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7

8

IN THE UNITED STATES DISTRICT COURT

9

FOR THE CENTRAL DISTRICT OF CALIFORNIA

10

MARK MEDOFF, individually and on behalf
of all others similarly situated,

11

Plaintiff,

12

v.

13

14

MINKA LIGHTING, LLC,

15

Defendant.

16

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Case No. 2:22-CV-08885

**Plaintiff’s Notice of Unopposed Motion for
Attorney Fees, Litigation Costs, and
Service Award and Memorandum of
Points and Authority**

Date: June 20, 2024

Time: 1:00 PM

Courtroom 5B

Hon. Hernán D. Vera

18

TO ALL PARTIES AND THEIR COUNSEL OF RECORD

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PLEASE TAKE NOTICE that on June 20, 2024 at 10:00 AM, or as soon thereafter as

20

this matter may be heard by the Honorable Hernán D. Vera in Courtroom 5B of the above-entitled

21

Court, located at 350 West First Street, Los Angeles, California 90012, Plaintiff will and hereby

22

does move the Court for an order awarding: (1) attorney fees to Class Counsel in the amount of

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\$233,333.33; (2) reimbursement of litigation expenses of \$16,515.67; and (3) a service award to

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Plaintiff Mark Medoff of \$2,500. This motion is based on the incorporated memorandum of law,

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the declarations and exhibits filed herewith, the pleadings and papers in this action, and any

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additional arguments of counsel. Plaintiff’s counsel has conferred with Defendant’s counsel, and

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Defendant does not oppose this motion.

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INTRODUCTION

This class action settlement provides for a \$700,000.00 common fund on behalf of only 6,577 Class Members. In the data breach context, that is an exceptional result. It was achieved only after many months of hard-fought litigation, including motion practice, significant investigation by Class Counsel, and extensive arm’s-length settlement negotiations. Class Counsel brokered this settlement in the face of the considerable risk inherent to class actions and to data breach class actions in particular. In light of their efforts on behalf of the Class, Class Counsel requests a fee of one-third of the \$700,000.00 common fund (or \$233,333.33), which amounts to a modest lodestar multiplier of 1.07. Class Counsel also request reimbursement for \$16,515.67 of litigation expenses. Finally, Plaintiff requests that the Court grant his motion for a service award of \$2,500 to Plaintiff Medoff in light of his commitment to pursuing this litigation on behalf of the Class.

These requests reflect the risk and exceptional results corresponding to this case. Accordingly, Class Counsel respectfully requests that the Court approve the requested service award, fees, and costs by granting final approval at the fairness hearing scheduled for June 20, 2024.

BACKGROUND

A. Certified Settlement Class

This case involves a data security incident. *See* First Am. Compl, ECF No. 23 at ¶¶ 14–20. After learning that his name and social security number had been compromised, Plaintiff Mark Medoff sued Defendant Minka Lighting LLC for damages and equitable relief on behalf of himself and others similarly situated. *Id.* at ¶¶ 34–35. The operative complaint alleges claims for negligence, negligence per se, breach of contract, and unjust enrichment. *Id.* at ¶¶ 64–124. The Court subsequently held that Plaintiff had Article III standing to recover damages, but not injunctive relief. *See* MTD Order, ECF No. 37 at PageID 247–54. On the merits, the Court dismissed Plaintiff’s claims for negligence, negligence per se, and unjust enrichment, but allowed Plaintiff’s claim for breach of implied contract to proceed. *Id.* at 254–62.

The parties then agreed to mediate the case before Bennett G. Picker of Stradley, Ronon,

1 Stevens & Young, LLP, a mediator who specializes in cases of this type. *See* Joint Decl. at ¶ 9. In
2 connection with the mediation, the parties made pre-discovery exchanges of information
3 necessary to evaluate the strength of their positions and prepared adversarial mediation
4 statements. *Id.* at ¶¶ 10–12. The parties then agreed to a settlement, with the proposed Settlement
5 Class defined as follows:

6 All individuals in the United States whose personal information
7 was compromised in the Data Security Incidents that affected
8 Minka Lighting, LLC from approximately December 16, 2021–
April 5, 2022 and June 27, 2022–June 29, 2022, as alleged in the
First Amended Class Action Complaint.

9 ECF No. 58. The Settlement Class includes only 6,577 individuals. Joint Decl. at ¶ 10.

10 **B. Settlement Benefits**

11 Under the proposed settlement, Minka Lighting will pay \$700,000.00 to create a
12 Settlement Fund for the benefit of the class members. Settlement Agreement, ECF No. 5-2 at §§
13 1.17, 3.2 (“S.A.”). This fund is non-reversionary, meaning that after paying for attorney fees,
14 litigation costs, and administration expenses, all remaining funds will be distributed to class
15 members and not a penny will revert to Minka Lighting. *See* S.A. §§ 4.1.6–4.1.8.

16 The settlement fund will be distributed to Class Members through a claims process. S.A.
17 §§ 4.1, 4.1.9. Those funds will be allocated as follows. First, any class member may submit a
18 Reimbursement Claim for documented economic losses up to \$7,500 incurred in connection with
19 the data security incident. S.A. § 4.1.1. To ensure that the settlement fund is not diluted by fraud,
20 all Reimbursement Claims must be supported by documentation and a signed statement indicating
21 that those costs were incurred in connection with the data security incident and have not been
22 recovered. S.A. § 4.1.2 & Ex. C. Second, any class member may submit a claim for Other Losses,
23 such as inconvenience, lost time, or privacy concerns. S.A. § 4.1.6. The claim form makes clear
24 that class members are not required to quantify or document any economic loss in order to submit
25 a claim for Other Losses. S.A. at Ex. D. After valid Reimbursement Claims and other settlement
26 expenses are paid, the remaining funds will be distributed pro rata to Other Loss claimants. S.A. §
27 4.1.7.
28

1 **C. Scope of Release**

2 Members of the settlement classes who do not opt out will release “all claims and causes
 3 of action that were or could have been raised in this action” against Minka Lighting. S.A. § 1.26;
 4 *see also* S.A. § 8.1. This is a standard release, covering only those claims that arise from the data
 5 security incident.

6 **D. Attorney Fees and Service Award**

7 The Settlement also provides that Class Counsel may request up to one-third of the
 8 Settlement Fund, plus litigation costs, as well as a \$2,500 service award for Mr. Medoff. S.A. §
 9 9.1. The settlement does *not* contain a so-called “clear sailing” provision, so “Minka Lighting is
 10 free to support, oppose, or take no position with respect to any such Fee Application.” S.A. § 9.1.
 11 Minka Lighting has elected not to oppose this request. In addition, the settlement is not contingent
 12 on the Court approving the requested fees or service awards. S.A. § 9.3.

13 **E. Notice and Settlement Administration**

14 The Court preliminarily approved the proposed settlement on December 12, 2023. ECF
 15 No. 58. Class Counsel then worked promptly with the Settlement Administrator, Analytics
 16 Consulting, to commence the class notice process. Joint Decl. ¶ 9. After this motion for Attorney
 17 Fees is filed, it will be promptly posted on the settlement website so that class may consider it
 18 before deciding whether to object or opt-out of the settlement. *Id.* If the Court grants final
 19 approval of the settlement, Class Counsel will continue to work with the settlement administrator
 20 to oversee the claims process. *Id.*

21 **ARGUMENT**

22 Plaintiff seeks attorney fees for Class Counsel in the amount of one-third of the Settlement
 23 Fund, plus reimbursement of Class Counsel’s litigation expenses, and a \$2,500 service award for
 24 Plaintiff Medoff. As discussed below, the circumstances warrant Class Counsel’s fee request,
 25 particularly given the outstanding relief they obtained for the Class. Similarly, Class Counsel’s
 26 expenses were necessary to litigate this action, and the requested service award would properly
 27 compensate Mr. Medoff for his important role in obtaining relief for the Class.
 28

1 **I. Class Counsel’s requested fee is fair and reasonable.**

2 Attorney fee awards in class action cases are governed by Federal Rule of Civil Procedure
3 23(h), which provides that after a class has been certified, the Court may award reasonable
4 attorneys’ fees and costs. The Court must “‘carefully assess’ the reasonableness of the fee
5 award.” *Brown v. CVS Pharmacy, Inc.*, 2017 U.S. Dist. LEXIS 182309, at *15 (C.D. Cal. Apr.
6 24, 2017) (quoting *Stanton v. Boeing Co.*, 327 F.3d 938, 963 (9th Cir. 2003)). “When calculating
7 an attorney’s fee award, a district court can employ one of two methods—the lodestar or a
8 percentage of the recovery.” *In re Apple Inc. Device Performance Litig.*, 50 F.4th 769, 784 (9th
9 Cir. 2022). While there is “no presumption in favor” of either method, *In re Wash. Pub. Power*
10 *Supply Sys. Sec. Litig.*, 19 F.3d 1291, 1296 (9th Cir. 1994), the percentage-of-recovery method
11 may be used when “the benefit to the class is easily quantified.” *In re Hyundai & Kia Fuel*
12 *Economy Litig.*, 926 F.3d 539, 571 (9th Cir. 2019). The percentage-of-recovery method “often
13 ensures that the interests of class counsel and the class are properly aligned, given that it allows
14 class counsel directly to benefit from increasing the size of the class fund and from working
15 efficiently.” *Bentley v. United of Omaha Life Ins. Co.*, 2020 U.S. Dist. LEXIS 126603, at *4
16 (C.D. Cal. Mar. 13, 2020).

17 “The benchmark percentage is 25%, but, similar to the lodestar, the benchmark percentage
18 ‘can be adjusted upward or downward, depending on the circumstances.’” *Apple*, 50 F.4th at 784
19 (quoting *Hyundai*, 926 F.3d at 570). It is “not uncommon for courts to award one-third of the
20 gross settlement fund as attorneys’ fees where the circumstances warrant it.” *Sevilla v. Aaron’s*
21 *Inc.*, 2020 U.S. Dist. LEXIS 86994, at *4 (C.D. Cal. May 15, 2020); *see also Hyundai*, 926 F.3d
22 at 571 (“We have affirmed fee awards totaling a far greater percentage of the class recovery than
23 the [25%] fees here.”); *Hernandez v. Burrtec Waste & Recycling Servs., LLC*, 2023 U.S. Dist.
24 LEXIS 147432, at *15 (C.D. Cal. Aug. 21, 2023) (noting that “California courts routinely award
25 attorneys’ fees of one-third of the common fund”). In selecting an appropriate percentage, above
26 or below the benchmark, courts consider all the relevant circumstances, “including: (1) the
27 results achieved for the class; (2) the risk of litigation; (3) the skill required and quality of the
28 work; (4) the contingent nature of the fee; and (5) awards in similar cases.” *Gupta v. Aeries*

1 *Software, Inc.*, 2023 U.S. Dist. LEXIS 36141, at *19-20 (C.D. Cal. Mar. 3, 2023) (citing *Vizcaino*
 2 *v. Microsoft Corp.*, 290 F.3d 1043, 1048–50 (9th Cir. 2002)).

3 As detailed below and in the accompanying declaration from Class Counsel (“Joint
 4 Decl.”), each of these factors strongly supports Class Counsel’s one-third fee request.
 5 Additionally, and as demonstrated by the lodestar cross-check, the requested award would not be
 6 a windfall to Class Counsel, since the requested fee would constitute a lodestar multiplier of only
 7 1.07, a figure that will decrease as Class Counsel continues to oversee the administration of the
 8 Settlement.

9 **A. Class Counsel obtained an excellent result for the class.**

10 The benefit Class Counsel secured for the Class is “generally considered to be the most
 11 important factor in determining the appropriate fee award in a common fund case.” *Spencer-*
 12 *Ruper v. Scientiae, LLC*, 2021 U.S. Dist. LEXIS 204246, at *4 (C.D. Cal. Sept. 24, 2021). It is
 13 appropriate to provide for an award of “one-third of the gross settlement fund as attorneys’ fees
 14 where the circumstances warrant it.” *Sevilla*, 2020 U.S. Dist. LEXIS 86994, at *4. In this case,
 15 the proposed settlement would establish a \$700,000 non-reversionary common fund for the
 16 benefit of 6,577 class members. The settlement is thus worth \$106.43 per class member, which
 17 compares favorably to many recent data breach cases that were settled in this district on a
 18 common fund basis:

Case Citation	Number of Class Members	Total Value of Non-Reversionary Common Fund¹	Value Per Class Member
<i>Koenig v. Lime Crime, Inc.</i> , 2018 U.S. Dist. LEXIS 245359, at *11 (C.D. Cal. Apr. 2, 2018)	107,726	\$110k	\$1.02
<i>Gaston v. Fabfitfun, Inc.</i> , 2021 U.S. Dist. LEXIS 147383, *18–20 & n.1 (C.D. Cal. Apr. 2, 2021)	441k	\$625k	\$1.42

28 ¹ This chart focuses on the non-reversionary monetary relief of the described settlements rather than, for example, injunctive relief, which is often difficult to assign a precise value.

<p>1 <i>Carter v. Vivendi</i> 2 <i>Ticketing United</i> 3 <i>States LLC</i>, 2023 U.S. Dist. LEXIS 4 210744, at *2, *13 (C.D. Cal. Oct. 30, 2023)</p>	<p>437,310</p>	<p>\$3MM</p>	<p>\$6.86</p>
<p>5 <i>Gupta v. Aeries</i> 6 <i>Software, Inc.</i>, 2023 U.S. Dist. LEXIS 7 36141, at *5 (C.D. Cal. Mar. 3, 2023)</p>	<p>98,199</p>	<p>\$1.75MM</p>	<p>\$17.82</p>

8 The settlement in this case is \$106 per class member, which far exceeds the amount from
 9 comparable settlements. This settlement—which is a common fund with no reversion—also
 10 compares favorably to claims-made or reversionary data breach settlements from this district. *Cf.*
 11 *Hashemi v. Bosley, Inc.*, 2022 U.S. Dist. LEXIS 119454, at *6, *17 (C.D. Cal. Feb. 22, 2022)
 12 (analyzing claims-made settlement that provided up to \$500,000 to class of 100k and noting that
 13 “Plaintiffs’ \$15 to \$275 per Class Member value estimates greatly exceed the settlement value per
 14 class member in comparable data breach cases”); *Bowdle v. King’s Seafood Co., LLC* 2022 U.S.
 15 Dist. LEXIS 240383, at *6, *17 (C.D. Cal. Oct. 19, 2022) (analyzing claims-made settlement
 16 providing up to \$350,000 for class of 2,875 and noting that \$121 per class member “greatly
 17 exceeds the settlement value per class member often seen in larger data breach cases”). Therefore,
 18 the quality of the settlement supports an upward departure from the benchmark.

