

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT**  
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 RAMTIN ZAKIKHANI, et al.,

18 Plaintiffs,

19 v.

20 HYUNDAI MOTOR COMPANY, et al.,

21 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF ROSEMARY M.  
RIVAS IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
COUNSEL FEE AND EXPENSE  
AWARD AND CLASS  
REPRESENTATIVE SERVICE  
AWARDS**

Judge: Hon. Stanley Blumenfeld, Jr.

Date: April 21, 2023

Time: 8:30 a.m.

Courtroom: 6C

1 I, Rosemary M. Rivas, pursuant to 28 U.S.C. § 1746, declare as follows:

2 1. I am a Partner with the law firm of Gibbs Law Group LLP, counsel of  
3 record for Plaintiffs Adam Pluskowski, Ricky Barber, Lucille Jacob, Carla Ward,  
4 Pepper Miller, and Cindy Brady (collectively, “*Pluskowski* Plaintiffs”).

5 2. I have personal knowledge of the facts set forth in this declaration and, if  
6 called as a witness, I could and would testify competently thereto. I make this  
7 declaration in support of Plaintiffs’ Motion for Class Counsel Fee and Expense  
8 Award and Class Representative Service Awards.

9 3. On April 15, 2022, my firm filed the action titled *Pluskowski, et al. v.*  
10 *Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE (“*Pluskowski*”  
11 action). On September 2, 2022, the Court ordered the *Pluskowski* action consolidated  
12 with the instant action.

13 4. I have been responsible for the prosecution of the *Pluskowski* action  
14 against Defendants Hyundai Motor America, Hyundai Motor Company, Kia  
15 America, Inc., and Kia Corporation (“Defendants”). My firm has vigorously  
16 represented the interests of the *Pluskowski* Plaintiffs and the class it sought to  
17 represent. *See* Dkt. No. 1 (*Pluskowski* Complaint) at fn. 1.

18 5. My firm conducted a thorough examination and investigation of the facts  
19 and law relating to the matter in this case, as discussed below, including the  
20 preparation and filing of the *Pluskowski* action, meet and confer efforts with  
21 Defendants and Plaintiffs’ counsel for resolution of the matter, and efforts that led to  
22 the consolidation and settlement of the *Pluskowski* action with the instant action.

23 **Summary of Work Performed by Gibbs Law Group LLP**

24 6. In February 2022, my firm began investigating reports about an  
25 additional recall of nearly 485,000 Hyundai and Kia vehicles in the United States that  
26 can catch fire even if the engines have been turned off. We believed the problem was  
27 serious because consumers were advised not to park their vehicles near any

1 structures. We researched the nature and scope of the February 2022 recall, including  
2 the models and years of affected Hyundai and Kia vehicles and a potential class-wide  
3 defect affecting the Anti-Lock Brake System (“ABS”) module, also known as a  
4 hydraulic electronic control unit (“HECU”), installed in certain Hyundai and Kia  
5 vehicles.

6 7. As part of our investigation, we interviewed numerous Hyundai and Kia  
7 owners about their experiences with their vehicles with the defective ABS modules  
8 and their purchasing decisions. We reviewed many technical and lengthy National  
9 Highway Traffic Safety Administration (“NHTSA”) filings and news articles relating  
10 to the NHTSA recalls and the Class Vehicles. We also reviewed hundreds of  
11 consumer complaints about their vehicles and experiences, reviewed and analyzed  
12 Defendants’ marketing materials, online reviews, vehicle specifications, and  
13 applicable warranties. We further researched potential legal claims under various  
14 state laws.

15 8. To satisfy ourselves regarding the merits of the legal claims and to draft  
16 a complaint that would withstand a motion to dismiss, we also reviewed prior and  
17 pending litigation materials in cases against Defendants, including this Court’s Order  
18 Granting In Part Defendants’ Motion to Dismiss Plaintiffs’ First Amended Class  
19 Action Complaint (Dkt. No. 48) and Order Re: Defendants’ Motion to Dismiss  
20 Plaintiffs’ Second Amended Class Action Complaint (Dkt. No. 69).

21 9. The *Pluskowski* Complaint that we filed covered Hyundai and Kia  
22 vehicles that were impacted by the February 2022 recall and not covered by the  
23 plaintiffs in *Zakikhani* (Dkt. No. 49) or *Evans, et al. v. Hyundai Motor Company, et*  
24 *al.*, Case No. 8:22-cv-00300-SB-JDE (C.D. Cal.). The *Pluskowski* Complaint alleges  
25 claims that were not alleged in the *Zakikhani* action, including claims for violations  
26 of the Illinois Consumer Fraud and Deceptive Business Practices Act, Illinois  
27 Uniform Deceptive Trade Practices Act, New Jersey Consumer Fraud Act; breach of  
28

1 express and implied warranties under Illinois and New Jersey laws; and unjust  
2 enrichment.

3 10. After the filing of the complaint in *Pluskowski*, we took the normal  
4 litigation steps that were required, including meeting and conferring with Defendants  
5 regarding their anticipated motion to dismiss, and entering into various stipulations.

6 11. The Firm has successfully represented clients and class members in  
7 other litigation against Hyundai and was prepared to vigorously litigate the claims  
8 here. For example, in *Glenn v. Hyundai Motor America*, the Firm represented  
9 Hyundai owners who bought certain models with allegedly defective sunroofs. *See*  
10 No. 8:15-cv-02052 (C.D. Cal.). After years of hotly contested litigation, the suit  
11 resolved through a nationwide settlement valued at over \$30 million. *Glenn*, No. 15-  
12 cv-02052 (C.D. Cal. May 28, 2019), ECF No. 272-1 at 33-34. Judge David O. Carter,  
13 approving the settlement, noted it was “an extraordinarily complex class and an  
14 extraordinarily creative solution” and “I really look to settlements like this . . . for  
15 outstanding counsel really doing an outstanding job in getting back to their clients in  
16 terms of what’s the best.” *Id.*, (C.D. Cal. August 13, 2019), ECF No. 275 at 14:24-  
17 15:14.

18 12. Shortly after filing the *Pluskowski* complaint, we learned that  
19 Defendants were participating in settlement discussions in *Zakikhani*. We actively  
20 engaged in meet and confer efforts with Defendants and Plaintiffs’ counsel that  
21 ultimately led to the consolidation and settlement of the *Pluskowski* action with the  
22 instant settlement here in *Zakikhani*. After reviewing the proposed settlement terms  
23 and satisfying ourselves that they provided excellent results for the Class, the  
24 *Pluskowski* Plaintiffs agreed to join the settlement.

25 13. We believe our work contributed greatly and added value to the instant  
26 action and the proposed settlement to include claims relating to the February 2022  
27 recalls, resulting in the negotiated benefits to the class members in this case.

1 **Gibbs Law Group’s Time Records, Timekeepers & Hourly Rates, and Expenses**

2 14. The Firm maintains contemporaneous time records. The Firm’s records  
3 show the following hours performed in this litigation by timekeeper, including hourly  
4 rates, as follows:

5 <b>Timekeeper &amp; Title</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
6 Rosemary M. Rivas, 7 Partner	40.20	\$905.00	\$36,381.00
8 Rosanne L. Mah, 9 Counsel	245.40	\$740.00	\$181,596.00
<b>Total</b>	<b>285.60</b>		<b>\$217,977.00</b>

10  
11 15. My firm also incurred \$1,124.64 in costs attributable to this litigation. A  
12 summary of these costs by category is below:

13 <b>Expense Category</b>	<b>Amount</b>
14 1. Filing Fee	\$402.00
15 2. Service of Process Fees	\$591.20
16 3. Postage Fees	\$67.46
17 4. Legal Research (Westlaw)	\$63.98
<b>TOTALS:</b>	<b>\$1,124.64</b>

18 16. The actual expenses incurred in prosecuting this case are reflected on the  
19 computerized accounting records of my firm prepared by bookkeeping staff, based on  
20 receipts and check records, and accurately reflect all expenses incurred.

21 17. Attached as **Exhibit 1** is the Gibbs Law Group LLP resume, which  
22 includes the biographies of the timekeepers above.

23 18. Should the Court wish to review *in camera* any of the detailed time or  
24 cost records underlying the amounts recited in this Declaration, they are available.

25 19. My hourly rate of \$905 is consistent with rates that have been approved  
26 by other courts settled in federal courts in California. For example, in *In re*  
27 *Volkswagen “Clean Diesel” Marketing, Sales Practices & Products Liability*

1 (*Porsche Gasoline Litig.*), No. 15-md-02672-CRB (N.D. Cal. Nov. 9, 2022), Judge  
2 Breyer approved a class action settlement of \$80 million and approved rates for  
3 partners ranging from \$485-1,325. (Dkt. No. 8088 at p. 20). My hourly rate submitted  
4 was \$905.

5 20. In *In Re: Apple Inc. Device Performance Litig.*, No. 5:18-md-02827-EJD  
6 (N.D. Cal. Feb. 17, 2023), Judge Davila approved a class action settlement of \$310  
7 million and on February 17, 2023, granted the renewed motion for fees and approved  
8 of the hourly rates submitted. (Dkt. No. 654 at pp. 32-33). My hourly rate for the  
9 work performed at the time at my prior firm was \$975. Rosanne Mah's hourly rate of  
10 \$700 at her prior firm was also approved by Judge Davila for work performed from  
11 May 15, 2018 through July 31, 2020.

12 21. Based on my approximately 22 years of experience in complex  
13 litigation, my hourly rate of \$905 is also consistent with the Laffey Matrix,  
14 <http://www.laffeymatrix.com/see.html>, which has been utilized by some courts in  
15 assessing the reasonableness of hourly rates. Based on Ms. Mah's approximately 16  
16 years of experience, her hourly rate of \$740 is also consistent with the Laffey Matrix.

17 **SERVICE AWARDS**

18 22. Attached as **Exhibits 2-7** are true and correct copies of the Declaration  
19 of Plaintiffs Adam Pluskowski, Ricky Barber, Lucille Jacob, Carla Ward, Pepper  
20 Miller, and Cindy Brady. These Declarations detail the *Pluskowski* Plaintiffs'  
21 commitment to this litigation.

22 23. As detailed in the Declarations, each of the *Pluskowski* Plaintiffs  
23 committed significant amounts of time to assist in the prosecution of the *Pluskowski*  
24 action. Each of the *Pluskowski* Plaintiffs had many conversations with my firm's  
25 attorneys regarding the claims and status of the litigation and spent many hours  
26 reviewing and approving the *Pluskowski* Complaint, reviewing the settlement  
27 agreement, and having discussions concerning the consolidation of cases. The  
28

1 *Pluskowski* Plaintiffs also spent time working with the firm’s attorneys to search for  
2 and provide relevant information to help with the complaint. In total, the *Pluskowski*  
3 Plaintiffs spent approximately 8 to 14 hours committed to the case.

4 24. Moreover, the *Pluskowski* Plaintiffs understood that by joining the  
5 litigation they had responsibilities to act in the best interest of all Class Members. As  
6 shown above, they took these duties seriously and made all necessary commitments  
7 to fulfill these responsibilities.

8 25. The *Pluskowski* Plaintiffs also understood that by joining the litigation  
9 their name would be affiliated with the publicly-filed lawsuit, and that anyone might  
10 find their name associated with a lawsuit through a simple internet search. Despite the  
11 risk of publicity surrounding the lawsuit, the *Pluskowski* Plaintiffs believed that it  
12 was important to bring the case because of the serious nature of the dangerous ABS  
13 module defect and damages suffered by Class Members.

14 26. In light of the foregoing, I believe it appropriate for the Court to approve  
15 service awards to the *Pluskowski* Plaintiffs appointed as Class Representatives given  
16 their devotion to the Class, without which this Settlement would not be possible.

17 I declare under penalty of perjury that the foregoing facts are true and correct.

18  
19 Executed on March 20, 2023, in San Francisco, CA.

20  
21 /s/ Rosemary M. Rivas  
22 Rosemary M. Rivas  
23  
24  
25  
26  
27  
28

# **EXHIBIT 1**



# GibbsLawGroup<sup>LLP</sup>

## Firm Resume

Gibbs Law Group is a national litigation firm providing the highest caliber of representation to plaintiffs in class and collective actions in state and federal courts, and in arbitration matters worldwide. The firm serves clients in consumer protection, securities and financial fraud, antitrust, whistleblower, personal injury, and employment cases.

The firm regularly prosecutes multi-state class actions and has one of the best track records in the country for successfully certifying classes, developing practical damages methodologies, obtaining prompt relief for class members victimized by unlawful practices, and working cooperatively with other firms.

Our attorneys take pride in their ability to simplify complex issues; willingness to pursue narrow and innovative legal theories; ability to work cooperatively with other plaintiffs' firms; and desire to outwork and outlast well-funded defense teams.

In less than a decade since its 2014 founding, the firm has recovered over \$2.5 billion for its clients. As a result, our firm and attorneys are frequently recognized by the courts, our peers, and the legal media for the quality of their work:

- Top Plaintiff Lawyers in California, *Daily Journal*, 2021 (Andre Mura, Amy Zeman)
- Top Women Lawyers in California, *Daily Journal*, 2021 (Amy Zeman)
- Product Liability MVP, *Law360*, 2021 (Amy Zeman)
- Lawyer of the Year- Mass Torts/ Class Action, *Best Lawyers*, 2022 (Eric Gibbs)
- Top Law Firm, California Litigation: Mainly Plaintiffs – *Chambers USA*, 2022
- Winning Litigators Finalist, *National Law Journal*, 2021 (Amy Zeman)
- Class Action Practice Group of the Year, *Law360*, 2019
- Top Boutique Law Firms in California, *Daily Journal*, 2019
- Titans of the Plaintiffs Bar, *Law360*, 2019 (Eric Gibbs)
- Two 2019 California Lawyer Attorney of the Year (CLAY) Awards (Eric Gibbs, Steven Tindall)
- Top Plaintiff Lawyers in California, *Daily Journal*, 2020, 2019, 2016 (Eric Gibbs)
- Cybersecurity and Privacy MVP, *Law360*, 2018 (Eric Gibbs)
- Top Cybersecurity/ Privacy Attorneys Under 40, *Law360 Rising Stars*, 2017 (Andre Mura)
- Top Class Action Attorneys Under 40, *Law360 Rising Stars*, 2017 (Dave Stein)
- Top 40 Lawyers Under 40, *Daily Journal*, 2017 (Dave Stein)
- AV-Preeminent, *Martindale-Hubbell* (Eric Gibbs)

## ATTORNEYS

### Partners

<i>Eric Gibbs</i>	p. 3
<i>David Berger</i>	p. 5
<i>Dylan Hughes</i>	p. 7
<i>Amanda Karl</i>	p. 8
<i>Linda Lam</i>	p. 10
<i>Steve Lopez</i>	p. 11
<i>Geoffrey Munroe</i>	p. 12
<i>Andre Mura</i>	p. 13
<i>Rosemary Rivas</i>	p. 15
<i>Dave Stein</i>	p. 17
<i>Steven Tindall</i>	p. 19
<i>Amy Zeman</i>	p. 21

### Of Counsel & Counsel

<i>Josh Bloomfield</i>	p. 23
<i>Parker Hutchinson</i>	p. 25
<i>Shawn Judge</i>	p. 26
<i>Micha Star Liberty</i>	p. 27
<i>Rosanne Mah</i>	p. 28
<i>Karen Barth Menzies</i>	p. 29
<i>Mark Troutman</i>	p. 30

### Associates

<i>Brian Bailey</i>	p. 31
<i>Erin Barlow</i>	p. 32
<i>Emily Beale</i>	p. 33
<i>Aaron Blumenthal</i>	p. 34
<i>Delaney Brooks</i>	p. 35
<i>Kyla Gibboney</i>	p. 36
<i>Julia Gonzalez</i>	p. 37
<i>Hanne Jensen</i>	p. 38
<i>Jeff Kosbie</i>	p. 39
<i>Ashleigh Musser</i>	p. 40
<i>Wynne Tidwell</i>	p. 41
<i>Zeke Wald</i>	p. 42
<i>Taylor Walters</i>	p. 43

## SIGNIFICANT RECOVERIES

<i>Deceptive Marketing</i>	p. 44
<i>Defective Products</i>	p. 45
<i>Antitrust &amp; Unfair Business Practices</i>	p. 47
<i>Securities &amp; Financial Fraud</i>	p. 49
<i>Data Breach &amp; Privacy</i>	p. 50
<i>Mass Tort</i>	p. 51
<i>Sexual Assault Litigation</i>	p. 51
<i>Government Reform</i>	p. 52

## **Diversity, Equity & Inclusiveness**

---

Gibbs Law Group is committed to diversity, inclusion, and racial justice in everything we do. Our commitment to equity and opportunity starts within our firm and extends to our community and to our work. We seek to create a culture where our employees feel comfortable bringing their full selves to work, and where we have the knowledge and skills necessary to effectively advocate for our diverse clients.

To support our goal of advancing equity both inside and outside our firm, we created an Equity, Diversity and Inclusion Task Force comprised of partners, associates, and staff. The Task Force is working to promote diversity among our employees, the clients we represent, and the causes we support. Some of the Task Force's work to date includes:

- Implementing modifications to the firm's hiring practices to diversify our applicant pool and to prioritize diversity in hiring and retention.
- Participated in the California State Bar's annual summit on diversity and equity in the legal profession.
- Outreach to diversity-focused law school organizations to expand awareness of complex litigation opportunities and ensure a diverse pool of applicants.
- Identifying and supporting diversity-focused legal organizations and non-profits.
- Maximizing the firm's capacity for social change in the community.
- Commitment to implementing annual anti-bias and microaggressions trainings.

## **Voting Rights Task Force**

---

Gibbs Law Group is proud to have launched our Voting Rights Task Force, through which we have been participating in efforts to protect and expand civic participation across the country. The Task Force seeks to identify specific opportunities for both our attorneys and staff to promote voter engagement and maximize voter participation. We implemented new programs to promote firmwide involvement in protecting and expanding the right to vote, including:

- Making Election Day a firm holiday.
- Allowing support staff to bill a set number of hours per week to Voting Rights Task Force efforts, including with nonprofit organizations.
- Encouraging attorney participation in voter protection volunteer opportunities during elections, including staffing voter protection hotlines, poll watching, and helping triage issues that arise.



## Eric H. Gibbs | Partner

Eric Gibbs prosecutes antitrust, consumer protection, whistleblower, financial fraud and mass tort matters. He has been appointed to leadership positions in dozens of contested, high profile class actions and coordinated proceedings. Eric has recovered billions of dollars for the clients and classes he represents and has negotiated groundbreaking settlements that resulted in meaningful reforms to business practices and have favorably impacted plaintiffs' legal rights.

### Reputation and Recognition by the Courts

In over 20 years of practice, Eric has developed a distinguished reputation with his peers and the judiciary for his ability to work efficiently and cooperatively with co-counsel, and professionally with opposing counsel in class action litigation.

"[Mr. Gibbs] efficiently managed the requests from well over 20 different law firms and effectively represented the interests of Non-Settling Plaintiffs throughout this litigation."

- Hon. G. Wu, *In re Hyundai & Kia Fuel Economy Litig.* (C.D. Cal)

"The attorneys who handled the case were particularly skilled by virtue of their ability and experience."

- Hon. D. Debevoise, *In re: Mercedes-Benz Teleaid Contract Litig.* (D. N.J.)

"They are experienced and knowledgeable counsel and have significant breadth of experience in terms of consumer class actions."

- Hon. R. Sabraw, *Mitchell v. Am. Fair Credit Assoc'n* (Alameda Cty. Superior Ct.)

"Representation was professional and competent; in the Court's opinion, counsel obtained an excellent result for the class."

