



TRUTH TO POWER

2020 • ANNUAL REPORT

 **IMPACT FUND**



IMPACT FUND

Strategic Litigation for Social Justice

Our *mission* is to provide grants, advocacy, and education to support impact litigation on behalf of marginalized communities seeking economic, environmental, racial, and social justice.

Our *vision* is a more equitable world where everyone can achieve justice.

We oppose police brutality and structural racism in our streets, our prisons, our schools, our workplaces, and our justice system: Black Lives Matter. We are committed to addressing these issues through our own work and by supporting strategic litigation that will force systemic change now.

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WELCOME FROM THE EXECUTIVE DIRECTOR



This year has been the most remarkable year that many of us have ever lived through. Our communities have experienced losses of every conceivable kind: countless families have lost loved ones to the worst pandemic in a century; neighborhoods have been beset by police violence, a symptom of generations-old systemic racism; the newly unemployed have found themselves in long lines at their local food banks; school children have traded classrooms and playgrounds for small computer screens on which their teachers heroically attempt the impossible. And, in a painful and all too familiar pattern, these burdens again fall disproportionately on communities of color.

It is all the more painful because so much could have been different. With ethical and competent national leadership, we could have been unified behind a call for shared sacrifice that would both acknowledge these losses and the weight of grief that so many must bear, but also inspire us to a new vision for the future.

Despite the abysmal failure of those entrusted with political leadership, we do have reason for hope. This year, we have seen countless people willing to stand up and speak truth to power. We have witnessed government doctors unwilling to distort the science for political ends. We have marveled at journalists bravely confronting lies and bombast with tenacity and facts. We have applauded lawyers working tirelessly to stop efforts to suppress the vote or skew the census. We have supported protesters fearlessly standing up day after day to assert that Black Lives Matter.

If nothing else, 2020 has given us clarity. We must work together every day to create our lives anew. We must take nothing for granted – not a bagful of groceries made possible by the work of dozens of essential workers, not a day with good air quality, not a smile and a wave from a neighbor.

I have been so grateful to wake up every day knowing that I would go to our virtual office alongside the extraordinary team at the Impact Fund and do the work that is represented in the pages of this Annual Report.

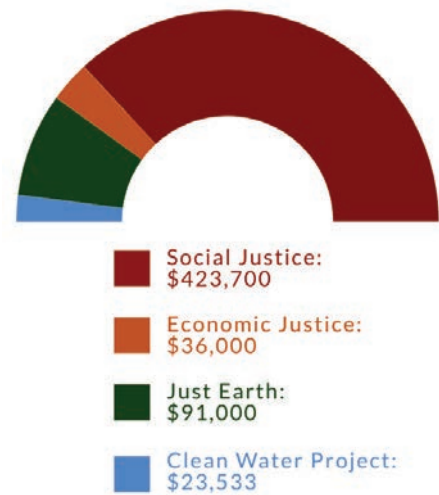
Wishing you and your family peace and safety.

A handwritten signature in black ink that reads "Jocelyn Larkin". The signature is fluid and cursive.

Jocelyn D. Larkin
Executive Director, Impact Fund

GRANT PROGRAM

To better support the impact litigators and activists performing critical work during these unprecedented times, the Impact Fund increased our grantmaking flexibility and the availability of Rapid Response funds during our 2020 fiscal year. As part of this effort, we have supported impact litigation directly challenging racial injustice, prisoner abuses, trans injustice, COVID-related issues, and environmental justice issues such as toxic drinking water and failed wastewater systems. In the next few pages, we share just a few of the amazing stories from our portfolio of open grants, which has grown to a historic high of 119 cases, including the 27 new grants made this past year. We are filled with gratitude for our many supporters who make this work possible, and for our Grant Advisory Committee, whose deep expertise ensures we are supporting the cases best poised to make the lasting, systemic change that is so needed today.