19 **B. This case required outstanding skill.**

20 The quality of Class Counsel’s representation in this case supports an award of one third
 21 of the Settlement Fund. “A fee award of one third of the settlement fund is justified where class
 22 counsel has significant experience in the particular type of litigation at issue. . . . Moreover, a
 23 one-third fee is appropriate where counsel litigated effectively, and their experience was essential
 24 for obtaining the result.” *Marshall v. Northrop Grumman Corp.*, 2020 U.S. Dist. LEXIS 177056,
 25 at *11 (C.D. Cal. Sept. 18, 2020) (internal citation omitted); *see also Boyd v. Bank of Am. Corp.*,
 26 2014 U.S. Dist. LEXIS 162880, at *27 (C.D. Cal. Nov. 18, 2014) (holding that the “skill and
 27 work of counsel merits an upward adjustment from the [25%] benchmark”).
 28

1 In this case, Class Counsel are experienced privacy class action litigators. Joint Decl. ¶¶
2 36–41; *In re Heritage Bond Litig.*, 2005 U.S. Dist. LEXIS 13627, at *38-39 (C.D. Cal. June 10,
3 2005) (“Class Counsel’s experience representing plaintiffs in class actions, particularly [cases of
4 this type], justifies an award of one-third of the Settlement Fund in attorneys’ fees.”). This
5 experience was a significant asset to the class, as data breach cases present novel and complex
6 questions of law. *See, e.g., In re Sonic Corp. Customer Data Sec. Breach Litig.*, 2019 U.S. Dist.
7 LEXIS 135573, at *13 (N.D. Ohio Aug. 12, 2019) (“[D]ata breach litigation is complex and
8 largely undeveloped.”); *Fulton-Green v. Accolade, Inc.*, 2019 U.S. Dist. LEXIS 164375, at *21
9 (E.D. Pa. Sep. 23, 2019) (“This is a complex case in a risky field of litigation because data breach
10 class actions are uncertain and class certification is rare.”). Indeed, “many [data breach cases]
11 have been dismissed at the pleading stage.” *In re TD Ameritrade Account Holder Litig.*, 2011
12 U.S. Dist. LEXIS 103222, at *36 (N.D. Cal. Sep. 12, 2011). Further, a successful outcome could
13 only ensue, if at all, after prolonged and arduous litigation with an attendant risk of drawn-out
14 appeals. Joint Decl. ¶ 16.

15 Class Counsel’s analysis of the issues in this action, litigation strategy and diligence in
16 prosecuting this action support the requested award. Despite the relatively early stage of litigation
17 at which this case settled, Class Counsel devoted significant time and resources to this case to
18 date, including: conducting an investigation into the facts regarding Plaintiffs’ claims and class
19 members’ claims; researching law relevant to, and preparing, Plaintiffs’ class action complaints;
20 briefing a motion to dismiss; travelling to Los Angeles multiple time for in-person hearings with
21 the Court, including to argue the motion to dismiss; preparing for and attending mediation with
22 Bennett G. Picker, including researching and preparing a detailed mediation statement;
23 negotiating and preparing the Parties’ Settlement Agreement, along with the proposed class notice
24 and claim form; negotiating with settlement administration companies to secure the best notice
25 plan practicable; preparing Plaintiff’s motion for preliminary approval of the class action
26 settlement and preparing a detailed declaration in support; working with the Settlement
27 Administrator to ensure the timely completion of Notice and processing of claims; preparing the
28 instant motion for attorneys’ fees, costs, and a service award; closely monitoring evolving law

1 regarding data security and its potential impacts on the case; and conferring with Plaintiffs
2 throughout the case. Joint Decl. ¶ 10. Counsel further anticipates completing additional work
3 throughout settlement administration, and in preparing and arguing Plaintiffs’ motion for final
4 approval of the settlement. *Id.* ¶ 9..

5 Class Counsel zealously advocated on behalf of the Settlement Class in spite of the risks
6 and challenges posed and devoted a substantial amount of time and money to the prosecution of
7 this case, which ultimately resulted in a Settlement this is highly beneficial to the Class, weighing
8 in favor of awarding the requested fee.

9 **C. Class Counsel litigated this case despite a significant risk of nonpayment.**

10 “The risk that further litigation might result in Plaintiffs not recovering at all, particularly
11 in a case involving complicated legal issues, is a significant factor in the award of fees.” *In re*
12 *Omnivision Techs., Inc.*, 559 F. Supp. 2d 1036, 1046-7 (N.D. Cal. 2008) (citing *Vizcaino*, 290
13 F.3d at 1048). Likewise, “the importance of ensuring adequate representation for plaintiffs who
14 could not otherwise afford competent attorneys justifies providing those attorneys who do accept
15 matters on a contingent-fee basis a larger fee than if they were billing by the hour or on a flat
16 fee.” *Id.* at 1047; *see also Morales v. Conopco, Inc.*, 2016 U.S. Dist. LEXIS 144349, at *21 (E.D.
17 Cal. Oct. 18, 2016) (“Since class counsel took this case on a contingency basis, their risk of
18 recovery was the same as the class members.”); *Birch v. Office Depot Inc.*, 2007 U.S. Dist.
19 LEXIS 102747, at *7 (S.D. Cal. Sep. 28, 2007) (“Class Counsel has proceeded on a contingency
20 basis despite the uncertainty of any fee award. Class Counsel risked that it would not obtain any
21 relief on behalf of Plaintiff or the Class, and so no recovery of fees. In addition, Class Counsel
22 was precluded from pursuing other potential sources of revenue due to its prosecution of the
23 claims in this action.”).

24 Class Counsel took this case on a purely contingent basis. Joint Decl. ¶ 11. This matter
25 has required Class Counsel to spend significant time on this litigation that could have been spent
26 on other fee-generating matters. *Id.* ¶ 12–16. Because Class Counsel undertook representation of
27 this matter on a contingency-fee basis, they shouldered the risk of expending substantial costs and
28 time in litigating the action without any monetary gain in the event of an adverse judgment. *Id.* If

1 not devoted to litigating this action, from which any remuneration is wholly contingent on a
2 successful outcome, the time Class Counsel spent working on this case could and would have
3 been spent pursuing other potentially fee generating matters. *Id.*

4 Additionally, pursuing this case at all presented significant risk. “Class actions are
5 inherently risky.” 2020 U.S. Dist. LEXIS 126603, at *6. And as discussed above, data breach
6 class actions are particularly challenging given the ever-changing case law and the reality that
7 many such cases are dismissed at the pleading stage, let alone surviving through class
8 certification and a trial. As one federal district court recently observed in finally approving a data
9 breach settlement with similar class relief and similar attorneys’ fees:

10 Data breach litigation is evolving; there is no guarantee of the ultimate result. *See*
11 *Gordon v. Chipotle Mexican Grill, Inc.*, No. 17-cv-01415-CMA-SKC, 2019 WL
12 6972701, at *1 (D. Colo. Dec. 16, 2019) (“Data breach cases . . . are particularly
13 risky, expensive, and complex.”). Plaintiffs also faced the risk that [defendant]
14 would successfully oppose class certification, obtain summary judgment on one or
15 more of their claims, or win at trial or on appeal. Also, the cost for [defendant] and
16 Plaintiffs to maintain the lawsuit would be high, given the amount of documentary
evidence as well as the expert costs both parties would incur in the context of class
certification, summary judgment, and trial. As such, the current Settlement strikes
an appropriate balance between Plaintiffs’ “likelihood of success on the merits”
and “the amount and form of the relief offered in the settlement.” *See Carson v.*
Am. Brands, Inc., 450 U.S. 79, 88 n.14 (1981).

17 *Yvonne Mart Fox v. Iowa Health Sys.*, 2021 U.S. Dist. LEXIS 40640, at *14 (W.D. Wis. Mar. 4,
18 2021) (approving attorneys’ fees and costs in the amount of \$1,575,000). Class certification is
19 another hurdle that would have to be met—and one that has been denied in other data breach
20 cases. *See, e.g., In re Hannaford Bros. Co. Customer Data Sec. Breach Litig.*, 293 F.R.D. 21 (D.
21 Me. 2013). And finally, no data breach class action has yet to be tried to a jury, leaving the level
22 of recovery available at trial on the types of claims brought here a complete unknown. *See*
23 *Hashemi v. Bosley, Inc.*, 2022 U.S. Dist. LEXIS 119454, at *18-19 (C.D. Cal. Feb. 22, 2022)
24 (“Moreover, these risks are compounded by the fact that data breach class actions are a relatively
25 new type of litigation and that damages methodologies in data breach cases are largely untested
26 and have yet to be presented to a jury”).

27 Given the substantial risks borne by Class Counsel, this factor weighs in favor of the
28 requested fee. *See Koenig*, 2018 U.S. Dist. LEXIS 245359, at *20 (holding in data breach case

1 that “an upward departure from the 25 percent benchmark [is] reasonable in light of the results
2 achieved, the risks of litigation, the contingent nature of the fee, and the financial burden carried
3 by Class Counsel” and thus “approv[ing] an award of 38 percent of the common fund, or
4 \$140,000”).

5 **D. A lodestar cross-check confirms that the requested fee is reasonable.**

6 Courts often employ a lodestar cross-check to confirm the reasonableness of a percentage-
7 based fee. *See Vizcaino*, 290 F.3d at 1050 (“[T]he lodestar may provide a useful perspective on
8 the reasonableness of a given percentage award.”). To calculate the lodestar, the Court
9 “multipl[ies] the number of hours the prevailing party reasonably expended on the litigation . . .
10 by a reasonable hourly rate for the region and for the experience of the lawyer.” *In re Bluetooth*
11 *Headset Prod. Liab. Litig.*, 654 F.3d 935, 941 (9th Cir. 2011).² This base “unadorned” lodestar
12 figure is “presumptively reasonable.” *Id.* The crosscheck requires “neither mathematical
13 precision nor bean-counting as it is simply a means to verify the reasonableness of a percentage-
14 of-recovery request.” *Bentley*, 2020 U.S. Dist. LEXIS 126603, at *9 (internal quotation omitted).

15 In the Ninth Circuit, a multiplier ranging from 1.0 to 4.0 is considered “presumptively
16 acceptable.” *Dyer v. Wells Fargo Bank, N.A.*, 303 F.R.D. 326, 334 (N.D. Cal. 2014). “Courts
17 have routinely enhanced the lodestar to reflect the risk of non-payment in common fund
18 cases. This mirrors the established practice in the private legal market of rewarding attorneys for
19 taking the risk of nonpayment by paying them a premium over their normal hourly rates for
20 winning contingency cases. In common fund cases, attorneys whose compensation depends on
21 their winning the case must make up in compensation in the cases they win for the lack of
22 compensation in the cases they lose.” *Vizcaino*, 290 F.3d at 1051 (internal citation omitted).

23 In this case, Class Counsel expended 416.6 hours. Joint Decl. ¶ 19. These hours do not
24 include additional time that Class Counsel will accrue in seeking approval of and overseeing the
25 Settlement. *Id.* at ¶ 22. If there are objections to the Settlement and subsequent appeals, those
26 commitments and responsibilities may extend for several more years. This time was reasonably
27

28 ² The relevant community is that in which the Court sits. *See Schwarz v. Sec’y of Health & Human Servs.*, 73 F.3d 895, 906 (9th Cir. 1995).

1 spent. *See Moreno v. City of Sacramento*, 534 F.3d 1106, 1112 (9th Cir. 2008) (“By and large, the
2 court should defer to the winning lawyer’s professional judgment as to how much time he was
3 required to spend on the case; after all, he won, and might not have, had he been more of a
4 slacker.”). And Class Counsel’s hourly rates are also consistent with the market. *See Joint Decl.*
5 ¶¶ 18, 28; *Hashemi v. Bosley, Inc.*, 2022 U.S. Dist. LEXIS 210946, at *27 (C.D. Cal. Nov. 21,
6 2022) (approving hourly rates of \$350 to \$975 in a data breach class action); *Dickey v. Advanced*
7 *Micro Devices, Inc.*, 2020 WL 870928, at *8 (N.D. Cal. Feb. 21, 2020) (approving rates between
8 \$275 and \$1,000 for attorneys); *Bentley*, 2020 U.S. Dist. LEXIS 126603, at *10 (approving
9 hourly rates and citing cases where courts approved partner rates ranging from \$420 to \$975).

10 In total, Class Counsel expended 416.6 hours for a total lodestar of \$216,743.00. This
11 yields a multiplier of only 1.07. This lodestar multiplier is comfortably within the “presumptively
12 acceptable range of 1.0-4.0” and strongly favors granting Class Counsel’s fee request. *Dyer*, 303
13 F.R.D. at 334; *see also Hellyer v. Smile Brands, Inc.*, 2024 U.S. Dist. LEXIS 8096, at *4 (C.D.
14 Cal. Jan. 16, 2024) (holding in data breach case that “Plaintiff’s multiplier of 1.44 is conservative
15 given the results that counsel achieved and that they took the case on contingency”).

16 **II. The requested reimbursement for litigation expenses is reasonable and appropriate.**

17 Class Counsel also request reimbursement from the common fund reasonable out-of-
18 pocket costs advanced for the Class. *See FED. R. CIV. P. 23(h); In re Media Vision Tech. Sec.*
19 *Litig.*, 913 F. Supp. 1362, 1366 (N.D. Cal. 1996) (“Reasonable costs and expenses incurred by an
20 attorney who creates or preserves a common fund are reimbursed proportionately by those class
21 members who benefit from the settlement.”). Class Counsel have incurred out-of-pocket expenses
22 of \$16,515.67. *Joint Decl.* ¶ 31. The bulk of these expenses comprise necessary fees for Class
23 Counsel’s mediation costs and other customary litigation expenses such as filing fees, service of
24 process fees, and travel to and from hearings (including an oral argument on a motion to dismiss,
25 a scheduling conference where the parties argued the propriety of early class certification
26 motions, and a hearing on plaintiff’s motion for preliminary approval). These expenses were
27 reasonable and necessary for the prosecution of this action and are the types of expenses that
28 would typically be paid by clients in non-contingency matters, and therefore should be approved.

