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*Attorneys for Plaintiffs*  
*Mark Hinkle and Daniel Rossi*

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN DIEGO  
NORTH COUNTY DIVISION**

**MARK HINKLE and DANIEL ROSSI,  
Individually and On Behalf of All  
Others Similarly Situated,**

**Plaintiffs,**

**v.**

**SPORTS RESEARCH  
CORPORATION,**

**Defendant.**

**Case No.: 37-2020-00001422-CU-NP-NC**

**DECLARATION OF ABBAS  
KAZEROUNIAN IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES, COSTS, AND  
SERVICE AWARD**

**Judge:** Hon. Timothy M. Casserly  
**Courtroom:** N-31

**DECLARATION OF ABBAS KAZEROUNIAN**

**I, ABBAS KAZEROUNIAN, declare:**

1. I am one of the attorneys for plaintiffs Mark Hinkle and Daniel Rossi (the “Plaintiffs”) in the above-captioned action against defendant Sports Research Corporation (“Defendant”). I am over the age of 18 and am fully competent to make this declaration.
2. I was admitted to the State Bar of California in 2007 and have been a member in good standing ever since that time. I have litigated cases in both state and federal courts in California, Washington, Nevada, Arizona, Arkansas, New York, New Jersey, Tennessee, Ohio, Florida, Illinois, Colorado, and Texas. I am admitted in every federal district in California and have handled federal litigation in the federal districts of California. I am also admitted to the state bars of Texas, Illinois, New York, Colorado, Washington, Michigan, District of Columbia, the Ninth Circuit Court of Appeals, the Eighth Circuit Court of Appeals, and the Supreme Court of the United States.
3. If called as a witness, I would competently testify to the matters herein from personal knowledge. The declaration is based upon my personal knowledge, except where expressly noted otherwise.
4. I submit this declaration in support of Plaintiffs’ Motion for Attorneys’ Fees, Costs and Service Award.
5. I am a founding partner of Kazerouni Law Group, APC.
6. I have been appointed as one of Class Counsel in this action.

**HOURS INCURRED AND COSTS**

7. Since early 2018, through February 5, 2021, I have incurred approximately 67.2 hours in this action against Defendant, including before the action a filed while the parties participated in mediation. All hours were logged contemporaneously in the normal course of business. I have been involved in every major aspect of the case, including but not limited to conducting written discover, attending the mediation, and motion practice.
8. More specifically, in this action I have spent 10.9 hours communicating with individuals other than counsel, clients, and more than 75 class member inquiries; 2.80

communicating with co-counsel; 4.7 hours communicating with opposing counsel; 5 hours relating to discovery; 27 hours relating to mediation and settlement; and 16.8 hours on motion practice relating to motion for preliminary approval of settlement.<sup>1</sup>

9. I anticipate incurring at least 30 hours of additional time to prepare a motion for final approval of the class action settlement and through the fairness hearing, as well as addressing any contingent *cy pres* distribution, for a total of 97.2 hours.

10. Based on my extensive experience litigating consumer class actions as detailed below, I believe my proposed hourly rate of \$730 is fair and reasonable, in light of my extensive experience combined with my prior fee approval rates.

11. On December 3, 2020, I was approved for an hourly rate of \$710 in the matter of *McCurely v. Royal Sea Cruises, Inc.*, No. 3:17-cv-00986-BAS-AGS (S.D. Cal.). Before that, on January 22, 2019, I was approved for an hourly rate of \$695 in *Santana v. Rady Children's Hospital – San Diego*, Case No. 37-2014-00022411-CU-MT-CTL (San Diego County Superior Court, Jan. 2019). And before that I was approved for an hourly rate of \$675 in *Ayala v. TriplePulse Inc.*, 2018 Cal. Super. LEXIS 3242, \*4 (Los Angeles County Superior Court, Nov. 13, 2018).

12. I work almost exclusively on a contingency fee basis.

13. My firm is not seeking an award of fees for work performed by paralegals or externs at Kazerouni Law Group, APC, which hours have been zeroed.

14. At this rate and with the hours incurred above, including a reasonable estimate of additional hours, my loadstar is \$70,956 for this action.

15. Additionally, my former associate, Nicholas Barthel, who became licensed in California on December 5, 2017, incurred 136.6 hours in this action before transitioning to a different firm at the end of 2020, based on his contemporaneous entries in my firm electronic system of records. Specifically, Mr. Barthel spent 5.40 hours communicating with third parties, including relating to 3rd party subpoenas; 17.5 hours communicating with client and responding to approximately 100 class member inquiries; 8.7 hours

<sup>1</sup> If requested by the Court, I am willing to provide detailed billings records for review.

communicating with co-counsel; 0.40 communicating with the Court; 0.50 communicating with an expert; 7.5 hours communicating with opposition counsel; 18.1 hours on discovery matters; 1 hour of factual investigation prior to filing complaint; 30.8 hours on mediation and settlement discussions; 27.8 hours on motion practice; 5.5 hours on pleadings; and 7.5 hours on miscellaneous tasks; and 5.70 hours on administrative tasks. Thus, at a rate of \$375<sup>2</sup> multiplied by 136.6 hours, Mr. Barthel's lodestar is \$51,225.

