

**IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO**

COLTON MCCLINTOCK, TANNER WOLCOTT, and ALICIA WOLCOTT, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

ELYRIA FOUNDRY HOLDINGS, LLC,
and ELYRIA FOUNDRY COMPANY LLC,

Defendants.

Case No. 24-cv-214017

Judge: Honorable Judge Rothgery

**JOINT DECLARATION OF SETTLEMENT CLASS COUNSEL IN
SUPPORT OF PLAINTIFFS' UNOPPOSED MOTION FOR ATTORNEYS'
FEES, LITIGATION COSTS, AND SERVICE AWARDS**

We, Cassandra Miller and Leigh Montgomery, declare under penalty of perjury:

1. We are counsel for Plaintiffs Colton McClintock, Tanner Wolcott, and Alicia Wolcott in the above-captioned case. This declaration supports Plaintiffs' Unopposed Motion for Attorneys' Fees, Litigation Costs, and Service Awards. We have personal knowledge of the facts in this declaration and could testify to them if called on to do so.

COUNSEL'S QUALIFICATIONS

Strauss Borrelli PLLC

2. Strauss Borrelli PLLC is a law firm in Chicago, Illinois, that focuses on complex civil and commercial litigation with an emphasis on consumer protection and data breach litigation.

3. Cassandra P. Miller of Strauss Borrelli has extensive leadership in complex data privacy litigation. She and her colleagues have prosecuted hundreds of data breach class action matters—including cases involving millions of affected individuals—which underscores the firm's deep experience and proven ability to successfully manage and resolve high-impact class actions. Additional information regarding the firm's qualifications and representative matters is set forth in the firm resume, attached as **Exhibit 1**.

Ellzey, Kherkher, Sanford & Montgomery, LLP

4. EKSM, LLP is a law firm in Houston, Texas that specializes in handling consumer and other plaintiffs' side matters including data breach class actions, employment class actions, anticompetitive healthcare price-fixing schemes, and catastrophic personal injuries.

5. Leigh S. Montgomery has over sixteen years of plaintiff's litigation and trial experience, including substantial experience in the class action and appellate contexts. She is a founding member of EKSM, LLP and co-leads the litigation section of the firm. Ms. Montgomery has extensive class action litigation experience, including in class certification briefing, trial and appeal. Additional information regarding EKSM's qualifications and representative matters is set forth in the firm resume, attached as **Exhibit 2**.

CONTINGENT NATURE OF THE ACTION

6. Our firms took on this case on a purely contingent basis.

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

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

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

10. Litigation is inherently unpredictable and risky. Therefore, despite our devotion to the case and our confidence in the claims alleged against Defendant, there were many factors that posed significant risks.

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

LODESTAR, FEES, AND EXPENSES

12. The regular practice at each of our firms is to maintain contemporaneous time records.

13. We set our rates for attorneys and staff members based on a variety of factors, including, among others: the experience, skill, and sophistication required for the types of legal services typically performed; the rates customarily charged in similar matters; and the experience, reputation, and ability of the attorneys and staff members.

14. Our firms have worked a combined total of 138.1 hours in this case, resulting in a combined lodestar of \$98,209.50 (see below for a detailed breakdown by firm and timekeeper). The requested fee and expense award of \$193,000.00 thus represents a 1.97 multiplier of Class Counsel's current lodestar. In addition, we incurred reasonable litigation expenses of \$13,376.87.

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

16. Upon request, we can provide detailed contemporaneous records to the Court for review.

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

Strauss Borrelli's Lodestar and Billing Rates

18. Strauss Borrelli PLLC has worked a total of 93 hours on this case, incurring a lodestar of \$61,877.50.

19. The following chart details the time each attorney and staff member from Strauss Borrelli worked on this case and their contribution to Strauss Borrelli's total lodestar:

Strauss Borrelli Timekeeper	Position	Hourly Rate	Hours	Lodestar
Samuel Strauss	Partner	800.00	13.6	10,880.00
Raina Borrelli	Partner	800.00	3.4	2,720.00
Cassandra Miller	Partner	725.00	39.30	28,4925
Andrew Gunem	Associate	550.00	8.8	4,840.00
Sarah Soleiman	Associate	550.00	26.8	14,740.00
Min Ro	Paralegal	200.00	0.8	160.00
John Erickson	Legal Assistant	150.00	0.3	45.00
TOTAL:			93	\$61,877.50

20. The lodestar reported in this declaration is reasonable, particularly given the need to match the thorough and high-quality legal work performed by Defendant's sophisticated counsel. Upon request by the Court, we would submit Strauss Borrelli's contemporaneous billing records from this action *in camera*.

21. Strauss Borrelli maintains contemporaneous records regarding costs expended on each case in the ordinary course of business. Specifically, those costs break down as follows.

Category	Total
Postage	141.26
Mediation Fees	12,000.00
Legal Research	195.00
Filing Fees	500.00
TOTAL:	12,836.26

22. All of those costs were reasonably necessary for Strauss Borrelli to litigate this case effectively. If requested from the Court, we would submit documentation of those expenses *in camera*.

ESKM's Lodestar, Billing Rates, and Costs

23. All of the work that ESKM undertakes is on a contingency fee basis. ESKM expended significant costs, and a great deal of time that could have been spent on other fee-generating matters, in litigating this action. Throughout the case, ESKM ran the risk of not realizing any monetary gain in the event of an adverse result. There was nothing theoretical about this risk. Class actions are challenging cases and plaintiffs frequently lose them outright. ESKM's experience has been no different.

24. ESKM sets its rates for attorneys and staff members based on a variety of factors, including, among others: the experience, skill, and sophistication required for the types of legal services typically performed; the rates customarily charged in similar matters; and the experience, reputation, and ability of the attorneys and staff members.

25. The following chart details the time each attorney and staff member from ESKM worked on this case and their contribution to ESKM's total lodestar:

ESKM Timekeeper	Position	Hourly Rate	Hours	Lodestar
Jarrett Ellzey	Partner	950.00	3.5	3,325.00
Leigh Montgomery	Partner	950.00	17.5	16,625.00
Sean Short	Associate	650.00	6.9	4,485.00
Steve Rauls	Associate	650.00	5.6	3,640.00
Alice Newlin	Senior Paralegal	160.00	10.2	1,632.00
Raya Jacob	Legal Assistant	150.00	1.48	222.00
TOTAL:			45.18	\$29,929.00

26. The lodestar reported in this declaration is reasonable, particularly given the need to match the thorough and high-quality legal work performed by

Defendant's sophisticated counsel. Upon request by the Court, we would submit ESKM's contemporaneous billing records from this action *in camera*.

27. ESKM maintains contemporaneous records regarding costs expended on each case in the ordinary course of business, which are prepared from expense vouchers and check and credit card records. Specifically, those costs break down as follows.

Category	Total
E-filing and service	\$537.61
Pacer	\$3.00
TOTAL:	\$540.61

28. All of those costs were reasonably necessary for ESKM to litigate this case effectively. If requested from the Court, we would submit documentation of those expenses *in camera*.

Local Counsel Contributions

29. Barkan Meizlish DeRose Cox, LLP, through partner Bob DeRose, served as local counsel in this matter and provided essential support throughout the litigation. Mr. DeRose's involvement included advising on Ohio procedural requirements, ensuring compliance with all local rules and filing practices, coordinating with the Court as needed, reviewing and contributing to case filings, and consulting on strategy from the perspective of experienced Ohio counsel. His participation was integral to the efficient prosecution of the case and to avoiding procedural delays or deficiencies.

30. Barkan Meizlish DeRose Cox, LLP reasonably incurred \$6,403.00 in attorney time for these services, all of which was necessary to the advancement of the

litigation and contributed directly to the successful resolution achieved for the Settlement Class.

CONTRIBUTIONS OF THE CLASS REPRESENTATIVES

31. Plaintiffs Colton McClintock, Tanner Wolcott, and Alicia Wolcott have invested considerable time into litigating this case.

32. Specifically, they spent time investigating their potential claims, reviewing the complaints and other pleadings in this action, evaluating the settlement agreement, and remaining apprised of the status of the litigation.

33. Without the Class Representatives' efforts, the result achieved in this case would not have been possible.

Executed on December 11, 2025 in Chicago, Illinois.

/s/ Cassandra P. Miller

Cassandra P. Miller

Executed on December 11, 2025 in Houston, TX.

/s/Leigh Montgomery

Leigh Montgomery

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EXHIBIT 1

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Our Firm

Strauss Borrelli PLLC is a premier civil litigation team focused on representing groups of individuals who have been harmed by corporate misconduct. We regularly represent clients in cases involving data misuse, illegal telemarketing, privacy intrusion, unfair employment practices, and defective products. Our efforts have earned us a reputation for achieving success in high-stakes and complex cases across the country.

At every step, we put the interests of our clients first.

We make the courtroom accessible to all.

At Strauss Borrelli, we understand that our legal system is out of reach for most individuals who have suffered at the hands of corporate wrongdoing. Time, money, and expertise act as barriers to judicial action. We confront these obstacles by empowering those affected to take collective action to seek relief.

We innovate and adapt.

As new technologies become available, our team learns and grows to make our processes faster, more effective, and less expensive. We challenge each other to continually evolve to meet the needs of our clients in an ever-changing world.

We know that people are our greatest resource.

Whether it be within our own team or with experts, co-counsel, or clients, we foster collaborative spaces. We know that good ideas can come from anyone, and the best ideas are forged when we work together. Our experiences have shown us that fresh perspectives coupled with legal expertise create smart strategies.

We understand the strength in numbers.

Too often, corporate transgressions go unchallenged. Together, we create a check against large companies' misconduct. By combining individual claims, we hold those who put profit over people accountable and achieve relief for all those injured by wrongdoings ranging from the annoyance of daily telemarketing calls to the devastation of a sudden mass layoff.

We commit to personal connections.

At every stage, we help clients understand the complex issues at hand and empower them to take an active role in their cases. We will always take the time to build relationships with our clients in order to understand what success means to them. In defining and reaching our goals, we advise with compassion and understanding.

Our Cases

CONSUMER PROTECTION

Fowler, et al. v. Wells Fargo Bank, N.A. (N.D. Cal.)

Filed on behalf of consumers who were overcharged fees on FHA mortgages. The case settled on a class-wide basis for \$30,000,000 in 2018, and final approval was granted in January 2019.

Jones, et al. v. Monsanto Company (W.D. Mo.)