1 **III. The Requested Service Award is Reasonable and Appropriate**

2 In addition, Mr. Medoff requests a \$2,500 service award in recognition of his contribution
3 as a class representative. “Class representative service awards are well-established as legitimate in
4 the Ninth Circuit.” *Ramirez v. Rite Aid Corp.*, 2022 U.S. Dist. LEXIS 109069, *21 (C.D. Cal.
5 May 3, 2022); *see also In re Apple*, 50 F.4th at 785 (reaffirming “that ‘reasonable incentive
6 awards’ to class representatives ‘are permitted’”). “In the Ninth Circuit, courts have found that
7 \$5,000 is a presumptively reasonable service award.” *Jackson v. Fastenal Co.*, 2023 U.S. Dist.
8 LEXIS 87675, at *23 (E.D. Cal. May 18, 2023). Because Mr. Medoff took the time to investigate
9 his claim and hire Class Counsel, the rest of the class was able to obtain the benefits of a
10 settlement without expending any effort. A modest \$2,500 incentive award is appropriate to
11 recognize Mr. Medoff’s indispensable role in this case. *See, e.g., In re Yahoo! Inc. Customer*
12 *Data Sec. Breach Litig.*, 2020 U.S. Dist. LEXIS 129939, at *166 (N.D. Cal. July 22, 2020)
13 (granting requested \$5,000 service awards in a data breach case, noting that the award was “set at
14 or below the Ninth Circuit’s benchmark award for representative plaintiffs”); *In re Anthem, Inc.*
15 *Data Breach Litig.*, 2018 U.S. Dist. LEXIS 140137, at *168 (N.D. Cal. Aug. 17, 2018) (same);
16 *Gaston*, 2021 U.S. Dist. LEXIS 250695, at *11 (granting \$10,000 service award in a data breach
17 case).

18 **CONCLUSION**

19 For the foregoing reasons, Plaintiff respectfully requests that the Court award (1) attorney
20 fees to Class Counsel in the amount of \$233,333.33; (2) reimbursement of litigation expenses of
21 \$16,515.67; and (3) a service award to Plaintiff Mark Medoff of \$2,500.

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Dated: February 2, 2024

Respectfully submitted,

By: /s/ Jared W. Connors

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CERTIFICATE OF COMPLIANCE WITH L.R. 11-6.2

The undersigned, counsel of record for Plaintiff, certifies that this brief contains 12 pages (exclusive of the cover page, tables of contents and authorities, signature block, and certificates of compliance and service), which complies with the page limit set forth in this Court’s standing order.

/s/ Jared W. Connors

Jared W. Connors

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2024 the foregoing was filed through the Court’s CM/ECF system, which will electronically serve all parties’ counsel of record.

/s/ Jared W. Connors

Jared W. Connors

1 MEYER WILSON CO., LPA
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6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10
11 MARK MEDOFF, on behalf of himself and
12 all others similarly situated,

13 Plaintiff,

14 v.

15 MINKA LIGHTING, LLC,

16 Defendant.

Case No. 2:22-CV-08885

**Joint Declaration of Counsel in Support of
Plaintiff’s Motion for Attorney Fees,
Litigation Costs, and Service Award**

17 We, Matthew Wilson and Raina Borrelli, declare under penalty of perjury:

18 1. We are counsel for Plaintiff Mark Medoff in the above-captioned case. This
19 declaration is submitted in support of Plaintiff’s Motion for Attorney Fees, Litigation Costs, and
20 Service Award. We have personal knowledge of the facts in this declaration and could testify to
21 them if called on to do so.

22 **LITIGATION BACKGROUND**

23 2. After the Court issued its order granting in part and denying in part Defendant’s
24 motion to dismiss (ECF No. 37), the Parties agreed to explore a possible resolution of this case
25 through mediation.

26 3. The Parties agreed to mediate this case before Bennett G. Picker of Stradley, Ronon,
27 Stevens & Young, LLP. Mr. Picker is an experienced and well-respected mediator who specializes
28 in data breach cases.

1 4. In preparation for mediation, the Parties exchanged critical information that
2 facilitated settlement. More specifically, Defendant shared that the number of individuals affected
3 by the data security incident was 6,577 people. Defendant also provided a comprehensive
4 breakdown of the types of information that was involved in the incident.

5 5. In addition, the Parties confidentially exchanged mediation briefs, which were also
6 shared with Mr. Picker, so that each side could evaluate the relative strengths and weaknesses of
7 their respective positions.

8 6. At the June 29, 2023, mediation, the Parties evaluated the risks, uncertainties, costs,
9 and delays that continued litigation posed. Considering those factors, and with Mr. Picker's
10 guidance, the Parties agreed to the key terms of a class settlement.

11 7. The Agreement was reached after extensive analysis of the relevant facts and law;
12 the settlement is the result of arm's-length negotiations.

13 8. The Parties did not discuss attorneys' fees and costs or service awards until they had
14 agreed on the Settlement's material terms, namely the amount of the non-reversionary common
15 fund.

16 9. Since the Court preliminarily approved the proposed settlement (ECF No. 58), Class
17 Counsel has worked diligently with the settlement administrator, Analytics Consulting, to oversee
18 the notice and administration process.

19 10. We, and the other attorneys at our firms, have devoted significant time and resources
20 to this case to date, including:

- 21 a. Conducting an investigation into the facts regarding Plaintiff's claims and class
22 members' claims;
- 23 b. Researching law relevant to, and preparing Plaintiffs' class action complaints;
- 24 c. Briefing multiple complex legal issues in connection with Defendant's motion
25 to dismiss;
- 26 d. Arguing Defendant's motion to dismiss before the Court;
- 27 e. Attending a status conference with the Court in which the parties argued the
28 propriety of early motions for class certification;

- 1 f. Preparing for and attending mediation with Mr. Picker, including researching
- 2 and preparing a detailed mediation statement;
- 3 g. Negotiating and preparing the Parties' class action settlement agreement, along
- 4 with the proposed class notice and claim form;
- 5 h. Negotiating with settlement administration companies to secure the best notice
- 6 plan practicable;
- 7 i. Preparing Plaintiff's motion for preliminary approval of the class action
- 8 settlement and preparing a detailed declaration in support;
- 9 j. Working with the Settlement Administrator to ensure the timely completion of
- 10 Notice and processing of claims;
- 11 k. Appearing before the Court on the motion for preliminary approval of the
- 12 Settlement;
- 13 l. Closely monitoring evolving law regarding data security and its potential
- 14 impacts on the case;
- 15 m. Conferring with Plaintiff throughout the case.

16 **CONTINGENT NATURE OF THE ACTION**

- 17 11. Our firms took on this case on a purely contingent basis.
- 18 12. This matter has required us, and other attorneys at our firms, to spend time on this
- 19 litigation that could have been spent on other matters. At various times during the litigation of this
- 20 class action, this lawsuit has consumed significant amounts of our time and our firms' time.
- 21 13. Such time could otherwise have been spent on other fee-generating work. Because
- 22 we undertook representation of this matter on a contingency-fee basis, we shouldered the risk of
- 23 expending substantial costs and time in litigating the action without any monetary gain in the event
- 24 of an adverse judgment.
- 25 14. If not devoted to litigating this action, from which any remuneration to us is wholly
- 26 contingent on a successful outcome, the time we spent working on this case could and would have
- 27 been spent pursuing other potentially fee-generating matters.
- 28 15. Litigation is inherently unpredictable and risky. Therefore, despite our devotion to

1 the case and our confidence in the claims alleged against Defendant, there were many factors that
2 posed significant risks.

3 16. Further, a successful outcome could only ensue, if at all, after prolonged and arduous
4 litigation with an attendant risk of drawn-out appeals. Among the areas of national consumer
5 protection class action litigation, data breach cases involve a rapidly evolving area of law. As such,
6 these cases are risky for plaintiffs' attorneys.

7 **LODESTAR, FEES, AND EXPENSES**

8 17. The regular practice at each of our firms is to maintain contemporaneous time
9 records.

10 18. We set our rates for attorneys and staff members based on a variety of factors,
11 including, among others: the experience, skill, and sophistication required for the types of legal
12 services typically performed; the rates customarily charged in similar matters; and the experience,
13 reputation, and ability of the attorneys and staff members.

14 19. Through January 26, 2024, our firms worked a total of 416.9 hours on this case
15 incurring fees of \$216,953.00. See lodestar breakdown by firm and timekeeper below. Thus, the
16 requested fee of \$233,333.33 represents a 1.07 multiplier of Class Counsel's current lodestar.

17 20. A summary chart of Class Counsel's time on this case broken down by attorney is
18 attached as **Exhibit 1**.

19 21. A summary chart of Class Counsel's time on this case broken down by task is
20 attached as **Exhibit 2**.

21 22. We estimate that we will spend approximately 40 more hours by the close of this
22 action in connection with drafting the final approval motion, preparing for argument at the final
23 approval hearing, and miscellaneous matters, including responding to class member inquiries and
24 claims administration.

25 23. Upon request, we can provide detailed contemporaneous records to the Court for
26 review.

27 24. All books and records in this case regarding costs expended were maintained in the
28 ordinary course of business, from expense vouchers and check records. We have reviewed the

1 records of costs expended in this matter.

2 25. Through January 26, 2024, we have incurred \$16,515.67 in reasonable expenses
3 necessary to the litigation, which include pro hac vice fees, travel expenses, and mediation costs.
4 Each firm's expenses are identified below.

5 **Meyer Wilson's Lodestar, Billing Rates, and Costs**

6 26. All of the work that Meyer Wilson undertakes is on a contingency fee basis. Meyer
7 Wilson expended significant costs, and a great deal of time that could have been spent on other fee-
8 generating matters, in litigating this action. Throughout the case, Meyer Wilson ran the risk of not
9 realizing any monetary gain in the event of an adverse result. There was nothing theoretical about
10 this risk. Class actions are challenging cases and plaintiffs frequently lose them outright. Meyer
11 Wilson's experience has been no different.

12 27. While Meyer Wilson has achieved notable successes in its class action cases, we
13 have also been involved in many cases in which we have not been able to obtain any relief for class
14 members and no fees for ourselves. In contingency fee cases, such an outcome means that all of the
15 time and resources expended by us goes uncompensated. Examples of such cases include: *Cayanan*
16 *v. Citi Holdings, Inc.*, 928 F. Supp. 2d 1182, 1208 (S.D. Cal. 2013); *Delgado v. US Bankcorp*, 2:12-
17 *cv-10313-SJO-AJW* (C.D. Cal. Jan. 17, 2013) (dismissing case); *Evans v. Aetna Inc.*, Case No.
18 *2:13-cv-01039-LA* (E.D. Wisc. Nov. 20, 2013) (dismissing case); *Balschmiter v. TD Auto Fin.*
19 *LLC*, 303 F.R.D. 508, 530 (E.D. Wis. 2014); (denying class certification on eve of trial); *Levin v.*
20 *National Rifle Assoc. of Am.*, Case No. 1:14-cv-24163-JEM (S.D. Fla. Feb. 6, 2015) (dismissing
21 case); *Charvat v. The Allstate Corp.*, Case No. 1:13-cv-07104 (N.D. Ill. Feb. 20, 2015) (terminating
22 case); *Ineman v. Kohl's Corp.*, Case No. 3:14-cv-00398-wmc (W.D. Wis. Mar. 26, 2015)
23 (compelling claims to arbitration on an individual basis); *Aghdasi v. Mercury Ins. Grp., Inc.*, Case
24 No. 2:15-cv-04030-R-AGR (C.D. Cal. Mar. 16, 2016) (dismissing case after denial of class
25 certification); and *Wolf v. Lyft, Inc.*, Case No. 4:15-cv-01441-JSW (N.D. Cal. Mar. 28, 2016)
26 (dismissing case).

27 28. Meyer Wilson sets its rates for attorneys and staff members based on a variety of
28 factors, including, among others: the experience, skill, and sophistication required for the types of

1 legal services typically performed; the rates customarily charged in similar matters; and the
 2 experience, reputation, and ability of the attorneys and staff members. Meyer Wilson’s then-current
 3 rates have been specifically approved by courts throughout the country on multiple occasions over
 4 many years. *See, e.g., Doe et al. v. CVS Health Corp. et al.*, Case No. 2:18-cv00238-EAS (S.D.
 5 Ohio Feb. 11, 2020) (approving class counsel’s rates as “justified and earned and reasonable”);
 6 *Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (D. Del. Oct. 7, 2014) (approving
 7 class counsel’s rates as a “reasonable reward”); *Steinfeld v. Discover Fin. Servs., et al.*, 3:12-cv-
 8 01118-JSW (N.D. Cal.) (N.D. Cal. Mar. 31, 2014) (approving 3.5 multiplier lodestar cross-check
 9 in common fund settlement and finding that “[c]lass counsel have submitted declarations that show
 10 the hourly rates that they have requested are reasonable ...”).

11 29. The following chart details the time each attorney and staff member from Meyer
 12 Wilson worked on this case and their contribution to Meyer Wilson’s total lodestar:

Meyer Wilson Co., LPA Personnel	Title	Hours	Rate	Amount
Jared Connors	Associate	275.7	\$ 395.00	\$ 108,901.50
Matthew Wilson	Principal	105.5	\$ 825.00	\$ 87,037.50
Danielle Aldach	Legal Assistant	4.7	\$ 295.00	\$ 1,386.50
Total		385.9		\$ 197,325.50

21 30. The time reported in the schedules set forth above has been audited to ensure that
 22 there was no unnecessary duplication of efforts. The lodestar reported in this declaration is
 23 reasonable, particularly given the need to match the thorough and high-quality legal work
 24 performed by Defendant’s sophisticated counsel. Upon request by the Court, we would submit
 25 Meyer Wilson’s contemporaneous billing records from this action *in camera*.

26 31. Meyer Wilson maintains contemporaneous records regarding costs expended on
 27 each case in the ordinary course of business, which books and records are prepared from expense
 28 vouchers and check and credit card records. Specifically, those costs break down as follows.

Expense Type	Amount
Conference Calls	\$3.69
Pro Hac Fees	\$510.00
Mediation Costs	\$8,750.00
Mailing and Printing	\$39.76
Transcript Fees	\$153.30
Travel for Multiple Hearings	\$7,058.92
Total	\$16,515.67

32. All of those costs were reasonably necessary for Meyer Wilson to litigate this case effectively. If requested from the Court, we would submit documentation of those expenses *in camera*.