16. To date, my firm has incurred costs of \$9,017.81. Some of the larger expenses include \$1,492.31 for filing of the complex complaint; \$4,500 for mediation fees; \$563.96 for flights for Mr. Ibey to travel out of state to the mediation; and \$907.10 for deposition expenses. A true and accurate record of these expenses is included in the attached **Exhibit 2**.

#### CLASS COUNSEL'S EXPERIENCE

17. Since my admission to the State Bar of California in 2007, I have been engaged exclusively in the area of consumer rights litigation, primarily in the area of fair debt collections, the defense of debt collection lawsuits, class action litigation under the Telephone Consumer Protection Act, California's Invasion of Privacy Statute pursuant to Penal Code § 630, *et seq.*, false advertising actions concerning consumer products, unfair competition, and other consumer statutes.

18. My firm, Kazerouni Law Group, APC, in which I am a principal, has litigated over 5,000 cases in the past eleven years. My firm has six offices, in Orange County, California; San Luis Obispo, California; Phoenix, Arizona; Las Vegas, Nevada; St. George, Utah; and Dallas, Texas. Kazerouni Law Group, APC has extensive experience in consumer class actions and other complex litigation. My firm has a history of aggressive, successful prosecution of consumer class actions. Approximately 95%

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<sup>2</sup> On May 5, 2019, Mr. Barthel was approved for an hourly rate of \$275 *Ronquillo-Griffin v. TransUnion Rental Screening Sols., Inc.*, No. 17cv129-JM (BLM), 2019 U.S. Dist. LEXIS 79021 (S.D. Cal. May 9, 2019).

percent of my practice concerns consumer litigation in general.

**KAZEROUNI LAW GROUP, APC'S**

**CONSUMER RELATED EXPERIENCE AND RESULTS**

19. I have presented oral argument on several occasions to the Ninth Circuit Court of Appeals, including in the following matters:

- a. *Knutson v. Sirius XM Radio*, No. 12-56120 (9th Cir. 2014), which resulted in an order in favor of my client, reversing an order compelling arbitration;
- b. *Marks v. Crunch San Diego, LLC*, 2018 U.S. App. LEXIS 26883 (9th Cir. 2018), which resulted in an order in favor of my client on a TCPA claim in terms of the meaning of an automatic telephone dialing system;
- c. Three times in *Afewerki v. Anaya Law Group*, No. 15-56510 (9th Cir. April 7, 2017), *Afewerki v. Anaya Law Group*, No. 18-55100 (9th Cir. May 15, 2019), and *Afewerki v. Anaya Law Group*, No. 19-56486 (9th Cir. Jan. 21, 2021), which resulted in an order in favor of my client's FDCPA claim.

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

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

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

- a. *Hill v. Quicken Loans, Inc.*, No. ED CV 19-0163 FMO (SPx), 2020 U.S. Dist. LEXIS 140980 (C.D. Cal. Aug. 5, 2020) (denying defendant's motion to dismiss and motion to compel arbitration of TCPA case);
- b. *Fishman v. Subway Franchisee Advert. Fund Tr., Ltd.*, No. 2:19-cv-02444-ODW (ASx), 2019 U.S. Dist. LEXIS 200710 (C.D. Cal. Nov. 18, 2019) (denying a defendant's motion to dismiss case for lack of personal jurisdiction where jurisdiction as based on an agency relationship);

- c. *Delisle v. Speedy Cash*, No. 3:18-CV-2042-GPC-RBB, 2019 U.S. Dist. LEXIS 96981 (S.D. Cal. June 10, 2019) (denying defendant's motion to compel arbitration, for a second time; currently on appeal);
- d. *Marks v. Crunch San Diego, LLC*, 2018 U.S. App. LEXIS 26883 (9th Cir. 2018) (TCPA class action where Ninth Circuit upheld Ninth Circuit precedence on the definition of an Automatic Telephone Dialing System);
- e. *Sherman v. Yahoo!, Inc.*, 2014 U.S. Dist. LEXIS 13286; 13-CV-0041-GPC-WVG (S.D. Cal.) (TCPA class action where Defendant's motion for summary judgment was denied holding that a single call or text message with the use of an ATDS may be actionable under the TCPA);
- f. *Olney v. Progressive Casualty Insurance Company*, 13-CV-2058-GPC-NLS, 2014 U.S. Dist. LEXIS 9146 (S.D. Cal.) (Defendant's motion to dismiss or in the alternative to strike the class allegations was denied finding that debt collection calls were not exempt from coverage under the TCPA);
- g. *Iniguez v. The CBE Group, Inc.*, 2013 U.S. Dist. LEXIS 127066 (E.D. Cal.); 13-CV-00843-JAM-AC (The court denied Defendant's motion to dismiss and to strike class allegations holding that the TCPA applies to any call made to a cellular telephone with an ATDS);
- h. *Stemple v. QC Holdings, Inc.*, No. 12-cv-01997-BAS (WVG), 2014 U.S. Dist. LEXIS 125313 (S.D. Cal. Sep. 5, 2014) (order denying defendant's motion for reconsideration of class certification under the TCPA);
- i. *Chen v. Allstate Ins. Co.*, 819 F.3d 1136 (9th Cir. 2016) (order affirming decision finding unaccepted offer of judgment under Fed. R. Civ. P. 68 did not moot the plaintiff's individual TCPA claims);
- j. *Knell, et al. v. FIA Card Services, N.A.*, 13-CV-01653-AJB-WVG (S.D. Cal.) (California class action settlement under Penal Code 632, *et seq.*, for claims of invasion of privacy. Settlement resulted in a common fund in the amount of \$2,750,000; finally approved in August 15, 2014);

