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8 *Attorneys for Plaintiff,*
9 Jeffrey A. Almada

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 **JEFFREY A. ALMADA, on behalf of**
13 **himself and all other similarly**
14 **situated class members,**

15 **Plaintiff,**

16 **v.**

17 **KRIGER LAW FIRM, A.P.C.,**

18 **Defendant.**

CASE No. 3:19-cv-02109-TWR-MDD

**DECLARATION OF ABBAS
KAZEROUNIAN IN SUPPORT OF
PLAINTIFF’S UNOPPOSED
MOTION FOR ATTORNEYS’
FEES, COSTS AND SERVICE
AWARD**

**KAZEROUNI
LAW GROUP, APC**

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I, ABBAS KAZEROUNIAN, declare:

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2 1. I am one of the attorneys for the Plaintiff Jeffrey A. Almada (“Plaintiff”) and
3 the class in this action, against Defendant Kriger Law Firm, A.P.C. (“Kriger”
4 or “Defendant”).
- 5 2. I am over the age of 18 and am fully competent to make this declaration.
- 6 3. If called as a witness, I would competently testify to the matters herein from
7 personal knowledge. The declaration is based upon my personal knowledge,
8 except where expressly noted otherwise.
- 9 4. I was admitted to the State Bar of California in 2007 and have been a member
10 in good standing ever since that time. I have litigated cases in both state and
11 federal courts in California, Washington, Nevada, Arizona, Arkansas, New
12 York, New Jersey, New Hampshire, Colorado, Tennessee, Ohio, Florida,
13 Illinois, Nebraska, Virginia, Minnesota and Texas. I am admitted in every
14 federal district in California and have handled federal litigation in the federal
15 districts of California. I am also admitted to the state bars of Texas, Illinois,
16 Colorado, New York, Washington, Michigan, District of Columbia, the Ninth
17 Circuit Court of Appeals, the Eighth Circuit Court of Appeals, and the
18 Supreme Court of the United States.
- 19 5. I submit this declaration in support of Plaintiff’s Motion for Attorneys’ Fees,
20 Costs and Service Award, in this action for alleged violations of Fair Debt
21 Collection Practices Act, 15 U.S.C. § 1962, *et seq.* (“FDCPA”), and the
22 Rosenthal Fair Debt Collection Practices Act (“RFDCPA”), Cal Civ. Code
23 Section 1788.17, *et seq.*
- 24 6. I am a founding partner at Kazerouni Law Group, APC.
- 25 7. I have been preliminarily appointed as one of the Class Counsel in this action.
- 26 8. On March 21, 2022, the Parties attended a full-day mediation session with Mr.
27 Doug Glass, Esq. of Signature Resolution (“Mr. Glass”) lasting about eight
28 hours. Counsel for Plaintiff attended in-person and counsel for Defendant
appeared via remote video conferencing. I personally attended that mediation

1 in-person alongside my co-counsel Pamela Prescott.

2 9. During the in-person mediation, the Parties engaged in good faith negotiations
3 and agreed on some settlement terms, which included the proposed amount for
4 each Settlement Class Member if a class action is certified.

5 10. In the months following the March 21, 2022 mediation, the Parties continued
6 their good faith settlement efforts (with the continued assistance of Mr. Glass)
7 and ultimately finalized the remaining settlement terms on May 11, 2022.

8 11. Before this mediation, the parties participated in a substantial amount of
9 discovery, depositions, and motion practice, and Plaintiff fully briefed a
10 motion for class certification and opposed Defendant's motion for summary
11 judgment.

12 12. This settlement was the result of arms-length, good faith, and spirited
13 negotiations, and the sums requested by counsel are supported by the lodestar
14 methodology, as described more thoroughly in Plaintiff's Unopposed Motion
15 for Attorneys' Fees, Costs and Service Award.

16 13. In my opinion, the terms and conditions of the settlement agreement are fair,
17 reasonable, and adequate to the class. Moreover, the settlement agreement is
18 in the best interest of the class considering the risks, expenses, and likely delay
19 that would be caused by further litigation.

20 14. I believe the result achieved as a result of the settlement is fair and reasonable
21 comparing it to other similar FDCPA and RFDCPA class actions.

22 15. As reported by the Settlement Administrator, as of October 21, 2022, notice
23 has been disseminated, and there has only been one opt-out, with a deadline of
24 November 20, 2022, for Settlement Class Members to submit an Exclusion
25 Request.

26 16. Plaintiff's Counsel in this case worked on solely a contingency basis, despite
27 knowing that there was a risk that Counsel may not succeed.
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HOURS INCURRED BY ABBAS KAZEROUNIAN

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17. As of October 14, 2022, I have incurred approximately 134.10 hours litigating this action. All of these hours were logged contemporaneously in the normal course of business. For instance, I spent approximately: 6.50 hours on investigations; 8.80 hours on communications with co-counsel; 1.80 hours on communications with opposing counsel and court; 3.10 hours on other communications; 28.30 hours on discovery matters; 61.40 hours on motion practice; 22.40 hours on mediation and settlement; and 1.8 hours on pleadings.
18. I anticipate incurring approximately at least 20 additional hours preparing for the final approval hearing scheduled for January 26, 2023, for a total of 154.10 hours in this action. My anticipated lodestar for 154.10 hours at the rate of \$785 per hour is \$120,968.50.
19. Based on the 818.60 hours incurred in litigating this action, I anticipate my firm's lodestar to amount to \$443,238.50.
20. Support staff have also incurred a total of at least 80 hours in assisting Plaintiff's counsel in this action. Support staff includes law clerks, paralegals, secretaries, and office managers.
21. Based on my extensive experience litigating consumer class actions as detailed below, I believe my proposed hourly rate of \$785.00 is fair and reasonable.
22. Just recently, in June of 2022, I was finally approved at the requested rate of \$795. *See Newman v. Jm Bullion*, 2022 Cal. Super. LEXIS 37967 (Sup. Ct. Kern County, June 30, 2022).
23. Also, I was approved at the rate of \$775 in *R.O., et al. v. Rady Children's Hospital - San Diego*, No. 37-2020-00011841-CU-BT-CTL, 2022 Cal. Super. LEXIS 19407 (Super. Ct. San Diego May 10, 2022).
24. In March of 2021, I was approved for an hourly rate of \$730 in the class action settlement in *Hinkle v. Sports Research Corp.*, No. 37-2020-00001422-CU-NP-NC, 2021 Cal. Super. LEXIS 34 (Sup. Ct. San Diego March 21, 2021).

1 25. I was previously awarded \$710.00 per hour in other complex class actions
2 involving less time resources, and/or potential class members. *Hofstader et al*
3 *v. Providence Health and Services et al*, No. 2:18-cv-00062-SMJ (E.D. WA,
4 February 19, 2021) (approved at \$710 per hour); *see also McCurley v. Royal*
5 *Sea Cruises, Inc.*, U.S. Dist. LEXIS 227110 (S.D. Cal. 2020) (approving rate
6 at \$710 per hour); *Barbano v. JPMorgan Chase Bank, N.A.*, 2021 U.S. Dist.
7 LEXIS 204354 (C.D. Cal. 2021) (same).

8 26. On September 12, 2019, in the case of *Medina, et al. v. Enhanced Recovery*
9 *Company*, Case No. 2:15-cv-14342 in the United States District Court,
10 Southern District of Florida, I was approved at an hourly rate of \$705 in a Final
11 Approval Order.

12 27. On or about June 18, 2019, in the case of *Maur v. Transform*, Case No. CV
13 18-831, in Superior Court of California, County of Yolo, I was approved at an
14 hourly rate of \$705 in a Final Approval Order.

15 28. On May 9, 2019, in the case of *Ronquillo v. Transunion Rental Screening*
16 *Solutions, Inc.*, Case No. 17-civ-129-JMI in the United States District Court,
17 Southern District of California, I was approved at \$705 per hour in a Final
18 Approval order.

19 29. On February 9, 2019, in the case of *Santana, et al. v. Rady Children's Hospital*,
20 Case No. 37-2014-00022411-CU-MT-CTL, Superior Court of California,
21 County of San Diego, I was approved at a \$695 hourly rate in a Final Approval
22 Order.