Turke & Strauss's Lodestar and Billing Rates

33. Through January 26, 2024, Turke & Strauss LLP has worked a total of 31 hours on this case, incurring \$19,626.50.

34. The following chart details the time each attorney and staff member from Turke & Strauss worked on this case and their contribution to Turke & Strauss's total lodestar:

Turke & Strauss LLP Personnel	Title	Hours	Rate	Amount
Samuel Strauss	Partner	8.1	\$ 700.00	\$ 5,670.00
Raina Borrelli	Partner	17.8	\$ 600.00	\$ 10,680.00
Raina Borrelli	Partner	4.4	\$ 700.00	\$ 3,080.00
Zog Begolli	Associate	0.2	\$ 425.00	\$ 85.00
Rachel Pollack	Legal Assistant	0.5	\$ 225.00	\$ 112.50
Total		31		\$ 19,627.50

35. The time reported in the schedules set forth above has been audited to ensure that there was no unnecessary duplication of efforts. The lodestar reported in this declaration is reasonable, particularly given the need to match the thorough and high-quality legal work

1 performed by Defendant’s sophisticated counsel. Upon request by the Court, we would submit
2 Turke & Strauss’s contemporaneous billing records from this action *in camera*.

3 **COUNSEL’S QUALIFICATIONS**

4 **Meyer Wilson**

5 36. Meyer Wilson is a plaintiffs’ law firm with its main office in Columbus, Ohio. With
6 co-counsel, Meyer Wilson handles cases across the county. Meyer Wilson has a robust complex
7 litigation and class action practice involving consumer, employment, financial, securities, and
8 especially privacy matters.

9 37. The Meyer Wilson principal attorney assigned to this matter is Matthew R. Wilson.
10 Mr. Wilson graduated from Denison University, *magna cum laude*, in Philosophy in 1997, before
11 graduating from the University of Virginia School of Law in 2000. Prior to coming to Meyer
12 Wilson, Mr. Wilson defended class action cases as an attorney at Jones Day in its Columbus office.
13 He was the chair of the Class Action Committee of the Central Ohio Association for Justice from
14 2007 until 2018. Mr. Wilson was recognized last year as a “Lawyer of the Year” for class actions
15 in his region, and for the last several years as an Ohio “Super Lawyer.” He has been a member of
16 the Class Action Preservation Project with Public Justice. In addition to the California and Ohio
17 state bars, he is also admitted to the Sixth, Seventh, Ninth, and Eleventh Circuit Courts of Appeals;
18 to the Central, Eastern, Northern, and Southern Districts of California; the Northern and Southern
19 Districts of Ohio; the Central and Northern Districts of Illinois; and the Eastern and Western
20 Districts of Wisconsin. He has significant experience in litigating consumer class actions, and
21 particularly privacy class actions like this one. Mr. Wilson has recovered over \$300 million in cash
22 for consumers in privacy class actions.

23 38. Meyer Wilson’s firm resume is attached as **Exhibit 3**.

24 **Turke and Strauss LLP**

25 39. Turke and Strauss is a law firm in Madison, Wisconsin that focuses on complex civil
26 and commercial litigation with an emphasis on consumer protection, employment, wage and hour,
27 business, real estate, and debtor-creditor matters.
28

1 40. Raina Borrelli, the principal attorney from Turke and Strauss assigned to this case,
2 is a partner at Turke & Strauss LLP whose practice focuses on complex class action litigation,
3 including data breach, Telephone Consumer Protection Act (“TCPA”), false advertising, and
4 consumer protection cases in both state and federal courts around the country. Ms. Borrelli received
5 her J.D. *magna cum laude* from the University of Minnesota Law School in 2011. Prior to joining
6 Turke & Strauss, Ms. Borrelli was a partner at Gustafson Gluek, where she successfully prosecuted
7 complex class actions in federal and state courts. Ms. Borrelli is an active member of the Minnesota
8 Women’s Lawyers and the Federal Bar Association, where she has assisted in the representation of
9 *pro se* litigants though the *Pro Se* Project. Ms. Borrelli has repeatedly been named to the annual
10 Minnesota “Rising Star” Super Lawyers list (2014-2021) by SuperLawyers Magazine. She has also
11 been repeatedly certified as a North Star Lawyer by the Minnesota State Bar Association (2012-
12 2015; 2018-2020) for providing a minimum of 50 hours of pro bono legal services. In recent years,
13 Ms. Borrelli has been substantially involved in a number of complex class action matters in state
14 and federal courts including: *Hudock v. LG Electronics USA, Inc.*, 16-cv-1220 (JRT/KMM) (D.
15 Minn.); *Baldwin v. Miracle-Ear, Inc.*, 20-cv-01502 (JRT/HB) (D. Minn.); *In re FCA Monostable*
16 *Gearshifts Litig.*, 16-md-02744 (E.D. Mich.); *Zeiger v. WellPet LLC*, 17-cv-04056 (N.D. Cal.);
17 *Wyoming v. Procter & Gamble*, 15-cv-2101 (D. Minn.); *In re Big Heart Pet Brands Litig.*, 18-cv-
18 00861 (N.D. Cal.); *Sullivan v. Fluidmaster*, 14-cv-05696 (N.D. Ill.); *Rice v. Electrolux Home Prod.*,
19 *Inc.*, 15-cv-00371 (M.D. Pa.); *Gorczynski v. Electrolux Home Products, Inc.*, 18-cv-10661 (D.N.J.);
20 *Reitman v. Champion Petfoods*, 18-cv-1736 (C.D. Cal.); *Reynolds, et al., v. FCA US, LLC*, 19-cv-
21 11745 (E.D. Mich.).

22 41. Turke & Strauss’s firm resume is attached hereto as **Exhibit 4**.

23
24 Executed on February 2, 2024 in Columbus, Ohio.

25 /s/ Matthew R. Wilson
26 Matthew R. Wilson

27 Executed on February 2, 2024 in Minneapolis, Minnesota.

28 /s/ Raina C. Borrelli
 Raina C. Borrelli

Exhibit 1

Meyer Wilson Co., LPA Personnel	Title	Hours	Rate	Amount
Jared Connors	Associate	275.7	\$ 395.00	\$ 108,901.50
Matthew Wilson	Partner	105.5	\$ 825.00	\$ 87,037.50
Danielle Aldach	Legal Assistant	4.7	\$ 295.00	\$ 1,386.50
Total		385.9		\$ 197,325.50

Turke & Strauss LLP Personnel	Title	Hours	Rate	Amount
Samuel Strauss	Partner	8.1	\$ 700.00	\$ 5,670.00
Raina Borrelli	Partner	17.8	\$ 600.00	\$ 10,680.00
Raina Borrelli	Partner	4.4	\$ 700.00	\$ 3,080.00
Zog Begolli	Associate	0.2	\$ 425.00	\$ 85.00
Rachel Pollack	Legal Assistant	0.5	\$ 225.00	\$ 112.50
Total		31		\$ 19,627.50

Combined Totals: 447.9 \$ 216,953.00

Exhibit 2

Task	Matthew R. Wilson	Jared W. Connors	Danielle Aldach	Sam Strauss	Raina Borrelli	Zog Begolli
Administrative	0	0.4	2.7	4.4	0	0
Class Certification	9	0	0	0	0	0
Complaint	8.4	9.5	0	2.3	3	0.2
Discovery	4.5	14.4	0	0	0	0
Hearings Prep, Travel, Attend	21.5	48.4	0	0	0	0
Mediation	23.5	21.2	0	0	10.2	0
Meet & Confer	0.5	0.5	0	0	0	0
Motion to Dismiss	6.8	101.9	0	0	0	0
Other Forms/Documents	0	8.3	1	0	0	0
Preliminary Approval	4	18.8	0	0	2.5	0
Settlement	22.6	23.1	0.5	0.3	1.9	0
Strategy	4.7	29.2	0.5	1.1	4.6	0

Task	Matthew R. Wilson	Jared W. Connors	Danielle Aldach	Sam Strauss	Raina Borrelli	Zog Begolli
Administrative	\$ -	\$ 158.00	\$ 796.50	\$ 3,080.00	\$ -	\$ -
Class Certification	\$ 7,425.00	\$ -	\$ -	\$ -	\$ -	\$ -
Complaint	\$ 6,930.00	\$ 3,752.50	\$ -	\$ 1,610.00	\$ 1,800.00	\$ 85.00
Discovery	\$ 3,712.50	\$ 5,688.00	\$ -	\$ -	\$ -	\$ -
Hearings Prep, Travel, Attend	\$ 17,737.50	\$ 19,118.00	\$ -	\$ -	\$ -	\$ -
Mediation	\$ 19,387.50	\$ 8,374.00	\$ -	\$ -	\$ 6,120.00	\$ -
Meet & Confer	\$ 412.50	\$ 197.50	\$ -	\$ -	\$ -	\$ -
Motion to Dismiss	\$ 5,610.00	\$ 40,250.50	\$ -	\$ -	\$ -	\$ -
Other Forms/Documents	\$ -	\$ 3,278.50	\$ 295.00	\$ -	\$ -	\$ -
Preliminary Approval	\$ 3,300.00	\$ 7,426.00	\$ -	\$ -	\$ 1,750.00	\$ -
Settlement	\$ 18,645.00	\$ 9,124.50	\$ 147.50	\$ 210.00	\$ 1,330.00	\$ -
Strategy	\$ 3,877.50	\$ 11,534.00	\$ 147.50	\$ 770.00	\$ 2,760.00	\$ -

Exhibit 3

MeyerWilson

The Martindale-Hubbell AV-rated law firm of Meyer Wilson Co., LPA, is devoted to prosecuting consumer and securities class actions, representing patients harmed by dangerous drugs and medical devices, and representing investors with claims against the securities industry. The firm prosecutes individual cases and class actions nationwide on behalf of individuals in arbitration and in court. Since its inception, Meyer Wilson has achieved jury verdicts, arbitration awards, and settlements with a combined value of hundreds of millions of dollars on behalf of its clients.

Meyer Wilson has prosecuted numerous nationwide class actions as court-appointed Lead and Co-Lead Class Counsel in federal and state courts throughout the country, including one class action that resulted in what is believed to be the largest jury verdict in Ohio's history at that time and was also reported to be the country's largest securities class action jury verdict in history. In that case, the firm's founding principal David Meyer was appointed Co-Lead Class Counsel action against Prudential Securities. The firm represented more than 250 investors from Marion, Ohio. The jury trial lasted several weeks and the jury returned a Plaintiffs' verdict in excess of \$261 million. The case was *Burns, et al. v. Prudential Securities, Inc.*, Case No. 99CV0438, in the Court of Common Pleas of Marion County, Ohio. The case was pending for more than seven years. Following an appeal, Class Members received in excess of 100% recovery of their actual losses, even after payment of attorneys' fees and expenses.

As part of its service to consumers, Meyer Wilson has been a leader in protecting the privacy interests of consumers and patients by holding corporations accountable for illegal and invasive mass calling campaigns, as well as data breaches and other similar violations.

Meyer Wilson has been appointed class counsel in numerous class actions that have resulted in significant recoveries. Successes in class actions matters in which Meyer Wilson served as Lead or Co-Lead counsel include:

- *Avetisyan v. United Health Centers of the San Joaquin Valley*, Case No. 22ECG00285 (Fresno County Superior Court) (Class counsel in a data breach suit alleging failure to protect sensitive medical information of patients from release. Final approval of a \$1.65 million settlement granted in March 2023).
- *Brown v. DirectTV, LLC, et al.*, Case No. 2:12-cv-08382 (C.D. Cal.) (Class Counsel in nationwide class action alleging privacy violations from calls with prerecorded messages sent to cell phones. After nearly eight years, the class was certified on March 29, 2019. The Court granted preliminary approval of a \$17 million settlement was granted in August 2022; Final Approval granted February 2023).

- *Myers v. Marietta Memorial Hospital et al.*, Case No. 2:15-cv-2956-ALM-CMV (S.D. Ohio) (Co-Lead Class Counsel in a case alleging wage-and-hour violations on behalf of nurses and other direct patient care workers. Final Approval of a \$2.5 million settlement granted September 2022).
- *Carpenter v. Allstate Insurance Company*, Case No. 2:21-cv-3381-EAS-EPD (S.D. Ohio) (Counsel in a nationwide class settlement alleging that a pool of approximately 500 telemarketing robocalls violated consumer privacy. Final approval of the settlement was granted June 2022).
- *Burns et al. v. Deloitte Consulting, LLP*, Case No. 1:20-cv-4077 (S.D.N.Y.). (Class counsel in a nationwide settlement of claims stemming from improper maintenance of consumer data in connection with customers seeking government benefits. Final approval of settlement granted February 2022).
- *DeCapua v. Metropolitan Property and Casualty Insurance Company*, Case No. 1:18-cv-590 (D.R.I.) (Counsel in a nationwide class settlement alleging privacy violations stemming from telemarketing texts sent with an autodialer. Final approval of an \$850,000 cash settlement was granted in September 2021).
- *Grogan v. Aaron's, Inc.*, No. 1:18-cv-2821-JPB (N.D. Ga.) (Class counsel in a nationwide class action alleging TCPA violations to non-customers. Final approval of the \$1.75 million settlement was approved in October 2020).
- *Brown & Szaller Co., LPA v. Waste Mgmt. of Ohio*, No. CV-16-859588 (Ohio C.P. Cuyahoga Cnty.) (Class counsel on behalf of business customers of Waste Management in Ohio, alleging overcharges. Class settlement of \$30.5 million was approved August 2020).
- *John Doe v. CVS Health Corp. et al.*, No. 2:18-cv-00488 (S.D. Ohio) (Class counsel in a class action alleging illegal disclosure of HIV status of patients as part of a mass mailing. Final approval, argued by Meyer Wilson principal Matthew R. Wilson, of the \$4.4 million cash settlement was approved in February, 2020).
- *DeCapua v. MetLife Inc.*, No. 1:18-cv-00590-WES-LDA (D.R.I.) (Class Counsel in nationwide class action alleging TCPA violations from autodialer text messages to cell phones. Court granted final approval to \$850,000 settlement on Sept. 3, 2021).
- *Woodrow v. Sagent Auto, LLC*, No. 2:18-cv-01054-JPS (E.D. Wisc.) (Class Counsel in nationwide class action alleging TCPA violations from autodialer calls to cell phones. Final approval of the \$1.75 million settlement was approved in November 2019).

