

1 Matthew R. Wilson (SBN 290473)
2 Michael J. Boyle, Jr. (SBN 258560)
3 MEYER WILSON CO., LPA
4 305 W. Nationwide Blvd
5 Columbus, OH 43215
6 Telephone: (614) 224-6000
7 Facsimile: (614) 224-6066
8 mwilson@meyerwilson.com
9 mboyle@meyerwilson.com

10 *Attorneys for Plaintiffs and the Proposed Class*

11 [Additional Counsel Listed on Signature Page]

12 **THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 ROBERT GROGAN and HELENA CRUZ, on
16 behalf of themselves and all others similarly
17 situated,

18 Plaintiffs,

19 v.

20 MCGRATH RENTCORP,

21 Defendant.

Case No. 3:22-cv-00490-AGT

**JOINT DECLARATION OF COUNSEL
IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS**

Judge Alex G. Tse

Date: February 2, 2024

Time: 10 a.m.

Place: Courtroom A

22 We, Matthew Wilson, Raina Borrelli, and Anthony Paronich, declare under penalty of
23 perjury:

24 1. We are counsel for plaintiff, Robert Grogan ("Plaintiff"), in the above-captioned
25 case. This declaration supports plaintiff's Motion for Preliminary Approval of Class Action
26 Settlement with Defendant, McGrath Rentcorp ("Defendant"). This declaration supports
27 Plaintiffs' Motion for Attorneys' Fees, Costs, and Service Award. We have personal knowledge
of the facts in this declaration and could testify to them if called on to do so.

LITIGATION BACKGROUND AND THE WORK OF CLASS COUNSEL

1
2 2. On January 25, 2022, Plaintiff Robert Grogan, through counsel, filed his
3 Complaint. Prior to filing this case on behalf of Plaintiff Grogan, Class Counsel spent significant
4 time investigating the facts surrounding the data breach, interviewing breach victims, and
5 researching the potential legal claims.

6 3. On January 29, 2022, Plaintiff served Defendant.

7 4. On March 1, 2022, Plaintiff filed a First Amended Complaint

8 5. On April 7, 2022, Defendant filed a motion to dismiss Plaintiff’s First Amended
9 Complaint. This motion, inter alia, argued that Plaintiff Grogan lacked standing because Plaintiff
10 is a resident of the state of Georgia, and thus cannot assert common law claims based on any other
11 state’s law than Georgia.

12 6. After research and analysis about Defendant’s arguments, Plaintiff Grogan filed a
13 Second Amended Complaint (with Defendant’s consent) in response to the motion to dismiss. On
14 May 4, 2022, the Parties stipulated to the filing of a Second Amended Complaint, adding, inter
15 alia, additional facts regarding the residence of Plaintiff Grogan.

16 7. In the interim, the Parties met and conferred regarding the possibility of resolving
17 the case on a class-wide basis. On May 18, 2022, the Parties filed a stipulation staying the case
18 pending mediation.

19 8. In preparation for mediation, the Parties exchanged critical information that
20 facilitated settlement. More specifically, Defendant shared that the number of individuals
21 affected by the data breach was 8,502 people. Defendant also provided a comprehensive
22 breakdown of the types of information that was released in the data breach.

23 9. In addition, Plaintiff requested, and Defendant provided, information related to the
24 amount of insurance coverage that Defendant possessed that could be used to pay for a judgment
25 or settlement of the claims of the class.

26 10. While the Parties prepared for mediation, Plaintiff Helena Cruz, through counsel,
27 filed *Cruz v. McGrath Rentcorp.*, Case No.22CV013281 (Alameda Cnty. Sup. Ct.). Ms. Cruz is

1 a California resident, and thus has standing to pursue claims based on California law.

2 11. Mediation occurred on June 29, 2022, under the auspices of Mr. Randall W. Wulff.
3 Mr. Wulff is a well-respected mediator.