Filed on behalf of individuals who purchased mislabeled RoundUp® products. The case settled on a class-wide basis in 2020 for \$39,550,000. Final approval was granted in May 2021.

Crawford, et al. v. FCA US LLC (E.D. Mich.)

Filed on behalf of consumers who purchased or leased Dodge Ram 1500 and 1500 Classic vehicles equipped with 3.0L EcoDiesel engines between 2013 and 2019. Plaintiffs allege unfair, deceptive, and fraudulent practices in the Defendants' marketing and sale of vehicles with allegedly defective EGR coolers. This case is currently pending in the United States District Court for the Eastern District of Michigan.

In re: Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products Liability Litigation (N.D. Cal.)

Filed on behalf of consumers against Fiat Chrysler and Bosch alleging unfair, deceptive, and fraudulent practices in the Defendants' marketing and sale of certain EcoDiesel vehicles. The class contained over 100,000 vehicles, including 2014-2016 model-year Jeep Grand Cherokees and Dodge Ram 1500 trucks that were allegedly outfitted with devices that masked actual emission levels. The case settled on a class-wide basis for \$307,500,000, and final approval was granted in May 2019.

Rolland, et al. v. Spark Energy, LLC (D.N.J.)

Filed on behalf of consumers who were forced to pay considerably more for their electricity than they should otherwise have paid due to Spark Energy's deceptive pricing practices. Plaintiff alleges that Spark Energy engages in a bait-and-switch deceptive marketing scheme luring consumers to switch utility companies by offering lower than local utility rates. These lower rates are fixed for only a limited number of months and then switch to a variable market rate that is significantly higher than the rates local utilities charge. The case settled on a class-wide basis for \$11,000,000 in 2022, and final approval was granted in December 2022.

Haines v. Washington Trust Bank (Wash. Sup. Ct., King Cty.)

Strauss Borrelli attorneys represented consumers who were charged \$35 overdraft fees by Washington Trust Bank on accounts that were never actually overdrawn. Plaintiff filed suit against Washington Trust Bank for the unfair and unlawful assessment of these overdraft fees. This case settled on a class-wide basis in 2021, and final approval was granted in November 2021.

Pryor v. Eastern Bank (Mass. Sup. Ct., Suffolk Cty.)

Strauss Borrelli attorneys represented consumers who were charged \$35 overdraft fees by Eastern Bank on accounts that were never actually overdrawn. Plaintiff filed suit against Eastern Bank for the unfair and unlawful assessment of these overdraft fees. This case settled on a class-wide basis in 2021, and final approval was granted in March 2021.

DATA BREACH

Walters v. Kimpton Hotel & Restaurant Group, LLP (N.D. Cal.)

Filed on behalf of consumers whose private information and personal identifiable information, including credit and debit card numbers, names, mailing addresses, and other personal information, was compromised and stolen from Kimpton Hotel & Restaurant Group by hackers. The case settled on a class-wide basis in 2018, and final approval was granted in July 2019.

Reetz v. Advocate Aurora Health, Inc. (Wis. Cir. Ct., Milwaukee Cty.)

Filed on behalf of employees of Aurora Advocate Health, the 10th largest not-for-profit integrated health care system in the United States, whose personally identifiable information was breached and stolen through an email phishing campaign beginning in January 2020. Many of these individuals have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled in 2023.

Goetz v. Benefit Recovery Specialists, Inc. (Wis. Cir. Ct., Walworth Cty.)

Strauss Borrelli attorneys represented a class of consumers whose personal health information was compromised and stolen from Benefit Recovery Specialists, Inc., a Houston-based billing and collections services firm that provides billing and collection services to healthcare providers across the country. Many of these consumers have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2022, and final approval was granted in July 2022.

In re BJC Healthcare Data Breach Litigation (Mo. Cir. Ct., St. Louis Cty.)

Strauss Borrelli attorneys represented a class of consumers whose personal health information was compromised and stolen from BJC Healthcare, a major regional health system. Many of these consumers lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2021 and final approval was granted in September 2022.

Daum, et al. v. K & B Surgical Center, LLC (Cal. Sup. Ct., Los Angeles Cty.)

Strauss Borrelli attorneys represented a class of consumers whose personal health information and protected health information was compromised and stolen from K & B Surgical Center. Many of these consumers have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. The case settled in 2023.

In re: Netgain Technology, LLC, Consumer Data Breach Litigation (D. Minn.)

Filed on behalf of consumers whose personal identifiable information and protected health information was breached and stolen from Netgain Technology, LLC beginning in September 2020. Strauss Borrelli partner, Raina Borrelli, serves as a member of the Plaintiffs' Interim Executive Committee in this multidistrict litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2025, and preliminary approval was granted in The United States District Court for the District of Minnesota in May 2025.

Dusterhoff, et al. v. OneTouchPoint Corp. (E.D. Wisc.)

Filed on behalf of 2.6 million consumers whose personal identifiable information and protected health information was breached and stolen from OneTouchPoint Corp., a mailing and printing services vendor, beginning in April 2022. Strauss Borrelli partner, Raina Borrelli, serves as a member of the Plaintiffs' Steering Committee in this litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case is currently pending in The United States District Court for the Eastern District of Wisconsin.

In re Lincare Holdings Inc. Data Breach Litigation (M.D. Fla.)

Filed on behalf of consumers whose personal identifiable information and protected health information was breached and stolen from Lincare Holdings Inc., a medical products and services provider, beginning in September 2021. Strauss Borrelli partner, Raina Borrelli, serves as a member of the Interim Executive

Leadership Committee for plaintiffs and the class in this multidistrict litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. The case settled on a class-wide basis in 2023, and final approval was granted in June 2024.

Forslund, et al. v. R.R. Donnelley & Sons Company (N.D. Ill.)

Filed on behalf of consumers whose personal identifiable information was breached and stolen from R.R. Donnelley & Sons Company, a Fortune 500 marketing, packaging, and printing company, beginning in November 2021. Strauss Borrelli partner, Raina Borrelli, serves as interim co-lead counsel for plaintiffs and the class in this litigation. Many of the individuals impacted by the breach have lost time and money responding to the data breach and they face an ongoing risk of identity theft, identity fraud, or other harm. This case settled on a class-wide basis in 2023, and final approval was granted in March 2024.

DATA PRIVACY

Doe, et al. v. HSCGP, LLC (Tn. Cir. Ct., Davidson Cty.)

Litigated on behalf of all patients of healthcare companies serviced by HSCGP, LLC whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiff alleged that the healthcare companies serviced by HSCGP, LLC disclosed such sensitive personal information by using various tools on its website. The case settled on a class-wide basis in 2024. Final approval was granted in March 2025.

Doe v. Lima Memorial Hospital, et al. (C.C.P. Allen)

Filed on behalf of all patients of Lima Memorial Hospital whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiff alleged that Lima Memorial Hospital disclosed such sensitive personal information by using various tools on its website. The case was litigated in the Court of Common Pleas in Allen County, Ohio and settled on a class-wide basis in 2024. Final approval was granted in August 2024.

Rogers v. Rogers Behavioral Health System, Inc. (Wis. Cir. Ct., Dane Cty.)

Filed on behalf of all patients of Rogers Behavioral Health System whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiff alleged that Rogers Behavioral Health System disclosed such sensitive personal information by using various tools on its website. The case was litigated in the Circuit Court for Dane County, Wisconsin, and settled on a class-wide basis in 2024. Final approval was granted in August 2024.

Doe, et al. v. The Wood County Hospital, et al. (C.C.P. Sandusky)

Filed on behalf of all patients of The Wood County Hospital whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiffs alleged that The Wood County Hospital disclosed such sensitive personal information by using various tools on its website. The case was litigated in the Court of Common Pleas in Sandusky County, Ohio, and settled on a class-wide basis in 2024.

Moser, et al. v. Redeemer Health, et al. (C.C.P. Phila.)

Filed on behalf of all patients of Redeemer Health and Holy Redeemer Health System whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiffs allege that Redeemer Health and Holy Redeemer Health System disclosed such sensitive personal information by using various tools on its website. This case settled on a class-wide basis in 2025, and preliminary approval is pending in the Court of Common Pleas in Philadelphia, Pennsylvania.

Mrozinski, et al. v. Aspirus, Inc. (Wis. Cir. Ct., Marathon Cty.)

Filed on behalf of all patients of Aspirus whose sensitive personal information was exposed to third parties without their knowledge or consent. Plaintiffs allege that Aspirus disclosed such sensitive personal information by using various tools on its website. This case settled on a class-wide basis in 2025, and preliminary approval was granted in the Circuit Court for Marathon County, Wisconsin in August 2025.

Patterson v. Respondus, Inc., et al. (N.D. Ill.)

Filed on behalf of all persons who took an exam using Respondus' online exam proctoring software, Respondus Monitor, in the state of Illinois. Plaintiffs allege that Respondus collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. This case settled in 2023.

Powell v. DePaul University (N.D. Ill.)

Strauss Borrelli attorneys represented a class of DePaul University students located in the state of Illinois who were required to take exams using Respondus Monitor, which collects, uses, and discloses students' biometric identifiers and biometric information in violation of Illinois' Biometric Information Privacy Act. Plaintiff alleged that DePaul University collects students' biometric identifiers and biometric information without written consent and without legally compliant written public policies. This case settled in 2023.

RIGHT OF PUBLICITY

Nolen v. PeopleConnect, Inc., et al. (N.D. California)

Filed on behalf of California residents against PeopleConnect alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that PeopleConnect violates these legal rights by using California residents' names and childhood photographs in advertisements promoting paid subscriptions to its website, classmates.com. The case is currently on appeal to the United States Court of Appeals for the Ninth Circuit.

Boshears, et al. v. PeopleConnect, Inc., et al. (W.D. Wash.)

Filed on behalf of Indiana residents against PeopleConnect alleging violations of Indiana's Right of Publicity Statute and Indiana's common law prohibiting misappropriation of a name or likeness. Plaintiffs allege that PeopleConnect violates these legal rights by using Indiana residents' personalities, including their names and childhood photographs, in advertisements promoting paid subscriptions to its website, classmates.com. The case is currently on appeal before the United States Court of Appeals for the Ninth Circuit.

Sessa, et al. v. Ancestry.com Operations Inc., et al. (D. Nev.)