- Hon. J. Fogel, *Sugarman v. Ducati N. Am.* (N.D. Cal)

### Achievements and Leadership

Eric has been recognized as a leading lawyer in class and mass actions. In 2019, *Law360* recognized Eric among its "Titans of the Plaintiffs Bar," one of only 10 attorneys nationwide to receive the prestigious award. He also received the 2019 *California Lawyer Attorney of the Year (CLAY) Award* for his work in the Anthem Data Breach Litigation. *Daily Journal* named him to its coveted list of "Top Plaintiff Lawyers in California" for 2020, 2019 and 2016. *Law360* recognized Eric as a "2016 Consumer Protection MVP," (the only plaintiff-side lawyer in the country selected in that category) and as a "2018 Cybersecurity & Privacy MVP." Consumer Attorneys of California selected Eric and co-counsel as finalists for *Consumer Attorney of the Year* for achieving a \$100 million settlement in the Chase "Check Loan" Litigation. His cases have been chronicled in major legal and news publications including *NBC News*, *CNN*, the *National Law Journal*, *The New York Times*, *Market Watch*, and *Bloomberg News*. Eric holds a variety of leadership positions in professional associations for consumer advocacy, and he frequently presents on developing trends in the law at conferences throughout the country.

### Litigation Highlights

***In re Anthem, Inc. Data Breach Privacy Litigation*** – Served as a court-appointed member of the Plaintiffs' Steering Committee representing the interests of plaintiffs and putative class members following a massive data breach of approximately 80 million personal records. The lawsuit settled in August 2018 for \$115 million, the largest data breach settlement in history at the time.

1111 Broadway, Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
[ehg@classlawgroup.com](mailto:ehg@classlawgroup.com)

#### Practice Emphasis

Antitrust & Unfair Competition  
Banking and Financial Fraud  
Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower

#### Education

Seattle University School of  
Law, J.D., 1995  
San Francisco State  
University, B.A., 1991

#### Awards & Honors

"Lawyer of the Year," Best  
Lawyers in America for Class  
Actions/ Mass Tort Litigation  
(2022)

Nationwide Products Liability:  
Plaintiffs – Band 4,  
Chambers USA, 2022

Titans of the Plaintiffs Bar,  
Law 360, 2019

California Lawyer Attorney of  
the Year Award, 2019

Top Plaintiff Lawyers in  
California for 2020, 2019,  
2016, Daily Journal

Lawdragon 500 Leading  
Plaintiff Consumer Lawyer,  
2019-2022

Cybersecurity & Privacy  
MVP, Law 360, 2018

Consumer Protection MVP,  
Law 360, 2016

AV Preeminent® Peer  
Review Rated by Martindale-  
Hubbell

Top 100 Super Lawyers in  
Northern California

#### Admissions

California

***In re Chase Bank U.S.A., N.A. “Check Loan” Contract Litigation*** – multidistrict litigation that alleged Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. Eric led negotiations in the case, which resulted in a \$100 million settlement with Chase eight weeks prior to trial.

***In re Adobe Systems Inc. Privacy Litigation*** – As court-appointed lead counsel, Eric and his team reversed a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41 page decision in plaintiffs’ favor and Eric negotiated a comprehensive reform of Adobe’s data security practices. The court’s landmark decision on Article III standing in this case marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

***In re Hyundai & Kia Fuel Econ. Litigation*** – As court-appointed liaison counsel, Eric reconciled the plaintiffs’ interests and coordinated discovery and settlement negotiations. He helped finalize a settlement with an estimated value of up to \$210 million.

***Skold v. Intel Corp.*** – After more than a decade of litigation, Eric as lead counsel achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel’s benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***Parkinson v. Hyundai Motor America*** – Eric served as class counsel in this lawsuit alleging that the flywheel and clutch system in certain Hyundai vehicles was defective. After achieving nationwide class certification, Hyundai agreed to a settlement that provided for 50-100% reimbursements to class members for their repairs and full reimbursement for rental vehicle expenses.

***De La Cruz v. Masco Retail Cabinet Group*** – Eric served as lead attorney litigating the collective claims of dozens of misclassified account representatives for overtime pay under the Fair Labor Standards Act (FLSA). Successfully certified a class of current and former Masco account representatives and personally arbitrated the case to judgment obtaining full recovery for the class.

***In re Providian Credit Card Cases*** – Eric played a prominent role in this nationwide class action suit brought on behalf of Providian credit card holders alleging that Providian engaged in unlawful and fraudulent business practices in connection with the marketing and fee assessments for its credit cards. The Honorable Stuart Pollack approved a \$105 million settlement, plus injunctive relief—one of the largest class action recoveries in the United States arising out of consumer credit card litigation.

### **Professional Affiliations**

American Association for Justice  
American Bar Foundation- Fellow  
Consumer Attorneys of California  
National Association of Consumer Advocates  
Public Justice Foundation- Class Action Preservation Project Committee



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
[dmb@classlawgroup.com](mailto:dmb@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection  
Privacy

#### Education

Northwestern University  
School of Law, J.D., 2008

University of Wisconsin,  
Madison, B.A., 1998

#### Admissions

California

## David M. Berger | Partner

David Berger represents plaintiffs in class actions with a special emphasis on data breach, privacy, and financial services litigation. He currently serves as court-appointed Class Counsel in *In re US Fertility LLC Data Security Litigation*, and has represented data breach victims in some of the largest and most influential privacy cases, including litigation against Equifax, Anthem, Vizio, Adobe, Banner Health, and Excellus BlueCross BlueShield. David has repeatedly obtained record-breaking settlements on behalf of his clients, including in the Equifax and Anthem data breach cases, which set successive records for the largest data breach settlement in history.

David is widely regarded as a leader in emerging litigation involving data breach and privacy, which is underscored by his broad technical expertise—from hacking techniques and cybersecurity controls to industry standard IT practices, information security frameworks, and auditing processes. He has deposed Chief Information Security Officers and information security professionals at Fortune 500 corporations, worked with expert witnesses on cutting-edge cybersecurity and damages theories, and supervised large-scale document review teams poring over millions of technical documents in a compressed timeframe. In addition, David holds the Certified Information Privacy Technologist (CIPT) certification through the International Association of Privacy Professionals, a program primarily designed for career IT professionals; this allows him to communicate directly with company witnesses, without the need for expert translation.

Outside of his litigation experience, David is an active member of the class action legal community, frequently speaking at conferences on data breach cases and security issues and other class action topics. David serves as the Chair of the American Association for Justice’s Consumer Privacy and Data Breach Litigation Group and is an active member of the Sedona Conference’s Working Group on Data Security and Privacy Liability.

Prior to joining Gibbs Law Group, he served as a law clerk to the Honorable Laurel Beeler, Northern District of California (2011-2014). Before law school, David worked as a magazine editor and television presenter in Taiwan and managed an outdoor center on an island off the West Coast of Scotland.

### Litigation Highlights

***In re Equifax, Inc. Customer Data Security Breach Litigation*** – In securing what was described by the court as “the largest and most comprehensive recovery in a data breach case in U.S. history by several orders of magnitude,” David played an integral role by negotiating key business practice changes including overhauling Equifax’s handling of consumers’ personal information and data security and requiring that the company spend at least \$1 billion for data security and related technology over five years in addition to comprehensive technical and governance reforms.

***In re Anthem, Inc. Data Breach Privacy Litigation*** – Key member of the litigation team representing interests of plaintiffs and putative class members following massive data breach of approximately 80 million personal records, including names, dates of birth, Social Security numbers, health care ID numbers, email and physical addresses, employment information, and income data. The lawsuit settled in August 2018 for \$115 million, the largest data breach settlement in history.

***Fero v. Excellus Health Plan Inc.*** – Key member of the litigation team representing the interests of 7 million Excellus health plan subscribers and 3.5 million Lifetime subscribers whose personal and medical information was compromised.



***In re Adobe Systems Inc. Privacy Litigation*** – Key member of the litigation team that succeeded in reversing a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41-page decision in plaintiffs' favor and the settlement resulted in a comprehensive reform of Adobe's data security practices. The court's landmark decision on Article III standing marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

***In re Equifax, Inc. Fair Credit Reporting Act Litigation*** – Court-appointed Interim Co-lead counsel in ongoing litigation against Equifax related to the company reporting inaccurate credit information on approximately 2.5 million Americans who applied for mortgages, loans, and credit cards between March 17 and April 6, 2022.

### **Awards & Honors**

Certified Information Privacy Technologist, International Association of Privacy Professionals (IAPP)  
Northern California Super Lawyers (2021-2022)  
Rising Star, Northern California Super Lawyers (2016-2018)

### **Professional Affiliations**

Chair, American Association for Justice- Consumer Privacy and Data Breach Litigation Group  
Consumer Attorneys of California  
National Civil Justice Institute  
Sedona Conference, Working Group on Data Security and Privacy Liability

### **Presentations and Publications**

Presenter, "Internet Data Accumulation and Protection," Pound Civil Justice Institute, The Internet and the Law: Legal Challenges in the New Digital Age, November 2021.

Presenter, "Facial Recognition Technology Bans," The Sedona Conference, Annual Meeting of Working Group 11 on Data Security and Privacy Liability, April 2021.

Presenter, "Privacy and Data Breach Class Actions," Western Alliance Bank Class Action Law Forum 2020, March 2020.

Presenter, "Communicating with the Class," Class Action Mastery Forum, January 2019.

Presenter, "Hot Topics in Consumer Class Actions Against Insurers: Filed Rate Doctrine, Standing, and Reverse Preemption of RICO Claims," Sacramento California Insurance Regulation and Litigation Seminar, Clyde & Co., March 2018.

Presenter, "Winning strategies in privacy and data security class actions: the plaintiffs' perspective," Berkeley Center for Law & Technology, Berkeley Law School, January 2017.

Presenter, "Don't be Spokeo'd: What You Need to Know in Litigating Data Breach Cases (from breach to remedies)," ABA Business Law Section Annual Meeting, September 8, 2016.

Presenter, "Developments in 'E-Commerce' Class Actions and Privacy Law," Perrin Class Action Litigation Conference, May 16, 2016.

Presenter, "Data Breach Class Action Litigation," Mass Torts Made Perfect Conference, April 22, 2016.



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[dsh@classlawgroup.com](mailto:dsh@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection  
Employment Law  
Whistleblower

#### Education

University of California,  
Hastings College of Law, J.D.,  
2000

University of California at  
Berkeley, B.A., 1995

#### Admissions

California

## Dylan Hughes | Partner

Dylan Hughes concentrates his practice on investigating and prosecuting fraud matters on behalf of whistleblowers, consumers and employees who have been harmed by corporate misconduct. He coordinates initial case evaluations and analyses in a variety of practice areas and has substantial experience in matters involving health care fraud, particularly in the Medicare and pharmaceutical contexts. Dylan represents consumers in cases ranging from false advertising to defective products, and employees in misclassification and wage and hour cases under state and federal laws.

Mr. Hughes has extensive experience prosecuting complex personal injury cases. He helped to obtain millions of dollars for women who suffered blood clots and other serious injuries after taking birth control pills. He has also represented clients injured by defective medical devices, including defibrillators, blood filters, as well as back pain implants. Mr. Hughes was part of the team that recently settled a case alleging medical malpractice for a spinal surgery that resulted in partial paralysis.

Mr. Hughes began his career as a law clerk for the Honorable Paul A. Mapes, Administrative Law Judge of the Office of Administrative Law Judges, United States Department of Labor. He is a member of the American Bar Association, Consumer Attorneys of California, American Association for Justice Class Action Litigation Group and the Consumer Rights Section of the Barristers Club.

## Litigation Highlights

***Skold v. Intel Corp.*** – Key member of the legal team in this decade-long litigation that achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel’s benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***In re Adobe Systems Inc. Privacy Litigation*** – Key member of the litigation team that succeeded in reversing a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41-page decision in plaintiffs’ favor and the settlement resulted in a comprehensive reform of Adobe’s data security practices. The court’s landmark decision on Article III standing in this case marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

***Velasco v. Chrysler Group LLP (n/k/a FCA US LLC)*** – represented consumers who alleged they were sold and leased vehicles with defective power control modules that caused vehicle stalling. In addition to negotiating a recall of all 2012-13 Jeep Grand Cherokee and Dodge Durango vehicles, the lawsuit also resulted in Chrysler reimbursing owners for all repair and rental car expenses, and extending its warranty.

***Parkinson v. Hyundai Motor America*** – certified a nationwide class alleging Hyundai sold vehicles with defective flywheel systems, resulting in a favorable settlement for the class.

## Awards & Honors

Northern California Super Lawyer (2012-2022)

## Professional Affiliations

Consumer Attorneys of California  
American Association for Justice- Class Action Litigation Group



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9243  
[amk@classlawgroup.com](mailto:amk@classlawgroup.com)

#### Education

University of California at Berkeley, J.D., *Order of the Coif*, 2014

Columbia University, B.A., *magna cum laude*, 2009

#### Admissions

California

## Amanda Karl | Partner

Amanda Karl represents consumers, employees and others who have been harmed by corporations. She has prosecuted a wide range of complex cases, including product defect, failure-to-warn, wage and hour, data breach, sexual assault, and securities cases, within a variety of industries. In addition, Amanda is committed to fighting voter suppression—she spearheads Gibbs Law Group’s Voting Rights Task Force.

Amanda is a 2014 graduate (Order of the Coif) of the University of California at Berkeley School of Law, where she served as the Managing Editor of the California Law Review and Director of the Workers’ Rights Disability Law Clinic. During law school, she worked as a Clinical Law Student at the East Bay Community Law Center, assisting with litigation targeting criminal record reporting violations, and as a law clerk at Equal Rights Advocates, working on women’s employment issues. Following graduation from law school, she served as a law clerk to the Honorable Richard A. Paez, United States Court of Appeals for the Ninth Circuit and to the Honorable Claudia Wilken, Northern District of California. Amanda received her undergraduate degree, *magna cum laude*, in Sociology and Human Rights from Columbia University in 2009.

Outside of work, Amanda serves on the Board of Directors of the East Bay Community Law Center, a legal nonprofit organization that is both the largest provider of free legal services in the East Bay Area and Berkeley Law’s largest clinical offering. She also enjoys reading, strength training, and exploring new places and foods with her husband and son.

## Litigation Highlights

***Hamilton v. American Income Life*** – Represented a class of insurance agents and trainees in employment litigation alleging that they were misclassified as independent contractors, not paid properly while training, and not reimbursed for expenses. The case culminated in a \$5.75 million settlement for class members.

***A.B. v. Regents of the University of California*** – Represents former patients of ex-UCLA OB-GYN Dr. James Heaps in a class action lawsuit alleging Title IX violations and sexual harassment against both Heaps and UCLA. Amanda is a key member of the team that achieved a \$73 million dollar settlement, which will compensate over 5,500 women who received treatment from Dr. Heaps. Amanda was involved in nearly all aspects of the litigation, and, among other things, was the primary drafter of the final settlement approval brief; final settlement approval was granted on July 12, 2021.

***Pote v. Handy Technologies*** – In prosecuting a case for alleged Labor Code violations, Amanda spearheaded briefing and argued before the California Court of Appeal that an order denying a motion to compel arbitration should be affirmed. The court ruled unanimously in Plaintiff’s favor, affirming the trial court’s ruling.

***Reyes v. Chilton*** – Represents Latino voters and community organizations challenging alleged discrimination and wrongful rejection of mail-in ballots in Washington’s Benton, Yakima and Chelan counties.

***Deora v. NantHealth*** – Represented a certified class of investors in litigation alleging multiple violations of federal securities laws related to the healthcare technology company’s initial public offering in 2016. Amanda was a member of the team that achieved a \$16.5 million dollar settlement in favor of NantHealth investors.



## **Awards & Honors**

Rising Star, *Northern California Super Lawyers*, (2018-2022)

## **Professional Affiliations**

East Bay Community Law Center, Board Member  
Consumer Attorneys of California, Board Member  
American Association for Justice

## **Presentations and Articles**

Presenter, “The Impact & Implications of Viking River Cruises, Inc. v. Moriana,” CAOC Annual Convention, November 2022

Presenter, “PAGA After the Viking River Decision,” Bridgeport Continuing Education, July 2022

Moderator, “Rapid Response: Recent SCOTUS Ruling—Viking River Cruises, Inc. v. Moriana,” American Association for Justice, June 2022

Presenter, “Rule 12 and Related Motions,” Pincus Federal Boot Camp, May 2022

Presenter, “Looking Forward Post-COVID,” CAOC Sonoma Travel Seminar, March 2022

Author, “Work Unseen: Successfully Effectuating a Damages Class Settlement,” Daily Journal, November 2021

Presenter, “Unpacking Public Interest Law,” People’s Parity Project, April 2021

Presenter, “Wage and Hour Litigation & Enforcement Webinar,” HB Litigation, February 2020

Author, “Epic Systems and the Erosion of Federal Class Actions,” Law260 Expert Analysis, July 2018

Presenter, “From Clerkship to Career in Public Interest,” Berkeley Consumer Advocacy and Protection Society, October 2017

Author, “California Omissions Claims: Safety Required?” Law360 Expert Analysis, February 2017



## Linda Lam | Partner

Linda Lam focuses her practice on representing individuals who have been harmed by corporate misconduct. She has prosecuted fraud, employment, breach of contract, breach of fiduciary duty, and medical malpractice claims brought under federal and state laws.

Linda has been an advocate for borrowers who lost their homes to foreclosure during the financial crisis, individuals who were fraudulently induced to purchase investment products, as well as veterans who received negligent care at VA facilities. Linda's dedication to her clients has led her to being recognized as a "Rising Star" by the *Northern California Super Lawyers* for the past three years.

Linda graduated *magna cum laude* from the University of California, Hastings College of the Law in 2014. Before joining Gibbs Law Group, Linda was an associate attorney at a national employment law firm, where she represented employees and retirees in wage and hour and employee benefits cases.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[lpl@classlawgroup.com](mailto:lpl@classlawgroup.com)

### Practice Emphasis

Class Actions  
Consumer Protection

### Education

University of California,  
Hastings College of Law, J.D.,  
*magna cum laude*, 2014

University of California Los  
Angeles, B.A., 2011

### Admissions

California

## Litigation Highlights

***Hernandez v. Wells Fargo Bank, N.A.*** – represents a certified class of more than 1,200 home mortgage borrowers who lost their homes to foreclosure after Wells Fargo erroneously denied them trial mortgage modifications. The case settled in two phases for a total of \$40.3 million, resulting in significant compensation payments to each class member.

***RCHFU, LLC v. Marriott Vacations Worldwide Corp.*** – represents plaintiffs alleging that Marriott Vacations Worldwide and other defendants breached various fiduciary duties by engaging in acts that decimated the value of the plaintiffs' property interests in the Ritz-Carlton Club located in Aspen, Colorado.

***Cooper v. United States of America*** – represented a veteran of the United States Army who alleged that he received negligent medical care at a VA facility, resulting in a delayed diagnosis of aggressive prostate cancer. The plaintiff alleged that by the time the cancer was discovered and diagnosed, it had become incurable. Linda was part of the trial team that won a \$2.5 million judgment for the plaintiff.

***Ulti-Mate Connectors, Inc. v. American General Life Insurance Agency*** – represented plaintiffs who alleged that American General, among other defendants, fraudulently organized, administered, and sold rights to participate in voluntary employee beneficiary association plans that were not compliant with IRS regulations. The litigation resulted in a favorable settlement for the plaintiffs.

## Awards & Honors

Northern California Super Lawyers, *Rising Star* (2017-2022)

## Professional Affiliations

American Association for Justice  
Consumer Attorneys of California

## Publications & Presentations

The Real ID Act: Proposed Amendments for Credibility Determinations, *11 Hastings Race & Poverty L.J.* 321, 2014.



## Steve Lopez | Partner

Steve Lopez represents consumers, employees and whistleblowers who have been harmed by corporate misconduct. He has prosecuted a variety of consumer protection cases ranging from false advertising to defective products, as well as complex employment cases involving also involved in the investigation and development of new cases.

He serves on the Board of Directors of Consumer Attorneys of California and was selected from a statewide pool of applicants for the 2015 Diversity Leadership Academy, a prestigious training program aimed to educate the next generation of progressive leaders.

Steve is a 2014 graduate of the University of California, Berkeley School of Law, where he was a Publishing Editor for the California Law Review and an Editor for the Berkeley Journal of Employment and Labor Law. He was also a member of the La Raza Law Students Association and the Legal Aid Society–Employment Law Center’s Berkeley Workers’ Rights Clinic.

