

1 Paul Alexander (C.S.B. #49997)
2 Emily Wood (C.S.B. #260382)
3 ARNOLD & PORTER KAYE SCHOLER LLP
4 10TH Floor
5 Three Embarcadero Center
6 San Francisco, CA 94111-4024
7 Telephone: (415) 471-3122
8 Facsimile: (415) 471-3400

9 Attorneys for Plaintiffs

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

11 CALIFORNIA DENTAL ASSOCIATION, a
12 California Corporation,
13 RICHARD W. BARNES, D.D.S.;
14 ROBERT E. REED, D.D.S.;
15 DEAN SCHWEITZER, D.D.S.;
16 GERALD MIDDLETON, D.D.S.;
17 WHITNEY JOHNSON, D.D.S.;
18 TERRENCE Y. LAU, D.D.S.; and
19 BARBARA M. HAWTHONE, D.D.S.,
20 individually and on behalf of all others
21 similarly situated

22 Plaintiffs,

23 vs.

24 DELTA DENTAL OF CALIFORNIA, a
25 California Corporation,

26 Defendant.

Case No.: CGC-14-538849

DECLARATION OF DEBI IRWIN

Date: April 21, 2017

Time: 9:00 a.m.

Judge: Hon. Mary E. Wiss

Dept.: 305

I, Debi Irwin, hereby declare as follows:

1. I am the Interim Executive Director of CDA Foundation. I have served in that capacity since November, 2016, and have been personally aware of and familiar with the operation of the CDA Foundation for many years before that. I have personal knowledge regarding the nature of CDA Foundation and its programs, including the Student Loan Repayment Program described in

1 this declaration. The matters set forth herein are based upon my own personal knowledge as set
2 forth below.

3 2. CDA Foundation is a separate California corporation established in 1998 in as a public
4 benefit corporation under California law. It qualifies for tax exempt status under I.R.C.
5 § 501(c)(3). While it is related to the California Dental Association (CDA), it is a separately
6 managed corporate entity and operates in the public interest, not for the interest of CDA. The
7 mission of CDA Foundation is stated as follows:

8 Our mission is to improve the oral health of all Californians by supporting the dental
9 profession in its efforts to meet community needs. Oral health is critical to the total health
10 and well-being of an individual. For young children, it means they won't live with pain or
11 miss school. For adults, it can enhance employment outcomes, improve their overall health
12 and quality of life and, for many, restore dignity.

12 CDA Foundation receives donations and grants and acts on behalf of the dental profession
13 in California broadly. Its programs and activities are not restricted to members of CDA. CDA
14 Foundation derives its financial support from a broad range of professionals and organizations that
15 operate with and serve the dental profession and the oral health needs of California residents.

16 3. CDA Foundation offers financial support to dental professionals and community-based
17 organizations statewide in a variety of ways, including educational grants. One of the significant
18 educational grants that CDA Foundation makes is known as the Student Loan Repayment Grant,
19 which originated in 2002. Membership in CDA is not considered in deciding who should receive
20 these grants each year. The information requested of an applicant for this grant does not include
21 whether or not the applicant is a member of CDA. Rather, the primary criteria for being considered
22 to receive a Student Loan Repayment Grant are that the individual have graduated from an
23 accredited dental school within three years of applying for the grant, that he or she has incurred
24 significant student loan debt in order to attend an accredited dental school, and that he or she
25 commit to serve an underserved community in California in a specified way. The Student Loan
26 Repayment Grant program is accurately described on the CDA Foundation website as follows:

27 To offset some of the financial burden, the CDA Foundation awards grants to select recent
28 dental school/specialty graduates. These grants facilitate career choices by repaying their
educational loan of up to \$35,000 per year for a maximum of \$105,000 over three years in

1 exchange for a commitment by recipients to care for the underserved. Often, it's the
2 difference that makes the impossible possible.

3 Additionally, the Webb Family Grant provides the grant runner-up with an award of up to
4 \$5,000 towards education expenses.

5 Program goals are designed to immediately reduce barriers to access oral health care
6 services in targeted underserved communities and populations as well as establish an
7 ongoing mechanism to provide dental professionals an opportunity to reduce their financial
8 burden while working in these communities.

