

THE PATH FORWARD

2023 • ANNUAL REPORT

 **IMPACT FUND**
Strategic Litigation for Social Justice





IMPACT FUND

Strategic Litigation for Social Justice

Our mission is to provide grants, advocacy, and education to support impact litigation on behalf of communities seeking economic, environmental, racial, and social justice.

Our vision is a more equitable world where everyone can achieve justice.

ANTI-RACISM STATEMENT

We oppose police brutality and structural racism in our streets, our prisons, our schools, our workplaces, and our justice system: Black Lives Matter.

We are committed to addressing these issues through our own work and by supporting strategic litigation that will force systemic change now.



2080 Addison Street, Ste 5 | Berkeley, CA 94704-1692 | Tel: *1.510.845.3473
impactfund@impactfund.org | www.impactfund.org

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WELCOME!

AS WE STAND at this juncture, looking toward the path forward, our commitment to advancing economic, environmental, racial, and social justice has never been more critical. In a world that continues to grapple with systemic inequalities, discrimination, and pressing social issues, our work is a necessary force for positive change.

Our journey along the path forward is not one taken alone but in the company of like-minded individuals and organizations. Together, we form a collective demand for justice. Our collaboration, unity, and shared values are the cornerstone of our success.

Beyond our accomplishments over the past year, we are looking ahead to the next chapter of our organization with Lindsay Nako at the helm. Lindsay's eight years of service, heading our litigation and training programs, have prepared her well for her new role as Executive Director.

We continue to feel inspired by the harmonious effort of our team and supporters, and we see the rich promise of today's work in the future. To each of you who has championed the Impact Fund's mission — whether as a colleague, a donor, a grantee, or a partner — we extend our heartfelt thanks. Your steadfast support has been fundamental to our work advancing justice.

And while the coming year will be a time of transition, we remain unwavering in dedication to our mission and enthusiastically embrace the opportunities and challenges that the future will bring. With ambitious goals set in our new strategic plan, we are confident that, with our dedicated team and partners, we will achieve our objectives.

Please take the time to explore this Annual Report, which provides a comprehensive overview of our activities this past year and the stories of the individuals and communities we serve. Your ongoing support made all of this possible.

Thank you for joining us on this journey and into the future.



Jocelyn Larkin
Executive Director



Lindsay Nako
Director of Litigation & Training



NEW GRANTS MADE

- A Better Childhood
- Alternativas y Procesos de Participación Social
- Animal Legal Defense Fund
- Beldock Levine & Hoffman LLP
- Center for Medicare Advocacy
- Connecticut Legal Rights Project
- Conservation Law Foundation
- Defend Our Health
- Disability Rights Texas
- Environmental Law and Justice Clinic,
Golden Gate University School of Law
- Fair Work Center
- Gitxaala Nation
- Greenfire Law PC
- Leadership Counsel for Justice & Accountability
- Legal Aid Services of Oregon
- Lone Star Justice Alliance
- Mobilization for Justice
- Most & Associates
- Our Children's Trust
- Pollock Cohen LLP
- Snake River Waterkeeper
- Uptown People's Law Center
- WaterLegacy
- Worker Justice Center of New York

GRANTS FOR IMPACT LITIGATION

WE STAND in awe of our grantees and what they are able to accomplish through high impact, community-driven litigation. We were thrilled to grant \$627,750 last year to support lawsuits that provide an effective tool for communities fighting for their human rights, livelihood, and future. In the next few pages, you will find stories and statistics about these cases, and the people and passion that power them. We are grateful for the many collaborators who make this work possible: our nonprofit and attorney grantees, the public interest litigators on our grants committee, our funders at the Justice Catalyst Access Fund and Cameron Schrier Foundation, and the communities we serve.

OUR
REPLENISHING FUND

Replenished by
grant repayments and
our generous supporters

\$2.4M
CURRENTLY
SUPPORTING

139
IMPACT CASES

ADVANCING
THROUGH THE COURTS
TO PROTECT
COMMUNITIES

FY23 GRANTMAKING



- Social Justice:
\$291,250
- Just Earth:
\$240,000
- Economic Justice:
\$96,500

\$627,750
Awarded to cases through our Just Earth,
Social & Economic Justice, and Clean
Water grantmaking programs

24
Cases funded for
social, economic, and
environmental justice

9
Social Justice
Grants

11
Just Earth
Grants

4
Economic
Justice
Grants

GRANTEE STORIES

SOCIAL JUSTICE GRANTS: SAFEGUARDING CIVIL AND HUMAN RIGHTS

OUR GRANTEES HELP achieve social justice for a wide range of marginalized communities, including incarcerated people and children in foster care. This year brought more investment and more success. We recently supported *Ward et al v. Young*, a class action brought by **Disability Rights Texas** on behalf of incarcerated people with mental health disabilities. Two of our past grantees' cases — *Thomas J. Stamps v. North Carolina Division of Adult Corrections* (**North Carolina Prisoner Legal Services**) and *Barfield v. Cook* (**Kenneth J. Krayeske Law**) — ended in successful settlements and saved thousands of lives by expanding Hepatitis C testing and treatment in prisons. In *Baxley v. Jividen*, **Mountain State Justice** reached a successful settlement with West Virginia's jail system that required the state to significantly expand care for incarcerated people struggling with mental health issues. **A Better Childhood** won class certification in *Jonathan R. v. Jim Justice*, a lawsuit against West Virginia for failing to protect children in foster care from abuse. And in *M.B. v. Corsi*, **Children's Rights** achieved a settlement that aims to prevent the state of Missouri from unnecessarily prescribing powerful psychiatric drugs to foster youth.