23 30. On December 21, 2018, in the case of *Ayala v Triplepulse, Inc.*, Case No.
24 BC655048 in the Superior Court of California, County of Los Angeles, I
25 received an order granting my hourly rate in the Final Approval at \$675 per
26 hour.

27 31. On October 10, 2018, in the case of *Dowlatshahi v. McIlhenny*, Case No. 30-
28 2017-009911222-CU-NP-CXC, in the Superior Court of California, County of

1 Orange, I received an order granting my hourly rate at \$675 per hour.

2 32. In the matter of *Holt v. Foodstate Inc.*, No. 17-cv-637-LM (D.N.H. Jan. 6,
3 2020), in which I served as one of Class Counsel, the Court at the final
4 approval hearing (as reflected by the hearing transcript for that matter)
5 expressed that “Class counsel are highly qualified and experienced in
6 consumer class actions, including false advertising claims,” and further stated
7 that Mr. Kazerounian “[h]as participated in over 50 consumer protection class
8 action suits in the last several years and he also has received extensive training
9 in consumer protection litigation, has given presentations on the subject,
10 including teaching a law school course on consumer law.”

11 33. In a 2020 decision by Judge Cynthia Bashant in the Southern District of
12 California, Judge Bashant found that “. . . Mr. [Abbas] Kazerounian [is a]
13 skilled, experienced class action litigator[] very familiar to this Court.”
14 *McCurley v. Royal Sea Cruises, Inc.*, U.S. Dist. LEXIS 227110 (S.D. Cal.
15 2020).

16 34. Other courts have recognized the experience of Kazerouni Law Group,
17 APC, *see e.g., Barani v. Wells Fargo Bank, N.A.*, No. 12CV2999-GPC (KSC),
18 2014 U.S. Dist. LEXIS 49838, at *7-8 (S.D. Cal. Apr. 9, 2014) (noting
19 Kazerouni Law Group, APC’s experience in consumer class actions; at the
20 final approval hearing, Judge Curiel opined that “[a]ll attorneys for the plaintiff
21 are very seasoned”); *Kline v. Dymatize Enters., LLC*, No. 15-CV-2348-AJB-
22 RBB, 2016 U.S. Dist. LEXIS 142774, at *16 (S.D. Cal. Oct. 13, 2016) (same).

23 35. As of October 3, 2022, my firm, Kazerouni Law Group, APC, has incurred
24 \$21,493.57 in litigation costs, as detailed in the accompanying expense report
25 as **Exhibit 1**.

26 36. My firm will likely incur additional costs in connection with filing the motion
27 for final approval and attending the fairness hearing as well as paying for the
28 Administration Costs (expected to be \$10,000).

1 37. The costs incurred in this matter are necessary, fair and reasonable.

2 38. It is my understanding that Defendants do not intend to oppose the motion for
3 attorneys' fees, costs and service award.

4 **CLASS COUNSEL'S EXPERIENCE**

5 39. Since my admission to the California bar in 2007, I have been engaged
6 exclusively in the area of consumer rights litigation, including but not limited
7 to the areas of fair debt collections, the defense of debt collection lawsuits, and
8 class action litigation under a myriad of theories and consumer protection
9 statutes, including but not limited to California's Invasion of Privacy Act under
10 Penal Code § 630 *et seq.*, the Telephone Consumer Protection Act, false
11 advertising actions concerning consumer products, and Unfair Competition
12 Law to mention a few.

13 40. My firm, Kazerouni Law Group, APC, in which I am a principal, has litigated
14 over 10,000 cases in the past fourteen years.

15 41. My firm has offices in Orange County, California; San Luis Obispo,
16 California; San Diego, California; Phoenix, Arizona; Las Vegas, Nevada; St.
17 George, Utah; Dallas, Texas; Seattle, Washington; New York, New York; Mt.
18 Laurel, New Jersey; and Minneapolis, Minnesota. Kazerouni Law Group, APC
19 has extensive experience in consumer class actions and other complex
20 litigation.

21 42. Kazerouni Law Group, APC has a history of aggressive, successful
22 prosecution of consumer class actions.

23 43. Approximately 95% percent of my practice concerns consumer litigation in
24 general.

25 44. My firm and I have litigated several consumer rights class actions, both on the
26 state and federal level, under various consumer protection statutes, such as the
27 Fair Debt Collection Practices Act, the Rosenthal Fair Debt Collection
28 Practices Act, California's Unfair Competition Law, California's Consumer

1 Legal Remedies Act, Fair Credit Reporting Act, California Invasion of Privacy
2 Act, and Telephone Consumer Protection Act, just to name a few.

3 **KAZEROUNI LAW GROUP, APC'S**

4 **CONSUMER RELATED EXPERIENCE AND RESULTS**

5 45. In April of 2017, I argued before the Ninth Circuit Court of Appeals in the case
6 of *Afewerki v. Anaya Law Grp.*, 868 F.3d 771 (9th Cir. 2017). This resulted in
7 an order in favor of my client. Further, on May 15, 2019, I again argued before
8 the Ninth Circuit Court of Appeals in the case of *Afewerki v. Anaya Law Group,*
9 *et al.*, No. 18-55100, and for third time on January 21, 2021 in the case of
10 *Afewerki v. Anaya Law Group*, No. 19-56486 (9th Cir. Jan. 21, 2021), which
11 resulted in an order in favor of my client's FDCPA claim.

12 46. On December 6, 2016, I argued before the Ninth Circuit Court of Appeals in
13 the case of *Marks v. Crunch San Diego, LLC*, which resulted in an order in
14 favor of my client's TCPA claim in terms of the meaning of an automatic
15 dialing system. *See Marks v. Crunch San Diego, LLC*, 2018 U.S. App. LEXIS
16 26883 (9th Cir. 2018).

17 47. I argued before the Ninth Circuit Court of Appeals in the case of *Knutson v.*
18 *Sirius XM Radio*, No. 12-56120 (9th Cir. 2014), which resulted in an order in
19 favor of my client.

20 48. I have filed and litigated numerous consumer class actions over the last several
21 years, including but not limited to the following, which I am or have been
22 personally involved in:

23 a. *Rahmany v. T-Mobile USA Inc.*, No. 17-35084, 2018 U.S. App. LEXIS
24 8645 April 5, 2018) (affirmed denial of the defendant's motion to
25 compel arbitration);

26 b. *Delisle v. Speedy Cash*, No. 19-55794 (June 9, 2020) (affirmed lower
27 court's holding that a consumer's right to seek public injunctive relief
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- 1 under California law is non-waivable, and remanding for further
2 proceedings);
- 3 c. *Flores v. Adir Int'l, LLC*, 685 F. App'x 533, 533 (9th Cir. 2017)
4 (reversing order granting the defendant's motion to dismiss TCPA
5 action);
- 6 d. *Mojtahedi v. Vargas*, 228 Cal. App. 4th 974, 176 Cal. Rptr. 3d 313
7 (2014);
- 8 e. *William Mount, et al., v. Wells Fargo Bank, N.A.*, No. B260585 (Cal.
9 Ct. App., Feb. 10, 2016);
- 10 f. *Chen v. Allstate Ins. Co.*, 819 F.3d 1136 (9th Cir. 2016);
- 11 g. *Maghen v. Quicken Loans Inc.*, 680 F. App'x 554 (9th Cir. 2017);
- 12 h. *Silver v. Pa. Higher Educ. Assistance Agency*, 706 F. App'x 369 (9th
13 Cir. 2017);
- 14 i. *Carter v. Rent-A-Center, Inc.*, 718 F. App'x 502 (9th Cir. 2017);
- 15 j. *Elghasen v. RBS Comput., Inc.*, 692 F. App'x 940 (9th Cir. 2017);
- 16 k. *Self-Forbes v. Advanced Call Ctr. Techs., LLC*, 754 F. App'x 520 (9th
17 Cir. 2018);
- 18 l. *Reid v. I.C. Sys.*, 795 F. App'x 509 (9th Cir. 2019);
- 19 m. *Portfolio Recovery Assocs. v. Serrano*, No. D073719, 2019 Cal. App.
20 Unpub. LEXIS 5178 (Aug. 5, 2019);
- 21 n. *Delisle v. Speedy Cash*, 818 F. App'x 608 (9th Cir. 2020);
- 22 o. *Farrell v. Boeing Emples. Credit Union*, 965 F.3d 968 (9th Cir. 2020);
- 23 p. *Georges v. Bank of Am., N.A.*, 845 F. App'x 490 (9th Cir. 2021);
- 24 q. *Gonzalez v. Allied Collection Servs.*, Nos. 19-16813, 20-15002, 2021
25 U.S. App. LEXIS 9062 (9th Cir. Mar. 29, 2021).
- 26 49. Just recently, I served as co-lead counsel in *R.O., et al. v. Rady Children's*
27 *Hospital - San Diego*, No. 37-2020-00011841-CU-BT-CTL (May 10, 2022)
28 (granting Final Approval of class action settlement in CMIA case and award of

1 attorneys' fees, costs, and incentive awards with my hourly rate of \$775
2 approved).