Prior to law school, Mr. Lopez performed research for a consulting firm dedicated to improving justice programs. He received his B.A. in economics and international relations from the University of Virginia in 2008.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
[sal@classlawgroup.com](mailto:sal@classlawgroup.com)

### Practice Emphasis

Class Actions  
Consumer Protection

### Education

University of California at  
Berkeley (Berkeley Law),  
J.D., 2014

University of Virginia, B.A.,  
2008

### Admissions

California

## Litigation Highlights

***Velasco v. Chrysler Group LLC (n/k/a FCA US LLC)*** – Member of the litigation team that represented consumers who alleged they were sold and leased vehicles with defective power control modules that caused vehicle stalling. The lawsuit resulted in a recall of all 2012-13 Jeep Grand Cherokee and Dodge Durango vehicles, as well as reimbursements for all repair and rental car expenses, and extended vehicle warranties.

***In re Hyundai Sonata Engine Litigation***- Representing plaintiffs who allege that their 2011-2014 Hyundai Sonatas suffered premature and catastrophic engine failures due to defective rotating assemblies. The Court granted preliminary approval to a comprehensive settlement in June 2016.

***Southern California Gas Leak Cases*** – Member of the litigation team representing residents of communities in or near the Los Angeles suburbs of Porter Ranch who were affected by the Aliso Canyon well rupture and ensuing gas leak, the largest methane leak in U.S. history. The lawsuits seek relief for those who were displaced from their homes, suffered illnesses and injuries, sustained property value losses, or lost business due to the leak.

***Smith v. Family Video Movie Club, Inc.*** – Member of the litigation team representing the interests of hourly retail employees who alleged they were not properly compensated for all wages and overtime earned. The Court recently certified a class.

## Awards & Honors

Northern California Super Lawyers, *Rising Star* (2017 - 2022)

## Professional Affiliations

American Association for Justice  
Board of Directors, Consumer Attorneys of California



## Geoffrey Munroe | Partner

Geoffrey Munroe represents plaintiffs in high-profile class action and mass tort cases in both federal and state courts throughout the United States. He was selected as a Rising Star by Northern California Super Lawyers (2010-2014), recognizing him as one of the best young attorneys practicing in Northern California, and as a Northern California Super Lawyer every year from 2015-2020. He is the co-author of "*Consumer Class Actions in the Wake of Daugherty v. American Honda Motor Company*," CAOC's Forum Magazine, January/February 2009, and a frequent contributor to the Class Action Litigation Group Newsletter of the American Association for Justice.

Mr. Munroe is a 2003 graduate of the University of California at Berkeley School of Law (Berkeley Law), where he was the recipient of the American Jurisprudence Award in Torts, Business Law & Policy and Computer Law. He received his undergraduate degree in chemistry from the University of California at Berkeley in 2000. Mr. Munroe is a member of the Public Justice Class Action Preservation Project Committee, the Class Action Litigation Group of the American Association for Justice and the Consumer Attorneys of California. He is a member of the California Bar and is admitted to practice before the United States Court of Appeals for the Ninth Circuit, as well as the United States District Courts for the Northern, Central and Southern Districts of California.

### Litigation Highlights

***Skold v. Intel Corp.*** – Key member of the briefing team in this decade-long litigation that achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel's benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***In re Chase Bank U.S.A., N.A. "Check Loan" Contract Litigation*** – Key member of the litigation team in this multidistrict case alleging that Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. The litigation resulted in a \$100 million settlement with Chase eight weeks prior to trial.

***In re Mercedes-Benz Tele Aid Contract Litigation*** – Key member of the litigation team in this multi-district litigation alleging that Mercedes-Benz failed to disclose to its customers that the "Tele Aid" equipment installed in their vehicles would soon be obsolete and require an expensive replacement to keep working. Resulted in a class settlement providing for cash reimbursements of \$650, or new vehicle credits for up to \$1,300.

***Parkinson v. Hyundai Motor America*** – key member of the briefing team that achieved certification of a nationwide class alleging Hyundai sold vehicles with defective flywheel systems, before ultimately reaching a favorable settlement for the class.

### Awards & Honors

Northern California Super Lawyers (2015-2022)  
Northern California Super Lawyers, *Rising Star* (2010-2014)

### Professional Affiliations

Consumer Attorneys of California  
American Association for Justice- Class Action Litigation Group  
Public Justice- Class Action Preservation Project

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[gam@classlawgroup.com](mailto:gam@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower

#### Education

University of California,  
Berkeley School of Law, J.D.,  
2003

University of California at  
Berkeley, B.A., 2000

#### Admissions

California



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[amm@classlawgroup.com](mailto:amm@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection  
Privacy  
Mass Personal Injury

#### Education

The George Washington  
University Law School, J.D.,  
2004

Williams College, B.A., 2000

#### Admissions

California  
District of Columbia

## Andre M. Mura | Partner

Andre M. Mura represents plaintiffs in class actions and mass torts including in the areas of consumer protection, privacy, and products liability. Before joining Gibbs Law Group, Andre was senior litigation counsel at the Center for Constitutional Litigation PC, where he represented plaintiffs in high-stakes appeals in state supreme courts and federal appellate courts.

Andre was named among the Top Plaintiff Lawyers in California for 2021 by Daily Journal, and he received a 2019 California Lawyer Attorney of the Year Award for his work in the California Supreme Court in *De La Torre v. CashCall*. He is on the Board of the Civil Justice Research Initiative of Berkeley Law, a Fellow of the American Bar Foundation, a member of the Lawyers Committee of the National Center for State Courts, a Trustee of the National Civil Justice Institute, past Chair of the American Association for Justice's LGBT Caucus, past Trustee of the National College of Advocacy, and a member of Williams College's Latino/a and BiGLATA Alumni Network.

### Litigation Highlights

***In re: Meta Pixel Healthcare Data Privacy Litigation*** Andre was court-appointed to the plaintiffs' executive committee in this consolidated litigation, representing millions of patients whose sensitive health data was allegedly collected and shared without their consent. In his appointment decision, Judge Orrick said he chose interim class counsel for their "highly relevant" experience and knowledge.

***In re: 3M Combat Arms Earplug Products Liability Litigation*** Andre was court-appointed to the plaintiffs' law-and-briefing committee in this multi-district litigation on behalf of military servicemembers and veterans who suffered injuries due to defective 3M earplugs, which were standard-issue for U.S. military members for more than a decade. Andre also served on several bellwether trial teams, securing multiple favorable jury verdicts.

***In re: Taxotere (Docetaxel) Products Liability Litigation*** Andre was a member of the trial team in a two-week federal jury trial and is member of Plaintiffs' Steering Committee and co-chair of Law and Briefing in this multi-district litigation on behalf of breast cancer survivors who suffered permanent hair loss after using the Taxotere chemotherapy drug. He recently obtained a unanimous decision granting a bellwether plaintiff a new trial. *See* 26 F.4th 256 (5th Cir. 2022)

***In re: Vizio, Inc. Consumer Privacy Litigation*** Andre is co-lead counsel for the settlement class in this multi-district lawsuit alleging that Vizio collected and sold data about consumers' television viewing habits and their digital identities to advertisers without consumers' knowledge or consent. He negotiated a settlement providing for class-wide injunctive relief transforming the company's data collection practices, as well as a \$17 million fund to compensate consumers who were affected.

***De La Torre v. CashCall*** Andre played a key role in briefing before the California Supreme Court, resulting in a unanimous decision in the plaintiffs' favor. The decision changed decades-old assumptions that lenders in California had a virtual "safe harbor" from unconscionability challenges to loan interest rate terms.

***In re: Lenovo Adware Litigation*** Andre briefed and argued a motion to dismiss and motion to certify a nationwide litigation class for monetary damages. The court approved a \$7.3 million class action settlement to resolve allegations that Lenovo preinstalled software on laptops that caused performance, privacy and security issues for consumers.

***Beaver et. al. v. Tarsadia Hotels, Inc.*** Andre contributed to briefing before the Ninth Circuit Court of Appeals resulting in a unanimous decision affirming the lower court's ruling that the UCL's four-year statute of limitations (and its accrual rule) applied in claims alleging violations of the Interstate Land Sales Full Disclosure Act (ILSA) even though ILSA has a



shorter statute of limitations.

***Watts v. Lester E. Cox Medical Centers***, 376 S.W.3d 633 (Mo. 2012) Andre successfully argued that a state law limiting compensatory damages in medical malpractice cases violated his client's right to trial by jury. In ruling for Andre's client, the Missouri high court agreed to overturn a 20-year-old precedent.

### **U.S. Supreme Court Advocacy**

***Trump v. Mazars USA, LLP***, 140 S. Ct. 2019 (2020) Andre represented a bipartisan group of former members of the U.S. Senate and House of Representatives appearing as amici in support of Congress's broad investigatory power.

***Merck Sharp & Dohme Corp. v. Albrecht***, 139 S. Ct. 1668 (2019) Before the U.S. Supreme Court, in a case concerning the scope of federal immunity for brand-name drug manufacturers, Andre represented medical doctors appearing as amici curiae. His amicus brief was discussed at oral argument, with Supreme Court counsel for Albrecht telling the Justices, "It's a beautifully done amicus brief to explain what the scientists knew and when they knew it..."

***Mutual Pharmaceutical Co., Inc. v. Bartlett***, 133 S. Ct. 2466 (2013) Andre was the lead author of an amicus curiae brief for the American Association for Justice and Public Justice in a case examining whether federal drug safety law preempts state-law liability for defectively designed generic drugs.

***J. McIntyre Machinery, Ltd. v. Nicastro***, 131 S. Ct. 2780 (2011) Andre was a lead author of merits briefing addressing personal jurisdiction over a foreign manufacturer.

### **Awards & Honors**

Top Plaintiff Lawyers in California, *Daily Journal* (2021)

California Lawyer Attorney of the Year (CLAY) Award, *Daily Journal* (2019)

Top Cybersecurity & Privacy Attorneys Under 40, *Law360 Rising Stars* (2017)

Northern California Super Lawyers (2019-2022); *Rising Star* (2016-2018)

### **Professional Affiliations**

American Association for Justice- Class Action Litigation Group, Legal Affairs Group, LGBT Caucus

American Bar Foundation, Fellow

Consumer Attorneys of California, Member

Civil Justice Research Initiative of Berkeley Law, Board Member

National Center for State Courts, Lawyers Committee

National Civil Justice Institute, Trustee

### **Select Publications & Presentations**

Moderator, "Selection of Leadership in MDLs," Civil Justice Research Initiative, September 2021.

Presenter, "Tips on Pre-Trial Writing," American Association for Justice's New Lawyer Boot Camp, April 2021.

Presenter, "Insurance Issues for Small Businesses During Covid," Civil Justice Research Initiative, March 2021.

Author, *Buckman Stops Here! Limits on Preemption of State Tort Claims Involving Allegations of Fraud on the PTO or the FDA*, 41 Rutgers L.J. 309, 2010.



## Rosemary Rivas | Partner

Rosemary has dedicated her legal career to representing consumers in complex class action litigation involving a wide variety of claims, from false advertising and defective products to privacy violations. She is committed to obtaining justice for consumers and has recovered billions of dollars for her clients and the classes they represent.

Rosemary serves in leadership positions in a number of large-scale complex class action cases and multi-district litigation. In a highly competitive appointment process, the Honorable Charles R. Breyer appointed Rosemary to the Plaintiffs' Steering Committee in the Volkswagen Clean Diesel Litigation, which resulted in a record-breaking settlement totaling more than \$14 billion. The Recorder, a San Francisco legal newspaper, named the lawyers selected by Judge Breyer as a class action "dream team." For her work in the Volkswagen case, Rosemary received the 2018 California Lawyer Attorney of the Year (CLAY) Award, which is given to outstanding California lawyers "whose extraordinary work and cases had a major impact on the law."

In 2022, Rosemary was appointed to serve as Plaintiffs' Interim Co-Lead Counsel in the *In re: Gerber Heavy Metals Baby Food Litigation*, which involves allegations that Gerber marketed and sold baby foods containing dangerous levels of heavy metals such as lead and inorganic arsenic. In his order appointing Rosemary as Interim Co-Lead Counsel, Judge Michael S. Nachmanoff wrote that Rosemary has "significant experience and knowledge litigating class action cases involving food mislabeling consumer fraud."

She has received numerous awards and honors for the quality of her legal work, including the Bay Area Legal Aid Guardian of Justice Award for her achievements in the law and her role in helping direct *cy pres* (remaining settlement) funds to promote equal access to the legal system. She was also recognized as a *Northern California Super Lawyer* and previously was named a *Rising Star* by Super Lawyers Magazine.

Rosemary is a fluent Spanish-speaker and previously served on the Board and as Diversity Director of the Barristers Club of the San Francisco Bar Association. She frequently presents at legal conferences on developments in consumer protection and class action litigation.

## Litigation Highlights

***Porsche Gasoline Litigation*** – As part of the Plaintiffs' Steering Committee and as Class Counsel, Rosemary represented consumers alleging that Porsche engaged in practices that skewed emissions and fuel economy test results for certain Porsche vehicles. The Honorable Charles R. Breyer recently granted preliminary approval of a proposed nationwide class action settlement providing a non-reversionary common fund of \$80 million.

***Lash Boost Cases*** – As Class Counsel, Rosemary Rivas represented consumers who alleged that Rodan + Fields failed to disclose material information relating to its Lash Boost product, namely, the potential side effects and risks of adverse reactions presented by the ingredient Isopropyl Cloprostenate. The Honorable Ethan Schulman recently granted preliminary approval of a proposed nationwide class action settlement providing a non-reversion common fund of \$30 million in cash and \$8 million in credits.

***In re: Apple Inc. Device Performance Litigation*** – The Honorable Edward J. Davila appointed Rosemary to the Plaintiffs' Executive Committee in this nationwide class action alleging that Apple intentionally slowed down consumers' iPhones. The case settled for \$310 million.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701

[rmr@classlawgroup.com](mailto:rmr@classlawgroup.com)

### Practice Emphasis

Class Actions  
Consumer Protection

### Education

University of California,  
Hastings College of Law, J.D.,  
2000

San Francisco State  
University, B.A., 1997

### Admissions

California

***In re: Hill's Pet Nutrition, Inc., Dog Food Products Liability Litigation –***

Rosemary represented consumers alleging that Hill's sold dog food with excessive Vitamin D that was harmful to pets. Chief Judge Julie A. Robinson granted final approval of a nationwide class action settlement providing for a common fund of \$12.5 million.

**Awards & Honors**

California Lawyer Attorney of the Year (CLAY) Award (2018)  
Northern California Super Lawyers (2019-2022)  
Northern California Super Lawyers, *Rising Star* (2009-2011)  
Guardian of Justice Award, Bay Area Legal Aid (2015)

**Professional Affiliations**

Consumer Attorneys of California  
American Association for Justice- Class Action Litigation Group  
Pound Civil Justice Institute- Fellow  
Public Justice- Class Action Preservation Project

**Publications and Presentations**

Presenter, "Consumer Class Actions," Western Alliance Bank Class Action Law Forum, 2021 and 2022.

Presenter, "Nationwide Settlement Classes: The Impact of the Hyundai/ Kia Litigation," National Consumer Law Center's Consumer Rights Litigation Conference and Class Action Symposium, 2018.

Presenter, "One Class or 50? Choice of Law Considerations as Potential Impediment to Nationwide Class Action Settlements," 5th Annual Western CLE Program on Class Actions and Mass Torts, 2018.

Presenter, "The Right Approach to Effective Claims," Beard Group- Class Action Money & Ethics, 2018.

Presenter, "False Advertising Class Actions: A Practitioner's Guide to Class Certification, Damages and Trial," The Bar Association of San Francisco, 2017.





1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[ds@classlawgroup.com](mailto:ds@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection  
Financial Fraud  
Securities Litigation

#### Education

Emory University School of  
Law, J.D., 2007

University of California at  
Santa Barbara, B.A., 2003

#### Admissions

California

## Dave Stein | Partner

Dave Stein represents clients in federal and state cases nationwide, ranging from securities and financial fraud class actions, to product liability, privacy, and data breach suits. Courts have appointed Dave as lead counsel in a number of these cases and he has been praised by *Law360* as a tenacious litigator with a “reputation as one of the best consumer advocates around.”

The *Daily Journal* recognized Dave as one of the Top 40 attorneys in the state of California under the age of 40, and he was also honored in *Law360*'s nationwide list of “Top Class Action Attorneys Under 40.” For the last seven years, he has been rated by his colleagues as a Northern California Super Lawyers Rising Star.

Dave is frequently called upon to discuss emerging issues in complex litigation. He currently serves on *Law360*'s Product Liability Editorial Advisory Board, advising on emerging trends impacting product liability cases.

Before entering private practice, Dave served as judicial law clerk to U.S. District Court Judge Keith Starrett and U.S. Magistrate Judge Karen L. Hayes.

## Reputation and Recognition by the Courts

Dave has built a reputation for the quality of his representation and tenacious advocacy on behalf of the clients and classes he represents:

“[T]his is an extraordinarily complex case and an extraordinarily creative solution... I [want to] thank you and compliment you gentlemen. It's been a real pleasure to work with you.” - *Hon. D. Carter, Glenn v. Hyundai Motor America (C.D. Cal.)*

“You made it very easy to deal with this case and clearly your years of expertise have carried the day here. Nice work. Thank you.” - *Hon. M. Watson, In re Am. Honda Motor CR-V Vibration Litig. (S.D. Ohio)*

“Exceedingly well argued on both sides. .... Sometimes people really know their stuff on both sides which is what happened today so thank you.” - *Hon. J. Tigar, In re General Motors CP4 Fuel Pump Litig. (N.D. Cal.)*

## Litigation Highlights

***In re: Peregrine PFG Best Customer Accounts Litigation*** - Represented investors in a lawsuit against U.S. Bank and JPMorgan Chase arising from the collapse of Peregrine Financial Group, Inc. The former Peregrine customers were seeking to recover the millions of dollars that was stolen from them out of segregated funds accounts. Plaintiffs' efforts led to settlements with JPMorgan Chase and U.S. Bank worth over \$75 million.

***Deora v. NantHealth*** - Lead Counsel for certified classes of investors in litigation alleging violations of federal securities laws related to the healthcare technology company's initial public offering in 2016. In September 2020, the Court granted final approval to a \$16.5 million class action settlement.

***LLE One v. Facebook*** - Represented small businesses who alleged that Facebook overstated, for over a year, how long users were watching video ads on Facebook's platform. After years of litigation, the federal court approved a \$40 million settlement for the class.

***Paeste v. Government of Guam*** - Secured a judgment against the Government of Guam and several of its highest-ranking officials in a suit involving the government's unlawful administration of income tax refunds. Mr. Stein defended the judgment in an oral argument before the U.S. Court of Appeals for the Ninth Circuit, leading to a complete victory for the taxpayers in the published decision, *Paeste v. Government of Guam*, 798 F.3d 1228 (9th Cir. 2015)

***Edwards v. Ford Motor Co.*** – In a class action alleging that Ford sold vehicles despite a known safety defect, Mr. Stein twice argued plaintiff’s position before the U.S. Court of Appeals for the Ninth Circuit. In the first appeal, Mr. Stein succeeded in obtaining a reversal of the trial court’s denial of class certification. In the second, plaintiff again prevailed, with the Ninth Circuit affirming the conclusion that the lawsuit had driven Ford to offer free repairs, reimbursements, and extended warranties to the class.

***In re: Hyundai Sonata Engine Litigation*** – Mr. Stein served as court-appointed co-lead counsel in this nationwide suit involving engine seizures at high speeds. The litigation led to a settlement that included nationwide vehicle recalls, extended warranties, and payments that averaged over three thousand dollars per class member.

***Browne v. American Honda Motor Co., Inc.*** – Represented consumers who alleged that 750,000 Honda Accord and Acura TSX vehicles were sold with brake pads that wore out prematurely. A settlement ensued worth approximately \$25 million, with hundreds of thousands of class members electing to participate.