Filed on behalf of Nevada residents against Ancestry.com alleging violations of Nevada's right to publicity statute, Nevada law prohibiting deceptive trade practice, Nevada common law protection against Intrusion upon Seclusion, and Nevada Unjust Enrichment law. Plaintiffs allege that Ancestry.com violates these legal rights by knowingly misappropriating the photographs, likenesses, names, and identities of Nevada residents for the commercial purpose of selling access to and advertising them in Ancestry.com products and services without their prior consent. The case is pending in the United States District Court for the District of Nevada.

Martinez v. ZoomInfo Technologies Inc. (W.D. Wash.)

Filed on behalf of California residents against ZoomInfo Technologies Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that ZoomInfo Technologies violates these legal rights by using California residents' names and person information in advertisements promoting paid subscriptions to its website, zoominfo.com, as well as selling access to their names and personal information as part of its products. This case settled in 2024.

Gbeintor v. DemandBase, Inc., et al. (N.D. Cal.)

Filed on behalf of California residents against DemandBase, Inc. and InsideView Technologies, Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that DemandBase and InsideView Technologies violate these legal rights by using California residents' names, likenesses, photographs, and personas in advertisements promoting paid subscriptions to its website, insideview.com, without their consent. This case settled on a class-wide basis in 2024, and preliminary approval was granted in June 2025.

Kellman, et al. v. Spokeo, Inc. (N.D. Cal.)

Filed on behalf of California residents against Spokeo, Inc. alleging violations of California law that recognizes the intellectual property and privacy rights of individuals to control the commercial use of their names and likenesses. Plaintiffs allege that Spokeo violates these legal rights by using California residents' names, likenesses, photographs, and personas in advertisements promoting paid subscriptions to its website without their consent. The case is pending in the United States District Court for the Northern District of California.

TELEPHONE CONSUMER PROTECTION ACT

Evans v. American Power & Gas, LLC, et al. (S.D. Ohio)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. The case settled on a class-wide basis for \$6,000,000, and final approval was granted in May 2019.

Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh (D. Mass.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. The case settled on a class-wide basis for \$14,000,000 in 2020. Final approval was granted in October 2021.

Goodell, et al. v. Van Tuyl Group, LLC (D. Az.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. This case settled in 2023.

Doup v. Van Tuyl Group, LLC (N.D. Tex.)

Filed on behalf of consumers who received solicitation telephone calls on their cellular and residential telephones that were listed on the National Do-Not-Call Registry, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. This case settled in 2023.

Dickson v. Direct Energy, LP, et al. (N.D. Ohio)

Filed on behalf of consumers who received automated or prerecorded telemarketing telephone calls on their cellular telephones without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. This case is currently pending in the United States District Court for the Northern District of Ohio.

Learned, et al. v. McClatchy Company, LLC (E.D. Cal.)

Filed on behalf of consumers who received solicitation telephone calls on their cellular and residential telephones that were listed on the National Do-Not-Call Registry and/or who requested Defendant stop calling them, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. This case settled in 2023.

Rogers, et al. v. Assurance IQ, LLC, et al. (W.D. Wash.)

Filed on behalf of consumers who received automated solicitation telephone calls on their cellular and residential telephones, some that were listed on the National Do-Not-Call Registry, without their prior express consent within the meaning of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. This case settled on a class-wide basis in 2024 for \$21,875,000, and final approval was granted in September 2024.

Our Professionals

SAMUEL J. STRAUSS

Samuel J. Strauss is a founding member of Strauss Borrelli PLLC. Mr. Strauss concentrates his practice in class action litigation with an emphasis on consumer protection and privacy issues. Mr. Strauss has a national practice and appears in federal courts across the country. Over the course of his career, Mr. Strauss has represented plaintiffs in cases which have resulted in the recovery of hundreds of millions of dollars for consumers.

Mr. Strauss received his J.D. with honors from the University of Washington School of Law in 2013. Prior to forming Strauss Borrelli in 2024, Mr. Strauss was a founding member of Turke & Strauss in 2016, in Madison, Wisconsin, where he successfully prosecuted complex class actions in federal and state courts.

Mr. Strauss is a member of bars of the states of Washington, Wisconsin, and Illinois and has been admitted to practice in the United States District Court for the Western District of Washington, United States District Court for the Eastern District of Washington, United States District Court for the Western District of Wisconsin, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Northern District of Illinois, the United States District Court for the Eastern District of Michigan, and the United States Court of Appeals for the Ninth Circuit.

In recent years, Mr. Strauss has been actively involved in a number of complex class action matters in state and federal courts including:

- *Daum, et al. v. K & B Surgical Center, LLC*, No. 21STCV41347 (Cal. Sup. Ct., Los Angeles Cty.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Joyner v. Behavioral Health Network, Inc.*, No. 2079CV00629 (Mass. Sup. Ct., Hampden Cty.)
- *In re BJC Healthcare Data Breach Litigation*, No. 2022-CC09492 (Mo. Cir. Ct., St. Louis City)
- *Baldwin, et al. v. National Western Life Insurance Company*, No. 2:21-cv-04066 (W.D. Mo.)

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- *Pryor v. Eastern Bank*, No. 1984CV03467-BLS1 (Mass. Sup. Ct., Suffolk Cty.)
- *Murray v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 19-cv-12608 (D. Mass.)
- *Baldwin v. Miracle-Ear, Inc.*, No. 20-cv-01502 (D. Minn.)
- *Goodell v. Van Tuyl Group, LLC*, No. 20-cv-01657 (D. Az.)
- *Weister v. Vantage Point AI, LLC*, No. 21-cv-01250 (M.D. Fla.).
- *Lang v. Colonial Penn Life Insurance Company*, No. 21-cv-00165 (N.D. Fla.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Uhhariet v. MyLife.com, Inc.*, No. 21-cv-08229 (N.D. Cal.)
- *Kellman v. Spokeo, Inc.*, No. 21-cv-08976 (N.D. Cal.)
- *Patterson v. Respondus, Inc.*, No. 20-cv-07692 (N.D. Ill.)
- *Bridges v. Respondus, Inc.*, No. 21-cv-01785 (N.D. Ill.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (D. Minn.)
- *Crawford v. FCA US LLC*, No. 20-cv-12341 (E.D. Mich.)
- *Klaehn, et al. v. Cali Bamboo, LLC*, No. 19-cv-01498 (S.D. Cal.)
- *Jones v. Monsanto Company*, No. 19-cv-00102 (W.D. Mo.)
- *Dickson v. Direct Energy, LP, et al.*, No. 18-cv-00182 (N.D. Ohio)
- *Rolland v. Spark Energy, LLC*, Case. No. 17-cv-02680 (D.N.J.)
- *Evans v. American Power & Gas, LLC*, No. 17-cv-00515 (S.D. Ohio)
- *Fowler v. Wells Fargo Bank, N.A.*, No. 17-cv-02092 (N.D. Cal.)

RAINa C. BORRELLI

Raina C. Borrelli is a founding member of Strauss Borrelli PLLC. Ms. Borrelli's practice focuses on complex class action litigation, including data privacy, Telephone Consumer Protection Act ("TCPA"), false advertising, and consumer protection cases in both state and federal courts around the country. Ms. Borrelli has served as lead, co-lead, and class counsel in numerous national class actions, including multi-district litigation. Additionally, Ms. Borrelli has substantial experience leading discovery teams in these complex class action matters, as well as in working with class damages experts and class damages models in consumer protection cases.

Ms. Borrelli received her J.D. magna cum laude from the University of Minnesota Law School in 2011. Prior to founding Strauss Borrelli, Ms. Borrelli was a partner at Gustafson Gluek, where she successfully prosecuted complex class actions in federal and state courts. Ms. Borrelli is an active member of the Minnesota Women's Lawyers and the Federal Bar Association, where she has assisted in the representation of pro se litigants through the *Pro Se* Project. Ms. Borrelli has repeatedly been named to the annual Minnesota "Rising Star" Super Lawyers list (2014-2021) by SuperLawyers Magazine. She has also been repeatedly certified as a North Star Lawyer by the Minnesota State Bar Association (2012-2015; 2018-2020) for providing a minimum of 50 hours of pro bono legal services.

Ms. Borrelli is a member of the Minnesota State Bar Association and has been admitted to practice in the United States District Court for the District of Minnesota, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Eastern District of Michigan, the United States District Court for the Northern District of Illinois, and the United States Court of Appeals for the Tenth Circuit.

In recent years, Ms. Borrelli has been appointed to leadership positions in a number of data privacy cases, including *In re Netgain Technology, LLC Consumer Data Breach Litigation*, No. 21-cv-01210 (D. Minn.) (Interim Executive Committee); *Dusterhoff, et al. v. OneTouchPoint Corp.*, No. 2:22-cv-00882 (E.D. Wisc.) (Plaintiffs' Steering Committee); *In re Lincare Holdings Inc. Data Breach Litigation*, No. 8:22-cv-01472 (M.D. Fl.) (Interim Executive Leadership Committee); *Forslund v. R.R. Donnelley & Sons Company*, No. 1:22-cv-04260 (N.D. Ill.) (interim co-lead counsel); *Medina v. PracticeMax Incorporated*, No. 2:22-cv-0126 (D. Az.) (Executive Leadership Committee); *In re C.R. England, Inc. Data Breach Litig.*, No. 2:22-cv-00374 (interim co-lead counsel); *Doe, et al. v. Knox College, Inc.*, No. 4:23-cv-04012 (C.D. Ill.) (co-lead counsel); and *In re OakBend Medical Center Data*

Breach Litigation, No. 4:22-cv-03740 (S.D. Tex.) (interim co-lead counsel). Ms. Borrelli has been substantially involved in a number of complex class action matters in state and federal courts including:

