resides in West Monroe, Louisiana. I have
7 personal knowledge of the matters stated herein and, if called upon, I could and would competently
8 testify thereto.

9 3. I am a named plaintiff and class representative in *Yearby v. American National*
10 *Insurance Company*, No. 3:20-cv-09222-EMC, filed on December 18, 2020, in the United States
11 District Court for the Northern District of California.

12 4. Over the past nearly three years, I have diligently performed my duty to assist
13 Susman Godfrey in prosecuting this case, investing significant effort to complete specific tasks to
14 benefit the lawsuit and fulfill my role as a class representative.

15 5. With the assistance of family members, I began investigating whether there were
16 potential claims against ANICO in 2019. During this time, I spent substantial time researching my
17 policy and searching for class action lawsuits pending against similar insurance companies.
18 Through this research, I contacted my first set of attorneys and began a dialogue regarding potential
19 claims against ANICO.

20 6. While considering claims against ANICO, I searched for, collected, and reviewed
21 my ANICO policy documents, many of which were decades old. With family assistance, through
22 the end of August 2019, I retrieved copies of my policy documents from ANICO. I spent time on
23 phone calls with my attorneys and reviewing these documents during this process.

24 7. I was then referred to Susman Godfrey and began assisting Susman Godfrey with
25 the process of drafting the initial complaint. I diligently reviewed multiple versions of the draft
26

27 ¹ Unless otherwise noted, all capitalized terms mean the same as in the Settlement Agreement,
28 attached as Exhibit 2 to the Declaration of Steven Sklaver in Support of Plaintiff’s Motion for
Preliminary Approval of Class Action Settlement, Dkt. 82-2 at 25.

1 complaint, checking the accuracy of the factual allegations. Each time I reviewed a draft, the
2 process usually lasted about one week.

3 8. After the complaint was filed in December 2020, and while this litigation was
4 pending, I continued reviewing documents related to my policy that ANICO would mail to me. I
5 kept my attorneys at Susman Godfrey apprised of all these communications in case it was relevant
6 to the litigation. I also continued to review drafts of litigation documents throughout the case,
7 including providing additional factual detail for the amended complaints.

8 9. Once the Settlement was reached with ANICO, I closely reviewed the proposed
9 Settlement Agreement and corresponded with the Susman Godfrey attorneys numerous times, by
10 email and over phone calls. I scrutinized the terms of the Settlement, to ensure that Class Members
11 were receiving a fair result.

12 10. Over the course of the litigation, I estimate that I spent at least 180 hours searching
13 for and reviewing documents, researching my policy and potential claims, conferring with
14 attorneys, and staying apprised of the litigation. Participating in the litigation also caused me a
15 significant amount of stress.

16 11. Other than the relief available to all Class Members and any service award approved
17 by the Court, I will not receive any other personal benefit as a result of the Settlement.

18
19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct.

21 Executed this 25th day of August, 2023, in West Monroe, Louisiana.

22
23 /s/ Joe S. Yearby
24 Joe S. Yearby