

**KAZEROUNI LAW GROUP, APC**

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF KERN – UNLIMITED**

**FREDERICK C. ANDERSON,  
INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,**

Plaintiff,

v.

**PHOENIX FINANCIAL  
SERVICES, LLC; AND,  
PENDRICK CAPITAL PARTNERS  
II, LLC,**

Defendants.

**Case No.:** BCV-16-101385

**DECLARATION OF ABBAS  
KAZEROUNIAN IN SUPPORT OF  
PLAINTIFF FREDERICK C.  
ANDERSON’S MOTION FOR  
ATTORNEYS’ FEES AND COSTS**

**DATE:** July 23, 2018

**TIME:** 8:30 A.M.

**DEPT:** 2

**HON. STEPHEN D. SCHUETT**

**RESERVATION ID #: 29456**

///

1 I, ABBAS KAZEROUNIAN, declare as follows:

- 2 1. I am one of the attorneys for Plaintiff in this action.
- 3 2. I am over the age of 18 and am fully competent to make this declaration.
- 4 3. I am a member in good standing of the bar of the State of California.
- 5 4. If called as a witness, I would competently testify to the matters herein from  
6 personal knowledge.
- 7 5. The declaration is based upon my personal knowledge, except where  
8 expressly noted otherwise.
- 9 6. I submit this declaration in support of the Plaintiff's motion for fees and costs.
- 10 7. I, along with my co-counsel Matthew M. Loker and Joshua B. Swigart,  
11 submitted declarations in support of Plaintiff's previous Motion for  
12 Preliminary Approval.
- 13 8. I believe those Declarations support our requested hourly rates of \$645 for  
14 Mr. Swigart and myself as well as \$525 for Mr. Loker.
- 15 9. Attached hereto as Exhibit A is the combined Time Sheet for Kazerouni Law  
16 Group, APC and Hyde & Swigart.
- 17 10. I have reviewed this Time Sheet and affirm that said Time Sheet accurately  
18 reflects the time spent litigating this matter to date.
- 19 11. Attached hereto as Exhibit B are the costs incurred to date in furtherance of  
20 this matter.
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**KAZEROUNI LAW GROUP, APC  
1303 EAST GRAND AVE, STE 101  
ARROYO GRANDE, CA 93420**

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# PLAINTIFF'S EXHIBIT A

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In The Case Of

*Frederick C. Anderson, Individually and on Behalf of All Others Similarly  
Situated,*

v.

*Phoenix Financial Services, LLC; and, Pendrick Capital Partners II, LLC,*

**BCV-16-101385**

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245 FISCHER AVENUE, UNIT D1  
COSTA MESA, CA 92626  
(800) 400-6808

Time Sheets for Frederick Anderson v. Phoenix Financial Services, LLC & Pendrick Captial Partners II,

Abbas Kazerounian, ATTORNEY (AT \$645.00 per hr.)

*November 4, 2016*

Talked to Shartle and I explained that he has a tough case and he wants to mediate in SF 0.50 hrs.

Sent email to AA re mediation - see notes 0.20 hrs.

Researched mediators in SF 0.90 hrs.

*December 21, 2016*

Conf call with Shartle re mediation. I then called ADR to get dates in SF for 3/8 and 3/9 0.50 hrs.

Abbas Kazerounian, In Summary: 2.10 hrs.

Front Desk, FRONT DESK (AT \$125.00 per hr.)

*January 18, 2017*

on 01/13/17 we received form ADR services mediation hearing set for 03/15/17 10am -6pm 0.20 hrs.

Soft File Created 0.00 hrs.

Front Desk, In Summary: 0.20 hrs.

Time Sheets for Frederick Anderson v. Phoenix Financial Services, LLC & Pendrick Captial Partners II,

Hyde & Swigart

Joshua B. Swigart, ATTORNEY (AT \$645.00 per hr.)

*June 15, 2016*

Review ML research and documents. Conducted additional research on issues 2.90 hrs.

*September 6, 2016*

Reviewed proposed scheduling report to confirm dates were manageable 0.20 hrs.

*December 8, 2016*

Researched and prepared settlement matrix to present to Shartle 3.80 hrs.

*December 29, 2016*

Defense counsel identified various hurdles re settlement. Conducted legal research on hurdles so we could have counter arguments ready 3.40 hrs.

*December 30, 2016*

Finalized research re settlement hurdles and prepared memo 4.20 hrs.