- k. *Hoffman v. Bank of America Corporation*, 12-CV-00539-JAH-DHB (S.D. Cal.) (California class action settlement under Penal Code 632, *et seq.*, for claims of invasion of privacy. Settlement resulted in a common fund in the amount of \$2,600,000; finally approved on November 6, 2014 and served as co-lead counsel);
  - l. *Mount v. Wells Fargo Bank, N.A.*, BC395959 (Sup. Ct. Los Angeles) (finally approved for \$5,600,000 in action under Cal. Pen. Code § 630, *et seq.*);
  - m. *Zaw v. Nelnet Business Solutions, Inc. et al.*, No. 13-cv-05788-RS (N.D. Cal.) (finally approved in 2014 for \$1,188,110 in action under Cal. Pen. Code § 630, *et seq.*);
  - n. *Medeiros v. HSBC Bank Nevada, N.A.*, 3:14-cv-01786-JLS-MDD (S.D. Cal. 2017) (Finally approved action under Penal Code 632, *et seq.* for \$13,000,000).
23. I have filed and litigated numerous consumer class actions over the last several years, including but not limited to the following, which I am or have been personally involved in:
- a. *Lemieux v. EZ Lube, LLC, et al.*, 12-CV-01791-JLS-WYG (S.D. Cal.) (Served as co-lead counsel; finally approved on December 8, 2014);
  - b. *Malta, et al. v. Wells Fargo Home Mortgage, et al.*, 10-CV-1290-IEG (BLM) (Served as co-lead counsel for a settlement class of borrowers in connection with residential or automotive loans and violations of the TCPA in attempts to collect on those accounts; obtained a common settlement fund in the amount of \$17,100,000; final approval granted in 2013);
  - c. *Conner v. JPMorgan Chase Bank, et al.*, 10-CV-1284 DMS (BGS) (S.D. Cal.) (finally approved \$11,973,558);
  - d. *In Re: Midland Credit Management, Inc., Telephone Consumer Protection Act Litigation*, 11-md-2286-MMA (MDD) (S.D. Cal.) (Counsel for a Plaintiff in the lead action, prior to the action being recategorized through the multi-district litigation process; finally approved for \$18 million);
  - e. *In Re: Portfolio Recovery Associates, LLC Telephone Consumer Protection Act Litigation*, 11-md-02295-JAH (BGS) (Counsel for a Plaintiff in the lead action, prior



- to the action being recategorized through the multi-district litigation process; finally approved for \$18 million);
- f. *Arthur v. SLM Corporation*, 10-CV-00198 JLR (W.D. Wash.) (Nationwide settlement obtaining \$24.15 million; final approval granted in 2012);
  - g. *Lo v. Oxnard European Motors, LLC, et al.*, 11-CV-1009-JLS-MDD (S.D. Cal.) (Achieving one of the highest classmember payouts in a TCPA action of \$1,331.25 per claimant; final approval granted in 2012);
  - h. *Sarabri v. Weltman, Weinberg & Reis Co., L.P.A.*, 10-01777-AJB-NLS (S.D. Cal.) (Approved as co-lead counsel and worked to obtain a national TCPA class settlement where claiming class members each received payment in the amount of \$70.00 per claimant; final approval granted in 2013);
  - i. *Barani v. Wells Fargo Bank, N.A.*, 12-CV-02999-GPC (KSC) (S.D. Cal.) (Co-lead class counsel in a settlement under the TCPA for the sending of unauthorized text messages to non-account holders in connection to wire transfers; finally approved on March 6, 2015 for over \$1,000,000);
  - j. *Mills v. HSBC Bank Nevada, N.A.*, Case No. 12-CV-04010-SI (N.D. Cal.) (Finally approved for \$39,975,000);
  - k. *Martin v. Wells Fargo Bank, N.A.*, 12-CV-06030-SI (N.D. Cal.);
  - l. *Heinrichs v. Wells Fargo Bank, N.A.*, 13-CV-05434-WHA (N.D. Cal.);
  - m. *Newman v. ER Solutions, Inc.*, 11-CV-0592H (BGS);
  - n. *In Re Jiffy Lube International, Inc.*, MDL No. 2261 (Finally approved for \$47,000,000.00 in value to the class);
  - o. *Jaber v. NASCAR*, 11-CV-1783 DMS (WVG) (S.D. Cal.);
  - p. *Ridley v. Union Bank, N.A.*, 11-CV-1773 DMS (NLS) (S.D. Cal.);
  - q. *Ryabyshchuk v. Citibank (South Dakota) N.A., et al.*, 11-CV-1236-IEG (WVG);
  - r. *Sherman v. Kaiser Foundation Health Plan, Inc.*, 13-CV-0981-JAH (JMA) (S.D. Cal.) (Settled for \$5,350,000 and finally approved on May 12, 2015; served as co-lead counsel);



