

We Hope to See You in 2022!

20th Annual Class Action Conference

Virtual
February 24, 2022

30th Anniversary Gala

Westin St. Francis, Union Square, San Francisco
May 10, 2022

15th Annual Class Action Training Institute

Oakland: September 14-16, 2022
Los Angeles: September 28-30, 2022

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RECONNECT

2021 • 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 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.

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WELCOME FROM THE EXECUTIVE DIRECTOR

AS WE SLOWLY — and fitfully — emerge from the long fog of the pandemic, all of us yearn to reconnect with loved ones, friends, colleagues, clients, and our vibrant social justice community. We long to go back — back to the time when we could take for granted a spontaneous hallway brainstorming session or a convivial lunchroom debate. We miss unwinding with out-of-town colleagues who have traveled to share their insights and inspiration at our annual conference. We mourn our own losses but also those of the communities we serve, burdened with a disproportionate share of pandemic-related pain.

We rightly wonder whether the shattered pieces can be reassembled.

We hope that this annual report, which documents the work of the Impact Fund and its grantees, will provide you some hope. I know that it does for me.

Take just a few examples. With the change in the administration, our team was able to secure long-delayed federal emergency food benefits for one million California families with pandemic-driven food insecurity. When employers brought a legal challenge to the state’s temporary COVID-related worker protections, we jumped in to help with amicus support to turn back efforts to put profits above safety for vulnerable agricultural and retail workers. Our grantee, Connecticut Legal Rights Project, swiftly recognized the threat of COVID to patients in state-operated psychiatric facilities and successfully intervened to ensure their safety and civil rights.

The continuing challenges ahead are many and can only be tackled if we rebuild together these splintered connections. The end result may not be precisely as we wish or remember but, despite its imperfection, we hope to find justice for those most in need.

Jocelyn D. Larkin
Executive Director, Impact Fund



NEW GRANTEES

- Animal Legal Defense Fund
- Channel Law Group, LLP
- Clean Water Fund
- Community Environmental Legal Defense Fund
- DC Appleseed Center for Law & Justice
- Equity Legal Services, Inc.
- Fund for Empowerment
- Gitxaala Nation
- Innovation Law Lab
- Jefferson County Foundation
- Law Office of William Most, L.L.C.
- Leadership Counsel for Justice & Accountability
- Legal Services of Greater Miami
- Midwest Environmental Advocates, Inc.
- Mountain State Justice
- National Immigration Litigation Alliance
- Project on Organizing, Development, Education, and Research
- Rachel Lederman Law Office
- Suffolk University Law School Human Rights and Indigenous Peoples Clinic
- The Detroit and Michigan Chapter of the National Lawyers Guild

GRANTS FOR IMPACT LITIGATION

WE REFLECT with gratitude upon our 29-year history as a funder of high impact, community-driven lawsuits that provide an effective tool for communities fighting for their health, civil rights, and future. In the next few pages, you will find statistics about new litigation that we have supported this past year, as well as outcome data about the cases that have concluded. (Spoiler: 93% had a successful outcome!) In between, we share just a few of the amazing stories from our portfolio of open grants, taken from our blog series written by our inspiring grantees and the communities standing up to powerful forces. We are filled with gratitude for the many collaborators who make this work possible, including the nonprofits and attorneys, the communities, our donors, and supporters. We also thank the public interest litigators on our Grant Advisory Committee, whose deep expertise ensures we are supporting the cases best poised to make the lasting, systemic change that is so needed today.

FY21 GRANTMAKING



- Social Justice:** \$140,000
- Just Earth:** \$118,000
- Clean Water Project:** \$55,000
- Economic Justice:** \$15,000