3 50. I served as co-class counsel preliminarily approved data breach settlement in
4 *Cotter v. Checkers Drive-In Restaurants, Inc.*, 8:19-cv-01386-VMC-CPT
5 (M.D. Fl. June 20, 2020).

6 51. In 2019, I was appointed co-lead counsel in a securities class action in *Jiao v.*
7 *Merrill Lynch Pierce Fenner & Smith, Inc. et al.*, No. 3:17-cv-00409-L-MMD
8 (S.D. Cal.).

9 52. With regard to cases specifically involving the FDCPA and/or RFDCPA, in the
10 last few years I have settled several cases, including but not limited to:

11 a. *Calderon v. Wolf Firm, Inc.*, No. 16-1266-JLS (KESx), 2018 U.S. Dist.
12 LEXIS 159435, at *23 (C.D. Cal. Sep. 18, 2018) (FDCPA and RFDCPA
13 class action finally approved September 18, 2018);

14 b. *Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109
15 (Sup. Ct. San Luis Obispo) (RFDCPA class action finally approved on
16 October 30, 2017);

17 c. *Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super.
18 LEXIS 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (RFDCPA class
19 action finally approved); and,

20 d. *McPolin v. Credit Service of Logan*, 16-cv-116 BSJ (Utah District
21 Court) (FDCPA class action with consumers to each receive \$1,428.57,
22 debt relief, and tradeline deletion finally approved on November 9,
23 2017); and,

24 e. *Macias v. Water & Power Community Credit Union*, BC515936 (Los
25 Angeles Superior Court) (Class certification granted under the
26 Rosenthal Fair Debt Collection Practices Act; class action settlement
27 finally approved on April 21, 2016).

28 53. I have also settled several false advertising cases, including but not limited to:

- 1 a. *Maxin v. RHG & Company, Inc.*, 2017 U.S. Dist. LEXIS 27374 (S.D.
2 Cal. February 27, 2017) (finally approved class action settlement for
3 \$900,000);
- 4 b. *Scheuerman v. Vitamin Shoppe Industries, Inc.*, BC592773 (Los
5 Angeles Superior Court) (finally approved class action settlement for up
6 to \$638,384);
- 7 c. *Oxina v. Lands' End, Inc.*, 3:14-cv-02577-MMA-NLS (S.D. Cal.
8 2016) (finally approved settlement under California Made in the USA
9 statute);
- 10 d. *Giffin v. Universal Protein Supplements*, BC613414 (Los Angeles
11 Superior Court) (finally approved, class received over \$210,000);
- 12 e. *Ayala et al v. Triplepulse, Inc.*, BC655048, Los Angeles Superior
13 Court (Nov. 13, 2018) (finally approved consumer false advertising
14 class action settlement);
- 15 f. *Holt, et al. v. FoodState Inc.*, 17-CV-00637-LM (District of New
16 Hampshire, 2017) (finally approved, \$2.1 million fund).
- 17 g. *Kline v. Dymatize Enters., LLC*, No. 15-CV-2348-AJB-RBB, 2016 U.S.
18 Dist. LEXIS 142774, at *16 (S.D. Cal. Oct. 13, 2016) (finally approved
19 class action settlement regarding slack fill claim);
- 20 h. *Dowlatshahi v. Mcilhenny Company*, No. 30-2017-00911222-CU-NP-
21 CXC (Sup. Ct. Orange County Oct. 10, 2018) (granting final approval
22 to product false advertising settlement);
- 23 i. *Duenas v. Freedom Laser Therapy, Inc. d/b/a iRestore*, No. 30-2019-
24 01060877-CU-BT-CXC (Sup. Ct. Orange County) (finally approved
25 class action settlement involving alleged false or misleading claims
26 concerning a laser hair growth product);
- 27 j. *Baumrind v. Brandstorm, Inc.*, 30-2020-01160083-CU-MC-CXC, 2021
28 Cal. Super. LEXIS 9571 (Sup. Ct. Orange County Dec. 3, 2021) (finally

1 approved class action settlement for false and misleading claims on the
2 packaging of a consumer product).

3 54. A brief summary of a non-inclusive list of notable published decisions are as
4 follows:

- 5 a. *Burt v. Bd. of Trs. of the Univ. of R.I.*, No. 20-465-JJM-LDA, 2021 U.S.
6 Dist. LEXIS 42059 (D.R.I. Mar. 4, 2021) (denying in part and granting
7 in part motion to dismiss breach of contract claims involving putative
8 class action for refund as a result of campus closure due to COVID-19);
- 9 b. *Hill v. Quicken Loans, Inc.*, No. ED CV 19-0163 FMO (SPx), 2020 U.S.
10 Dist. LEXIS 140980 (C.D. Cal. Aug. 5, 2020) (denying defendant’s
11 motion to dismiss and motion to compel arbitration of TCPA case);
- 12 c. *Fishman v. Subway Franchisee Advert. Fund Tr., Ltd.*, No. 2:19-cv-
13 02444-ODW (ASx), 2019 U.S. Dist. LEXIS 200710 (C.D. Cal. Nov. 18,
14 2019) (denying a defendant’s motion to dismiss case for lack of personal
15 jurisdiction where jurisdiction as based on an agency relationship);
- 16 d. *Meza v. Sirius XM Radio Inc.*, No. 17-cv-02252-AJB-JMA, 2020 U.S.
17 Dist. LEXIS 32379 (S.D.Cal. February 25 2020) (was co-lead counsel;
18 obtained order denying the defendant’s motion to strike class allegations
19 and motion to dismiss complaint where defendant challenge the
20 constitutionality of the TCPA);
- 21 e. *Delisle v. Speedy Cash*, No. 3:18-CV-2042-GPC-RBB, 2019 U.S. Dist.
22 LEXIS 96981 (S.D. Cal. June 10, 2019) (denying defendant’s motion to
23 compel arbitration, for a second time);
- 24 f. *Marks v. Crunch San Diego, LLC*, 2018 U.S. App. LEXIS 26883 (9th
25 Cir. 2018) (TCPA class action where Ninth Circuit upheld Ninth Circuit
26 precedence on the definition of an Automatic Telephone Dialing
27 System);
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- 1 g. *Sherman v. Yahoo!, Inc.*, 2014 U.S. Dist. LEXIS 13286; 13-CV-0041-
 2 GPC-WVG (S.D. Cal.) (TCPA class action where Defendant's motion
 3 for summary judgment was denied holding that a single call or text
 4 message with the use of an ATDS may be actionable under the TCPA);
- 5 h. *Olney v. Progressive Casualty Insurance Company*, 13-CV-2058-GPC-
 6 NLS, 2014 U.S. Dist. LEXIS 9146 (S.D. Cal.) (Defendant's motion to
 7 dismiss or in the alternative to strike the class allegations was denied
 8 finding that debt collection calls were not exempt from coverage under
 9 the TCPA);
- 10 i. *Iniguez v. The CBE Group, Inc.*, 2013 U.S. Dist. LEXIS 127066 (E.D.
 11 Cal.); 13-CV-00843-JAM-AC (The court denied Defendant's motion to
 12 dismiss and to strike class allegations holding that the TCPA applies to
 13 any call made to a cellular telephone with an ATDS);
- 14 j. *Stemple v. QC Holdings, Inc.*, No. 12-cv-01997-BAS (WVG), 2014
 15 U.S. Dist. LEXIS 125313 (S.D. Cal. Sep. 5, 2014) (order denying
 16 defendant's motion for reconsideration of class certification under the
 17 TCPA);
- 18 k. *Chen v. Allstate Ins. Co.*, 819 F.3d 1136 (9th Cir. 2016) (order
 19 affirming decision finding unaccepted offer of judgment under Fed. R.
 20 Civ. P. 68 did not moot the plaintiff's individual TCPA claims).