ECONOMIC JUSTICE GRANTS: PROTECTING LOW-INCOME COMMUNITIES

THIS YEAR, we were excited to make grants for several cases in pursuit of economic justice for low-income workers and consumers. In *Jocelyn Bolina et al. v. Assurecare Adult Home LLC et al.*, **Fair Work Center** is seeking to help live-in caregivers access basic wage-and-hour protections under Washington state law. We also supported *Yeend et al. v. Akima Global Services*, a class action filed by **Worker Justice Center of New York** against a coercive and exploitative immigration detention facility that forces immigrant detainees to work for just a dollar a day. In *Barker v. Rokosz*, **Mobilization for Justice** is confronting a large predatory lender who deceived a low-income Afro-Caribbean homeowner, leaving her at risk of losing her home. Our grantees from previous years are also making strides in the fight for economic justice. For example, **Northeast Legal Aid** achieved a successful settlement in *Craw v. Hometown America*, a consumer protection class action against two mobile home parks for allowing repeated water damage to create unsafe living conditions. The mobile home parks are now required to improve their infrastructure and compensate their mostly elderly and low-income residents.



Several of our grantees' cases aim to save lives by improving access to medical care for incarcerated people. *Illustration by Owen Gent*



Mobile home communities should maintain a safe standard of living for their residents.

GRANTEE STORIES

ENVIRONMENTAL JUSTICE GRANTS: ENSURING A CLEAN AND HEALTHY ENVIRONMENT FOR ALL

WE ARE HAPPY to report that several of our grantees achieved significant victories in the movements for environmental and climate justice this year. **Our Children's Trust** achieved a historic win in the first-ever constitutional climate trial in the United States, *Held v. Montana*, brought on behalf of 16 youth plaintiffs. **WaterLegacy** successfully challenged a permit for a new copper-nickel sulfide mine that would have polluted water on Native land and in the Superior National Forest in Minnesota. And as a result of *California Coastkeeper Alliance v. Sacramento Area Sewer District*, a Clean Water Act enforcement action brought by **California Coastkeeper Alliance** against Sacramento County for discharging raw sewage into nearby rivers and making drinking water unsafe for nearby low-income communities, the county agreed to upgrade its sewer system. More recently, we provided a grant to **Leadership Counsel for Justice & Accountability** for *Friends of Calwa & Fresno Building Healthy Communities v. California Department of Transportation*, which challenges a highway expansion project in Central California that fails to consider the health effects of increased air pollution on the already burdened communities nearby.

RACIAL JUSTICE GRANTS: CONFRONTING SYSTEMIC RACISM IN POLICING

MANY OF OUR grants across all our funding sectors focus on addressing systemic racism and advancing racial justice. In this section, we want to highlight a few of our grantees' cases seeking police accountability in the wake of the Black Lives Matter movement. We recently supported *Sow et al. v. City of New York et al.*, a class action brought by **Beldock Levine & Hoffman LLP**. The lawsuit accuses New York City police of violating the constitutional rights of Black Lives Matter protesters in several ways — including beating people, throwing them to the ground, and arresting them without justification. **National Lawyers Guild, Detroit and Michigan Chapter** obtained a settlement of more than \$1 million in *Detroit Will Breathe et al. v. City of Detroit et al.*, which sought accountability for racially-motivated excessive force and unjustified arrests of Black Lives Matter protestors in 2020. Also, **Most & Associates** achieved a \$1.17 million settlement in *Imani v. Baton Rouge*, a lawsuit accusing police officers of illegally and violently arresting people protesting the killing of Alton Sterling in Baton Rouge, Louisiana.



Pollution and climate change harm us all — but low-income communities of color suffer the most.



People should be able to protest without fearing for their safety.

YEAR IN REVIEW

OUR PROCESS IN ACTION

APPLICATIONS

We evaluated 29 applications. Our Grant Advisory Committee conducted an in-depth review of each case.

29

INQUIRIES

We received approximately 584 inquiries: 255 completed our eligibility questionnaire, 69 registered with our online portal, and approximately 260 contacted us via phone or email.

584



GRANTS

In the 2023 fiscal year, the Impact Fund awarded 24 recoverable grants for impact litigation expenses.