OUR REPLENISHING FUND

Replenished by grant repayments and our generous supporters

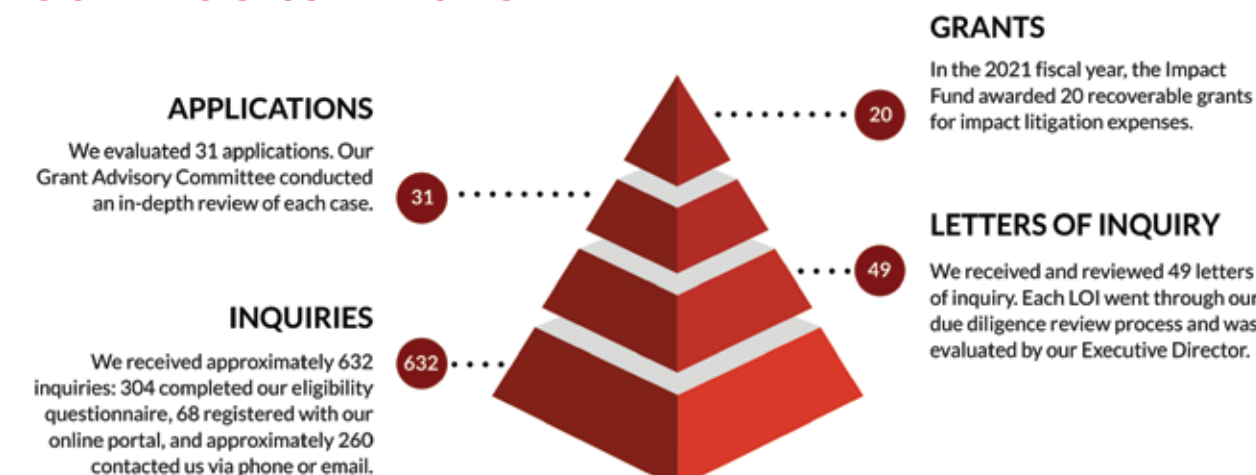
\$2M
CURRENTLY SUPPORTING

135
IMPACT CASES

WORKING THEIR WAY THROUGH THE JUSTICE SYSTEM

YEAR IN REVIEW

OUR PROCESS IN ACTION



In December, the court rejected Foster Farms' request for dismissal, allowing the case to proceed.



CLEAN WATER PROJECT GRANTEE SPOTLIGHT

Protecting Residents From an Industrial Agriculture Giant's Wasteful Water Use

IN RURAL LIVINGSTON, California, the community's predominantly Latinx and disproportionately low-income population has been made to take a backseat to its biggest business, Foster Farms.

While residents face water shortages that adversely impact their quality of life, Foster Farms' Livingston chicken slaughterhouse and processing plant use vast amounts of water for a particularly wasteful and inhumane method of slaughter that also results in diminished water quality in the region.

Already, the Animal Legal Defense Fund's lawsuit has passed an important hurdle: In December, the court rejected Foster Farms' request for dismissal, allowing the case to proceed. It now has the potential to make a real, tangible difference in the lives of vulnerable Livingston residents and Foster Farms workers.



Cristina Stella, *Managing Attorney*, Animal Legal Defense Fund

The Impact Fund made a grant of \$25,000 to support *ALDF v. Foster Poultry Farms*.



When the Department announced the first death of a patient in its custody, the press release included their “thoughts and prayers.” Our clients needed more.



Kathy Flaherty, *Executive Director*,
Connecticut Legal Rights Project

The Impact Fund made a grant of \$40,000 to support *Drummer v. State of Connecticut*.



Based on the judge’s ruling, we are moving forward with discovery, bringing the St. Clare’s pensioners one step closer to justice.



Victoria Esposito, *Advocacy Director*,
Legal Aid Society of Northeastern New York

The Impact Fund made a grant of \$11,000 to support *Hartshorne v. Roman Catholic Diocese of Albany*.

GRANTEE STORIES

CONNECTICUT LEGAL RIGHTS PROJECT

CONNECTICUT Legal Rights Project, Inc. (CLRP) provides legal representation to people who are eligible for mental health services from the State of Connecticut Department of Mental Health and Addiction Services. It was clear in early 2020, when the news first reported deaths of patients on psychiatric wards in South Korea, that their people would be impacted by this global pandemic.

On April 18, 2020, CLRP wrote a letter to Governor Ned Lamont and Attorney General William Tong asking that the state take action, to protect the safety and civil rights of patients in state-operated psychiatric facilities from COVID-19. No response was received to that letter. On that same day, CLRP filed a lawsuit in federal court to ensure that patient safety would be protected.

Thanks to the lawsuit, the state implemented most of the demands for infection prevention and control, reduction in census, and isolation and quarantine protocols.

Finally, in January 2021, staff were vaccinated, and plans were announced to begin vaccinations of patients in February and March of 2021. With almost all of the injunctive relief in place, the named plaintiffs agreed to dismiss the case without prejudice.

LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK

EMPLOYEES AT St. Clare’s Hospital, in Schenectady, New York, were told upon hire they would have a pension to look forward to. Unfortunately, after years of service, they experienced their pensions being reduced or eliminated. In 2016 the pensioners were told for the first time that the pension fund was running out of money and that their benefits would only last another eight to twelve years. Many of the pensioners were retired, and they could not afford to pay attorneys. In November 2018, they were abruptly informed that the retirement plan was being terminated. As of February 2019, about 440 pensioners’ payments were reduced significantly. The remaining pensioners received nothing.

The pensioners had not known that, because of the religious nature and mission of the hospital, the pension was a “church plan,” which was not federally insured and not subject to the safeguards of federal law. Little by little, the pensioners created their legal team and filed a case with 172 plaintiffs in *Hartshorne et al. v. Roman Catholic Diocese of Albany et al.* The Diocese and other defendants moved to dismiss the lawsuit. On July 15, 2020, the judge denied the motion, holding that the pensioners had shown that the diocese might be liable. Now the case is moving forward with discovery, bringing the St. Clare’s pensioners one step closer to justice.

GRANT UPDATES

FY21 Closed Grants



Houston’s outdated sewer system has sent millions of gallons of untreated sewage into the city’s waterways like Buffalo Bayou.

JUST EARTH GRANT SUCCESS STORY

In a Victory for Low-Income and BIPOC Communities, Court Orders Houston to Invest \$2B on Major Upgrades to Sewer System

IN 2018, Bayou City Waterkeeper uncovered thousands of Clean Water Act violations caused by the City of Houston’s sanitary sewer system. This led to serving the City of Houston with a notice of intent to sue under the Clean Water Act, which prompted the United States and the State of Texas to file an enforcement action two months later. In 2016, the Houston Chronicle reported lower-income communities and communities of color are “most likely to feel the consequences of Houston’s long-running struggle with sewer overflows.” A 2020 mapping and analysis confirmed this conclusion.

This spring, a federal judge in Texas approved a legal settlement requiring the City of Houston to spend \$2 billion on major upgrades to its sanitary sewer system. This settlement represents an important first step to giving Houston residents a real solution to the sewage problems we see and smell after every major rain.



Kristen Schlemmer, *Legal Director*, Bayou City Waterkeeper

The Impact Fund made a grant of \$7,500 to support *United States v. City of Houston*.

RISING TO THE CHALLENGE OF COVID-19

Hall v. U.S. Department of Agriculture

THE COVID PANDEMIC has fueled soaring rates of food insecurity and hunger, disproportionately harming those with the lowest incomes. Congress recognized the threat of widespread hunger and authorized emergency payments to households receiving food assistance through the Supplemental Nutrition Assistance Program (SNAP), also known as food stamps, in its initial COVID relief package in March 2020. When the U.S. Department of Agriculture denied this emergency food assistance to the poorest households, the Impact Fund teamed up with SNAP recipients Robin Hall and Steven Summers and the Western Center on Law and Poverty and filed a class action lawsuit on behalf of one million California households denied emergency SNAP benefits.

Shortly after President Biden's inauguration, he called on the USDA to review its policy of denying emergency SNAP allotments for the lowest-income households. Then, after ten months of litigation, our lawsuit resolved with a settlement that halted the harmful policy in California. That same day, the USDA announced a new policy that would provide emergency assistance to all households enrolled in SNAP.

Our settlement and the USDA's policy change mark a significant step toward addressing rising food insecurity amid a global health crisis.



"I feel so honored to fight for everyone like me." — Robin Hall, Plaintiff



"I hope this is a springboard for recognizing the shortcomings in SNAP and making more changes to combat hunger." — Steven Summers, Plaintiff

National Retail Federation v. California Department of Industrial Relations, Division of Occupational Safety & Health

Western Growers Association v. California Occupational Safety & Health Standards Board

CALIFORNIA'S EFFORT to establish emergency COVID workplace protections in November 2019 immediately came under attack in two lawsuits filed by employer groups led by the National Retail Federation and Western Growers Association. The Impact Fund, joined by a coalition of 17 other California legal services organizations, authored two sets of amicus briefs defending the state's Emergency Temporary Standards. While the employer groups argued that the state inappropriately used emergency rulemaking proceedings, we confronted them with two seemingly obvious realities: (1) the COVID pandemic is an unprecedented emergency that warranted rapid action to avoid serious harm to the public health and general welfare, and (2) COVID-specific workplace guidelines are necessary to protect the health of vulnerable low-wage workers. The trial court ruled in favor of the state and denied the requests of employer groups for a preliminary injunction, which kept the Emergency Temporary Standards in place.

