

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In re BLACK FARMERS
DISCRIMINATION LITIGATION

Misc. No. 08-mc-0511 (PLF)

This document relates to:
ALL CASES

DECLARATION OF ERIC J. SANCHEZ

I, Eric J. Sanchez, being duly sworn, declare as follows:

1. I have been employed by the Law Offices of James Scott Farrin ("Firm") since March 2000. Prior to that, I served for eight years in the active, reserve, and inactive reserve components of the United States Marine Corps, after which I was honorably discharged. I have a B.S. in Criminal Justice Administration and am presently enrolled at Northwestern University, where I am pursuing a M.A. in Public Policy and Administration.

2. During my employment at the Firm, I have developed and executed systems to deliver legal services in high volume environments, many of which require design and management of database platforms as well as data analysis. During my tenure here, I have been asked to assist numerous law firms across the country in analyzing data and developing systems for managing complex projects or voluminous client bases.

3. I have been working on the matter now known as *In Re Black Farmers Discrimination Litigation* since 2007. That work has included overseeing the Firm's client outreach, legislative, and administrative activities in this case. I have also served as Class Counsel's point person for many issues related to the case including data analysis, technology,

client communication, and ultimately, the development and implementation of the claims process.

4. I have been the person primarily responsible for setting up and overseeing the claims process in the case. Based on my interaction with various attorneys who worked in the *Pigford* process, as well as first-hand criticisms communicated to me by claimants who took part in that process, I concluded early on that there had been some significant problems with the *Pigford* claims process, including the process of communicating with claimants, the selection of venue/meeting locations, the organization of the meetings such that significant wait times resulted, and inadequate staffing of attorneys and paralegals assisting with claim forms. Class Counsel and I concluded that in order to provide the appropriate level of service to the Class Members in this case, the claim process for this case would require the scheduling of many more meetings and in more locations than in *Pigford*, would require considerably more lawyer and paralegal resources, and would need to be planned with both intricacy and sophistication.

5. The claims process in this case required extensive efforts. For example, we had to determine where to hold meetings so as to provide maximum efficiency and convenience for Class Members. To do so, I examined the longitude and latitude of the claimants' last known residential addresses and longitude and latitude of proposed or tentative claims process meeting locations. Based on this information, we were able to calculate the distance from each claimant's last known residence to a claims process meeting. This process enabled us to schedule at least one meeting within 75 miles of the last known address of more than 97% of claimants.

6. In addition to scheduling the meetings in locations convenient to Class Members, we had to staff and conduct the meetings in a manner which balanced convenience for claimants,

the opportunity for claimants to receive meaningful assistance from attorneys in filling out their claims forms, efficiency concerns, and the submission of proper forms and prevention of fraud. To further complicate things, these objectives had to be accomplished with multiple meetings often going on at one time at different locations across the country. This was a daunting challenge. It required access to Class Counsel's database, the Claims Facilitator's database,¹ scanning functionality, file transfer protocol access, and printing capability from all platforms. Additionally complicating factors included the need for the portability of facilitating equipment such as network printers, high volume scanners and portable "hot spots" to enable Internet access.

7. Finally, it was important that we continuously added improvements to the claims process as we gained experience with the process. This required ongoing extensive analysis and monitoring and close coordination with the Claims Administrator. For example, for the final week of the process, we developed a system to handle a maximum "surge" of claimants which included several days of meetings in five different locations.² Notably, on the final day of the process, Class Counsel arranged for representatives of Epiq to be physically onsite in the event there was either a rush of last-minute claimants or technological issues, to make certain that all claims prepared before the claim deadline would be deemed "timely" by the Claims Administrator Facilitator.

8. I have reviewed the Government's Brief in Opposition to Class Counsel's Updated Motion for Award of Attorneys' Fees and Expenses, and I am aware of their assertion on page 11 that this case was not "particularly unique, novel, or complex, and that there was very

¹ Maintaining separate databases with consistently changing data sets, created technically difficult challenges related to the synchronization of the data within the Class Counsel and Epiq Databases. I created a "sync" database to blend certain data points from the Class Counsel and Epiq Databases. This required a manual, daily import from both databases.

² Durham, NC; Florence, SC; Douglas, GA; Memphis, TN; Montgomery, AL; and Jackson, MS.

little original work to perform in this case.” I can attest, based on my personal experience, that this case required an immense amount of unique work of extraordinary complexity. I believe that Class Counsel planned the claims process with great care and sophistication and implemented the process with exceptional dedication and skill. We did not “copy” the Pigford claims process, but instead carefully built on what had worked well in *Pigford* and improved on it in significant ways. If these efforts appear in retrospect to the government to have been routine and not all that complex, I believe that is either due to their unfamiliarity with the process (as they took no part in it) or, more likely, is a testament to the fact that the careful planning and organization that we brought to the process, as well as the dedication and skill of Class Counsel, averted significant problems.

* * * * *

I declare that the foregoing declaration is true and correct to the best of my personal knowledge, information, and belief.



Eric J. Sanchez

Date

11/26/12