24

LETTERS OF INQUIRY

We received and reviewed 41 letters of inquiry. Each LOI went through our due diligence review process and was evaluated by our Executive Director.

41

GRANT UPDATES

FY23 Grant Outcomes

86%

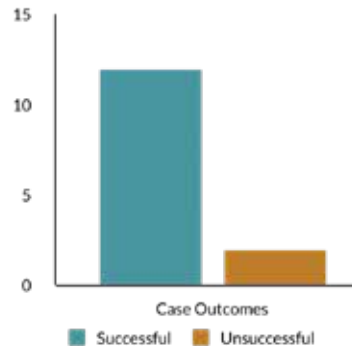
Of cases closed this year were **SUCCESSFUL**

14

Grants Closed

3.4 yrs

Average Grant Length



8

Successful Settlements

1

Successful Ruling

3

Successful Without Litigation

2

Vacated, Dismissed, or Lost



Jocelyn Larkin and Justice Catalyst Access Fund Executive Director Jacob Lipton discuss next steps at the 2023 Impact Litigation Funders Symposium.

CURRENT LITIGATION

U.S. ex rel. Terry v. Wasatch Advantage Group (Eastern District of California)

IN NOVEMBER 2022, Impact Fund and co-counsel secured a significant victory for our class of California tenants participating in the Housing Choice Voucher (formerly Section 8) program, challenging unlawful additional side fees charged by their property owners and managers. After both sides filed motions for summary judgment in May, Chief Judge Kimberly J. Mueller ruled that the defendants' policies and practices made the additional fees into rent for purposes of the housing voucher program and violated the terms of the program's governing contract. The Court found that the definition of "rent" turns on a tenant's right "to live in and make use" of a unit, and conditioning living in a unit on the payment of side fees may convert those fees into rent. Here, the Court concluded that the fees were rent in part because tenants who failed to pay the additional fees were threatened with eviction and removal from their homes. Having won summary judgment on a significant part of our case, the Impact Fund and co-counsel **Centro Legal de la Raza, Goldstein Borgen Dardarian & Ho**, and **Law Office of Andrew Wolff** will now proceed to trial in 2024.



Terry Plaintiffs Roy Huskey III and Tamera Livingston.

Farrell v. Department of Defense (Northern District of California)

IN AUGUST, Impact Fund and co-counsel filed a class action lawsuit against the U.S. Department of Defense on behalf of LGBTQ+ veterans discharged under "Don't Ask, Don't Tell" and predecessor policies. The lawsuit challenges the military's continued failure to address the lingering injustices of these discriminatory policies that live on in the discharge paperwork of LGBTQ+ veterans. Commonly used discharge papers, known as DD-214s, continue to identify the sexual orientation of many veterans discharged under these policies, along with discharge statuses other than "Honorable." Plaintiffs Sherrill Farrell, Steven Eglund, James Gonzales, Jules Sohn, and Lilly Steffanides seek to represent the tens of thousands of service members who were discharged for their actual or perceived sexual orientation. For these veterans, showing their discharge paperwork can mean involuntarily outing themselves and discharge statuses below "Honorable" prevent them from accessing critical benefits. The existing process for correcting discharge paperwork and upgrading discharge statuses places significant burdens on individual veterans to correct the legacy of these discriminatory policies. Impact Fund, along with the plaintiffs and co-counsel **Legal Aid at Work** and **King & Spalding LLP**, are working to restore the honor and dignity of the service of LGBTQ+ veterans.



Sherill Farrell hoped to continue her family legacy with a career in the military.

Erdmann-Browning v. Vilsack (Northern District of California)

IN SEPTEMBER, on the apparent verge of a government shutdown, the Impact Fund and **Western Center on Law & Poverty**, on behalf of two participants in the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps) filed a class action lawsuit to prevent any interruption or delay of critical food benefits to 42 million Americans. Our lawsuit asked the United States Department of Agriculture and the Office of Management and Budget to identify and implement all available strategies to continue food assistance, while Congress worked on passage of funding bills to keep the government open. Just days after the lawsuit was filed, USDA changed its accounting policy to fund benefits in the month before the benefits are made available to households, protecting benefits in October 2023 and in future months.

CLASS ACTION NOTICE UPDATE

The Impact Fund Class Notice Project is dedicated to enhancing class action notices, ensuring that class members consistently receive clear and helpful information about their legal rights and the necessary actions to take. Our initiative revolves around two pivotal projects, both designed to streamline and demystify legal communication.

We are developing a suite of user-friendly templates that are designed to facilitate the creation of visually appealing and straightforward notices. We are diligently at work refining our class notice templates to improve their user-friendliness.

We are developing a software tool that leverages generative AI technology to assist attorneys by transforming complex legal language into clear, succinct, and readily accessible language. The tool will analyze class notices and extend suggestions that simplify the content and rephrase ideas into plain language, with attorneys retaining full autonomy to accept or reject AI-generated suggestions. We are optimistic about having the software ready for beta testing by the end of 2023.



