

KAZEROUNI LAW GROUP, APC
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KAZEROUNI LAW GROUP, APC

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Attorneys for Plaintiff,

Jayson Swigart

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**JAYSON SWIGART,
INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS
SIMILARLY SITUATED,**

Plaintiff,

v.

PARCEL PENDING, INC.,

Defendant.

Case No.: 18-cv-2238 BEN (WVG)

**DECLARATION OF ELIZABETH A.
WAGNER IN SUPPORT OF
MOTION FOR PRELIMINARY OF
APPROVAL OF CLASS ACTION
SETTLEMENT**

DATE: May 28, 2019

TIME: 10:30 a.m.

COURTROOM: 5A

HONORABLE ROGER T. BENITEZ

DECLARATION OF ELIZABETH A. WAGNER, ESQ.

I, ELIZABETH A. WAGNER, declare:

1. I am one of the attorneys for the Plaintiff JAYSON SWIGART (“Swigart”) in this action.
2. I have been involved in every aspect of litigation for this Action.
3. I submit this declaration in support of the Motion for Preliminary Approval of the Class Action Settlement in the action against Defendant PARCEL PENDING, INC. (“Parcel Pending”).
4. I am an Associate at the Kazerouni Law Group, APC (“KLG”).
5. I am licensed to practice law before all California Federal Courts; and, all California State Courts.
6. I have litigated cases in both state and federal courts in California and in the Eastern District of Michigan.
7. If called as a witness, I would competently testify to the matters herein from personal knowledge.
8. The declaration is based upon my personal knowledge, except where expressly noted otherwise.

CLASS COUNSEL’S EXPERIENCE

9. Kazerouni Law Group, APC seeks to be confirmed as class counsel for purposes of this action and proceeding with the settlement.
10. My co-counsel, Abbas Kazerounian; and, Matthew M. Loker have filed separate Declarations in support of their requests to be designated class counsel.
11. I am an attorney admitted to practice in the State of California and I am an Associate at KLG, which has been retained to represent Swigart in the above-captioned matter.
12. I am over the age of 18 and am fully competent to make this declaration.

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1 13.I was admitted to the State Bar of California in 2017 and have been a member
2 in good standing ever since that time.

3 14.I am also admitted in every federal district in California and the Eastern District
4 of Michigan.

5 15.I have litigated cases in both state and federal courts throughout California and
6 in the Eastern District of Michigan.

7 16.I have acted as counsel in cases in both state and federal courts throughout
8 California.

9 17.I have practiced exclusively in the area of consumer law since my admission to
10 the California bar.

11 18.I also a member in good standing of the following local and national
12 associations:

- 13 a. National Association of Consumer Advocates;
- 14 b. Orange County Bar Association;
- 15 c. Los Angeles County Bar Association; and,
- 16 d. Orange County Women Lawyers Association.

17 19. In 2018 my article, *Consumer-Protection Actions against Credit Repair and*
18 *Debt-Relief Companies*, was published by Plaintiff’s Magazine; The Advocate,
19 The Journal of Internet Law; and, the San Luis Obispo Bar Bulletin.

20 **KAZEROUNI LAW GROUP FOCUSES ON CONSUMER RIGHTS CLASS ACTIONS**

21 20.Kazerouni Law Group, APC has extensive experience in consumer class
22 actions and other complex litigation.

23 21.Kazerouni Law Group, APC has a history of aggressive, successful prosecution
24 of consumer class actions.

25 22.Approximately 95% percent of Kazerouni Law Group, APC is dedicated to
26 consumer litigation in general.

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23. Some of the cases more significant class actions that I have been involved in, include but are not limited to:

- a. *Reid v. I.C. System Incorporated*, CV-12-2661 PHX ROS (Arizona District Court) (\$3,500,000.00 TCPA Class Settlement Preliminarily Approved on March 24, 2017);
- b. *Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109 (Sup. Ct. San Luis Obispo) (RFDCPA class action finally approved on October 30, 2017);
- c. *Maxin v. RHG & Company, Inc.*, 16-cv-2625 JLS (BLM) (S.D. Cal.) (Supplement Misrepresentation class action finally approved on February 16, 2018);
- d. *Giffin v. Universal Protein Supplements Corp.*, 2018 Cal. Super. LEXIS 3, BC613414 (Sup. Ct. Los Angeles) (Supplement misrepresentation class action finally approved on February 7, 2018);
- e. *Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super. LEXIS 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (RFDCPA class action preliminarily approved);
- f. *McPolin v. Credit Service of Logan*, 2017 U.S. Dist. LEXIS 189236, 16-cv-116 BSJ (Utah District Court) (FDCPA class action with consumers to each receive \$1,428.57, debt relief, and tradeline deletion finally approved on November 9, 2017);
- g. *Anderson v. Phoenix Financial Services, LLC, et al.*, BCV-16-101385 (Sup. Ct. Kern) (FDCPA class action preliminarily approved on February 20, 2018); and,

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h. *Maur v. Transform SAC, LLC, et al.*, CV18-831 (Yolo County Superior Court) (Health Studios Services Act class action preliminarily approved on March 26, 2019).

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

25. Therefore, my experience in litigating class actions and my time in practice is sufficient to justify my firm’s appointment as class counsel in this case.

I declare under penalty of perjury under the laws of the United States and of the State of California that the foregoing is true and correct, and that this declaration was executed on April 17, 2019.

By: /s/ Elizabeth A. Wagner
ELIZABETH A. Wagner