One of the two lawsuits continued when the Western Growers Association appealed the trial court's ruling. The Impact Fund met them at the court of appeal, this time urging the appellate court to affirm the trial court's decision and uphold the Emergency Temporary Standards yet again.



Almost 5 million Californians have been infected by COVID-19. Workers need protection.



“Standing up for myself in this case is not only for me, but for all transgender people.” — Sergeant Paul

BUSINESS AS USUAL

New San Francisco Police Department Bulletin Prohibits Misgendering — Result of Settlement with Sergeant Flint Paul, Impact Fund, and Legal Aid at Work

AS A RESULT of last year’s landmark settlement on behalf of Sergeant Flint Paul, a transgender police officer who endured repeated misgendering by superior officers for more than a decade, the San Francisco Police Department adopted new protections for transgender and gender non-conforming employees. Sergeant Paul has served as a San Francisco police officer for over twenty-five years and was misgendered by multiple superior officers in personal interactions, in front of his colleagues, and over the department broadcast radio. The Impact Fund and co-counsel Legal Aid at Work represented Sergeant Paul in his internal complaints of unlawful harassment. The San Francisco Police Department’s new agency-wide Department Bulletin, implemented as part of the settlement, requires that all employees be addressed by their chosen name and appropriate pronouns. The Bulletin recognizes that even a single incident of misgendering can cause harm and declares that intentional or repeated misgendering can lead to disciplinary action.

O C Food & Beverage LLC v. Orange County, Florida

THE IMPACT FUND filed a second amicus brief defending local human rights ordinances in Florida in *O C Food & Beverage v. Orange County*. After last year’s trip to the state Court of Appeal, the trial court held that Orange County, Florida, properly adopted a local human rights ordinance and that the Florida Civil Rights Act did not preempt the county ordinance. On this second trip to the Court of Appeal, our brief urged the court to affirm the trial court’s ruling and preserve the authority of municipal agencies to adopt and enforce local human rights ordinances, protecting their communities from discrimination. Our brief describes the urgent need to address ongoing discrimination in Florida, the many critical protections provided by local human rights ordinances, and the well-established authority of local governments to enact protections against discrimination.



Many human rights ordinances across the state prohibit discrimination against vulnerable groups that are not protected by state law, including LGBTQ people, elderly tenants, and veterans.

TransUnion v. Ramirez

WHEN SERGIO RAMIREZ went to buy a Nissan in Dublin, California, a routine credit report contained an alert that his name matched a federal government list of persons subject to economic sanctions — a list that included “El Chapo” and Kim Jong-un. TransUnion had falsely flagged Ramirez.

Ramirez went on to represent 8,000 consumers in a class action challenging TransUnion’s practice of including inaccurate and damaging alerts in consumers’ files. A jury awarded Ramirez and the class millions of dollars in damages, but TransUnion appealed, arguing that Ramirez’s case was too strong for him to be a good representative for other class members. By the time *TransUnion v. Ramirez* reached the U.S. Supreme Court, the case involved vital questions of when a class action can go forward, with TransUnion arguing for an interpretation of the rules that would make it significantly harder to certify classes.

The Impact Fund and NAACP Legal Defense and Educational Fund, Inc. filed an amicus brief on behalf of ourselves and twenty-four other civil rights organizations. We challenged TransUnion’s interpretation and approach, which would have significant consequences for civil rights cases. The U.S. Supreme Court sent the case back to the court of appeals without ruling on the question addressed by our amicus brief and without adopting TransUnion’s interpretation of the rules.

Olean Wholesale Grocery Coop. v. Bumble Bee Foods LLC

A NINTH CIRCUIT PANEL created a new hurdle for class certification when it required plaintiffs to show that no more than a “de minimis” number of class members were uninjured to proceed as a class. When a judge on the Ninth Circuit asked their colleagues to vote on whether to rehear the case, the Impact Fund, along with our allies, filed an amicus brief in favor of rehearing.