NEW GRANTEES

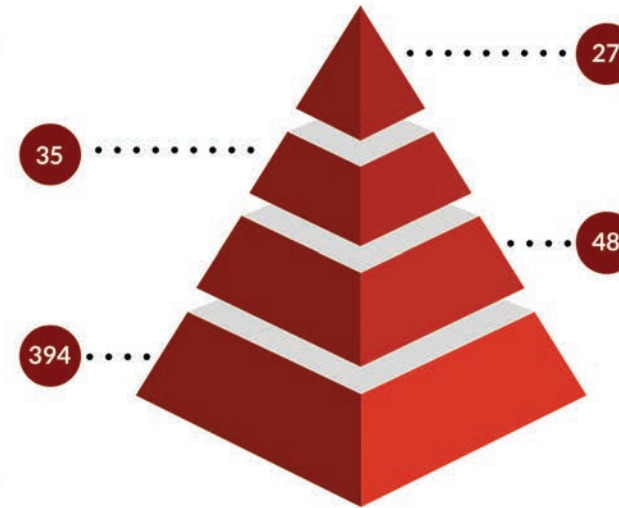
Bayou City Waterkeeper • Brady Center to Prevent Gun Violence • California Coastkeeper Alliance • Capital Area Immigrants' Rights Coalition • Catholic Legal Immigration Network, Inc. • Center for Justice • Children's Advocacy Institute • Community Justice Project • Community Legal Services, Philadelphia • Connecticut Legal Rights Project, Inc. • Environmental Defense Alliance • Environmental Law Foundation • Global Environmental Trust • Heiltsuk Tribal Council • Law Office of Yolanda Huang • Leadership Counsel for Justice & Accountability • Legal Aid Service of Broward County • Legal Aid Society of Northeastern New York • Mountain State Justice • Native Hawaiian Legal Corporation • New Mexico Environmental Law Center • New Jersey Coalition for Diverse and Inclusive Schools, Inc. • Northeast Legal Aid • Promise of Justice Initiative • Southern Legal Counsel • Transgender Law Center • WaterLegacy

YEAR IN REVIEW

Our Process in Action

APPLICATIONS
We evaluated 35 applications. Our Grant Advisory Committee conducted an in-depth review of each case.

INQUIRIES
In the 2020 fiscal year, we received 394 inquiries: 173 completed our eligibility questionnaire, 77 registered with our online portal, and approximately 144 contacted us via phone or email.



GRANTS
In the 2020 fiscal year, the Impact Fund awarded 27 grants.

LETTERS OF INQUIRY
We received 48 LOIs via our online portal. Each LOI went through our due diligence review process and was evaluated by our Executive Director.

Just Earth Grantee Spotlight

Martin County, Kentucky Residents Say "Enough" to Expensive, Unsafe Drinking Water



Mary Cromer, Deputy Director and Environmental Attorney, Appalachian Citizens' Law Center



Mary Cromer and Nina McCoy at a Kentucky Public Service Commission hearing

Nina McCoy, a retired teacher, has not trusted her drinking water for decades. Nina and other residents of Martin County, Kentucky, have been warned of carcinogens and nervous system disruptors in their water for the last 20 years, and they are regularly required to boil their water.

Despite problems accessing safe drinking water, residents of Martin County pay some of the highest water bills in Kentucky. Many residents simply cannot afford these water bills, as 40% of the population makes less than \$25,000 per year. Frustrated by this situation, Nina founded the Martin County Concerned Citizens (MCCC) to hold local and state leaders accountable.

As Appalachian Citizens' Law Center Deputy Director, I have represented MCCC since 2017. As intervenors, we have been able to shine a spotlight on the abuse that was occurring, leading to the resignation of all the members of the local water district board and termination of the district manager. Rooting out these bad actors was a necessary first step.

Based largely on evidence provided in an affordability analysis report we published last year, the Kentucky Public Service Commission ordered the water district to hire an outside company to take over all daily operations, but to do so without a rate increase. We are now watchdogging the private management company to ensure that the company's spending is in check.

It will be a long road before Martin County has safe, affordable drinking water, but thanks to the tireless work of Nina McCoy, MCCC, and ACLC, there is hope that this community will see meaningful change.

Mary Cromer, Deputy Director and Environmental Attorney, Appalachian Citizens' Law Center

The Impact Fund has made a grant of \$10,000 to the Appalachian Citizens' Law Center to support litigation on behalf of Martin County Concerned Citizens.

GRANTEE STORIES

Promise of Justice Initiative



Brian Humphrey should have been a free man from the moment he was sentenced by a judge in Bossier Parish, Louisiana. He had already spent time in jail while waiting to be sentenced, and the judge gave him credit for that time served — enough to cover his entire sentence. He should have been released immediately that day, but instead, the sheriff took Brian back to the jail and transferred him to a prison two days later. He waited in that prison for nearly a month, until the state finally realized

that he had no time to serve. When he was finally released, 27 days had passed since his legal release date.

What happened to Brian was not an aberration; it's not even unusual in Louisiana. The Louisiana Department of Public Safety & Corrections "overdetains" thousands of people each year, holding them past their legal release dates — some for a few days, some (like Brian) for weeks, and some for months... or even years. Brian is now the named plaintiff in the Promise of Justice Initiative's class action lawsuit against the Louisiana Department of Corrections Secretary, James LeBlanc. With Supreme Court case law on their side, PJI will demonstrate that Louisiana's imprisonment of people for months after they are entitled to release flagrantly violates the laws of Louisiana and the United States, and places those incarcerated at an exacerbated health risk for COVID-19.