21 55. I have filed and litigated numerous consumer class actions over the last several
 22 years, including but not limited to the following, which I am or have been
 23 personally involved in:

- 24 a. *Lemieux v. EZ Lube, LLC, et al.*, 12-CV-01791-JLS-WYG (S.D. Cal.)
 25 (Served as co-lead counsel; finally approved on December 8, 2014);
- 26 b. *Malta, et al. v. Wells Fargo Home Mortgage, et al.*, 10-CV-1290-IEG
 27 (BLM) (Served as co-lead counsel for a settlement class of borrowers in
 28 connection with residential or automotive loans and violations of the

- 1 TCPA in attempts to collect on those accounts; obtained a common
2 settlement fund in the amount of \$17,100,000; final approval granted in
3 2013);
- 4 c. *Conner v. JPMorgan Chase Bank, et al.*, 10-CV-1284 DMS (BGS)
5 (S.D. Cal.) (finally approved \$11,973,558);
- 6 d. *In Re: Midland Credit Management, Inc., Telephone Consumer*
7 *Protection Act Litigation*, 11-md-2286-MMA (MDD) (S.D. Cal.)
8 (Counsel for a Plaintiff in the lead action, prior to the action being
9 recategorized through the multi-district litigation process; finally
10 approved for \$18,000,000);
- 11 e. *In Re: Portfolio Recovery Associates, LLC Telephone Consumer*
12 *Protection Act Litigation*, 11-md-02295-JAH (BGS) (Counsel for a
13 Plaintiff in the lead action, prior to the action being recategorized
14 through the multi-district litigation process; finally approved for \$18
15 million);
- 16 f. *Arthur v. SLM Corporation*, 10-CV-00198 JLR (W.D. Wash.)
17 (Nationwide settlement achieving the then-largest monetary settlement
18 in the history of the TCPA concerning calls to cellular telephone at the
19 time: \$24.15 million; final approval granted in 2012);
- 20 g. *Lo v. Oxnard European Motors, LLC, et al.*, 11-CV-1009-JLS-MDD
21 (S.D. Cal.) (Achieving one of the highest class member payouts in a
22 TCPA action of \$1,331.25 per claimant; final approval granted in 2012);
- 23 h. *Sarabri v. Weltman, Weinberg & Reis Co., L.P.A.*, 10-01777-AJB-NLS
24 (S.D. Cal.) (Approved as co-lead counsel and worked to obtain a
25 national TCPA class settlement where claiming class members each
26 received payment in the amount of \$70.00 per claimant; final approval
27 granted in 2013);
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- 1 i. *Barani v. Wells Fargo Bank, N.A.*, 12-CV-02999-GPC (KSC) (S.D.
2 Cal.) (Co-lead class counsel in a settlement under the TCPA for the
3 sending of unauthorized text messages to non-account holders in
4 connection to wire transfers; finally approved on March 6, 2015, for
5 over \$1,000,000);
- 6 j. *Mills v. HSBC Bank Nevada, N.A.*, Case No. 12-CV-04010-SI (N.D.
7 Cal.) (Finally approved for \$39,975,000);
- 8 k. *Martin v. Wells Fargo Bank, N.A.*, 12-CV-06030-SI (N.D. Cal.);
- 9 l. *Heinrichs v. Wells Fargo Bank, N.A.*, 13-CV-05434-WHA (N.D. Cal.);
- 10 m. *Newman v. ER Solutions, Inc.*, 11-CV-0592H (BGS);
- 11 n. *In Re Jiffy Lube International, Inc.*, MDL No. 2261 (Finally approved
12 for \$47,000,000.00);
- 13 o. *Jaber v. NASCAR*, 11-CV-1783 DMS (WVG) (S.D. Cal.);
- 14 p. *Ridley v. Union Bank, N.A.*, 11-CV-1773 DMS (NLS) (S.D. Cal.);
- 15 q. *Ryabyshchuk v. Citibank (South Dakota) N.A., et al*, 11-CV-1236-IEG
16 (WVG);
- 17 r. *Sherman v. Kaiser Foundation Health Plan, Inc.*, 13-CV-0981-JAH
18 (JMA) (S.D. Cal.) (Settled for \$5,350,000 and finally approved on May
19 12, 2015; served as co-lead counsel);
- 20 s. *Rivera v. Nuvel Credit Company LLC*, 13-CV-00164-TJH-OP (E.D.
21 Cal.);
- 22 t. *Karayan v. Gamestop Corp.*, 3:12-CV-01555-P (N.D. Texas);
- 23 u. *Foote v. Credit One Bank, N.A. et al.*, 13-cv-00512-MWF-PLA (C.D.
24 Cal.);
- 25 v. *Webb v. Healthcare Revenue Recovery Group*, 13-cv-00737-RS (N.D.
26 Cal.);
- 27
28

- 1 w. *Couser v. Comenity Bank*, 12-cv-02484-MMA-BGS (S.D. Cal. Oc. 2,
2 2014) (Finally approved for \$8,475,000 on May 27, 2015 served as co-
3 lead counsel);
- 4 x. *Couser v. Apria Healthcare, Inc. et al.*, 13-cv-00035-JVS-RNB (C.D.
5 Cal. Oct. 27, 2014) (Finally approved on March 9, 2015 and served as
6 co-lead counsel);
- 7 y. *Rose v. Bank of America Corporation et al.*, 12-cv-04009-EJD (N.D.
8 Cal.) (Finally approved for \$32,000,000 in 2014);
- 9 z. *Newman v. AmeriCredit Financial Services*, 11-cv-03041-DMS-BLM
10 (S.D. Cal.) (finally approving TCPA settlement for over \$6,500,000 on
11 March 28, 2016);
- 12 aa. *Fox v. Asset Acceptance, LLC*, 14-cv-00734-GW-FFM (C.D. Cal. July
13 1, 2016) (finally approved TCPA class action for \$1,000,000; \$200,000
14 cash and \$800,000 debt relief);
- 15 bb. *Barrett v. Wesley Financial Group, LLC*, 13-cv-00554-LAB-KSC (S.D.
16 Cal.) (Class certification granted);
- 17 cc. *Gehrich v. Chase Bank, N.A.*, 12-cv-5510 (N.D. Cal.) (finally approved
18 for \$34,000,000);
- 19 dd. *Oxina v. Lands' End, Inc.*, 3:14-cv-02577-MMA-NLS (S.D. Cal. 2016)
20 (finally approved settlement under California Made in the USA statute);
- 21 ee. *LaPuebla v. BirchBox, Inc.*, 3:15-cv-00498-BEN-BGS (S.D. Cal. 2016)
22 (finally approved settlement in unlawful auto-renewal action);
- 23 ff. *Stemple v. QC Holdings, Inc.*, 12-cv-01997-BAS-WVG (S.D. Cal. Nov.
24 7, 2016) (finally approved for \$1,500,000);
- 25 gg. *Abdeljalil v. GE Capital Retail Bank*, 12-cv-02078-JAH-MDD (S.D.
26 Cal.) (Class Certification granted and finally approved for \$7,000,000);
- 27 hh. *Barrow v. JPMorgan Chase Bank, N.A.*, 1:16-cv-03577-AT (N.D.Ga)
28 (preliminarily approved class settlement for \$2,250,000);