Our brief argued that the panel decision was inconsistent with decades of Supreme Court and Ninth Circuit precedent. Requiring plaintiffs to show that only a “de minimis” number of uninjured class members exist at the time of class certification forces district courts to engage in an improper analysis. In August 2021, the Ninth Circuit vacated the panel opinion and ordered rehearing, giving the full court an opportunity to reconsider this harmful new class certification standard.



Sergio Ramirez’s trip to the dealership revealed he was wrongly flagged on a government watch list.



The full Ninth Circuit will review the panel’s harmful new class certification standard.

CUSTOMIZED TRAININGS

WHEN THE PANDEMIC forced us to rethink our training program, the Impact Fund saw an opportunity to not just adapt, but to thrive in a new virtual environment. As we moved online, our values came with us. We remain committed to building a robust, welcoming community founded on critical thinking, practical approaches, and risk-free engagement.

In addition to our annual Class Action Conference and Class Action Training Institute, the Impact Fund maintains an expanding roster of online trainings. We regularly partner with law firms and legal organizations to provide in-house trainings on practical legal skills and complex litigation strategies. In 2021 alone, the Impact Fund has reached over 400 attorneys at over 30 organizations.

As part of our mission and our duties as a California State Bar-funded Support Center, these trainings are provided free of charge to Qualified Legal Services Projects in California.

Take a look at some of our course offerings below, along with real reviews from attendees. If your group could benefit from an Impact Fund training, please contact us!

Effective Legal Writing – We’ve trained hundreds of attorneys and legal staff in writing for busy readers, writing in a team, and effective scheduling to achieve a persuasive final product.

“I think this is a great course for litigators, and it has a lot that can be applied to writing outside litigation as well.”

“One of the best MCLE’s I’ve been to... Thank you and please do more with this presenter on this topic! I am very grateful.”

“[T]his was a fantastic training! So helpful and wonderfully interactive!”

Litigation 101: Welcome to Lawyerland – An introduction to civil litigation, including a guided tour through the lifespan of a case, court structure, and appellate review.

“One of the best presentations I’ve seen, especially in the remote world. Knowledgeable and engaging presenter, useful resources, engaging games and polls.”

“I learned SO MUCH!!! Thank you so much for providing this training.”

“Content was accessible, exercises were relevant. This was a great training!”

Writing Effective Amicus Briefs – A primer on amicus strategy and considerations, including when to write, what issues to tackle, and who to team up with.

“Lindsay was incredibly knowledgeable, organized, informative, and kind.”

“All of the information was relevant. I enjoyed learning about how and when to use amicus.”

“Excellent and thorough, all parts were practical and useful, clearly presented.”

ORGANIZATIONS SERVED

ACLU of Southern California
 Bay Area Legal Aid
 Bet Tzedek
 California Rural Legal Assistance, Inc.
 Center for Gender and Refugee Studies
 Centro Legal de la Raza
 Equal Justice Society
 Family Violence Appellate Project
 Lambda Legal Defense and Education Fund
 Law Foundation of Silicon Valley
 Lawyers’ Committee for Civil Rights of the San Francisco Bay Area
 Legal Aid at Work
 Legal Aid Society of San Diego
 National Center for Lesbian Rights
 Neighborhood Legal Services of Los Angeles
 Oasis Legal Services
 Public Law Center
 UC Hastings
 Watsonville Law Center

IMPACT FUND Class Action Hall of Fame

Renee Amochaev
Elaine & Walter Barry
Guillermo Benitez
Vicki Butler
Kerrie Campbell
Lynne Coates
Jessy Cruz
Patrice Daniels
Mike Dragovich
D'Angelo Foster
Dustin Jones
Artie Lashbrook
Veronica Ollier Lewandowski
Sylvester McClain
Shannon O'Conner
Julie Reiskin
Christian Rodriguez
Lance Slaughter
Kim Stoddard
Amanda Underwood
Sara Wellens

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 25, 2021, at our Class Action Conference, we inducted Shannon O'Conner and Artie Lashbrook.



Shannon O'Conner | Case: *Re USC Student Health Center Litigation*

Shannon championed the claims of women who were sexually assaulted by Dr. George Tyndall over a period of 28 years at USC.

