

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION**

**CRAIG PEDERSON** and **DAVID BROWN** on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

**AAA COLLECTIONS, INC.,**

Defendant.

No. 4:22-cv-04166-RAL

Chief Judge Roberto A. Lange

**DECLARATION OF PLAINTIFF DAVID BROWN IN SUPPORT OF PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES, COSTS, SERVICE AWARDS, AND FINAL  
APPROVAL OF CLASS ACTION SETTLEMENT**

I, David Brown, declare under penalty of perjury the following:

1. I am a named Plaintiff in the above-captioned litigation. I reside in Staples, Minnesota. And I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Costs, and Service Awards, and Plaintiffs' forthcoming Motion for Final Approval of Class Action Settlement.

2. I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called upon to do so.

3. On or around December 15, 2022, I received notice of the Data Incident concerning AAA Collections, Inc. After I received notice, I conducted some research concerning the Data Incident and ultimately sought out and spoke with experienced attorneys to determine if I would retain them to handle my case. My attorneys spent significant time communicating with me about the facts of this case and the law, including what was involved in being a class representative. In the end, I decided to vindicate not only my own rights, but also those of others affected by the

Data Incident—by serving as a Plaintiff and proposed class representative in this class action lawsuit. Instrumental in my decision to be a class representative was my own desire to provide recourse to a proposed Class of other individuals whose personal information was compromised in the Data Incident. Since agreeing to serve as a Plaintiff, I have diligently and faithfully fulfilled my obligation, and I was instrumental in achieving the relief obtained for the Class.

4. I have participated in this litigation from its inception through settlement discussions. I have been in regular contact with my attorneys during the course of this matter.

5. Among other things, I have spent time researching the facts of the Data Incident, my rights and those of the Class in bringing this lawsuit, speaking with and communicating with my attorneys, gathering documents and/or information requested by my attorneys, and reviewing documents filed in this action.

6. I am familiar with the work involved in prosecuting this action and have worked with my attorneys to obtain the relief provided by the settlement. Throughout this litigation, I made myself available to discuss developments in the case as part of my duty as a Class Representative. All in all, I have devoted much time and attention to this case.

7. I have fairly represented the absent Class members and herein request that the Court approve this settlement. I have maintained the best interests of the Class while performing my class representative duties and I am unaware of any conflicts that would prevent me from serving as a class representative.

8. Class Counsel have fairly and adequately represented the interests of the Class and have demonstrated their valuable experience and qualifications in conducting the pending litigation. They are experienced in prosecuting class actions such as this and have successfully prosecuted numerous class actions in recent years, recovering hundreds of millions of dollars for

class members across the country. They have continued to provide fair and vigorous representation for the Class in this matter.

9. I understand that the settlement benefits include an \$865,000 settlement fund that will be used to make cash payments to me and other class members submitting valid claims after the reduction of my counsels' attorneys' fees and expenses, any settlement administration costs and expenses, and the potential class representative service awards. I also understand that AAA has implemented and maintained important business practice changes that will decrease the likelihood of a future data incident.

10. I believe that the Settlement benefits are a great result for myself and those similarly situated. I strongly support this Settlement and the benefits recovered and believe they are more than reasonable.

11. I have reviewed Class Counsel's request for attorneys' fees of 1/3 the \$865,000 common fund (\$288,333.33) and reasonable expenses and believe such fees and expenses are fair and adequate under the circumstances of this case.

12. By serving as a Class Representative in this action, I bore a certain amount of risk that other Class members did not bear. In addition to the time I spent participating in the prosecution of this case, I took a risk by coming forward and filing this class action, putting my personal information into the public sphere. I was willing to participate in this case through the discovery process, depositions, and through trial if there had not been a settlement. As a result of my stepping forward and conducting a pre-suit investigation, Class members will receive the benefits of the settlement to compensate them for the injuries directly and proximately caused by Defendant's failure to implement or maintain adequate data security measures to safeguard sensitive personal information from unauthorized access and disclosure.

13. Based on the foregoing, I respectfully request that this Court award me a Service Award of \$5,000.

Pursuant to 28 U.S.C. § 1746, I declare and sign under penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on December 29, 2023 in Staples, Minnesota.

/s/  \_\_\_\_\_

David Brown