Our lawsuit seeks to protect SNAP payments during a possible government shutdown.

Our template notice was successfully used in the Juul vaping case.

AMICUS BRIEFS

Killmer, Lane & Newman, LLP v. BKP, Inc. (Colorado Supreme Court)

EARLY THIS YEAR, the Colorado Supreme Court considered whether plaintiffs’ attorneys can be held liable for defamation for statements made to the press about newly filed class actions. In 2022, in *BKP, Inc., v. Killmer, Lane & Newman, LLP*, the Colorado Court of Appeals ruled that such statements were not protected from defamation claims, denying class action attorneys access to the media to reach potential witnesses and inform the public about litigation. The Court of Appeals held that class action attorneys did not require media access, pointing to a routine allegation that class members are “ascertainable.” When the case arrived before the Colorado Supreme Court, Impact Fund and amici submitted a brief to clarify that “ascertainable” means only that class members can be identified at some point in the litigation, not that they are known at the outset. Adopting a position quite like that in our amicus brief, the Colorado Supreme Court reversed the lower court and confirmed that class action attorneys, like all plaintiffs’ attorneys, have the right to use the media to increase awareness of their cases.

Stiner v. Brookdale Senior Living, Inc. (Ninth Circuit Court of Appeals)

IN APRIL, the **Impact Fund**, **Disability Rights Advocates**, and **Disability Rights Education & Defense Fund**, urged the Ninth Circuit to review a decision denying certification of a class of seniors and people with disabilities. The plaintiffs in *Stiner v. Brookdale Senior Living* live in facilities run by the largest assisted living provider in the country and alleged that those facilities are “filled with various access barriers” that violate the Americans with Disabilities Act and state laws. The district court denied certification, finding a lack of commonality. In doing so, it wrote that there were only two scenarios when a class could be certified to address ADA accessibility claims against entities operating multiple facilities: (1) where facilities share a common blueprint, or (2) where the proposed class challenges a single offending policy. Impact Fund and amici argued that this was an overly narrow interpretation of the commonality requirement and threatened to undermine enforcement of ADA access laws in a variety of institutional settings, including foster care, public schools, nursing homes, subsidized housing, and jails and prisons. In May, the Ninth Circuit denied the plaintiffs’ petition for permission to appeal the district court’s order.



Attorneys have the right to use the media to increase awareness of their cases.



Residents at institutional facilities are fighting to challenge common practices that violate their rights.

Davis v. LabCorp (Ninth Circuit Court of Appeals)

IN JUNE, Impact Fund and Disability Rights Advocates filed an amicus brief encouraging the Ninth Circuit to maintain robust state anti-discrimination protections for people with disabilities. In *Davis v. LabCorp*, legally blind LabCorp patients are challenging the healthcare company's kiosk-based communication service, which the company knew was inaccessible to legally blind users. After the class was certified, the Ninth Circuit accepted LabCorp's appeal, which argues that the company did not discriminate against the plaintiffs or class members because alternative methods of service were available to blind users who are unable to access the kiosks. Our amicus brief urged the court to affirm the district court's order granting class certification. We provided a historical review of California's expansive state law protections for people with disabilities and described recent U.S. Supreme court cases concluding that unequal treatment alone is illegal discrimination. The Ninth Circuit will hear oral argument in November.

Perea v. California Department of Health Care Services (California Court of Appeal)

IN JUNE, the Impact Fund and amici challenged a dangerously narrow view of disparate impact discrimination applied by the trial court in *Perea v. California Department of Health Care Services*. Plaintiff Analilia Jiminez Perea and others are challenging California's steady decline in reimbursement rates to doctors through the state Medi-Cal program and the corresponding decline in services available to the program's predominantly Latine patients. The trial court dismissed the case because the plaintiffs had not shown different treatment among groups of patients receiving the same services during the same period of time, ignoring the correlation between declining reimbursement rates and rising Latine enrollment. Our brief argued that this narrow view of disparate impact discrimination ignores the many ways discrimination can occur and limits plaintiffs' ability to challenge all of its forms. Courts must have the freedom to analyze discrimination however and wherever it occurs if we are to achieve fair and equitable treatment of all Californians. The appeal is pending.



Labcorp's self-check in kiosks are a barrier for people with visual impairments.



Disparate impact discrimination must be challenged in all its forms.

I HAVE BEEN honored to carry forward the vision of our founder, Brad Seligman, who conceived of an entirely new approach to supporting communities seeking justice.

I have been beyond lucky to spend a quarter century in a dream job, one in which I can do all of the things that I love — writing, speaking, teaching, and advocating for those whose voices have been largely ignored.

I have been inspired and humbled by the courage of the individuals whom I have had the honor to represent at the Impact Fund. As class representatives, they chose to step up and represent hundreds or thousands of others who had suffered the same wrong, and often at risk to themselves. They are my heroes.

I am looking ahead with great excitement to the organization's next leader, Lindsay Nako, who will bring her extraordinary skill, passion, and voice to this new chapter. With grace and determination, she is ready to take over.

