

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARIBEL MOSES, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

THE NEW YORK TIMES COMPANY, d/b/a
The New York Times,

Defendant.

Civil Action No.: 1:20-cv-04658-RA

Hon. Ronnie Abrams

**DECLARATION OF MARIBEL MOSES IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND MOTION FOR
ATTORNEYS' FEES, COSTS, EXPENSES, AND INCENTIVE AWARD**

I, Maribel Moses, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an adult over the age of 18 and a citizen of the State of California. I am a Class Representative in the lawsuit entitled *Moses v. The New York Times Company*, Case No. 1:20-cv-04658-RA, currently pending in the United States District Court for the Southern District of New York. I make this Declaration in support of (i) the Motion for Final Approval of Class Action Settlement, and (ii) the Motion for Attorneys' Fees, Reimbursement of Costs and Expenses, and An Incentive Award to the Class Representative. The statements made in this Declaration are based on my personal knowledge and, if called as a witness, I could and would testify thereto.

2. In or around August 2019, I purchased a monthly digital NYT Subscription from Defendant's website while in California. Between August 2019 and May 2020, Defendant charged me monthly renewal charges to my PayPal account, which I paid.

3. I assisted with the litigation of this case by detailing my NYT Subscription

account history and the associated renewal charges that I had paid. Specifically, I described to my lawyers my relationship as a subscriber with Defendant, the nature of the renewal charges, my sign-up process and associated disclosures, and a history of the charges I paid. I also provided my lawyers with documentation as to these items.

4. I worked with my attorneys to prepare the Class Action Complaint. I carefully reviewed the Class Action Complaint for accuracy and approved it before it was filed.

5. During the course of this litigation, I kept in regular contact with my lawyers. Specifically, I conferred with them regularly by phone and e-mail to discuss the status of the case. We also discussed case strategy, anticipated motions, forthcoming discovery issues, mediation, and the prospects of settlement. Furthermore, when appropriate, I informed my lawyers of additional facts for their research and consideration.

6. I also coordinated with my lawyers to search for documents that Defendant was likely to request in written discovery, including but not limited to copies of the acknowledgment email I received from Defendant upon enrolling in my NYT Subscription, the email I sent Defendant requesting cancellation, and PayPal receipt emails reflecting the dates on which I was charged renewal fees in connection with my NYT Subscription and the amounts of those charges. I was also prepared to testify at deposition and trial, if necessary.

7. My lawyers have kept me well informed regarding their efforts to resolve this matter. I was fully informed and involved regarding the parties' mediation and settlement efforts. I carefully reviewed the Settlement Agreement and discussed the material terms with my attorneys prior to signing.

8. Based on the interactions and my relationship with my attorneys, I believe they have fairly and adequately represented me and the Settlement Class and will continue to do so.

9. Throughout this litigation, I understood that, as a Class Representative, I have an obligation to protect the interests of other Settlement Class Members and not act just for my own personal benefit. I do not have any conflicts with other Settlement Class Members. I have done my best to protect the interests of other Settlement Class Members and will continue to fairly and adequately represent the Settlement Class to the best of my ability.

10. I estimate that I spent approximately 30 hours working with my lawyers on this case.

I declare under penalty of perjury that the above and foregoing is true and accurate.

Executed this 1st day of July, 2021, at Los Angeles, CA.

Maribel Moses

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