

DECLARATION OF ABBAS KAZEROUNIAN, ESQ.

I, ABBAS KAZEROUNIAN declare:

1. I am one of the attorneys for the Plaintiff KYLE HANSEN (“Hansen”) in this action.
2. I submit this declaration in support of the Motion for Preliminary Approval of the Class Action Settlement in the action against Defendant TINDER, INC. (“Tinder”).
3. I am licensed to practice law before all California Federal Courts; and, all California State Courts.
4. If called as a witness, I would competently testify to the matters herein from personal knowledge.
5. The declaration is based upon my personal knowledge, except where expressly noted otherwise.
6. I incorporate the explanation of this class action as discussed in the Declaration of Matthew M. Loker herein.

CLASS COUNSEL’S EXPERIENCE

7. Kazerouni Law Group, APC; and, Hyde & Swigart seek to be confirmed as class counsel for purposes of this action and proceeding with the settlement.
8. Since my admission to the California bar in 2007, I have been engaged exclusively in the area of consumer rights litigation, primarily in the area of fair debt collections, the defense of debt collection lawsuits, class action litigation under the Telephone Consumer Protection Act, California’s invasion of privacy statutes, under Penal Code § 630 et seq. and California’s unfair business statutes under Cal. Civ. Code § 17200 et seq. and § 17500 et seq.

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1 9. My firm, Kazerouni Law Group, APC, in which I am a principal, has litigated
2 over 1000 individual consumer cases and over 500 consumer class actions. These
3 class actions were litigated in federal courts in Arizona, California, Washington,
4 Ohio, Nevada, New Jersey, New York, Minnesota, Missouri, Tennessee, Illinois
5 and Texas, as well as California State Courts. Approximately 95% percent of my
6 practice concerns consumer litigation in general. My firm has six offices in
7 Orange County, San Luis Obispo, Phoenix, Dallas, Las Vegas, and Oakland.
8 Kazerouni Law Group, APC has extensive experience in consumer class actions
9 and other complex litigation. My firm has a history of aggressive, successful
10 prosecution of consumer class actions.

11 **KAZEROUNI LAW GROUP, APC'S CONSUMER RELATED EXPERIENCE AND**
12 **RESULTS**

13 10. Kazerouni Law Group, APC has extensive experience in other consumer related
14 issues, including the Telephone Consumer Protection Act, the Fair Debt
15 Collection Practices Act and other related consumer statutes. A brief summary
16 of a non-inclusive list of notable published decisions are as follows:

- 17 a. *Franklin v. Wells Fargo, N.A.*, No. 14-cv-2349-MMA-BGS (S.D. Cal.)
18 (approved for \$14,550,198);
- 19 b. *Knell v. FIA Card Services, N.A.*, 12-cv-426 AJB (WVG) (S.D. Cal.)
20 (California class action settlement under Penal Code 632 et seq., for claims
21 of invasion of privacy. Settlement resulted in a common fund in the
22 amount of \$2,750,000; finally approved by Court;
- 23 c. *Knutson v. Schwan's Home Service, Inc. et al.*, 3:12-cv-00418-AJB-DHB
24 (S.D. Cal.) (finally approved for \$2,535,280);
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- 1 d. *Zaw v. Nelnet, Inc.*, C 13-5788 RS (N.D. Cal.) (California class action
2 settlement under Penal Code 632 et seq., for claims of invasion of privacy.
3 Settlement resulted in a common fund in the amount of \$1,188,110.00;
4 finally approved on November 14, 2014;
- 5 e. *Malta, et al. v. Wells Fargo Home Mortgage, et al.*, 10-CV-1290 IEG
6 (BLM) (Served as co-lead counsel for a settlement class of borrowers in
7 connection with residential or automotive loans and violations of the
8 TCPA in attempts to collect on those accounts; obtained a common
9 settlement fund in the amount of \$17,100,000; final approval in 2013);
- 10 f. *Conner v. JPMorgan Chase Bank, et al.*, 10-CV-1284-DMS (BGS) (S.D.
11 Cal.) (finally approved for \$11,973,558);
- 12 g. *In Re: Midland Credit Management, Inc., Telephone Consumer Protection*
13 *Act Litigation*, 11-md-2286 MMA (MDD) (S.D. Cal.) (Counsel for a
14 Plaintiff in the lead action, prior to the action being recategorized through
15 the multi-district litigation process; preliminarily approved for
16 \$18,000,000);
- 17 h. *In Re: Portfolio Recovery Associates, LLC Telephone Consumer*
18 *Protection Act Litigation*, 11-md-02295-JAH (BGS) (Counsel for a
19 Plaintiff in the lead action, prior to the action being re-categorized through
20 the multi-district litigation process; still actively involved in the MDL
21 litigation and settlement process; preliminarily approved for \$18,000,000);
- 22 i. *Arthur v. SLM Corporation*, 10-CV-00198 JLR (W.D. Wash.) (nationwide
23 settlement achieving the then-largest monetary settlement in the history of
24 the TCPA: \$24.15; final approval granted in 2012)
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- 1 j. *Lo v. Oxnard European Motors, LLC, et al.*, 11-CV-1009-JLS-MDD (S.D.
2 Cal.) (achieving one of the highest class member payouts in a TCPA action
3 of \$1,331.25; final approval granted in 2012);
- 4 k. *Sarabri v. Weltman, Weinberg & Reis Co., L.P.A.*, 10-01777-AJB-NLS
5 (S.D. Cal.) (approved as co-lead counsel and worked to obtain a national
6 TCPA class settlement where claiming class members each received
7 payment in the amount of \$70.00; final approval granted in 2013);
- 8 l. *Barani v. Wells Fargo Bank, N.A.*, 12-CV-02999-GPC-KSC (S.D. Cal.)
9 (Class action settlement under the TCPA for the sending of unauthorized
10 text messages to non-account holders in connection to wire transfers;
11 finally approved for more than \$1,000,000)
- 12 m. *Sherman v. Yahoo!, Inc.*, 2014 U.S. Dist. LEXIS 13286; 13-CV-0041-
13 GPC-WVG (S.D. Cal.) (TCPA class action where Defendant's motion for
14 summary judgment was denied holding that a single call or text message
15 with the use of an ATDS may be actionable under the TCPA).
- 16 n. *Olney v. Progressive Casualty Insurance Company*, 2014 U.S. Dist.
17 LEXIS 9146 (S.D. Cal.); 13-CV-2058-GPC-NLS (Defendant's motion to
18 dismiss or in the alternative to strike the class allegations was denied
19 finding that debt collection calls were not exempt from coverage under the
20 TCPA);
- 21 o. *Iniguez v. The CBE Group, Inc.*, 2013 U.S. Dist. LEXIS 127066 (E.D.
22 Cal.); 13-CV-00843-JAM-AC (the court denying Defendant's motion to
23 dismiss and to strike class allegations holding that the TCPA applies to any
24 call made to a cellular telephone with an ATDS);
- 25 p. *Mills v. HSBC Bank Nevada, N.A.*, Case No. 12-CV-04010-SI (N.D. Cal.)
26 (TCPA class action, settled and finally approved for \$39,975,000);