Among the many gifts that this position has given me is our community of practitioners who have chosen to work together to advance justice and equality. I count so many of them as trusted colleagues and friends, and they have deeply enriched my days at the Impact Fund.

—Jocelyn Larkin

*“As Tinker to Evers to Chance has stood for excellence and superior fielding on the baseball diamond so will Brad to Jocelyn to Lindsay stand for **excellence** in leadership in public interest law. Congratulations.”*

—Barry Goldstein

LOOKING BACK WITH GRATITUDE...



*“**Jocelyn has been** such a wonderful mentor and friend to so many of us over the years — mazel tov on this step, hopefully involving exciting **adventures** ahead! We are so fortunate that Lindsay is ready to answer the call to lead this important organization — such a resource to all of us! Looking forward to continuing to work with you all!”*

—Bryan Schwartz

*“**I’m confident** Lindsay and the rest of the team will climb from the heights you have reached, Jocelyn. Thanks so much for all that you have done—inside and outside the bar—to advance **class actions**. We share your belief in the **critical importance** of this tool, but can think of few who have done as much as you to advance it.”*

—Drew McGuinness





*“Jocelyn, you are a singular **treasure** of our bar. Thank you for everything you have done for the law and for all of our clients!!”*

—Kelly Dermody

...AND FORWARD WITH CONFIDENCE

*“Jocelyn, it is difficult to overstate the degree to which your leadership, insight, and support has shaped, guided, and lifted up our work and the communities and clients we serve. I’m filled with gratitude and admiration for your many **contributions** as an advocate, organizational leader, and as a human being. And so excited to see the Impact Fund continue to thrive and grow with the passing of the torch to the amazing Lindsay Nako!”*

—Jennifer Reisch



*“Jocelyn, thanks so much for your invaluable leadership at the Impact Fund and more generally in the civil rights community for the past 13 years. **Congratulations Lindsay** on this well-deserved appointment as the next Executive Director. We look forward to your leadership in the years to come.”*

—Joe Sellers



THE IMPACT FUND has featured heavily in my career, including in ways that few people know about. I have worked with the Impact Fund since 2007, when I joined *Ellis v. Costco* as a junior associate at a private law firm in Oakland. Even then, Jocelyn Larkin was a leader in the plaintiff-side class action community, litigating some of the biggest employment discrimination cases in the country.

After eight years of leading the Impact Fund’s litigation and training programs, I am honored and humbled to succeed Jocelyn as its Executive Director. The prospect is wildly intimidating, but I look forward to the new challenges and to working in more depth with all of our grantees, staff, and supporters.

I am also excited to think creatively about how the Impact Fund can serve our ever-evolving community of advocates, both its experienced leaders and the newer attorneys that represent our future. We will continue to be your secret weapon, your helpful colleague just a phone call away. We will continue to litigate alongside you, while also offering spaces to gather useful tools and information, resources to support your work, and a cheering section to see and celebrate you.

—Lindsay Nako

*“Jocelyn continues to inspire with this thoughtful transition for the Impact Fund, which I am sure **will thrive** under Lindsay’s leadership.”*

—Elizabeth Kristen

CLASS ACTION TRAINING INSTITUTE

September 13-15 and 27-29, 2023



Congratulations to the Class Action Training Institute (Berkeley) Class of 2023.

WE ASKED OUR attendees for one word or phrase to describe the Training Institute. Here is a sampling of their responses: *transformative, inspiring, thoughtful, creative, affirming, engaging, informative, energizing, brilliant, valuable, amazing, collaborative, interactive, electrifying!*

Our 2023 teaching faculty included **Jocelyn Larkin**, Executive Director, Impact Fund; **Lindsay Nako**, Director of Litigation & Training, Impact Fund; **Dara Schur**, Senior Counsel, Disability Rights California; **Anne Bloom**, Executive Director, Civil Justice Research Initiative; **Robert Schug**, Partner, Nichols Kaster, PLLP; **Laboni Hoq**, Principal, Hoq Law; **Todd Jackson**, Partner, Feinberg Jackson Worthman & Wasow LLP; and **Judge Carla Woehrle** (Ret.), Mediator. We were also grateful to be joined by Impact Fund Hall of Famers **Kelly Ellis** and **Kelli Wisuri**, named plaintiffs in the groundbreaking pay discrimination case, *Ellis v. Google*.

WE WERE ELATED to host the Class Action Training Institute this September in Berkeley and Los Angeles. The Training Institute takes two small cohorts of 20 students through every stage of a mock class action case. We start by identifying and choosing named plaintiffs, identifying potential class claims, and preparing for class certification, continuing all the way through settlement. Analyzing this hypothetical case allows students to develop the technical skills and strategies needed to litigate real class actions for social justice. Even with some hybrid participation, we engaged in thoughtful, exciting, and often hilarious conversations about class actions. Our attendees had a variety of backgrounds, spanning diverse legal specializations, experiences, and geographies. While learning about class actions, they built a warm community that will last past our closing ceremony. We are excited to see the Class of 2023 bring these skills to use in their practice and expand their meaningful work towards social justice.