- *Rice-Redding et al. v. Nationwide Mut. Auto. Ins. Co.*, No. 1:16-cv-03634-TCB (N.D. Ga.) (Class Counsel in nationwide class action alleging TCPA violations from autodialer calls to cell phones. Final approval of the \$5 million settlement was approved in August 2019).
- *Luster v. Wells Fargo Dealer Servs.*, No. 1:15-cv-1058 (N.D. Ga.) (Class Counsel in case alleging TCPA violations from autodialer debt collection calls to customers and non-customers in connection with auto loans. Final approval of the \$14.8 million cash settlement was granted December 2017).
- *Prather v. Wells Fargo Bank, N.A.*, No. 1:15-cv-4231 (N.D. Ga.) (Class Counsel in case alleging TCPA violations from autodialer debt collection calls to customers and non-customers in connection with student loans. Final approval of the \$2 million cash settlement was granted August 2017).
- *Cross v. Wells Fargo Bank, N.A.*, No. 1:15-cv-1270 (N.D. Ga.) (Class Counsel in nationwide class settlement of TCPA violations from autodialer calls to customers and non-customers in connection with deposit accounts. Final approval of \$30.6 million cash settlement was approved February 2017).
- *Markos v. Wells Fargo Bank, N.A.*, No. 1:15-cv-1156 (N.D. Ga.) (Class Counsel in nationwide class settlement of TCPA violations from autodialer debt collection calls to customers and non-customers in connection with mortgage accounts. Final approval of \$16.4 million cash settlement was approved in January 2017).
- *Smith v. State Farm, et al.*, No. 1:13-cv-02018 (N.D. Ill.) (Class Counsel in nationwide class settlement alleging TCPA violations from autodialer telemarketing calls by or on behalf of several large insurance companies to millions of cell phones. Final approval of approximately \$7 million cash settlement (with no claims process) was approved December, 2016).
- *Ossola, et al. v. American Express Co., et al.*, No. 1:13-CV-4836 (N.D. Ill.) (Class Counsel in nationwide class settlement alleging TCPA violations from autodialer calls to cell phones. Final approval of \$8.7 million cash settlement was approved December 2016).
- *Franklin v. Wells Fargo Bank, N.A.*, No. 14-cv-2349-MMA (S.D. Cal.) (Class Counsel in a nationwide class settlement of TCPA violations from autodialer calls to cell phones. Final approval, argued by Meyer Wilson principal Matthew R. Wilson, of the \$13.89 million cash settlement was approved in January 2016).
- *Bayat v. Bank of the West*, No. 3:13-cv-02376-EMC (N.D. Cal.) (Class Counsel in putative nationwide class alleging TCPA violations from autodialer calls to

cell phones. Settlement of \$3.35 million cash settlement approved in April 2015).

- *Connor v. JPMorgan Chase Bank*, No. 10 CV 1284 DMS BGS (S.D. Cal. Mar. 12, 2012) (Class Counsel in nationwide class alleging TCPA violations from autodialer calls to cell phones. Settlement of \$11.67 million was granted final approval granted in early 2015).
- *In re Capital One Telephone Consumer Litig.*, No. 1:12-cv-10064 (N.D. Ill) (Class Counsel in MDL proceeding involving autodialed and prerecorded message calls to cell phone by Capital One and several of its vendors in violation of the Telephone Consumer Protection Act. The case settled on a nationwide basis for over \$75.5 million, the largest TCPA settlement in the nearly 30-year history of that statute. Final approval, which was argued by Meyer Wilson principal Matthew R. Wilson, was granted in February 2015.).
- *Mills v. HSBC Bank Nevada, N.A., et al.*, No. 3:12-cv-04010 (N.D. Cal.) (Class Counsel in nationwide class action alleging TCPA violations from autodialer calls to cell phones. Final approval, which was argued by Meyer Wilson principal Matthew R. Wilson, of the \$39.975 million cash settlement was approved in February 2015.).
- *Wannemacher v. Carrington Morg. Servs., LLC*, No. 8:12-cv-2016-FMO-AN (C.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging TCPA violations from autodialer calls to cell phones. On December 23, 2014, the Court approved the \$1.03 million class settlement.).
- *Lazebnik v. Apple, Inc.*, No. 5:13-cv-04145-EJD (N.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging fraudulent marketing of a “season pass” of the television show *Breaking Bad* on Apple’s iTunes service. In response to the lawsuit, Apple provided a full credit to the entire proposed class. On October 21, 2014, the parties settled all remaining issues.).
- *Yarger, et al. v. ING Bank FSB*, No. 1:11-cv-00154-LPS (D. Del.) (Co-Lead Class Counsel in nationwide class action alleging misrepresentations related to marketing of mortgage note modifications. A 10-state class was certified in 2012. On October 7, 2014, final approval, which was argued by Meyer Wilson principal Matthew R. Wilson, was granted to the \$20.3 million class settlement.).
- *Steinfeld v. Discover Fin. Servs.*, No. 3:12-cv-01118-JSW (N.D. Cal.) (Counsel for the class in action alleging TCPA violations from autodialer calls to the cell phones. On March 31, 2014, the court approved an \$8.7 million class settlement.).

- *Rose v. Bank of America Corp., et al.*, No.5:11-cv-2390 (N.D. Cal.) (Class Counsel in putative nationwide class action alleging TCPA violations from autodialer calls to cell phones. The \$32 million cash settlement, the largest TCPA class settlement ever at the time, was approved in 2014.).
- *Arthur v. Sallie Mae, Inc.*, No. C10-0198 (W.D. Wash) (Co-Lead Class Counsel in putative nationwide class action alleging TCPA violations from autodialer calls to the cell phones of borrowers who took out student loans with the national lender. The \$24.15 million nationwide settlement was granted final approval on September 17, 2012. It was, at the time, the largest TCPA settlement since that statute was enacted.).
- *Smith v. Regents of the Univ. of Cal.*, No. RG08-410004 (Cal. Sup. Ct., Alameda Cnty.) (Co-Lead Counsel in California statewide action alleging breaches of medical data privacy. In what was one of the first successful class action cases under California's Confidentiality of Medical Information statute, the class was certified on July 9, 2009, and the case was settled in late 2011).
- *Mack v. hh gregg, Inc., et al.*, No. 1:08-cv-664 (S.D. Ind.) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on March 18, 2011.).
- *Kaiser-Flores v. Lowe's Home Centers, Inc.*, No. 5:08-CV-00045 (W.D.N.C.) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement, including cash relief for class members, was granted final court approval on December 15, 2010.).
- *Frankle v. Best Buy Stores, L.P.*, No. 08-5501 (D. Minn.) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on November 9, 2010.).
- *Sanbrook v. Office Depot, Inc.*, No. 07CV096374 (N.D. Cal.) (Co-Lead Class Counsel in California statewide certified class action involving misleading service plan terms and other related issues. The case settled for cash relief for class members, and was granted final approval by the Court on November 23, 2010.).
- *Stout v. Jeld Wen, Inc.*, No. 1:08-CV-652 (N.D. Ohio) (Lead Class Counsel in nationwide class action alleging defective windows. Final approval, argued by Meyer Wilson principal Matthew R. Wilson, was granted to the nationwide settlement on August 8, 2010.).

- *Fulford v. Logitech, Inc.*, No. 08-cv-02041 (N.D. Cal.) (Co-Lead Class Counsel in class action alleging deceptive advertising of a consumer product. The nationwide class action settlement was granted final court approval on March 5, 2010.).
- *Schweinfurth, et al. v. Motorola, Inc.*, No. 1:05-CV-0024 (N.D. Ohio) (Co-Lead Class Counsel in nationwide class action alleging defective cellular phones, resulting in nationwide settlement with cash relief for class members, approved by the Court on January 25, 2010.).
- *Steele v. Pergo, Inc.*, No. CV07-1493 (D. Oregon) (Lead Class Counsel in class action alleging defective laminate flooring. The nationwide settlement was granted final court approval, which was argued by Meyer Wilson principal Matthew R. Wilson, on July 7, 2009.).
- *Jenkins v. Hyundai Motor Fin. Co.*, Case No. 2:04-cv-00720 (S.D. Ohio) (Appointed Co-Lead Class Counsel in a certified class action alleging defective notices in connection with the repossession and subsequent disposition of vehicles. The case settled after certification, and was approved by the Court on July 7, 2009.).
- *Guisseppone v. Wendy's Int'l, Inc., et al.*, No. 08-CVC-4-6219 (Ohio Ct. C.P. Franklin Cnty.) (Liaison Counsel in the derivative and class action suit involving the sale of Wendy's to the parent company of Arby's. The nationwide class action settlement was approved by the Court on July 1, 2009.).
- *In Re Apple iPod Nano Prod. Liab. Litig.*, No. M: 06-cv-01754-RMW (N.D. Cal.) (Co-Lead Counsel in the Multi-District Litigation proceeding in which nationwide class actions allege that screens on iPod Nanos were susceptible to excessive scratching under normal use and were therefore defective. A nationwide settlement of the related case in state court, including cash relief for consumers, was granted final approval by the Court on April 28, 2009.).
- *Health Science Prods. LLC v. Sage Software SB, Inc.*, No. 1:05-CV-03329-RWS (N.D. Ga.) (Co-Lead Class Counsel in nationwide class action settlement involving allegedly defective software. Settlement included cash relief for Class Members. It was approved by the Court on April 24, 2008.).
- *Wiatrowski, et al. v. Sears, Roebuck & Co., et al.*, No. 1:06-CV-00637 (N.D. Ohio) (Co-Lead Counsel in a nationwide class action settlement that provided cash reimbursement of Class Members for out of pocket losses. The court granted final approval on December 20, 2007.).

- *Bowen, et al. v. Whirlpool Corp., et al.*, No. CV05-8067 (C.D. Cal.) (Co-Class Counsel in nationwide class action alleging defective water heaters. Final approval was granted in the nationwide class settlement on October 11, 2007.).
- *Opperman, et al. v. Cellco P'ship, et al.*, No. BC326764 (Cal. Sup. Ct. Los Angeles Cnty.) (Nationwide settlement approved in 2006. Provided, *inter alia*, for the option to return improperly marketed cellular telephone for a full refund of the purchase price and cancellation of a Class Member's contract without early termination penalties.).
- *Heitbrink, et al. v. eMachines*, No. G-4801-CI-200501229 (Ohio Ct. C.P. Lucas Cnty.) (Nationwide settlement provided cash relief for qualified Class Members for purchasers of defective notebook computers. The Court granted final approval on December 21, 2006.).
- *Martino, et al. v. Motorola, Inc.*, No. 03-CIV-1562 (Ohio Ct. C.P. Medina Cnty.) (Nationwide class action settlement provided relief valued in the millions of dollars and included cash reimbursement of Class Members for out of pocket losses. The Court granted final approval on March 2, 2005.).

Meyer Wilson currently serves as Class Counsel in numerous pending class actions throughout the country, including the following sample:

- *Bowen v. Porsche Cars, N.A.*, No. 1:21-cv-00471 (N.D. Ga.) (Class Counsel in nationwide class action alleging product defects stemming from updates of automobile infotainment system. Final approval of class settlement pending).
- *Beckman v. Robinhood Fin., LLC et al.*, No. 3:20-cv-01626 (N.D. Cal.) (Class Counsel in nationwide class action alleging online trading platform violated its duties to customers in allowing system to be shut down. Final approval of class settlement pending).
- *Kinnie Ma IRA et al. v. Ascendent Capital, LLC et al.*, No. 19-cv-1050 (W.D.Tex.) (Class Counsel in a nationwide class action alleging fraud and securities violations in connection with the GPB investment products).
- *Grogan v. McGrath Rentcorp.*, No. 3:22-cv-00490 (N.D.Cal.) (Class Counsel in a nationwide data breach class action. Preliminary approval of class settlement pending).
- *Doe v. Clinivate, LLC*, Case No. C22-01620 (Contra Costa County Sup. Ct.) (Class Counsel in a nationwide data breach class action involving medical information).

- *Healy et al. v. Reiter Affiliated Companies, LLC*, Case No. 22-CV-003056 (Monterey County Sup. Ct.) (Class Counsel in a nationwide data breach class action).
- *In re San Francisco 49ers Data Breach Litigation*, Case No. 3:22-cv-05138 (N.D.Cal.) (Class Counsel in a nationwide data breach class action).
- *Lucero v. Valex Corp.*, Case No. 56-2022-00570847-CU-NP-VTA (Ventura County Sup. Ct.) (Class Counsel in a nationwide data breach class action).
- *Doe v. Northern California Fertility Medical Center*, Case No. 2:22-cv-01861 (E.D.Cal.) (Class Counsel in a nationwide data breach class action involving medical data).
- *Medoff v. Minka Lighting, LLC*, Case No. 2:22-cv-08885 (C.D.Cal.) (Class Counsel in a nationwide data breach class action).
- *Head v. Citibank, N.A.*, No. 3:18-cv-08189 (D. Ariz.) (Class Counsel in nationwide class action alleging TCPA violations from prerecorded calls to cell phones.).
- *Collins et al. v. Toledo Blade Company et al.*, No. 3:23-cv-302 (N.D. Ohio) (Class Counsel in a nationwide case alleging privacy violations stemming from the “Meta Pixel” data tracker on websites).
- *Ghanaat et al. v. Numerade Labs, Inc.*, No. 3:23-cv-883 (N.D.Cal.) (Class Counsel in a nationwide case alleging privacy violations stemming from the “Meta Pixel” data tracker on websites).
- *Doe v. The Ohio State University Wexner Medical Center*, No. 2022-00859JD (Ohio Ct. Claims) (Class Counsel in a nationwide case alleging privacy violations stemming from the “Meta Pixel” data tracker on websites).

DAVID P. MEYER is the founding principal of Meyer Wilson.

Mr. Meyer has been recognized as one of the top litigation attorneys in Ohio. Thomson Reuters named him one of the Top 100 lawyers in Ohio and one of the Top 50 in Columbus in 2012. He is also listed in Best Lawyers in America® in multiple categories and the American Trial Lawyers Association selected him as one of the Top 100 Trial Attorneys in Ohio.

Mr. Meyer has the honor of winning the largest jury verdict in Ohio history; a \$261 million class action verdict against Prudential Securities on behalf of 200 individuals.

Mr. Meyer has earned a national reputation for successfully representing investors who are victims of investment fraud. He has represented over eight hundred individual investors from all across the country in FINRA/NASD securities arbitration and litigation cases against all major brokerage firms and won verdicts, judgments and settlements of hundreds of millions of dollars in losses on their behalf.

He has also been appointed lead or co-lead counsel by state and federal courts throughout the country in numerous consumer class actions.

Mr. Meyer is a recognized authority on securities arbitration procedure and often serves as a guest lecturer on securities fraud and stockbroker malpractice. Numerous bar associations have invited him to speak to attorneys at educational seminars. Mr. Meyer also provides education to investor groups, accountants and other financial professionals concerning investor protection.

Mr. Meyer holds a business administration degree from Ohio University and a law degree and master's degree in tax law from Ohio's Capital University Law School. He is licensed to practice in the states of Ohio and Michigan.