Rebecca Ramaswamy, Staff Attorney, Promise of Justice Initiative

The Impact Fund made a grant of \$45,000 to support *Humphrey v. Leblanc*, brought by the Promise of Justice Initiative.

Legal Aid Society of Northeastern New York

Stealing retirees' hard-earned pension benefits after a lifetime of work is another form of wage theft. In Schenectady, New York, more than 1,000 former employees of St. Clare's Catholic Hospital have been robbed of their pension payouts by the St. Clare's Corporation, an organization under the same leadership, which succeeded St. Clare's Hospital when it closed in 2008. In October 2016, the corporation informed all employees that their pension, which they had been told was fully funded, vested, and safe, was nearly out of money and the plan was being terminated.

Within months of this announcement, attorneys at the Legal Aid Society of Northeastern New York heard from hundreds of former employees whose lives were upended by this news. In some cases, pensioners have had to sell their homes and been forced to rely on charity to survive. In September 2019, LASNNY filed a lawsuit on behalf of approximately 1,100 people whose lives have been devastated by St. Clare's deception. The case seeks to restore significant lost income to all former employees impacted and establish case law that will benefit millions of Americans who have lost or who stand to lose pensions held in underfunded and uninsured church plans.

Victoria Esposito, Advocacy Director, Legal Aid Society of Northeastern New York



The Impact Fund made a grant of \$11,000 to support *Isolda v. St. Clare's Corporation*, brought by the Legal Aid Society of Northeastern New York.

GRANT UPDATES



Just Earth Grant Success Story

A Victory for Citizen Science Along the Gulf Coast: Nurdles, Zero Discharge, and \$50M



Amy Johnson and Erin Gaines, attorneys at Texas RioGrande Legal Aid

Diane Wilson is a former shrimper and fisherwoman who has been fighting the pollution generated by Formosa Plastics Corporation in Point Comfort, Texas, for almost three decades. For the past three years, our team at Texas RioGrande Legal Aid has represented Wilson in a lawsuit challenging Formosa for violating the Clean Water Act by illegally discharging billions of plastic "nurdles" and powder into Cox Creek and Lavaca Bay on the Gulf of Mexico. These small plastics endangered health and livelihoods of several largely low-income communities throughout Lavaca Bay.

For years volunteer waterkeepers collected more than 2,000 water samples to prove the presence of plastic in the bay and use as evidence in Texas RioGrande's case against Formosa. Some of these residents were former plant employees who left Formosa because of their concerns about the chemical releases.



Diane Wilson leads the charge against Formosa Plastics pollution

On December 6, 2019, U.S. District Judge Kenneth M. Hoyt approved a \$50 million environmental settlement between Formosa and the plaintiffs. This settlement — the largest ever from a Clean Water Act suit filed by private individuals — will fund pollution mitigation projects near the Formosa facility and requires Formosa to stop all discharge of plastics into nearby waterways.

A settlement of this size and complexity sends a powerful message that polluters will suffer significant consequences for discharging plastics into our waterways and that engaged residents can hold them accountable. This is an especially important message for our current era — when plastic pollution of our oceans is hitting crisis levels.

Amy Johnson and Erin Gaines, attorneys, Texas RioGrande Legal Aid

The Impact Fund made two grants to Texas RioGrande Legal Aid totaling \$60,000 to support their case, *San Antonio Estuarine Waterkeeper v. Formosa Plastics Corporation*.

SNAP! IMPACT FUND IS FIGHTING

Hall v. U.S. Department of Agriculture

In March, as the COVID-19 pandemic spread, food prices began to rise, and grocery shelves emptied, Congress passed the Families First Coronavirus Response Act and authorized emergency food assistance through the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps). But the Trump Administration determined that those with the lowest incomes — and greatest need — would not receive any additional benefits.



Skyrocketing demand has made it difficult for the Berkeley Food Network to provide enough food for everyone who needs it.



Because of the pandemic, Plaintiff Robin Hall can no longer access the free meals she used to supplement her SNAP benefits. Without additional food assistance, she will go hungry.



Impact Fund argues that USDA's interpretation puts additional pressure on free and low-cost meal providers like local food banks.

Impact Fund teamed up with the Western Center on Law & Poverty to represent Plaintiffs Robin Hall and Steven Summers and a proposed class of the one million California households that have been denied emergency food assistance. Together, we are challenging the administration's attempt to deny critical food benefits to vulnerable families. The case is pending.

RISING FOOD INSECURITY IN AMERICA

21% Percentage of California families facing food insecurity during the pandemic.

Number of California households deprived of emergency food assistance. **1.02 million**

688,000 Number of Americans who could lose their food stamps because of new Trump Administration regulations on "able-bodied adults."

