



Litigation



Resistance

2017 • ANNUAL • REPORT

 **IMPACT FUND**



IMPACT FUND

Strategic Litigation for Social Justice

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

Our *vision* is that these communities will have the same access to justice as corporations or governmental entities, to ensure that their rights are protected.

Union Printed
100% post-consumer recycled paper
Chlorine-free process

Welcome From the Board Chair



Della Barnett, Board Chair

Twenty-five years ago, a group of public interest lawyers gathered in Brad Seligman's living room in Berkeley to create the Impact Fund. George H.W. Bush was President and the nation faced a number of challenges: the aftermath of the Gulf War, the continuing struggle for racial justice, the erosion of labor rights, and the appointment of Clarence Thomas to serve on the Supreme Court.

But there were also some new opportunities. As hard as it is to believe in this era of right-wing extremism, the Americans with Disabilities Act, the Civil Rights Act of 1991, and the Clean Air Reauthorization Act were all signed by President Bush. And the Supreme Court had not yet demolished bedrock Constitutional principles in cases like *Bush v. Gore*, *Citizens United*, *Shelby County*, *Concepcion*, *District of Columbia v. Heller*, and so many others.

Today, it seems like everything we believe in and fought for is now under attack. We are deeply thankful for the far-sightedness of the Impact Fund's founders, knowing that there would be times our struggle would be acute.

We support progressive advocates as they fight the battle against corporate greed, government hostility, police brutality, discrimination, and environmental degradation. We take on class action cases ourselves and we provide financial support for impact litigation by other organizations. We offer intensive training for young attorneys, teaching the skills they will need to become the next generation of class action advocates. We host an annual conference for class action lawyers, bringing together attorneys from around the country to exchange ideas, learn the latest developments, and offer each other friendship and support.

In the pages that follow, you will read about what the Impact Fund has been up to this year: the cases we have funded, the advocates we have trained, and the clients we have represented. We are so grateful to you, our community of supporters, for making this work possible.

A handwritten signature in cursive script that reads "Della Barnett".

Della Barnett
Board Chair, Impact Fund

2017 • ANNUAL • REPORT

ENVIRONMENTAL JUSTICE AND INDIGENOUS RIGHTS



Grassy Narrows v. Ontario

Grant: \$10,000



Judy Da Silva

The indigenous people of Grassy Narrows have sustained themselves for thousands of years on their traditional territory in Ontario – 2,500 square miles of forest, lakes, and rivers. But everything changed from 1962 to 1970, when the Reed International Paper Mill dumped twenty tons of mercury into the river. Judy Da Silva, a member of the First Nation, recalled how in the 1960s residents first noticed dead fish floating to the surface. She now has mercury poisoning.

So when, many years later, the people of Grassy Narrows learned that the Ontario government was planning to give the go ahead to resume clear-cut logging, they resolved to not allow the horrific mistakes of history to be repeated.

Grassy Narrows member Sherry Fobister says, “When I was pregnant I couldn’t afford to buy food at the store, so I ate what my grandfather brought home – mostly fish... Now both my children are sick with strange illnesses, just like their cousins. That the planned clear-cut logging could make the mercury problem even worse, make my family even more ill, scares and upsets me.”

Scientific research shows that clear-cut logging can raise mercury levels in fish above the limit for safe human consumption. Despite this evidence, Ontario refused Grassy Narrows’ request for an environmental assessment of the health impacts of clear-cut logging. Their 1,200 page logging plan did not even contain the word “mercury.”

After repeated unsuccessful requests, Grassy Narrows brought the issue to the Ontario Divisional Court and as a result, the state of Ontario agreed to commit \$85M to clean up the toxic waste. Grassy Narrows celebrates this victory while redoubling their efforts to prevent any future clear-cut logging.



Grassy Narrows First Nation has already suffered one environmental disaster. No more!

Grantee Stories

On December 6, 2014, Black Lives Matter members and their allies held a demonstration. The march began peacefully on the UC Berkeley campus, but when it reached the Berkeley Police Station, the police blocked the marchers’ path and began using their wooden batons against protesters and journalists.

Sam Wolson, a photojournalist who was on assignment by the *San Francisco Chronicle*, was clubbed on the head as he knelt to take a photo. Wolson remarked afterward that, “If you can’t have media safely holding all parties accountable, the whole system breaks down.”

Cindy Pincus, a minister, was hit on the head as she bent down to help another woman who had fallen. “The response by police was so disproportionately violent to the peaceful gathering of protesters. We were indiscriminately beaten even as we tried to lawfully retreat,” she said.

Later that night, BPD and assisting agencies used batons and tear gas to herd the entire crowd more than a mile to the city limits and into Oakland.

After attempting to negotiate reforms, a class action civil rights lawsuit was filed in federal district court. In February 2017, this case was resolved with significant reforms as well as more than \$200,000 in compensation to those who were injured. The settlement will create greater accountability when force is used at demonstrations.



Protestors were indiscriminately beaten even as they tried to lawfully retreat.

POLICE ACCOUNTABILITY AND THE RIGHT TO PROTEST



Law v. City of Berkeley

Grant: \$20,000



Cindy Pincus

LGBTQI ADVOCACY IN THE CARIBBEAN



Tomlinson v. Jamaica

Grant: \$10,000



Maurice Tomlinson, Senior Policy Analyst,
Canadian HIV/AIDS Legal Network

Grantee Stories (CONTINUED)

As a lawyer defending the human rights of LGBTQI people in Jamaica, I am accustomed to receiving death threats. But when I received a particularly vulgar and graphic email, I was so shaken that I finally went to the police for help.

Instead of helping, however, the officer told me that he hates gays. When I complained to his senior officer, he responded, “Those attitudes are unfortunate, but they won’t change until the law changes.”

I have known of many instances where police have ignored savage attacks against LGBTQI Jamaicans. One gay youth was sent away after reporting an incident of a man hurling rocks and vicious anti-gay expletives at him. Transgender youth who were mobbed and assaulted were told they would have to provide the names and addresses of their attackers if they wanted help from the police.

In a country where it is illegal to be gay, homophobic attacks too often go uninvestigated.

Jamaica’s legal system criminalizes all forms of male same-gender intimacy — even holding hands. Those convicted have to register as sex-offenders and carry a pass.

So, in 2015, I filed a constitutional challenge to the anti-sodomy law.

Recently, Belize struck down a similar law. The decision sent shock waves across the Caribbean, where nine countries still have such laws. I am inspired by their success and buoyed by the outpouring of support from groups like the Impact Fund. With such support, I have no doubt that we will see victory.



Too often, homophobic attacks go uninvestigated.

When I was little, my mom struggled with drug abuse and often got into relationships with men who were abusive or drug addicts. When I was two or three, the man she was dating sexually abused me. This is one of my earliest memories.

By the time I was five, my siblings and I were placed into foster care. I was scared, and I didn’t trust strangers. I didn’t even like people coming near me.

Because of the trauma I had experienced, I constantly acted out and got in trouble. I was suspended and expelled from several Compton schools, without anyone trying to understand why I was acting the way I acted.

I tried not to fight, but I just felt so angry.

Last spring, I was kicked out of my house. With nowhere to go, I started sleeping on the roof of my high school. After several months sleeping on the roof, I got in trouble and got suspended. The principal threatened to call the police if I didn’t leave the campus. He knew I was sleeping on the roof, multiple administrators did, but they didn’t offer any help, they just told me to leave and threatened to have me arrested for trespassing.

Last summer, I became the lead plaintiff in a lawsuit against the Compton Unified School District to create a trauma-sensitive district that supports its students and teachers. I am part of this lawsuit because I know what students are going through, I know they aren’t acting out because they are “bad kids,” and I know how meaningful it is when an adult provides you support and safety.

I am part of this lawsuit because I love my home of Compton, but I know Compton can do better.



With nowhere else to go, Peter started sleeping on the roof of his high school.

SUPPORTING CHILDREN EXPOSED TO TRAUMA



*Peter P. v. the Compton
Unified School District*

Grant: \$5,000



Peter P. is a former student of the Compton Unified School District. His real name has been changed to protect his identity.