- *Daum, et al. v. K & B Surgical Center, LLC*, No. 21STCV41347 (Cal. Sup. Ct., Los Angeles Cty.)
- *Grogan v. McGrath RentCorp*, No. 3:22-cv-00490 (N.D. Cal.)
- *Benedetto, et al. v. Southeastern Pennsylvania Transportation Authority*, No. 210201425 (C.C.P. Phila.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Reese v. Teen Challenge Training Center, Inc.*, No. 00093 (C.C.P. Phila.)
- *Lhota v. Michigan Avenue Immediate Care, S.C.*, No. 2022CH06616 (Ill. Cir. Ct., Cook Cty.)
- *Johnson, et al. v. Yuma Regional Medical Center*, No. 2:22-cv-01061 (D. Az.)
- *Baldwin v. Miracle-Ear, Inc.*, No. 20-cv-01502 (D. Minn.)
- *Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 1:19-cv-12608 (D. Mass.)
- *Goodell v. Van Tuyl Group, LLC*, No. 20-cv-01657 (D. Az.)
- *Learned, et al. v. McClatchy Company LLC*, No. 2:21-cv-01960 (E.D. Cal.)
- *Lang v. Colonial Penn Life Insurance Company*, No. 21-cv-00165 (N.D. Fla.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Abraham, et al. v. PeopleConnect, Inc.*, No. 3:20-cv-09203 (N.D. Cal.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *DeBose v. Dun & Bradstreet Holdings, Inc.*, No. 2:22-cv-00209 (D.N.J.)
- *Gbeintor, et al. v. DemandBase, Inc., et al.*, No. 3:21-cv-09470 (N.D. Cal.)
- *Spindler v. Seamless Contacts Inc.*, No. 4:22-cv-00787 (N.D. Cal.)
- *Kellman, et al. v. Spokeo, Inc.*, No. 3:21-cv-08976 (N.D. Cal.)
- *Brown v. Coty, Inc.*, No. 1:22-cv-02696 (S.D.N.Y.)
- *Benanav v. Healthy Paws Pet Insurance LLC*, No. 2:20-cv-00421 (W.D. Wash.)
- *Spindler, et al. v. General Motors LLC*, No. 3:21-cv-09311 (N.D. Cal.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (JRT/KMM) (D. Minn.)
- *Patterson v. Respondus, Inc.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Powell v. DePaul University*, No. 1:21-cv-03001 (N.D. Ill.)
- *Fee v. Illinois Institute of Technology*, No. 1:21-cv-02512 (N.D. Ill.)

- *Harvey v. Resurrection University*, No. 1:21-cv-03203 (N.D. Ill.)
- *In re FCA Monostable Gearshifts Litig.*, No. 16-md-02744 (E.D. Mich.)
- *Zeiger v. WellPet LLC*, No. 17-cv-04056 (N.D. Cal.)
- *Wyoming v. Procter & Gamble*, No. 15-cv-2101 (D. Minn.)
- *In re Big Heart Pet Brands Litig.*, No. 18-cv-00861 (N.D. Cal.)
- *Sullivan v. Fluidmaster*, No. 14-cv-05696 (N.D. Ill.)
- *Rice v. Electrolux Home Prod., Inc.*, No. 15-cv-00371 (M.D. Pa.)
- *Gorczynski v. Electrolux Home Products, Inc.*, No. 18-cv-10661 (D.N.J.)
- *Reitman v. Champion Petfoods*, No. 18-cv-1736 (C.D. Cal.)
- *Reynolds, et al., v. FCA US, LLC*, No. 19-cv-11745 (E.D. Mich.).

CASSANDRA MILLER

Cassandra Miller is a partner at Strauss Borrelli PLLC whose practice focuses on complex class action litigation, including consumer protection, privacy, data breaches, and product liability. Ms. Miller is adept at navigating the intricate legal landscapes of both state and federal courts across the nation. Additionally, Ms. Miller has substantial experience leading teams in these complex class action matters.

Ms. Miller received her J.D. magna cum laude from the University of Illinois Chicago School of Law in 2006. Prior to joining Strauss Borrelli, Ms. Miller was a managing partner at Edelman Combs Latturner & Goodwin, LLC. There, Ms. Miller handled a wide range of consumer protection claims under key statutes such as the Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA), Uniform Commercial Code (UCC), Telephone Consumer Protection Act (TCPA), and Truth in Lending Act (TILA), as well as the Illinois Consumer Fraud and Deceptive Practices Act (ICFA), alongside related state and federal consumer statutes.

Ms. Miller is a member of the Illinois State Bar Association and has been admitted to practice in the United States District Court for the Northern District of Illinois, the United States District Court for the Central District of Illinois, the United States District Court for the Southern District of Indiana, the United States District Court for the Northern District of Indiana, and the United States Court of Appeals for the Seventh Circuit.

Ms. Miller has been substantially involved in a number of complex class action matters in state and federal courts including:

- *Pietras v. Sentry*, 513 F. Supp. 2d 983 (N.D. Ill. 2007)
- *Hernandez v. Midland Credit Mgmt.*, 2007 U.S. Dist. LEXIS 16054 (N.D. Ill. 2007)
- *Balogun v. Midland Credit Mgmt.*, 2007 U.S. Dist. LEXIS 74845 (S.D. Ind. 2007)
- *Miller v. Midland Credit Mgmt.*, 2009 U.S. Dist. LEXIS 18518 (N.D. Ill. 2009)
- *American Family Mutual Ins. Co. V. CMA Mortgage, Inc.*, 2008 U.S. Dist. LEXIS 30233 (S.D. Ind. 2008)
- *Herkert v. MRC Receivables Corp.*, 254 F.R.D. 344 (N.D. Ill. 2008)
- *Walker v. Calusa Investments, LLC*, 244 F.R.D. 502 (S.D. Ind. 2007)
- *Frydman v. Portfolio Recovery Associates, LLC*, 2011 U.S. Dist. LEXIS 69502 (N.D. Ill. 2011)
- *Webb v. Midland Credit Mgmt.*, 2012 U.S. Dist. LEXIS 80006 (N.D. Ill. May 31,

2012)

- *Tabiti v. LVNV Funding, LLC*, 2017 U.S. Dist. LEXIS 5932 (N.D. Ill. Jan. 17, 2017), reconsideration denied, 2017 U.S. Dist. LEXIS 238583 (N.D. Ill., May 16, 2017)
- *Wheeler v. Midland Funding LLC*, 2020 U.S. Dist. LEXIS 52409 (N.D. Ill. July 31, 2017),
- *Magee v. Portfolio Recovery Assocs.*, 2016 U.S. Dist. LEXIS 61389 (N.D. Ill. May 9, 2016), reconsideration denied, 2016 U.S. Dist. LEXIS 123573 (N.D. Ill. Sept. 13, 2016)

BRITTANY RESCH

Brittany Resch is a partner at Strauss Borrelli PLLC. Ms. Resch's practice focuses on complex class action litigation, including data breach, privacy, Telephone Consumer Protection Act ("TCPA"), false advertising, and consumer protection cases in both state and federal courts around the country. Since 2022, Ms. Resch has served as an adjunct professor at the University of Minnesota Law School teaching a seminar on e-Discovery.

Ms. Resch received her J.D. from the University of Minnesota Law School in 2015, after which she clerked for the Honorable Richard H. Kyle, Senior United States District Judge for the District of Minnesota. Prior to joining Strauss Borrelli PLLC, Ms. Resch was an associate at Gustafson Gluek, where she prosecuted complex antitrust, consumer protection, and civil rights class actions in federal and state courts. Ms. Resch was named one of the Attorneys of the Year in 2019 by Minnesota Lawyer for her work representing a pro se litigant in federal court through the Pro Se Project. Ms. Resch was also named a Rising Star in 2020 and 2021 and a 2021 Up & Coming Attorney by Minnesota Lawyer.

Ms. Resch has been an active member in the Federal Bar Association for a decade, holding various leadership and committee positions. Ms. Resch also assists in the representation of pro se litigants through the District of Minnesota Federal Bar Association's Pro Se Project. Ms. Resch is also an active member of Minnesota Women Lawyers. Ms. Resch has also been certified as a North Star Lawyer by the Minnesota State Bar Association for providing a minimum of 50 hours of pro bono legal services (2023, 2021, 2020, 2019).

Ms. Resch is a member of the Minnesota State Bar Association and has been admitted to practice in the United States District Court for the District of Minnesota and the United States District Court for the Northern District of Illinois.

Ms. Resch recently has significant experience in data privacy litigation and is currently litigating more than fifty data breach cases in courts around the country as counsel on behalf of millions of data breach victims, including *McKittrick v. Allwell Behavioral Health Services*, Case No. CH-2022-0174 (Muskingum County, Ohio) (appointed class counsel for settlement purposes); *Hall v. Centerspace, LP*, Case No. 22-cv-2028 (D. Minn.); *Morrison v. Entrust Corp., et al.*, Case No. 23-cv-415 (D. Minn.); *Batchelor v. MacMillan, et al.*, Case No. 157072/2023 (New York County, NY); *Tribbia, et al., v. Hanchett Paper Company*, Case No. 2022 CH 3677 (Cook County, IL); *Benedetto v. Southeastern Pennsylvania Transportation*

Authority, No. 210201425 (C.C.P. Phila.); Corra, et al. v. ACTS Retirement Services, Inc., No. 2:22-cv-02917 (E.D. Pa.); Lamie, et al. v. LendingTree, LLC, No. 3:22-cv-00307 (W.D.N.C.); and *In re Lincare Holdings Inc. Data Breach Litigation*, No. 8:22-cv-01472 (M.D. Fl.). Additionally, in recent years, Ms. Resch has been substantially involved in a number of complex class action matters in state and federal courts including:

- *Emmrich v. General Motors LLC*, No. 21-cv-05990 (N.D. Ill.)
- *Spindler v. General Motors LLC*, No. 21-cv-09311 (N.D. Cal.)
- *DeBose v. Dun & Bradstreet Holdings, Inc.*, No. 2:22-cv-00209 (D.N.J.)
- *Gbeintor, et al. v. DemandBase, Inc., et al.*, No. 3:21-cv-09470 (N.D. Cal.)
- *Kellman, et al. v. Spokeo, Inc.*, No. 3:21-cv-08976 (N.D. Cal.)
- *Kis v. Cognism Inc.*, No. 4:22-cv-05322 (N.D. Cal.)
- *Benanav, et al. v. Healthy Paws Pet Insurance, LLC*, No. 2:20-cv-00421-RSM (W.D. Wash.)
- *Martinez v. ZoomInfo Technologies Inc.*, No. 21-cv-05725 (W.D. Wash.)
- *Abraham, et al. v. PeopleConnect, Inc.*, No. 3:20-cv-09203 (N.D. Cal.)
- *Boshears v. PeopleConnect, Inc.*, No. 21-cv-01222 (W.D. Wash.)
- *Mackey v. PeopleConnect, Inc.*, No. 1:22-cv-00342 (N.D. Ill.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Braundmeier v. Ancestry.com Operations, Inc.*, No. 1:20-cv-07390 (N.D. Ill.)
- *Spindler v. Seamless Contacts Inc.*, No. 4:22-cv-00787 (N.D. Cal.)
- *Uhhariet v. MyLife.com, Inc.*, No. 21-cv-08229 (N.D. Cal.)
- *Patterson v. Respondus University, et al.*, No. 1:20-cv-07692 (N.D. Ill.)
- *Bridges v. Respondus University, et al.*, No. 1:21-cv-01785 (N.D. Ill.)
- *In re Broiler Chicken Antitrust Litigation*, No. 16-cv-08637 (N.D. Ill.)
- *In re Pork Antitrust Litigation*, No. 21-md-02998 (D. Minn.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (JRT/KMM) (D. Minn.)
- *In re Asacol Antitrust Litigation*, No. 15-cv-12730 (D. Mass.)

