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6 Attorneys for Plaintiffs, On Behalf of  
Themselves and All Others Similarly Situated  
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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **FOR THE COUNTY OF LOS ANGELES- CENTRAL DISTRICT**  
11

12 ROBERT SCOTT, Individually and On Behalf of  
All Others Similarly Situated,

13 Plaintiff,

14 vs.

15 SERVICE CORPORATION INTERNATIONAL,  
16 a Texas corporation, SCI CALIFORNIA  
FUNERAL SERVICES, INC., a California  
17 corporation, EDEN MEMORIAL PARK  
MANAGEMENT CO., a California corporation,  
18 EDEN MEMORIAL PARK ASSOCIATION, a  
California business entity, EDEN MEMORIAL  
19 PARK, a California business entity, JAMES R.  
BIBY, an individual and DOES 1 through 100.

20 Defendants.  
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CONFORMED COPY  
ORIGINAL FILED  
Superior Court Of California  
County Of Los Angeles

MAY 09 2014

Sherri R. Carter, Executive Officer/Clerk  
By: Kristina Vargas, Deputy

Case No. BC421528

ASSIGNED FOR APPROVAL OF CLASS  
ACTION SETTLEMENT TO:  
Hon. Daniel Buckley, Dept. 1

ASSIGNED FOR TRIAL TO:  
Hon. Marc Marmaro, Dept. 37

**DECLARATION OF RABBI HOWARD  
LAIBSON IN SUPPORT OF PLAINTIFFS'  
MOTION FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT AND APPLICATION  
FOR ATTORNEYS' FEES, COSTS AND  
INCENTIVE AWARDS TO THE CLASS  
REPRESENTATIVES**

*[Plaintiffs' Motion for Final Approval of Class  
Action Settlement; Application for Attorneys' Fees,  
Costs & Incentive Awards; Declarations of  
Michael J. Avenatti, Jason M. Frank, Kenneth Jue,  
Dr. David Stewart, Professor Brian Fitzpatrick,  
Robert Scott, Sean Frank, Barry Chapman,  
Warren Binder, Ivy Greenstein, Linda Pore,  
Miriam Sue Roth and Habib Naeim; [Proposed]  
Final Approval Order; and [Proposed] Judgment  
filed concurrently herewith]*

**Date: May 15, 2014**  
**Time: 9:00 a.m.**  
**Dept.: 1**

**DECLARATION OF RABBI HOWARD LAIBSON**

I, Rabbi Howard Laibson, declare as follows:

1. I have personal knowledge of the facts set forth herein and could competently testify to them if called as a witness.

2. I am one of the named plaintiffs in the above captioned case, entitled *Robert Scott, et al. v. Service Corporation International, et al.*, Los Angeles Superior Court Case Number BC421528. I have personal knowledge of the matters contained in this declaration and, if called as a witness to testify, I could and would competently testify to them.

3. I have been involved as a class representative in this matter for over four years.

4. During the entire duration of the past four-plus years, I have pursued the above captioned case on behalf of myself and all others similarly situated. I have spent considerable time prosecuting this case without any monetary payments or benefits. My involvement as a class representative has included: (i) substantial time meeting and conferring with my attorneys by telephone, email and in person; (ii) substantial time reviewing various and extensive pleadings filed by my attorneys and opposing counsel in this matter; (iii) substantial time reviewing voluminous transcripts of the deposition testimony of Eden's employees and managers, as well as the deposition transcripts of employees at the California Cemetery & Funeral Bureau; (iv) responding to a detailed "Fact Sheet" regarding my claims with over 40 questions, including subparts; (v) participating in and responding to voluminous rounds of extensive written discovery requests; (vi) preparing for and sitting for my deposition; (vii) researching and consulting with various Rabbis about Jewish law; (viii) attending court hearings in person; (ix) attending the class action trial; and (x) consulting with my counsel regarding settlement negotiations until the Settlement Agreement reached its final form. I also expended time traveling to and from my attorneys' office and to my deposition during the pendency of this litigation, as well as traveling to Court and taking numerous days off of work. I also assisted my counsel in obtaining affidavits from my family members.

5. I was in continuous and current contact with my attorneys and made myself available while the parties went to mediation and engaged in arm's length negotiations.

1           6.     I was fully advised as to the provisions of the settlement by my counsel and have  
2 reviewed the entire agreement before executing it and prior to filing it with the Court. I have closely  
3 reviewed the final terms of the settlement agreement that this Court has preliminarily approved.

4           7.     During the course of the litigation, I have had numerous telephonic and e-mail contact  
5 with my attorneys. My attorneys have continuously informed me of the status of the case and have  
6 attended to my questions and concerns about this litigation on behalf of myself and others similarly  
7 situated. I have also devoted time assisting my counsel in the prosecution of this case, which includes  
8 providing them with requisite information to move forward with this case. In addition, as noted above,  
9 I expended considerable time reviewing documents and deposition testimony that were produced in  
10 this litigation and assisting my counsel to respond to several rounds of detailed written discovery.  
11 Further, I also provided expert testimony and declarations regarding Jewish law that were positively  
12 cited by Judge Mohr in connection with his order requiring Defendants to provide 48-hours' notice  
13 before burying a damaged outer burial container. I was not compensated for any of my services.

14           8.     I believe that I have faced substantial risk as a result of my decision to step forward and  
15 serve as a class representative in this case. As noted above, Defendants filed several motions to  
16 compel the Court to order the excavation of my loved ones' graves against my family's wishes. I also  
17 believe that I have faced substantial risk in serving as a class representative as I understand that in  
18 becoming a class representative I am risking the imposition of costs if the case does not prevail.

19           9.     I am not currently, and have never been, a party to any case that may be pending in  
20 other jurisdictions or courts that is similar to the above entitled case.

21           10.    I continue to be and have been willing and able to serve as a Class Representative in  
22 this litigation. I fully understand the duties of the Class Representative, including the duty to  
23 prosecute this case on behalf of the entire certified class. I have been and remain able and prepared to  
24 continue to work with my attorneys to stay informed about the issues in this case and to provide  
25 relevant information, documents and testimony when they are requested.

26           11.    Throughout the course of this case, my attorneys and their staff have been accessible  
27 and very willing to share information about the case and how it was proceeding. They have explained  
28 details of the relevant laws in a manner that I could readily comprehend as a layman, and when I

1 provided information regarding Jewish practices and Jewish law pertaining to the case, they listened  
2 appreciatively. I am very grateful for how they have managed the case.  
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5 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
6 true and correct. Executed this 6th day of May, 2014, at Lakewood  
7 California.

8 Rabbi Howard O. Laibson  
9 RABBI HOWARD LAIBSON  
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