Grant History

**GRANT REPAYMENTS
FUND NEW
IMPACT CASES**

**FIGHTING FOR
JUSTICE ACROSS
THE U.S.**

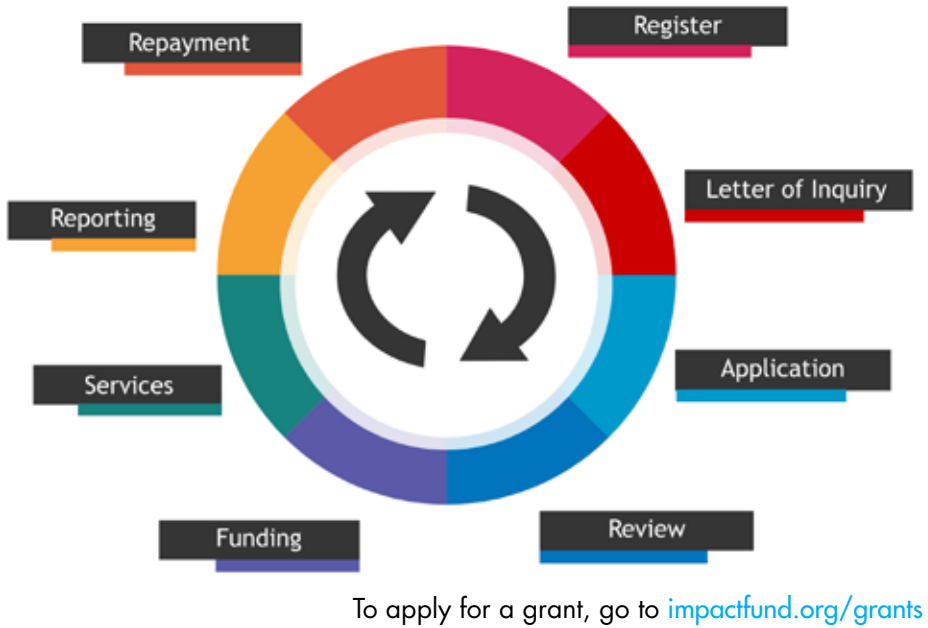
“Too often, wealth and privilege are all that determine power. We’re grateful to support those communities who stand up to that power and demand justice.”

— Michael Caesar,
Grant Advisory Committee Chair,
Impact Fund

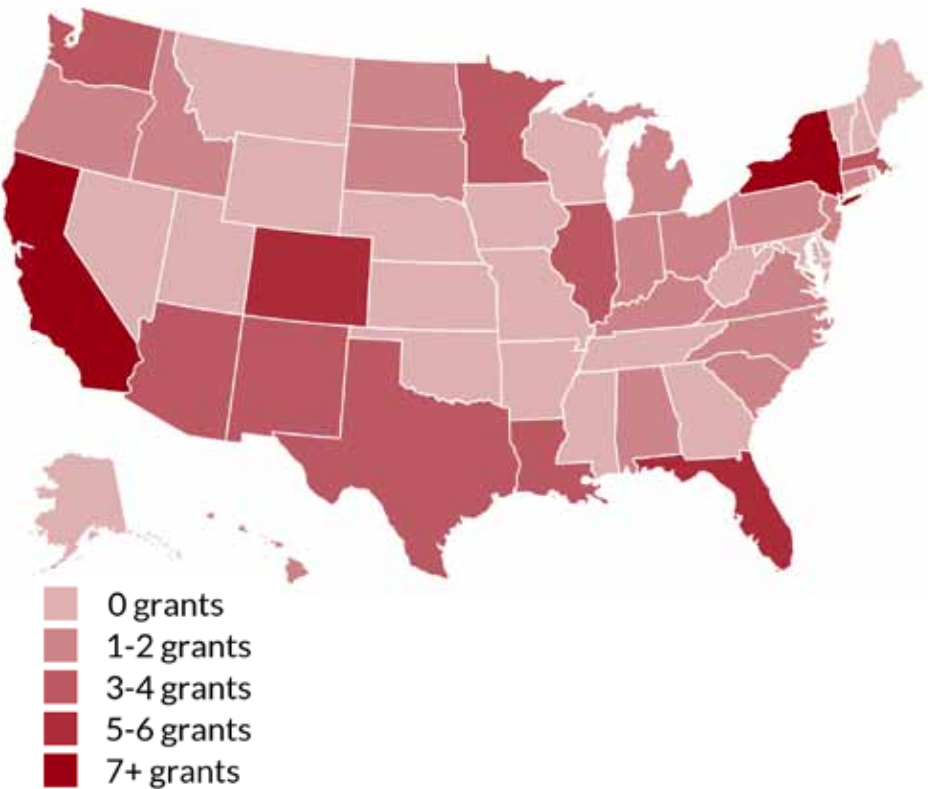
**OVER \$6 MILLION
COMMITTED SINCE
1993**



THE GRANT CYCLE

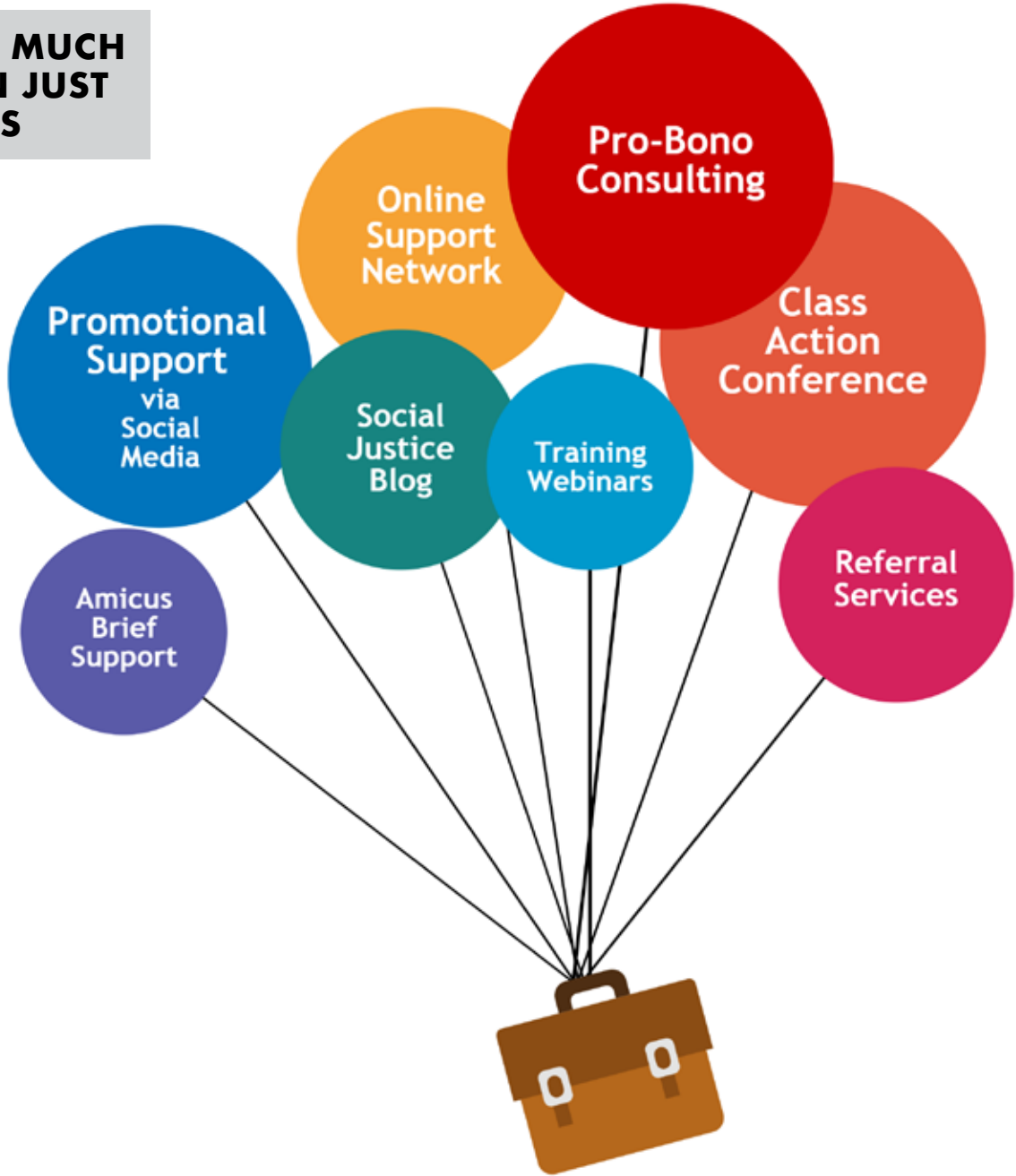


ACTIVE GRANTS BY LOCATION



Grantee Services

**WE PROVIDE MUCH
MORE THAN JUST
GRANTS**



PHIPPS v. WAL-MART STORES, INC.