- s. *Rivera v. Nuvell Credit Company LLC*, 13-CV-00164-TJH-OP (E.D. Cal.);
- t. *Karayan v. Gamestop Corp.*, 3:12-CV-01555-P (N.D. Texas);
- u. *Webb v. Healthcare Revenue Recovery Group*, 13-cv-00737-RS (N.D. Cal.);
- v. *Couser v. Comenity Bank*, 12-cv-02484-MMA-BGS (S.D. Cal. Oc. 2, 2014) (Finally approved for \$8,475,000 on May 27, 2015 as served as co-lead counsel);
- w. *Couser v. Apria Healthcare, Inc. et al.*, 13-cv-00035-JVS-RNB (C.D. Cal. Oct. 27, 2014) (Finally approved on March 9, 2015 and served as co-lead counsel);
- x. *Rose v. Bank of America Corporation et al.*, 12-cv-04009-EJD (N.D. Cal.) (Finally approved for \$32,000,000 in 2014);
- y. *Newman v. AmeriCredit Financial Services*, 11-cv-03041-DMS-BLM (S.D. Cal.) (finally approving TCPA settlement for over \$6,500,000 on March 28, 2016);
- z. *Fox v. Asset Acceptance, LLC*, 14-cv-00734-GW-FFM (C.D. Cal. July 1, 2016) (finally approved TCPA class action for \$1,000,000; \$200,000 cash and \$800,000 debt relief);
- aa. *Barrett v. Wesley Financial Group, LLC*, 13-cv-00554-LAB-KSC (S.D. Cal.) (Class certification granted);
- bb. *Gehrich v. Chase Bank, N.A.*, 12-cv-5510 (N.D. Cal.) (finally approved for \$34,000,000);
- cc. *Macias v. Water & Power Community Credit Union*, BC515936 (Los Angeles Superior Court) (Class certification granted under the Rosenthal Fair Debt Collection Practices Act; class action settlement finally approved on April 21, 2016);
- dd. *LaPuebla v. BirchBox, Inc.*, 3:15-cv-00498-BEN-BGS (S.D. Cal. 2016) (finally approved settlement in unlawful auto-renewal action, allowing class members to receive credits ranging from \$5 to \$20 toward future purchases);
- ee. *Stemple v. QC Holdings, Inc.*, 12-cv-01997-BAS-WVG (S.D. Cal. Nov. 7, 2016) (finally approved for \$1,500,000);
- ff. *Abdeljalil v. GE Capital Retail Bank*, 12-cv-02078-JAH-MDD (S.D. Cal.) (Class Certification granted and finally approved for \$7,000,000);

- gg. *Barrow v. JPMorgan Chase Bank, N.A.*, 1:16-cv-03577-AT (N.D.Ga) (preliminarily approved class settlement for \$2,250,000);
- hh. *Hooker v. Sirius XM Radio Inc.*, 4:13-cv-00003-AWA-LRL (E.D.Va. December 22, 2016) (Served as co-lead counsel in finally approved TCPA class action settlement with a monetary fund of \$35,000,000);
- ii. *Caldera v. Am. Med. Collection Agency*, 2017 U.S. Dist. LEXIS 99239 (C.D. Cal. June 27, 2017) (Order certifying nationwide TCPA class action);
- jj. *Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109 (Sup. Ct. San Luis Obispo) (RFDCPA class action finally approved on October 30, 2017);
- kk. *Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super. LEXIS 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (RFDCPA class action finally approved);
- ll. *Luster v. Wells Fargo Dealer Services, Inc.*, 15-cv-1058 (TWT) (N.D. Ga. November 8, 2017) (TCPA class action finally approved in the amount of \$14,834,058.00);
- mm. *McPolin v. Credit Service of Logan*, 16-cv-116 BSJ (Utah District Court) (FDCPA class action with consumers to each receive \$1,428.57, debt relief, and tradeline deletion finally approved on November 9, 2017).
- nn. *Reid v. I.C. System, Inc.*, 2017 U.S. Dist. LEXIS 43770 (D.Ariz. March 24, 2017) (TCPA class actions finally approved in the amount of \$3,500,000);
- oo. *Couser v. Dish One Satellite, LLC*, 5:15-cv-02218-CBM-DTB (C.D. Cal. November 21, 2017) (TCPA class action preliminarily approved in the amount of \$935,000).
24. With regard to cases specifically involving false advertising, in the last few years I have settled, or am in the process, several cases, including but not limited to:
- a. *Holt v. Foodstate, Inc.*, No. 1:17-cv-00637-LM, 2020 U.S. Dist. LEXIS 7265 (D.N.H. Jan. 16, 2020) (finally approving class action settlement for alleged false advertising of consumable product);
- b. *Oxina v. Lands' End, Inc.*, 3:14-cv-02577-MMA-NLS (S.D. Cal. 2016) (finally approved settlement under California Made in the USA statute);