*March 13, 2017*

Prepare for mediation 2.00 hrs.

*December 19, 2017*

Edited preliminary approval motion 2.40 hrs.

*February 26, 2018*

Class list with addresses; Pass PHX2017 0.20 hrs.

Joshua B. Swigart, In Summary: 19.10 hrs.

Time Sheets for Frederick Anderson v. Phoenix Financial Services, LLC & Pendrick Captial Partners II,

Kaz LG

**Abbas Kazerounian, ATTORNEY (AT \$645.00 per hr.)**

<i>March 15, 2017</i>	
Travel to mediation	4.70 hrs.
Attend mediation with ML. Case resolved on class basis	5.10 hrs.
Return to OC following mediation	5.20 hrs.
<i>May 1, 2017</i>	
Worked on preliminary approval motion	4.80 hrs.
<i>June 6, 2017</i>	
Edited preliminary approval motion	2.60 hrs.
<i>September 11, 2017</i>	
Researched defendants requested changes to settlement. They appear to be acceptable	3.70 hrs.
<i>March 15, 2018</i>	
Worked on Fee Petition	3.10 hrs.
Redlined fee brief and sent it with research over to ML for redraft	1.60 hrs.
<i>March 16, 2018</i>	
Continued work on Fee Petition	1.20 hrs.
<i>March 20, 2018</i>	
Edited Fee Petition	1.90 hrs.
<i>March 21, 2018</i>	
Finalized and filed Fee Petition	2.80 hrs.
Abbas Kazerounian, In Summary:	<u>36.70 hrs.</u>

**Elizabeth Wagner, ATTORNEY (AT \$200.00 per hr.)**

<i>February 20, 2018</i>	
Preliminary approval hearing	0.20 hrs.
Elizabeth Wagner, In Summary:	<u>0.20 hrs.</u>

**Matt Loker, ATTORNEY (AT \$525.00 per hr.)**

<i>June 13, 2016</i>	
Discussed case with Cardoza. Asked for documents	0.40 hrs.
<i>June 15, 2016</i>	
Received docs from Cardoza	0.20 hrs.
<i>June 16, 2016</i>	
Conducted legal research re letters. Looks like there are two possible class issues.	2.40 hrs.
Drafted Complaint	1.80 hrs.
<i>June 17, 2016</i>	
Asked AA to finalize and file Complaint	0.20 hrs.
<i>June 23, 2016</i>	
Reviewed Spokeo and updated Complaint	0.80 hrs.
<i>July 6, 2016</i>	
Calendared CMC then called client to discuss case status	0.40 hrs.

Time Sheets for Frederick Anderson v. Phoenix Financial Services, LLC & Pendrick Capital Partners II,

<i>August 5, 2016</i>	Discussed CMC with AA	0.30 hrs.
<i>August 23, 2016</i>	Reviewed Minute Order following CMC. Discussed case with Hari	0.60 hrs.
<i>September 1, 2016</i>	Drafted Joint Scheduling Report	1.90 hrs.
<i>September 8, 2016</i>	Edited Joint Scheduling Report based upon Hari's notes	0.60 hrs.
<i>September 16, 2016</i>	Discussed CMC with AA	0.20 hrs.
<i>September 19, 2016</i>	Call with client re case status	0.60 hrs.
<i>October 3, 2016</i>	Drafted and sent disco	1.90 hrs.
<i>December 1, 2016</i>	Case status call with client	0.20 hrs.
<i>December 14, 2016</i>	Met and conferred with Hari re PMK Depo locations and dates	0.20 hrs.
<i>December 30, 2016</i>	Call with mediator re case background	0.20 hrs.
<i>January 10, 2017</i>	Discussed mediation with Anderson	0.70 hrs.
<i>January 11, 2017</i>	Confirmed mediation date and procedures	0.20 hrs.
<i>January 13, 2017</i>	Met and conferred re scope of discovery with Hari given pending mediation date. We agreed to narrow discovery but need class data in order to have fruitful mediation	0.60 hrs.
<i>January 27, 2017</i>	Received class info from Hari	0.20 hrs.
<i>January 30, 2017</i>	Conducted research re other recent class settlements. Prepared settlement matrix	3.10 hrs.
<i>January 31, 2017</i>	Call with AK re class parameters	0.70 hrs.
	Call with ML re class parameters	0.70 hrs.
<i>February 1, 2017</i>	Updated Anderson re case status. Discussed mediation goals	0.40 hrs.
<i>March 6, 2017</i>	Reviewed file to get ready for mediation	1.40 hrs.
<i>March 7, 2017</i>	Booked flight re mediation	0.20 hrs.
<i>March 8, 2017</i>	Discussed mediation with Mike C	0.40 hrs.