CLASS ACTION CONFERENCE

February 23-24, 2023

THIS YEAR, the Impact Fund reunited the Class Action Conference community for the 21st year. Using a hybrid online/in-person format, we brought together over 300 people to learn, strategize, and build community at the nation's only legal conference for plaintiff-side, social justice class action attorneys. Each year, the Conference space fills with the energy of our ever larger and more diverse community of attorneys.

We started the 2023 Conference with a refresher on class action rules and procedures, followed by Jocelyn Larkin's annual "lightning round" overview of recent developments in class action law and what to anticipate in the coming year. Then, six panels of experienced advocates educated and entertained our attendees on the challenges, opportunities, and recent developments in their work. The excellent panels discussed standing, trial plans, qui tam actions, and class action updates on the criminal legal system and LGBTQ+ rights.

Grateful thanks to our incredible speakers: **Andrea A. Núñez**, Hunter Pyle Law; **Chelsea Dunn**, Southern Legal Counsel, Inc.; **Phi Nguyễn**, Asian Americans Advancing Justice – Atlanta; **Leecia Welch**, Children's Rights; **David S. Nahmias**, UC Berkeley Center for Consumer Law & Economic Justice; **Anne B. Shaver**, Lieff Cabraser Heimann & Bernstein LLP; **James Kan**, Goldstein, Borgen, Dardarian & Ho; **Shawna L. Parks**, Law Office of Shawna L. Parks; **Dena Sharp**, Girard Sharp; **Natasha Baker**, Equal Justice Under Law; **Niji Jain**, The Bronx Defenders; **Leo Laurenceau**, Civil Rights Corps; **Hamsa Mahendranathan**, Constantine Cannon LLP; **Niall P. McCarthy**, Cotchett Pitre & McCarthy LLP; **Peter Renn**, Lambda Legal; **Nicole J. Schladt**, Nichols Kaster, PLLP; and **Alison Tanner**, National Women's Law Center.

Thank you to all of this year's sponsors, speakers, and attendees for your dedication to holding corporate and government power accountable and to creating positive change in our communities.

OUR 2023 SPONSORS

The Huntington National Bank
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RG2 Claims Administration

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Lieff Cabraser Heimann & Bernstein, LLP
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Cotchett Pitre & McCarthy, LLP
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Sugerman Dahab

IMPACT FUND

Class Action Hall of Fame

Renee Amochev
Elaine & Walter Barry
Guillermo Benitez
Vicki Butler
Kerrie Campbell
Lynne Coates
Amy Cohen
Jessy Cruz
Patrice Daniels
Mike Dragovich
Erin Elder
Kelly Ellis
D'Angelo Foster
Robin Hall
Megan Hull
Dustin Jones
Lisa Stern Kaplowitz
Heidi Lamar
Artie Lashbrook
Veronica Ollier Lewandowski
Sylvester McClain
Shannon O'Conner
Holly Pease
Gabriel Ramos
Julie Reiskin
Eileen Rocchio
Christian Rodriguez
Colin Scholl
Selena Scola
Lance Slaughter
Kim Stoddard
Lisa Strawn
Steven Summers
Jennifer Todd
Amanda Underwood
Sara Wellens
Kelli Wisuri

IMPACT FUND CLASS ACTION HALL OF FAME

THE IMPACT FUND created the Class Action Hall of Fame in 2016 to honor the courage and sacrifice of lead plaintiffs whose commitment and determination has led to significant advances in economic, environmental, racial, and social justice. On February 24, 2023, at our Class Action Conference, we inducted seventeen heroes to the Hall of Fame.

The Class of 2023 are:

Steven Summers and **Robin Hall**, named plaintiffs in the case *Hall v. U.S. Department of Agriculture*. Steve and Robin filed their case on behalf of 1 million California households who were denied emergency food assistance at the start of the COVID-19 pandemic.

Selena Scola, **Gabriel Ramos**, and **Erin Elder**, named plaintiffs in the case *Scola v. Facebook, Inc.* Selena, Gabriel, and Erin represented a class of over 14,000 content moderators alleging they were denied protection against severe psychological and other injuries.

John Baxley Jr., **Danny Spiker**, **Donna Wells Wright**, **Heather Reed**, **Earl Edmondson**, and **Joshua Hall**, named plaintiffs in the case *Baxley, et al. v. Douglas*. John, Danny, Donna, Heather, Earl, and Joshua dedicated their time and energy to draw attention to the awful conditions and to improve the quality of medical and mental healthcare in West Virginia's jails.

Kelly Ellis, **Kelli Wisuri**, **Holly Pease**, and **Heidi Lamar**, named plaintiffs in the case *Ellis v. Google*. Kelly, Kelli, Holly, and Heidi championed the claims of approximately 17,000 class members in a case arising out of Google paying women less than men, in the same jobs.