ALEX S. PHILLIPS

Alex Phillips is a partner at Strauss Borrelli PLLC. Mr. Phillips concentrates his practice in complex class action litigation and commercial litigation. He has represented both plaintiffs and defendants in high stakes litigation. Mr. Phillips has successfully obtained trial verdicts on behalf of his clients as well as negotiated numerous high-value settlements.

Mr. Phillips received his J.D. from the University of Wisconsin School of Law in 2017 and has been an active member of the Wisconsin State Bar as well as the Dane, Jefferson, and Dodge County Bar Associations.

In recent years, Mr. Phillips has been involved in a number of complex class action matters in state and federal courts including:

- *Benedetto v. Southeastern Pennsylvania Transportation Authority*, No. 210201425 (C.C.P. Phila.)
- *Grogan v. McGrath RentCorp*, No. 3:22-cv-00490 (N.D. Cal.)
- *Koeller, et al. v. Numrich Gun Parts Corporation*, No. 1:22-cv-00675 (S.D.N.Y.)
- *Mayhood v. Wilkins Recreational Vehicles, Inc.*, No. E2022-0701 (N.Y. Sup. Ct., Steuben Cty.)
- *Perkins v. WelldyneRx, LLC*, No. 8:22-cv-02051 (M.D. Fla.)
- *Batis v. Dun & Bradstreet Holdings, Inc.*, No. 3:22-cv-09124 (N.D. Cal.)
- *Sessa v. Ancestry.com Operations Inc., et al.*, No. 2:20-cv-02292 (D. Nev.)
- *Ambramson v. First American Home Warranty Corporation*, No. 2:22-cv-01003 (W.D. Pa.)
- *DeVivo v. Sovereign Lending Group Incorporated*, No. 3:22-cv-05254 (W.D. Wash.)
- *Murray, et al. v. Grocery Delivery E-Services USA Inc. d/b/a Hello Fresh*, No. 1:19-cv-12608 (D. Mass.)
- *Spindler v. General Motors LLC*, No. 21-cv-09311 (N.D. Cal.)
- *Kellman v. Spokeo, Inc.*, No. 21-cv-08976 (N.D. Cal.)
- *Reetz v. Advocate Aurora Health, Inc.*, No. 20CV2361 (Wis. Cir. Ct., Branch 22, Milwaukee Cty.)
- *Goetz v. Benefit Recovery Specialists, Inc.*, No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.)
- *Hudock v. LG Electronics USA, Inc.*, No. 16-cv-1220 (D. Minn.)
- *Dickson v. Direct Energy, LP, et al.*, No. 18-cv-00182 (N.D. Ohio)
- *Benanav. v. Healthy Paws Pet Insurance, LLC*, No. 20-cv-00421 (W.D. Wash.)
- *Klaehn, et al. v. Cali Bamboo, LLC, et al.*, No. 19-cv-01498 (S.D. Cal.)

CARLY ROMAN

Carly Roman is an attorney at Strauss Borrelli PLLC. Ms. Roman's practice focuses on complex class action litigation, including consumer protection, data breach, privacy, and Telephone Consumer Protection Act ("TCPA") cases in state and federal courts. Additionally, Ms. Roman has substantial experience advocating for consumers under California's Unfair Competition Law, the Consumers Legal Remedies Act, and the Song-Beverly Warranty Act.

Ms. Roman received her J.D. from the University of New Hampshire School of Law with High Honors. Prior to joining Strauss Borrelli, Ms. Roman honed her skills at a prominent consumer protection firm in California as well as in Chicago at one of the leading firms specializing in class actions and consumer rights. There, Ms. Roman litigated a variety of state and federal claims, including claims brought under the Fair Credit Reporting Act (FCRA), Magnuson-Moss Warranty Act, Telephone Consumer Protection Act (TCPA), and Truth in Lending Act (TILA), as well as the Illinois Consumer Fraud and Deceptive Practices Act (ICFA).

Ms. Roman is a member of the Illinois State Bar Association and The State Bar of California. Recently, Ms. Roman was appointed interim co-lead class counsel in *Orrantia, et al. v. S.V.D.P. Management, Inc.*, No. 25CU048774C (Cal. Sup. Ct., San Diego Cty.). Her recent experience also involves substantial responsibility in a number of complex class action matters in state and federal courts including:

- *Doe v. SSK Plastic Surgery*, 30-2025-01467755 (Cal. Sup. Ct., Orange Cty.)
- *Doe v. Jaime S. Schwartz MD PC*, 25STCV07155 (Cal. Sup. Ct., Los Angeles Cty.), removed, No. 2:25-cv-03393 (C.D. Cal.)
- *Cole v. Solairus Aviation LLC*, No. 3:25-cv-03035 (N.D. Cal.)
- *Dean, et al., v. New York Blood Center, Inc., et al.* No. 25-cv-01051 (S.D.N.Y.)
- *In re: DISA Global Data Breach Litigation*, No. 4:25-cv-00821 (S.D. Tex.)
- *Kelly v. Insomniac Games*, No. 24-CIV-05793 (Cal. Sup. Ct., San Mateo Cty.)
- *Palanti v. Lawble Inc., et al.*, No. 2023CH02120 (Ill. Cir. Ct., Cook Cty.), removed, No. 1:23-cv-02365 (N.D. Ill.)
- *Tamburo v. Hyundai Motor America (Corporation), et al.*, No. 1:23-cv-282 (N.D. Ill.)
- *Mirabile v. Bank of America, N.A.*, No. 1:23-cv-01719 (N.D. Ill.)
- *Fleury v. General Motors, LLC*, No. 1:22-cv-03862 (N.D. Ill.)
- *Rocio v. Mod Super Fast Pizza, LLC*, No. 1:21-cv-00507 (N.D. Ill.)
- *Abruscato, et al. v. Wells Fargo, et al.*, No. 1:21-cv-00012 (N.D. Ill.)
- *Avery v. Cvi Sgp-Co Acquisition Trust, et al.*, No. 1:20-cv-06965 (N.D. Ill.)

ANDREW G. GUNEM

Andrew Gunem is an attorney at Strauss Borrelli PLLC. He focuses on complex class action litigation—including consumer protection, data breach, privacy, and Telephone Consumer Protection Act (“TCPA”—in federal and state courts across the country.

Mr. Gunem graduated *cum laude* from the University of Wisconsin Law School—where he was a Managing Editor of the Wisconsin Law Review, earned a full-tuition “Law-in-Action” scholarship, and was awarded “Best Performance” in Complex Litigation. He received his bachelor’s degree from the University of California, Berkeley. Mr. Gunem has written articles about developing areas of law—which have been published by Law360.com (as “Expert Analysis”) and by the Litigation Section of the State Bar of Wisconsin.

Mr. Gunem is admitted to practice in California and Wisconsin. He is also admitted to the United States District Courts for the Northern District of California, Eastern District of California, Central District of California, Southern District of California, Eastern District of Wisconsin, Western District of Wisconsin, and the District of Colorado.

Recently, Mr. Gunem was appointed co-lead class counsel in *Gregerson v. Toshiba America Business Solutions, Inc.*, No. 8:24-cv-01201-FWS-ADS (C.D. Cal. April 17, 2025). His recent experience also includes substantial responsibility in the following cases:

- *Anderson v. STS Aviation Group, LLC*, No. 2:24-cv-14201-SMM (S.D. Fla.)
- *Dribben, et al., v. Homefix Custom Remodeling Corp.*, No. 1:22-cv-01143-SAG (D. Md.)
- *Koeller v. Diamanti, Inc.*, No. 22SL-CC04040 (Mo. Cir. Ct., St. Louis Cty.)
- *Pan v. Atlas Real Estate Group, LLC*, No. 1:23-cv-00910-DDD-KAS (D. Colo.)
- *Harvey v. National Amusements Inc.*, No. 1:24-cv-10027-GAO (D. Mass.)
- *Stern v. Academy Mortgage Corporation*, No. 2:24-cv-00015-DBB-DAO (D. Utah)
- *Ansar v. The Gill Corporation*, No. 2:24-cv-08875-MEMF-PD (C.D. Cal.)
- *Jimenez v. OE Federal Credit Union*, No. 4:24-cv-02746-JST (N.D. Cal.)
- *Viviali v. One Point HR Solutions, LLC*, No. 2:24-cv-00185-DCR (E.D. Ky.)
- *Parihar v. MIPS Holding, Inc.*, No. 24CV448267 (Cal. Sup. Ct., Santa Clara Cty.)

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- *Davenport v. LA Financial Federal Credit Union*, No. 24STCV24021 (Cal. Sup. Ct., Los Angeles Cty.)
- *Leavitt v. International Brotherhood of Electrical Workers Local No. 1*, No. 4:24-cv-01148-HEA (E.D. Mo.)
- *Hasanat v. Mana Products Inc.*, No. 710156/2024 (Queens County, New York)
- *Bolanos v. Crossroads Equipment Lease & Finance, LLC*, No. 5:24-cv-00552-JGB-SP (C.D. Cal.)
- *Doe v. Conceptions Reproductive Associates, Inc.*, No. 1:25-cv-00009-NYW-CYC (D. Colo.)
- *Hulewat v. Medical Management Resource Group LLC, et al.*, No. 2:24-cv-00377-DJH (D. Ariz.)
- *Currie v. Joy Cone Co.*, No. 2:23-cv-00764-CCW (W.D. Pa.)
- *In re: Mondelēz Data Breach Litigation*, No. 1:23-cv-03999 (N.D. Ill.)
- *Byrd v. True World Holdings, LLC*, No. 2:24-cv-10927-JKA-JSA (D.N.J.)
- *Hollis v. eXp Realty, LLC, et al.*, No. 2:25-cv-00822-JLR (W.D. Wash.)

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EXHIBIT 2

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About the Firm

We Win. Things Change.