MATTHEW R. WILSON is a principal attorney with the firm.

Mr. Wilson prosecutes the firm's class action cases. During the past 15 years, Mr. Wilson has served as court-appointed class counsel to more than thirty-five certified classes, in settlement or in litigation.

Mr. Wilson has been court-appointed class counsel in numerous privacy cases across the country, including cases in which the defendants were alleged to have made unauthorized calls and sent text messages to cellular telephones through the use of an automated telephone dialing system and/or an artificial or prerecorded voice, in violation of federal law. These class settlements - over the last few years alone - in which Mr. Wilson has been class counsel have provided over \$300 million in cash for consumers.

Several of Mr. Wilson's cases have resulted in nationwide settlements for consumers that are among the largest since the federal statute involving telephone privacy was enacted in 1991, including *In re: Capital One Telephone Consumer Protection Act Litigation*, 1:12-cv-10064 (N.D. Ill.) (\$75.5 million all-cash class settlement); *Wilkins v. HSBC Bank Nevada, N.A. et al.*, 1:14-cv-00190 (N.D. Ill.) (\$39.9 million all-cash class settlement); *Rose v. Bank of America Corp.*, 5:11-cv-02390-EJD (N.D. Cal.) (\$32 million all-cash class settlement); and *Arthur, et al. v. Sallie Mae, Inc.*, No. 10-cv-198-JLR (W.D. Wash.) (\$24.15 million all-cash class settlement).

In another matter, Mr. Wilson was co-lead counsel in *Yarger v. ING Bank, fsb*, 1:11-cv-00154-LPS (D. Del.), representing consumers who alleged that ING breached its promise to allow them to refinance their home mortgages for a fixed flat fee of \$500 or \$750, and instead charged a higher fee. In 2012, the court certified a class of consumers in ten states who purchased or retained an ING adjustable rate mortgage. In October 2014, the court approved a \$20.35 million all-cash class settlement.

In addition to Mr. Wilson's complex civil litigation practice, his pro bono services have included the representation of indigent criminal defendants in Sixth Circuit appeals in Criminal Justice Act cases, including one case in which the Sixth Circuit vacated the criminal sentence of Mr. Wilson's indigent client on appeal. See *United States v. Boards*, 202 Fed. Appx. 869 (6th Cir. 2006). He has been a frequent Interfaith Legal Services volunteer, where he has assisted low-income clients with all manner of legal difficulties, trying one such case to a state court jury. He is also a member of the National Association of Consumer Advocates, and has participated as a mentor in the Ohio Supreme Court Lawyer-to-Lawyer Mentoring Program.

Mr. Wilson graduated *magna cum laude*, Phi Beta Kappa, in Philosophy from Denison University in Granville, Ohio. He received his law degree from the University of Virginia Law School in Charlottesville, Virginia. He is admitted to practice in Ohio and California.

MICHAEL J. BOYLE, JR. is an attorney with the firm.

Mike Boyle prosecutes the firm's class action cases on behalf of consumers and patients.

Mr. Boyle was named a "Super Lawyer" in 2019 and 2020 by *Ohio Super Lawyers Magazine*. In 2014, 2016 and 2017, Mr. Boyle was named a "Rising Star."

Prior to joining the firm, Mr. Boyle clerked for the Honorable R. Guy Cole, Jr., a judge on the United States Court of Appeals for the Sixth Circuit during the 2011-2012 term. Mr. Boyle began his career with the international law firm Covington & Burling, LLP, in San Francisco. He also worked for the San Francisco firm Carroll Burdick & McDonough, LLP and the Columbus firm Carpenter Lipps & Leland, LLP. With these firms, Mr. Boyle handled a wide spectrum of legal cases, from nine-figure bankruptcies and insurance coverage actions to individual real estate disputes.

Mr. Boyle has also maintained a significant pro bono practice. In the aftermath of Hurricane Katrina, he volunteered with a free legal clinic run by Loyola University of New Orleans, in which he provided a wide range of services to displaced residents of Louisiana. Mr. Boyle also served with the San Francisco Bar Association's Legal Assistance project, providing free legal assistance to low income residents of the Bay Area.

Mr. Boyle attended the University of Pennsylvania School of Law, where he graduated with honors in 2008. He also served as a Senior Editor of the University of Pennsylvania Law Review, and was a finalist in the Keedy Cup Moot Court competition. Prior to law school, Mr. Boyle graduated with honors from Dominican University in River Forest, Illinois, with a focus on political theory. Mr. Boyle is a member of the California and Ohio bars.

LAYNE HILTON is an attorney with the firm.

Layne is an attorney with Meyer Wilson's Mass Tort Division. Layne graduated from Emory University School of Law, and earned a Bachelor of Arts degree in English Literature from Mount Holyoke College.

Prior to arriving at Meyer Wilson, Layne worked at a boutique law firm in New Orleans, representing insurance companies, managed care organizations and consumers in suits against pharmaceutical manufacturers alleging a variety of violations, including antitrust violations, conspiracy, and fraud violations of the Racketeering Influence and Corrupt Organizations (“RICO”) Act.

At this firm, Layne served on several committees as part of the Plaintiffs’ leadership teams in the Valsartan and Zantac multi-district litigations. Layne is a member of the Louisiana Bar Association, New Orleans Bar Association, the American Association for Justice and the Louisiana Association for Justice.

As part of the American Association of Justice, Layne has been appointed to serve on the Law School Committee, the International Law Committee, and the Diversity and Inclusion Committee. Layne currently serves as a regional coordinator for the American Association of Justice’s Student Trial Advocacy Competition.

COURTNEY WERNING is an attorney with the firm.

As an associate attorney with Meyer Wilson, Courtney Werning devotes her practice to the representation of investors who have claims against their investment advisors and brokerage firms. She also assists in prosecution of the firm's class action cases.

Ms. Werning joined Meyer Wilson as a law clerk in 2010. She graduated *magna cum laude* from Capital University Law School in 2012. While at Capital Law, she participated in Moot Court and coordinated the law school's pro bono legal volunteering program. She is a member of the Order of the Curia, as well as the Order of the Barristers for excellence in scholastic brief writing and oral advocacy.

Prior to joining Meyer Wilson, Ms. Werning interned at the Franklin County Municipal Court under the Honorable Anne Taylor, the Federal Public Defender's Office for the Southern District of Ohio, the Ohio State University Office of Legal Affairs, and the Parliament of Canada.

Ms. Werning has also regularly volunteered at the Interfaith Legal Clinic, a pro bono clinic that operates through the Legal Aid Society. Interfaith is a monthly clinic where low-income individuals with legal problems can meet with an attorney for free legal advice.

Ms. Werning is admitted to practice law in the state of Ohio. She is currently a member of the Public Investors Arbitration Bar Association (PIABA), the Central Ohio Association for Justice (COAJ), the Ohio Association for Justice (OAJ), and the Ohio State Bar Association (OSBA). Ms. Werning is an active participant in the Ohio Supreme Court Lawyer to Lawyer Mentoring Program.

JARED CONNORS is an attorney with the firm.

Mr. Connors has experience working on the firm's class action and securities arbitration cases. He joined Meyer Wilson as a law clerk in 2020 and started as an associate attorney in 2021 after being admitted to practice law in the State of Ohio.

Mr. Connors received his B.A., *magna cum laude*, in history from Northern Illinois University and graduated from The Ohio State University Moritz College of Law in 2021. During law school, he was an articles editor for the *Ohio State Law Journal* and won Best Brief at the 2019 Herman Moot Court Competition.

In addition, Mr. Connors is a member of the Ohio Association for Justice and the Ohio State Bar Association.

Exhibit 4

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www.turkestrauss.com

Our Firm

Turke & Strauss is a law firm based in Madison, Wisconsin that focuses on complex civil and commercial litigation with an emphasis on consumer protection, data privacy, data breach, employment, wage and hour, business, and real estate matters. The attorneys of Turke & Strauss have extensive experience in complex litigation, including class actions. The attorneys of Turke & Strauss have prosecuted a variety of multi-million-dollar consumer fraud, product defect, privacy, and antitrust class actions and served as class counsel in cases at the federal level. The defendants in these cases have included companies such as Wells Fargo Bank, N.A., LG Electronics U.S.A., Inc., The Clorox Company, Best Buy, Monsanto Company, Kimpton Hotel & Restaurant Group, LLC, Stearns Lending, LLC, Fiat Chrysler Automobiles, and American Power & Gas.

Our Cases

CONSUMER PROTECTION

Fowler, et al. v. Wells Fargo Bank, N.A. (N.D. Cal.)

Filed on behalf of consumers who were overcharged fees on FHA mortgages. The case settled on a class-wide basis for \$30,000,000 in 2018, and final approval was granted in January 2019.

Jones, et al. v. Monsanto Company (W.D. Mo.)

Filed on behalf of individuals who purchased mislabeled RoundUp® products. The case settled on a class-wide basis in 2020 for \$39,550,000. Final approval was granted in May 2021 and the case is currently on appeal to the United States Court of Appeals for the Eight Circuit.

Crawford, et al. v. FCA US LLC (E.D. Mich.)

Filed on behalf of consumers who purchased or leased Dodge Ram 1500 and 1500 Classic vehicles equipped with 3.0L EcoDiesel engines between 2013 and 2019. Plaintiffs allege unfair, deceptive, and fraudulent practices in the Defendants' marketing and sale of vehicles with allegedly defective EGR coolers. This case is currently pending in the United States District Court for the Eastern District of Michigan.

In re: Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products Liability Litigation (N.D. Cal.)

Filed on behalf of consumers against Fiat Chrysler and Bosch alleging unfair, deceptive, and fraudulent practices in the Defendants' marketing and sale of certain EcoDiesel vehicles. The class contained over 100,000 vehicles, including 2014-2016 model-year Jeep Grand Cherokees and Dodge Ram 1500 trucks that were allegedly outfitted with devices that masked actual emission levels. The case settled on a class-wide basis for \$307,500,000, and final approval was granted in May 2019.

Rolland, et al. v. Spark Energy, LLC (D.N.J.)

Filed on behalf of consumers who were forced to pay considerably more for their electricity than they should otherwise have paid due to Spark Energy's deceptive pricing practices. Plaintiff alleges that Spark Energy engages in a bait-and-switch deceptive marketing scheme luring consumers to switch utility companies by offering lower than local utility rates. These lower rates are fixed for only a limited number of months and then switch to a variable market rate that is significantly

higher than the rates local utilities charge. The case settled on a class-wide basis for \$11,000,000 in 2022, and final approval was granted in December 2022.

Haines v. Washington Trust Bank (Wash. Sup. Ct., King Cty.)

Turke & Strauss represents consumers who were charged \$35 overdraft fees by Washington Trust Bank on accounts that were never actually overdrawn. Plaintiff filed suit against Washington Trust Bank for the unfair and unlawful assessment of these overdraft fees. This case settled on a class-wide basis in 2021, and is final approval was granted in November 2021.

Pryor v. Eastern Bank (Mass. Sup. Ct., Suffolk Cty.)

Turke & Strauss represents consumers who were charged \$35 overdraft fees by Eastern Bank on accounts that were never actually overdrawn. Plaintiff filed suit against Eastern Bank for the unfair and unlawful assessment of these overdraft fees. This case settled on a class-wide basis in 2021, and final approval was granted in March 2021.

Benav, et al. v. Healthy Paws Pet Insurance LLC (W.D. Wash.)

Turke & Strauss represents consumers who were deceived by Healthy Paws Pet Insurance, an insurance provider that markets and administers pet insurance policies, regarding the true cost of its pet insurance policies. Plaintiffs allege that purchasers of Healthy Paws Pet Insurance's policies found that their policy premiums increased drastically from year to year, at a rate far outpacing the general costs of veterinary medicine, despite Healthy Paws Pet Insurance's representations to the contrary. This case is currently pending in the United States District Court for the Western District of Washington.

DATA BREACH

Walters v. Kimpton Hotel & Restaurant Group, LLP (N.D. Cal.)

Filed on behalf of consumers whose private information and personal identifiable information, including credit and debit card numbers, names, mailing addresses, and other personal information, was compromised and stolen from Kimpton Hotel & Restaurant Group by hackers. The case settled on a class-wide basis in 2018, and final approval was granted in July 2019.

Reetz v. Advocate Aurora Health, Inc. (Wis. Cir. Ct., Milwaukee Cty.)

Filed on behalf of employees of Aurora Advocate Health, the 10th largest not-for-profit integrated health care system in the United States, whose personally identifiable information was breached and stolen through an email phishing campaign beginning in January 2020. Many of these individuals have lost time

and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in the Circuit Court of Wisconsin for the County of Milwaukee.

Goetz v. Benefit Recovery Specialists, Inc. (Wis. Cir. Ct., Walworth Cty.)

Turke & Strauss represented a class of consumers whose personal health information was compromised and stolen from Benefit Recovery Specialists, Inc., a Houston-based billing and collections services firm that provides billing and collection services to healthcare providers across the country. Many of these consumers have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2022 and final approval was granted in July 2022.

In re BJC Healthcare Data Breach Litigation (Mo. Cir. Ct., St. Louis Cty.)

Turke & Strauss represented a class of consumers whose personal health information was compromised and stolen from BJC Healthcare, a major regional health system. Many of these consumers lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2021 and final approval was granted in September 2022.

Daum, et al. v. K & B Surgical Center, LLC (Cal. Sup. Ct., Los Angeles Cty.)

Turke & Strauss represents a class of consumers whose personal health information and protected health information was compromised and stolen from K & B Surgical Center. Many of these consumers have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. The case settled on a class-wide basis in 2022 and preliminary approval is pending the Superior Court of California for the County of Los Angeles.

In re: Netgain Technology, LLC, Consumer Data Breach Litigation (D. Minn.)

Filed on behalf of consumers whose personal identifiable information and protected health information was breached and stolen from Netgain Technology, LLC beginning in September 2020. Turke & Strauss partner, Raina Borrelli, serves as a member of the Executive Committee in this multidistrict litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in The United States District Court for the District of Minnesota.

Dusterhoff, et al. v. OneTouchPoint Corp. (E.D. Wisc.)

Filed on behalf of 2.6 million consumers whose personal identifiable information and protected health information was breached and stolen from OneTouchPoint Corp., a mailing and printing services vendor, beginning in April 2022. Turke & Strauss partner, Raina Borrelli, serves as a member of the Plaintiffs' Steering Committee in this litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in The United States District Court for the Eastern District of Wisconsin.