- 1 ii. *Hooker v. Sirius XM Radio Inc.*, 4:13-cv-00003-AWA-LRL (E.D.Va.
2 December 22, 2016) (Served as co-lead counsel in finally approved
3 TCPA class action settlement with a monetary fund of \$35,000,000);
- 4 jj. *Medeiros v. HSBC Card Services, Inc. et al.*, 2017 U.S. LEXIS 178484
5 (C.D.Cal. Oct. 23, 2017) (finally approved CIPA class action settlement
6 for \$13,000,000).
- 7 kk. *Knell, et al. v. FIA Card Services, N.A.*, 13-CV-01653-AJB-WVG (S.D.
8 Cal.) (California class action settlement under Penal Code 632, *et seq.*,
9 for claims of invasion of privacy. Settlement resulted in a common fund
10 in the amount of \$2,750,000; finally approved in August 15, 2014);
- 11 ll. *Hoffman v. Bank of America Corporation*, 12-CV-00539-JAH-DHB
12 (S.D. Cal.) (California class action settlement under Penal Code 632, *et*
13 *seq.*, for claims of invasion of privacy. Settlement resulted in a common
14 fund in the amount of \$2,600,000; finally approved on November 6,
15 2014 and served as co-lead counsel);
- 16 mm. *Mount v. Wells Fargo Bank, N.A.*, BC395959 (Sup. Ct. Los Angeles)
17 (finally approved for \$5,600,000 in action under Cal. Pen. Code § 630,
18 *et seq.*);
- 19 nn. *Zaw v. Nelnet Business Solutions, Inc. et al.*, No. 13-cv-05788-RS (N.D.
20 Cal.) (finally approved in 2014 for \$1,188,110 in action under Cal. Pen.
21 Code § 630, *et seq.*);
- 22 oo. *Ronquillo-Griffin v. Telus Communications, Inc. et al.*, 3:17-cv-00129-
23 JM-MLB (S.D. Cal.) (finally approved in May 2019 for \$425,000 in an
24 action under Cal. Pen. Code § 630, *et seq.*);
- 25 pp. *Olney v. Job.com, Inc. et al.*, 13-cv-02004-AWI-SAB (E.D.Cal.);
- 26 qq. *Bohkle v. U.S. Bank, N.A.*, 12-cv-09247-RGK-E (C.D. Cal.);
- 27 rr. *Dake v. Receivables Performance Management, LLC*, 5:12-cv-01680-
28 VAP-SP (C.D. Cal.);

- 1 *ss. Garcia v. Earthlink, Inc.*, 3:12-CV-01129-DMS-BLM (S.D. Cal.);
- 2 *tt. Montegna v. Portfolio Recovery Associates, LLC*, 3:12-cv-00764-
- 3 MMA-BGS (S.D. Cal.);
- 4 *uu. Caldera v. Am. Med. Collection Agency*, 2017 U.S. Dist. LEXIS 99239
- 5 (C.D. Cal. June 27, 2017) (Order certifying nationwide TCPA class
- 6 action);
- 7 *vv. Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109
- 8 (Sup. Ct. San Luis Obispo) (RFDCPA class action finally approved on
- 9 October 30, 2017);
- 10 *ww. Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super.
- 11 LEXIS 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (RFDCPA class
- 12 action finally approved);
- 13 *xx. Luster v. Wells Fargo Dealer Services, Inc.*, 15-cv-1058 (TWT) (N.D.
- 14 Ga. November 8, 2017) (TCPA class action finally approved in the
- 15 amount of \$14,834,058.00);
- 16 *yy. McPolin v. Credit Service of Logan*, 16-cv-116 BSJ (Utah District Court)
- 17 (FDCPA class action with consumers to each receive \$1,428.57, debt
- 18 relief, and tradeline deletion finally approved on November 9, 2017).
- 19 *zz. Reid v. I.C. System, Inc.*, 2017 U.S. Dist. LEXIS 43770 (D. Ariz. March
- 20 24, 2017) (TCPA class actions finally approved in the amount of
- 21 \$3,500,000);
- 22 *aaa. Couser v. Dish One Satellite, LLC*, 5:15-cv-02218-CBM-DTB (C.D.
- 23 Cal. November 21, 2017) (TCPA class action preliminarily approved in
- 24 the amount of \$935,000);
- 25 *bbb. McAfee v. Treasure Island, LLC*, A-18-772302-C (D. Nev. May 23,
- 26 2019) (data breach class action finally approved);
- 27 *ccc. Khoury v. Wynn Resorts*, A-18-773073-C (8th Judicial Dist. Nev. April
- 28 15, 2019) (class action for deceptive parking signs finally approved);

1 *ddd. Defranks v. Nastygol.com USA Inc.*, 1:19-cv-23028-GAYLES (S.D.
2 Fla. September 4, 2020) (TCPA class action finally approved for over
3 \$5,000,000);

4 *eee. Hofstader et al v. Providence Health and Services et al*, No. 2:18-cv-
5 00062-SMJ (E.D. WA, February 19, 2021) (final approval granted);

6 *fff. Barbano v. JP Morgan Chase Bank, N.A.*, No. EDCV 19-1218 JGB
7 (SPx), 2021 U.S. Dist. LEXIS 204354, at *23 (C.D. Cal. Oct. 18, 2021)
8 (RESPA class action finally approved with a \$1,000 payment to each
9 class members and noting that I am “one of the main plaintiff litigators
10 of consumer rights cases in the Central District of California”).

11 56. Many of the cases listed above, which have settled, resulted in the creation of
12 combined common funds and/or distribution to class member in the hundreds
13 of millions of dollars.

14 57. The outstanding results mentioned above are a direct result of the diligence
15 and tenacity shown by Kazerouni Law Group, APC, and myself, in successfully
16 prosecuting complex class actions.

17 **ADDITIONAL RELEVANT TRAINING,**

18 **SPEAKING/TEACHING ENGAGEMENTS AND ASSOCIATIONS**

19 58. I am an adjunct professor at California Western School of Law where I teach
20 a three-credit course in consumer law.

21 59. I have undergone extensive training in the area of consumer law. The following
22 is a list of recent training conferences I attended:

23 a. Four-day National Consumer Law Center Conference; Nashville, TN –
24 2008;

25 b. Three-day National Consumer Law Center Conference; Portland, OR -
26 2008;

27 c. Three-day National Consumer Law Center Conference; San Diego, CA -
28 2009;

- 1 d. Three-day National Consumer Law Center Conference; Seattle, WA -2011;
- 2 e. National Consumer Law Center Conference in 2013;
- 3 f. National Consumer Law Center Conference in 2014;
- 4 g. National Consumer Law Center Conference in 2015;
- 5 h. National Consumer Law Center Conference in 2016;
- 6 i. Three-day CAALA Conference; Las Vegas, NV – 2009;
- 7 j. Three-day CAALA Conference; Las Vegas, NV – 2013;
- 8 k. Three-day CAALA Conference; Las Vegas, NV – 2015;
- 9 l. Three-day CAALA Conference; Las Vegas, NV – 2016;
- 10 m. Three-day COAC Conference – 2014 and 2015
- 11 n. Speaker ABA National Conference, Business Litigation Section; Trends in
- 12 Consumer Litigation; San Francisco, CA – 2013;
- 13 o. Speaker at the ABA TCPA National Webinar (Consumer Protection,
- 14 Privacy & Information Security, Private Advertising Litigation, and Media
- 15 & Technology Committees) – September 2013;
- 16 p. Spoke at the 2014 ACA Conference in November 2014;
- 17 q. Speaker at ACI Conference in Dallas, TX in September of 2016 concerning
- 18 The Borrower's Perspective: Insight From The Plaintiffs' Bar and
- 19 Consumer Advocates;
- 20 r. Speaker on TCPA panel in September of 2016 at the Annual Consumer
- 21 Financial Services Conference;
- 22 s. Spoke at the 2016 CAOC Conference in November of 2016;
- 23 t. Presented at the 2017 CAOC seminar in Palm Springs, CA;
- 24 and
- 25 u. Speaker at national webinar on June 7, 2017 for the CAOC, entitled,
- 26 Understanding the Fair Debt Collection Practices Act.
- 27 60. I have been requested to and have made regular presentations to community
- 28 organizations regarding debt collection laws and consumer rights. These

1 organizations include Whittier Law School, Iranian American Bar
2 Association, Trinity School of Law and Chapman Law School, University of
3 California, Irvine, and California Western School of Law.

4 61. I was the principle anchor on Time Television Broadcasting every Thursday
5 night as an expert on consumer law generally between 2012 and 2013.

6 62. I was named Rising Star by San Diego Daily Tribune in 2012, and Rising Star
7 in Super Lawyers Magazine in 2013, 2014 and 2015.