Victory in District of Columbia v. U.S. Department of Agriculture



Adults who receive SNAP benefits for more than a few months must satisfy strict work requirements, unless they or their state can show that they are unable to work or that jobs are limited. A new rule from the Trump Administration threatened to force thousands of people to meet work requirements or risk losing their benefits.



On October 18, Judge Howell invalidated the rule in a complete victory for these SNAP recipients. The nineteen states that successfully challenged the rule in the federal District Court for the District of Columbia, relied in part on an amicus brief from Impact Fund, Western Center on Law & Poverty, Pillsbury Winthrop Shaw Pittman LLP, and 27 California-based legal and anti-hunger organizations that described the rule's potentially dire implications in California.

IMPACT LGBTQ: TACKLING CRUCIAL ISSUES

Fighting for Transgender Rights

Maddie Wade was an eight-year Starbucks employee in Fresno when she came out as transgender. After asking to be called by her female name and pronouns, her supervisor instead misnamed and misgendered her, cut her hours, and stopped supporting her advancement. We joined Arnold Peter of Peter Law Group as appellate counsel in *Wade v. Starbucks Corp.* to appeal Maddie's discrimination and harassment case in the California Court of Appeal. We completed briefing this year, and the appeal is pending.



"The role that organizations like the Impact Fund play is critical to the sustained success of LGBTQ employees all around the U.S." — Plaintiff Maddie Wade

Educating Attorneys and Workers



We've trained over **500** lawyers and workers at **11** bar associations and **8** nonprofit organizations on the laws that protect the LGBTQ community from discrimination.

This summer's webinar on "California LGBTQ Employment Rights" featured attorneys from the Impact Fund; ACLU of Southern California; California Rural Legal Assistance, Inc.; and Legal Aid at Work.

FOR VULNERABLE LGBTQ WORKERS

Supporting Winning Cases



On local civil rights protections...

Our amicus brief in *Yanes v. O.C. Food and Beverage* in the Florida Court of Appeal, authored with the National Center for Lesbian Rights and Equality Florida Institute, described the importance of municipal non-discrimination ordinances to LGBTQ Floridians and other vulnerable groups. The court reversed a ruling striking down one such law.

...to discrimination against LGBTQ workers... In the monumental decision *Bostock v. Clayton County*, the U.S. Supreme Court ruled that Title VII forbids discrimination based on sexual orientation and gender identity. Last year, we filed an amicus brief with the National Employment Lawyers Association on behalf of civil rights and workers' rights groups.



...to restroom access for transgender students. We joined the National Women's Law Center's brief in *Adams v. School Board of St. John's County* to support equal access to gender-specific facilities for all students. The Eleventh Circuit affirmed a verdict that the school board violated the Constitution and Title IX when it denied Drew Adams, a transgender student, access to the men's room.

"The role that organizations like the Impact Fund play is critical to the sustained success of LGBTQ employees all around the U.S."
— Plaintiff Maddie Wade

RESPONSE TO COVID-19

The sudden onset of the coronavirus pandemic compounded the struggle for access to justice and we responded immediately, filing new litigation while working from home, changing our grantmaking priorities and systems, and celebrating our Annual Gala virtually!



According to California Association of Food Banks, nearly one in eight people in California face food insecurity, and demand for emergency food has risen as much as 70% in recent months. *Photos courtesy of California Association of Food Banks.*

Courthouse News Service

Feds Sued for Limiting Emergency Food Stamps for Californians

Impact Fund filed *Hall v. U.S. Department of Agriculture* challenging the government's interpretation of a COVID-19 relief bill, which we argue unfairly burdens the lowest-income SNAP recipients.



Low-cost meal providers like local food banks and soup kitchens are experiencing unprecedented demand. *Photos courtesy of SF-Marin Food Bank.*

Free and low-cost meal providers, like local food banks, have faced unprecedented demand and operational hurdles related to coronavirus.



We made a grant of \$40,000 to Connecticut Legal Rights Project in a class action against two state psychiatric hospitals for immediate injunctive relief to mitigate patient death and infection from COVID-19.



Grant Program COVID-19 Response

Throughout the coronavirus pandemic the Impact Fund Grant Program has remained steadfast in our support of impact cases and the communities and attorneys behind them. To meet this moment we implemented the following changes to our program:



Increased Availability of Rapid Response Grants



Increased Flexibility with Grant Application Deadlines



Streamlined Requests for Expense Type Adjustments



Increased Flexibility with Grant Report Deadlines



COVID-19 has exacerbated health risks for prisoners across the United States. We provided a grant to the Promise of Justice Initiative for a class action addressing this very problem for thousands of inmates in Louisiana, who were held for days, weeks, or even months beyond their release dates.