The Wal-Mart Employees Continue to Fight for Gender Equity

Female Wal-Mart employees continue to press their pay and promotion discrimination claims around the country. The *Phipps v. Wal-Mart* case is one of several regional class actions filed after the Supreme Court ruled that the plaintiffs in *Dukes v. Wal-Mart* could not proceed with a nationwide lawsuit. The plaintiffs in *Phipps* filed their case in Tennessee, seeking to enforce federal anti-discrimination laws on behalf of female Wal-Mart workers in Tennessee, Alabama, Arkansas, and Mississippi.

After a 2015 ruling from the Sixth Circuit Court of Appeals allowed their class claims to proceed, the women returned to district court, where the case is currently in discovery. Across the country, female employees of Wal-Mart continue to press forward with pay and promotion discrimination claims, with charges pending before the EEOC and in regional class actions.



It all began with Betty Dukes.

ELLIS v. COSTCO WHOLESALE CORP.

The *Ellis v. Costco* class action was filed in 2004, challenging Costco's practices with respect to the promotion of women into management. Our clients claimed that Costco operated a "glass ceiling" that stopped women from being promoted to assistant manager and general manager positions in the popular retail warehouses.



Shirley "Rae" Ellis, named plaintiff.

In September 2012, after years of litigation and appeals, the court certified the case as a nationwide class action, finding that the women had shown "significant proof of companywide policies and companywide gender disparities" and "discrete policies, practices, and culture which disfavored women."

In 2014, a court-approved settlement agreement established an \$8 million fund to be distributed through a claims process. Impact Fund continues to represent individual class members through settlement claims, asserting that they were denied promotions because of their gender. We are about two years into the arbitration of individual settlement claims and continue to be inspired by the bravery of the women who have stepped forward to tell their stories and bring to light the inequities of Costco's promotion system. As part of the settlement, Costco also continues to evaluate and prepare to implement internal changes to its promotions process.

& Advocacy

H.R. 985, a pernicious piece of legislation, is one more head on the Hydra of the campaign to eliminate mechanisms to enforce civil rights and limit access to the courts. We've seen similar bills before, but H.R. 985 severely undermines the enforcement of U.S. civil rights law by making it practically impossible to bring a class action lawsuit. Not only that, it was fast-tracked in the House with no public hearings. Even so, over the course of a weekend, we mobilized 123 civil rights organizations and 87 private law firms to sign onto a detailed take-down of the bill, which we sent to Speaker Paul Ryan and Leader Nancy Pelosi. Our letter became part of the legislative record.

Things have gone quiet since the House passed the bill back in March, but we're ready should it rear its head in the Senate. As part of the broad campaign to defeat the bill, we will strenuously oppose all attempts to pass such far-reaching and flawed legislation that will deny access to justice for many and undermine the rule of law.



Rep. Goodlatte's Class Action "Fairness" Bill is anything but!



H.R. 985

The Misnamed "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017"

READ ABOUT THE LATEST IN PUBLIC INTEREST LITIGATION

Movement Building



Is there a campaign to erase justice in the United States?

Impact Fund team members present seminars and trainings across the nation and are frequent guest speakers on impact litigation, civil rights, and class actions.

The Impact Fund serves as a national clearinghouse for our community and provides many hundreds of hours of free consulting. We are privileged to host an online community – the **Impact Fund Class Action Forum**: a unique resource for 570 advocates. The group operates as a confidential chat-list for plaintiff-side class action practitioners to share successes, progress, setbacks, and challenges they encounter in their day-to-day practice. Whether it's updates on new cases or legislation, inquiries regarding possible co-counsel, searching for expert witnesses, or other technical advice, the forum is the go-to resource.

Elsewhere, it's been a busier year than usual with the 'open season' assault on civil justice in Congress and via Executive action. We have helped to author and have signed on to many initiatives resisting the roll back of civil rights and other protections. Some of the bills we've opposed:

H.R. 469 – *Sunshine for Regulatory Decrees and Settlements Act of 2017* – a direct attack on access to the courts, the regulatory system, and citizens ability to bring a suit against the government for regulatory safeguards either unreasonably delayed or denied.

H.R. 620 – *The Americans with Disabilities Act (ADA) Education and Reform Act of 2017* – which would create significant obstacles for people with disabilities to enforce their rights.

A terrible trio of bills designed to also make it harder for victims of corporate wrongdoing to sue and hold corporate wrongdoers accountable, the inaptly named: **H.R. 720** – *The Lawsuit Abuse Reduction Act*, **H.R. 725** – *The Innocent Party Protection Act*, and **H.R. 732** – *Stop Settlement Slush Funds Act*.

H.R. 1215 – *Protecting Access to Care Act of 2017* – which would place a federally-mandated \$250,000 "cap" on compensation for pain and suffering for medical malpractice.

H.R. 2359 – *FCRA Liability Harmonization Act* – which would restrict remedies for consumers whose credit reports and background check reports were recklessly distorted.

H.R. 2936 – *Resilient Federal Forest Act of 2017* – which promotes potentially harmful and destructive logging projects and tramples on access to justice principles by stifling citizens' ability to seek redress through our courts.

Whenever and wherever civil justice is under attack, Impact Fund is there to defend it.

Amicus Victories

Guerrero v. California Department of Corrections and Rehabilitation (Court of Appeals for the Ninth Circuit)

In 2016, the Impact Fund filed an amicus brief in support of Victor Guerrero, who was represented by Legal Aid at Work. Mr. Guerrero challenged the California Department of Corrections and Rehabilitation's use of a particular question in its background investigation questionnaire: "Have you ever had or used a social security number other than the one you used on this questionnaire?" This question exclusively eliminated Latino applicants – including Mr. Guerrero – from the hiring process. Mr. Guerrero alleged this question had a disparate impact on Latino applicants. The trial court agreed and ruled in Mr. Guerrero's favor.

The Department of Corrections appealed, and Impact Fund filed an amicus brief on behalf of ourselves and numerous California allies. Our brief argued that the trial court properly analyzed the relevant statistics and correctly held that the challenged question had a disparate impact on Latinos.

In July 2017, the Ninth Circuit upheld the trial court's conclusion that Mr. Guerrero had made a showing of discriminatory impact and that the Department of Corrections could not explain away the disparity in its process by pointing to the number of Latinos it ultimately hired.

Hart v. Colvin (Court of Appeals for the Fourth Circuit)

In 2015, the Impact Fund filed an amicus brief in support of a group of plaintiffs challenging a series of failures in SSA's procedures for recovering alleged overpayments made before 2002. During the early stages of litigation, SSA took steps to moot the plaintiffs' case, including returning withheld tax refunds and forgiving alleged overpayments.

On appeal, the plaintiffs argued that allowing SSA to moot representative plaintiffs' individual or class claims in this way allowed the agency to avoid judicial inquiry into ongoing policies and practices and unfairly eliminated the possibility of court-awarded injunctive or declaratory relief. Our amicus brief, filed on behalf of ourselves and advocates in the areas of employment, disability, and aging, emphasized the economic vulnerability of those affected by SSA's ongoing policies and practices, and the importance of preserving access to class actions as a way to address these issues in a systemic fashion.

In May 2017, SSA issued an Emergency Message stating that it would no longer refer to alleged overpayments made before 2002 and would return tax refunds that had been withheld to recoup these alleged overpayments. Through its Emergency Message, SSA voluntarily provided the most significant part of the relief that the plaintiffs had hoped to achieve in their lawsuit and, as a result, they dismissed their pending appeal.

New Amicus Cases

Gloucester Country School Board v. G.G. (U.S. Supreme Court)



Gavin Grimm, plaintiff.

Seventeen-year old Gavin Grimm challenged a local school board policy in Virginia that prohibited transgender students from using sex-segregated facilities, including restrooms, consistent with their gender identities. Similar to North Carolina's notorious H.B. 2 legislation, the policy denied Gavin, a transgender student, the ability to use the boys' restroom.

After favorable decisions for Gavin, the school board appealed to the Supreme Court. In March 2017, we filed an amicus brief on behalf of LGBT bar associations demonstrating that the policy is sex discrimination prohibited directly by the plain language of Title IX, independent of any regulation or guidance issued by the Departments of Education or Justice. The brief explored the current treatment of transgender people under federal laws prohibiting sex discrimination, and shows that penalizing transgender people because of their transgender identity or their perceived non-conformity with gender stereotypes violates Title IX's prohibition on sex discrimination.

The Supreme Court returned the case back to the Fourth Circuit, where the parties ultimately agreed to dismiss the appeal following Gavin's high school graduation. In a beautiful concurring opinion, then-Senior Circuit Judge Andre M. Davis wrote, "G.G. takes his place among other modern-day human rights leaders who strive to ensure that, one day, equality will prevail, and that the core dignity of every one of our brothers and sisters is respected by lawmakers and others who wield power over their lives."