4 12. At mediation, the Parties evaluated the risks, uncertainties, costs, and delays that
5 continued litigation posed. Considering those factors under Mr. Wulff’s guidance, the Parties
6 agreed to the key terms of a class settlement.

7 13. On June 29, 2022, the Parties’ signed a term sheet that memorialized the key
8 portions of the proposed settlement. This was a predecessor to the final settlement agreement.

9 14. Over the subsequent weeks, Class Counsel drafted the Settlement Agreement and
10 exhibits (including the notices and claim form), worked with counsel for McGrath to finalize
11 those documents, and prepared a motion for preliminary approval.

12 15. Additionally, Class Counsel prepared and filed the Third Amended Complaint,
13 adding Ms. Cruz as a class representative to this action.

14 16. The Agreement was reached after extensive analysis of the relevant facts and law;
15 the settlement is the result of arm’s-length negotiations overseen by a prominent and experienced
16 mediator experienced in class action and complex litigation. The Parties did not discuss attorneys’
17 fees and costs or service awards until they had agreed on the Settlement’s material terms,
18 including the Class definition, how to notify the Class, class benefits, and the release’s scope.

19 17. On November 11, 2022, Class Counsel filed an unopposed motion for preliminary
20 approval of the Settlement, supported by a legal memorandum, the Settlement Agreement and
21 exhibits, a declaration from Class Counsel, a declaration from the proposed Settlement
22 Administrator, and declarations from the Plaintiffs.

23 18. The Court held a hearing on January 6, 2023, at which time it denied Plaintiffs’
24 motion “without prejudice to renewal for the reasons stated on the record.” Doc. 46. Class Counsel
25 worked with counsel for McGrath to address the Court’s comments and submitted a renewed
26 motion for preliminary approval on January 20, 2023. On September 1, 2023, the Court granted
27 preliminary approval to the Settlement. Doc. 59.

1 19. Following the entry of the preliminary approval order, Class Counsel worked with
2 the Settlement Administrator, Kroll, and counsel for McGrath to finalize the notices and claim
3 forms, approve the Settlement website, and approve the script for the Settlement telephone line.
4 lass Counsel anticipates spending additional time working with Kroll throughout the notice and
5 claims process on behalf of the Settlement Class.

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

- 8 a. Conducting an investigation into the facts regarding Plaintiffs' claims and class
9 members claims;
- 10 b. Researching law relevant to, and preparing Plaintiffs' class action complaints;
- 11 c. Preparing for and attending mediation with Randall Wulff, including researching
12 and preparing a detailed mediation statement;
- 13 d. Negotiating and preparing the Parties' class action settlement agreement, along
14 with the proposed class notice and claim form;
- 15 e. Negotiating with settlement administration companies to secure the best notice
16 plan practicable;
- 17 f. Preparing Plaintiffs' motion for preliminary approval of the class action settlement
18 and preparing a detailed declaration in support;
- 19 g. Working with the Settlement Administrator to ensure the timely completion of
20 Notice and processing of claims;
- 21 h. Appearing before the Court on the motion for preliminary approval of the
22 Settlement;
- 23 i. Closely monitoring evolving law regarding data security and its potential impacts
24 on the case;
- 25 j. Conferring with Plaintiffs throughout the case.

1 **CONTINGENT NATURE OF THE ACTION**

2 21. Our firms took on this case on a purely contingent basis.

3 22. This matter has required us, and other attorneys at our firms, to spend time on this
4 litigation that could have been spent on other matters. At various times during the litigation of
5 this class action, this lawsuit has consumed significant amounts of our time and our firms' time.

6 23. Such time could otherwise have been spent on other fee-generating work. Because
7 we undertook representation of this matter on a contingency-fee basis, we shouldered the risk of
8 expending substantial costs and time in litigating the action without any monetary gain in the
9 event of an adverse judgment.

10 24. If not devoted to litigating this action, from which any remuneration to us is wholly
11 contingent on a successful outcome, the time we spent working on this case could and would have
12 been spent pursuing other potentially fee generating matters.