SUMMER WEBINAR SERIES

The Impact Fund offers a rich compendium of legal instruction through our annual Webinar Series, a growing collection of bite-sized practical skills trainings in both new and emerging areas of law as well as evergreen litigation skills. CLE credit and reduced non-profit rates are available.

Popular recent installments of the series include:

- **Clean Water 101: The Fight for Safe Drinking Water in California**, presented by **Camille Pannu** (UC Irvine School of Law) and **Phoebe Seaton** (Leadership Counsel for Justice & Accountability) as part of the **Clean Water Project**, and provided free to advocates working in water justice.
- **Recent Developments in LGBTQ Employment Discrimination Law**, presented by Impact Fund’s **Lindsay Nako** and **David Nahmias**, as part of the **Impact LGBTQ initiative**.
- **Writing Effective Amicus Briefs**, presented by **Aimee Feinberg** (California Department of Justice, Solicitor General’s Office) and **Lindsay Nako**.



Recordings of all webinars can be found at www.impactfund.org. Stay tuned for more!

CLASS ACTION TRAINING INSTITUTE



Class Action Training Institute is the foundation of the Impact Fund’s comprehensive attorney training program, guiding a small group of attorneys through the stages of a mock class action case. From selecting named plaintiffs to preparing for class certification motions, discovery, and settlement, students learn about class actions and explore case strategy in an immersive, collaborative environment.

This year, the Training Institute went virtual! Our veteran instructors, Impact Fund’s Executive Director **Jocelyn D. Larkin** and Director of Litigation and Training **Lindsay Nako**, co-faculty **Robert Schug**, partner at

Nichols Kaster LLP and **Jason Marsili**, partner at Rosen Marsili Rapp LLP, along with veteran guest mediator **Hon. Carla M. Woehrlé** (Ret.), brought the course to life over Zoom.

Our sixteen participants hailed from different places and practice areas, yet shared a fierce commitment to justice and systemic change. Even without common physical space, we created a meaningful community for investigation, analysis, and support. We are proud to continue building this unique nationwide network of public interest litigators that endures far beyond the Institute itself.

Impact Fund is indebted to the many practitioners who contribute to our training program and generously share their expertise with the public interest legal community

CLASS ACTION CONFERENCE



Sarah E. Siskind, Miner, Barnhill & Galland, P.C., who challenged a major polluter to protect clean air; and **Joseph Wardenski**, Relman Colfax PLLC, who fought a Medicaid exclusion of gender-affirming healthcare.

In the only gathering of its kind, more than 200 plaintiff-side class action attorneys and advocates came together in San Francisco to swap strategies, learn collaboratively, and build community at the Impact Fund’s 18th Annual Class Action Conference.

The Conference kicked off with our annual introductory program designed for attorneys newer to class action practice, Rule 23 Class Action Basics, presented this year by **Lisa Bixby** of Legal Aid at Work and **David Nahmias** of Impact Fund, followed by Executive Director **Jocelyn D. Larkin**’s annual update on Recent Developments in Class Action Law, a must-see “lightning round” of the year’s events. Impact Fund grantees inspired us with lessons learned from their successful impact cases, including **Gail Evans**, New Mexico Center on Law & Poverty, who fought for equal access to meaningful public education;

Thank you to everyone who presented at this year’s conference, including **Angelica Ornelas**, Bleichmar Fonti & Auld LLP; **Andrew P. Lee**, Goldstein, Borgen, Dardarian & Ho; **Peter Rukin**, Rukin Hyland & Riggan LLP; **Relic Sun**, Outten & Golden LLP; **Anna Rivera**, Barajas & Rivera, APC; **Linda M. Dardarian**, Goldstein, Borgen, Dardarian & Ho; **Tim Fox**, Civil Rights Education and Enforcement Center; **Robert L. Schug**, Nichols Kaster, PLLP; **Matthew Warren**, Western Center on Law & Poverty; **Lindsay Battles**, Kaye McLane Bednarski & Litt, LLP; **Cindy Pánuco**, Public Counsel; **Lesley E. Weaver**, Bleichmar Fonti & Auld LLP; **Prof. Stephen Lee**, UC Irvine School of Law; **Leslie A. Brueckner**, Public Justice; **Kalpna Kotagal**, Cohen Milstein Sellers & Toll PLLC; **Jon Taylor**, Gupta Wessler PLLC; **Nadia Dahab**, Innovation Law Lab; **David Hausman**, Stanford University; **Cecillia Wang**, ACLU; **Prof. Catherine Albiston**, UC Berkeley School of Law; **Prof. Niloufar Salehi**, UC Berkeley School of Information; **Galen Sherwin**, ACLU Women’s Rights Project; and **Christine E. Webber**, Cohen Milstein Sellers & Toll PLLC.