- 1 q. *In Re Jiffy Lube International, Inc.*, MDL No. 2261 [Finally approved for
2 \$47,000,000.00];
- 3 r. *Sherman v. Kaiser Foundation Health Plan, Inc.*, 13-CV-0981-JAH
4 (JMA) (S.D. Cal.) (Finally approved for \$5,350,000);
- 5 s. *Hoffman v. Bank of America*, 12-cv-539 JAH (DHB) (S.D. Cal.)
6 (California class action settlement under Penal Code 632 et seq., for claims
7 of invasion of privacy. Settlement resulted in a common fund in the
8 amount of \$2,600,000; finally approved by Court;
- 9 t. *Couser v. Comenity Bank*, No. (S.D. Cal.) (finally approved TCPA class
10 action with common fund of \$8,475,000);
- 11 u. *Lemieux v. EZ Lube, Inc.*, 12-cv-1791 BAS (JLB) (S.D. Cal.) (Class
12 settlement finally for \$479,364 approved and Kazerouni Law Group, APC
13 appointed as class counsel)
- 14 v. *Newman v. Americredit Financial Services, Inc.*, 11-cv-3041 DMS (BLM)
15 (S.D. Cal.) (TCPA Class settlement in the amount of \$8,500,000.00 finally
16 approved).
- 17 w. *Martin v. Wells Fargo Bank, N.A.*, 12-CV-06030-SI (N.D. Cal.);
- 18 x. *Heinrichs v. Wells Fargo Bank, N.A.*, 13-CV-05434-WHA (N.D. Cal.);
- 19 y. *Newman v. ER Solutions, Inc.*, 11-CV-0592 H (BGS);
- 20 z. *Ridley v. Union Bank, N.A.*, 11-CV-1773 DMS (NLS) (S.D. Cal.);
- 21 aa. *Ryabyshchuk v. Citibank (South Dakota) N.A.*, et al, 11-CV-1236-IEG
22 (WVG);
- 23 bb. *Olney v. Job.com, Inc. et al.*, No. 12-cv-01724-LJO-SKO (E.D. Cal.);
- 24 cc. *Montoya v. SLM Corp. et al.*, No. 4:14-cv-00287 (N.D. Cal.);
- 25 dd. *Rose v. Bank of Am. Corp.*, No. 11-cv-02390-EJD (N.D. Cal.) (finally
26 approved for \$32,000,000);

