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Superior Court Of California
County Of Los Angeles

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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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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 HABIB NAEIM 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, Rabbi
Howard Laibson, Barry Chapman, Warren
Binder, Ivy Greenstein, Linda Pore, and Miriam
Sue Roth; [Proposed] Final Approval Order; and
[Proposed] Judgment filed concurrently
herewith]*

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

DECLARATION OF HABIB NAEIM

I, Habib Naeim, 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) participating in and responding to voluminous rounds of extensive written discovery requests; (v) preparing for and sitting for my deposition; (vi) assisting my counsel in discovering the details of the desecration of my sister's grave; and (vii) 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.

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.

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