By coming forward, Shannon had to reveal what she had experienced to her family and friends, including her children. Shannon wrote a powerful opinion piece for the USC Daily Journal, and gave interviews for television and news stories, sharing her experience and explaining why the settlement would help other women reach closure and prevent the recurrence of similar incidents.

She showed thousands of other women they are not alone. The \$215 million settlement with USC includes a comprehensive series of reforms to protect women at USC.



Artie Lashbrook | Case: *Lashbrook v. City of San Jose*

Artie courageously came forward on behalf of tens of thousands of others to ensure that San Jose's pedestrian rights of way would be made accessible to all.

During the six-year negotiation, Mr. Lashbrook experienced periods of homelessness and serious health problems requiring hospitalization, amputation, and extended stays at rehabilitation facilities.

The settlement requires the City to construct and remediate approximately 90% of the City's curb ramps, resulting in a fully accessible curb ramp system.

Sadly, Artie passed away in November 2020 and was inducted to the Class Action Hall of Fame posthumously.

CY PRÈS

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 free consulting to those working in the field.

Our Distinct Programs: Through our Grants Program, we've provided over \$8 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 ninety 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:

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cy près [sī-prā]

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:

The Gardner Firm, P.C.

Reese, LLP

Sanford Heisler Sharp, LLP

The Tidrick Law Firm, LLP

Westerman Law Corp.

AFTER SUCCESSFULLY moving our Class Action Training Institute online in 2020, we returned to computer screens across the country for one of the most anticipated events in our annual training calendar. From selecting named plaintiffs and identifying class claims to discovery and preparing for class certification, all the way through mediation and settlement, the Institute takes a small group of students through every stage of a mock class action case. Building our hypothetical case gives students the technical skills and strategic knowledge needed to litigate class actions for social justice.

We received a record number of applications for the 2021 Institute sessions and were fortunate to be joined by 32 attorneys with varied legal specializations, years of practice, and geographic locations who contributed their diverse experiences to both Institute sessions.

Impact Fund's Executive Director, **Jocelyn D. Larkin**, and Director of Litigation and Training, **Lindsay Nako**, led both sessions, along with talented faculty members: **Felicia Gilbert** of Sanford Heisler Sharp, LLP; **Dara Schur** of Disability Rights California; **Robert Schug** of Nichols Kaster, LLP; and **Jason Marsili** of Rosen Marsili Rapp LLP. Guests included **Lance Slaughter**, named plaintiff in the class action *Slaughter v. Wells Fargo Advisors*; **Dustin Jones**, named plaintiff in the class action *Center for Independence of the Disabled New York v. MTA*; **Todd Jackson**, mediator and partner at Feinberg, Jackson, Worthman & Wasow; and **Hon. Carla M. Woehrle** (ret.), mediator and retired federal magistrate judge.

14TH ANNUAL CLASS ACTION TRAINING INSTITUTE



Congratulations to the Class Action Training Institute Class of 2021.

19TH ANNUAL CLASS ACTION CONFERENCE

2021 CHALLENGED the Impact Fund to re-envision its 19th Annual Class Action Conference as a virtual event. The Class Action Conference is the nation's only large gathering dedicated to bringing together plaintiff-side class action attorneys from private practice and nonprofits to learn, strategize, and build community. This year, our virtual format allowed us to bring the Conference to over 500 attorneys and advocates in 32 states.

Following tradition even in a year of uncertainties, the Conference kicked off with Executive Director Jocelyn D. Larkin's annual "lightning round" spotlight of the year's highs and lows in the world of class actions, Recent Developments in Class Action Law. After three substantive and topical panel discussions, we ended the day with lifted spirits, buoyed by the Good News Happy Hour – a roll call of good news and a chance for all Conference attendees to share case wins and positive developments from the year, granting us inspiration and a chance to celebrate the extraordinary members of our community.