Colin Scholl and **Lisa Strawn**, named plaintiffs in the case *Scholl v. Mnuchin*. As class representatives, Colin and Lisa courageously fought for the rights of incarcerated people who were denied CARES Act benefits.

Some of this year's inductees who were able to attend the ceremony.



MOVEMENT BUILDING & ISSUE ADVOCACY

OUR TEAM MEMBERS present seminars and trainings nationally and frequently speak on impact litigation, civil rights, and class actions.

We serve as a clearinghouse for our community, providing hundreds of hours of free consulting. We also host an online community – aka the Impact Fund Class Action Forum: a unique resource for 961 advocates.

We have authored and signed on to many initiatives to preserve and advance civil and other rights. Whenever and wherever civil rights and justice are under attack, Impact Fund is there to protect them.

In California, we authored a detailed take down of the well-intentioned but misguided SB 581, which would have severely restricted third party financing of civil rights litigation. In Georgia, we joined a statement condemning Georgia prosecutors' criminalization of protest by Stop Cop City and Defend the Atlanta Forest.

At the federal level we endorsed the following legislative efforts:

- Ending Forced Arbitration of Race Discrimination Act
- Equality Act
- Every Child Deserves a Family Act
- Fairness for Farmworkers Act
- Forced Arbitration Injustice Repeal Act (FAIR Act)
- Protecting the Right to Organize (PRO) Act
- Respect for Marriage Act
- Women's Health Protection Act

We also signed on to letters supporting/urging:

- The full inclusion of transgender and LGBTQI+ youth
- The Affordable Connectivity Program
- The Administration to advance their work to center AI policy on equity and civil rights
- Civil Rights principles for higher education

We participate in:

- The Funders Committee for Civic Participation, Funders Census Initiative, to advocate for a fair and accurate census
- The Clean Budget Coalition, opposing poison pill amendments and harmful legacy riders



**CALIFORNIA VOICES
FOR CIVIL JUSTICE**



The Leadership
Conference

The nation's premier
civil & human rights coalition

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31ST ANNIVERSARY GALA

May 16, 2023 | Westin St. Francis, San Francisco

SPECIAL GUEST AND KEYNOTE SPEAKER

Saru Jayaraman, President of One Fair Wage and Director of the Food Labor Research Center at University of California, Berkeley. After 9/11, together with displaced World Trade Center workers, she co-founded the **Restaurant Opportunities Center (ROC)**, which grew into a national movement of restaurant workers, employers and consumers. In 2013, she launched **One Fair Wage** as a national campaign to end all subminimum wages in the United States.

HONOREES

We were thrilled to also recognize two of our grantees for their recent successes in court.

The first to be honored was **North Carolina Prisoner**

Legal Services, Inc. for its work in *Thomas J. Stamps v. North Carolina Division of Adult Corrections*, a class action civil rights suit against the North Carolina Division of Adult Corrections for its failure to provide adequate screening of and medical treatment for inmates with chronic Hepatitis C infections.

The second of the honorees was **Aaron Halegua, PLLC** for the firm's work in *Tianming Wang v. Gold Mantis*, a human trafficking and forced labor case filed in the federal district court for Saipan — part of a U.S. Commonwealth in the Pacific Ocean.



FROM LEFT TO RIGHT: 2023 Honorees Elizabeth Hopkins Thomas (NCPS), Saru Jayaraman, and Aaron Halegua.





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We look forward to seeing you
next year on May 14, 2024.

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Thank you to our generous donors without whom our work in advancing economic, environmental, racial, and social justice would not be possible. Your support helps to build a fairer and more just society.

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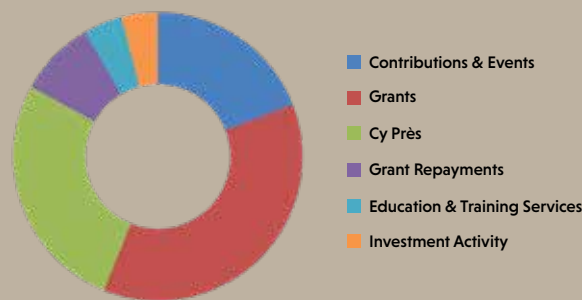
FY22-23 FINANCIAL HIGHLIGHTS

UNAUDITED

INCOME

Contributions & Events	\$549,203	19.11%
Grants	\$1,062,427	36.97%
Cy Près	\$774,658	26.96%
Grant Repayments	\$245,536	8.54%
Education and Training	\$125,258	4.36%
Investment Activity	\$116,683	4.06%
Total	\$2,873,764	

