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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

NATHANIEL JOHNSON and KRISTEN  
PETRILLI, ABRAHAM NIETO; GLORIA  
and CHARLES LEWIS; FABIAN and  
MARIE PATRON, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

vs.

KB HOME, a Delaware corporation;  
COUNTRYWIDE FINANCIAL  
CORPORATION, a Delaware corporation;  
COUNTRYWIDE HOME LOANS, INC., a  
New York corporation; COUNTRYWIDE  
MORTGAGE VENTURES, LLC, a  
Delaware company; COUNTRYWIDE-KB  
HOME LOANS, an unincorporated  
association of unknown form, LANDSAFE,  
INC., a Delaware corporation; LANDSAFE  
APPRAISAL SERVICES, INC., a California  
corporation; and DOES 1 through 1000,

Defendants.

No. CV-09-972-PHX-FJM

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

This matter comes before the Court on Plaintiffs' Motion for Class Certification,  
filed on January 19, 2010. Pursuant to Federal Rules of Civil Procedure 23(a) and  
23(b)(3), Plaintiffs requested entry of an Order certifying the following Class:

1 All consumers in the “Southwest” segment of KB’s  
2 operations (Arizona and Nevada) who purchased a home  
3 from KB Homes and whose loans were through the  
4 Countrywide, or a KB entity or the Countrywide-KB joint  
5 venture at any time since the creation of the Countrywide-KB  
6 Criminal Enterprise and the date of judgment in this action.

7 Plaintiffs further requested entry of an Order appointing them as Class representa-  
8 tives and designating Plaintiffs’ counsel as counsel for the Class. Upon review of the  
9 pleadings and the briefs herein, and after consideration of the arguments presented by  
10 counsel, the Court finds as follows:

11 1. The proposed Class is of sufficient size and geographical dispersion that  
12 joinder of all Class members is impracticable, thus satisfying Fed. R. Civ. P. 23(a)(1);

13 2. There are questions of law and fact common to the Class, thus satisfying  
14 Fed. R. Civ. P. 23(a)(2);

15 3. Plaintiffs’ claims are typical of the claims of the Class, thus satisfying Fed.  
16 R. Civ. P. 23(a)(3);

17 4. Plaintiffs and their counsel will fairly and adequately protect the interests of  
18 the Class, thus satisfying Fed. R. Civ. P. 23(a)(4);

19 5. The questions of law and fact common to the Class predominate over any  
20 questions affecting only individual members, thus satisfying Fed. R. Civ. P. 23(b)(3); and

21 6. A class action is superior to other available methods for the fair and  
22 efficient adjudication of the controversy, satisfying Fed. R. Civ. P. 23(b)(3).

23 Therefore, it is hereby ORDERED that Plaintiffs’ Motion for Class Certification is  
24 **GRANTED.**

25 1. The Class, as defined above, is certified under Fed. R. Civ. P. 23(b)(3);

26 2. Plaintiffs Nathaniel Johnson and Kristen Petrilli; Abraham Nieto; Gloria  
27 and Charles Lewis; Fabian and Marie Patron are hereby appointed representatives of the  
28 certified Class;

3. Hagens Berman Sobol Shapiro LLP is appointed Class Counsel; and

4. The parties are ordered to meet and confer regarding a proposed Notice

1 Plan, and submit a Joint Proposal Regarding Notice of Pendency of Class Action no later  
2 than 30 days after entry of this Order.

3 IT IS SO ORDERED.

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