We are grateful for the generosity of our presenters in giving the following panels:

We Notice (and Comment): The APA in the Trump Era and Beyond
Lindsay Nako, Impact Fund
Adam R. Pulver, Public Citizen Litigation Group
Ajmel Quereshi, NAACP Legal Defense & Educational Fund
Prof. Mila Sohoni, University of San Diego School of Law

I Know You're Out There: Representing Classes of Hard-to-Find People
E. Michelle Drake, Berger Montague
Ebony Brown, Southern Center for Human Rights
Brian Corman, Cohen Milstein Sellers & Toll PLLC
Araceli Martínez-Olguín, National Immigration Law Center

Working for Free? The Future of Class Representative Service Payments
Aaron J. Fischer, Law Office of Aaron J. Fischer
Suzanne E. Bish, Stowell & Friedman, Ltd.
Michelle A. Lamy, Lieff Cabraser Heimann & Bernstein, LLP
Jason C. Marsili, Rosen Marsili Rapp LLP

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



(Clockwise from top left) Brian Corman, E. Michelle Drake, Ebony Brown, and Araceli Martínez-Olguín present "I Know You're Out There: Representing Classes of Hard-to-Find People."

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Joseph Saveri Law Firm | Stowell & Friedman
Sugerman Law Office | Tycko & Zavareei

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 806 advocates. The group operates as confidential chat-list for plaintiff-side class action practitioners to share successes, progress, setbacks and challenges they encounter in their day-to-day practice.

We have helped to author and have signed on to many initiatives resisting the roll back of civil rights and other protections. Whenever and wherever civil rights and justice are under attack, Impact Fund is there to resist.

In California, we are part of a coalition pressing the Judicial Council to preserve the local bias complaint system especially at a time when our communities are collectively working to strengthen efforts to address bias, discrimination and harassment in our court system.

At the federal level we endorsed the following legislative efforts:

- Demilitarizing Local Law Enforcement Act
- The Equality Act
- Forced Arbitration Injustice Repeal Act (FAIR Act)
- For The People Act
- The John Lewis Voting Rights Advancement Act
- Women's Health Protection Act
- The Public Service Freedom to Negotiate Act
- Every Child Deserves a Family Act
- Jabara-Heyer NO HATE Act
- National Origin-Based Antidiscrimination for Nonimmigrants Act (NO BAN Act)

We also signed on to:

- Multiple efforts in support of Chinese and other Asian Americans in the fight against racial profiling and hate crimes.
- Statements denouncing the increase in antisemitic hate crimes.
- Public statements condemning white supremacy, urging a community centered response, and demanding real reform to combat hate.



Impact Fund endorsed the For The People Act.

- A coalition letter calling on companies to cut ties and stop funding the American Legislative Exchange Council (ALEC) due to ALEC's work to push anti-voter laws in the states and undermine our democracy.
- Efforts advocating for permanent expansion of the Child Tax Credit and Earned Income Tax Credit.
- Civil Rights Community Response to Attacks on the Right of Students to Learn About Historical and Ongoing Racial Oppression in the United States.
- A letter asking the Senate to end qualified immunity across the board.
- A letter to Congress asking that the Federal Trade Commission has the full range of equitable authority to curb unfair, deceptive, fraudulent and anticompetitive acts and practices.
- Guidelines for judges appointing lawyers to leadership positions in MDL and class action litigation.
- Children Thrive Action Network's policy principles to advance the wellbeing of children of immigrants in the United States.
- A letter urging House and Senate appropriators to double the funding for the Department of Education's Office for Civil Rights.
- A letter urging the Department of Education to make clear that discriminating against or harassing students based on their association with an LGBTQ+ family member is prohibited under Title IX.
- A letter supporting the full inclusion of transgender students, including in athletics.
- Civil Rights Principles for Safe, Healthy, and Inclusive School Climates.
- Civil Rights Principles for COVID-19 Vaccine Development and Distribution and opposed efforts to immunize businesses from coronavirus-related lawsuits.

We were also part of the coalition of organizers of the Day of Decision activities in the wake of the decision in *Fulton v. Philadelphia*.

We also 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.

We also continued to lobby for the reinstatement of HUD's former disparate impact rule.

The Impact Fund is a grateful member of the Leadership Conference on Civil and Human Rights and a Steering Committee member of California Voices for Civil Justice.



Studies show that militarized police units are more often deployed in Black communities.