## **Awards & Honors**

“2017 Top 40 Under 40,” *Daily Journal*

Top Class Action Attorneys Under 40, *Law360* Rising Stars (2017)

Northern California Super Lawyers *Rising Star* (2013-2021)

## **Professional Affiliations**

American Association for Justice  
Consumer Attorneys of California  
Federal Bar Association  
Public Justice Foundation

## **Publications & Presentations**

Moderator, “A View from the Bench II: Judicial Insights on Managing Complex Litigation and the Pandemic’s Lasting Impact,” *ABA Tort Trial & Insurance Practice Section, 2022 Motor Vehicle Product Liability Litigation Conference*, April 2022.

Presenter, “Class Damages,” *AAJ Class Action Litigation Group*, June 2020.

Co-Author, “Recent Decision Highlights the Importance of Early Discovery in Arbitration,” *Daily Journal*, May 2019.

Presenter, “Article III Standing in Data Breach Litigation,” AAJ Class Action Seminar, December 2018.

Presenter, “Determining Damages in Class Actions,” *Class Action Mastery Conference*, HB Litigation, May 2018.

Presenter, “Mass Torts and Class Actions: The Latest and Greatest, Update on Class Action Standing” *56th Annual Consumer Attorneys of California Convention*, November 2017.

Author, Third Circuit Crystallizes Post-Spokeo Standard, *Impact Fund Practitioner Blog*, July 2017.

Presenter, “Class Certification,” “Class Remedies,” *HB Litigation Conferences, Mass Tort Med School + Class Actions*, March 2017.

Co-Author, “Beware Intended Consequences of Class Action Reform, Too,” *Law360 Expert Analysis*, March 14, 2017.

Author, *Wrong Problem, Wrong Solution: How Congress Failed the American Consumer*, 23 Emory Bankr. Dev. J. 619 (2007).



## Steven Tindall | Partner

Steven Tindall represents employees seeking fair pay and just treatment in individual and class action lawsuits against employers. His cases involve allegations of misclassification, sexual harassment, discrimination, wrongful termination, retaliation, WARN Act, and ERISA violations. He has more than 20 years of experience representing employees in a variety of industries, including tech, gig economy, financial services, construction, transportation, and private education. Steven also represents consumers in individual and mass tort personal injury lawsuits and class action litigation. In 2019, he won a *California Lawyer Attorney of the Year Award*, which honors outstanding California lawyers “whose extraordinary work and cases had a major impact on the law.”

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[smt@classlawgroup.com](mailto:smt@classlawgroup.com)

### Practice Emphasis

Class Actions  
Employment Litigation

### Education

University of California,  
Berkeley School of Law, J.D.,  
*magna cum laude*, 1996.

Yale University, B.A., *summa cum laude*, *Phi Beta Kappa*.

### Admissions

California

Steven clerked for Hon. Judith N. Keep of the United States District Court for the Southern District of California and for Hon. Claudia Wilken of the U.S. District Court for the Northern District of California. Prior to joining Gibbs Law Group, he was a partner at Rukin Hyland Doria & Tindall, and at Lieff Cabraser Heimann & Bernstein. At Rukin Hyland and Lieff Cabraser, he focused on plaintiffs’ class action litigation in the fields of wage and hour law, antitrust, and consumer protection. Steven also litigated a number of mass tort personal injury and toxic tort cases.

He received his B.A. degree in English Literature from Yale University, graduating *summa cum laude*, Phi Beta Kappa, and with distinction in his major. He earned his J.D. degree from the University of California at Berkeley School of Law in 1996. While at Berkeley Law, Steven co-directed the East Bay Workers’ Rights Clinic.

## Litigation Highlights

**Breach of Contract** – As co-lead counsel, Steven helped recover over \$29 million on behalf of hundreds of employees in a class action lawsuit involving breach of contract claims against a global consulting company.

**Retirement Benefits** – Represented retirees whose retirement benefits were slashed after a corporate spinoff. The litigation resulted in a \$9 million recovery paid out to class members.

**Gig Economy** – Represents thousands of individual clients in multiple gig economy cases alleging that they were misclassified as independent contractors and should be entitled to minimum wage, overtime pay, and expense reimbursement under California and other state labor laws.

**Consumer Loans** – Represents over 100,000 borrowers in a certified class action lawsuit against online lender, CashCall, alleging that they preyed on low-income borrowers through high interest rate loans. Steven was a key member of the litigation team that achieved a unanimous ruling from the CA Supreme Court regarding unconscionability of contracts.

## Awards & Honors

California Lawyer Attorney of the Year (CLAY) Award (2019)  
Northern California Super Lawyers (2009-2022)

## Publications & Presentations

Co-Author, “DoorDash: Quick Food, Slow Justice,” Daily Journal, March 24, 2020.

Presenter, “Damages & Penalties in Exemption and Misclassification Cases,” Bridgeport Independent Contractor, Joint Employment Misclassification Litigation Conference, July 26, 2019.

Contributor, “Can Interest Rates be Unconscionable?” Daily Journal Appellate Report Podcast, July 6, 2018.

Co-Author, “Epic Systems and the Erosion of Federal Class Actions,” Law360 Expert Analysis, July 5, 2018.

Co-Author, “Senate Should Reject Choice Act and Its Payday Free Pass,” Law360 Expert Analysis, July 12, 2017.

Presenter, “Understanding and Litigating PAGA Claims,” Bridgeport Continuing Legal Education, March 3, 2017.

Contributing Author, California Class Actions Practice and Procedure, Matthew Bender & Co., Inc., 2006

Author, *Do as She Does, Not as She Says: The Shortcomings of Justice O’Connor’s Direct Evidence Requirement in Price Waterhouse v. Hopkins*, Berkeley Journal of Employment and Labor Law, 17, No. 2, 1996



## Amy Zeman | Partner

Amy has built a reputation in the plaintiffs' bar for delivering results and justice to consumers and sexual assault survivors in class action and mass tort litigation. She secured a \$73 million settlement in 2021 from UCLA on behalf of sexual assault survivors who brought claims against gynecologist Dr. James Heaps and achieved an historic \$14.975 million dollar jury verdict as co-lead trial counsel on behalf of Pacific Fertility Center patients whose genetic material was destroyed in a catastrophic cryo-preservation tank failure. Media throughout the country have hailed the verdict as groundbreaking, and the Washington Post noted it as "a historic verdict that could have far-reaching consequences for the loosely regulated U.S. fertility industry."

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[amz@classlawgroup.com](mailto:amz@classlawgroup.com)

### Practice Emphasis

Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower/ Qui Tam

### Education

University of California,  
Hastings College of Law,  
J.D., *magna cum laude*,  
2010.

University of Missouri, B.A.,  
*summa cum laude*, 1998.

### Admissions

California  
Florida

The Daily Journal recognized Amy among the Top Women Lawyers in California for 2021 and the Top Plaintiff Lawyers in California for 2021, and Northern California Super Lawyers named her a 2021 Super Lawyer. *Law360* honored Amy as an MVP in Product Liability for 2021, and the National Law Journal named her a 2021 Winning Litigators finalist. In 2020, Amy was elected co-chair of the American Association for Justice's Class Action Litigation Group.

Amy currently represents clients in a variety of mass injury matters, including additional families in the Pacific Fertility Center matter, individuals harmed by the chemotherapy drug Taxotere (docetaxel), and individuals affected by the Porter Ranch/Aliso Canyon gas leak. She serves in a court-appointed leadership role in a mass action coordinating claims on behalf of 18,000 boys who suffered irreversible male breast growth after being prescribed the antipsychotic medication Risperdal. Amy has previously represented clients injured by transvaginal mesh, the birth control medications Yaz and Yasmin, and the diabetes drug Actos.

Prior to attending law school, Amy pursued a career in the financial sector, acting as the Accounting and Compliance Manager for the Marin County Federal Credit Union for almost seven years. Amy was a spring 2010 extern for the Honorable Marilyn Hall Patel of the United States District Court, Northern District of California.

## Litigation Highlights

### Mass Tort Litigation

***Pacific Fertility Center Litigation*** – Amy served as co-lead trial counsel in a three-week trial on behalf of several patients who tragically lost eggs and embryos in a catastrophic cryo-preservation tank failure at San Francisco's Pacific Fertility Center in 2018. The jury found the cryogenic tank manufacturer, Chart Inc., liable on all claims, and awarded \$14.975 million in aggregate damages to the five plaintiffs. Amy leads the Gibbs Law Group team, which first filed the lawsuit in March 2018 with co-counsel, and represents dozens of PFC patients whose frozen eggs and embryos were harmed or destroyed as a result of the tank failure. This was the first trial in the consolidated litigation, and five additional trials against Chart are scheduled for 2022 and 2023.

***In re Risperdal and Invega Product Liability Cases*** – appointed by a California judge to serve as liaison counsel, responsible for coordinating and overseeing the lawsuits filed on behalf of thousands of male children who took the popular antipsychotic drug Risperdal and suffered irreversible gynecomastia, or male breast growth.

***Taxotere (Docetaxel) Products Liability Litigation*** – selected to serve on the discovery committee in this multi-district litigation on behalf of breast cancer survivors who suffered permanent, disfiguring hair loss after using the Taxotere chemotherapy drug.

***Yaz & Yasmin Birth Control Litigation*** – represented women throughout the country who suffered serious side effects after taking Yaz, Yasmin and Ocella birth control. The federal litigation resulted in settlements worth approximately \$1.6 billion.

#### **Defective Product and Consumer Protection Litigation**

***Sanborn, et al. v. Nissan North America, Inc.*** – appointed as class counsel with Eric Gibbs and others. Obtained a settlement 11 days before trial was set to begin on claims that the dashboards in certain Nissan vehicles were melting into a shiny, sticky surface that produced a dangerous glare. The settlement allowed class members to obtain a \$1500-\$2000 dashboard replacement for just \$250, or equivalent reimbursement for prior replacements.

***Chase Bank U.S.A., N.A. “Check Loan” Contract Litigation*** – key member of the litigation team in this multidistrict case alleging that Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. The litigation resulted in a \$100 million settlement eight weeks prior to trial.

***Sugarman v. Ducati North America, Inc.***, - represented Ducati motorcycle owners whose fuel tanks on their motorcycles degraded and deformed due to incompatibility with the motorcycles’ fuel. In January 2012, the Court approved a settlement that provided an extended warranty and repairs, writing, “The Court recognizes that class counsel assumed substantial risks and burdens in this litigation. Representation was professional and competent; in the Court’s opinion, counsel obtained an excellent result for the class.”

#### **Awards & Honors**

Winning Litigators Finalist, National Law Journal (2021)  
Product Liability MVP, Law360 (2021)  
Top Plaintiff Lawyers in California, Daily Journal (2021)  
Top Women Lawyers in California, Daily Journal (2021)  
Northern California Super Lawyer (2021-2022); Rising Star (2013-2020)

#### **Professional Affiliations**

American Association for Justice - Co-Vice Chair of the Class Action Litigation Group; Past Co-Chair of the Qui Tam Litigation Group; Member of the Women Trial Lawyers Caucus  
Consumer Attorneys of California

#### **Publications & Presentations**

Co-author, “Tips on Client Contact and Case Management in Mass Torts Part I: Client Intake and Gathering Relevant Information,” American Association for Justice, Women Trial Lawyers Caucus Connections Count Newsletter, 2013.

Co-author, “Tips on Client Contact and Case Management in Mass Torts Part II: Organizing and Working with Client Information,” American Association for Justice, Women Trial Lawyers Caucus Connections Count Newsletter, 2013.

Presenter, “Fees in Class Action Cases,” and “Qui Tam Case Strategies,” Mass Tort Med School and Class Action Conference, March 2017.

Presenter, “Claims-processing in Large and Mass-Tort MDLs,” Emerging Issues in Mass-Tort MDLs Conference, Duke University, October 2016.

Presenter, “Best Practices in Law Firm Management,” American Association for Justice 2016 Winter Convention, Women’s Trial Lawyers Caucus Leadership Summit, February 2016.

Presenter, “Lumber Liquidators Litigation,” American Association for Justice 2015 Annual Convention, July 2015.





1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[jib@classlawgroup.com](mailto:jib@classlawgroup.com)

#### Practice Emphasis

Antitrust  
Class Actions  
Consumer Protection

#### Education

UCLA School of Law, J.D.,  
2000  
University of Pennsylvania,  
B.A., with honors, 1996

#### Admissions

California

## Josh Bloomfield | Counsel

Josh Bloomfield represents plaintiffs in class and other complex litigation, with particular experience in antitrust, consumer protection and data breach matters. He is a member of the California Bar and is admitted to practice before the United States District Courts for the Northern, Central and Southern Districts of California.

At Gibbs Law Group, Josh has been an advocate for borrowers who lost their homes to foreclosure during the financial crisis, individuals harmed by corporate misconduct related to the COVID-19 pandemic, and consumers and employees who have suffered the consequences of antitrust conspiracies.

During more than 20 years of practice, Josh has represented clients in a variety of civil, criminal and administrative matters - from a distinguished professor of aeronautics and astronautics in a National Science Foundation research misconduct investigation, to several Major League Baseball teams in player arbitrations. Josh also served as vice president and general counsel to an innovative business venture in the second-home alternative marketplace, offering investors direct participation in ownership of a portfolio of luxury vacation properties.

## Litigation Highlights

### *Hernandez v. Wells Fargo Bank, N.A.*

Represents a certified class of more than 1,200 home mortgage borrowers who lost their homes to foreclosure after Wells Fargo erroneously denied them trial mortgage modifications. The case settled in two phases for a total of \$40.3 million, resulting in significant compensation payments to each class member.

### *Disposable Contact Lens Antitrust Litigation*

Represents a class of consumers in the Disposable Contact Lens Antitrust Litigation, which challenges a series of “minimum pricing” policies imposed by contact lens manufacturers. The suit alleges that consumers paid supracompetitive prices as a result of a conspiracy among optometrists, manufacturers and a distributor of disposable contact lenses.

### *In re Anthem, Inc. Data Breach Privacy Litigation*

Represented interests of plaintiffs and putative class members following massive data breach of approximately 80 million personal records, including names, dates of birth, Social Security numbers, health care ID numbers, email and physical addresses, employment information, and income data.

### *Jiffy Lube Antitrust Litigation*

Represents Jiffy Lube workers who were harmed by a “no-poach” policy whereby Jiffy Lube required its franchisees to agree not to solicit or hire current or former employees of other franchisees. The suit alleges that workers’ wages were suppressed by this restraint on the market for their labor.

### *Airbnb Host Class Action Lawsuit*

Represents Airbnb hosts – in federal court and in individual arbitrations - who allege that Airbnb took advantage of the COVID-19 pandemic and seized funds that belonged to hosts while claiming that the money would be refunded to guests.



## Parker Hutchinson | Counsel

Parker Hutchinson represents plaintiffs in class actions and other complex litigation, with extensive practice in the field of prescription drug product liability. Parker currently represents clients in multi district litigation including servicemembers who suffered hearing loss or tinnitus from defective 3M ear plugs and cancer survivors who suffered permanent disfiguring hair loss from the chemotherapy drug Taxotere. Prior to joining Gibbs Law Group, Parker wrote extensive briefing *In re Taxotere* as a member of the Plaintiffs' Law & Briefing Committee. In his appellate advocacy work, Parker has also achieved an expansion of the definition of "adverse employment action" under Title VII in an issue of first impression.

T 510.350.9254

[pnh@classlawgroup.com](mailto:pnh@classlawgroup.com)

### Education

Columbia Law School, J.D.,  
2009

Tulane University, B.A., *cum  
laude*, 2004

### Admissions

New York

Louisiana

Parker is a 2009 graduate of Columbia Law School, where he was a leader at the Columbia Journal of European Law. During law school, Parker was a judicial extern with the Honorable Stanwood Duval, Jr. of the Eastern District of Louisiana. Before law school, Parker worked as a congressional staffer, a musician, and a writer. He involved himself closely in New Orleans's recovery following Hurricane Katrina, including the resurrection of progressive community radio station WTUL. He received his undergraduate degree, *cum laude*, from Tulane University in 2004.





T 510-340-4217  
[skj@classlawgroup.com](mailto:skj@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection

#### Education

The Ohio State University  
Moritz College of Law, J.D.,  
1998

Wright State University, M.A.,  
1995

The College of Wooster, B.A.,  
with honors, 1993

#### Admissions

Ohio

## Shawn Judge | Counsel

Shawn Judge focuses on class actions, mass torts, and other complex litigation matters. Shawn has been appointed Chair by a federal court to two pipeline compensation commissions, and he currently serves as Special Counsel for the Ohio Attorney General litigating claims against the five of the country's largest pharmaceutical companies alleging misrepresentations and deceptive marketing that caused the nation's current devastating current opioid crisis. He routinely serves as an invited speaker on civil litigation and mediation and is a former Ohio Bar Examiner.

Shawn is also an experienced mediator offering private mediation services for civil disputes. For over a decade, Shawn mediated cases for the U.S. District Court for the Southern District of Ohio as a judicial clerk. He received mediation training at the Harvard Negotiation Institute at Harvard Law School and the Straus Institute for Dispute Resolution at the Pepperdine University School of Law.

Previously, Shawn has served as a judicial clerk for the U.S. District Court for the Southern District of Ohio, the Supreme Court of Ohio, and Ohio's Ninth District Court of Appeals. He has previously served as adjunct professor at The Ohio State Second University Moritz College of Law, Ohio Northern University Pettit College of Law, and Capital University Law School. Shawn received his B.A. with honors from The College of Wooster, holds an M.A. in English from Wright State University, and received his J.D. with honors from The Ohio State University Moritz College of Law.

## Awards & Honors

Ohio Super Lawyer (2021, 2023)

## Professional Affiliations

Co-Chair, Class Actions/Consumer Law, Central Ohio Association for Justice  
Ohio Mediation Association  
Ohio Association for Justice  
National Civil Justice Institute  
American Association for Justice  
Columbus Bar Association  
Ohio State Bar Association  
Federal Bar Association  
American Bar Association

## Litigation Highlights

### ***State of Ohio ex rel. Dave Yost, Ohio Attorney General v. Purdue Pharma L.P.:***

Represents the State of Ohio in litigation alleging that the six major manufacturers of prescription opioids created a public nuisance, which caused billions of dollars in damages to the state and its citizens. The litigation is ongoing.

***Eaton v. Ascent Resources – Utica, LLC:*** Represents a class and sub-classes of oil and gas lessors with leases with Ascent Resources – Utica, LLC. Plaintiffs claim that Ascent takes improper post-production deductions from their royalty payments that are either not allowed under their contracts or are unreasonable in amount. On August 4, 2021, the Court granted class certification in the case, which marks one of the first cases of a court certifying an Ohio class action regarding the underpayment of oil and gas royalties.. The lawsuit is ongoing.



## Micha Star Liberty | Of Counsel

Micha Star Liberty is a nationally recognized trial attorney dedicated to representing individuals who have been injured or abused, including survivors of sexual abuse. With more than twenty years of experience, Micha has been widely recognized for her achievements, receiving numerous awards including Top 100 Women Lawyers in California, Top 100 High Stakes Litigators, and Top Plaintiff Lawyers in California. In 2018, Micha was honored with the Woman Advocate of the Year award for her work on legislation and prosecuting numerous cases in support of the #MeToo movement. In 2015, the Consumer Attorneys of California recognized Micha as Street Fighter of the Year for holding the Contra Costa County School District accountable in a child sexual abuse case.

T 510.350.9700

[msl@classlawgroup.com](mailto:msl@classlawgroup.com)

### Practice Emphasis

Sexual Assault

### Education

University of Hastings,  
College of the Law, J.D.,  
2001

University of California at Los  
Angeles, B.A., 1995

### Admissions

California

Micha also contributes to the legal profession in leadership and has served as past president of Consumer Attorneys of California, Western Trial Lawyers, and Alameda-Contra Costa Trial Lawyers, as well as past vice president of the State Bar of California. Micha is a frequent lecturer and published author on legal topics, focusing much of her public speaking on trial practice, discovery techniques, the importance of mentoring, and best practices for opening a law office and law office management. Micha is also a certified mediator with over 40 hours of training, and she has performed private mediations as well as mediations for the Contra Costa Superior Court with a trauma-informed perspective.

Micha has worked at the White House (Clinton Administration) and for two Members of Congress: for U.S. Representative Mel Watt, from North Carolina, and for U.S. Representative Anna Eshoo. While in law school, Micha served as a judicial extern to Senior United States District Court Judge Thelton E. Henderson.