- c. *Kline v. Dymatize Enters., LLC*, No. 15-CV-2348-AJB-RBB, 2016 U.S. Dist. LEXIS 142774, at \*16 (S.D. Cal. Oct. 13, 2016) (finally approved class action settlement regarding slack fill claim);
- d. *Maxin v. RHG & Company, Inc.*, 2017 U.S. Dist. LEXIS 27374 (S.D. Cal. February 27, 2017) (finally approved class action settlement for \$900,000);
- e. *Scheuerman v. Vitamin Shoppe Industries, Inc.*, BC592773 (Los Angeles Superior Court) (finally approved class action settlement for up to \$638,384);
- f. *Dowlatshahi v. Mcilhenny Company*, No. 30-2017-00911222-CU-NP-CXC (Sup. Ct. Orange County Oct. 10, 2018) (granting final approval to product false advertising settlement);
- g. *LaPuebla v. BirchBox, Inc.*, 3:15-cv-00498-BEN-BGS (S.D. Cal.) (Kazerouni Law Group, APC served as class counsel in settlement involving claims of non-compliance with California’s auto-renewal disclosure requirement);
- h. *Giffin v. Universal Protein Supplements Corporation d/b/a/ Universal Nutrition et al.*, No. BC613414 (Superior Court of California, County of Los Angeles) (finally approved class action settlement alleging violation of California law involving Made in USA representations);
- i. *Holt v. Noble House Hotels & Resort, Ltd.*, No. 17cv2246-MMA (BLM), 2018 U.S. Dist. LEXIS 177940 (S.D. Cal. Oct. 16, 2018) (achieved class certification status on CLRA claim for alleged false advertising of restaurant surcharge);
- j. *Duenas v. Freedom Laser Therapy, Inc. d/b/a iRestore*, No. 30-2019-01060877-CU-BT-CXC (Sup. Ct. Orange County) (pending motion for preliminary approval of class action settlement involving alleged false or misleading claims concerning a laser hair growth product).

25. In the matter of *Holt v. Foodstate Inc.*, No. 17-cv-637-LM (D.N.H. Jan. 6, 2020), in which I served as one of Co-Class Counsel with Jason Ibey from my firm, the Court at the final approval hearing (as reflected by the hearing transcript for that matter) expressed that “Class counsel are highly qualified and experienced in consumer class actions,

including false advertising claims,” and further stated that Mr. Kazerounian “[h]as participated in over 50 consumer protection class action suits in the last several years and he also has received extensive training in consumer protection litigation, has given presentations on the subject, including teaching a law school course on consumer law.” A true and correct copy of the relevant excerpt from the transcript is attached hereto as **Exhibit 1**.

26. Many of the cases listed above, which have settled, resulted in the creation of combined common funds and/or distribution to class member in the hundreds of millions of dollars. The outstanding results mentioned above are a direct result of the diligence and tenacity shown by Kazerouni Law Group, APC and myself, in successfully prosecuting complex class actions.

**ADDITIONAL RELEVANT TRAINING,  
SPEAKING/TEACHING ENGAGEMENTS AND ASSOCIATIONS**

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

28. The following is a list of recent training conferences I attended:

- a. Four-day National Consumer Law Center Conference; Nashville, TN –2008;
- b. Three-day National Consumer Law Center Conference; Portland, OR -2008;
- c. Three-day National Consumer Law Center Conference; San Diego, CA - 2009;
- d. Three-day National Consumer Law Center Conference; Seattle, WA -2011;
- e. National Consumer Law Center Conference in 2013;
- f. National Consumer Law Center Conference in 2014;
- g. National Consumer Law Center Conference in 2015;
- h. National Consumer Law Center Conference in 2016;
- i. Three-day CAALA Conference; Las Vegas, NV – 2009;
- j. Three-day CAALA Conference; Las Vegas, NV – 2013;
- k. Three-day CAALA Conference; Las Vegas, NV – 2015;
- l. Three-day CAALA Conference; Las Vegas, NV – 2016;

- m. Three-day CAOC Conference – 2014 and 2015;
  - n. Speaker at ABA National Conference, Business Litigation Section; Trends in Consumer Litigation; San Francisco, CA – 2013;
  - o. Speaker at the ABA TCPA National Webinar (Consumer Protection, Privacy & Information Security, Private Advertising Litigation, and Media & Technology Committees) – September 2013;
  - p. Spoke at the 2014 ACA Conference in November 2014;
  - q. Speaker at ACI Conference in Dallas, TX in September of 2016 concerning The Borrower's Perspective: Insight From The Plaintiffs' Bar and Consumer Advocates;
  - r. Speaker on TCPA panel in September of 2016 at the Annual Consumer Financial Services Conference.
29. As one of the main plaintiff litigators of consumer rights cases in the Southern District of California, I have been requested to and have made regular presentations to community organizations regarding debt collection laws and consumer rights. These organizations include Whittier Law School, Iranian American Bar Association, Trinity School of Law and Chapman Law School, University of California, Irvine, and California Western School of Law.
30. I was the principle anchor on Time Television Broadcasting every Thursday night as an expert on consumer law generally between 2012 and 2013.
31. I was named Rising Star by San Diego Daily Tribune in 2012, and Rising Star in Super Lawyers Magazine in 2013, 2014 and 2015.
32. I was named a Super Lawyer by Super Lawyers Magazine in 2016, 2017, 2018, 2019 and 2020.
33. I lectured in Class Action Trends at the CAOC 2015 Conference in San Francisco.
34. I was selected for membership into The National Trial Lawyers: Top 40 Under 40 in 2016, 2017 and 2018.
35. I was a panelist in a webinar, ABA Telephonic Brown Bag re: TCPA, on August 25, 2015.