EKSM is a high-technology-savvy trial firm, trusted nationwide for delivering exceptional client service and results. With deep experience across complex class actions, data-breach and privacy disputes, cryptocurrency scams, personal injury, and antitrust litigation, we leverage real courtroom experience to pursue justice—no matter where the fight takes us. Our team is built for trial, driven by skilled advocates who navigate evolving digital landscapes and litigate across state lines, ensuring clients receive zealous representation powered by expertise, innovation, and an unwavering commitment to results.

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Areas of Practice

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- Arbitration
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- Class Action
- Data Breach & Privacy
- Insurance Recovery
- Labor, Employment, Benefits, & Pension
- Mass Casualty Event
- Mass Tort
- Personal Injury
- Product Liability
- Property Damage
- Qui Tam & False Claims Act
- Shareholder & Securities

Admitted Jurisdictions

Texas • Arkansas • New Mexico • Colorado • Wisconsin • Illinois • Michigan • Louisiana • Ohio
• North Dakota • Oklahoma • California • Massachusetts • Nebraska

Attorney Profiles

Jarrett Lee Ellzey *Partner*



Jarrett L. Ellzey is deeply committed to championing the rights of the injured, combating corporate misconduct, and holding wrongdoers accountable. With offices located in Texas and New Mexico, he has stood by plaintiffs in personal injury cases, navigated nationwide consumer class actions, and tackled labor disputes in federal courts across key states like Texas, California, New Mexico, Pennsylvania, New York, Florida, and more.

Jarrett is Board Certified in Civil Trial Law by the Texas Board of Legal Specialization and a member of the esteemed American Board of Trial Advocates. He is admitted to practice in the state jurisdictions of Texas and New Mexico. Jarrett is also admitted to practice before the United States Supreme Court, The Fifth Circuit Court of Appeals, U.S. District Court for the Southern District of Texas, U.S. District Court for the Northern District of Texas, U.S. District Court for the Eastern District of Texas, U.S. District Court for the Western District of Texas, U.S. District Court for the District of Colorado, U.S. District Court for the District of New Mexico, U.S. District Court for the Eastern District of Wisconsin, U.S. District Court for the Central District of Illinois, and U.S. Bankruptcy Court for the District of New Mexico.

Jarrett boasts a remarkable record of trying a high volume of diverse cases, including securing an eight-figure verdict in only his second jury trial and notching over \$23 million in verdicts during a successful five-year period. His work in a high-stakes commercial real estate dispute earned him recognition in the Texas Verdict Hall of Fame and showcased his prowess in navigating complex legal terrain.

Jarrett has extensive class action litigation experience, including in class certification briefing, trial and appeal. *See e.g.* Case No. 3:18-cv-00990, *Mattson v. New Penn Financial, LLC* (D. Or.), on appeal at 2023 WL 2624783 (9th Cir. March 23, 2023) (vacating denial of class certification and remanding); *see also* Case No. 2:18-cv-04752, *Williams v. The Pisa Group, Inc.* (E.D. Pa.) (certifying TCPA class). Mr. Ellzey has been appointed class counsel in a number of class actions under consumer protection statutes. *See, e.g.*, *Williams v. The Pisa Group, Inc.* Case No. 2:18-cv-04752 (E.D. Pa. Jan. 19, 2024); *Buchanan v. SiriusXM, Inc.*, Case No. 3:17-cv-000728-D (N.D. Tex. Jan. 28, 2020); *Justin Mark Boise v. ACE American Ins. Co.*; Case No. 1:15-cv-21264 (S.D. Fla. Oct. 18, 2017) (TCPA); *Matthew Scott Robinson v. Paramount Equity Mortgage, LLC*; Case

No. 2:14-cv-02359-TLN-CKD (E.D. Cal. July 13, 2017); *Teofilo Vasco, et al. v. Power Home Remodeling Group LLC*; Case No. 2:15-cv-04623 (E.D. Pa. Oct. 12, 2016); *John Colin Suttles, et al. v. Specialty Graphics, Inc.*; Case No. 1:14-cv-00505 (W.D. Tex. April 25, 2016); *Ludette Crisler, et al. v. Audi AG, Volkswagen AG, et al.*, Case No. 2:11-cv-01719 (C.D. Cal. Oct. 30, 2013); *Gretchen Patch, et al. v. Millennium Products, Inc.*, Case No. BC448347 (Superior Court of California, Los Angeles County, April 3, 2012).

Jarrett has also worked on data breach class actions as local counsel, including Cause No. 2021-61470; *Arthur Dekenipp, v. Gastroenterology Consultants, P.A.* (Harris County, Texas); Cause No. 5:23-cv-607; *Jose Gonzalez v. Our Lady of the Lake University* (W.D. Tex.); Cause No. 2023-CI11856; *Jose Gonzalez, v. Our Lady of the Lake University* (Bexar County, Texas); Cause No. 2023-CI07981; *Ana Vasquez v Our Lady of the Lake University* (Bexar County, Texas); Case No. 1:23-cv-5; *Thomas Graham, v Bay Bridge Administrators, LLC* (W.D. Tex.); Cause No. 1:23-cv-022-LY; *Kurt Phillips v Bay Bridge Administrators, LLC* (W.D. Tex.); Cause No. 22-DCV-298917; *Cody Janssen and Alline Henderson, v Oakbend Medical Center* (Bexar County, Texas). Cause No. 2021-84322; *Cliff Lee v. Texas Ear, Nose, & Throat Specialists, PLLC* (Harris County, Texas); Case No. 7:23-cv-00174-DC-RCG; *Brian Morrow, v. West Texas Gas, Inc.* (W.D. Tex.); Cause No. DC-22-04755; *Dawn Taylor v JDC Healthcare Management, LLC* (Dallas, County, Texas).

Tom Kherkher

Partner



Tom Kherkher is the Founding Attorney of The Kherkher Law Firm and an Associate Attorney of Kherkher Garcia. He is doing what he loves everyday – fighting against injustice.

Before becoming a lawyer, Tom attended college at the University of California Santa Barbara, where he obtained his degree in a quick two and a half years. He then studied law at South Texas College of Law and graduated cum laude, again graduating in only two and a half years.

After graduating from law school and passing the Texas bar, Tom immediately founded his own law firm in Houston, Texas. He opened his law firm to fight for people and bring them justice. Tom explains, “The legal system is a place where I can make a real difference. Where I can give the little guy a voice. Where I can hold mega-corporations accountable for valuing profits over people.” At EKSM, Tom and his staff work tirelessly and passionately to recover damages for individuals who have suffered from the negligence of others. Attorney Tom holds responsible parties accountable.

Hard work and persistence are attributes that helped Tom achieve success in and out of the legal profession. His successes are clear in the wins that he has had for his clients. Tom explains, “We

have an outstanding track record of success here. We are willing to take on the biggest and most complex cases. No matter how difficult the case, we will persist and work all avenues of attack throughout the entire legal process from start to finish. We strive for excellence in every aspect, and we do not hesitate to take cases to trial when needed.”

Tom Kherkher is licensed to practice law in U.S. Southern District of Texas and all courts of the State of Texas and Louisiana.

Josh Sanford

Partner



Josh Sanford practices almost exclusively in employment litigation, focusing on wage-and-hour law. This includes trial work in cases arising under the Fair Labor Standards Act, Title VII of the Civil Rights Act of 1964 and the Equal Pay Act. Josh was voted “Best Attorney” (tie) in a readers’ poll published by The Courier in Russellville, AR. Josh has served as the president of the Pope County Bar Association. In addition, Josh has been a member of the American, Arkansas and Pope County Bar Associations, the Arkansas Trial Lawyers Association, the National Employment Lawyers Association, the Russellville Kiwanis Club, and the Russellville Chamber of Commerce.

Josh has served as class counsel in several cases which the presiding Courts granted motions to proceed as a Rule 23 class: *Bonton v. Centerfold Entertainment Club, Inc.*, No. 6:14-CV-6074-RTD (W.D. Ark.); *Oliva v. C.L.A. Incorporated*, 4:12-CV-243 (E.D. Ark.); and *Sherri Dandison, et al. v. Hanks Furniture, Inc.*, 4:15-62-DPM.

Josh has experience litigating FLSA matters in the following cases: *Samuel Rorie v. Woodstone Craft Pizza*, Case No. 5:20-cv-05106-TLB (W.D. Ark); *Wesley Kelley v. Invacor Solutions*, Case No. 4:20-cv-02013 (S.D. Tex); *Lashanna Girtmon v. Vera Lloyd Presbyterian Family Services*, Case No. 4:20-cv-00762-DPM (E.D. Ark); *Carol Lehmkuhl v. Travel Nurse Across America*, Case No. 4:20-cv-00518-DPM (E.D. Ark); *Vicki Causey v. Bank OZK*, Case No. 4:20-cv-00687-DPM (E.D. Ark); *Cecilia Baker v. Summit Community Care*, Case No. 4:20-cv-00508-KGB (E.D. Ark); *Edward Ward v. Liberty Oilfield Services*, Case No. 5:20-cv-00531-OLG (W.D. Tex); *Daniel Soto v. Marquez Construction and Maintenance*, Case No. 7:20-cv-00101-DC-RCG (W.D. Tex); *William Fingerhut v. Pradco Outdoor Brands*, Case No. 2:20-cv-02062-PKH (W.D. Ark); *Kneuss (Laurie) v. Aces LLC*, Case No. 2:20-cv-00773-MHH (N.D. Ala); *Harris (Nelson) v. Ratner Steel*, Case No. 3:20-cv-00112-KGB (E.D. Ark); *Thomas Clark v. Southwest Energy*, Case No. 4:20-cv-00475-KGB (E.D. Ark); *Calvin Collins v. Pel-State Services*, Case No. 7:20-cv-00083-DC-RCG (W.D. Tex); *Amy Williams v. Coryell County Memorial Health Authority*, Case No. 6:20-cv-00223-ADA (W.D. Tex); *Andres Leal v. Cobb, Fendley & Associates, Inc.*, Case No. 5:20-cv-00372-OLG (W.D. Tex); *Kametric Burley v. Central Arkansas Area Agency on Aging*, Case No.

