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10 *Attorneys for Plaintiff,*
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12 **UNITED STATES DISTRICT COURT**
 13 **SOUTHERN DISTRICT OF CALIFORNIA**

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

17 **Plaintiff,**

18 **v.**

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

20 **Defendant.**

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

22 **DECLARATION OF JEFFREY A.**
 23 **ALMADA IN SUPPORT OF**
 24 **PLAINTIFF’S UNOPPOSED**
 25 **MOTION FOR ATTORNEYS’**
 26 **FEEES, COSTS AND SERVICE**
 27 **AWARD**

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I, JEFFREY A. ALMADA, declare:

1. I am the named Plaintiff in the above-captioned action against Defendant Kriger Law Firm, A.P.C. (“Kriger” or “Defendant”). If called as a witness, I would competently testify to the matters herein from personal knowledge.
2. I am writing this declaration in support of Plaintiff’s Unopposed Motion for Attorneys’ Fees, Costs and Service Award.
3. I have reviewed the written Settlement Agreement and I have discussed it with my counsel.
4. I, through my counsel, commenced this lawsuit on November 4, 2019, against Defendant for alleged violations of the FDCPA. On June 2, 2020, through the assistance of my counsel, I filed a First Amended Complaint for alleged violations of the FDCPA and RFDCPA against Defendant.
5. I have agreed to a class settlement with Defendant on behalf of the Settlement Class, with the assistance of my attorneys.
6. I understand that as part of the class action Settlement, Defendant will set up a fund of \$131,850.00 (i.e., a Common Fund) to provide payment to Settlement Class Members. It is also my understanding that each of the 293 Settlement Class Member will receive a \$450 Cash Settlement Payment (so long as they do not timely exclude themselves).
7. I believe the settlement is fair and reasonable, considering the highly contested issues, as well as the risks, uncertainty, and costs of further litigation of this action.
8. I am willing to serve as a Class Representative in this action and I desire to be finally approved as such for purposes of the Settlement.
9. I understand the obligations of serving as class representative, and I have and will continue to adequately represent the interests of the Settlement Class Members.
10. I understand that I have been preliminarily appointed as the Class Representative for settlement purposes.

1 11.I have retained legal counsel who I believe to be skilled and experienced handling
2 consumer class actions such as this one.

3 12.I have actively participated throughout this litigation for over three years in the
4 belief that I was helping all other persons similarly situated in California.

5 13.I have actively participated throughout the litigation against Defendant
6 (including assisting my attorneys by providing information required for pre-suit
7 investigations, discovery, and other pre-trial matters and motion practice) in the
8 belief I was helping putative class members.

9 14.Indeed, I began assisting my attorneys with their pre-suit investigations back in
10 September of 2019. I also provided documentary evidence of my claims to my
11 attorneys.

12 15.Additionally, I participated in a three hour Early Neutral Evaluation (“ENE”)
13 back in January of 2020, in which I spent substantial time preparing for and
14 participating in with the assistance of my attorneys.

15 16.For the past several years, I continued to remain actively engaged in the litigation
16 and have continued to advocate for those similarly situated.

17 17. I have responded promptly to any requests for information from my attorneys
18 and I have made myself readily available to assist with the litigation of this case.

19 18.I estimate that I spent at least 20 hours over the course of the litigation in this
20 action assisting my attorneys in prosecuting this case and ultimately reaching a
21 settlement.

22 19.Some examples of my efforts assisting in prosecuting this complex class action
23 include (but are not limited to): (i) communicating with my attorneys throughout
24 the course of the litigation, including assisting my attorneys with their pre-suit
25 investigations, discovery, motion practice and settlement; (ii) participating in
26 numerous and in-depth phone calls regarding fact-finding efforts with my
27 attorneys, case strategy, motion practice, and settlement; (iii) providing a
28 declaration in support of class certification; (iv) reviewing the settlement

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1 agreement and discussing it with my counsel, which was fully executed on July
2 28, 2022; (v) submitting a declaration in support of preliminary settlement
3 approval; and (vi) now submitting this declaration in support of the motion for
4 attorneys’ fees, costs and service award.

5 20.I also anticipate expending additional time assisting my attorneys with the final
6 approval motion and providing a declaration, if needed, in support of that motion.

7 21.I understand that my attorneys are requesting that, as Class Representative, I be
8 awarded a service award of \$2,500 for my time and efforts in this lawsuit in
9 which I represented the interests of putative class members.

10 22.I understand that any such award must be approved by the Court and is not a
11 condition of the Settlement with the Defendant.

12 23.I am not receiving any monetary compensation from my attorneys (aside from
13 this application for a service award subject to court approval) for bringing this
14 lawsuit.

15 24.I also support the request by my attorneys for a *combined* award of attorneys’
16 fees and costs, which I understand is being requested in the amount of \$240,000.

17 25.It is my understanding that my attorneys have experience with consumer class
18 actions, including those that involve claims similar to the ones in this lawsuit for
19 unfair debt collection practices.

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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 20, 2022.

Jeffrey A Almada

Jeffrey A. Almada