8 63. I was named a Super Lawyer by Super Lawyers Magazine in 2016, 2017,
9 2018, 2019, 2020, 2021 and 2022.

10 64. I was named among Top 50 Attorneys in Orange County 2021 and 2022 by
11 Super Lawyers.

12 65. I lectured in Class Action Trends at the CAOC 2015 Conference in San
13 Francisco.

14 66. I was selected for membership into The National Trial Lawyers: Top 40 Under
15 40 in 2016, 2017 and 2018.

16 67. The National Trial Lawyer's Top 100 Civil Plaintiff Lawyers, 2021 and 2022.

17 68. I was a panelist in a webinar, ABA Telephonic Brown Bag re: TCPA, on
18 August 25, 2015.

19 69. I lectured in Class Action Trends at the CAOC 2015 Conference in San
20 Francisco, California.

21 70. In January of 2016, I spoke on the impact of the Federal Communications
22 Comission's 2015 Declaratory Ruling on TCPA litigation at the ABA National
23 Convention in Salt Lake City, Utah.

24 71. In May of 2016, I spoke on Class Action Trends at the CAOC seminar in Palm
25 Springs, California.

26 72. In August of 2018, I was one of three presenters on another national webinar
27 on the TCPA titled "From Both Sides: Plaintiff and Defense Perspective on
28 the TCPA".

1 73. In August of 2018, I was one of two presenters on a national webinar on the
2 TCPA titled “TCPA Takes a New Turn With the 9th Circuit's Ruling in *Marks*
3 *v. Crunch San Diego, LLC.*”

4 74. I lectured on the TCPA before the ABA Business Law Section, Consumer
5 Financial Services Committee in January 2016 at an event in Utah entitled,
6 “Impact of the FCC’s 2015 Rulings on TCPA Litigation.”

7 75. In 2016, I wrote an article entitled “Finding a Balance” that was published in
8 the Nutrition Business Journal, concerning a lawsuit filed under the Racketeer
9 Influenced and Corrupt Organization Act.

10 76. I was published in the Daily Journal in September of 2016, with the title, “The
11 FDCPA: The Forgotten Statute.”

12 77. I am often called upon to give legal analysis on popular television and radio
13 shows such as Dr. Drew Midday Live and Fox 5.

14 78. In March of 2016, I moderated the Judges Panel on Class Action Trends and
15 Federal Litigation Trends at the NCLC Conference.

16 79. I spoke on privacy rights on a panel before the California State Bar
17 Convention in 2016.

18 80. I spoke at the 22nd National Forum on Residential Mortgage Litigation &
19 Regulatory Enforcement conference on January 22, 2017.

20 81. Presented at the 2017 CAOC seminar in Palm Springs, California.

21 82. Speaker at national webinar on June 7, 2017 for the CAOC, entitled,
22 “Understanding the Fair Debt Collection Practices Act”, and again on August
23 1, 2018”

24 83. I wrote an article entitled, *Collateral Damage, Beyond the personal injury:*
25 *When creditors and collection agencies stalk your client*, published in the
26 September 2017 edition of Plaintiff magazine.

27 84. Speaker at National Webinar by the ABA Consumer Financial Services
28 Committee on TCPA Update – “The D.C. Circuit’s TCPA Decision on the

1 FCC Ruling, held on March 22, 2018.

2 85. Spoke at 2018 Inland Empire CAOC Convention on “Class Action Hot
3 Topics” - May 2018.

4 86. On January 11, 2019, I spoke on a panel entitled “TCPA Litigation: Where is
5 it Heading Now?” at the 2019 Annual American Bar Association Conference
6 in Miami.

7 87. I spoke on the FDCPA at National Consumer Law Center’s National
8 Convention in Las Vegas in March, 2019.

9 88. Spoke on “The interplay between Personal Injury and Class Actions” at the
10 CAOC Sonoma Seminar 2019

11 89. Presented at Mass Torts Made Perfect on Modern Trends in the TCPA in April
12 of 2019.

13 90. Speaker at the CAOC Inland Empire Seminar in Palm Springs on “Dealing
14 with Overly Ambitious Lien Holders, on May 2, 2019.

15 91. Speaker for the California Lawyers Association March 3, 2020 Webinar on
16 “Recent Developments in Internet and Privacy Law Affecting California
17 Consumer Financial Service Providers” presented by the Internet and Privacy
18 Law Committee; and, the Consumer Financial Services Committee.

19 92. Speaker at San Diego Law School Class Action Forum 2020 on Consumer
20 Class Actions in March 2020.

21 93. Speaker for a webinar for CAOC on April 21, 2020 on “Data Breach Basics.”

22 94. MTMP (Mass Torts Made Perfect) Connect Webinar Series on Class Action
23 Data Breaches – June 4, 2020.

24 95. Speaker at MTMP Class Action Track - October 14, 2020 on "Nuts & Bolts of
25 Mediating a Class Action"

26 96. Speaker at 2021 Palm Springs Seminar Panel on Hot Topics In Mass Tort And
27 Class Actions: What You Don’t Know Might Get You Burned. Spoke
28 on *Recent Developments in Labeling Class Actions*.

1 97. Participant in Zoom webinar for the ARM Industry, Post-Hunstein, Legal and
2 Operational Insights and a Discussion Amongst Plaintiff's Attorneys (April 29,
3 2021).

4 98. Speaker at 2021 CAOC Sonoma Virtual Conference on Nuts & Bolts of
5 Fighting Arbitration.

6 99. 2021 CAOC San Francisco conference on Using Arbitrations as a Sword

7 100. Presented on Class Action Trends at NCLC Class Action Symposium (Dec.
8 2021).

9 101. Presented at the 2022 CAOC seminar in Sonoma, CA, on the "Use of
10 Technology in Litigation in the Pandemic Age."

11 102. Speaker for a webinar entitled "Consumer Attorneys Share Their Initial
12 Reactions to Regulation F Confirmation" on February 15, 2022.

13 103. Speaker in May of 2022 at the NCLC Conference in Orlando, Florida,
14 on *Understanding the FDCPA*.

15 104. Speaker at Mass Torts Made Perfect on Arbitrating Mass Tort Claims on
16 October 13, 2022.

17 105. I am a member in good standing of the following local and national
18 associations:

19 a. Consumer Attorneys Association of Los Angeles;

20 b. The Orange County Bar Association;

21 c. The Federal Bar Association;

22 d. National Consumer Law Center;

23 e. American Association for Justice;

24 f. Twice served as former President of the Orange County Chapter of the
25 Iranian American Bar Association;

26 g. Member in good standing of National Association of Consumer
27 Advocates;

28 h. Consumer Attorneys of California - Executive Committee;

1 i. Member of the Leading Forum of the American Association of Justice.
2 106. In addition to my class action experience, I have experience in commercial
3 litigation and large-scale products liability litigation including a \$2.5 million-
4 dollar settlement in *Mei Lu Hwei, et al v. American Honda Motor Co., Inc., et*
5 *al.* BC401211 (Los Angeles Superior Court).

6 107. I have regularly litigated cases in state and federal courts and have reached
7 numerous confidential seven-figure settlements against internationally known
8 companies.

9 **Experience and Hours Incurred by Alan Gudino**

10 108. Alan Gudino, is former associate at the firm. Before joining my firm, he was
11 a judicial law clerk for the Superior Court for the Commonwealth of the
12 Northern Mariana Islands, a position he held for one year and five months.

13 109. At my firm, Mr. Gudino predominantly practiced in the Southern and Central
14 Districts of California, but he also litigated cases in the Northern District of
15 California and the Ninth Circuit Court of Appeals. He practiced almost
16 exclusively in the area of consumer actions, with most of his practice dedicated
17 to consumer class actions. Since he began practicing in 2020, he has been
18 involved in several consumer law actions.

19 110. According to contemporaneously kept electronic billing records, Mr. Gudino
20 incurred 132.20 hours in this litigation, with an hourly rate at the time of
21 \$325.00.

22 111. Based on my firm's billing records, Mr. Gudino specifically spent
23 approximately: 0.50 hours on investigations; 13.7 hours on communications
24 with the court; 12.10 hours on communications with co-counsel; 49.90 hours
25 on document preparation/review; 42.40 hours on motion practice; and 13.40
26 hours on administrative tasks (such as reviewing drafts of documents and
27 motions, reviewing court orders, scheduling, and calendaring, etc).