## Professional Affiliations

Alameda-Contra Costa Trial Lawyers Association, Past President

American Association for Justice, Board of Governors, Co-Chair Sexual Assault Litigation Group

Consumer Attorneys of California, Past President, Past Diversity Committee Co-Chair, Past Chair New Lawyers Caucus

Continuing Education of the Bar

Western Trial Lawyers Association, Past President



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
[rjm@classlawgroup.com](mailto:rjm@classlawgroup.com)

**Practice Emphasis**

Class Actions  
Consumer Protection

**Education**

University of San Francisco  
School of Law, J.D., 2005  
University of California at  
Santa Cruz, B.A., 1995

**Admissions**

California

**Rosanne Mah | Counsel**

Rosanne Mah represents consumers in complex class action litigation involving deceptive or misleading practices, false advertising, and data/privacy issues. She is a member of the California Bar and is admitted to practice before the United States Court of Appeals for the Ninth Circuit and the United States District Courts for the Northern, Central, Eastern, and Southern Districts of California.

Rosanne is integrally involved in the discovery and client outreach process for the Boy Scouts of America Lawsuits, where she represents sexual abuse survivors who were abused by leaders and other affiliates within the organization. She is also involved in communicating with potential class representatives and clients for both the Toxic Baby Food lawsuit, alleging that certain baby food manufacturers were selling products containing poisonous heavy metals, and the Midwestern Pet Food lawsuit alleging that over 70 dogs have died after eating food contaminated with dangerous levels of aflatoxin, a mold toxin.

Rosanne has 15 years of experience in providing the highest level of legal representation to individuals and businesses in a wide variety of cases. Throughout her career she has specialized in consumer protection, defective products, cybersecurity, data privacy, and employment law at several law firms, all while running her own practice. Rosanne attended the University of San Francisco, School of Law, during which she was a judicial extern with the Honorable Anne Bouliane of the San Francisco Superior Court.



## Karen Barth Menzies | Of Counsel

Karen is a nationally recognized mass tort attorney with more than twenty years of experience in federal and state litigation. Courts throughout the country have appointed Karen to serve in leadership positions including Lead Counsel, Liaison Counsel and Plaintiff Steering Committee in some of the largest pharmaceutical and device mass tort cases. Karen currently serves in leadership positions in the Taxotere Litigation (federal court), Zolofit Birth Defect Litigation (federal and California state courts), Transvaginal Mesh Litigation (federal and California state courts), Fosamax Femur Fracture Litigation (California state court), Lexapro/Celexa Birth Defect Litigation (Missouri state court).

Karen is particularly focused on women's health issues and sexual abuse claims, including a current Boy Scouts of America sexual abuse lawsuit investigation involving claims of abuse by scoutmasters, troop leaders and other adults affiliated with the Boy Scouts of America. She also represents women suffering permanent baldness following breast cancer chemotherapy treatments with Taxotere, and children who experienced severe side effects after taking the widely prescribed medication Risperdal. Karen believes in advocating for the victims who've been taken advantage of, and helping to ensure drug safety in the face of profit-driven corporations that hide the risks of their products. She has testified twice before FDA advisory boards as well as the California State Legislature on the safety concerns regarding the SSRI antidepressants and the manufacturers' misconduct. She has also advised victim advocacy groups in their efforts to inform governmental agencies and legislative bodies of harms caused by corporations.

Karen frequently publishes and presents on issues involving drug safety, mass tort litigation, FDA reform and federal preemption for both legal organizations (plaintiff and defense) and medical groups.

## Awards & Honors

*AV Preeminent*® Peer Review Rated by Martindale-Hubbell  
Best Lawyers in America, Personal Injury Litigation (2013, 2018, 2021-2023)  
Individual Recognition Chambers USA: Product Liability Plaintiffs (2020)  
Southern California Super Lawyer (2004-2023)  
Lawyer of the Year by *Lawyer's Weekly USA* (2004)  
California Lawyer of the Year by *California Lawyer* magazine (2005)  
Consumer Attorney of the Year Finalist by CAOC (2006)

## Professional Affiliations

American Association for Justice, Co-Chair, Taxotere Litigation Group  
Consumer Attorneys of California  
Consumer Attorneys of Los Angeles  
American Bar Association (appointed member of the Plaintiffs' Task Force)  
Women En Mass  
The Sedona Conference (WG1, Electronic Document Retention and Production)  
The National Trial Lawyers  
National Women Trial Lawyers Association  
LA County Bar Association  
Women Lawyers Association of Los Angeles  
Public Justice

## Select Publications & Presentations

Author, "Prepping for the Prescriber Deposition," Trial Magazine, American Association for Justice, January 2020.

[kbm@classlawgroup.com](mailto:kbm@classlawgroup.com)

### Practice Emphasis

Class Actions  
Mass Personal Injury

### Education

University of California, Davis  
King Hall School of Law, J.D.,  
1995

Colorado State University,  
B.A., 1989

### Admissions

California

Presenter, “Deposing the Treating/ Prescribing Physician, Learned Intermediary, the One Potentially Fatal Fact Witness,” American Association for Justice Convention: Discovery and Litigation Strategies for Drug and Device Cases, February 2019.

Presenter, “A Funny Thing Did Happen on the Way to the Forum: Navigating the New Landscape of Personal Jurisdiction Challenges,” ABA Section of Litigation 2019 Environmental & Energy, Mass Torts, and Products Liability Litigation Committees’ Joint CLE Seminar, March 2018.

Presenter, “Federal and State Court Coordination of Mass Tort Litigation: Navigating State Court vs. Multidistrict Litigation, Mass Torts Made Perfect Conference, October 2018.

Presenter, “Taxotere Litigation: Federal MDL 2740, New Orleans and State Court Jurisdictions, Mass Torts Made Perfect Conference, October 2018.

Presenter, “505(b)(2) Defendants – The Non-Generic Alternative; Social Media and Support Groups; Settlement Committees,” AAJ Section on Torts, Environmental and Product Liability (STEP): On the Cutting Edge of Torts Litigation, July 2018.

Presenter, “Location, Location, Location Part II: State Court Consolidations,” AAJ Mass Torts Best Practices Seminar, July 2017.

Presenter, “Personal Jurisdiction in Mass Torts and Class Actions: Bristol-Myers Squibb Co. v. Superior Court (Cal. 2016),” Mass Torts Judicial Forum with Judge Corodemus and JAMS, April 2017.

Author, “Bringing the Remote Office Closer,” Trial Magazine, American Association for Justice, March 2017.



T 510-350-4214  
[mht@classlawgroup.com](mailto:mht@classlawgroup.com)

#### Practice Emphasis

Class Actions  
Consumer Protection

#### Education

The Ohio State University  
Moritz College of Law, J.D.,  
2003

The Ohio State University,  
B.A., *summa cum laude*,  
2000

#### Admissions

Ohio

## Mark Troutman | Counsel

Mark Troutman is dedicated to protecting consumers against corporate misdeeds and has led class action efforts across the country. Mark has been appointed to leadership roles in many of his complex litigation cases, and he currently serves as Special Counsel for the Ohio Attorney General in bringing claims against five of the country's largest pharmaceutical companies alleging misrepresentations and deceptive marketing that have caused the nation's current devastating opioid crisis.

As lead counsel in a consumer class action against Porsche, Mark achieved a \$45 million settlement for the class. Previously, Mark has been lead counsel in a consumer class action against a fitness chain, and co-lead counsel in a class action claiming improper deductions from royalty payments to lessors of a major oil and gas operator.

Before joining Gibbs Law Group, Mark co-led the class action practice group of a leading Ohio firm. Mark has been honored as a top plaintiff-side Class Action Litigator by the Best Lawyers in America and as a Rising Star by Ohio Super Lawyers. He has co-authored the leading guide on Ohio Consumer Law for more than 10 years and he continues to help advance the Ohio plaintiffs' bar as a member of the Ohio Association for Justice.

## Litigation Highlights

### ***State of Ohio ex rel. Dave Yost, Ohio Attorney General v. Purdue Pharma L.P.:***

Represents the State of Ohio in litigation alleging that the six major manufacturers of prescription opioids created a public nuisance, which caused billions of dollars in damages to the state and its citizens. The litigation is ongoing.

### ***In re Porsche Cars North America, Inc. Coolant Tubes Product Liability Litigation:***

Represented a class of nearly 50,000 Porsche Cayenne vehicle owners alleging that Porsche defectively designed its 2003-2010 model year vehicles with plastic coolant tubes, which due to their positioning, would prematurely wear them down from the vehicle's heat and require costly repairs. The settlement compensated class members for a significant portion of the repair costs, with an estimated settlement value of more than \$40 million.

***Gascho v. Global Fitness Holdings:*** Represented a class and sub-classes of current and former gym members alleging that the Urban Active gym chain took excessive and/or unauthorized fees from gym members, which were not included in class members' contracts or in violation of state law. The settlement reimbursed class members for the improper charges to their accounts.

***Eaton v. Ascent Resources – Utica, LLC:*** Represents a class and sub-classes of oil and gas lessors with leases with Ascent Resources – Utica, LLC. Plaintiffs claim that Ascent takes improper post-production deductions from their royalty payments that are either not allowed under their contracts or are unreasonable in amount. On August 4, 2021, the Court granted class certification in the case, which marks one of the first cases of a court certifying an Ohio class action regarding the underpayment of oil and gas royalties. The lawsuit is ongoing.





T 510.956.5256

[bwb@classlawgroup.com](mailto:bwb@classlawgroup.com)

#### **Education**

Texas A&M University  
School of Law, J.D., 2016

Colorado Technical  
University, B.S., *with honors*

#### **Admissions**

Texas

## **Brian Bailey | Associate**

Brian represents clients who have been harmed by corporate misconduct in complex litigation including employment discrimination, personal injury, data breach and consumer protection cases. He represents people who were injured and lost homes or businesses in our PG&E wildfire cases.

Prior to Gibbs Law Group, Brian worked at the Federal Labor Relations Authority in Dallas, Texas where he conducted investigations on federal unfair labor practices and coordinated federal union elections. Previously, Brian represented a high volume of disabled individuals in administrative hearings.

Brian is a 2016 graduate of Texas A&M University School of Law, where he served as the president of the TAMU Black Law Student Association. During law school, he interned for the Honorable Justice Ken Molberg when he was District Judge at the 95th Texas Civil District Court and served as a research assistant for Professors Michael Z. Green and Sahar Aziz. Prior to law school, Brian worked as an international flight attendant at United Airlines and volunteered as an Occupational Injury Representative at the Association of Flight Attendants, Local Council 11 in Washington D.C. Brian holds a B.S. with honors in business administration from Colorado Technical University.

## **Professional Affiliations**

L. Clifford Davis Legal Association  
The International Legal Honor Society of Phi Delta Phi  
The American Constitution Society for Law & Policy  
Texas Young Lawyers Association  
State Bar of Texas, member of the following Sections:

- African-American Lawyers (AALS)
- Consumer and Commercial Law
- Labor and Employment Law
- LGBT Law



## Erin Barlow | Associate

Erin is a zealous advocate for survivors of sexual assault as well as consumers who have been harmed by corporate wrongdoing. She also has experience advocating for California wildfire victims, as well as fighting for individuals who suffered injuries from using defective drug and medical devices.

Erin is a 2021 graduate, *cum laude*, of the University of California Hastings College of the Law. In law school, she served as Senior Acquisitions Editor for Hastings Environmental Law Journal. She also was a Certified Law Student in the Individual Representation Clinic where she successfully appealed an adverse Social Security determination and got an individual's prior criminal convictions expunged. Erin received CALI awards for receiving the highest grade in Legal Research and Writing and in Environmental Justice and the Law. She received her undergraduate degrees in Politics and Marine Biology from the University of California Santa Cruz in 2014.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[eab@classlawgroup.com](mailto:eab@classlawgroup.com)

### Education

University of California,  
Hastings College of Law, J.D.,  
*cum laude*, 2021

University of California at Santa  
Cruz, B.A. and B.S., 2014

### Admissions

California

## Presentations and Articles

Author, “Unprecedented Marine Biodiversity Shifts Necessitate Innovation: The Case for Dynamic Ocean Management in the UN High-Seas Conservation Agreement the Presenter, “Unpacking Public Interest Law,” Hastings Environmental Law Journal, 27 Hastings Env't'l L.J. 121, 2021





T 510.340.4732  
[eb@classlawgroup.com](mailto:eb@classlawgroup.com)

**Education**

Seattle University School of Law, J.D., *summa cum laude*, 2020

University of Washington, B.A., 2015

**Admissions**

Washington

**Emily Beale | Associate**

Emily Beale is an advocate for consumers and employees, fighting unfair business practices by corporations.

Prior to joining Gibbs Law Group, Emily worked for two years as a law clerk to the Honorable Benjamin H. Settle in the Western District of Washington.

Emily is a 2020 graduate, *summa cum laude*, of Seattle University School of Law, where she graduated first in her class. During law school, Emily advocated for incarcerated and accused individuals at the Fred T. Korematsu Center for Law and Equity in its Civil Rights Clinic. Emily aided in the Korematsu Center’s amicus brief to the Washington State Supreme Court on the unconscious bias associated with the use of restraints on incarcerated criminal defendants, which resulted in a unanimous decision prohibiting such practices in Washington state. *See State v. Jackson*, 195 Wash.2d 841 (2020).

While in law school, Emily served as Managing Editor for the Seattle University Law Review and on the Moot Court Board. She represented Seattle University at a regional National Moot Court Competition and received eight CALI awards for highest grade. Emily received her undergraduate degree in Law, Societies, and Justice with a minor in French from the University of Washington in 2015.

**Presentations and Articles**

Author, “Unfair-but-not-Deceptive: Confronting the Ambiguity in Washington State’s Consumer Protection Act,” 43 Seattle U. L. R. 1011 (2020)



## Aaron Blumenthal | Associate

Aaron Blumenthal represents employees, whistleblowers, and consumers in complex and class action litigation. He is a member of our California whistleblower attorney practice group.

Aaron attended law school at the University of California at Berkeley, where he graduated *Order of the Coif*, the highest level of distinction. While in law school, Aaron wrote an article about class action waivers that was published by the California Law Review, one of the top law reviews in the country. He also served as a research assistant to Professor Franklin Zimring, who described Aaron in the acknowledgements section of one of his books as a “statistical jack-of-all-trades.”

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9714  
[ab@classlawgroup.com](mailto:ab@classlawgroup.com)

### Education

University of California,  
Berkeley Law, J.D., *Order of  
the Coif*, 2015

University of California at  
Berkeley, B.A., *Phi Beta  
Kappa*, 2008

### Admissions

California

## Litigation Highlights

***In Re Anthem, Inc. Data Breach Litigation*** - represented consumers whose personal information was impacted by the Anthem data breach, which was announced in 2015 as affecting nearly 80 million insurance customers. The case resulted in a \$115 million settlement, which offered extended credit monitoring to affected consumers.

***LLE One v. Facebook*** – key member of the litigation team representing video advertisers in a putative class action against Facebook alleging that the company inflated its metrics for the average time users spent watching video ads, causing the plaintiffs to spend more for video advertising on Facebook than they otherwise would have.

***JPMorgan Chase Litigation*** - represented a class of mortgage borrowers against JPMorgan Chase, alleging that the bank charged them invalid "post-payment interest" when they paid off their loans. The case resulted in an \$11 million settlement.

## Awards & Honors

**Rising Star**, Northern California Super Lawyers, 2018-2022

## Presentations and Articles

Presenter, “Impact of the Viking River Cruises Ruling on PAGA and Mass Arbitrations,” Simpluris Podcast, October 2022

Author, “Why Justices’ PAGA Ruling May Not Be Real Win For Cos.,” Law360 Employment Authority, July 2022

Co-author, “DoorDash: Quick Food, Slow Justice,” Daily Journal, March 2020

Co-author, “In the Breach,” Trial Magazine, American Association for Justice, September 2017

Author, “Winning Strategies in Privacy and Data Security Class Actions: The Plaintiffs’ Perspective,” Berkeley Center for Law & Technology, January 2017

Author, “Circumventing Concepcion: Conceptualizing Innovative Strategies to Ensure the Enforcement of Consumer Protection Laws in the Age of the Inviolable Class Action Waiver,” 103 Calif. L. Review 699, 2015

Author, “Religiosity and Same-Sex Marriage in the United States and Europe,” 32 Berkeley J. Int’l. L. 195, 2014.



## Delaney Brooks | Associate

Delaney Brooks represents plaintiffs in class action lawsuits, primarily in cases alleging hidden fees and product defects.

Delaney graduated from the University of California, Berkeley School of Law in 2022. While there, Delaney was a member of Berkeley Law's Moot Court team, where she and her teammates were regional champions at the 2021 National Appellate Advocacy Competition. As a teaching assistant to Professor Patricia Hurley, Delaney helped first-year law students hone their legal writing and advocacy skills. Delaney pursued pro bono work throughout law school, assisting juvenile boys incarcerated in Contra Costa County through the Youth Advocacy Project, and later by researching litigation strategies to curb gun violence with the Gun Violence Prevention Project. Delaney earned awards for receiving the highest grade in Appellate Advocacy, Consumer Protection Law, and a Consumer Litigation seminar. Delaney also served on the board of Berkeley Law's Consumer Advocacy and Protection Society and worked as a judicial extern for the Honorable William H. Alsup, Northern District of California.

Delaney received her undergraduate degree from Northwestern University in 2016, with a major in Psychology and a minor in Legal Studies. Prior to law school, Delaney worked in marketing at a major financial services company, giving her insider knowledge of the challenges consumers face in accessing credit.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.956.5262  
[db@classlawgroup.com](mailto:db@classlawgroup.com)

### Education

University of California,  
Berkeley School of Law, J.D.,  
2022

Northwestern University, B.A.,  
2016

### Admissions

California



## Kyla Gibboney | Associate

Kyla represents consumers, employees, investors, and others who have been harmed by corporate misconduct. She prosecutes a wide range of complex class action cases, including antitrust, securities, consumer protection, financial fraud, and product defect across a variety of industries.

Kyla is a vital member of the team prosecuting the firm's financial fraud lawsuits against GreenSky, a financial technology company that facilitates consumer loans for construction projects and medical procedures. As part of her work on that case, she helped defeat GreenSky's motions to dismiss borrowers' complaints that GreenSky charges unlawful fees and attempts to force borrowers to pursue their claims in arbitration instead of in court. Kyla also has extensive experience litigating antitrust class actions. She currently represents cattle ranchers in *In re Cattle Antitrust Litigation*, a lawsuit challenging the country's largest beef purchasers' method for setting prices for fed cattle, and has worked on several pharmaceutical lawsuits that challenged reverse payment patent settlements, a practice in which brand pharmaceutical companies pay generic would-be competitors to stay out of the market, resulting in higher drug prices.

Kyla is a 2014 graduate of the University of California Hastings School of Law, where she was an extern with the United States Department of Justice's Antitrust Division and for Magistrate Judge Kandis A. Westmore and California Court of Appeal Justice Sandra Margulies. During law school, Kyla was also a law clerk for the Anti-Predatory Lending group of Community Legal Services in East Palo Alto, where she fought for economic justice for low-income borrowers and homeowners in East Palo Alto, and volunteered with the General Assistance Advocacy Project in San Francisco.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9709  
[kjg@classlawgroup.com](mailto:kjg@classlawgroup.com)

### Education

University of California,  
Hastings College of Law, J.D.,  
*cum laude*, 2014

University of California at  
Berkeley, B.A., 2009

### Admissions

California

## Litigation Highlights

***Bowen v. Porsche Cars North America, Inc.*** – Represents a proposed class of Porsche owners who allege a faulty software update has caused permanent damage to their cars' radio and infotainment system, including a "near-continuous reboot cycle," constant static noise, and drainage to the car battery. A Georgia federal judge allowed the case's innovative digital trespass claims to proceed after partially denying Porsche's motion to dismiss.

***GreenSky Litigation*** – Key member of the team representing consumers who took out loans for home maintenance repairs and were charged hidden fees by GreenSky, Inc.