The Department of Veterans Affairs provides coverage for medically necessary health care to veterans, but bans coverage for "gender alterations." In 2016, Lambda Legal and Transgender Law Center filed a petition for rule-making on behalf of two transgender veterans, Dee Fulcher and Giuliano Silva, and the Transgender Americans Veterans Association (TAVA) to ask the Secretary of Veterans Affairs to amend or repeal the rules and regulations that prohibit medically necessary sex reassignment surgeries for transgender veterans. The petition was effectively denied, and Ms. Fulcher, Mr. Silva, and TAVA appealed to the Federal Circuit.

In June 2017, Impact Fund filed an amicus brief on behalf of women's organizations in support of Ms. Fulcher, Mr. Silva, and TAVA, arguing that the VA's prohibition on coverage for sex reassignment surgery is sex discrimination and violates the Constitutional right to equal protection for over 134,000 transgender veterans, and describing the legal right of transgender people to be free from discrimination, whether based on their gender nonconformity, their transgender status, or their gender transition. The appeal is ongoing.



Transgender veterans should not be the targets of discrimination.

Darweesh vs. Trump (District Court for the Eastern District of New York)



Standing up to Trump's Muslim Ban.

In his first weeks of office, President Donald Trump signed an Executive Order suspending entry into the United States for nationals from seven countries – Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen. This "Muslim Ban" led to the unjust detainment of plaintiffs Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawhi, who challenged their continued detention as a violation of their Fifth Amendment procedural and substantive due process rights, as well as U.S. immigration statutes. Mr. Darweesh and Mr. Alshawhi alleged their claims as a class action.

In February 2017, Impact Fund, Public Justice, P.C., and Lief Cabraser Heimann & Bernstein, LLP, filed an amicus brief in the Eastern District of New York, arguing that a class action was an appropriate procedure for obtaining effective relief and that the class itself met the required elements.

On August 31, 2017, the government agreed to a settlement requiring it to contact all individuals barred from entry as a result of the January ban who had not since reapplied for a visa or entered the United States, inform them of their right to reapply for a visa, and provide them with a list of pro bono immigration legal aid providers available to assist with the visa application.

National Labor Relations Board v. Murphy Oil USA (U.S. Supreme Court)



Big business wants to force workers into arbitration.

Mandatory arbitration agreements that prevent individuals from joining class actions have become increasingly common in all areas of our society. These agreements take on special significance in the workplace. In three separate cases – *National Labor Relations Board v. Murphy Oil USA, Inc.*, *Epic Systems Corp. v. Lewis*, and *Ernst & Young LLP v. Morris* – employees filed collective actions against their employers and ran into the same problem: they had earlier entered into mandatory arbitration agreements that could prohibit them from having their disputes heard in court.

The three cases were consolidated for review by the U.S. Supreme Court to determine whether collective or class action waivers contained in arbitration agreements with employees are enforceable or whether they violate the National Labor Relations Act by restraining employees' right to engage in protected concerted activity.

In August 2017, Impact Fund, NAACP Legal Defense & Educational Fund, Inc., and Cohen Milstein Sellers & Toll PLLC filed an amicus brief on behalf of numerous civil rights organizations that emphasized the importance of concerted action to the fight for equal opportunity in employment, citing the long history of using concerted actions to advance civil rights in the workplace and the legal and practical advantages to using them.



Summer Webinar Series



Each summer, the Impact Fund hosts its Summer Webinar Series, lunch-time trainings designed for busy public interest lawyers. Our Summer Webinars explore up-to-the-minute legal issues in a convenient format.

In early June, we partnered with Centro Legal de la Raza to host “Credible Fear and Reasonable Fear Interviews: An Immigration Law Training” with Centro Legal’s Immigration Managing Attorney, Kaitlin Kalna Darwal. In response to President Trump’s initial Muslim Ban and the promise of increased immigration enforcement across the country, Kaitlin provided a primer on the basics of government authority to remove undocumented people and asylum law generally, and shared experienced guidance on assisting those who wish to present “credible fear” or “reasonable fear” reasons to prevent removal and stay in the U.S.

In late June, Impact Fund Executive Director, Jocelyn D. Larkin, and Director of Litigation & Training, Lindsay Nako, discussed “Impact Litigation for Direct Services Organizations.” In response to restrictions on class action practice, whether due to cost and duration or Legal Services Corporation funding limitations, many direct services providers focus their efforts on impact litigation. Jocelyn and Lindsay walked through the nuts and bolts of initiating non-class impact cases and obtaining the greatest benefit without a class.

In late July, guest trainers Felicia Medina and Jen Orthwein of Medina Orthwein LLP explained cognitive bias and provided helpful tips for using it in your cases in “Using Cognitive Bias Evidence in the Courtroom.” They provided practical advice for introducing cognitive bias theories early, using cognitive bias evidence at different stages of litigation, and taking cognitive bias into account when formulating remedies.

In the final 2017 Summer Webinar in early August, guest trainers Dena Sharp of Girard Gibbs LLP and Daniel Hutchinson of Lieff Cabraser Heimann & Bernstein, LLP, discussed the first step in court approval of class action settlements, known as “preliminary approval.” The two experienced class action litigators discussed the ins and outs of preliminary approval, the effect of a likely upcoming rule change, and best practices for presenting a settlement to the court.

We recorded all the webinars and they are available at:
www.impactfund.org/legal-training-webinars

Betty Dukes 1950–2017: Rest In Power



Betty Dukes made headlines in 2001 when, as a worker at Wal-Mart Stores, she became the lead plaintiff in a class-action lawsuit against the retail giant, alleging that the company paid women less than their male counterparts doing comparable work, denied them training as well as chances to advance, and retaliated against those who complained about sex discrimination.

She became the face for an estimated 1.5 million women who had worked for Walmart since 1998, making it the largest class-action employment lawsuit in U.S. history.

She was passed over for promotions as well as demoted but those who met her were left in no doubt that she “didn’t take junk from nobody.”

Although the Supreme Court ultimately ruled 5-4 in favor of Walmart, Betty’s efforts to level the playing field for women were not in vain.

When she wasn’t working, Dukes drew on her ability to prepare meals for the masses and organized community banquets with speakers celebrating Martin Luther King Day, Black History Month and the election of President Barack Obama.

An ordained Baptist minister, Dukes was planning to establish a ministry that would provide cooked meals and clothes to the homeless and hold evening worship services for them.

An inspiration to all who knew her, her courage and commitment to justice, as the face of *Dukes v. Wal-Mart*, will be long remembered.



Class Action Hall of Fame

This past year we inaugurated the Impact Fund Class Action Hall of Fame to honor named plaintiffs whose commitment and determination has led to significant advances in economic, environmental, racial and social justice.

We all remember the Exxon Valdez oil spill and cases like *Roe v. Wade* and *Brown v. Board of Education*, but we have little knowledge about the real people behind the public interest class action lawsuits that have changed American history. We are committed to bringing these stories, these heroes, into the public consciousness so that those who would restrict access to civil justice know that these cases matter.

Many ordinary people have put their lives and livelihoods on hold to champion the interests of communities: children, women, people with disabilities, African Americans, LGBT people, and all those who have traditionally been denied a voice and marginalized as ‘other’ by the privileged and the powerful. We think it’s time they were recognized for their bravery and endurance in the face of overwhelming odds. They are the unsung heroes of our movement.



BACK (from left to right): Mike Dragovich, Jocelyn D. Larkin, Jessy Cruz, Veronica Lewandowski, Michael Caesar.
FRONT: Julie Reiskin

Class of 2017

The inaugural class was announced and honored at the Impact Fund Class Action Conference:

Jessy Cruz
who stood up to make
California’s schools better for
everyone’s little brother.



Sara Wellens
who fought gender
discrimination in the
pharmaceutical industry.

Mike Dragovich
who fought for
medical coverage for
same-sex spouses.



Julie Reiskin
who fought for access
for people with disabilities.

Veronica Lewandowski
who fought for equal
access to sports for girls.



Sylvester McClain
who fought racial
discrimination in
employment.

We applaud them for their courage and thank them for their sacrifice.

“Taking on powerful corporations and government entities is a daunting prospect. The lead plaintiffs have to endure just about every legal strategy that the wallet of big business and government can pay for, plus years of uncertainty, court appearances and stress. That takes both guts and spirit – qualities our inductees have in abundance.”