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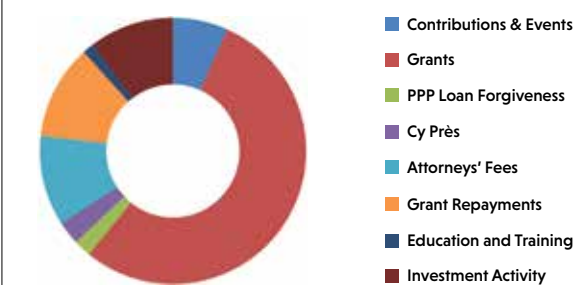
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FY20-21 FINANCIAL HIGHLIGHTS

UNAUDITED

INCOME		
Contributions & Events	\$264,505	16.63%
Grants	\$733,821	46.14%
PPP Loan Forgiveness	\$174,615	10.98%
Cy Près	\$83,221	5.23%
Attorneys' Fees	\$25,000	1.57%
Grant Repayments	\$165,501	10.41%
Education and Training	\$120,030	7.55%
Investment Activity	\$23,890	1.50%
Total	\$1,590,583	

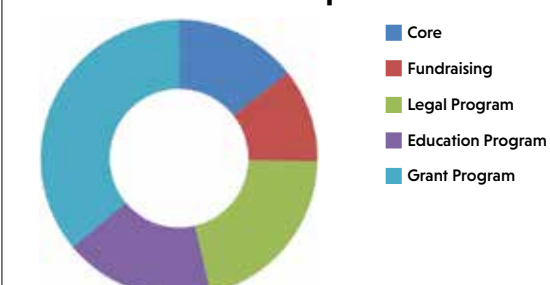
FY2019-2020 Income



EXPENSES

Core	\$309,343	15.61%
Fundraising	\$280,206	14.14%
Legal Program	\$517,344	26.10%
Education Program	\$345,439	17.43%
Grant Program	\$529,793	26.73%
Total	\$1,982,125	
Change in Net Assets	(\$391,542)	

FY2019-2020 Expenses



Due to COVID-19 our audit takes place later this year. For more information and a full copy of our audited financial statements contact us at impactfund@impactfund.org.

Because of the nature of litigation, attorneys' fees income is variable from year-to-year. In years when we receive more attorneys' fees income, those funds are invested and drawn down in years when we receive little or no attorneys' fees income.

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STAFF ENTRANCES

WELCOME...



Shayla Chandler, *Grant Program Associate*: We are very happy to have Shayla join our team. She is a Public Health graduate from the University of Washington and has a passion for serving communities.



Rianna Hidalgo, *Law Fellow*: In August we welcomed Rianna as our 2022 Law Fellow. Rianna is a recent graduate of Berkeley Law and brings a wealth of experience spanning legal work and journalism. Rianna will be completing a one-year fellowship with us before starting a judicial clerkship in fall 2022.



Erin Nunn, *HR/Finance Manager*: We are thrilled to have Erin join our team as the HR/Finance Manager. Erin comes to us with over two decades of experience managing finances for both non-profits and for-profit organizations.

INTERNS



Jenna Mowat, *Summer Law Clerk*: This summer we had the pleasure of welcoming Jenna as our Summer Law Clerk. Jenna attends Berkeley Law and is experienced in managing public advocacy campaigns and supporting public interest legal organizations providing critical services in California.



Gage Schrier, *Grants Intern*: This summer we had the pleasure of welcoming Gage Schrier as our first grant program intern. Gage currently studies at Middlebury College and is interested in writing, policy creation, and education.

TEAM IMPACT FUND

STAFF



THE STAFF TEAM Left to right, top to bottom: Jocelyn, Teddy, Erin, Ashley, Rianna, Drea, Kat, Shayla, Amy, Lindsay, Alex.

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Erin Nunn, *HR/Finance Manager*
Kat Vidt, *Paralegal*

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... AND FAREWELLS



Linda Gordon, *Grant Program Coordinator*: After three years on the grants team, Linda departed the Impact Fund this summer to attend law school at Berkeley Law. We are eager to see the impact she makes.



David Nahmias, *Staff Attorney*: After completing a two-year fellowship leading Impact LGBTQ, David continued his work with the Impact Fund as Staff Attorney. His keen eye and generous nature will be missed as he begins a judicial clerkship with the Northern District of California.



Andrea (Drea) Núñez, *Law Fellow*: Drea's fellowship came to a close in October. We are inspired by her commitment to advancing justice through public interest litigation. Drea will continue her legal career at a workers' rights law firm in Oakland.



Jason Soto, *HR/Finance Manager*: After many years of service, Jason moved on to new horizons. We wish him well with his future endeavors.