28 112. Mr. Gudino was admitted to the State Bar of California in January 2019. He

1 is also admitted to practice in the United States District Courts for the
2 Southern, Northern, Eastern, and Central Districts of California, as well as the
3 United States Court of Appeals for the Ninth Circuit.

4 113. Mr. Gudino has been approved for a similar hourly rate as requested here. *See*
5 *Odom v. ECA Mktg.*, 2021 U.S. Dist. LEXIS 246032 (Central District of
6 California December 22, 2021) (finding class counsel’s hourly rates to be
7 reasonable where Mr. Gudino requested \$295 per hour).

8 **Experience and Hours Incurred by Evangeline Dech**

9 114. Evangeline Dech, is former associate at the firm who has experience litigating
10 consumer cases including class actions.

11 115. According to contemporaneously kept electronic billing records, Ms. Dech
12 spent: 0.4 hours in administrative tasks; 1.8 hours on communications with
13 clients; 0.2 hours on communications with Court; 7.6 hours on discovery
14 matters; 7.6 hours on mediation; and 2.5 hours on pleadings.

15 116. Based on my firm’s billing records, Ms. Dech specifically spent
16 approximately: 20.60 hours on administrative tasks; and 0.50 hours on
17 communications with client.

18 117. Ms. Dech was admitted to the State Bar of California in September 2019.
19 Based on Ms. Dech's experience litigating consumer cases, including class
20 actions since her admission to the bar, the proposed hourly rate of \$250 is fair
21 and reasonable.

22 118. The 2017-2018 Consumer Law Attorneys' Fee Survey (“2017-2018 Survey”)
23 further supports the billing rate requested herein. As detailed in the
24 accompanying survey attached as **Exhibit 2** to this Declaration, the survey
25 shows acceptable hourly rates billed by attorneys, grouped by both region and
26 years in practice.

27 **Experience and Hours Incurred by Yana A. Hart**

28 119. Yana A. Hart, is former associate at the firm. Ms. Hart has extensive

1 experience litigating consumer cases including class actions since her
2 admission to the State Bar of California in December of 2015.

3 120. It is my understanding that she has practiced almost exclusively in consumer
4 law, with over 95% of her practice dedicated to complex class actions and
5 individual consumer matters. Prior to leaving the firm, Ms. Hart's was
6 promoted to managing associate, where she litigated numerous cases as lead
7 counsel on behalf of consumers in an individual and class action basis

8 121. According to contemporaneously kept electronic billing records, Ms. Hart
9 incurred 244.20 hours in this litigation, with an hourly rate at the time of
10 \$450.00.

11 122. Based on my firm's billing records, Ms. Hart specifically spent
12 approximately: 18.30 hours on investigations; 9.80 hours on administrative
13 tasks; 13.0 hours on communications with co-counsel; 4.30 hours on
14 communications with client; 55.10 hours on discovery matters; 38.20 hours on
15 documents review/preparation; 4.0 hours on mediation and settlement; 2.50
16 hours on miscellaneous tasks; and 99.0 hours on motion practice.

17 123. Ms. Hart has been approved for a similar hourly rate as requested here (\$295
18 per hour). *See Ronquillo-Griffin v. TransUnion Rental Screening Sols., Inc.*,
19 2019 U.S. Dist. LEXIS 79021 (Southern District of California May 9, 2019)
20 (finding class counsel's hourly rates to be reasonable where Ms. Hart requested
21 \$295 per hour and class counsel spent over 580 hours prosecuting the case).

22 124. Since 2019, it is my understanding that Ms. Hart has continues to be involved
23 in prosecuting complex consumer matters. *See, e.g., Salazar v. Target Corp.*,
24 83 Cal. App. 5th 571, 584-85 (2022) (reversing lower court's order and finding
25 the plaintiff plausibly alleged UCL, FAL, and CLRA claims); *Pizana v.*
26 *Sanmedica Int'l LLC*, No. 1:18-cv-00644-DAD-SKO, 2022 U.S. Dist. LEXIS
27 76989, at *47 (E.D. Cal. Apr. 26, 2022) (granting plaintiff's motion for leave
28 to file a third amended complaint).

Experience and Hours Incurred by Brian Attard

125. Brian Attard, is former associate at the firm. According to contemporaneously kept electronic billing records, Mr. Attard incurred 4.90 hours in this litigation, with an hourly rate at the time of \$250.00.

126. Based on my firm's billing records, Mr. Attard specifically spent approximately 3.9 hours on discovery; and 1.00 hour on pleadings.

127. Mr. Attard was admitted to the State Bar of California in January 2021. Based on Mr. Attard's experience litigating consumer cases, including class actions, since his admission to the bar, the proposed hourly rate of \$250 is fair and reasonable. The 2017-2018 Survey further supports the billing rate requested herein as a reasonable hourly rate billed by similar attorneys with the same level of experience.

128. During his time at Kazerouni Law Group, Mr. Attard handled numerous consumer cases as lead counsel. *See, e.g., Rickes v. Coast Prof'l, Inc.*, No. 3:21-cv-00639-BEN-DEB, 2021 U.S. Dist. LEXIS 112128, at *3 (S.D. Cal. June 14, 2021) (lead counsel in FDCPA and RFDCPA case); *Wang v. Radius Glob. Sols., LLC*, No. 8:21-CV-00238-JLS (ADSX), 2021 U.S. Dist. LEXIS 89054, at *1 (C.D. Cal. May 7, 2021) (lead counsel).

129. It is my understanding that since leaving my firm, Mr. Attard continues to engage in litigation in federal court. *Pictsweet Co. v. R.D. Offutt Co.*, No. 3:19-0722, 2021 U.S. Dist. LEXIS 253005, at *12 (M.D. Tenn. June 7, 2021) (counsel of record).

EXHIBITS

130. Attached hereto as **Exhibit 1** is a true and correct copy of Class Counsel's itemized expense report for this action.

131. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the United States Consumer Law's Attorney Fee Survey Report for 2017-2018, specifically, pages 228, 234, 236 .

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I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct, and that this declaration was executed on October 21, 2022.

s/ Abbas Kazerounian
Abbas Kazerounian

KAZEROUNI
LAW GROUP, APC

Exhibit 1

COST OR EXPENSE DESCRIPTION	COUNT	COST	CHARGE
Kazerouni Law Group APC			
Cost and Expenses Incurred on 10/4/19			
lunch with Bob (Bob's Card)	1	\$15.95	\$15.95
Cost and Expenses Incurred on 11/4/19			
Filing Fee - Complaint Packet (YAL's Visa)	1	\$400.00	\$400.00
Cost and Expenses Incurred on 11/12/19			
PACER - Docket Report (free Complaint would not download)	1	\$1.90	\$1.90
Cost and Expenses Incurred on 12/13/19			
Postage - ENE letter to client	1	\$0.69	\$0.69
Cost and Expenses Incurred on 1/31/20			
Meal - Yana	1	\$22.09	\$22.09
Cost and Expenses Incurred on 2/1/20			
Lyft to ENE	1	\$11.54	\$11.54
Cost and Expenses Incurred on 2/12/20			
Postage	1	\$1.80	\$1.80
Photocopies	22	\$0.30	\$6.60
Cost and Expenses Incurred on 3/3/20			
Photocopies	4	\$0.30	\$1.20
Postage	1	\$0.69	\$0.69
Cost and Expenses Incurred on 4/10/20			
PACER download	1	\$1.20	\$1.20
Cost and Expenses Incurred on 4/15/20			
Fedex	1	\$19.44	\$19.44
Cost and Expenses Incurred on 5/27/20			
Veritex Inv # OC4330852 (Open Invoice)	1	\$1,178.50	\$1,178.50
Cost and Expenses Incurred on 5/29/20			
researched some cases on PACER re BFE defense	1	\$30.00	\$30.00
Cost and Expenses Incurred on 6/1/20			
Veritex Inv # OC4340194 (Open Invoice)	1	\$1,055.25	\$1,055.25
Cost and Expenses Incurred on 6/8/20			
admission fee (Southern District of CA)	1	\$206.00	\$206.00
Cost and Expenses Incurred on 6/23/20			
Veritext Inv # OC4369142 (open invoice)	1	\$1,692.50	\$1,692.50
Cost and Expenses Incurred on 6/25/20			
Veritext Inv # OC4378330 (open invoice)	1	\$1,565.50	\$1,565.50
Cost and Expenses Incurred on 6/29/20			
Photocopies	199	\$0.30	\$59.70
Cost and Expenses Incurred on 6/30/20			
Veritext Inv # OC4384279 (open invoice)	1	\$2,489.20	\$2,489.20