36. I lectured in Class Action Trends at the CAOC 2015 Conference in San Francisco, California.
37. In January of 2016, I spoke on the impact of the Federal Communications Commission's 2015 Declaratory Ruling on TCPA litigation at the ABA National Convention in Salt Lake City, Utah.
38. In May of 2016, I spoke on Class Action Trends at the CAOC seminar in Palm Springs, California.
39. In August of 2018, I was one of three presenters on another national webinar on the TCPA titled "From Both Sides: Plaintiff and Defense Perspective on the TCPA".
40. In August of 2018, I was one of two presenters on a national webinar on the TCPA titled "TCPA Takes a New Turn With the 9th Circuit's Ruling in *Marks v. Crunch San Diego, LLC*."
41. I lectured on the TCPA before the ABA Business Law Section, Consumer Financial Services Committee in January 2016 at an event in Utah entitled, "Impact of the FCC's 2015 Rulings on TCPA Litigation."
42. In 2016, I wrote an article entitled "Finding a Balance" that was published in the Nutrition Business Journal, concerning a lawsuit filed under the Racketeer Influenced and Corrupt Organization Act.
43. I was published in the Daily Journal in September of 2016, with the title, "The FDCPA: The Forgotten Statute."
44. I am often called upon to give legal analysis on popular television and radio shows such as Dr. Drew Midday Live and Fox 5.
45. In March of 2016, I moderated the Judges Panel on Class Action Trends and Federal Litigation Trends at the NCLC Conference.
46. I spoke on privacy rights on a panel before the California State Bar Convention in 2016.
47. I spoke at the 22<sup>nd</sup> National Forum on Residential Mortgage Litigation & Regulatory Enforcement conference on January 22, 2017.
48. Presented at the 2017 CAOC seminar in Palm Springs, California.

49. I was given the Wiley W. Manuel Award by the State Bar of California for Pro Bono Work (2017).
50. Speaker at national webinar on June 7, 2017 for the CAOC, entitled, “Understanding the Fair Debt Collection Practices Act”, and again on August 1, 2018.
51. I wrote an article entitled, *Collateral Damage, Beyond the personal injury: When creditors and collection agencies stalk your client*, published in the September 2017 edition of Plaintiff magazine.
52. Speaker at National Webinar by the ABA Consumer Financial Services Committee on TCPA Update – “The D.C. Circuit’s TCPA Decision on the FCC Ruling, held on March 22, 2018.
53. Spoke at 2018 Inland Empire CAOC Convention on “Class Action Hot Topics” - May 2018.
54. On January 11, 2019, I spoke on a panel entitled “TCPA Litigation: Where is it Heading Now?” at the 2019 Annual American Bar Association Conference in Miami.
55. I spoke on the FDCPA at National Consumer Law Center’s National Convention in Las Vegas in March, 2019.
56. Spoke on “The interplay between Personal Injury and Class Actions” at the CAOC Sonoma Seminar 2019.
57. Presented at Mass Torts Made Perfect on Modern Trends in the TCPA in April of 2019.
58. Speaker at the CAOC Inland Empire Seminar in Palm Springs on “Dealin with Overly Ambitious Lien Holders, on May 2, 2019.
59. Speaker for the California Lawyers Association March 3, 2020 Webinar on “Recent Developments in Internet and Privacy Law Affecting California Consumer Financial Service Providers” presented by the Internet and Privacy Law Committee; and, the Consumer Financial Services Committee.
60. Speaker at San Diego Law School Class Action Forum 2020 on Consumer Class Actions in March 2020.
61. Speaker for a webinar for CAOC on April 21, 2020 on “Data Breach Basics.”



62. MTMP (Mass Torts Made Perfect) Connect Webinar Series on Class Action Data Breaches – June 4, 2020.
63. Speaker at MTMP Class Action Track - October 14, 2020 on "Nuts & Bolts of Mediating a Class Action"
64. I was given the Wiley W. Manuel Award by the State Bar of California for Pro Bono Work (2017).
65. Judge Cynthia Bashant, in an order issued December 3, 2020, recognized me as an “experienced class action litigator[] very familiar to [the] Court,” in *McCurely v. Royal Sea Cruises, Inc.*, 3:17-cv-00986-BAS-AGS, Dkt. No. 198 (S.D.Cal.).
66. I am a member in good standing of the following local and national associations:
  - a. Consumer Attorneys Association of Los Angeles;
  - b. The Orange County Bar Association;
  - c. Orange County Trial Lawyers Association;
  - d. Twice served as former President of the Orange County Chapter of the Iranian American Bar Association;
  - e. Member in good standing of National Association of Consumer Advocates;
  - f. Member of Consumer Attorneys of California;
  - g. Member of the Federal Bar Association;
  - h. Member of the Leading Forum of the American Association of Justice;
  - i. Member of the American Bar Association;
  - j. Public Justice Foundation.
67. In addition to my class action experience, I have experience in commercial litigation and large-scale products liability litigation including a \$2.5 million dollar settlement in *Mei Lu Hwei, et al v. American Honda Motor Co., Inc., et al.* (Case No. BC401211 in Superior Court of California for County of Los Angeles).
68. I have regularly litigated cases in state and federal courts, and have reached numerous confidential seven-figure settlements against internationally known companies.

1 I declare under penalty of perjury under the laws of California that the foregoing is true  
2 and correct, and that this declaration was executed at Costa Mesa, CA, on February 5, 2021.  
3

4 By:   
5 Abbas Kazerounian  
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# EXHIBIT 1

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V.