We thank all of this year’s sponsors, panelists, and attendees for your dedication to holding corporate and government power accountable and to creating a more just society through the courts. The 2021 Class Action Conference will be held virtually — we hope to see you there!

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27TH ANNIVERSARY GALA

OCTOBER 21, VIA ZOOM

Honoree



Jill Wine-Banks

Jill Wine-Banks is a trailblazer and a pioneer. She is currently an MSNBC Legal Analyst, appearing regularly on primetime and daytime shows. She also appears on PBS, Canadian and Australian networks, Sirius XM, NPR and other radio shows, including Stephanie Miller's, and podcasts. She first caught the public's eye as one of the three Assistant Watergate Special Prosecutors, where she was the only woman. Since then she has served as General Counsel of the U.S. Army under President Carter as well as the first woman to serve as Executive Vice President and Chief Operating Officer of the American Bar Association. Her most recent book, *The Watergate Girl*, is a bestseller.

We honored her for her public service and her commitment to social justice.

Grantee Honorees



Children's Rights:

M.B. v. Corsi

Earlier this year, a US District Court judge gave final approval to a ground-breaking settlement in a case brought by **Children's Rights** on behalf of more than 13,000 children in Missouri foster care who were subject to the widespread and often dangerous use of psychotropic medications. The state will now turn to implementing reforms that will make sure that these powerful drugs are only administered when necessary.

SANDY SANTANA
EXECUTIVE DIRECTOR
CHILDREN'S RIGHTS



Texas RioGrande Legal Aid

San Antonio Bay Estuarine Waterkeeper and S. Diane Wilson v. Formosa Plastics

On December 6 last year, U.S. District Judge Kenneth M. Hoyt approved a \$50M settlement between Formosa Plastics Corp. and the Plaintiffs that will fund pollution mitigation projects near Formosa's Point Comfort, Texas, facility. The agreement is the largest ever settlement of a Clean Water Act suit filed by private individuals. The settlement also requires Formosa to meet a stringent standard known as "zero discharge," in which the Point Comfort facility must stop all discharge of plastics into nearby waterways. In his ruling, the Judge described Formosa as a

ERIN GAINES
STAFF ATTORNEY "serial offender" and wrote that its violations of the Clean Water Act were "extensive, historical, and repetitive."



Our Children's Trust

Juliana v. United States

Twenty-one youth filed a constitutional climate lawsuit in the U.S. District Court for the District of Oregon in 2015. Since filing, the case has been through many twists and turns and visits to the Ninth Circuit. The Trump administration has resorted to drastic tactics, including several writs of mandamus, to silence the voices of youth and keep science out of the courtroom.

JULIA OLSON
EXECUTIVE DIRECTOR &
CHIEF LEGAL COUNSEL

We look forward to seeing you next year, we hope on May 11, 2021

IMPACT FUND

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CLASS ACTION HALL OF FAME

2020 Inductee

On February 21, at our annual Class Action Conference, we inducted one more civil rights hero into the Class Action Hall of Fame — lead plaintiffs whose commitment and determination has led to significant advances in economic, environmental, racial and social justice.

This year’s inductee was Renée Amochaev, who challenged pervasive and systemic discrimination against women on Wall Street. Empowering not just herself, but also her colleagues, three generations of women on Wall Street joined together to hold Smith Barney accountable. The case settled in 2008 and included substantial injunctive and monetary relief. Her commitment and determination led to significant advances in social justice:

- *“Renée is a remarkable woman who refused to play along with the ‘boys’ club’ culture of Wall Street. Her sacrifice in leading the charge, not just for herself, but for the hundreds who suffered in silence is what makes her a class action hero.”*
– Jocelyn Larkin, Impact Fund Executive Director
- *“I couldn’t believe what was happening; I realized I was not alone. During some of my darkest hours, moments I was ready to quit everything, random women from across the nation still employed at Smith Barney and other firms found me, contacted me by phone and email late at night and weekends to encourage and beg me not to give up.”*
– Renée Amochaev
- *“Taking on powerful corporations is not for the faint-hearted. Overnight, Renée was locked out of her accounts, stripped of her livelihood and had her office relocated to the deep hinterlands of the building where she was isolated from coworkers. Thankfully, the retaliation only strengthened her resolve and that’s why she deserves our thanks and recognition.”*
– Helen Kang, Chair, Impact Fund’s Grant Advisory Committee

The Impact Fund Class Action Hall of Fame was conceived in 2016 as a way to acknowledge the exceptional courage and sacrifice of lead plaintiffs in civil rights class actions. We’re grateful to be bringing the faces of class action litigation to the fore.