***Deora v. NantHealth*** – Represented investors who alleged that NantHealth's founder violated federal securities law and artificially inflated stock prices by structuring a purportedly philanthropic donation to the University of Utah to require the University to pay NantHealth \$10 million for research services. Kyla gathered the evidence necessary to come to a settlement in the case, which included interrogating several key fact witnesses.

***LLE One v. Facebook*** – Part of the team representing advertisers who accused Facebook of inflating its viewership metrics by as much as 900% when selling its ad services. The lawsuit resulted in a \$40 million settlement for the class, and Kyla helped to oversee settlement distribution to over 1 million individuals and entities.

## Awards & Honors

Rising Star, *Northern California Super Lawyers*, (2018-2022)

## Professional Affiliations

American Association for Justice  
National Civil Justice Institute



## Julia Gonzalez | Associate

Julia works with employees who have faced discrimination, misclassification, wage and hour violations, and other workplace injustices, advocating for their rights in individual and class cases. She is also a member of the litigation team in our Washington State Voter Discrimination lawsuit, working to combat voter suppression and to ensure equal access to the democratic process.

Julia is a 2021 graduate of the University of California, Berkeley, School of Law. In law school, she was an Articles Editor and Executive Editor for the Berkeley Journal of Employment and Labor Law, the leading law review for employment and labor law scholarship. She twice competed in the Traynor Moot Court competition, where her team received the award for Best Brief in 2020. Julia was a member of the Consumer Advocacy and Protection Society and received the American Jurisprudence Award in Consumer Protection Law. She also provided direct legal services through the Workers' Rights Clinic and the Tenants' Rights Workshop. Julia received her undergraduate degree, *cum laude*, in Sociology from Yale University in 2013, and spent the year between college and law school as a full-time volunteer at the St. Francis Center, a multi-service non-profit in the North Fair Oaks neighborhood of Redwood City.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[jlq@classlawgroup.com](mailto:jlq@classlawgroup.com)

### Education

University of California at Berkeley, J.D., 2021

Yale University, B.A., *cum laude*, 2013

### Admissions

California

## Litigation Highlights

***Postmates Driver Misclassification*** – Represents hundreds of gig economy workers in legal actions alleging that they were misclassified as independent contractors and should be entitled to minimum wage, overtime pay, and expense reimbursement under California and other state labor laws.



## Hanne Jensen | Associate

Hanne Jensen represents plaintiffs in class action and complex litigation involving consumer protection, workers' rights, products liability, privacy law, and constitutional law.

Hanne graduated from the University of California, Berkeley, School of Law in 2020. While in law school, Hanne served as the Senior Notes editor for the California Law Review, an executive editor for the Berkeley Journal of Employment and Labor Law, and a co-Editor-in-Chief of the Berkeley Journal of Gender, Law, and Justice. As a member of the Consumer Advocacy and Protection Society, Hanne contributed public comments to the Federal Trade Commission and Federal Deposit Investment Corporation concerning rules that affect consumers' financial rights, and helped draft an amicus brief for the Berkeley Center of Consumer and Economic Justice supporting mortgage applicants who had been wrongfully denied loans by an error in an AI underwriting servicer. Hanne also served as a research assistant for Professor Catherine Fisk's work on teachers' strikes and Professor Andrew Bradt's work on personal jurisdiction in complex litigation, as well as an oral advocacy teaching assistant for Professor Cheryl Berg. Prior to joining Gibbs Law Group, Hanne clerked for the Honorable Chief Judge Miranda M. Du in the District of Nevada in her beautiful hometown of Reno, Nevada.

Hanne received her undergraduate degree with majors in English and Philosophy from Whitman College, *magna cum laude*. At Whitman, Hanne was a member of Phi Beta Kappa and served as the co-Editor-in-Chief of the literary magazine *blue moon*. Prior to law school, Hanne was a Fulbright English Teaching Assistant in Germany.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9244  
[hi@classlawgroup.com](mailto:hi@classlawgroup.com)

### Education

University of California at Berkeley (Berkeley Law), J.D., 2020

Whitman College, *magna cum laude*, B.A., 2014

### Admissions

California





## Jeff Kosbie | Associate

Jeff Kosbie represents workers and consumers in class actions and other complex lawsuits involving data breaches and consumer privacy, employment law, and other corporate misconduct. He previously worked as a staff attorney in the United States Court of Appeals for the Ninth Circuit (2017-2018) and served as a Multidistrict Litigation Law Clerk to the Judges Lucy Koh, Beth Freeman, and Edward Davila of the Northern District of California (2018-2019).

Jeff serves as Treasurer of Bay Area Lawyers for Individual Freedom (“BALIF”), the nation’s oldest association of lesbian, gay, bisexual and transgender (LGBTQI) persons in the field of law, and he is on the board of the BALIF Foundation. He was also selected to serve on the California Lawyers Association Litigation Section Executive Committee. He has published multiple articles in law reviews related to the history of LGBTQ rights. Jeff is a 2015 graduate, *magna cum laude*, of Northwestern University School of Law and Northwestern University Graduate School where he received a J.D. and a Ph.D. in Sociology. While in law school, Jeff served as an Articles Editor of the Northwestern Journal of Law and Social Policy. He received his undergraduate degree, *summa cum laude*, *Phi Beta Kappa*, in Sociology from Brandeis University in 2006.

## Awards & Honors

Best Lawyers in America: Ones to Watch, 2023  
Rising Star, Northern California Super Lawyers, 2021-2022  
Best LGBTQ+ Lawyers Under 40, LGBT Bar Association, 2021  
Unity Award, Minority Bar Coalition, 2019

## Professional Affiliations

American Association for Justice  
Bay Area Lawyers for Individual Freedom, Co-chair  
BALIF Foundation, Board  
California Lawyers Association, Litigation Section Executive Committee  
Consumer Attorneys of California  
Justice and Diversity Center of the Bar Association of San Francisco, Board Member

## Select Presentations and Articles

Presenter, “An Important Discussion re Civil Rights: Racism, Diversity, Equity, and Inclusion while Surviving COVID-19,” California Lawyers Association Litigation and Appellate Summit, May 2021  
Presenter, “LGBTQ+ Employment Discrimination Claims in Practice,” BALIF CLE Series, February 2021  
Author, “Overdue Protection for LGTBQ Workers,” Trial Magazine, American Association for Justice, September 2020  
Author, “How the Right to be Sexual Shaped the Emergence of LGBT Rights,” 22 U. Pa. J. Const. L. 1389, August 2020  
Presenter, “LGBTQ+ Employment Rights Webinar,” American Association for Justice, June 2020  
Author, “Donor Preferences and the Crisis in Public Interest Law,” 57 Santa Clara L. Rev. 43, 2017  
Author, “(No) State Interests in Regulating Gender: How Suppression of Gender Nonconformity Violates Freedom of Speech,” 19 Wm. & Mary J. Women & L. 187, 2013

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9711  
[jbk@classlawgroup.com](mailto:jbk@classlawgroup.com)

### Education

Northwestern University School of Law, J.D., *magna cum laude*, 2015

Northwestern University Graduate School, Ph.D., 2015

Brandeis University, B.A., *summa cum laude*, *Phi Beta Kappa*, 2006

### Admissions

California



1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9708  
[aam@classlawgroup.com](mailto:aam@classlawgroup.com)

#### **Education**

Seattle University School of Law, J.D., 2014

Bates College, B.A., 2010

#### **Admissions**

California

## **Ashleigh Musser | Associate**

Ashleigh represents consumers and employees in class actions and mass arbitration involving consumer protection and employment law. She litigates complex cases involving misclassification, discrimination, and wage and hour claims brought under state law, including under the Private Attorneys General Act (PAGA). She currently represents thousands of gig economy workers in legal actions alleging that they were misclassified as independent contractors and should be entitled to minimum wage, overtime pay, and expense reimbursement under California and other state labor laws. Ashleigh is a proficient Spanish speaker and has experience representing and working with Spanish-speaking clients.

Ashleigh previously worked at a litigation firm in San Francisco, representing clients in criminal and civil proceedings, with an emphasis in personal injury, real estate, and wrongful death claims. More recently, she counseled and represented plaintiffs in individual and representative labor and employment matters at a boutique law firm in San Francisco. She has extensive experience protecting the rights of employees in cases involving California Labor Code violations, California Family Rights Act violations, and violations of the California Fair Employment and Housing Act, which includes representing plaintiffs with sexual harassment, disability and pregnancy discrimination, and retaliation claims.

Ashleigh is a 2014 graduate of Seattle University School of Law, where she served as the treasurer of the Moot Court Board, and as a chair of the International Law Society. During her time in law school, Ashleigh externed at the AIDS Legal Referral Panel of San Francisco, and subsequently volunteered as a licensed lawyer, where she represented clients facing eviction, and researched issues including the impact lump sum payments have on Section 8, the Housing Choice Voucher Program. As a law student, Ashleigh studied abroad at the University of Witwatersrand in Johannesburg, South Africa, focusing on how businesses adversely impact human rights, primarily in African countries. Ashleigh further diversified her legal experience by becoming a licensed to practice intern in Washington State, allowing her to practice law as a law student for the City Prosecutor's Office. In this role, she had to balance defending the City with the rights of the individuals that came before her in court.

## **Awards & Honors**

**Rising Star**, Northern California Super Lawyers, 2021-2022

## **Professional Affiliations**

California Employment Lawyers Association  
San Francisco Trial Lawyers Association

## **Presentations and Articles**

Author, "The Estrada decision on review: What to do with "unmanageable" PAGA claims?"  
Daily Journal, July 2022



## Wynne Tidwell | Associate

Wynne Tidwell works with consumers harmed by corporate wrongdoing and survivors of sexual assault.

Wynne graduated from the University of California, Berkeley School of Law in 2022. In law school, she served as an Editor for the California Law Review and received a Public Interest and Social Justice Certificate. Wynne also directly advocated for veterans affected by military sexual assault or experiencing homelessness through the Veterans Law Practicum. Additionally, she externed for the District Court for the District of Columbia and for the Consumer Protection Section of the Office of the California Attorney General.

Wynne received her undergraduate degree in Government from the College of William & Mary in 2017 with highest honors. Before law school, Wynne worked in public policy and communications in Washington, D.C.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9707  
[ewt@classlawgroup.com](mailto:ewt@classlawgroup.com)

### Education

University of California,  
Berkeley School of Law, J.D.,  
2022

College of William & Mary, B.A.,  
*summa cum laude*, 2017

### Admissions

California



## Zeke Wald | Associate

Zeke is dedicated to representing plaintiffs in class action and complex litigation concerning consumers' and workers' rights, products liability, privacy law, and constitutional law.

Zeke graduated from the University of California, Berkeley School of Law in 2021, where he was an Articles editor for the California Law Review, a research assistant for Professor Sean Farhang's work on complex litigation, and an advocate with the East Bay Community Law Center's Community Economic Justice clinic. Zeke also co-founded the Law and Political Economy society, which focuses on bringing students deeper into critical legal theory, and served as a leader of Berkeley's Gun Violence Prevention Project, an organization that supported the Giffords Law Center and the Brady Center's national, state, and local litigation efforts and policy advocacy on behalf of survivors of gun violence.

Zeke received his undergraduate dual degrees in Economics and Psychology from the University of California, Santa Barbara with highest honors. Prior to law school, Zeke worked for a tech startup dedicated to providing consumers with access to objective, unbiased information about products and services, and as a legal secretary at a family law firm focusing on complex parentage and custody cases and assisted reproduction law.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9700  
F 510.350.9701  
[zsw@classlawgroup.com](mailto:zsw@classlawgroup.com)

### Education

University of California at  
Berkeley, Berkeley Law, J.D.,  
2021

University of California at Santa  
Barbara, B.A., highest honors,  
2016

### Admissions

California

## Litigation Highlights

***In re: 3M Combat Arms Earplug Products Liability Litigation*** – This multi-district litigation concerns allegations that 3M's dual-ended Combat Arms earplugs were defective and caused servicemembers and civilians to develop hearing loss or tinnitus. Zeke is a member of the team supporting the Law, Briefing, and Legal Drafting Committee.

## Presentations and Articles

- Author, "Election Law's Efficiency-Convergence Dilemma," October 2020
- Author, "Driving in the Rearview: Looking Forward by Looking Back," The Law and Political Economy Society at Berkeley Law Blog, March 2020
- Author, "The Efficient Administration of Elections: How Competing Economic Principles Have Overtaken the Law of Democracy," The Law and Political Economy Society at Berkeley Law Blog, November 2019



## Tayler Walters | Associate

Tayler Walters works with consumers in class actions to combat unfair business practices by corporations, including investors who have been victimized in financial fraud schemes and people whose personal information has been compromised in large-scale data/privacy breaches. She previously worked in a plaintiff's law firm advocating for consumers in a range of areas, including personal injury, product liability, premises liability, employment law, and elder abuse.

Tayler is a 2020 graduate, *magna cum laude*, of the University of San Francisco School of Law. In law school, she served as a Development Director on the Moot Court Board where she coached her fellow students and competed in the National Appellate Advocacy Competition. Tayler received a Merit Scholarship, earned CALI awards for receiving the highest grade in Professional Responsibility and in Contracts Law, and externed for California Supreme Court Chief Justice Tani Cantil-Sakauye. Tayler received her undergraduate degree in Political Science and Government from the University of Colorado Boulder in 2017.

1111 Broadway  
Suite 2100  
Oakland, CA 94607  
T 510.350.9247  
[tlw@classlawgroup.com](mailto:tlw@classlawgroup.com)

### Education

University of San Francisco  
School of Law, J.D., *magna cum laude*, 2020

University of Colorado  
Boulder, B.A., 2017

### Admissions

California

## SIGNIFICANT RECOVERIES

Some examples of the cases in which our lawyers played a significant role are described below:

### Deceptive Marketing

***Hyundai and Kia Fuel Economy Litigation***, No. 2:13-md-2424 (C.D. Cal.). In a lawsuit alleging false advertising of vehicle fuel efficiency, the court appointed Eric Gibbs as liaison counsel. Mr. Gibbs regularly reported to the Court, coordinated a wide-ranging discovery process, and advanced the view of plaintiffs seeking relief under the laws of over twenty states. Ultimately Mr. Gibbs helped negotiate a revised nationwide class action settlement with an estimated value of up to \$210 million. The Honorable George H. Wu wrote that Mr. Gibbs had “efficiently managed the requests from well over 20 different law firms and effectively represented the interests of Non-Settling Plaintiffs throughout this litigation. This included actively participating in revisions to the proposed settlement in a manner that addressed many weaknesses in the original proposed settlement.”

***In Re Mercedes-Benz Tele Aid Contract Litigation***, MDL No. 1914, No. 07-cv-02720 (D.N.J.). Gibbs Law Group attorneys and co-counsel served as co-lead class counsel on behalf of consumers who were not told their vehicles’ navigation systems were on the verge of becoming obsolete. Counsel successfully certified a nationwide litigation class, before negotiating a settlement valued between approximately \$25 million and \$50 million. In approving the settlement, the court acknowledged that the case “involved years of difficult and hard-fought litigation by able counsel on both sides” and that “the attorneys who handled the case were particularly skilled by virtue of their ability and experience.”

***In re Providian Credit Card Cases***, JCCP No. 4085 (Cal. Super. Ct. San Francisco Cty). Mr. Gibbs played a prominent role in this nationwide class action suit brought on behalf of Providian credit card holders. The lawsuit alleged that Providian engaged in unlawful, unfair and fraudulent business practices in connection with the marketing and fee assessments for its credit cards. The Honorable Stuart Pollack approved a \$105 million settlement, plus injunctive relief—one of the largest class action recoveries in the United States arising out of consumer credit card litigation.

***In re Hyundai and Kia Horsepower Litigation***, No. 02CC00287 (Cal. Super. Ct. Orange Cty). In a class action on behalf of U.S. Hyundai and Kia owners and lessees, contending that Hyundai advertised false horsepower ratings in the United States, attorneys from Gibbs Law Group negotiated a class action settlement valued at between \$75 million and \$125 million which provided owners nationwide with cash payments and dealer credits.

***Skold v. Intel Corp.***, No. 1-05-cv-039231 (Cal. Super. Ct. Santa Clara Cty). Gibbs Law Group attorneys represented Intel consumers through a decade of hard-fought litigation, ultimately certifying a nationwide class under an innovative “price inflation” theory and negotiating a settlement that provided refunds and \$4 million in cy pres donations. In approving the settlement, Judge Peter Kirwan wrote: “It is abundantly clear that Class Counsel invested an incredible amount of time and costs in a case which lasted approximately 10 years with no guarantee that they would prevail.... Simply put, Class Counsel earned their fees in this case.”



***Steff v. United Online, Inc.***, No. BC265953 (Cal. Super. Ct. Los Angeles Cty.). Mr. Gibbs served as lead counsel in this nationwide class action suit brought against NetZero, Inc. and its parent, United Online, Inc., by former NetZero customers. Plaintiffs alleged that defendants falsely advertised their internet service as unlimited and guaranteed for a specific period of time. The Honorable Victoria G. Chaney of the Los Angeles Superior Court granted final approval of a settlement that provided full refunds to customers whose services were cancelled and which placed restrictions on Defendants' advertising.

***Khaliki v. Helzberg's Diamond Shops, Inc.***, No. 11-cv-00010 (W.D. Mo.). Gibbs Law Group attorneys and co-counsel represented consumers who alleged deceptive marketing in connection with the sale of princess-cut diamonds. The firms achieved a positive settlement, which the court approved, recognizing "that Class Counsel provided excellent representation" and achieved "a favorable result relatively early in the case, which benefits the Class while preserving judicial resources." The court went on to recognize that "Class Counsel faced considerable risk in pursuing this litigation on a contingent basis, and obtained a favorable result for the class given the legal and factual complexities and challenges presented."

## Defective Products

---

***In re Pacific Fertility Center Litigation***, Case No. 3:18-cv-01586 (N.D. Cal.). Gibbs Law Group attorneys served as co-lead trial counsel in a three-week trial on behalf of several patients who tragically lost eggs and embryos in a catastrophic cryo-preservation tank failure at San Francisco's Pacific Fertility Center in 2018. The jury found cryogenic tank manufacturer, Chart Inc., liable on all claims, determining that the tank contained manufacturing and design defects, and that Chart had negligently failed to recall or retrofit the tank's controller, despite having known for years that the controller model was prone to malfunction. For each claim, the jury found that the deficiency was a substantial factor in causing harm to the plaintiffs, and awarded \$14.975 million in aggregate damages. This was the first trial in the consolidated litigation, and five additional trials against Chart are scheduled for 2022 and 2023.

***In re: American Honda Motor Co., Inc., CR-V Vibration Marketing and Sales Practices Litigation***, No. 2:15-md-02661 (S.D. Ohio) Gibbs Law Group attorneys served as co-lead counsel in this multidistrict litigation on behalf of Honda CR-V owners who complained that their vehicles were vibrating excessively. After several lawsuits had been filed, Honda began issuing repair bulletins, setting forth repairs to address the vibration. Honda did not publicize the repairs well and as a result, Plaintiffs' alleged many CR-V owners and lessees—including those who had previously been told that repairs were unavailable—continued to experience the vibration. In early 2018, the parties negotiated a comprehensive settlement to resolve the multidistrict litigation on a class-wide basis. The settlement ensured that all affected vehicle owners were made aware of the free warranty repairs, including requiring Honda to proactively reach out to CR-V owners and dealers in several ways to publicize the repair options available.

***In re General Motors Cases***, No. JCCP 4396 (Cal. Super. Ct. L.A. Cty) - certified California state court class action against General Motors alleging violations of California's "Secret Warranty" law, California Civil Code § 1794.90 et seq.

***Glenn v. Hyundai Motor America***, Case No. 8:15-cv-02052 (C.D. Cal.). Gibbs Law Group attorneys represented drivers from six states who alleged their vehicles came with defective sunroofs that could shatter without warning. The case persisted through several years of fiercely contested litigation before resolving for a package of class-wide benefits conservatively valued at over \$30 million. In approving the settlement, U.S. District Court Judge David O. Carter praised the resolution: "[T]his is an extraordinarily complex case and an extraordinarily creative solution."