COST OR EXPENSE DESCRIPTION	COUNT	COST	CHARGE
Cost and Expenses Incurred on 7/8/20			
Printed off MSJ to mark up for YH	31	\$0.30	\$9.30
Cost and Expenses Incurred on 7/9/20			
Printed off table of undisputed facts to mark up for Yana	7	\$0.30	\$2.10
Cost and Expenses Incurred on 7/14/20			
Printed new version of MSJ and Tables of undisputed facts to review	35	\$0.30	\$10.50
Cost and Expenses Incurred on 7/16/20			
Veritex Inv #OC4420779- (Open Invoice)	1	\$750.75	\$750.75
Cost and Expenses Incurred on 7/20/20			
Expenditure - food	1	\$38.49	\$38.49
Cost and Expenses Incurred on 7/21/20			
Veritex Inv # OC4438097 (Open Invoice)	1	\$1,050.00	\$1,050.00
Veritex Inv # OC4433655 (Open Invoice)	1	\$1,565.50	\$1,565.50
Cost and Expenses Incurred on 7/27/20			
Veritex Inv # SF4448040 (open invoice)	1	\$924.00	\$924.00
Cost and Expenses Incurred on 7/30/20			
Printed off latest version of MSJ and supplemental papers to review	42	\$0.30	\$12.60
Cost and Expenses Incurred on 8/18/20			
Printed oppo to Δ's MSJ to mark up	35	\$0.30	\$10.50
Cost and Expenses Incurred on 8/20/20			
Veritex Inv # OC4392012 (open invoice)	1	\$987.75	\$987.75
Cost and Expenses Incurred on 8/26/20			
Printed off Reply for MSJ to redline	19	\$0.30	\$5.70
Cost and Expenses Incurred on 8/28/20			
Printed off 2 version of cert reply to mark up	28	\$0.30	\$8.40
Cost and Expenses Incurred on 3/24/21			
Filing fee	1	\$505.00	\$505.00
Printed ex parte stay motion to mark up	10	\$0.30	\$3.00
Cost and Expenses Incurred on 5/21/21			
Printed opening 9th cir brief to mark up	35	\$0.30	\$10.50
Cost and Expenses Incurred on 7/1/21			
Printing for binders	816	\$0.30	\$244.80
staples - binders	1	\$91.01	\$91.01
Cost and Expenses Incurred on 7/2/21			
Postage Priority	1	\$19.30	\$19.30
Cost and Expenses Incurred on 9/9/21			
Printing	1	\$19.50	\$19.50
Cost and Expenses Incurred on 10/15/21			
Printing for reply binders	1	\$67.20	\$67.20

COST OR EXPENSE DESCRIPTION	COUNT	COST	CHARGE
Cost and Expenses Incurred on 10/19/21			
10/15 - 4 miles reimbursement - Fedex - Brianna	1	\$2.24	\$2.24
10/18 - 4 miles reimbursements - Fedex - Brianna	1	\$2.24	\$2.24
Binder Binding- Fedex reimbursement - Brianna	1	\$29.03	\$29.03
Cost and Expenses Incurred on 11/16/21			
Binder, Printing and Binder Tabs	1	\$625.44	\$625.44
Cost and Expenses Incurred on 2/1/22			
Pacer	1	\$1.00	\$1.00
Cost and Expenses Incurred on 2/23/22			
Signature Resolution - Inv 30217	1	\$5,450.00	\$5,450.00
Cost and Expenses Incurred on 3/8/22			
Pacer	1	\$2.00	\$2.00
Cost and Expenses Incurred on 3/9/22			
Pacer	5	\$0.10	\$0.50
Cost and Expenses Incurred on 3/15/22			
mediation binder for Abbas	1	\$90.10	\$90.10
Cost and Expenses Incurred on 5/5/22			
Mileage Reimbursement - 140 miles RT - Pam	1	\$81.90	\$81.90
Cost and Expenses Incurred on 7/3/22			
Pacer	1.20		\$0.00
Pacer	1.10		\$0.00
Cost and Expenses Incurred on 7/9/22			
Printed color SA to mark up	22	\$1.00	\$22.00
Printed exhs to SA for prelim mark ups	26	\$0.30	\$7.80
Cost and Expenses Incurred on 7/29/22			
priniting	50	\$0.30	\$15.00
Printing	160	\$0.30	\$48.00
GSO	1	\$20.67	\$20.67

Total Expenses: \$21,493.57

EXHIBIT 2

UNITED STATES CONSUMER LAW

ATTORNEY FEE SURVEY REPORT

2017-2018



Ronald L. Burdge, Esq.

**United States Consumer Law
Attorney Fee Survey Report 2017-2018**

Survey Conducted By
and
Survey Report Authored By

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California, Los Angeles - Long Beach - Anaheim

Average Number of Attorneys in Firm	2.75
Median Years in Practice	17.65
Average Concentration of Practice in Consumer Law	80.8
Primary Practice Area	Consumer Law
Secondary Practice Area	General Practice
Last Time Attorney Rate Changed (Average in Months)	16.25
Average Number of Paralegals in Firm	1.85
Average Paralegal Rate for All Paralegals	120
Average Attorney Rate for All Attorneys	547
25% Median Attorney Rate for All Attorneys	383
Median Attorney Rate for All Attorneys	534
75% Median Attorney Rate for All Attorneys	611
95% Median Attorney Rate for All Attorneys	787

Median Rate for Practice Areas

	Median
Attorneys Handling Bankruptcy Cases	450
Attorneys Handling Class Action Cases	562
Attorneys Handling Credit Rights Cases	450
Attorneys Handling Mortgage Cases	506
Attorneys Handling Vehicle Cases	569
Attorneys Handling TCPA Cases	478
Attorneys Handling Other Cases	450

California, San Diego

Average Number of Attorneys in Firm	3.0
Median Years in Practice	18.0
Average Concentration of Practice in Consumer Law	84.2
Primary Practice Area	Consumer Law
Secondary Practice Area	Other
Last Time Attorney Rate Changed (Average in Months)	16.92
Average Number of Paralegals in Firm	1.45
Average Paralegal Rate for All Paralegals	147
Average Attorney Rate for All Attorneys	452
25% Median Attorney Rate for All Attorneys	331
Median Attorney Rate for All Attorneys	475
75% Median Attorney Rate for All Attorneys	544
95% Median Attorney Rate for All Attorneys	700

Median Rate for Practice Areas

	Median
Attorneys Handling Bankruptcy Cases	400
Attorneys Handling Class Action Cases	500
Attorneys Handling Credit Rights Cases	400
Attorneys Handling Mortgage Cases	400
Attorneys Handling Vehicle Cases	450
Attorneys Handling TCPA Cases	425
Attorneys Handling Other Cases	400

California, San Francisco

Average Number of Attorneys in Firm	2.86
Median Years in Practice	14.0
Average Concentration of Practice in Consumer Law	85.7
Primary Practice Area	Consumer Law
Secondary Practice Area	Other
Last Time Attorney Rate Changed (Average in Months)	15.72
Average Number of Paralegals in Firm	1.19
Average Paralegal Rate for All Paralegals	110
Average Attorney Rate for All Attorneys	435
25% Median Attorney Rate for All Attorneys	325
Median Attorney Rate for All Attorneys	450
75% Median Attorney Rate for All Attorneys	613
95% Median Attorney Rate for All Attorneys	688

Median Rate for Practice Areas

	Median
Attorneys Handling Bankruptcy Cases	450
Attorneys Handling Class Action Cases	600
Attorneys Handling Credit Rights Cases	650
Attorneys Handling Mortgage Cases	400
Attorneys Handling Vehicle Cases	600
Attorneys Handling TCPA Cases	550
Attorneys Handling Other Cases	400