1 ee. *Abdeljalil v GE Capital Retail Bank*, 12-cv-02078–JAH–MDD (S.D. Cal.)
2 (Class Certification granted and preliminarily approved for \$7,000,000);
3 ff. *Barrett v. Wesley Financial Group, LLC*, 13-cv-00554-LAB-KSC (S.D.
4 Cal.) (Class certification granted);
5 gg. *Gehrich v. Chase Bank, N.A.*, 12-cv-5510 (N.D. Cal.) (finally approved for
6 \$34,000,000);
7 hh. *Mount v. Wells Fargo Bank, N.A.*, BC395959 (Sup. Ct. Los Angeles)
8 (finally approved for \$5,600,000);
9 ii. *Caldera v. Am. Med. Collection Agency*, 2017 U.S. Dist. LEXIS 99239
10 (C.D. Cal. June 27, 2017) (Order certifying nationwide TCPA class
11 action);
12 jj. *Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109 (Sup.
13 Ct. San Luis Obispo) (RFDCPA class action finally approved on October
14 30, 2017);
15 kk. *Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super. LEXIS
16 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (RFDCPA class action
17 preliminarily approved);
18 ll. *Maxin v. RHG & Company, Inc.*, 16-cv-2625 JLS (BLM) (S.D. Cal.)
19 (Supplement Misrepresentation class action finally approved on February
20 16, 2018);
21 mm. *McPolin v. Credit Service of Logan*, 16-cv-116 BSJ (Utah District
22 Court) (FDCPA class action preliminarily approved on February 28,
23 2017);
24 nn. *Giffin v. Universal Protein Supplements Corp.*, 2018 Cal. Super. LEXIS 3,
25 BC613414 (Sup. Ct. Los Angeles) (Supplement misrepresentation class
26 action finally approved on February 7, 2018); and,

1 oo. *Anderson v. Phoenix Financial Services, LLC, et al.*, BCV-16-101385
2 (Sup. Ct. Kern) (FDCPA class action preliminarily approved on February
3 20, 2018).

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

6 11. I have undergone extensive training in the area of consumer law. The following
7 is a list of recent training conferences I attended:

- 8 a. Four-day National Consumer Law Center Conference; Nashville, TN –
9 2008;
- 10 b. Three-day National Consumer Law Center Conference; Portland, OR -
11 2008;
- 12 c. Three-day National Consumer Law Center Conference; San Diego, CA -
13 2009;
- 14 d. Three-day National Consumer Law Center Conference; Seattle, WA -
15 2011;
- 16 e. Three-day CAALA Conference; Las Vegas, NV – 2009;
- 17 f. Three-day CAALA Conference; Las Vegas, NV – 2013;
- 18 g. Three-day CAALA Conference; Las Vegas, NV – 2014;
- 19 h. Speaker for webinar re First Look at the FCC’s TCPA Declaratory Rulings;
20 July 2015;
- 21 i. Speaker at the ABA National Conference, Business Litigation Section;
22 Trends in Consumer Litigation; San Francisco, CA – 2013; and
- 23 j. Speaker at the ABA TCPA National Webinar (Consumer Protection,
24 Privacy & Information Security, Private Advertising Litigation, and Media
25 & Technology Committees) – September 2013.
- 26 k. Speaker at the 2014 ACA Conference in November 2014.

1 l. January 2016, speaker ABA National Conference regarding Consumer
2 Financial Service Committee on Impact of FCC's Declaratory Ruling on
3 the Telephone Consumer Protection Act.

4 m. September 2016, speaker at the ACI Conference in Dallas - The Borrower's
5 Perspective: Insight From The Plaintiffs' Bar and Consumer Advocates.

6 n. September 2016, speaker at the Annual Consumer Financial Services
7 Conference - TCPA Panel

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9 12. As one of the main plaintiff litigators of consumer rights cases in Southern
10 California, I have been requested to and have made regular presentations to
11 community organizations regarding debt collection laws and consumer rights.
12 These organizations include Whittier Law School, Iranian American Bar
13 Association, Trinity School of Law and Chapman Law School, University of
14 Southern California, Irvine, and California Western School of Law. I was the
15 principle anchor on Time Television Broadcasting every Monday night, as a
16 consultant on consumer law for over a year in 2012.

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

19 14. I have been named Rising Star by San Diego Daily Tribune in 2012, and Rising
20 Star in Super Lawyers Magazine in 2013, 2014 and 2015. I have been nominated
21 for Rising Star in Super Lawyers Magazine in 2016. I have also been listed on
22 The National Trial Lawyers Top 40 Under 40 in 2016.

23 15. I was a panelist in a webinar, ABA Telephonic Brown Bag re: TCPA, on August
24 25, 2015.

25 16. I lectured in Class Action Trends at the CAOC 2015 Conference in San
26 Francisco.

1 17. In January of 2016, I spoke on the impact of the Federal Communications
2 Commission's 2015 Declaratory Ruling on TCPA litigation at the ABA National
3 Convention in Salt Lake City, Utah.

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

- 6 a. National Association of Consumer Advocates;
- 7 b. Federal Bar Association;
- 8 c. American Association for Justice;
- 9 d. Orange County Bar Association;
- 10 e. California Attorneys Association of Los Angeles;
- 11 f. Iranian American Bar Association (President for 2008 and 2009);
- 12 g. Consumer Attorneys of California (Member of Board of Governors).

13 19. In addition to my class action experience, I have experience in commercial
14 litigation and large-scale products liability litigation including a \$2.5 million
15 dollar settlement in *Mei Lu Hwei, et al v. American Honda Motor Co., Inc., et*
16 *al.* (Case No. BC401211 in Superior Court of California for County of Los
17 Angeles). I have regularly litigated cases in state and federal courts, and have
18 reached numerous confidential seven-figure settlements against internationally
19 known companies.

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