“If you don’t like it,” I was repeatedly told, “get out or you’re going down.”
–Renée Amochaev

MOVEMENT BUILDING & ISSUE ADVOCACY

Our team members present seminars and trainings nationally and frequently speak on impact litigation, civil rights, and class actions.

We serve as a clearinghouse for our community, providing hundreds of hours of free consulting. We also host an online community, the Impact Fund Class Action Forum: a unique resource for 785 advocates. The group operates as a confidential chat-list for plaintiff-side class action practitioners to share successes, progress, setbacks and challenges they encounter in their day-to-day practice.

We have helped to author and have signed on to many initiatives resisting the rollback of civil rights and other protections. Whenever and wherever civil rights and justice is under attack, Impact Fund is there to resist.

We were part of the successful campaigns in California to:

- Extend the time for filing harassment and discrimination claims with the Department of Fair Employment and Housing, from one to three years.
- Pass the Gender Equity in Education Act, which will ensure that state-funded institutions of higher education in California have adequate processes in place to prevent and respond to sexual harassment, including sexual violence.

At the federal level we signed on to efforts to enhance the Congressional Accountability Act, and endorsed the following legislative efforts:

- The Public Service Freedom to Negotiate Act
- Every Child Deserves a Family Act
- The Jabara-Heyer NO HATE Act
- The Equality Act

All three pieces of legislation have been introduced in the House.

We also signed on to the Civil Rights Principles for Safe, Healthy, and Inclusive School Climates.

With respect to COVID-19, we signed on to the Civil Rights Principles Informing a Post COVID-19 World and a letter to Congress about worker protections.

We also continued to oppose rescinding HUD’s disparate impact rule (which ultimately proved unsuccessful), the Department of Labor’s proposed rule that would allow federal contractors to discriminate against workers if a contractor claims that it is acting in accordance with its religious tenets, and a new Health & Human Services rule stripping sexual orientation data collection on foster youth, parents, and guardians from its foster care and adoption data system.

We are part of the continuing campaigns supporting a clean budget, the Equality Act, and the Voting Rights Advancement Act.

The Impact Fund is a grateful member of the Leadership Conference on Civil and Human Rights.



The Jabara-Heyer NO HATE Act remembers Khalid Jabara (top), who was shot and killed on his front porch by a neighbor and Heather Heyer (above), brutally slain in Charlottesville in 2017.



The Equality Act seeks to prohibit discrimination against LGBTQ people.



THANK YOU TO OUR DONORS

Thank you to our generous donors without whom our work in advancing economic, environmental, racial, and social justice would not be possible. Your support helps to build a fairer and more just society.

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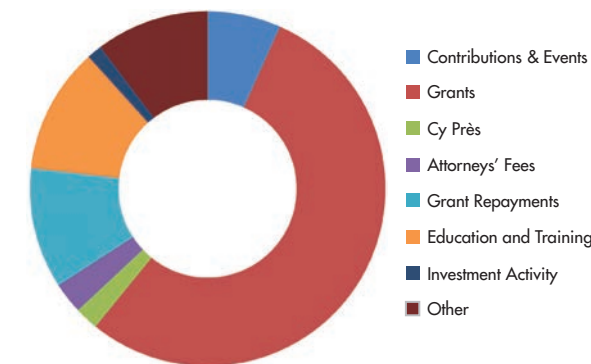
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This list is of gifts of \$100 or more made in the preceding 15-month period, as of 10.2.20.

FY19-20 FINANCIAL HIGHLIGHTS UNAUDITED

INCOME		
Contributions & Events	\$118,421	6.69%
Grants	\$959,285	54.17%
Cy Près	\$38,043	2.15%
Attorneys' Fees	\$50,217	2.84%
Grant Repayments	\$194,696	10.99%
Education and Training	\$203,796	11.51%
Investment Activity	\$24,326	1.37%
Other	\$182,119	10.28%
Total	\$1,770,903	

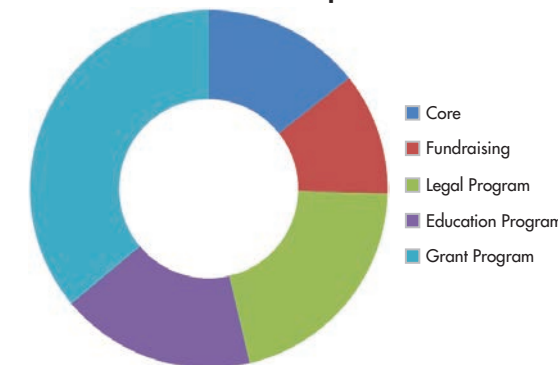
FY 2019-2020 Income



EXPENSES

Core	\$318,487	14.38%
Fundraising	\$243,818	11.01%
Legal Program	\$463,695	20.94%
Education Program	\$389,476	17.59%
Grant Program	\$798,969	36.08%
Total	\$2,214,445	
Change in Net Assets	(\$443,542)	

FY 2019-2020 Expenses



NOTE: Due to COVID-19 our audit takes place later this year. For more information and a full copy of our audited financial statements contact us at impactfund@impactfund.org.