In re Lincare Holdings Inc. Data Breach Litigation (M.D. Fla.)

Filed on behalf of consumers whose personal identifiable information and protected health information was breached and stolen from Lincare Holdings Inc., a medical products and services provider, beginning in September 2021. Turke & Strauss partner, Raina Borrelli, serves as co-lead counsel for plaintiffs and the class in this multidistrict litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in The United States District Court for the Middle District of Florida.

Forslund, et al. v. R.R. Donnelley & Sons Company (N.D. Ill.)

Filed on behalf of consumers whose personal identifiable information was breached and stolen from R.R. Donnelley & Sons Company, a Fortune 500 marketing, packaging, and printing company, beginning in November 2021. Turke & Strauss partner, Raina Borrelli, serves as co-lead counsel for plaintiffs and the class in this litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in The United States District Court for the Northern District of Illinois.

DATA PRIVACY

Patterson v. Respondus, Inc., et al. (N.D. Ill.)

Filed on behalf of all persons who took an exam using Respondus' online exam proctoring software, Respondus Monitor, in the state of Illinois. Plaintiffs allege that Respondus collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. This case is currently pending in the United States District Court for the Northern District of Illinois.

Powell v. DePaul University (N.D. Ill.)

Turke & Strauss represents a class of DePaul University students located in the state of Illinois who were required to take exams using Respondus Monitor, which collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. Plaintiff alleges that DePaul University collects students' biometric identifiers and biometric information without written consent and without legally compliant written public policies. This case is currently on appeal before the United States Court of Appeals for the Seventh Circuit.

Fee v. Illinois Institute of Technology (N.D. Ill.)

Turke & Strauss represents a class of DePaul University students located in the state of Illinois who were required to take exams using Respondus Monitor, which collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. Plaintiff alleges that DePaul University collects students' biometric identifiers and biometric information without written consent and without legally compliant written public policies. This case is currently pending in the United States District Court for the Northern District of Illinois.

Harvey v. Resurrection University (N.D. Ill.)

Turke & Strauss represents a class of Resurrection University students located in the state of Illinois who were required to take exams using Respondus Monitor, which collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. Plaintiff alleges that Resurrection University collects students' biometric identifiers and biometric information without written consent and without legally compliant written public policies. This case is currently pending in the United States District Court for the Northern District of Illinois.

RIGHT OF PUBLICITY

Abraham, et al. v. PeopleConnect, Inc., et al. (N.D. California)

Filed on behalf of California residents against PeopleConnect alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that PeopleConnect violates these legal rights by using California residents' names and childhood photographs in advertisements promoting paid subscriptions to its website, classmates.com. The case is pending in the United States District Court for the Northern District of California.

Boshears, et al. v. PeopleConnect, Inc., et al. (W.D. Wash.)

Filed on behalf of Indiana residents against PeopleConnect alleging violations of Indiana's Right of Publicity Statute and Indiana's common law prohibiting misappropriation of a name or likeness. Plaintiffs allege that PeopleConnect violates these legal rights by using Indiana residents' personalities, including their names and childhood photographs, in advertisements promoting paid subscriptions to its website, classmates.com. The case is currently on appeal before the United States Court of Appeals for the Ninth Circuit.

Loendorf v. PeopleConnect, Inc., et al. (N.D. Ill.)

Mackey v. PeopleConnect, Inc., et al. (N.D. Ill.)

Both actions were filed on behalf of Illinois residents against PeopleConnect alleging violations of Illinois' Right of Publicity Act and Illinois common law prohibiting unjust enrichment. Plaintiffs allege that PeopleConnect violates these legal rights by using Illinois residents' names, personas, and personal information in advertisements promoting paid subscriptions to its website, classmates.com, and unlawfully profiting from it. The cases are pending in the United States District Court for the Northern District of Illinois.

Sessa, et al. v. Ancestry.com Operations Inc., et al. (D. Nev.)

Filed on behalf of Nevada residents against Ancestry.com alleging violations of Nevada's right to publicity statute, Nevada law prohibiting deceptive trade practice, Nevada common law protection against Intrusion upon Seclusion, and Nevada Unjust Enrichment law. Plaintiffs allege that Ancestry.com violates these legal rights by knowingly misappropriating the photographs, likenesses, names, and identities of Nevada residents for the commercial purpose of selling access to and advertising them in Ancestry.com products and services without their prior consent. The case is pending in the United States District Court for the District of Nevada.

Braundmeier v. Ancestry.com Operations, Inc., et al. (N.D. Ill.)

Filed on behalf of Illinois residents against Ancestry.com alleging violations of Illinois' Right of Publicity Act and Illinois common law prohibiting unjust enrichment. Plaintiffs allege that Ancestry.com violates these legal rights by knowingly misappropriating the photographs, likenesses, names, and identities of Illinois residents for the commercial purpose of selling access to and advertising them in Ancestry.com products and services without their prior consent. The case is pending in the United States District Court for the Northern District of Illinois.

Spindler v. Seamless Contacts Inc. (N.D. Cal.)

Filed on behalf of California residents against Seamless Contacts Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that Seamless Contacts violates these legal rights by using California residents' names, likenesses, photographs, and personas in advertisements promoting paid subscriptions to its website, seamless.ai. The case is pending in the United States District Court for the Northern District of California.

Martinez v. ZoomInfo Technologies Inc. (W.D. Wash.)

Filed on behalf of California residents against ZoomInfo Technologies Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that ZoomInfo Technologies violates these legal rights by using California residents' names and person information in advertisements promoting paid subscriptions to its website, zoominfo.com, as well as selling access to their names and personal information as part of its products. The case is currently on appeal before the United States Court of Appeals for the Ninth Circuit.

Gbeintor v. DemandBase, Inc., et al. (N.D. Cal.)

Filed on behalf of California residents against DemandBase, Inc. and InsideView Technologies, Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that DemandBase and InsideView Technologies violate these legal rights by using California residents' names, likenesses, photographs, and personas in advertisements promoting paid subscriptions to its website, insideview.com, without their consent. The case is currently on appeal before the United States Court of Appeals for the Ninth Circuit.

Kellman, et al. v. Spokeo, Inc. (N.D. Cal.)

Filed on behalf of California residents against Spokeo, Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that Spokeo violates these legal rights by using California residents' names, likenesses, photographs, and personas in advertisements promoting paid subscriptions to its website without their consent. The case is pending in the United States District Court for the Northern District of California.

TELEPHONE CONSUMER PROTECTION ACT

Evans v. American Power & Gas, LLC, et al. (S.D. Ohio)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* The case settled on a class-wide basis for \$6,000,000, and final approval was granted in May 2019.

Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh (D. Mass.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* The case settled on a class-wide basis for \$14,000,000 in 2020. Final approval was granted in October 2021 and the case is currently on appeal to the United States Court of Appeals for the First Circuit.

Baldwin, et al. v. Miracle-Ear, Inc., et al. (D. Minn.)

Filed on behalf of consumers who received automated or prerecorded telemarketing telephone calls on their cellular and residential telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* The case settled on a class-wide basis for \$8,000,000 in 2021 and final approval was granted in October 2022.

Goodell, et al. v. Van Tuyl Group, LLC (D. Az.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* This case is currently pending in the United States District Court for the District of Arizona.

Doup v. Van Tuyl Group, LLC (N.D. Tex.)

Filed on behalf of consumers who received solicitation telephone calls on their cellular and residential telephones that were listed on the National Do-Not-Call Registry, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* This case is currently pending in the United States District Court for the Northern District of Texas.

Dickson v. Direct Energy, LP, et al. (N.D. Ohio)

Filed on behalf of consumers who received automated or prerecorded telemarketing telephone calls on their cellular telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* This case is currently on appeal to the United States Court of Appeals for the Sixth Circuit.

Learned, et al. v. McClatchy Company, LLC (E.D. Cal.)

Filed on behalf of consumers who received solicitation telephone calls on their cellular and residential telephones that were listed on the National Do-Not-Call Registry and/or who requested Defendant stop calling them, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* This case is currently pending in the United States District Court for the Eastern District of California.

Rogers, et al. v. Assurance IQ, LLC, et al. (W.D. Wash.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones, some that were listed on the National Do-Not-Call Registry, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* This case is currently pending in the United States District Court for the Western District of Washington.

Our Professionals

SAMUEL J. STRAUSS

Samuel J. Strauss is a founding member of Turke & Strauss LLP. Mr. Strauss concentrates his practice in class action litigation with an emphasis on consumer protection and privacy issues. Mr. Strauss has a national practice and appears in federal courts across the country. Over the course of his career, Mr. Strauss has represented plaintiffs in cases which have resulted in the recovery of hundreds of millions of dollars for consumers.

Mr. Strauss received his J.D. with honors from the University of Washington School of Law in 2013. Prior to forming Turke & Strauss in 2016, Mr. Strauss was an associate at Terrell Marshall Law Group in Seattle, Washington, where he successfully prosecuted complex class actions in federal and state courts.

Mr. Strauss is a member of bars of the states of Washington, Wisconsin, and Illinois and has been admitted to practice in the United States District Court for the Western District of Washington, United States District Court for the Eastern District of Washington, United States District Court for the Western District of Wisconsin, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Northern District of Illinois, the United States District Court for the Eastern District of Michigan, and the United States Court of Appeals for the Ninth Circuit.

In recent years, Mr. Strauss has been actively involved in a number of complex class action matters in state and federal courts including:

- *Daum, et al. v. K & B Surgical Center, LLC*, No. 21STCV41347 (Cal. Sup. Ct., Los Angeles Cty.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Joyner v. Behavioral Health Network, Inc.*, No. 2079CV00629 (Mass. Sup. Ct., Hampden Cty.)
- *In re BJC Healthcare Data Breach Litigation*, No. 2022-CC09492 (Mo. Cir. Ct., St. Louis City)
- *Baldwin, et al. v. National Western Life Insurance Company*, No. 2:21-cv-04066 (W.D. Mo.)

- *Pryor v. Eastern Bank*, No. 1984CV03467-BLS1 (Mass. Sup. Ct., Suffolk Cty.)
- *Murray v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 19-cv-12608 (D. Mass.)
- *Baldwin v. Miracle-Ear, Inc.*, No. 20-cv-01502 (D. Minn.)
- *Goodell v. Van Tuyl Group, LLC*, No. 20-cv-01657 (D. Az.)
- *Weister v. Vantage Point AI, LLC*, No. 21-cv-01250 (M.D. Fla.).
- *Lang v. Colonial Penn Life Insurance Company*, No. 21-cv-00165 (N.D. Fla.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Uhhariet v. MyLife.com, Inc.*, No. 21-cv-08229 (N.D. Cal.)
- *Kellman v. Spokeo, Inc.*, No. 21-cv-08976 (N.D. Cal.)
- *Patterson v. Respondus, Inc.*, No. 20-cv-07692 (N.D. Ill.)
- *Bridges v. Respondus, Inc.*, No. 21-cv-01785 (N.D. Ill.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (D. Minn.)
- *Crawford v. FCA US LLC*, No. 20-cv-12341 (E.D. Mich.)
- *Klaehn, et al. v. Cali Bamboo, LLC*, No. 19-cv-01498 (S.D. Cal.)
- *Jones v. Monsanto Company*, No. 19-cv-00102 (W.D. Mo.)
- *Dickson v. Direct Energy, LP, et al.*, No. 18-cv-00182 (N.D. Ohio)
- *Rolland v. Spark Energy, LLC*, Case. No. 17-cv-02680 (D.N.J.)
- *Evans v. American Power & Gas, LLC*, No. 17-cv-00515 (S.D. Ohio)
- *Fowler v. Wells Fargo Bank, N.A.*, No. 17-cv-02092 (N.D. Cal.)
- *Wilkins v. HSBC Bank Nevada, N.A., et al.*, No. 14-cv-00190 (N.D. Ill.)
- *Ott v. Mortgage Investors Corporation*, No. 14-cv-00645 (D. Or)
- *Booth v. AppStack, et al.*, No. 13-cv-01533 (W.D. Wash.)
- *Melito v. American Eagle Outfitters, Inc.*, No. 14-cv-02440-VEC (S.D.N.Y.)
- *Spencer v. FedEx Ground Package System, Inc.*, No. 14-2-30110-3 SEA (Wa. Sup. Ct., King Cty.)

MARY C. TURKE

Mary C. Turke is a founding member of Turke & Strauss. Ms. Turke concentrates her practice in civil and commercial litigation. Ms. Turke regularly prosecutes consumer class actions, including those involving violations of the Illinois Biometric Information Privacy Act and the Telephone Consumer Protection Act. Mr. Turke has extensive experience representing parties in multi-national disputes in both state and federal courts throughout the United States.

Ms. Turke received her J.D. *cum laude* from the University of Wisconsin Law School, Order of the Coif, in 1996. Prior to forming Turke & Strauss in May 2016, Ms. Turke was the managing partner of the Madison, Wisconsin, office of Michel Best & Friedrich LLP, where she practiced civil litigation. Ms. Turke is an active member of the Wisconsin State Bar. Ms. Turke has repeatedly been named to the annual Wisconsin Super Lawyers list (2011-2021) by SuperLawyers Magazine as well as The Best Lawyers in America® list (2013-2020) by Woodward/White, Inc. In 2017, shortly after forming Turke & Strauss, Ms. Turke received the Legal Innovator Award from the Wisconsin State Bar.

Ms. Turke is a member of the Wisconsin State Bar and has been admitted to practice in the United States District Court for the Western District of Wisconsin, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Northern District of Illinois, the United States District Court for the District of Colorado, and the United States Court of Appeals for the Seventh Circuit.

In recent years, Ms. Turke has been substantially involved in a number of complex class action matters in state and federal courts including:

- *Patterson v. Respondus, Inc.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Murray v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 1:19-cv-12608 (D. Mass.)
- *Goodell, et al. v. Van Tuyl Group, LLC*, No. 2:20-cv-01657 (D. Az.)
- *Doe v. Northwestern University*, No. 1:21-cv-01579 (N.D. Ill.)
- *Duerr v. Bradley University*, No. 1:21-cv-01096-SLD-JEH (C.D. Ill.)
- *Bridges v. Respondus, Inc.*, No. 1:21-cv-01785 (N.D. Ill.)

- *Powell v. DePaul University*, No. 1:21-cv-03001 (N.D. Ill.)
- *Doe v. Chamberlain University*, No. 2021CH01183 (Ill. Cir. Ct., Cook Cty.)
- *Fee v. Illinois Institute of Technology*, No. 1:21-cv-02512 (N.D. Ill.)
- *Harvey v. Resurrection University*, No. 1:21-cv-03203 (N.D. Ill.)