— Michael Caesar, Chair – Impact Fund Grant Advisory Committee



Class Action Conference

In 2017, the Impact Fund convened nearly 200 class action practitioners for its Fifteenth Annual Class Action Conference in San Francisco’s Japantown. The inspiring group of plaintiff-side public interest attorneys met for a day and a half to discuss topics ranging from effective trial plans to best practices for representing classes of children.



The Conference opened with our pre-Conference introductory program, “Rule 23 Class Action Basics,” designed to welcome attorneys newer to class action practice. We kicked off the festivities with Jocelyn Larkin’s annual recap of “Recent Developments in Civil Rights Class Action Law” and an inspiring panel moderated by former Impact Fund Board Member **Sheila Thomas**. The panel featured two of our grantees – **Harry Frischer** of Children’s Rights, who fought to protect the well-being of more than 10,000 children in foster care in Arizona, and **Matt Geymen** of Columbia Legal Services, who challenged hospital billing practices that harmed uninsured and underinsured people in the Northwest. The day closed with a rousing networking reception.

Our full day of panels covered a range of current topics from some of the country’s cutting edge legal advocates. We explored the movement for transgender equality, the plague of modern debtors’ prisons, how to salvage a “good case gone bad,” arbitration in the Trump era, and more. An exciting group of presenters brought these topics to life, including **Professor Ranjana Natarajan**, University of Texas School of Law; **F. Paul Bland, Jr.**, Public Justice; **Scott Nelson**, Public Citizen; **Dena Sharp**, Girard Gibbs, LLP; **Elizabeth Kristen**, Legal Aid at Work; **Professor Myriam Gilles**, Benjamin N. Cardozo School of Law; **Michael Harris**, National Center for Youth Law; **M. Dru Levasseur**, Lambda Legal; **Ria Tabacco Mar**, ACLU LGBT & HIV Project; **Rachhana T. Srey**, Nichols Kaster, PLLP; **Sara Zampierin**, Southern Poverty Law Center; and **Professor Joshua P. Davis**, University of San Francisco School of Law.

We would like to thank all of the conference sponsors, panelists, and attendees for their support and commitment to using the legal system to create a more just and inclusive society.



SPONSORS:

Thomson Reuters • Epiq Systems • GCG/SSI • KCC • Rust Consulting
Cohen Milstein • Joseph Saveri Law Firm • Lieff Cabraser Heimann & Bernstein, LLP
Oутten & Golden, LLP • Sanford Heisler Sharp, LLP • Tycko & Zavareei, LLP
Andrus Anderson, LLP • Bryan Schwartz Law • Chavez & Gertler, LLP • Girard Gibbs, LLP
Goldstein, Borgen, Dardarian & Ho • Keller Rohrback, LLP • Moody & Warner, P.C.
Nichols Kaster, PLLP • Rosen Bien Galvan & Grunfeld, LLP

Training Institutes



The Impact Fund Training Institute teaches lawyers the technical, strategic, and practical skills they will need to litigate social justice class actions. Over the course of the three-day event, twenty students from across the country participate in a variety of discussion formats and exercises designed to teach the fundamentals of class action litigation. Students hone their skills at investigating and developing a class action, working with named plaintiffs and co-counsel, formulating a discovery plan, preparing for class certification, and negotiating a class-wide settlement.

OAKLAND

Held at the East Bay Community Foundation in Oakland, faculty included **Dara Schur**, Litigation Counsel at Disability Rights California; **Robert Schug**, Counsel at Nichols Kaster, PLLP; **Laura Ho**, Partner at Goldstein Borgen Dardarian & Ho; and **Lindsay Nako**, Impact Fund’s Director of Litigation and Training.

The Oakland Institute featured a stellar cast of guest speakers. Impact Fund’s Deputy Director **Teddy Basham-Witherington** paired up with Dara to provide a crash course in working with the media. Centro Legal de la Raza’s Director of Litigation, **Jesse Newmark**, shared his best practices for representing undocumented workers. This year, we were thrilled to be joined by **Elaine Sasaki**, a named plaintiff in our gender discrimination class action, *Ellis v. Costco Wholesale Corp.*, who provided a plaintiff’s perspective on class action litigation.

We ended the first day of training with a group dinner at Hopscotch in Oakland, where students and faculty broke bread and built community. At dinner, we heard from **Magistrate Judge Donna M. Ryu** of the United States District Court for the Northern District of California, and **Judge Brad Seligman**, Impact Fund founder and Alameda Superior Court Judge.

LOS ANGELES

Held in the community meeting space at Public Counsel, **Dara** and **Lindsay** were joined by a veritable “who’s who” of public interest litigators, including **Anne Richardson**, Directing Attorney of Public Counsel’s Consumer Law Project, **Melinda Bird**, Litigation Counsel at Disability Rights California, and **Robert Newman**, General Counsel at Western Center on Law & Poverty.

We were fortunate to share the talents of a diverse group of guest speakers, including **Sandra C. Muñoz** of the Law Offices of Sandra C. Muñoz to discuss lessons learned in representing undocumented workers; **Joshua Busch**, Director of Communications at Public Counsel, who ran the students through “Media 101”; and **Robert Pallasch**, Director of Electronic Discovery at Setec Investigations, who gave an insightful e-discovery primer. **Judge Carla M. Woehrle** (Ret.) served as our mock mediator.

The Los Angeles Institute featured a group dinner at the Line Hotel, where we were joined by **Judge Theresa M. Traber** and **Judge Virginia Keeny** of the Los Angeles Superior Court. Their inspiring words set the tone for an empowering and educational Institute.

Thank you to all of our engaged and dedicated students, instructors, and guests!



Become a Member of the Impact Fund Social Justice League!



“I always wanted to help, and now understand that my affordable monthly gift, over time, can have a long-lasting and steady impact that makes a difference in the fight for justice.”
— Magdalena Bordeaux

Join a special community of kindred spirits, committed to sustaining Impact Fund services and programs that continue to advance economic, environmental, racial, and social justice.

YOUR COMMUNITY, YOUR IMPACT

Consider what your monthly gift can accomplish...

- Bronze Level – \$5 to \$19.** A suggested donation of \$14 per month will pay the court filing fee in a case challenging abuses in a state’s broken foster care system, or pay for fifteen non-profit attendees at our summer webinar series.
- Silver Level – \$20 to \$34.** A suggested donation of \$27 per month will pay for a deposition translator - allowing an immigrant worker to provide testimony in her native tongue, or will pay for two scholarships for nonprofit attorneys to attend our annual two-day Class Action Conference.
- Gold Level – \$35 to \$83.** A suggested donation of \$50 per month will pay to help gather vital scientific evidence of contaminated water on Native American land, or pay for a scholarship to train a young lawyer (fresh out of law school) at our Training Institute to become a social justice advocate.
- Titanium Level - \$84 or more.** A donation of \$84 per month will pay to get an advocate out into the field to gather testimony of voter suppression, or pay to underwrite a webinar for 50 law students.

Take the next step: become an Impact Fund Social Justice League member by completing and returning the sign-up form in this report or go online:

WWW.IMPACTFUND.ORG/
MONTHLY-GIVING

SOCIAL JUSTICE LEAGUE MEMBERS

- | | |
|---------------------------------|--------------------------------|
| Teddy & Rob Basham-Witherington | Glenn Katon |
| Jacob Bell | Clarence Mazza |
| Magdalena Bordeaux | Zachary McCoy |
| Johanna Callard | Heather McKimmie |
| Marcus Coleman | Lindsay Nako |
| Maryanne Davies | Tina Oman |
| Tim Derry | Kiki Poe |
| Robin Godfrey | Jennifer Reisch & Javier Amaro |
| Michael Himawan | Marci Seville |
| Maria Hoisington-Bingham | Sela Steiger |
| Scott Hugo | Christine Sun |
| Linda Jaskol | Catha Worthman |

Cy Près Awards

Invest in a Future That is Fair for All

WHY THE IMPACT FUND IS AN IDEAL CHOICE

Our **Mission:** As one of the nation’s few foundations providing broad support for complex public interest litigation, we are committed to the idea that ordinary people should be able to join together and use the courts to protect their jobs and communities. Our unique ability to use public interest litigation as a tool to secure economic, environmental, racial, and social justice makes us an effective charitable investment.

Our Reach: We provide training and technical assistance to over eighty legal services programs in California. We also present a national class action conference and host a listserve for a network of plaintiff-side class action practitioners. We present an annual three-day training institute for practitioners seeking practical and strategy skills for litigating public interest class actions. We also provide hundreds of hours of pro-bono consulting to those working in the field.