***Amborn et al. v. Behr Process Corp.***, No. 17-cv-4464 (N.D. Ill.) Gibbs Law Group served as co-lead counsel in this coordinated lawsuit against Behr and Home Depot alleging that Behr's DeckOver deck resurfacing product is prone to peeling, chipping, bubbling, and degrading soon after application. The team negotiated a class-wide settlement, which provided class members who submitted claims with 1) a refund for their purchase; and 2) substantial compensation for money spent removing DeckOver or repairing their deck. The settlement was granted final approval on December 19, 2018.

***In re Hyundai Sonata Engine Litigation***, Case No. 5:15-cv-01685 (N.D. Cal.). Gibbs Law Group attorneys served as court-appointed co-lead class counsel on behalf of plaintiffs who alleged their 2011-2014 Hyundai Sonatas suffered premature and catastrophic engine failures due to defective rotating assemblies. We negotiated a comprehensive settlement providing for nationwide recalls, warranty extensions, repair reimbursements, and compensation for class members who had already traded-in or sold their vehicles at a loss. The average payment to class members exceeded \$3,000.

***Sugarman v. Ducati North America, Inc.***, No. 10-cv-05246 (N.D. Cal.). Gibbs Law Group attorneys served as class counsel on behalf of Ducati motorcycle owners whose fuel tanks on their motorcycles degraded and deformed due to incompatibility with the motorcycles' fuel. In January 2012, the Court approved a settlement that provided an extended warranty and repairs, writing, "The Court recognizes that class counsel assumed substantial risks and burdens in this litigation. Representation was professional and competent; in the Court's opinion, counsel obtained an excellent result for the class."

***Parkinson v. Hyundai Motor America***, No. 06-cv-00345 (C.D. Cal.). Gibbs Law Group attorneys served as class counsel in this class action featuring allegations that the flywheel and clutch system in certain Hyundai vehicles was defective. After achieving nationwide class certification, our lawyers negotiated a settlement that provided for reimbursements to class members for their repairs, depending on their vehicle's mileage at time of repair, from 50% to 100% reimbursement. The settlement also provided full reimbursement for rental vehicle expenses for class members who rented a vehicle while flywheel or clutch repairs were being performed. After the settlement was approved, the court wrote, "Perhaps the best barometer of ... the benefit obtained for the class ... is the perception of class members themselves. Counsel submitted dozens of letters from class members sharing their joy, appreciation, and relief that someone finally did something to help them."

***Browne v. Am. Honda Motor Co., Inc.***, No. 09-cv-06750 (C.D. Cal.). Gibbs Law Group attorneys and co-counsel represented plaintiffs who alleged that about 750,000 Honda Accord and Acura TSX vehicles were sold with brake pads that wore out prematurely. We negotiated a settlement in which improved brake pads were made available and class members who had them installed could be reimbursed. The settlement received final court approval in July 2010 and provided an estimated value of \$25 million.

***In Re General Motors Dex-Cool Cases.***, No. HG03093843 (Cal. Super Ct. Alameda Cty). Gibbs Law Group attorneys served as co-lead counsel in these class action lawsuits filed throughout the country, where plaintiffs alleged that General Motors' Dex-Cool engine coolant damaged certain vehicles' engines, and that in other vehicles, Dex-Cool formed a rusty sludge that caused vehicles to overheat. After consumer classes were certified in both Missouri and California, General Motors agreed to cash payments to class members nationwide. On October 27, 2008, the California court granted final approval to the settlement.

***In re iPod Cases***, JCCP No. 4355 (Cal. Super. Ct. San Mateo Cty). Mr. Gibbs, as court appointed co-lead counsel, negotiated a settlement that provided warranty extensions, battery replacements, cash payments, and store credits for class members who experienced battery failure. In approving the settlement, the Hon. Beth L. Freeman said that the class was represented by "extremely well qualified" counsel who negotiated a "significant and substantial benefit" for the class members.

**Roy v. Hyundai Motor America**, No. 05-cv-00483 (C.D. Cal.). Gibbs Law Group attorneys served as co-lead counsel in this nationwide class action suit brought on behalf of Hyundai Elantra owners and lessees, alleging that an air bag system in vehicles was defective. Our attorneys helped negotiate a settlement whereby Hyundai agreed to repair the air bag systems, provide reimbursement for transportation expenses, and administer an alternative dispute resolution program for trade-ins and buy-backs. In approving the settlement, the Honorable Alicemarie H. Stotler presiding, described the settlement as “pragmatic” and a “win-win” for all involved.

**Velasco v. Chrysler Group LLC (n/k/a FCA US LLC)**, No. 2:13-cv-08080 (C.D. Cal.). In this class action, consumers alleged they were sold and leased vehicles with defective power control modules that caused vehicle stalling. Gibbs Law Group attorneys and their co-counsel defeated the majority of Chrysler’s motion to dismiss and engaged in extensive deposition and document discovery. In 2015, the parties reached a settlement contingent on Chrysler initiating a recall of hundreds of thousands of vehicles, reimbursing owners for past repairs, and extending its warranty for the repairs conducted through the recall. When he granted final settlement approval, the Honorable Dean D. Pregerson acknowledged that the case had been “hard fought” and “well-litigated by both sides.”

**Edwards v. Ford Motor Co.**, No. 11-cv-1058 (S.D. Cal.). This lawsuit alleged that Ford sold vehicles despite a known safety defect that caused them to surge into intersections, through crosswalks, and up on to curbs. The litigation twice went to the U.S. Court of Appeals for the Ninth Circuit, with plaintiff prevailing in both instances. In the first instance, the appellate court reversed the trial court’s denial of class certification. In the second, the Ninth Circuit affirmed the ruling below that plaintiff’s efforts had generated free repairs, reimbursements, and extended warranties for the class.

**Sanborn, et al. v. Nissan North America, Inc.**, No. 00:14-cv-62567 (S.D. Fla.). Gibbs Law Group litigated this action against a vigorous defense for two years, seeking relief for Nissan Altima owners whose dashboards were melting into a sticky, shiny, gooey surface that they alleged caused a substantial and dangerous glare. After largely prevailing on a motion to dismiss, Gibbs Law Group attorneys and their co-counsel prepared the case to the brink of trial, reaching a settlement just ten days before the scheduled trial start. The settlement allowed class members to obtain steeply discounted dashboard replacements and reimbursement toward prior replacement costs.

**Bacca v. BMW of N. Am.**, No. 2:06-cv-6753 (C.D. Cal.) In a class action alleging that BMW vehicles suffered from defective sub-frames, we negotiated a settlement with BMW in which class members nationwide received full reimbursement for prior sub-frame repair costs as well as free nationwide inspections and program.

## Antitrust and Unfair Business Practices

---

**In re: Wells Fargo Collateral Protection Insurance Litigation**, MDL Case No.: 8:17-ML-2797 (C.D. Cal.). Eric Gibbs and Michael Schrag were appointed to the three-firm Plaintiffs’ Steering Committee in this multi-district litigation on behalf of consumers who took out car loans from Wells Fargo and were charged for auto insurance they did not need. The parties announced a proposed settlement of at least \$393.5 million for affected consumers and the Court granted final approval in November 2019.

***In re TFT-LCD (Flat Panel) Antitrust Litigation***, MDL 1827 (N.D. Cal.). Gibbs Law Group attorneys were among the team serving as liaison counsel in this multi-district antitrust litigation against numerous TFT-LCD (Flat Panel) manufacturers alleging a conspiracy to fix prices, which has achieved settlements of more than \$400 million to date.

***In re Natural Gas Antitrust Cases I, II, III and IV***, JCCP No. 4221 (Cal. Super. Ct. San Diego Cty). Gibbs Law Group attorneys served in a leadership capacity in this coordinated antitrust litigation against numerous natural gas companies for manipulating the California natural gas market, which has achieved settlements of nearly \$160 million.

***Beaver v. Tarsadia Hotels***, No. 11-cv-1842 (S.D. Cal.); Gibbs Law Group attorneys served as co-lead counsel representing buyers of San Diego Hard Rock Hotel condominium units in this class action lawsuit against real estate developers concerning unfair competition claims. The lawsuit settled for \$51.15 million.

***LLE One, LLC et al. v. Facebook, Inc.***, No. 4:16-cv-6232 (N.D. Cal.); Gibbs Law Group attorneys represent small businesses and other advertisers in a class action lawsuit alleging that Facebook overstated its metrics for the average time spent watching video ads on its platform. The Court granted final approval to a \$40 million class action settlement on June 26, 2020.

***Hernandez v. Wells Fargo Bank, N.A.***, No. 3:18-cv-07354 (N.D. Cal.); Gibbs Law Group attorneys serve as court-appointed co-lead counsel representing a certified class of more than 1,200 home mortgage borrowers who lost their homes to foreclosure after Wells Fargo erroneously denied them trial mortgage modifications. The case settled in two phases for a total of \$40.3 million. Class members have received significant compensation payments of up to \$120,000.

***In re LookSmart Litigation***, No. 02-407778 (Cal. Super. Ct. San Francisco Cty). This nationwide class action suit was brought against LookSmart, Ltd. on behalf of LookSmart's customers who paid an advertised "one time payment" to have their web sites listed in LookSmart's directory, only to be later charged additional payments to continue service. Plaintiffs' claims included breach of contract and violation of California's consumer protection laws. On October 31, 2003, the Honorable Ronald M. Quidachay granted final approval of a nationwide class action settlement providing cash and benefits valued at approximately \$20 million.

***Lehman v. Blue Shield of California***, No. CGC-03-419349 (Cal. Super. Ct. S.F. Cty.). In this class action lawsuit alleging that Blue Shield engaged in unlawful, unfair and fraudulent business practices when it modified the risk tier structure of its individual and family health care plans, Gibbs Law Group attorneys helped negotiate a \$6.5 million settlement on behalf of former and current Blue Shield subscribers residing in California. The Honorable James L. Warren granted final approval of the settlement in March 2006.

***Wixon v. Wyndham Resort Development Corp.***, No. 07-cv-02361 (N.D. Cal.). Gibbs Law Group attorneys served as class and derivative counsel in this litigation brought against a timeshare developer and the directors of a timeshare corporation for violations of California state law. Plaintiffs alleged that the defendants violated their fiduciary duties as directors by taking actions for the financial benefit of the timeshare developer to the detriment of the owners of timeshare interests. On September 14, 2010, Judge White granted approval of a settlement of the plaintiffs' derivative claims.

***Berrien, et al. v. New Raintree Resorts, LLC, et al.***, No. 10-cv-03125 (N.D. Cal.). Gibbs Law Group attorneys filed this class action on behalf of timeshare owners, challenging the imposition of unauthorized special assessment fees. On November 15, 2011, the parties reached a proposed settlement of

the claims asserted by the plaintiffs on behalf of all class members who were charged the special assessment. On March 13, 2012, the Court issued its Final Class Action Settlement Approval Order and Judgment, approving the proposed settlement.

***Benedict, et al. v. Diamond Resorts Corporation, et al.***, No. 12-cv-00183 (D. Hawaii). In this class action on behalf of timeshare owners, Gibbs Law Group attorneys represented plaintiffs challenging the imposition of an unauthorized special assessment fee. On November 6, 2012, the parties reached a proposed settlement of the claims asserted by the plaintiffs on behalf of all class members who were charged the special assessment. On June 6, 2013, the Court approved the settlement.

***Allen Lund Co., Inc. v. AT&T Corp.***, No. 98-cv-1500 (C.D. Cal.). This class action lawsuit was brought on behalf of small businesses whose long-distance service was switched to Business Discount Plan, Inc. Gibbs Law Group attorneys served as class counsel and helped negotiate a settlement that provided full cash refunds and free long-distance telephone service.

***Mackouse v. The Good Guys - California, Inc.***, No. 2002-049656 (Cal. Super Ct. Alameda Cty). This nationwide class action lawsuit was brought against The Good Guys and its affiliates alleging violations of the Song-Beverly Warranty Act and other California consumer statutes. The Plaintiff alleged that The Good Guys failed to honor its service contracts, which were offered for sale to customers and designed to protect a customer's purchase after the manufacturer's warranty expired. In May 9, 2003, the Honorable Ronald M. Sabraw granted final approval of a settlement that provides cash refunds or services at the customer's election.

***Mitchell v. Acosta Sales, LLC***, No. 11-cv-01796 (C.D. Cal. 2011). Gibbs Law Group attorneys and co-counsel served as class counsel representing Acosta employees who alleged that they were required to work off-the-clock and were not reimbursed for required employment expenses. We helped negotiate a \$9.9 million settlement for merchandiser employees who were not paid for all the hours they worked. The Court granted final approval of the settlement in September 2013.

***Rubaker v. Spansion, LLC***, No. 09-cv-00842 (N.D. Cal. 2009). Gibbs Law Group attorneys and co-counsel filed a class action lawsuit on behalf of former Spansion employees that alleged that the company had failed to provide terminated employees from California and Texas with advance notice of the layoff, as required by the Workers Adjustment and Retraining Notification Act (WARN Act). The bankruptcy court approved the class action settlement we and co-counsel negotiated in 2010. The settlement was valued at \$8.6 million and resulted in cash payments to the former employees.

## Securities and Financial Fraud

---

***Deora v. NantHealth***, No. 2:17-cv-1825 (C.D. Cal.) – Gibbs Law Group serves as Co-lead Counsel for certified classes of investors in litigation alleging violations of federal securities laws related to the healthcare technology company's statements in connections with its initial public offering in 2016 and afterward. In September 2020, the Court granted final approval to a \$16.5 million class action settlement.

***In re Peregrine Financial Group Customer Litigation***, No. 12-cv-5546 (N.D. Ill.). Mr. Stein was among the attorneys serving as co-lead counsel for futures and commodities investors who lost millions of dollars in the collapse of Peregrine Financial Group, Inc. Through several years of litigation, counsel helped deliver settlements worth more than \$75 million from U.S. Bank, N.A., and JPMorgan Chase Bank, N.A.



***In re Chase Bank USA, N.A. "Check Loan" Contract Litigation***, No. 09-2032 (N.D. Cal.). Gibbs Law Group attorneys and counsel from several firms led this nationwide class action lawsuit alleging deceptive marketing and loan practices by Chase Bank USA, N.A. After a nationwide class was certified, U.S. District Court Judge Maxine M. Chesney granted final approval of a \$100 million settlement on behalf of Chase cardholders.

***Mitchell v. American Fair Credit Association***, No. 785811-2 (Cal. Super. Ct. Alameda Cty); ***Mitchell v. Bankfirst, N.A.***, No. 97-cv-01421 (N.D. Cal.). This class action lawsuit was brought on behalf of California members of the American Fair Credit Association (AFCA). Plaintiffs alleged that AFCA operated an illegal credit repair scheme. The Honorable James Richman certified the class and appointed the firm as class counsel. In February 2003, Judge Ronald Sabraw of the Alameda County Superior Court and Judge Maxine Chesney of the U.S. District Court for the Northern District of California granted final approval of settlements valued at over \$40 million.

## Data Breach and Privacy

---

***In re Equifax, Inc. Customer Data Security Breach Litig.***, MDL No. 2800, No. 1:17-md-2800 (N.D. Ga.) Gibbs Law Group attorneys serve on the Plaintiffs' Executive Committee in this nationwide class action stemming from a 2017 data breach that exposed social security numbers, birth dates, addresses, and in some cases, credit card numbers of more than 147 million consumers. On January 13, 2020, the Court granted final approval to a settlement valued at \$1.5 billion. Gibbs Law Group attorneys played an integral role in negotiating key business practice changes, including overhauling Equifax's handling of consumers' personal information and data security.

***In re Anthem, Inc. Data Breach Litig.***, MDL No. 2617, No. 15-md-02617 (N.D. Cal.). Gibbs Law Group attorneys serve as part of the four-firm leadership team in this nationwide class action stemming from the largest healthcare data breach in history affecting approximately 80 million people. On August 15, 2018, the Court granted final approval to a \$115 million cash settlement.

***In re: Vizio, Inc. Consumer Privacy Litigation***, MDL No. 8:16-ml-02963 (C.D. Cal.). Gibbs Law Group attorneys are co-lead counsel in this multi-district lawsuit alleging that Vizio collected and sold data about consumers' television viewing habits and their digital identities to advertisers without consumers' knowledge or consent. Counsel achieved an important ruling on the application of the Video Privacy Protection Act (VPPA), a 1988 federal privacy law, which had never been extended to television manufacturers. The firm negotiated a settlement providing for class-wide injunctive relief transforming the company's data collection practices, as well as a \$17 million fund to compensate consumers who were affected. In granting preliminary approval, Judge Josephine Staton stated, "I'm glad I appointed all of you as lead counsel, because -- it probably is the best set of papers I've had on preliminary approval." She also noted "[E]very class member will benefit from the injunctive relief." On July 31, 2019, the Court granted final approval of the settlement.

***In re Adobe Systems Inc. Privacy Litig.***, No. 13-cv-05226 (N.D. Cal.). In this nationwide class action stemming from a 2013 data breach, attorneys from Gibbs Law Group served as lead counsel on behalf of the millions of potentially affected consumers. Counsel achieved a landmark ruling on Article III standing (which has since been relied upon by the Seventh Circuit Court of Appeals and other courts) and then went on to negotiate a settlement requiring Adobe to provide enhanced security relief—including the implementation and maintenance of enhanced intrusion detection, network segmentation, and encryption.



*Whitaker v. Health Net of Cal., Inc., et al.*, No. 11-cv-00910 (E.D. Cal.); *Shurtleff v. Health Net of Cal., Inc.*, No. 34-2012-00121600 (Cal. Super Ct. Sacramento Cty). Gibbs Law Group attorneys served as co-lead counsel in this patient privacy case. On June 24, 2014, the court granted final approval of a settlement that provided class members with credit monitoring, established a \$2 million fund to reimburse consumers for related identity theft incidents, and instituted material upgrades to and monitoring of Health Net’s information security protocols.

*Smith v. Regents of the University of California, San Francisco*, No. RG-08-410004 (Cal. Super Ct. Alameda Cty). Gibbs Law Group attorneys represented a patient who alleged that UCSF’s disclosure of its patients’ medical data to outside vendors violated California medical privacy law. The firm succeeded in negotiating improvements to UCSF’s privacy procedures on behalf of a certified class of patients of the UCSF medical center. In approving the stipulated permanent injunction, Judge Stephen Brick found that “plaintiff Smith has achieved a substantial benefit to the entire class and the public at large.”

## Mass Tort

---

*In re Actos Pioglitazone-Products Liability Litigation*, No. 6:11-md-2299 (W.D. La.). Gibbs Law Group partners represented individuals who were diagnosed with bladder cancer after taking the oral diabetic drug Actos. The federal litigation resulted in a \$2.37 billion settlement.

*In re Yasmin and Yaz (Drospirenone) Marketing, Sales, Practices and Products Liability Litigation*, MDL No. 2385, No. 3:09- md-02100 (S.D. Ill.). Gibbs Law Group attorneys represented women throughout the country who suffered serious side effects after taking Yaz, Yasmin and Ocella birth control. The federal litigation resulted in settlements worth approximately \$1.6 billion.

*In re Pradaxa (Dabigatran Etexilate) Products Liability Litigation*, MDL No. 2385, No. 3:12-md-02385 (S.D. Ill.), Gibbs Law Group attorneys represented patients who suffered irreversible internal bleeding after taking Pradaxa blood thinners. Lawsuit resolved for settlements of approximately \$650 million.

*In re: Sulzer Hip Prosthesis And Knew Prosthesis Liability Litigation*, MDL No. 1401 (N.D. Ohio); Cal. JCCP No. 4165 (Cal. Super. Court, Alameda Cty). Mr. Schrag helped recover over \$10 million on behalf of his clients in this multidistrict litigation.

## Sexual Assault Litigation

---

*A.B. v. Regents of the University of California* No. 2:20-cv-9555 (C.D. Cal.) – Gibbs Law Group represents former patients of UCLA OB-GYN Dr. James Heaps in a class action lawsuit alleging assault, abuse and harassment violations, and accusing UCLA of failing to protect patients after first becoming aware of the doctor’s misconduct. In November 2020, the parties announced a settlement, which will provide \$73 million in compensation to former patients of Dr. Heaps, as well as requiring a series of business practice reforms by UCLA for better handling of sexual assault investigations and practices going forward. Settlement approval is pending.