RAINA C. BORRELLI

Raina C. Borrelli is a partner at Turke & Strauss whose practice focuses on complex class action litigation, including data privacy, Telephone Consumer Protection Act ("TCPA"), false advertising, and consumer protection cases in both state and federal courts around the country. Ms. Borrelli has served as lead, co-lead, and class counsel in numerous national class actions, including multi-district litigation. Additionally, Ms. Borrelli has substantial experience leading discovery teams in these complex class action matters, as well as in working with class damages experts and class damages models in consumer protection cases.

Ms. Borrelli received her J.D. *magna cum laude* from the University of Minnesota Law School in 2011. Prior to joining Turke & Strauss, Ms. Borrelli was a partner at Gustafson Gluek, where she successfully prosecuted complex class actions in federal and state courts. Ms. Borrelli is an active member of the Minnesota Women's Lawyers and the Federal Bar Association, where she has assisted in the representation of *pro se* litigants through the *Pro Se* Project. Ms. Borrelli has repeatedly been named to the annual Minnesota "Rising Star" Super Lawyers list (2014-2021) by SuperLawyers Magazine. She has also been repeatedly certified as a North Star Lawyer by the Minnesota State Bar Association (2012-2015; 2018-2020) for providing a minimum of 50 hours of pro bono legal services.

Ms. Borrelli is a member of the Minnesota State Bar Association and has been admitted to practice in the United States District Court for the District of Minnesota, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Eastern District of Michigan, the United States District Court for the Northern District of Illinois, and the United States Court of Appeals for the Tenth Circuit.

In recent years, Ms. Borrelli has been appointed to leadership positions in a number of data privacy cases, including *In re Netgain Technology, LLC Consumer Data Breach Litigation*, No. 21-cv-01210 (D. Minn.) (Executive Committee member); *Dusterhoff, et al. v. OneTouchPoint Corp.*, No. 2:22-cv-00882 (E.D. Wisc.) (Plaintiffs' Steering Committee member); *In re Lincare Holdings Inc. Data Breach Litigation*, No. 8:22-cv-01472 (M.D. Fl.) (co-lead counsel); *Forslund v. R.R. Donnelley & Sons Company*, No. 1:22-cv-04260 (N.D. Ill.) (co-lead counsel); and *Medina v. PracticeMax Incorporated*, No. 2:22-cv-0126 (D. Az.) (Executive Leadership Committee member). Ms. Borrelli has been substantially involved in a number of

complex class action matters in state and federal courts including:

- *Daum, et al. v. K & B Surgical Center, LLC*, No. 21STCV41347 (Cal. Sup. Ct., Los Angeles Cty.)
- *Grogan v. McGrath RentCorp*, No. 3:22-cv-00490 (N.D. Cal.)
- *Benedetto, et al. v. Southeastern Pennsylvania Transportation Authority*, No. 210201425 (C.C.P. Phila.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Reese v. Teen Challenge Training Center, Inc.*, No. 00093 (C.C.P. Phila.)
- *Lhota v. Michigan Avenue Immediate Care, S.C.*, No. 2022CH06616 (Ill. Cir. Ct., Cook Cty.)
- *Johnson, et al. v. Yuma Regional Medical Center*, No. 2:22-cv-01061 (D. Az.)
- *Baldwin v. Miracle-Ear, Inc.*, No. 20-cv-01502 (D. Minn.)
- *Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 1:19-cv-12608 (D. Mass.)
- *Goodell v. Van Tuyl Group, LLC*, No. 20-cv-01657 (D. Az.)
- *Learned, et al. v. McClatchy Company LLC*, No. 2:21-cv-01960 (E.D. Cal.)
- *Lang v. Colonial Penn Life Insurance Company*, No. 21-cv-00165 (N.D. Fla.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Abraham, et al. v. PeopleConnect, Inc.*, No. 3:20-cv-09203 (N.D. Cal.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *DeBose v. Dun & Bradstreet Holdings, Inc.*, No. 2:22-cv-00209 (D.N.J.)
- *Gbeintor, et al. v. DemandBase, Inc., et al.*, No. 3:21-cv-09470 (N.D. Cal.)
- *Spindler v. Seamless Contacts Inc.*, No. 4:22-cv-00787 (N.D. Cal.)
- *Kellman, et al. v. Spokeo, Inc.*, No. 3:21-cv-08976 (N.D. Cal.)
- *Brown v. Coty, Inc.*, No. 1:22-cv-02696 (S.D.N.Y.)
- *Benanav v. Healthy Paws Pet Insurance LLC*, No. 2:20-cv-00421 (W.D. Wash.)
- *Spindler, et al. v. General Motors LLC*, No. 3:21-cv-09311 (N.D. Cal.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (JRT/KMM) (D. Minn.)
- *Patterson v. Respondus, Inc.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Powell v. DePaul University*, No. 1:21-cv-03001 (N.D. Ill.)
- *Fee v. Illinois Institute of Technology*, No. 1:21-cv-02512 (N.D. Ill.)
- *Harvey v. Resurrection University*, No. 1:21-cv-03203 (N.D. Ill.)
- *In re FCA Monostable Gearshifts Litig.*, No. 16-md-02744 (E.D. Mich.)

- *Zeiger v. WellPet LLC*, No. 17-cv-04056 (N.D. Cal.)
- *Wyoming v. Procter & Gamble*, No. 15-cv-2101 (D. Minn.)
- *In re Big Heart Pet Brands Litig.*, No. 18-cv-00861 (N.D. Cal.)
- *Sullivan v. Fluidmaster*, No. 14-cv-05696 (N.D. Ill.)
- *Rice v. Electrolux Home Prod., Inc.*, No. 15-cv-00371 (M.D. Pa.)
- *Gorzynski v. Electrolux Home Products, Inc.*, No. 18-cv-10661 (D.N.J.)
- *Reitman v. Champion Petfoods*, No. 18-cv-1736 (C.D. Cal.)
- *Reynolds, et al., v. FCA US, LLC*, No. 19-cv-11745 (E.D. Mich.).

BRITTANY RESCH

Brittany Resch is an associate at Turke & Strauss. Ms. Resch's practice focuses on complex class action litigation, including antitrust litigation, data-breach, Telephone Consumer Protection Act ("TCPA"), false advertising, and consumer protection cases in both state and federal courts around the country. Ms. Resch has substantial experience managing discovery in these complex class action matters.

Ms. Resch received her J.D. from the University of Minnesota Law School in 2015. Prior to joining Turke & Strauss, Ms. Resch was an associate at Gustafson Gluek, where she successfully prosecuted complex class actions in federal and state courts. Ms. Resch also clerked for the Honorable Richard H. Kyle, Senior United States District Judge for the District of Minnesota. Ms. Resch is an active member of the Minnesota Women's Lawyers and the Federal Bar Association, where she has assisted in the representation of *pro se* litigants through the *Pro Se* Project.

Ms. Resch is a member of the Minnesota State Bar Association and has been admitted to practice in the United States District Court for the District of Minnesota and the United States District Court for the Northern District of Illinois.

In recent years, Ms. Resch has been substantially involved in a number of complex class action matters in state and federal courts including:

- *Benedetto v. Southeastern Pennsylvania Transportation Authority*, No. 210201425 (C.C.P. Phila.)
- *In re Netgain Technology, LLC Consumer Data Breach Litigation*, No. 21-cv-01210 (D. Minn.)
- *Perkins v. WelldyneRx, LLC*, No. 8:22-cv-02051 (M.D. Fla.)
- *Forslund v. R.R. Donnelley & Sons Company*, No. 1:22-cv-04260 (N.D. Ill.)
- *Corra, et al. v. ACTS Retirement Services, Inc.*, No. 2:22-cv-02917 (E.D. Pa.)
- *Lamie, et al. v. LendingTree, LLC*, No. 3:22-cv-00307 (W.D.N.C.)
- *In re Lincare Holdings Inc. Data Breach Litigation*, No. 8:22-cv-01472 (M.D. Fl.)
- *Benanav, et al. v. Healthy Paws Pet Insurance, LLC*, No. 2:20-cv-00421-RSM (W.D. Wash.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Abraham, et al. v. PeopleConnect, Inc.*, No. 3:20-cv-09203 (N.D. Cal.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)

- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *DeBose v. Dun & Bradstreet Holdings, Inc.*, No. 2:22-cv-00209 (D.N.J.)
- *Gbeintor, et al. v. DemandBase, Inc., et al.*, No. 3:21-cv-09470 (N.D. Cal.)
- *Spindler v. Seamless Contacts Inc.*, No. 4:22-cv-00787 (N.D. Cal.)
- *Kellman, et al. v. Spokeo, Inc.*, No. 3:21-cv-08976 (N.D. Cal.)
- *Kis v. Cognism Inc.*, No. 4:22-cv-05322 (N.D. Cal.)
- *Uhhariet v. MyLife.com, Inc.*, No. 21-cv-08229 (N.D. Cal.)
- *Brown v. Coty, Inc.*, No. 1:22-cv-02696 (S.D.N.Y.)
- *Emmrich v. General Motors LLC*, No. 21-cv-05990 (N.D. Ill.)
- *Spindler v. General Motors LLC*, No. 21-cv-09311 (N.D. Cal.)
- *Goodell v. Van Tuyl Group, LLC*, No. 20-cv-01657 (D. Az.)
- *Learned, et al. v. McClatchy Company LLC*, No. 2:21-cv-01960 (E.D. Cal.)
- *Clemens v. O'Neil Insurance Company, Inc.*, No. 21-cv-00678 (E.D. Mo.)
- *Patterson v. Respondus University, et al.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Bridges v. Respondus University, et al.*, No. 1:21-cv-01785 (N.D. Ill.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (JRT/KMM) (D. Minn.)
- *In re Broiler Chicken Antitrust Litigation*, No. 16-cv-08637 (N.D. Ill.)
- *In re Disposable Contact Lens Antitrust Litigation*, No. 15-md-02626 (M.D. Fla.)
- *In re Pork Antitrust Litigation*, No. 21-md-02998 (D. Minn.)
- *In re DPP Beef Litigation*,
- *In re Asacol Antitrust Litigation*, No. 15-cv-12730 (D. Mass.)
- *In re Automotive Parts Antitrust Litigation*, No. 12-md-02311 (E.D. Mich.)

ALEX S. PHILLIPS

Alex Phillips is an associate at Turke & Strauss. Mr. Phillips concentrates his practice in complex class action litigation and commercial litigation. He has represented both plaintiffs and defendants in high stakes litigation. Mr. Phillips has successfully obtained trial verdicts on behalf of his clients as well as negotiated numerous high-value settlements.

Mr. Phillips received his J.D. from the University of Wisconsin School of Law in 2017 and has been an active member of the Wisconsin State Bar as well as the Dane, Jefferson, and Dodge County Bar Associations.

In recent years, Mr. Phillips has been involved in a number of complex class action matters in state and federal courts including:

- *Benedetto v. Southeastern Pennsylvania Transportation Authority*, No. 210201425 (C.C.P. Phila.)
- *Grogan v. McGrath RentCorp*, No. 3:22-cv-00490 (N.D. Cal.)
- *Koeller, et al. v. Numrich Gun Parts Corporation*, No. 1:22-cv-00675 (S.D.N.Y.)
- *Mayhood v. Wilkins Recreational Vehicles, Inc.*, No. E2022-0701 (N.Y. Sup. Ct., Steuben Cty.)
- *Perkins v. WelldyneRx, LLC*, No. 8:22-cv-02051 (M.D. Fla.)
- *Batis v. Dun & Bradstreet Holdings, Inc.*, No. 3:22-cv-09124 (N.D. Cal.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Ambramson v. First American Home Warranty Corporation*, No. 2:22-cv-01003 (W.D. Pa.)
- *DeVivo v. Sovereign Lending Group Incorporated*, No. 3:22-cv-05254 (W.D. Wash.)
- *Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 1:19-cv-12608 (D. Mass.)
- *Spindler v. General Motors LLC*, No. 21-cv-09311 (N.D. Cal.)
- *Kellman v. Spokeo, Inc.*, No. 21-cv-08976 (N.D. Cal.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (D. Minn.)
- *Dickson v. Direct Energy, LP, et al.*, No. 18-cv-00182 (N.D. Ohio)
- *Benanav. v. Healthy Paws Pet Insurance, LLC*, No. 20-cv-00421 (W.D. Wash.)
- *Klaehn, et al. v. Cali Bamboo, LLC, et al.*, No. 19-cv-01498 (S.D. Cal.)

ZOG BEGOLLI

Zog Begolli is an associate at Turke & Strauss. Mr. Begolli concentrates his practice in complex class action litigation, with an emphasis on cases involving data privacy, the Telephone Consumer Protection Act, the Illinois Biometric Information Privacy Act, various states' consumer protection acts, and financial industry regulations.

Mr. Begolli received his J.D. from the University of Wisconsin School of Law in 2017 and is an active member of the Wisconsin State Bar. During law school, Mr. Begolli was a member of the University of Wisconsin Law and Entrepreneurship Clinic, which provides legal services to nascent entrepreneurs and early stage companies.

In recent years, Mr. Begolli has been actively involved in a number of complex class action matters in state and federal courts including:

- *Baldwin v. Miracle-Ear, Inc.*, No. 20-cv-01502 (JRT/HB) (D. Minn.)
- *Murray v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 19-cv-12608 (D. Mass.)
- *Learned, et al. v. McClatchy Company LLC*, No. 2:21-cv-01960 (E.D. Cal.)
- *Patterson v. Respondus, Inc.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Grogan v. McGrath RentCorp*, No. 3:22-cv-00490 (N.D. Cal.)
- *In re Netgain Technology, LLC Consumer Data Breach Litigation*, No. 21-cv-01210 (D. Minn.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Reese v. Teen Challenge Training Center, Inc.*, No. 00093 (Philadelphia Ct. Common Pleas)
- *Abraham, et al. v. PeopleConnect, Inc.*, No. 3:20-cv-09203 (N.D. Cal.)
- *Loendorf v. PeopleConnect, Inc.*, No. 1:22-cv-00051 (N.D. Ill.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *Crawford, et al. v. FCA US LLC*, No. 20-cv-12341 (E.D. Mich.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (D. Minn.)
- *Klaehn, et al. v. Cali Bamboo, LLC, et al.*, No. 19-cv-01498 (S.D. Cal.)
- *Fowler, et al. v. Wells Fargo Bank, N.A.*, No. 17-cv-02092 (N.D. Cal.)