\* \* \* \* \*

Susan M. Bateman, RPR, CRR  
Official Court Reporter  
United States District Court  
55 Pleasant Street  
Concord, NH 03301  
(603) 225-1453

1           Now, this requirement under 23(a)(4) really  
2     has two prongs. First, that the interests of the  
3     representative party will not conflict with the  
4     interests of any of the class members; and two, that  
5     chosen counsel is qualified and experienced and able to  
6     vigorously conduct the proposed litigation.

7           All right. So for adequacy first, the  
8     conflict between named plaintiffs and class.

9           Plaintiffs allege they have no known conflicts  
10    with absent class members, and the Court can discern no  
11    such conflict. The main difference between  
12    representative plaintiffs and absent class members is  
13    that the representatives bought only a handful of  
14    covered products while the class includes individuals  
15    that bought one of over 500 covered products.

16           Nevertheless, I don't think this difference  
17    causes a conflict. All of the covered products are  
18    alleged to have the same false labeling that is the  
19    focus of plaintiffs' claims. So I don't see how  
20    differences in which products the class members  
21    purchased would create a conflict that would disable the  
22    adequacy prong.

23           Next, class counsel. Class counsel are highly  
24    qualified and experienced in consumer class actions,  
25    including false advertising claims.

1           And again, all of this is in the record, but I  
2   find that Attorney Kazerounian -- am I saying that  
3   correctly?

4           MR. KAZEROUNIAN:   Kazerounian.

5           THE COURT:   Kazerounian?

6           MR. KAZEROUNIAN:   Yes, your Honor.

7           THE COURT:   Has participated in over 50  
8   consumer protection class action suits in the last  
9   several years and he also has received extensive  
10   training in consumer protection litigation, has given  
11   presentations on the subject, including teaching a law  
12   school course on consumer law.

13           Attorney Jason Ibey.   I believe Attorney Ibey  
14   is the attorney who filed the affidavit this morning.  
15   90 percent of his practice is devoted to consumer class  
16   action.   He's also been approved as class counsel in  
17   several other class actions and litigated many consumer  
18   suits.

19           Attorney Nicholas Barthel, Ninety percent of  
20   his practice is devoted to consumer class actions,  
21   appears to be a younger lawyer admitted to the  
22   California Bar in 2017.   However, I find that he is  
23   qualified.

24           Attorney Joshua Swigart of Hyde & Swigart  
25   spent his whole career litigating consumer rights cases,

# EXHIBIT 2



Date	Person	Expense Name	Expense	Count	Amount	Expense Total
01/24/2020		Jams refund		1	\$-5,250.00	-\$5,250.00
	Edith Luna			1		\$0.00
10/22/2018	Nicholas Barthel	Printing - CLRA Letter		20	\$0.30	\$6.00
10/23/2018	Jesus Vargas	mail cost		1	\$6.67	\$6.67
10/23/2018	Jesus Vargas	mail cost		1	\$6.67	\$6.67
10/23/2018	Jesus Vargas	Mail cost		1	\$6.67	\$6.67
10/23/2018	Jesus Vargas	mail cost		1	\$6.67	\$6.67
12/11/2018	Nicholas Barthel	Print clra response for mailing		2	\$0.30	\$0.60
12/11/2018	Jesus Vargas	mail cost		1	\$0.47	\$0.47
01/04/2019	Nicholas Barthel	Print summary of claims email for call with OC		2	\$0.10	\$0.20
02/13/2019	Monica Guevara	Jams Inc Check - Mediation Inv 0004712408-200 - Jason		1	\$5,200.00	\$5,200.00
04/30/2019	Jocelyn Candelas	Funded Advocate Capital 4/24/19 - Jason Acct. \$5,200.00		1		\$0.00
04/30/2019	Jocelyn Candelas	Funded Advocate Capital 4/24/19 - Main Acct. \$33.95		1		\$0.00
05/07/2019	Monica Guevara	Flight - Jason - CANCELLED		1	\$0.00	\$0.00
05/14/2019	Monica Guevara	Shuttle - Jason		1	\$70.90	\$70.90
05/14/2019	Monica Guevara	Flight- Jason		1	\$563.96	\$563.96
05/24/2019	Jason Ibey	Photocopies		11	\$0.30	\$3.30
07/15/2019	Nicholas Barthel	Printing for mediation brief to be examined by AK		19	\$0.30	\$5.70
07/19/2019	Jason Ibey	Photocopies		13	\$0.30	\$3.90
07/24/2019	Nicholas Barthel	Print mediation brief, exhibits, TOC, and coversheet		34	\$0.30	\$10.20
07/25/2019	Monica Guevara	Uber - Jason		1	\$13.45	\$13.45
07/25/2019	Monica Guevara	Uber - Jason		1	\$14.01	\$14.01
07/25/2019	Kenny Miranda	Hotel for Jason - AK Amex		1	\$207.31	\$207.31
07/25/2019	Monica Guevara	Uber - Jason		1	\$9.10	\$9.10
07/25/2019	Monica Guevara	Uber - Jason		1	\$7.62	\$7.62
07/25/2019	Monica Guevara	Dinner - Jason		1	\$36.25	\$36.25
07/25/2019	Monica Guevara	Uber - Jason		1	\$9.44	\$9.44
07/26/2019	Nicholas Barthel	Parking at mediation - AK		1	\$10.00	\$10.00
07/26/2019	Monica Guevara	Uber - Jason		1	\$7.36	\$7.36
08/30/2019	Monica Guevara	Jams Check # 7386 - JAson		1	\$4,500.00	\$4,500.00
09/11/2019	Monica Guevara	Flight- Jason - CANCELLED (travel funds received)		1	\$0.00	\$0.00
10/30/2019	Lili Masri	Meal for settlement discussion- Ak Amex		1	\$208.58	\$208.58
01/10/2020	Nicholas Barthel	print documents and Notice of acknowledgment for mailing		34	\$0.30	\$10.20
01/10/2020	Bryanna Rodriguez	Mail cost		1	\$1.75	\$1.75