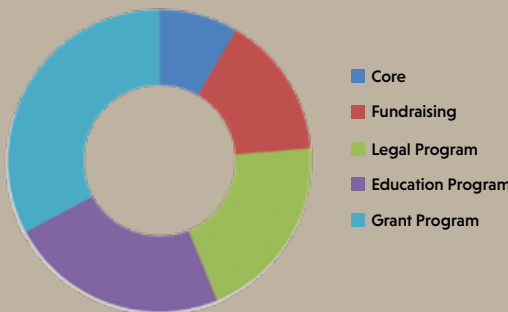
FY2022-2023 Income



EXPENSES

Core	\$247,852	8.41%
Fundraising	\$450,978	15.30%
Legal Program	\$592,168	20.09%
Education Program	\$688,484	23.36%
Grant Program	\$967,684	32.83%
Total	\$2,947,166	
Change in Net Assets	\$-73,402	

FY2022-2023 Expenses



Audited financial statements for FY 2022-2023 will be available early next year. For more information or a copy, contact us then at impactfund@impactfund.org or visit the "Transparency" tab at our website: www.impactfund.org.

Please note that our financial model is multi-year. We typically receive a substantial attorneys' fees award every few years. Those funds are invested and this reserve is drawn down in years when we receive little or no attorneys' fees.

Our financial year runs July 1 - June 30.

STAFF ENTRANCES



Anna Chau, Paralegal: Anna joined us in July. She is a recent graduate of UC Berkeley and is passionate about restorative justice and understanding the impacts of law on society.



John Henry Frankel, Legal Communications Technologist: John Henry joined our team in May. He has an undergraduate degree in history from Northeastern University and a master's degree in history from SoAS, University of London.



Josh Kay, Grant Program Assistant: Josh joined us in August after receiving his degrees in Rhetoric and Society & the Environment from UC Berkeley in 2023.



Sanjana Manjeshwar, Grant Program Associate: After graduating from UC Berkeley in the spring, Sanjana joined our team in July, bringing prior experience from internships at the Impact Fund and the Oakland Mayor's Office.



Fawn Jade Rajbhandari-Korr, Senior Counsel: In May, we welcomed Fawn to the team. She is an experienced trial attorney, with a track record of litigating impact cases across multiple practice areas to address systemic problems facing marginalized communities.



Lauren Thomsen, HR/Finance Associate: With over 25 years of accounting experience, Lauren joined our team in August. Her career includes working as a Bookkeeper for a Bay Area trial consulting firm.

TEAM IMPACT FUND

STAFF



THE STAFF TEAM AT THE 31ST ANNIVERSARY GALA IN MAY. *Left to right, top to bottom:* Alex Lara, Sanjana Manjeshwar, Jocelyn D. Larkin, Teddy Basham-Witherington, Eliza Gordon, Meredith Dixon, John Henry Frankel, Lindsay Nako, Amy Daniewicz, Shayla Chandler, Luna Khalil, Ashley LaFranchi, and Fawn Jade Rajbhandari-Korr.

Teddy Basham-Witherington, <i>Deputy Director</i>	Ashley LaFranchi, <i>Development Manager</i>
Anna Chau, <i>Paralegal</i>	Alex Lara, <i>Product Manager</i>
Amy Daniewicz, <i>Grant Program Director</i>	Jocelyn D. Larkin, <i>Executive Director</i>
Meredith Dixon, <i>Law Fellow</i>	Sanjana Manjeshwar, <i>Grant Program Associate</i>
John Henry Frankel, <i>Legal Communications Technologist</i>	Lindsay Nako, <i>Director of Litigation & Training</i>
Eliza Gordon, <i>Development & Executive Assistant</i>	Erin Nunn, <i>HR/Finance Manager</i>
Josh Kay, <i>Grant Program Assistant</i>	Fawn Jade Rajbhandari-Korr, <i>Senior Counsel</i>
	Lauren Thomsen, <i>HR/Finance Associate</i>

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The board members listed above with an asterisk, together with:

Elissa Gershon

Kathleen Guneratne

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FAREWELLS



Luna Khalil, Paralegal: Luna served as Paralegal before departing the Impact Fund to pursue a master's degree in social work. We are excited to see where her degree takes her next.



Shayla Chandler, Grant Program Associate: After two years at the Impact Fund, Shayla accepted a position at the David & Lucille Packard Foundation to follow her passion for working in reproductive health justice.

SUMMER INTERNS



Rodolfo Centeno, Summer Law Clerk: Rudy Centeno is a third-year law student at Berkeley Law, where he co-leads the Name and Gender Change Workshop.



Silva Stewart, Summer Law Clerk: After spending her summer with us, Silva returned to Stanford Law School to complete her second year of law school.



Jordyn Gleaton, Summer Grants Intern: Jordyn, a rising senior at UC Berkeley pursuing studies in Legal Studies, Political Science, and Human Rights Interdisciplinary Studies, joined us for the summer as our Grants Intern.

We Hope to See You in 2024!

22nd Annual Class Action Conference

San Francisco
February 22-23, 2024

32nd Anniversary Gala

Westin St. Francis, Union Square, San Francisco
May 14, 2024

18th Annual Class Action Training Institute

Berkeley: September 11-13, 2024

Los Angeles: September 25-27, 2024

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