9 In addition, a print-out of the current web page describing the Student Loan Repayment Grant is
10 attached to this declaration as Exhibit A.

11 5. The availability of the Student Loan Repayment Grant is widely published and circulated
12 publically including not only on the CDA Foundation website but also at dental schools throughout
13 California. In my experience, the availability of this grant to students who have significant dental
14 school debt and a desire to serve underserved communities is broadly known. Moreover,
15 application for the grant is freely and publicly available through the CDA Foundation website.

16 6. In my experience as one directly responsible for and knowledgeable about the CDA
17 Foundation and the Student Loan Repayment Grant, this grant is generally regarded as a benefit to
18 any graduating dentist who has graduated from an accredited dental school within three years of
19 applying for the grant, regardless of membership in CDA. This program serves dental professionals
20 in California generally and is not limited to CDA members, nor is it intended to confer a benefit on
21 CDA. To the contrary, its purpose and effect is to provide a means for any California dentist with
22 significant student debt who wishes to serve an underserved community in California to have the
23 opportunity to do so.

24 I declare under penalty of perjury that the foregoing is true and correct to the best of my
25 knowledge, information and belief.

26 Executed in Sacramento, California on April __, 2017.


27 
28 Debi Irwin

EXHIBIT A



Grants & Awards

Grants

Student Loan Repayment Grant

Webb Family Grant

Dental Materials & Supplies Grant

Awards

Student Loan Repayment Grant

Making it possible to make a difference. The weight of student loan debt can make a career in public or community health nearly impossible for new dentists. To offset some of the financial burden, the CDA Foundation awards grants to select recent dental school/specialty graduates. These grants facilitate career choices by repaying their educational loan of up to \$35,000 per year for a maximum of \$105,000 over three years in exchange for a commitment by recipients to care for the underserved. Often, it's the difference that makes the impossible possible.

Additionally, the Webb Family Grant provides the grant runner-up with an award of up to \$5,000 towards education expenses.

Program goals are designed to immediately reduce barriers to access oral health care services in targeted underserved communities and populations as well as establish an ongoing mechanism to provide dental professionals an opportunity to reduce their financial burden while working in these communities.

Impact

Since 2002, the program has enabled 17 dentists to



With a desire to provide patients with quality dental care regardless of their financial status, 2016 Student Loan Repayment Grant recipient Dr. Habiba Ismail now practices at the Metro Health Station in Los Angeles (Los Angeles County), California.

Past Recipients

2016 - Dr. Habiba Ismail

2015 - Dr. Sonia Relingo

2014 - Dr. Aisha Amin

2013 - Dr. Stephanie Calvillo

2012 - Dr. Kongsab Hatlavongsa

2011 - Dr. Adriana Ustarez-Oji

2010 - Dr. Vanessa Franks

2010 - Dr. Luis Rivera

2009 - Dr. Siri Ziese

2009 - Dr. Jose Torres

2008 - Dr. Teri Ly

2008 - Dr. Isaac Navarro

2008 - Dr. Alvaro Ochoa

2007 - Dr. Nam Hoang

Donate Now

Guidelines

Apply

Open May 1 - July 31

Watch the video



Checking in with 2013 grant recipient Stephanie Calvillo, D



Contact

Jolene Murray
Operations Manager
916.554.4929
Email [✉](#)

embrace their dream of working in public health and helped nearly 90,000 patients in underserved communities to receive more than \$24 million in care.

2007 - Dr. James Forester
California Dental Association
2003 - Dr. Ceila Mendaza
2002 - Dr. Mao Her-Flores

TDIC CDA Foundation

TDIC



- [Donate](#)
- [Ways to Give](#)
- [About Us](#)
- [Contact Us](#)
- [News & Activities](#)
- [CDA Cares](#)
- [Scholarships & Grants](#)
- [Student Loan Repayment Grant](#)
- [Education & Training](#)
- [Resource Library](#)

CDA Foundation
1201 K Street, 15th Floor
Sacramento, CA 95814
800.232.7645

The California Dental Association Foundation is a 501(c)(3) tax-exempt corporation. Contributions are tax-deductible to the extent of the law.

Tax ID number is 68-0411536.