13 25. Litigation is inherently unpredictable and therefore risky. Therefore, despite our
14 devotion to the case and our confidence in the claims alleged against Defendant, there were many
15 factors beyond our control that posed significant risks.

16 26. Further, a successful outcome could only ensue, if at all, after prolonged and
17 arduous litigation with an attendant risk of drawn-out appeals. Among national consumer
18 protection class action litigation, data breach cases are some of the most complex and involve a
19 rapidly evolving area of law. As such, these cases are particularly risky for plaintiffs' attorneys.

20 **LODESTAR, FEES, AND EXPENSES**

21 27. The regular practice at each of our firms is to maintain contemporaneous time
22 records.

23 28. The billable rates for our firms are consistent with rates billed for similar legal
24 services. *See* National Association of Legal Fee Analysis 2020 Class Action Hourly Rate Survey
25 ([https://www.thenalfa.org/blog/survey-class-action-defense-rates-keep-pace-with-plaintiffs-
26 rates-in-2020/](https://www.thenalfa.org/blog/survey-class-action-defense-rates-keep-pace-with-plaintiffs-rates-in-2020/)).

27 29. Through September 29, 2023, our firms worked a total of 575.6 hours on this case,

1 incurring fees of \$350,263.00. See lodestar breakdown by firm and timekeeper below. Here, the
2 requested fee of \$466,666.67 represents a 1.33 multiplier of Class Counsel’s current lodestar of
3 \$350,263.00.

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

8 31. Upon request, we can provide detailed contemporaneous records to the Court for
9 review.

10 32. All books and records in this case regarding costs expended were maintained in
11 the ordinary course of business, from expense vouchers and check records. We have reviewed the
12 records of costs expended in this matter.

13 33. Through September 29, 2023, we have incurred \$30,498.69 in reasonable
14 expenses necessary to the litigation, which include filing fees, research expenses, and mediation
15 costs. Each firm’s expenses are identified below. However, consistent with the notices sent to the
16 Class, Class Counsel seeks \$27,051.20 in expenses.

17 **Turke & Strauss LLP**

18 34. Through September 29, 2023, Turke & Strauss LLP has worked a total of 162.7
19 hours on this case, incurring fees of \$87,774.00.

20 35. A summary indicating the amount of time expended by the partners, associates,
21 and professional support staff of Turke & Strauss LLP involved in the litigation is set forth below:
22
23
24
25
26
27

Turke & Strauss Personnel	Position	Rate	Hours	Total
Raina Borrelli	Partner	\$700	75.1	\$52,570.00
Samuel J. Strauss	Partner	\$700	22.5	\$15,750.00
Brittany Resch	Associate	\$475	5.4	\$2,565.00
Alex Phillips	Associate	\$425	19.7	\$8,372.50
Zog Begolli	Associate	\$425	8.4	\$3,570.00
Rachel Pollack	Paralegal	\$225	0.7	\$157.50
Min Ro	Paralegal	\$185	4.4	\$814.00
Ahleea Zama	Legal Assistant	\$150	10.5	\$1,575.00
Rudis Requeno	Legal Assistant	\$150	16.0	2,400.00
TOTAL			162.7	\$87,774.00

36. The time spent, or will be spent, on tasks on this matter by each biller at my firm can be generally broken down by the following various topics:

Raina Borrelli

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	11.9 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	38.6 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	24.6 hours
TOTAL	75.1 hours

Sam Strauss

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	16.0 hours
Confer with Client and/or Defense Counsel	6.2 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	0.3 hours
TOTAL	22.5 hours

Brittany Resch

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	2.6 hours
Confer with Client and/or Defense Counsel	0.5 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	2.3 hours
TOTAL	5.4 hours

Alex Phillips

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	12.8 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	6.9 hours
TOTAL	19.7 hours

Zog Begolli

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	7.0 hours
Confer with Client and/or Defense Counsel	1.4 hours
TOTAL	8.4 hours

Rachel Pollack

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	0.7 hours
TOTAL	0.7 hours

Min Ro

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	4.4 hours
TOTAL	4.4 hours

Ahleea Zama

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	2.2 hours
Confer with Client and/or Defense Counsel	8.3 hours
TOTAL	10.5 hours

Rudis Requeno

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	16.0 hours
TOTAL	16.0 hours

37. Through September 29, 2023, Turke & Strauss LLP has incurred \$6,747.55 in reasonable expenses necessary to the litigation.

