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20 Attorneys for Plaintiffs GRANT CAIN and DEBORAH CAIN,  
21 on behalf of themselves and all others similarly situated

22 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
23 **COUNTY OF ORANGE**

24 MADLEN DYE, an individual; GRANT  
25 CAIN, an individual; DEBORAH CAIN, an  
26 individual, on behalf of themselves and all  
27 others similarly situated,

28 Plaintiffs,

vs.

29 RICHMOND AMERICAN HOMES OF  
30 CALIFORNIA, INC., a Corporation;  
31 M.D.C. HOLDINGS, INC., a Corporation;  
32 PLUMBING CONCEPTS, INC., a  
33 Corporation; MUELLER INDUSTRIES,  
34 INC., a Corporation; and DOES 1-100,

Defendants.

AND RELATED  
CROSS-CLAIMS.

Case No. 30-2013-00649415-CU-CD-CXC

Assigned for all purposes to:  
Judge: Hon. Peter Wilson  
Dept.: CX-101

**DECLARATION OF GRANT CAIN IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

**Hearing Date: February 23, 2023**  
**Time: 2:00 p.m.**  
**Dept.: CX-101**

Complaint Filed: 05/09/201

[Notice of Motion, Memoranda of Points and  
Authorities in Support of Final Approval and  
Attorneys' Fees, Declarations of Richard  
Kellner, Michael Artinian, Patrick  
McNicholas, Deborah Cain, and Makenna  
Snow filed concurrently herewith.]

1 I, GRANT CAIN, declare as follows:

2 1. I am over the age of 18 years and am one of the class representatives in the above-  
3 captioned class action. I have personal knowledge of the matters contained in this declaration and if  
4 called to testify, I would and could competently testify to such matters. I make this declaration upon  
5 my personal knowledge and, if called upon and sworn as a witness, I could and would competently  
6 testify hereto.

7 2. I am represented by my counsel Bridgford, Gleason & Artinian, Kabateck LLP and  
8 McNicholas & McNicholas LLP.

9 3. I submit this declaration in support of the motion for final approval of class  
10 settlement.

11 4. My wife and I signed a retainer agreement with Class Counsel in 2017, to assist and  
12 participate in the case and be named as a plaintiff if or when the need arose. I was kept up to date on  
13 the progress of the case, and provided information requested by Class Counsel during the litigation.  
14 And in July 2022, I was named as a plaintiff in this action, to consummate this class settlement due  
15 to issues that arose with then-named-plaintiff Madlen Dye who had been serving as the class  
16 representative (requiring her to be dismissed).

17 5. My counsel has explained to me what my obligations are for serving as a class  
18 representative in this matter, and I take those obligations seriously and believe I have carried out  
19 those obligations to the best of my ability. I understand that I may not put my personal interests  
20 ahead of the Class Members' interests as a whole and that my interests cannot be antagonistic to  
21 those of the Class. My interests align with those of the Class, because the Class and I share the  
22 mutual interest of establishing Defendant's liability and obtaining relief for the Class.

23 6. I have actively worked with my attorneys to assist them in litigating this case since I  
24 signed a retainer agreement in 2017. I supplied information regarding my home, and regarding the  
25 issues presented in this case concerning copper pipe corrosion and pinhole leaks. I participated in  
26 consummating the settlement, and keeping informed in the other litigation activities during the time  
27 I was involved in the case. My counsel has routinely informed me of the status of the case and has  
28

1 attended to my questions and concerns about the litigation on my behalf and all similarly situated. I  
2 will continue to remain engaged in this lawsuit through the duration of the litigation and diligently  
3 discharge my duties as class representative – and believe I have done so to date.

4 7. Together with my wife and fellow class representative, I estimate that we collectively  
5 spent approximately 15 hours doing the above-referenced activities in this case.

6 8. My counsel has explained to me the terms of the proposed Settlement and answered  
7 all questions that I had about its terms. I was fully advised as to the provisions of the proposed  
8 Settlement and have reviewed the entire agreement before executing it. I fully support the terms  
9 reached within the Settlement and find it to be fair and reasonable when taking into account all  
10 aspects of this litigation and the risks as have been explained to me by my counsel.

11 9. I have worked hard to fulfill my obligations and believe I have acted in the best  
12 interests of the class members. I have responded to all of the inquiries my attorneys have made for  
13 further information.

14 10. I am currently not party to, nor have I been a party to at any time during the course of  
15 this litigation, any cases which are similar to this case pending in other jurisdictions.

17 I declare under penalty of perjury under the laws of the State of California that the foregoing  
18 is true and correct. 1/26/2023

19 Executed on January \_\_, 2023 at Ladera Ranch, California.

21 DocuSigned by:  
22 *Grant Cain*  
23 C6BFFF54R3984RR

24 GRANT CAIN  
25  
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**PROOF OF SERVICE**  
**Dye v. Richmond American Homes, et al.**  
**Orange County Superior Court Case No.: 30-2013-00649460**

I, the undersigned, declare that:

I am over the age of 18 years and not a party to the within action. I am employed in the County where the Proof of Service was prepared and my business address is Law Offices of BRIDGFORD, GLEASON & ARTINIAN, 26 Corporate Plaza, Suite 250, Newport Beach, CA 92660.

On the date set forth below, I served the following document(s): **DECLARATION OF GRANT CAIN IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT** on the interested party(s):

**SEE ATTACHED SERVICE LIST**

by the following means:

- BY MAIL:** By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid. I am readily familiar with the business practice for collecting and processing correspondence for mailing. On the same day that correspondence is processed for collection and mailing it is deposited in the ordinary course of business with the United States Postal Service in Newport Beach, California to the address(es) shown herein.
- BY PERSONAL SERVICE:** By placing a true copy thereof, enclosed in a sealed envelope, I caused such envelope to be delivered by hand to the recipients herein shown (as set forth on the service list).
- BY OVERNIGHT DELIVERY:** I served the foregoing document by Overnight Delivery as follows: I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to recipients shown herein (as set forth on the service list), with fees for overnight delivery paid or provided for.
- BY ELECTRONIC MAIL (EMAIL):** I caused a true copy thereof sent via email to the address(s) shown herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: January 30, 2023

\_\_\_\_\_  
/s/Debbie Knipe

Debbie Knipe

**SERVICE LIST****Dye v. Richmond American Homes, et al.****Orange County Superior Court Case No.: 30-2013-00649460**

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