EXHIBIT 3

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Interim Class Counsel and Plaintiffs' Executive Committee

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

IN RE USC STUDENT HEALTH CENTER LITIGATION	No. 2:18-cv-04258-SVW [Consolidated with: No. 2:18-cv-04940- SVW-GJS, No. 2:18-cv-05010-SVW-GJS, No. 2:18-cv-05125-SVW-GJS, and No. 2:18-cv-06115-SVW-GJS] **DECLARATION OF ANNIKA K. MARTIN IN SUPPORT OF PLAINTIFFS' NOTICE OF MOTION AND RENEWED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND TO DIRECT CLASS NOTICE**

I, ANNIKA K. MARTIN, declare under penalty of perjury as follows:

1. I am a partner at the law firm of Lieff, Cabraser, Heimann & Bernstein LLP, and serve as Interim Class Counsel in this consolidated action. I submit this declaration in support of Plaintiffs' Notice of Motion and Renewed Motion for Preliminary Approval of Class Action Settlement and to Direct Class Notice. I have personal knowledge of the facts set forth below, and if called upon to do so, could and would testify competently thereto.

2. Throughout the course of this case, Interim Class Counsel has interviewed and met with hundreds of women who attended USC and who were injured by Dr. Tyndall's abusive conduct.

3. We also consulted with several experts who specialize in the trauma and emotional impacts resulting from sex abuse and gender-based violence, including several who had been involved with prior lawsuits based on similar sexual misconduct.

4. It became clear from those conversations that Dr. Tyndall engaged in a range of sexually inappropriate and abusive activity with Class members, and that his misconduct affected Class members in different ways.

5. Among the experts we spoke with was the Hon. Irma Raker (one of the proposed candidates for Special Master here), who oversaw and administered the claims process in the *Johns Hopkins* litigation. There, Judge Raker oversaw the adjudication of approximately 9,000 class members who submitted claims. Based on her experience with *Johns Hopkins* and in other cases, Judge Raker expressed her opinion that assigning specific dollar amounts to specifically defined injuries was not a fair or productive way to resolve a case like this. Instead, it is far preferable to have an adjudication process that allows awards to be tailored to the experience of each Class member.

6. We also consulted with Dr. Glenn Lipson, a forensic psychologist with expertise in the emotional and psychological effects of sexual abuse and assault. Dr. Lipson has explained that a range of factors can affect a person's response to abuse or trauma—even when the abuse or trauma is similar—including that person's background, prior experiences, and values.[1]

7. Based on those conversations and consultations, when it came time to discuss resolution of this case, we determined it would not be practical or ideal to generate a list of all possible injuries and assign dollar value to each. Although doing so would be simpler in some ways, it would fail to adequately account for the variety of ways different women experienced the same misconduct.

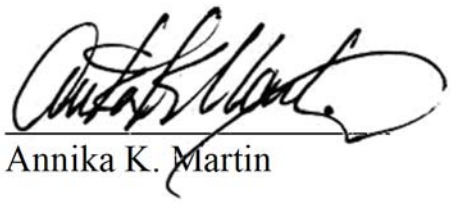
8. Accordingly, we used the information we learned from Class members and experts to craft the three-tiered system based on Class members' choice of engagement level, and assigning award ranges for each level. Then the three-person Panel will conduct a holistic review of each Tier 2 and Tier 3 claim, and determine an award amount for each within the applicable Tier range.

9. While it would be administratively simpler to rotely apply a dollar value to each kind of conduct (e.g. $X for inappropriate comments, $Y for unnecessary pelvic exam), such a rigid approach would fail to account for the range of ways different women experienced the same misconduct. That is the reason Class Counsel, with the input and guidance of the experts, crafted a process that allows for more flexible compensation based on the details of each Class member's experience.

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[1] *See, e.g.*, Jennifer G. Long, National District Attorneys Association, Office on Violence Against Women, *Introducing Expert Testimony to Explain Victim Behavior in Sexual and Domestic Violence Prosecutions* (Aug. 2007), available at https://www.forensichealth.com/wp-content/uploads/2016/10/pub_introducing_expert_ testimony.pdf; Jerald Monahan, POLICE CHIEF MAGAZINE, *The Effect of Cultural Bias on the Investigation and Prosecution of Sexual Assault*, available at http://www.policechiefmagazine.org/the-effect-of-cultural-bias-on-the-investigation/.

I declare under penalty of perjury that the foregoing facts are true and correct and that this declaration was executed this 17th day of May, 2019.



Annika K. Martin