01/10/2020	Bryanna Rodriguez	Envelope	1	\$0.75	\$0.75
01/10/2020	Bryanna Rodriguez	return envelope 4x9	1	\$0.50	\$0.50
01/13/2020	Monica Guevara	One Legal - AK CC	1	\$1,492.31	\$1,492.31
01/21/2020	Monica Guevara	One Legal - AK cc	1	\$9.95	\$9.95
01/29/2020	Emily Torromeo	One Legal (Order # 14351718; Conf. # 23542698) AK Visa	1	\$9.95	\$9.95
01/29/2020	Emily Torromeo	Postage	1	\$1.59	\$1.59
02/04/2020	Emily Torromeo	One Legal (Order # 14378502; Conf. # 23564471) AK Visa	1	\$9.95	\$9.95
03/18/2020	Bryanna Rodriguez	Certified Mail with Return Receipt	1	\$8.40	\$8.40
03/18/2020	Bryanna Rodriguez	envelope	1	\$0.75	\$0.75
03/18/2020	Bryanna Rodriguez	Printing	29	\$0.30	\$8.70
03/19/2020	Bryanna Rodriguez	Mail Cost	1	\$1.00	\$1.00
03/19/2020	Bryanna Rodriguez	Envelope	1	\$0.75	\$0.75
03/19/2020	Bryanna Rodriguez	Printing	87	\$0.30	\$26.10
03/30/2020	Edith Luna	Sano Attorney Service Inv 2020002305	1	\$55.00	\$55.00
04/01/2020	Edith Luna	Sano Attorney Service Inv 2020002234	1	\$105.00	\$105.00
05/27/2020	Emily Torromeo	One Legal (Order # 14732593; Conf. # 23856087) AK Visa	1	\$9.95	\$9.95
05/27/2020	Emily Torromeo	Postage	1	\$2.59	\$2.59
05/28/2020	Emily Torromeo	OneLegal (Order # 14736799; Conf. # 23859569) AK Visa	1	\$9.95	\$9.95
06/08/2020	Edith Luna	One legal	1	\$30.61	\$30.61
06/09/2020	Edith Luna	Court call	1	\$94.00	\$94.00
06/09/2020	Edith Luna	One Legal	1	\$9.95	\$9.95
06/09/2020	Abbas Kazerounian	Printed file for confirmatory deposition	73	\$0.30	\$21.90
06/10/2020	Abbas Kazerounian	Printed new additional docs from confirmatory depo (Color)	23	\$1.00	\$23.00
06/10/2020	Abbas Kazerounian	More color printing for depo bc OC sent during deposition	8	\$1.00	\$8.00
06/15/2020	Edith Luna	Veritext Inv # OC4359227 (Open Invoice)	1	\$907.10	\$907.10
06/15/2020	Emily Torromeo	One Legal (Order # 14788875; Conf. # 23902570) JI Visa	1	\$30.61	\$30.61
06/15/2020	Emily Torromeo	Postage	1	\$2.38	\$2.38
06/16/2020	Jason Ibey	Photocopies	23	\$0.30	\$6.90
06/16/2020	Abbas Kazerounian	Printed preliminary approval motion to review (in color - JI's high	23	\$1.00	\$23.00
06/16/2020	Abbas Kazerounian	Printed dec to mark up for preliminary approval papers	13	\$0.30	\$3.90
06/26/2020	Emily Torromeo	One Legal (Order # 14843434; Conf. # 23948651) JI Visa	1	\$9.95	\$9.95
09/28/2020	Emily Torromeo	OneLegal (Order # 14809991; Conf. # 23920356) JI Visa	1	\$71.93	\$71.93
10/18/2020	Abbas Kazerounian	Printed binder to prep for prelim approval - b&w copies	632	\$0.30	\$189.60
10/18/2020	Abbas Kazerounian	Printed binder to prep for prelim approval - color copies	42	\$1.00	\$42.00
10/18/2020	Abbas Kazerounian	Binder - for prelim approval	1	\$5.39	\$5.39

10/19/2020	Monica Guevara	Courtcall -ID 10914794	1	\$94.00	\$94.00
10/28/2020	Monica Guevara	SD court	1	\$7.57	\$7.57
01/11/2021	Kandace Birch	Photocopies	4	\$0.30	\$1.20
01/11/2021	Kandace Birch	Postage	1	\$0.70	\$0.70
01/11/2021	Kandace Birch	Photocopies	8	\$0.30	\$2.40
01/11/2021	Kandace Birch	Postage	1	\$1.55	\$1.55
					\$9,017.81