Expense Type	Amount
Filing Fees and Local Counsel Fees	\$0
Pro Hac Fees	\$317.00
Research Expenses and Expert Consult	\$13.10
Mediation Costs	\$3,500
Mailing/Printing	\$70.38
Travel and Incidentals for Hearings and Mediation	\$2,847.07
TOTAL	\$6,474.55

Meyer Wilson

38. Through September 29, 2023, Meyer Wilson has worked a total of 219.30 hours on this case, incurring fees of \$156,009.00.

39. A summary indicating the amount of time expended by the partners, associates, and professional support staff of Meyer Wilson involved in the litigation is set forth below:

Meyer Wilson Personnel	Position	Rate	Hours	Total
Matthew R. Wilson	Partner	\$825	110.40	\$90,870.00
Michael J. Boyle	Special Counsel	\$645	94.10	\$59,623.50
Jared W. Connors	Associate Attorney	\$395	12.10	\$4,779.50
Danielle Aldach	Legal Assistant	\$295	2.7	\$736
TOTAL			219.30	\$156,009.00

40. The time spent, or will be spent, on tasks on this matter by each biller at my firm can be generally broken down by the following various topics:

Matthew R. Wilson

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	28.1 hours
Confer with Client and/or Defense Counsel	8 hours
Court Appearances and Related Preparation	36.2 hours
Research	0 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	3.7 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	34.4 hours
TOTAL	110.4 hours

Michael J. Boyle

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	4.1 hours
Confer with Client and/or Defense Counsel	0 hours
Court Appearances and Related Preparation	0 hours
Research	0 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	75.5 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	14.5 hours
TOTAL	94.1 hours

Jared W. Connors

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	0 hours
Confer with Client and/or Defense Counsel	3.8 hours
Court Appearances and Related Preparation	0 hours
Research	0 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	8.3 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	0 hours
TOTAL	12.10 hours

Danielle Aldach

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	1.7 hours
Confer with Client and/or Defense Counsel	0 hours
Court Appearances and Related Preparation	0 hours
Research	0 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	1 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	0 hours
TOTAL	2.70 hours

41. Through September 29, 2023, Meyer Wilson has incurred \$10,654.94 in reasonable expenses necessary to the litigation.

Expense Type	Amount
Filing Fees and Local Counsel Fees	\$5,867.35
Pro Hac Fees	\$0
Research Expenses and Expert Consult	\$0
Mediation Costs	\$0
Mailing/Printing	\$35.45
Travel and Incidentals for Hearings and Mediation	\$4,752.14
TOTAL	\$10,654.94

Paronich Law, P.C.

42. Through September 29, 2023, Paronich Law, P.C. has worked a total of 193.6 hours on this case, incurring fees of \$106,480.

43. A summary indicating the amount of time expended by the partners, associates, and professional support staff of Paronich Law involved in the litigation is set forth below:

Paronich Law Personnel	Position	Rate	Hours	Total
Anthony Paronich	Principal	\$550	193.60	\$106,480.00
TOTAL			219.30	\$156,009.00

44. The time spent, or will be spent, on tasks on this matter by each biller at my firm can be generally broken down by the following various topics:

Anthony Paronich

Task	Hours
Pre-Lawsuit Investigation/Draft Pleadings and Discovery Related Tasks (Including formal discovery)	31.7 hours
Confer with Client, Co-Counsel and/or Defense Counsel	15.2 hours
Court Appearances and Related Preparation	20.1 hours
Research	42.9 hours
Draft Mediation Brief, Prepare for Mediation and Appear at Mediation, Settlement Discussions and Informal Discovery	29.0 hours
Revise, Draft and Review Settlement, Notice and Claim Form and Preliminary and Final Approval Motions	54.7 hours
TOTAL	193.60 hours

1 45. Through September 29, 2023, Paronich Law, P.C. has incurred \$13,396.20 in
2 reasonable expenses necessary to the litigation.