4:20-cv-00226-DPM (E.D. Ark); *Holmes (Roy) v. Stetson Courier*, Case No. 4:20-cv-00191-DPM (E.D. Ark); *Brigid Lewis v. Shine Solar LLC*, Case No. 5:20-cv-05038-ELW (W.D. Ark); *Chad McCann v. CCI Contractors*, Case No. 4:20-cv-00184z (E.D. Ark); *Kevin Simmons v. Arkansas Blue Cross and Blue Shield*, Case No. 4:20-cv-00137-KGB (E.D. Ark); *Queen Watson v. Patient Matters LLC*, Case No. 3:20-cv-00050-JM (E.D. Ark); *Nikki Vanhorn v. Community Builders Inc*, Case No. 4:20-cv-00118-DPM (E.D. Ark); *Rebekah Fleming v. Tanner's Neighborhood Bar and Grille*, Case No. 6:20-cv-06010-RTD (W.D. Ark); *Tyler Wolfe v. Affordable Rooter Service*, Case No. 4:20-cv-00156-LPR (E.D. Ark); *Johnathan Yasevich v. The Heritage Company*, Case No. 3:20-cv-00019-KGB (E.D. Ark); *Toquata Tappin v. Servicemaster Twin Cities*, Case No. 4:19-cv-00912-JM (E.D. Ark); *Crystal Daniels v. Quapaw Bath and Spa*, Case No. 6:19-cv-06149-RTD (W.D. Ark); *William Hallman v. Peco Foods*, Case No. 3:19-cv-00368-DPM (E.D. Ark); *Stephanie Withrow v. Vantage Point Behavioral Health*, Case No. 5:19-cv-05220-TLB (W.D. Ark); *Demarius Roberts v. Rreaf Residential*, Case No. 4:19-cv-00812-KGB (E.D. Ark); *Kimberly Dunlap v. Flash Market*, Case No. 4:20-cv-00005-BSM (E.D. Ark); *Leroy Botello v. Mission Cycle Sports*, Case No. 5:19-cv-01348-OLG (W.D. Tex); *Jamie Thomas v. Viskase*, Case No. 3:19-cv-00330-DPM (E.D. Ark); *Bianica Godwin v. KMAC*, Case No. 1:19-cv-01055-SOH (W.D. Ark); *Holly Treadway & Christian Manna v. Cash Savers*, Case No. 3:19-cv-00321-DPM (E.D. Ark); *Will Heslip v. Nixon Engineering*, Case No. 5:19-cv-01327-XR (W.D. Tex); *Stephanie Dollar v. Kirin Garden*, Case No. 4:19-cv-00730-LPR (E.D. Ark); *Brandon Dean v. Bradford Estates, LLC*, Case No. 4:19-cv-00748-BSM (E.D. Ark); *Trace Pate v. Jones Land Leveling*, Case No. 3:19-cv-00280-DPM (E.D. Ark); *Michael Mitchell v. Brown's Moving and Storage*, Case No. 4:19-cv-00783-LPR (E.D. Ark); *Anthony Woods v. Cenikor Foundation*, Case No. 22-20434 (S.D. Tex); *Cheryl Bolden v. Sharon Callahan-Hair Tech Studios*, Case No. 4:19-cv-00802-KGB (E.D. Ark); *Sonobia Parker v. Tenaris Hickman*, Case No. 3:20-cv-00005-DPM (E.D. Ark); *Daniel Ybarra v. Mulder Fire Protection, Inc.*, Case No. 5:19-cv-01302-JKP-RBF (W.D. Tex); *Edward Dennis v. Diamond Pet Foods*, Case No. 5:19-cv-00296-LPR, (E.D. Ark); *Marcus Munoz v. Ironclad Energy, LLC*, Case No. 5:19-cv-01251-DAE (W.D. Tex); *David Salmon v. XTO Energy*, Case No. 4:19-cv-00768-BSM (E.D. Ark); *Felisha Peel v. Independent Choices*, Case No. 4:19-cv-00795-BSM (E.D. Ark); *Teresa Wisneski v. Belmont Management*, Case No. 2:19-cv-02523-JAR-ADM (D. Kan); *Justin Craven v. Neeley's Towing and Recovery*, Case No. 4:19-cv-04115-SOH (W.D. Ark); *Kimillia Carswell v. Travel Inn of Hazen*, Case No. 4:19-cv-00612-LPR (E.D. Ark); *James Ewing v. Pizza Czar, Inc.*, Case No. 3:19-cv-00232-LPR (E.D. Ark); *Bonnie Norman v. Independent Case Management*, Case No. 4:20-cv-00492-DPM (E.D. Ark); *Charles Meyers v. Hughes Group*, Case No. 4:19-cv-00806-KGB (E.D. Ark); *Randal Huff v. Preferred Family Healthcare, Incorporated*, Case No. 3:19-cv-00193-BSM (E.D. Ark); *Nathan Andrews v. Producers Service Corp*, Case No. 2:19-cv-02514-EAS-KAJ (S.D. Ohi); *John Newsome v. QES Pressure Control, LLC*, Case No. 7:19-cv-00150-DC-RCG (W.D. Tex); *Albert Rodriguez v. Superior Real Estate Solutions, LLC*, Case No. 4:19-cv-00405-DPM (E.D. Ark); *Brent Wall v. Signal Hill Virtual Inspection Solutions*, Case No. 4:19-cv-00465-BSM (E.D. Ark); *Joshua Doss v. Custom Auto Service*, Case No. 4:19-cv-00296-KGB (E.D. Ark); *Jennifer Boone v. Marc Campbell Enterprises, Inc*, Case No. 4:19-cv-00271-LPR (E.D. Ark); *Robert Smart v. City of Hughes*, Case No. 2:19-cv-00047-KGB (E.D. Ark); *Tammy Carden v. The Logan Center*, Case No. 3:19-cv-00167-DPM (E.D. Ark); *David Brown v. Trinity Multifamily*, Case No. 4:19-cv-00617-LPR (E.D. Ark); *Jonathan Esparsen v. Ridley's Family Market*, Case No. 1:18-cv-01556-

RM-GPG (D. Col); *Louis Sheffield v. Stewart Builders*, Case No. 4:19-cv-01030 (S.D. Tex); *Terry Cothorn vs. Reynolds Manufacturing*, Case No. 1:19-cv-03064 (N.D. Ill); *Sean Harrison vs. Dynasty Taxi Service*, Case No. 5:19-cv-05025-TLB (W.D. Ark); *Jonathan Jones v. Jhook Investments, Inc.*, Case No. 4:19-cv-00105-BSM (E.D. Ark); *Evanjelina Rodriguez vs. George's Poultry*, Case No. 5:19-cv-05035-ELW (W.D. Ark); *Donald Adkinson v. Tiger Eye Pizza, LLC and Ken Schroepfer*, Case No. 4:19-cv-04007-SOH (W.D. Ark); *Vincent Ross vs. Magnolia Flooring Mill*, Case No. 1:18-cv-01075-SOH (W.D. Ark); *Kasey Fox vs. TTEC*, Case No. 4:19-cv-00037-KGB (E.D. Ark); *Tiara Turner vs. Concentrix Corporation*, Case No. 1:18-cv-01072-SOH (W.D. Ark); *Norris Allen (NC) v. Express Courier*, Case No. 4:20-cv-00198 (S.D. Tex); *George Brandon, (SC) v. Express Courier*, Case No. 4:20-cv-00455 (S.D. Tex); *Carol Arroyo (TX) v. Express Courier*, Case No. 4:18-cv-00010 (S.D. Tex); *Paige Acklin (TN) v. Express Courier*, Case No. 4:20-cv-00162 (S.D. Tex); *Kevin Marshall (FL) v. Express Courier*, Case No. 4:20-cv-00796 (S.D. Tex); *Amanda RYTE (GA) v. Express Courier*, Case No. 4:20-cv-00238 (S.D. Tex); *David Bell (KY) v. Express Courier*, Case No. 4:20-cv-00184 (S.D. Tex); *Hansel Carter v. Express Courier (LA)*, Case No. 4:19-cv-01124 (S.D. Tex); *Frank Barber (MO) v. Express Courier*, Case No. 4:20-cv-00271 (S.D. Tex); *Anthony Campbell (MS) v. Express Courier*, Case No. 4:20-cv-00713 (S.D. Tex); *Willie Nicks (OK) v. Express Courier*, Case No. 4:20-cv-00250 (S.D. Tex); *Jessie Bascomb (AL) v. Express Courier*, Case No. 4:20-cv-00420 (S.D. Tex); *Martin Barnette (AR) v. Express Courier*, Case No. 4:20-cv-00210 (S.D. Tex); *Juan Segovia v. Fuelco Energy, LLC*, Case No. 5:17-cv-01246-JKP (W.D. Tex); *Jesus Casarez v. Producers Service Corp*, Case No. 23-3247 (S.D. Ohi); *Vanessa York v. Velox Express*, Case No. 3:19-cv-00092-RGJ-CHL (W.D. Ken); *Craig Coates v. Dassault Falcon Jet*, Case No. 4:17-cv-00372-BSM (E.D. Ark); *Christopher Huey v. Trinity Multifamily*, Case No. 4:20-cv-00685-LPR (E.D. Ark); *Amy Robbins vs. Arkansas Aggregate*, Case No. 4:19-cv-00093-JJV (E.D. Ark); *Ian Dolphin vs. Two Men and a Truck*, Case No. 4:18-cv-00810-PSH (E.D. Ark); *Cynthia Galigher v. NEO Cabinets Inc*, Case No. 2:20-cv-02140-PKH (W.D. Ark); *Dana Dahl v. Bay Power*, Case No. 4:20-cv-07062-HSG (N.D. Tex); *Ethan Autrey v. Harrigan Lumber Co., Inc.*, Case No. 1:20-cv-00572-WS-MU (S.D. Ala); *Nukol Bailey v. Care Above All Care*, Case No. 4:20-cv-01058-KGB (E.D. Ark); *Sheila McCoy v. Elkhart Products Corporation*, Case No. 5:20-cv-05176-PKH (W.D. Ark); *John King v. Rockline Industries*, Case No. 2:20-cv-02188-PKH (W.D. Ark); *Teresa Tenorio v. Coast to Coast Carports*, Case No. 2:20-cv-02193-PKH (W.D. Ark); *Rene Castillo v. ISEC, Inc.*, Case No. 5:20-cv-01269-FB (W.D. Tex); *Dietrick Greenlaw v. B&M Management*, Case No. 4:20-cv-01286-DPM (E.D. Ark); *Anthony Hogan v. Hot Springs Nursing and Rehabilitation*, Case No. 6:20-cv-06130-RTD (W.D. Ark); *Brandon Ware v. Shake Shack*, Case No. 1:20-cv-07071 (N.D. Ill); *Mattie Powell v. French Quarter*, Case No. 6:20-cv-06145-SOH (W.D. Ark); *Dusty Morton v. Acorn Forestry*, Case No. 9:20-cv-00245-MJT (E.D. Tex); *Patrick Latronico v. VK Knowlton Construction*, Case No. 5:20-cv-01474-XR (W.D. Tex); *Charlotte Mahoney v. CHI Health*, Case No. 8:21-cv-00023-JFB-MDN (D. Nev); *William Quinn v. Spirit Manufacturing Inc*, Case No. 3:21-cv-00031-BSM (E.D. Ark); *Samantha Butler v. Superior Towing, Inc.*, Case No. 1:21-cv-00659 (N.D. Ill); *Michael Troxel v. Gunite Pros LLC*, Case No. 1:21-cv-00057-WS-N (S.D. Ala); *Jana Szarka v. Culver's*, Case No. 1:21-cv-0084 (N.D. Ill); *Christopher Looney v. Weco, Inc.*, Case No. 4:21-cv-00165-KGB (E.D. Ark); *Charles Wilks v. Faulkner County Sheriff's Department*, Case No. 4:21-cv-00163-KG (E.D. Ark); *Carlos Tremols v. Juan Barcenas Insurance and Financial*, Case No. 5:21-cv-05057-PKH (W.D. Ark); *Shawn Smith v. Premier Utilities and*