## Time Sheets for Frederick Anderson v. Phoenix Financial Services, LLC & Pendrick Capital Partners II,

Prepared Mediation Brief	3.20 hrs.
Submitted Mediation Brief	0.20 hrs.
<i>March 15, 2017</i>	
Travel to mediation	5.10 hrs.
Attend mediation	4.20 hrs.
Return home following mediation	4.60 hrs.
<i>April 19, 2017</i>	
Follow up call with Hari re settlement agreement	0.30 hrs.
<i>July 12, 2017</i>	
Followed up with Hari re notes on preliminary approval	0.20 hrs.
<i>August 30, 2017</i>	
Discussed settlement issues with hari	0.90 hrs.
<i>September 10, 2017</i>	
Conducted research re changes	1.20 hrs.
Told Hari that we do not agree to a claim form	0.20 hrs.
<i>September 12, 2017</i>	
Discussed case status with anderson	0.30 hrs.
<i>November 8, 2017</i>	
Edited Preliminary Approval	2.10 hrs.
<i>January 2, 2018</i>	
Discussed First Class' dec with Bailey	0.40 hrs.
Finalized and filed final approval motion	1.30 hrs.
<i>January 3, 2018</i>	
Call with Anderson re filing	0.20 hrs.
<i>January 4, 2018</i>	
Reviewed First Class' dec	0.20 hrs.
Filed First Class' dec	0.20 hrs.
<i>February 13, 2018</i>	
Set up CourtCall re Preliminary Approval	0.20 hrs.
<i>February 19, 2018</i>	
Prep for preliminary approval	3.10 hrs.
<i>February 20, 2018</i>	
Final prep re preliminary approval	1.10 hrs.
Preliminary Approval Granted	0.20 hrs.
Reviewed documents and circulated dates with defense counsel and First Class	0.20 hrs.
<i>February 25, 2018</i>	
Reviewed preliminary approval minutes	0.20 hrs.
<i>March 7, 2018</i>	
Conducted research for fee petition	1.80 hrs.
<i>March 19, 2018</i>	
Call with client	0.30 hrs.

# PLAINTIFF'S EXHIBIT B

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In The Case Of

*Frederick C. Anderson, Individually and on Behalf of All Others Similarly  
Situated,*

v.

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COST OR EXPENSE DESCRIPTION	COUNT	COST	CHARGE
Kaz LG			
Cost and Expenses Incurred on 1/17/17			
ADR Mediation Fee	1	\$2,695.00	\$2,695.00
Cost and Expenses Incurred on 2/8/17			
Hotel for mediation	1	\$464.84	\$464.84
Flight for mediation	1	\$520.88	\$520.88
Cost and Expenses Incurred on 3/7/17			
Flight to SF re mediation	1	\$394.40	\$394.40
Cost and Expenses Incurred on 3/14/17			
transportation mediation- AK	1	\$59.82	\$59.82
Transportation mediation- AK	1	\$14.76	\$14.76
Meal Mediation- AK	1	\$168.19	\$168.19
Cost and Expenses Incurred on 3/15/17			
Transportation-Return Mediation- AK	1	\$30.82	\$30.82
Parking Mediation- AK	1	\$33.00	\$33.00
Hotel - AK	1	\$532.27	\$532.27
Cost and Expenses Incurred on 3/20/17			
Meal- Mediation- AK	1	\$35.28	\$35.28
Cost and Expenses Incurred on 3/30/17			
Mileage Reimbursement - ML	1	\$267.84	\$267.84
Cost and Expenses Incurred on 1/2/18			
Filing Fee re Prelim Approval	1	\$66.95	\$66.95
Cost and Expenses Incurred on 1/5/18			
filing fee - Matt	1	\$3.60	\$3.60
filing fee - Matt	1	\$5.15	\$5.15
Cost and Expenses Incurred on 2/13/18			
CourtCall re Preliminary Approval	1	\$86.00	\$86.00
Cost and Expenses Incurred on 3/15/18			
Printing to redline fee brief	12	\$0.30	\$3.60