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10 and MURIEL SPOONER, on behalf of themselves
and all others similarly situated

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14
15 JOYCE WALKER, KIM BRUCE
HOWLETT, and MURIEL SPOONER,
16 on behalf of themselves and all others
similarly situated,

17 Plaintiffs,

18 v.

19 LIFE INSURANCE COMPANY OF
THE SOUTHWEST, a Texas
20 corporation,

21 Defendant.

CLASS ACTION

CASE NO.: CV 10-9198 JVS (RNBx)

Formerly Case No.: 3:10-cv -04852 JSW
from Northern District of California

**DECLARATION OF LESA
DINGLASAN SUBMITTED UNDER
RULE OF COMPLETENESS IN
RESPONSE TO DECLARATION OF
CAITLIN MONAHAN CONCERNING
POLICY FILE REVIEW**

District Judge James V. Selna

Date: May 20, 2013
Time: 1:30 p.m.
Courtroom: 10C

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1 I, LESA DINGLASAN, declare:

2 1. I am a paralegal employed by Kasowitz, Benson, Torres & Friedman,
3 LLP, counsel for Plaintiffs Joyce Walker, Kim Bruce Howlett, and Muriel Spooner
4 (collectively, "Plaintiffs") in these proceedings. I submit this declaration pursuant
5 to the rule of completeness, Federal Rule of Evidence 106, in response to the
6 Declaration of Caitlin Monahan Concerning Policy File Review ("Monahan
7 Declaration"), which was submitted by Defendant Life Insurance Company of the
8 Southwest ("LSW") in response to the Court's April 12, 2013 Order to Show
9 Cause. I have personal knowledge of the facts stated herein and if required could
10 and would testify under oath thereto.

11 2. I have personally reviewed Ms. Monahan's declaration, the exhibits
12 attached thereto, and the 13 specific policy files she discusses in her declaration.

13 3. The policy file excerpts attached as Exhibit A to the Monahan
14 Declaration consist of a copy of an illustration for Policy No. LS0248396.
15 Attached hereto as Exhibit A is a true and correct copy of the policy application for
16 Policy No. LS0248396, in which the sales illustration certification box is not
17 checked.

18 4. The policy file excerpts attached as Exhibits B and E to the Monahan
19 Declaration consist of copies of two policy applications and "six different
20 illustrations" for Policy No. LS0152759. *See* Monahan Dec. ¶13. Attached hereto
21 as Exhibit B is a true and correct copy of the Agent's Report for Policy No.
22 LS0152759, which states that an illustration was used.

23 5. The policy file excerpts attached as Exhibit C to the Monahan
24 Declaration consist of copies of two applications from the file for Policy No.
25 LS0171145. Attached hereto as Exhibit C is a true and correct copy of the Agent's
26 Report for Policy No. LS0171145, which states that an illustration was used.

27 6. The policy file excerpts attached as Exhibit D to the Monahan
28 Declaration consist of copies of an application and two illustrations from the file

1 for Policy No. LS0237539. Attached hereto as Exhibit D is a true and correct copy
2 of the Agent's Report for Policy No. LS0237539, which states that a computer
3 illustration was used.

4 7. The policy file excerpts attached as Exhibit F to the Monahan
5 Declaration consist of copies of two illustration signature pages for Policy No.
6 LS0175010. Attached hereto as Exhibit E is a true and correct copy of the Agent's
7 Report for Policy No. LS0175010, which states that the sales software was used.

8 8. The policy file excerpts attached as Exhibit G to the Monahan
9 Declaration consist of copies of an application and a separate application signature
10 page from the file for Policy No. LS0181364. Attached hereto as Exhibit F is a
11 true and correct copy of the Agent's Report for Policy No. LS0181364, which
12 states that no sales materials were used. There is no sales illustration present in the
13 file for Policy No. 181364.

14 9. The policy file excerpts attached as Exhibit I to the Monahan
15 Declaration consist of a copy of an illustration from the file for Policy No.
16 LS0185741. Attached hereto as Exhibit G is a true and correct copy of the Agent's
17 Report for Policy No. LS0185741, which states that an illustration was used.

18 10. The policy file excerpts attached as Exhibit J to the Monahan
19 Declaration consist of a copy of an illustration from the file for Policy No.
20 LS0188390. Attached hereto as Exhibit H is a true and correct copy of the Agent's
21 Report for Policy No. LS0188390, which states that a sales illustration was used.

22 11. The policy file excerpts attached as Exhibit K to the Monahan
23 Declaration consist of three pages of an illustration for Policy No. LS0178299,
24 which was produced by LSW on or around October 24, 2011 as part of the initial
25 sample of 400 policies, bearing Bates numbers LSW00047863-LSW00047865,
26 which Ms. Monahan testifies is "an illustration that is missing pages." Monahan
27 Dec. ¶19. Attached hereto as Exhibit I are true and correct copies of the complete
28 sales illustration from the file for Policy No. LS0178299 (produced by LSW in or

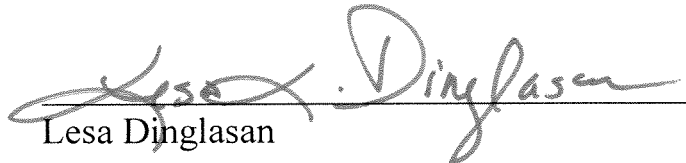
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1 around February 2012), which was created and signed by the policyholder on the
2 date of policy application (October 8, 2008); the Agent's Report for Policy No.
3 LS0178299, which states that an illustration was used; and the policy application
4 for Policy No. LS0178299, in which the sales illustration certification box is not
5 checked.

6 12. The policy file excerpts attached as Exhibit M to the Monahan
7 Declaration consist of a copy of a policy application for Policy No. LS0204769.
8 Attached hereto as Exhibit J are true and correct copies of a sales illustration from
9 the file for Policy No. LS0204769, which was created and signed by the
10 policyholder on or before the date of policy application (September 30, 2009); and
11 the Agent's Report for Policy No. LS0204769, which states that an illustration was
12 used.

13 13. The policy file excerpts attached as Exhibit N to the Monahan
14 Declaration consist of a copy of internal correspondence from the file for Policy
15 No. LS0202372. Attached hereto as Exhibit K is a true and correct copy of the
16 Agent's Report for Policy No. LS0202372, which states that an illustration was
17 used.

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19 I declare under penalty of perjury that the foregoing is true and correct.
20 Executed this 8th day of May, 2013 at San Francisco, California.

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23 Lesa Dinglasan

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