Expense Type	Amount
Filing Fees and Local Counsel Fees	\$0
Pro Hac Fees	\$317.00
Research Expenses and Expert Consult	\$3,461.00
Mediation Costs	\$3,500
Mailing/Printing	\$250.00
Travel and Incidentals for Hearings and Mediation	\$5,868.20
TOTAL	\$13,396.20

COUNSEL'S QUALIFICATIONS

Meyer Wilson

15 46. Meyer Wilson is a plaintiffs' law firm with offices in Columbus, Los Angeles,
16 Cleveland, New Orleans, Atlanta, and Bloomfield Hills, Michigan. With co-counsel, Meyer
17 Wilson handles cases across the county. Meyer Wilson has a robust complex litigation and class
18 action practice involving consumer, employment, financial, securities, and especially privacy
19 matters.
20

21 47. The Meyer Wilson principal attorney assigned to this matter is Matthew R. Wilson.
22 Mr. Wilson graduated from Denison University, *magna cum laude*, in Philosophy in 1997, before
23 graduating from the University of Virginia School of Law in 2000. Prior to coming to Meyer
24 Wilson, Mr. Wilson defended class action case as an attorney at Jones Day in its Columbus office.
25 He was the chair of the Class Action Committee of the Central Ohio Association for Justice from
26 2007 until 2018. Mr. Wilson was recognized this year as a "Lawyer of the Year" for class actions
27 in his region, and for the last several years as an Ohio "Super Lawyer." He has been a member

1 of the Class Action Preservation Project with Public Justice. In addition to the California and
2 Ohio state bars, he is also admitted to the Sixth, Seventh, Ninth, and Eleventh Circuit Courts of
3 Appeals; to the Central, Eastern, Northern, and Southern Districts of California; the Northern and
4 Southern Districts of Ohio; the Central and Northern Districts of Illinois; and the Eastern and
5 Western Districts of Wisconsin. He has significant experience in litigating consumer class
6 actions, and particularly privacy class actions like this one. Mr. Wilson has recovered over \$300
7 million in cash for consumers in TCPA and data breach class actions.

8 48. Meyer Wilson's firm resume is attached hereto as **Exhibit A**.

9 **Turke and Strauss LLP**

10 49. Turke and Strauss is a law firm in Madison, Wisconsin that focuses on complex
11 civil and commercial litigation with an emphasis on consumer protection, employment, wage and
12 hour, business, real estate, and debtor-creditor matters.

13 50. Raina Borrelli, the principal attorney from Turke and Strauss assigned to this case,
14 is a partner at Turke & Strauss LLP whose practice focuses on complex class action litigation,
15 including data breach, Telephone Consumer Protection Act ("TCPA"), false advertising, and
16 consumer protection cases in both state and federal courts around the country. Ms. Borrelli
17 received her J.D. *magna cum laude* from the University of Minnesota Law School in 2011. Prior
18 to joining Turke & Strauss, Ms. Borrelli was a partner at Gustafson Gluek, where she successfully
19 prosecuted complex class actions in federal and state courts. Ms. Borrelli is an active member of
20 the Minnesota Women's Lawyers and the Federal Bar Association, where she has assisted in the
21 representation of *pro se* litigants through the *Pro Se* Project. Ms. Borrelli has repeatedly been
22 named to the annual Minnesota "Rising Star" Super Lawyers list (2014-2021) by SuperLawyers
23 Magazine. She has also been repeatedly certified as a North Star Lawyer by the Minnesota State
24 Bar Association (2012-2015; 2018-2020) for providing a minimum of 50 hours of pro bono legal
25 services. In recent years, Ms. Borrelli has been substantially involved in a number of complex
26 class action matters in state and federal courts including: *Hudock v. LG Electronics USA, Inc.*,
27 16-cv-1220 (JRT/KMM) (D. Minn.); *Baldwin v. Miracle-Ear, Inc.*, 20-cv-01502 (JRT/HB) (D.