Our Distinct Programs: Through our Grants Program, we’ve provided over \$6 million to advocates to bring cases advancing economic, environmental, racial, and social justice. We also provide litigation and consulting services – counseling, advice, and assistance on complex litigation issues. We serve as counsel and regularly file multiple amicus briefs every year. We present a wide variety of training programs to support practitioners and our curriculum includes topics such as new case developments, legal writing, and appellate practice.

Our Proven Track Record: We have been approved as a cy près recipient in more than seventy cases in both state and federal courts. We ensure good stewardship of funds that we receive.

Our Impact: Because we support litigation in many substantive areas (e.g., employment, civil rights, disability access, consumer, poverty, environmental, and criminal justice), we have a nexus to many kinds of class actions. Cy près awards allow us to continue this vital work.

Help us continue to make a real impact!
For more information contact:
Teddy Basham-Witherington
510.845.3473 ext. 302
twitherington@impactfund.org

cy près [si: ‘pray]
n. The legal doctrine that allows funds remaining after the distribution of a class action settlement to be given to a charitable organization (or more than one) whose mission dovetails with the original purpose of the case. Cy près is an important source of funding for non-profits and legal services.

Thank you to the following firms for naming us as cy près beneficiaries in cases that have made distributions during the past year:

- Law Office of Joseph Antonelli Hoyer & Hicks
- Law Office of Peter Fredman
- The Gardner Firm, P.C.
- Levy Vinick Burrell Hyams, LLP
- Sanford Heisler Sharp, LLP
- Law Office of Sheila Thomas Zelle, LLP

Annual Impact Fund Gala

On May 9, 2017, we gathered once more to celebrate in one of San Francisco’s most beautiful venues: the top floor of the Westin St. Francis on Union Square. We thank all those who attended and sponsored for being there and for helping us raise much-needed support for more emergency grants.

We look forward to seeing you next year on May 8, 2018.

HONOREES

Ambassador Norman Eisen served as the chief ethics lawyer for President Obama. As Ambassador to the Czech Republic from 2011-14, he was an outspoken advocate against all forms of bigotry, including anti-Semitism as well as discrimination against the Roma, the LGBT community and other minorities. He founded CREW (Citizens for Responsibility and Ethics in Washington D.C.) in 2003 and returned as Chair in December 2016 to lead a bipartisan effort to ensure an ethical Washington in the face of a new administration. CREW is the plaintiff in the Emoluments Clause case that is being brought against President Trump. We honored him for his public service, commitment to social justice and for being an advocate for marginalized communities.

Our grantee, **Public Counsel**, the country’s largest pro bono law firm, represented by Mark Rosenbaum, Viridiana Chabolla, and named plaintiff **Jessy Cruz**, attended to be recognized for the success of *Cruz v. State of California* – a class action lawsuit filed against the State of California for failing to provide students from low income communities throughout California with meaningful learning time and thus robbing them of an equal education. Jessy wasn’t able to graduate; he was missing far too many credits. Despite all this, Jessy’s commitment has been to providing a better educational environment for everyone’s little brother.

We also continued the tradition of our **Fund-the-Future** live auction with celebrity auctioneer **Michael Tate** and were able to fund three emergency grants as a result.



TOP LEFT (left to right): Sheila Thomas, Brad Seligman, Christian Schreiber, Amb. Norman Eisen, Jocelyn Larkin
BOTTOM LEFT (left to right): Jessy Cruz, Viridiana Chabolla, Amb. Norman Eisen, Mark Rosenbaum
RIGHT, ABOVE: Jessy Cruz and Amb. Norman Eisen

THANK YOU TO OUR GALA SPONSORS

CHAMPION

Kazan McClain Partners Foundation

BENEFACTOR

The Tidrick Law Firm

FIRM PATRON

Dickson Geesman, LLP
Girard Gibbs, LLP
Hadsell Stomer & Renick, LLP
Joseph Saveri Law Firm, Inc.
Sanford Heisler Sharp, LLP

FIRM FRIEND

Bryan Schwartz Law
Chavez & Gertler LLP
Cohen Milstein Sellers & Toll, PLLC
Harrington Investments, Inc.
Keker & Van Nest, LLP
Keller Rohrback, LLP
Kieve Law Offices
Lichten & Liss-Riordan, P.C.
Lief Cabraser Heimann & Bernstein, LLP
Miner Barnhill & Galland, LLP
Nichols Kaster, PLLP
Rosen Bien Galvan & Grunfeld, LLP

Rudy Exelrod Zieff & Lowe, LLP
Rukin, Hyland, Doria & Tindall, LLP
Van Der Hout, Brigagliano & Nightingale, LLP

FIRM ALLY

Campins Benham-Baker, P.C.
Gupta Wessler, PLLC
Lozeau Drury, LLP
Renaker Hasselman Scott, LLP
Terrell Marshall Law Group

INDIVIDUAL PATRON

Sarah Carpenter & Robert Newman
Eric Havian & Jean Jarvis
Jocelyn D. Larkin & Christopher Patti
Arlene Mayerson & Allan Tinker
Sheila Thomas
Steve Zieff & Elaine Leitner

INDIVIDUAL FRIEND

Della & Michael Barnett
Rob & Teddy Basham-Witherington

William Carroll & Diane Krantz
Betsy Dodd & Jim Boddy
Barry & Sandra Goldstein
Barbara & Douglas Hadsell
Angelica Jongco & Daniel Hutchinson
Steve Mayer
Dara Schur & Miye Goishi
Hon. John M. True (Ret.)
Brian Wolfman

NON-PROFIT FRIEND

ACLU Northern California
Civil Rights Education & Enforcement Ctr.
Disability Rights Advocates
Disability Rights California
Equal Justice Society
Equal Rights Advocates
Legal Aid At Work
National Employment Lawyers Assoc.
OneJustice
Public Advocates
Public Counsel
Public Citizen
Public Interest Law Project





Thank You to Our Donors

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.

FOUNDATION GRANTS

Greater Houston Comm. Foundation
Horizons Foundation
James Irvine Foundation
Kazan McClain Partners' Foundation
Legal Services Trust Fund Program of the State Bar of California
Stanford Public Interest Law Found.

CY PRÈS

Law Office of Joseph Antonelli
Hoyer & Hicks
Law Office of Peter Fredman
The Gardner Firm, P.C.
Levy Vinick Burrell Hyams, LLP
Sanford Heisler Sharp, LLP
Law Office of Sheila Thomas
Zelle, LLP

CHAMPIONS

Another Planet Entertainment
Elizabeth Cabraser
Eric Gunther
Girard Gibbs LLP
Moody & Warner, P.C.
Joseph Satterley

BENEFACTORS

Denise Abrams
Chavez & Gertler LLP
Cohen Milstein Sellers & Toll PLLC
Bud Dillon
Epiq Systems, Inc.
Eric R. Havian & Jean Jarvis
Garden City Group/SSI, Inc.
Daniel Girard
Hadsell Stormer & Renick, LLP
Lieff, Cabraser, Heimann & Bernstein, LLP
Nichols Kaster, PLLP
Rosen, Bien, Galvan & Grunfeld LLP
Rust Consulting, Inc.
Joseph R. Saveri Law Firm
Ken Silbert & Barbara Chvany
Sanford Heisler Kimpel, LLP—New York
Joseph Sellers & Laurie Davis
Sheila Thomas
The Tidrick Law Firm
Tycko & Zavareei, LLP

PATRONS

Andrus Anderson LLP
Bryan Schwartz Law
Dickson Geesman LLP
Goldstein, Borgen, Dardarian & Ho
Harrington Investments, Inc.
Keller Rohrbach L.L.P.
Jocelyn Larkin
Arlene B. Mayerson and Allan Tinker
Edward Opton
Outten & Golden, LLP
In memory of Christopher M. Patti
Rukin Hyland