## Government Reform

---

*Paeste v. Government of Guam*, No. 11-cv-0008 (D. Guam); Gibbs Law Group attorneys and co-counsel served as Class Counsel in litigation alleging the Government of Guam had a longstanding practice of delaying tax refunds for years on end, with the Government owing over \$200 million in past due refunds. After certifying a litigation class, Plaintiffs prevailed on both of their claims at the summary judgment stage, obtaining a permanent injunction that reformed the government's administration of tax refunds. The judgment and injunction were upheld on appeal in a published decision by the Ninth Circuit. *Paeste v. Gov't of Guam*, 798 F.3d 1228 (9th Cir. 2015).

# **EXHIBIT 2**

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

12 *Attorneys for Plaintiffs*

14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF ADAM  
PLUSKOWSKI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C

1 I, ADAM PLUSKOWSKI, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Sugar Grove, Illinois. I purchased my 2015 Kia  
10 Sportage, VIN number KNDPBCAC6F7738789, in February 2015.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Kia Sportage  
17 could catch fire due to the ABS defect. I was also concerned about the misleading  
18 nature of Defendants' conduct in selling vehicles containing the hidden and  
19 dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27 settlement, and the consolidation of cases. I have invested a lot of time and energy  
28

1 into this lawsuit. Over the course of the litigation I had many conversations with my  
2 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
3 settlement. I searched for and provided information to help with the complaint. As a  
4 Kia vehicle owner, I was able to describe my experience purchasing my vehicle, the  
5 research I undertook before I bought my vehicle, and my experience learning about the  
6 ABS defect. I understand that these conversations, explanations, and information I  
7 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
8 meaningful ways with the complaint and discussions with the Defendants.

9       8. Altogether, I would estimate that I have expended approximately 8 to 10  
10 hours participating in and helping to oversee this litigation on behalf of the Class. In  
11 addition to the above, this work required me to review the complaint and review the  
12 settlement agreement in order to ensure that I fully understood its terms and the  
13 benefits provided to class members.

14       9. I still possess my Class Vehicle. I have had the recall remedy performed  
15 and I intend to enjoy the benefits of the extended warranty provided under the  
16 settlement.

17       10. I believe the settlement is a good settlement and I would recommend that  
18 the Court approve it because I believe that this settlement is fair and provides  
19 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
20 imposed on me, I am glad that I had the opportunity to represent the Class in this  
21 lawsuit and that I was able to recover a valuable a settlement for the Class.

22       11. I have observed my attorneys' work throughout this case. Throughout  
23 the process, my attorneys have been diligent in their work, highly professional, and  
24 addressed all of my needs and concerns in the litigation.

25       12. When I decided to file a class action, I understood that I had a  
26 responsibility to the Class. I was also aware that my name would be affiliated with  
27 the publicly-filed lawsuit, and that anyone might find my name associated with a  
28



1 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
2 lawsuit, I felt that it was important to bring the case because of the serious nature of  
3 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
4 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
5 purchased vehicles containing dangerous defects.

6 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
7 owners was not an easy decision.

8 14. For my time and contribution, I respectfully request that the Court award  
9 me a \$2,500 service payment. I believe that my involvement in this case helped  
10 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
11 provided substantive value to other Hyundai and Kia owners.

12 \* \* \*

13 I declare under penalty of perjury under the laws of the United States of  
14 America that the foregoing facts are true and correct.

15  
16 Executed on 03 / 15 / ..., in Sugar Grove, IL.

17 *Adam Pluskowski*

18 ADAM PLUSKOWSKI

# **EXHIBIT 3**

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

12 *Attorneys for Plaintiffs*

14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF RICKY  
BARBER IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C

1 I, RICKY BARBER, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Rockford, Illinois. I purchased my 2021 Kia Sportage,  
10 VIN number KNDPMCAC1M7942293, in April 2021.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Kia Sportage  
17 could catch fire due to the ABS defect. I was also concerned about the misleading  
18 nature of Defendants' conduct in selling vehicles containing the hidden and  
19 dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27 settlement, and the consolidation of cases. I have invested a lot of time and energy  
28

1 into this lawsuit. Over the course of the litigation I had many conversations with my  
2 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
3 settlement. I searched for and provided information to help with the complaint. As a  
4 Kia vehicle owner, I was able to describe my experience purchasing my vehicle, the  
5 research I undertook before I bought my vehicle, and my experience learning about the  
6 ABS defect. I understand that these conversations, explanations, and information I  
7 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
8 meaningful ways with the complaint and discussions with the Defendants.

9       8. Altogether, I would estimate that I have expended approximately 8 to 10  
10 hours participating in and helping to oversee this litigation on behalf of the Class. In  
11 addition to the above, this work required me to review the complaint and review the  
12 settlement agreement in order to ensure that I fully understood its terms and the  
13 benefits provided to class members.

14       9. I still possess my Class Vehicle and I intend to enjoy the benefits of the  
15 extended warranty provided under the settlement.

16       10. I believe the settlement is a good settlement and I would recommend that  
17 the Court approve it because I believe that this settlement is fair and provides  
18 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
19 imposed on me, I am glad that I had the opportunity to represent the Class in this  
20 lawsuit and that I was able to recover a valuable a settlement for the Class.

21       11. I have observed my attorneys' work throughout this case. Throughout  
22 the process, my attorneys have been diligent in their work, highly professional, and  
23 addressed all of my needs and concerns in the litigation.

24       12. When I decided to file a class action, I understood that I had a  
25 responsibility to the Class. I was also aware that my name would be affiliated with  
26 the publicly-filed lawsuit, and that anyone might find my name associated with a  
27 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
28

1 lawsuit, I felt that it was important to bring the case because of the serious nature of  
2 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
3 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
4 purchased vehicles containing dangerous defects.

5 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
6 owners was not an easy decision.

7 14. For my time and contribution, I respectfully request that the Court award  
8 me a \$2,500 service payment. I believe that my involvement in this case helped  
9 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
10 provided substantive value to other Hyundai and Kia owners.

11 \* \* \*

12 I declare under penalty of perjury under the laws of the United States of  
13 America that the foregoing facts are true and correct.

14 Executed on 03 / 03 / 20..., in Rockford, IL.

15 *Ricky Barber*  
16 \_\_\_\_\_  
17 **RICKY BARBER**

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



# **EXHIBIT 4**

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

12 *Attorneys for Plaintiffs*

14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE  
**DECLARATION OF LUCILLE  
JACOB IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C

1 I, LUCILLE JACOB, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Mahwah, New Jersey. I purchased my 2017 Hyundai  
10 Santa Fe Sport, VIN number SNMZVDLBXHH034152, in March 2017.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Hyundai Santa  
17 Fe Sport could catch fire due to the ABS defect. I was also concerned about the  
18 misleading nature of Defendants' conduct in selling vehicles containing the hidden  
19 and dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27 settlement, and the consolidation of cases. I have invested a lot of time and energy  
28

1 into this lawsuit. Over the course of the litigation I had many conversations with my  
2 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
3 settlement. I searched for and provided information to help with the complaint. As a  
4 Hyundai vehicle owner, I was able to describe my experience purchasing my vehicle, the  
5 research I undertook before I bought my vehicle, and my experience learning about the  
6 ABS defect. I understand that these conversations, explanations, and information I  
7 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
8 meaningful ways with the complaint and discussions with the Defendants.

9       8. Altogether, I would estimate that I have expended approximately 8 to 10  
10 hours participating in and helping to oversee this litigation on behalf of the Class. In  
11 addition to the above, this work required me to review the complaint and review the  
12 settlement agreement in order to ensure that I fully understood its terms and the  
13 benefits provided to class members.

14       9. I still possess my Class Vehicle. I have had the recall remedy performed  
15 and I intend to enjoy the benefits of the extended warranty provided under the  
16 settlement.

17       10. I believe the settlement is a good settlement and I would recommend that  
18 the Court approve it because I believe that this settlement is fair and provides  
19 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
20 imposed on me, I am glad that I had the opportunity to represent the Class in this  
21 lawsuit and that I was able to recover a valuable a settlement for the Class.

22       11. I have observed my attorneys' work throughout this case. Throughout  
23 the process, my attorneys have been diligent in their work, highly professional, and  
24 addressed all of my needs and concerns in the litigation.

25       12. When I decided to file a class action, I understood that I had a  
26 responsibility to the Class. I was also aware that my name would be affiliated with  
27 the publicly-filed lawsuit, and that anyone might find my name associated with a  
28

1 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
2 lawsuit, I felt that it was important to bring the case because of the serious nature of  
3 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
4 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
5 purchased vehicles containing dangerous defects.

6 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
7 owners was not an easy decision.

8 14. For my time and contribution, I respectfully request that the Court award  
9 me a \$2,500 service payment. I believe that my involvement in this case helped  
10 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
11 provided substantive value to other Hyundai and Kia owners.

12 \* \* \*

13 I declare under penalty of perjury under the laws of the United States of  
14 America that the foregoing facts are true and correct.

15  
16 Executed on 03 / 17 / ..., in Mahwah, New Jersey.

17 *Lucille Jacob*

18 **LUCILLE JACOB**

# **EXHIBIT 5**



1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF CARLA WARD  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C

1 I, CARLA WARD, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Menifee, California. I purchased my 2020 Hyundai  
10 Tucson, VIN number KM8J33A46LU172508, in October 2020.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Hyundai  
17 Tucson could catch fire due to the ABS defect. I was also concerned about the  
18 misleading nature of Defendants' conduct in selling vehicles containing the hidden  
19 and dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27  
28

1 settlement, and the consolidation of cases. I have invested a lot of time and energy  
2 into this lawsuit. Over the course of the litigation I had many conversations with my  
3 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
4 settlement. I searched for and provided information to help with the complaint. As a  
5 Hyundai vehicle owner, I was able to describe my experience purchasing my vehicle, the  
6 research I undertook before I bought my vehicle, and my experience learning about the  
7 ABS defect. I understand that these conversations, explanations, and information I  
8 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
9 meaningful ways with the complaint and discussions with the Defendants.

10 8. Altogether, I would estimate that I have expended approximately 8 hours  
11 participating in and helping to oversee this litigation on behalf of the Class. In  
12 addition to the above, this work required me to review the complaint and review the  
13 settlement agreement in order to ensure that I fully understood its terms and the  
14 benefits provided to class members.

15 9. I still possess my Class Vehicle. I have had the recall remedy performed  
16 and I intend to enjoy the benefits of the extended warranty provided under the  
17 settlement.

18 10. I believe the settlement is a good settlement and I would recommend that  
19 the Court approve it because I believe that this settlement is fair and provides  
20 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
21 imposed on me, I am glad that I had the opportunity to represent the Class in this  
22 lawsuit and that I was able to recover a valuable a settlement for the Class.

23 11. I have observed my attorneys' work throughout this case. Throughout  
24 the process, my attorneys have been diligent in their work, highly professional, and  
25 addressed all of my needs and concerns in the litigation.

26 12. When I decided to file a class action, I understood that I had a  
27 responsibility to the Class. I was also aware that my name would be affiliated with  
28

1 the publicly-filed lawsuit, and that anyone might find my name associated with a  
2 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
3 lawsuit, I felt that it was important to bring the case because of the serious nature of  
4 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
5 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
6 purchased vehicles containing dangerous defects.

7 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
8 owners was not an easy decision.

9 14. For my time and contribution, I respectfully request that the Court award  
10 me a \$2,500 service payment. I believe that my involvement in this case helped  
11 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
12 provided substantive value to other Hyundai and Kia owners.

13 \* \* \*

14 I declare under penalty of perjury under the laws of the United States of  
15 America that the foregoing facts are true and correct.

16  
17 Executed on 03 / 14 / 2023, in Menifee, CA.

18 *Carla Ward*

19 \_\_\_\_\_  
20 **CARLA WARD**

# **EXHIBIT 6**

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF PEPPER  
MILLER IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C



1 I, PEPPER MILLER, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Tomball, Texas. I purchased my 2018 Hyundai  
10 Genesis G80, VIN number KMHGN4JB4JU223574, in November 2017.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Hyundai  
17 Genesis G80 could catch fire due to the ABS defect. I was also concerned about the  
18 misleading nature of Defendants' conduct in selling vehicles containing the hidden  
19 and dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27 settlement, and the consolidation of cases. I have invested a lot of time and energy  
28

1 into this lawsuit. Over the course of the litigation I had many conversations with my  
2 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
3 settlement. I searched for and provided information to help with the complaint. As a  
4 Hyundai vehicle owner, I was able to describe my experience purchasing my vehicle, the  
5 research I undertook before I bought my vehicle, and my experience learning about the  
6 ABS defect. I understand that these conversations, explanations, and information I  
7 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
8 meaningful ways with the complaint and discussions with the Defendants.

9       8. Altogether, I would estimate that I have expended approximately 12 to  
10 14 hours participating in and helping to oversee this litigation on behalf of the Class.  
11 In addition to the above, this work required me to review the complaint and review  
12 the settlement agreement in order to ensure that I fully understood its terms and the  
13 benefits provided to class members.

14       9. I still possess my Class Vehicle and I intend to enjoy the benefits of the  
15 extended warranty provided under the settlement.

16       10. I believe the settlement is a good settlement and I would recommend that  
17 the Court approve it because I believe that this settlement is fair and provides  
18 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
19 imposed on me, I am glad that I had the opportunity to represent the Class in this  
20 lawsuit and that I was able to recover a valuable a settlement for the Class.

21       11. I have observed my attorneys' work throughout this case. Throughout  
22 the process, my attorneys have been diligent in their work, highly professional, and  
23 addressed all of my needs and concerns in the litigation.

24       12. When I decided to file a class action, I understood that I had a  
25 responsibility to the Class. I was also aware that my name would be affiliated with  
26 the publicly-filed lawsuit, and that anyone might find my name associated with a  
27 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
28

1 lawsuit, I felt that it was important to bring the case because of the serious nature of  
2 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
3 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
4 purchased vehicles containing dangerous defects.

5 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
6 owners was not an easy decision.

7 14. For my time and contribution, I respectfully request that the Court award  
8 me a \$2,500 service payment. I believe that my involvement in this case helped  
9 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
10 provided substantive value to other Hyundai and Kia owners.

11 \* \* \*

12 I declare under penalty of perjury under the laws of the United States of  
13 America that the foregoing facts are true and correct.

14 Executed on 03 / 16 / 2023, in Tomball, TX.

15 *Pepper Miller*  
16 \_\_\_\_\_  
17 PEPPER MILLER

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT 7**

1 ELIZABETH A. FEGAN (*pro hac vice*)  
2 beth@feganscott.com  
3 FEGAN SCOTT LLC  
4 150 S. Wacker Dr., 24th Floor  
5 Chicago, IL 60606  
6 Telephone: 312.741.1019  
7 Facsimile: 312.264.0100

Steve W. Berman (*pro hac vice*)  
steve@hbsslaw.com  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

7 Rosemary M. Rivas (SBN 209147)  
8 rmr@classlawgroup.com  
9 GIBBS LAW GROUP LLP  
10 1111 Broadway, Suite 2100  
11 Oakland, California 94607  
12 Telephone:(510) 350-9700  
13 Facsimile: (510) 350-9701

14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

16 RAMTIN ZAKIKHANI, et al.,  
17  
18 Plaintiffs,  
19 v.  
20 HYUNDAI MOTOR COMPANY, et al.,  
21  
22 Defendants.

Case No.: 8:20-cv-01584-SB-JDE

**DECLARATION OF CINDY BRADY  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.  
Date: April 21, 2023  
Time: 8:30 a.m.  
Courtroom: 6C

1 I, CINDY BRADY, declare as follows,

2 1. I have personal knowledge of the facts set forth in this declaration and  
3 could and would competently testify to them under oath if called as a witness.

4 2. I am one of the named Plaintiffs in the above-captioned action and  
5 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class  
6 Action Settlement. I believe that I have provided meaningful assistance to Class  
7 Counsel during the course of this case, and I hope that the Court will approve my  
8 request of a \$2,500 service payment as a Class Representative.

9 3. I am a resident of Portland, Texas. I purchased my 2019 Kia Sportage,  
10 VIN number KNDPM3AC5K7516605, in July 2020.

11 4. I joined this lawsuit as a plaintiff on April 15, 2022 in the action titled  
12 *Pluskowski, et al. v. Hyundai Motor America, et al.*, Case No. 8:22-cv-00824-SB-JDE  
13 ("*Pluskowski*"). On September 2, 2022, the Court ordered the *Pluskowski* action  
14 consolidated with the instant action.

15 5. I joined this lawsuit because I was concerned about the safety risks  
16 created by the Anti-lock Braking System ("ABS") defect and that my Kia Sportage  
17 could catch fire due to the ABS defect. I was also concerned about the misleading  
18 nature of Defendants' conduct in selling vehicles containing the hidden and  
19 dangerous ABS defect.

20 6. In filing the lawsuit, I hoped that Defendants would accept responsibility  
21 for the ABS defect, implement a solution to protect all affected vehicle owners and  
22 compensate owners for harm they suffered as a result of Defendants' actions with  
23 respect to the ABS defect.

24 7. Since becoming involved, I have been kept fully informed of case  
25 developments and procedural matters over the course of the case, including regular  
26 correspondence with my lawyers at Gibbs Law Group LLP concerning the complaint,  
27 settlement, and the consolidation of cases. I have invested a lot of time and energy  
28



1 into this lawsuit. Over the course of the litigation I had many conversations with my  
2 attorneys regarding the ABS defect, the claims alleged in the action, and eventually, the  
3 settlement. I searched for and provided information to help with the complaint. As a  
4 Kia vehicle owner, I was able to describe my experience purchasing my vehicle, the  
5 research I undertook before I bought my vehicle, and my experience learning about the  
6 ABS defect. I understand that these conversations, explanations, and information I  
7 provided, helped my attorneys in prosecuting the lawsuit and assisted them in  
8 meaningful ways with the complaint and discussions with the Defendants.

9       8. Altogether, I would estimate that I have expended approximately 8 to 10  
10 hours participating in and helping to oversee this litigation on behalf of the Class. In  
11 addition to the above, this work required me to review the complaint and review the  
12 settlement agreement in order to ensure that I fully understood its terms and the  
13 benefits provided to class members.

14       9. I still possess my Class Vehicle. I have had the recall remedy performed  
15 and I intend to enjoy the benefits of the extended warranty provided under the  
16 settlement.

17       10. I believe the settlement is a good settlement and I would recommend that  
18 the Court approve it because I believe that this settlement is fair and provides  
19 appropriate relief for my claims relating to the ABS defect. Despite the burdens it  
20 imposed on me, I am glad that I had the opportunity to represent the Class in this  
21 lawsuit and that I was able to recover a valuable a settlement for the Class.

22       11. I have observed my attorneys' work throughout this case. Throughout  
23 the process, my attorneys have been diligent in their work, highly professional, and  
24 addressed all of my needs and concerns in the litigation.

25       12. When I decided to file a class action, I understood that I had a  
26 responsibility to the Class. I was also aware that my name would be affiliated with  
27 the publicly-filed lawsuit, and that anyone might find my name associated with a  
28

1 lawsuit through a simple internet search. Despite the risk of publicity surrounding the  
2 lawsuit, I felt that it was important to bring the case because of the serious nature of  
3 the dangerous ABS defect. I felt that something had to be done to fix the defect, and  
4 to provide benefits to all affected Hyundai or Kia owners who unknowingly  
5 purchased vehicles containing dangerous defects.

6 13. Bringing this lawsuit and standing up for my fellow Hyundai and Kia  
7 owners was not an easy decision.

8 14. For my time and contribution, I respectfully request that the Court award  
9 me a \$2,500 service payment. I believe that my involvement in this case helped  
10 motivate Hyundai and Kia to create a solution for the dangerous ABS defect, and also  
11 provided substantive value to other Hyundai and Kia owners.

12 \* \* \*

13 I declare under penalty of perjury under the laws of the United States of  
14 America that the foregoing facts are true and correct.

15

16 Executed on 03 / 13 / ..., in Portland, TX.

17

*Cindy Brady*

18

CINDY BRADY

19

20

21

22

23

24

25

26

27

28