1 Minn.); *In re FCA Monostable Gearshifts Litig.*, 16-md-02744 (E.D. Mich.); *Zeiger v. WellPet*
2 *LLC*, 17-cv-04056 (N.D. Cal.); *Wyoming v. Procter & Gamble*, 15-cv-2101 (D. Minn.); *In re Big*
3 *Heart Pet Brands Litig.*, 18-cv-00861 (N.D. Cal.); *Sullivan v. Fluidmaster*, 14-cv-05696 (N.D.
4 Ill.); *Rice v. Electrolux Home Prod., Inc.*, 15-cv-00371 (M.D. Pa.); *Gorzynski v. Electrolux*
5 *Home Products, Inc.*, 18-cv-10661 (D.N.J.); *Reitman v. Champion Petfoods*, 18-cv-1736 (C.D.
6 Cal.); *Reynolds, et al., v. FCA US, LLC*, 19-cv-11745 (E.D. Mich.).

7 51. Turke & Strauss’s firm resume is attached hereto as **Exhibit B**.

8 **Paronich Law, P.C.**

9 52. Anthony Paronich, the founder of Paronich Law, is a 2010 graduate of Suffolk
10 Law School and was admitted to the Bar in Massachusetts that same year. Since then, he was
11 admitted to practice before the Federal District Court for the District of Massachusetts. From time
12 to time, he has appeared in other state and federal district courts *pro hac vice*. He is in good
13 standing in every court to which he is admitted to practice. Mr. Paronich was an associate at
14 Broderick Law, P.C., in Massachusetts from 2010 through 2016 and then a partner from 2016 to
15 2019. In 2019 Mr. Paronich started Paronich Law, P.C. in 2019 focused on protecting consumers
16 in class action lawsuits.

17 53. Mr. Paronich’s practice focuses on complex class action litigation, including data
18 breach and the Telephone Consumer Protection Act (“TCPA”), and Mr. Paronich has been
19 appointed class counsel in many cases, including *Desai and Charvat v. ADT Security Services,*
20 *Inc.*, No. 11-CV-1925 (N.D. Ill.), *In re Monitronics International, Inc.*, No. 1:13-md-02493 (N.D.
21 W. Va.), *Thomas Krakauer v. Dish Network, L.L.C.*, No. 1:14-CV-333 (M.D.N.C.), and *Loftus v.*
22 *Sunrun, Inc.*, No. 3:19-cv-1608 (N.D. Cal.).

1 Pursuant to 28 U.S.C. § 1746, we declare signed under penalty of perjury of the United
2 States of America that the foregoing is true and correct.

3 Executed on October 2, 2023 in Columbus, Ohio.

4
5 /s/ Matthew R. Wilson
Matthew R. Wilson

6 /s/ Raina C. Borrelli (via email authorization)
7 Raina Borrelli

8 /s/ Anthony Paronich (via email authorization)
9 Anthony Paronich

CERTIFICATE OF SERVICE

I, Michael J. Boyle, Jr., hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record via the ECF system.

DATED this 2nd day of October, 2023.

By: /s/ Michael J. Boyle, Jr.
Michael J. Boyle, Jr. (SBN 258560)
MEYER WILSON CO., LPA
305 W. Nationwide Blvd
Columbus, OH 43215
Telephone: (614) 224-6000
Facsimile: (614) 224-6066
mboyle@meyerwilson.com

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.

Turke & Strauss LLP

613 Williamson Street, Suite 201
Madison, Wisconsin 53703
P: 608.237.1775
F: 608.237.4423
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. Ms. 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.)