SPONSORS

Kirk Baert
Della & Michael Barnett
Teddy & Rob Basham-Witherington
Michael Bien
Justin Bosl
Daniel & Rhea Brunner
Campins Benham-Baker, LLP
Julia & Nick Campins
Michael Donovan
Lozeau Drury LLP
Richard Drury & Irene Song
Lainey B. Feingold & Randy Shaw
Eric Gibbs
Barry & Sandy Goldstein
Margo Hasselman
Terry Helbush & Dale M. Miller
Jewish Community Endowment Fund
Helen Kang & Greg Martin
Keker, Van Nest & Peters, LLP
Kieve Law Offices
Bill Lann Lee & Carolyn Yee
E. Richard Larson
Lichten & Liss-Riordan, P.C.
Barry G. & Paula Litt
Meryl Macklin
Steven L. Mayer & Randy Milden
David McClain
Robert D. Newman
Gian & Robin Polastri
Alan Ramo & Leslie M. Rose
Robert & Toby Rubin
Rudy, Exelrod, Zieff & Lowe, LLP
Christian Schreiber
Dara L. Schur & Miye A. Goishi
Dena Sharp
Leonard B. Simon & Candace Carroll
Darnley D. Stewart
Curtis L. Surls
Terrell Marshall Law Group PLLC
John M. True
Unitarian Universalist Church of Berkeley
Marc L. Van Der Hout & Jody LeWitter
Van Der Hout, Brigagliano & Nightingale, LLP
Gupta Wessler PLLC
Brian Wolfman & Shereen Arent
J. Bryan Wood & Suzanne Bish
Steven G. Zieff & Elaine Leitner

ADVOCATES

Mark Aaronson & Marjorie Gelb
ACLU of Northern California
William Alderman
Brendan Ansier
American Center for Philanthropy
Michael Baldonado
Morris J. Baller & Christine Brigagliano
Leora Barish
Marc Bendick, Jr., PhD. & Mary Lou Egan
Hillary Benham-Baker
Paul Bland
Ruth Blau
Ann M. Blessing & Eric Eschen
James E. Boddy
Darci E. Burrell
Dale Brodsky
Carmia Caesar
William J. Carroll & Diane Krantz
Conrad & Metlitzky
Diane T. Chin & Gil Dong
Walter & Suzanne Cochran-Bond
Florence Culp
Linda M. Dardarian & Terry Carroll
Cornelia Dai & Ben Lee
Donna DeDiemar & Christopher Hamilton
Disability Rights Advocates
Disability Rights California
Barbara Enloe Hadsell
Equal Rights Advocates
James M. Finberg & Melanie M. Piech
Timothy Fox
Michael Freund
Greg Gilchrist & Lynn Krieger
Abby Ginzberg
Sarah Grossman-Swenson
Robert T. Haden
Amanda Hawes
Todd B. & Barbara C. Hilsee
Helen J. Hodges
Daniel Hutchinson
Angelica Jongco
Karen Jo Koonan
Matthew C. Koski
Ellen Lake & William G. Hoerger
Jack W. Lee
David Y. Lei
Monique C. Lillard & Duncan Palmatier
Michael J. & Barbara Loeb
Lyngklip & Associates, Consumer Law Center PLC
Karen Marcus
Clarence Mazza
William McNeill & Jennifer Bell
Messing, Rudavsky & Weliky, P.C.
Steven Metalitz & Kit Gage
Thomas M. Meyer
John Mosby
Amy Oppenheimer & Jennifer Krebs

David Oppenheimer & Marcy Kates
Adam Palmer
Richard M. Pearl
Ted W. Pelletier
Laurence Pulgram
Paul Rein
Supreet Sampath
Alan & Lynne Schlosser
Lauren Scholnick & Steve Cook
Robert & Brooke Schug
Ethan P. & Tammy Schulman
Michael Selmi
Brad Seligman
Oren M. Sellstrom
Steven Serratore
James E. Boddy
Robert L. Steele
Kim C. Swain & Mike Sugarman
Joseph J. Tabacco
The Public Interest Law Project
Roy M. Ulrich
Christine Webber
Bonnie Willdorf
Gerald J. Williams
Fredric D. Woocher
Catha Worthman
Douglas R. & Terry F. Young
Noah Zatz

FRIENDS

Jacob Bell
Erin Bernstein
David Borgen & Sharon Moy
Larry Bradshaw
William & Gloria Broder
Susan Brown
Catherine Cabalo
Johanna Callard
Patrick Carney
Glenna Carraway-Ildowu
Peter & Carol Carstensen
Blythe Chandler
Katharine Chao
Terisa E. Chaw & James Hendreiksen
Laura Chick
Elizabeth Clements
Shaylyn Cochran
Marcus Coleman
Brian Corman
Crosby & Kaneda
Joseph A. Czuberki
Mary Anne Davies
Joshua P. Davis
Tim Derry
Richard Doctoroff & Elissa Matross
Lia Barrow Estrada
C. Christine Fair
Joshua Friedman
David Fry
Elissa Gershon
Robin Godfrey
Leon & Martha Goldin

Donors (CONTINUED)

Deene Goodlaw
Roger B. Greenberg
Rishi Gupta
Eric Guttschuss
Karen Halaco
Michael Harris & Catherine Lundy
Matthew Helland
Irma D. Herrera & Mark D. Levine
Maria Hoisington-Bingham
Kathryn A. Honecker
Scott Hugo
Dinita James
Linda Jaskol
Barbara A. Jones
Reed R. Kathrein
Glenn Katon
Kalpana Kotagal
Elizabeth Kramer
Hillary Larkin & Randy Trimble
Susan Leifer
Michael D. Lieder
William Lienhard
Astrid Linke
Ruth Linnick
Steve Lopez
Jonathan Margolis
Christopher A. Martin
Gail Martin
Alma R. Martinez
Zachary McCoy
David Meadows
Michelle Meow
Kate Morrow
Jacqueline E. Mottek
Manfred P. Muecke
Lindsay Nako
Miriam Nemeth
David Offen-Brown
Carl & Sue Offner
Denny & Merrily Parker
Kiki Poe
Nora Quinn
Renee Y. Rastorfer & Harry Keramides
Michael Rawson
Jennifer Reisch
Judith A. Rosenberg & Gregory Andreas
Michael Rubin
Mark & Lucia C. Savage
Emilie & Dominic Schmitt
Richard & Pauline Schneider
Maureen A. Sheehy & Steve Catton
Sela Steiger
Peter & Emily Stoughton
Betsy Strausberg
Anand Subramanian
Christine Sun
Logan Starr
Mark Taxy & Patti Cary
Charles T. Taylor
The Grant Law Firm, PLLC
Steven Tidrick
Bijal Vakil
Marilyn Von Kugelgen

Matthew S. Weiler
Meredith Wilensky
Linda C. Williams & Claude Kolm
Adam Zapala

ALLIES

Anonymous
Jordan Bare
Dolores Blueford
Magdalena Bordeaux
Jan & Byron Brown
Beau Burbidge
Sara Campos
Nancy Cantor
Rosa M. Castillo-Kesper
Christine Chuang
Donald Crews
Teresa Demchak
Virginia Dougherty
Benjamin Elga
Theresa Fay-Bustillos
David Fiss
Todd Foreman
Deborah Gettleman
Paula Gordon
David Grenrood
Margaret Haigh
Jack Hannibal
Debi Harris
Jaclyn Harris
Kathleen Haun
Jane Hazan
Michael Himawan
Allen Jones
Winifred Kao
Gary L. & Ilene Katz
Betsy Kimball
Daniel S. Korobkin
Andrew Lah
Laura Landy
Louis Latendresse
Nicholas Levenhagen
Katherine Lewis
Amanda McCaffrey
Heather McKimmie
JB Moore
Jesse Newmark
Patricia Nier
Kristine E. Oman
Lawrence Polon
Oscar Rivera
William Sack
Mara Scott
Marci B. Seville
Walter Shelly
Debra A. Smith
Margaret Stevenson & David Flamm
Sandra Stowe
Bonnie Taub and David Gordon
Madelyn Wargowski
Alicia Web
Joyanna Wyne

List complete as of October 31, 2017

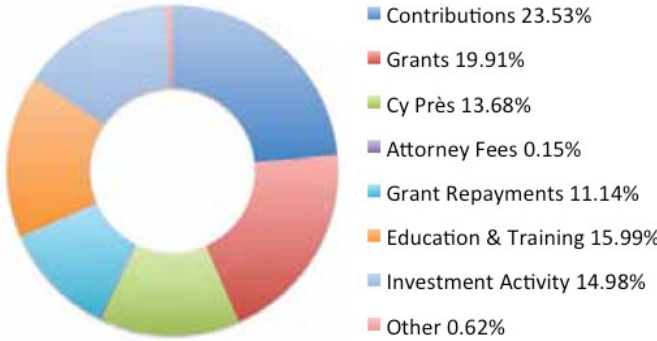
Financial Highlights

INCOME		
Contributions & Events	\$230,733	23.53%
Grants	\$195,188	19.91%
Cy Près	\$134,099	13.68%
Attorney Fees	\$1,460	0.15%
Grant Repayments	\$109,221	11.14%
Education, Training, & Services	\$156,791	15.99%
Investment Activity	\$146,895	14.98%
Other	\$6,067	0.62%
Total	\$980,454	