TEAM IMPACT FUND

STAFF ENTRANCES AND EXITS

Welcome...



Alex Lara: Alex joined the Impact Fund as our new Social Impact Business Analyst with a B.A., Economics from UC Davis and a robust background in marketing strategy and research.



David Nahmias: We are beyond thrilled to announce that David joined our team as a permanent Staff Attorney following the completion of his fellowship in August 2020.



Andrea (Drea) Núñez: Drea earned her J.D. from Berkeley Law this year and joined us in the fall as our new Law Fellow. Previously, Drea taught at Miami-Dade County Public Schools.

...and farewell...



David Harris: After completing his 2L at Berkeley Law, David spent 10 weeks with us as our Summer Intern. We wish David all the best and are eager to see where his passion for social justice takes him.

STAFF



THE STAFF TEAM LEFT TO RIGHT AND ROW BY ROW: Ashley LaFranchi, Teddy Basham-Witherington, Kat Vidt, David Nahmias, Amy Daniewicz, Jason Soto, Linda Gordon, Lindsay Nako, Alex Lara, Jocelyn D. Larkin, and Andrea Núñez.

Jocelyn D. Larkin, *Executive Director*
Teddy Basham-Witherington, *Deputy Director*
Amy Daniewicz, *Grant Program Director*
Lindsay Nako, *Director of Litigation and Training*
Linda Gordon, *Grant Program Coordinator*

Ashley LaFranchi, *Development and Executive Assistant*
Alex Lara, *Social Impact Business Analyst*
David Nahmias, *Staff Attorney*
Andrea (Drea) Núñez, *Law Fellow*
Jason Soto, *HR/Finance Manager*
Kat Vidt, *Paralegal*

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GRANT ADVISORY COMMITTEE

The board members listed above, together with:

Caroline Farrell
Elissa Gershon

Kathleen Guneratne
Michael Harris
Alan Ramo

Thomas A. Saenz
Patricia Shiu

This year we said goodbye to long-time members **Arlene Mayerson**, **Abby Ginzberg**, **Dara Schur**, and **Marc Van Der Hout**. We welcomed Andrew P. Lee and Jason C. Marsili to the Board of Directors and Grant Advisory Committee along with Mario M. Moya to the Board and Elissa Gershon to the GAC.



Andrew P. Lee joined Goldstein, Borgen, Dardarian & Ho as an associate in March 2013 and became a partner in 2015. His practice focuses on wage-and-hour, disability discrimination, and consumer class actions. He is a 2006 graduate of U.C. Hastings College of the Law. Andrew is a frequent volunteer at the Legal Aid Society – Employment Law Center’s Workers’ Rights Clinic, the Asian Law Caucus’ Workers’ Rights Clinic, and the Lawyers’ Committee for Civil Rights’ Second Chance Legal Clinic.



Jason C. Marsili obtained his Juris Doctor and his Masters of Dispute Resolution from Pepperdine University School of Law in 2004. Jason’s practice focuses on class and collective wage and hour litigation on behalf of both unrepresented and unionized employees involving violations of the FLSA and state law. Jason handles individual matters concerning medical leaves, employment discrimination, sexual harassment, and wrongful termination as well as labor-management relations and executive compensation.



Mario M. Moya has built a thriving legal practice based on sound counsel and tenacious, strategic advocacy. Mario’s practice encompasses a wide range of legal matters on behalf of individuals and companies nationwide. His extensive experience litigating and resolving complex business disputes is complemented by his experience providing advice and counsel to clients in a variety of business settings.



Elissa Gershon served as Litigation Counsel at Disability Rights California, where she led litigation and policy efforts in healthcare and community integration and handled *Olmstead* and public benefits cases in federal and state court. She has led or worked on class action and impact lawsuits to improve access to Medi-Cal in-home nursing and attendant care, and to expand community-based support instead of institutional care. She is notably knowledgeable about public benefits that enable people with disabilities to receive services in home and community-based settings.

We Hope to See You in 2021!

19th Annual Class Action Conference
Virtual
February 25-26, 2021

Annual Gala
Westin St. Francis, Union Square, San Francisco
May 11, 2021

Training Institute
Oakland: September 8-10, 2021
Los Angeles: September 22-24, 2021

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