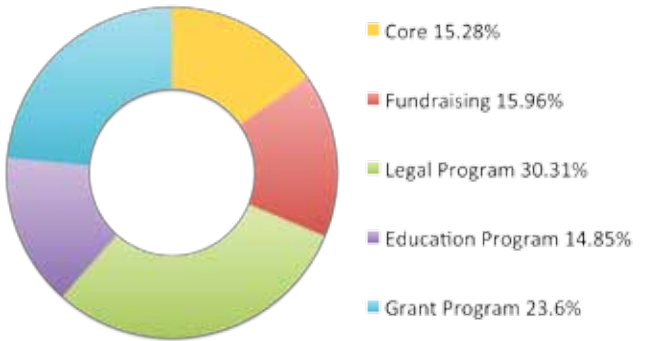
EXPENSES		
Core	\$230,166	15.28%
Fundraising	\$240,381	15.96%
Legal Program	\$456,669	30.31%
Education Program	\$223,775	14.85%
Grant Program	\$355,554	23.60%
Total	\$1,506,554	
Net Loss	(\$526,091)	

NOTE: 2014-2016 saw two years of extraordinary income, principally legal fees on cases that settled after decades of litigation. The net loss this year is offset by those funds. In addition \$1M is held in an endowment fund. For more information and a full copy of our audited financial statements contact us at impactfund@impactfund.org.

FY 2016-2017 Income




FY 2016-2017 Expenses




Team Impact Fund


STAFF ENTRANCES AND EXITS


We miss you...

 **Zachary McCoy:** Zach recently started law school at the University of San Francisco and we couldn't be prouder! We wish him the best with his studies.

...and welcome...

 **Kellye Denson:** Kellye joins us as our new paralegal. She has worked extensively in broadcast journalism and brings with her a contagious enthusiasm for art.

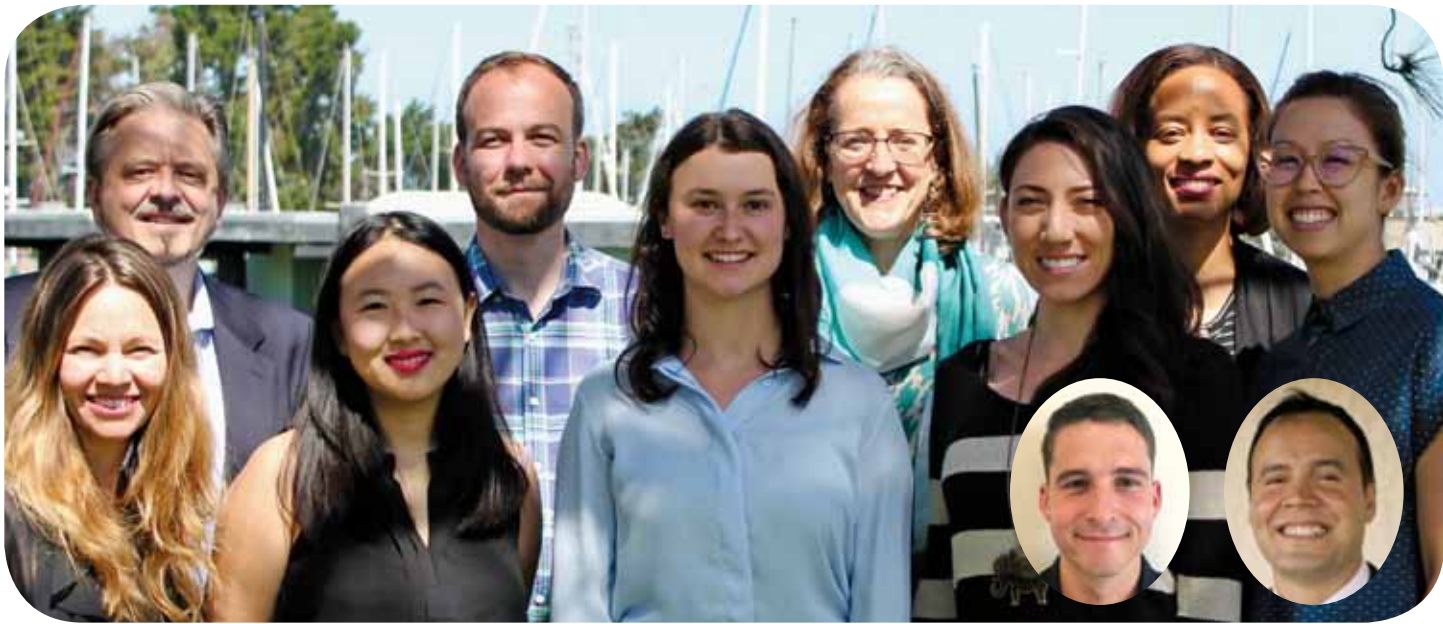
 **Lynnette Miner:** Lynnette left us upon completion of her fellowship to join the Office of the County Counsel in Santa Clara, working in the Social Justice & Impact Litigation section. We are happy to have her still in the impact litigation family!

 **Sela Steiger:** Sela also just started law school and she is now at UC Davis. We are grateful to have inspired both Sela and Zach to go to law school path and can't wait to see the work they will do.

 **Daniel Nesbit:** Daniel is our new Litigation Fellow from Stanford Law School. He has a number of interesting experiences including interning on Capitol Hill and working on development projects in Malawi, Qatar, and India.

 **Mary Zhou:** Mary joins us as our new Executive and Development Assistant. She is a recent UC Berkeley grad with a background in theater, and we are delighted to have her with us.

STAFF



FROM LEFT TO RIGHT: Amy Daniewicz, Teddy Basham-Witherington, Mary Zhou, Sam Reese*, Linda Gordon*, Jocelyn D. Larkin, Lynnette Miner, Kellye Denson, Lindsay Nako. INSETS: Daniel Nesbit (left) Jason Soto (right) *Summer Interns

Jocelyn D. Larkin, *Executive Director*
Teddy Basham-Witherington, *Deputy Director*
Lindsay Nako, *Director of Litigation and Training*
Amy Daniewicz, *Grant Program Administrator*

Kellye Denson, *Paralegal*
Daniel Nesbit, *Litigation Fellow*
Jason Soto, *Accounting Manager*
Mary Zhou, *Executive and Development Assistant*

BOARD OF DIRECTORS


- Della Barnett* (*Board Chair*)
- Eric Havian (*Secretary*)*
- Maria Anguiano (*Treasurer*)
- Michael Caesar*
- Julia Campins*
- Cornelia Dai*
- Abby Ginzberg*
- Deepak Gupta
- Cecilia Mansilla
- Christian Schreiber* (*Chair-elect*)
- Dara Schur*
- Dena Sharp*

*Also serves on the Grant Advisory Committee



BACK ROW, FROM LEFT TO RIGHT: Michael Caesar, Dara Schur, Abby Ginzberg, Christian Schreiber
FRONT ROW, FROM LEFT TO RIGHT: Julia Campins, Sheila Thomas, Eric Havian, Jocelyn D. Larkin

Impact Fund bids a bittersweet farewell to board member Sheila Thomas and Grant Advisory Committee member Cathy Dreyfuss. We would also like to give a warm welcome to new board member Cecilia Mansilla.

 **Cecilia Mansilla** is a Principal at Ernst & Young, LLP and focuses on enabling value and benefit realization from large business and technology transformation. She brings over 17 years of professional experience in program management, multi-faceted program office design, governance and decision-making enablement, risk mitigation; serving national and global clients in healthcare, technology and manufacturing, as well as the public sector.

GRANT ADVISORY COMMITTEE

Michael Caesar, *Chair*
Caroline Farrell
Michael Harris

Helen Kang
Arlene Mayerson
Thomas A. Saenz

Christine P. Sun
Marc Van Der Hout

The board members indicated above, together with:



See You In 2018 For Our 25th Anniversary!

Impact Fund Annual Class Action Conference
San Francisco Bay Area
February 15 – 16, 2018

Annual Gala
Westin St. Francis, Union Square, San Francisco
May 8, 2018

Training Institute
San Francisco Bay Area
September 12 – 14, 2018
Los Angeles
September 26-28, 2018



125 University Avenue, Suite 102
Berkeley, CA 94710-1616
Tel: *1.510.845.3473
impactfund@impactfund.org
www.impactfund.org

Connect with us on social media:



facebook.com/USimpactfund



[@ImpactFund](https://twitter.com/ImpactFund)



[@impactfund](https://instagram.com/impactfund)