Drilling, Case No. 4:21-cv-00232-DP (E.D. Ark); *Misty Farmer v. Boone County Independent Living, Inc.*, Case No. 3:21-cv-03027-TLB (W.D. Ark); *Christopher Church v. Cerro Wire LLC.*, Case No. 5:21-cv-00988-HNJ (N.D. Ala); *Patricia Stewart v. Ashley Furniture and/or Red Mountain Retail Inc.*, Case No. 2:21-cv-00989-ACK (N.D. Ala); *Caralyn Friedly v. Union Bank & Trust Co.*, Case No. 4:21-cv-03105-JMG-CRZ (D. Neb); *Sharonna Parker v. Coast to Coast Carports*, Case No. 2:21-cv-02110-PKH (W.D. Ark); *Daniel Loebssack v. Dufresne Spencer Group, LLC.*, Case No. 4:21-cv-01884 (S.D. Tex); *Danny Calloway v. Boyne Resorts*, Case No. 1:21-cv-00521-JMB-SJB (W.D. Mic); *Stacy Wihebrink v. Life Strategies Counseling*, Case No. 4:21-cv-00573-DPM (E.D. Ark); *Donna Allshouse v. The Joshua Agency*, Case No. 1:21-cv-01032-SOH (W.D. Ark); *Alisa Park v. B & M Management*, Case No. 2:21-cv-00509-MHT-KFP (M.D. Ala); *David Hortsman v. Ozinga Bros, Inc.*, Case No. 1:21-cv-04264 (N.D. Ill); *Edith Stanfield v. Lasalle Corrections*, Case No. 2:21-cv-01535-DJH (D. Ari); *Evan Tellor v. KMac Enterprises*, Case No. 1:21-cv-00110-ACL (E.D. Mis); *Michelle Hanus v. Harting, Inc.*, Case No. 1:21-cv-05289 (N.D. Ill); *Harvie Johnson v. Driven Brands Shared Services*, Case No. 2:21-cv-02144-PKH (W.D. Ark); *Hope Ivey v. Royal BP Corp*, Case No. 5:21-cv-00367-TES (M.D. Geo); *Michael Hames v. Stetson Courier*, Case No. 3:21-cv-00218-KGB (E.D. Ark); *John Norvell v. Dedman's Sanitation*, Case No. 3:21-cv-00233-KGB (E.D. Ark); *Jack Daniel v. Pacific NW, LLC*, Case No. 2:21-cv-02187-MTL (D. Ari); *Landon Taunton v. Korens USA*, Case No. 3:21-cv-00844-ECM-SMD (M.D. Ala); *Cayla Jackson v. Prairie County Sheriff's Office*, Case No. 4:22-cv-00093-JM (E.D. Ark); *Kayla Pike v. GRKSTL Transportation Inc.*, Case No. 4:22-cv-04018-SOH (W.D. Ark); *Tierra Land v. Centerfold*, Case No. 6:21-cv-06153-SOH (W.D. Ark); *Kim Massey v. Jenkins Industries*, Case No. 4:22-cv-00148-KGB (E.D. Ark); *Chris Mills v. Rocky Mountain Concrete Specialists*, Case No. 1:22-cv-00396 (D. Col); *Oscar Moreno Briz v. Protrans International, Inc.*, Case No. 7:22-cv-00144 (S.D. Tex); *Andrea Guynes v. Lakeside Community Committee*, Case No. 1:22-cv-00784 (N.D. Ill); *Alexa Andrade Acuna v. Visionquest*, Case No. 4:22-cv-00166-EJM (D. Ari); *Hamonn Pratt v. SC Realty Services*, Case No. 4:22-cv-00286-KGB (E.D. Ark); *Taylor Philo v. Degler Enterprise*, Case No. 5:22-cv-00240-BO-RJ (E.D. N.C.); *John Knight v. Sierra Tucson LLC*, Case No. 2:22-cv-00737-CDB (D. Ari); *Mark Carman v. Portsmouth Redevelopment and Housing Authority*, Case No. 2:22-cv-00313-AWA-RJK (E.D. Vir); *Theresa Smith v. Felder Services LLC*, Case No. 1:22-cv-00120-JB-B (S.D. Ala); *Rockell Bogan v. Ashley Health and Rehab*, Case No. 5:22-cv-05096-TLB (W.D. Ark); *Tynika Munn v. Sweetie Boy Transportation, LLC*, Case No. 3:22-cv-00512-REP (E.D. Vir); *Josephine Havey v. The Countertop Factory Southwest*, Case No. 4:22-cv-00242-SHR (D. Ari); *Taiwan Wallace v. Evergreen Packaging*, Case No. 4:22-cv-00337-KGB (E.D. Ark); *Allan Carson v. Peco Foods*, Case No. 3:22-cv-00113-KGB (E.D. Ark); *Ileana Medina v. Wild Thing LLC*, Case No. 1:22-cv-03546 (N.D. Ill); *Tony Manzo v. Engrained Cabinetry and Countertops*, Case No. 3:22-cv-08081-JJT (D. Ari); *Ine Nweke v. Aster Health Group Inc.*, Case No. 1:22-cv-02410 (N.D. Ill); *Dustin Hyde v. 316 Towing & Road Service Inc.*, Case No. 2:22-cv-00103-RWS (N.D. Geo); *Matthew Williams v. Nomad, LLC*, Case No. 1:22-cv-03544 (N.D. Ill); *Sarah Donica v. True Star Capital LLC*, Case No. 7:22-cv-00173-DC-RCG (W.D. Tex); *Seth Terry v. B&H Enterprises*, Case No. 6:22-cv-1668-AA (D. Ore); *William Fuelberth v. Godfather's Pizza*, Case No. 8:22-cv-00195-SMB(D. Neb); *John Monroe v. Clowers Enterprises Inc.*, Case No. 6:22-cv-06094-SOH (W.D. Ark);

Edwin Tarley Jr v. Environmental Specialist International Inc., Case No. 4:22-cv-00116-M-RJ (E.D.N.C.); *Nicholas Washington v. Pipelife Jetstream*, Case No. 5:22-cv-05165-TLB (W.D. Ark); *Joseph Weinman v. Spectrum Paint Company, Inc.*, Case No. 4:22-cv-00857-DPM (E.D. Ark); *DeShanta Brewster v. Mission Point Healthcare Services*, Case No. 2:22-cv-12220-MFL-KGA (E.D. Mic); *Marquez Miller v. Razors Edge Pizza, Incorporated*, Case No. 4:22-cv-00722-DPM (E.D. Ark); *Elander Woodall v. Evergreen Packaging*, Case No. 1:23-cv-00459 (N.D. Ill); *Iman Anderson v. Imani Lounge, LLC*, Case No. 1:22-cv-00652-KFP (M.D. Ala).

Leigh S. Montgomery

Partner



Leigh S. Montgomery has over sixteen years of plaintiff's litigation and trial experience, including substantial experience in the class action and appellate contexts. She is a founding member of EKSM, LLP and co-leads the litigation section of the firm. She is a founding member of EKSM and co-lead of the litigation team, along with Mr. Ellzey.

Leigh has extensive class action litigation experience, including in class certification briefing, trial and appeal. *See e.g.* Case No. 3:18-cv-00990, *Mattson v. New Penn Financial, LLC* (D. Or.), on appeal at 2023 WL 2624783 (9th Cir. March 23, 2023) (vacating denial of class certification and remanding); *see also* Case No. 2:18-cv-04752, *Williams v. The Pisa Group, Inc.* (E.D. Pa.) (certifying TCPA class).

Recently, as counsel for the State of Texas in a case brought under the Texas Medicaid Fraud Prevention Act, Ms. Montgomery participated and assisted in recovering \$40 million for the State of Texas after eleven years of litigation. Ms. Montgomery was a key litigator in the matter, handling major discovery hearings and dispositive motion briefing crucial to concluding the settlement.

Ms. Montgomery has experience litigating data breach matters in the following cases: *Elwon Mathavongsy v. TRC Staffing Services, Inc. dba TRC Talent Solutions*, Case No. 1:24-cv-02483 (N.D. Ga.); *Tyler Blankenship v. Leonard's Express, Inc.*, Case No. 1:24-cv-00618 (W.D. N.Y.); *Clayton v. PruittHealth, Inc.*, Case No. 1:24-cv-02960 (N.D. Ga.); *Melissa MicSak v. Call 4 Health, Inc.*, Case No. 9:24-cv-80870 (S.D. Fla.); *Sean Barber v. M&M Transport*, Case No. 1:24-cv-12042 (D. Mass.); *Antonio Valle, et al. v. First Commonwealth Federal Credit Union*, Case No. 2024-C-2893 (Lehigh County, PA); *James Bertsch, et al. v. Pocahontas Medical Clinic, PA*, Case No. 61CV-24-103 (Randolph County, AR); *Lataniya Frazier v. Baptist Health Medical Center*, Case No. 60CV-24-8301 (Pulaski County, AR); *Robert Dapello v. Riverside Resort & Casino*, Case No. 2:24-cv-01732 (D. Nev.); *Haskins v. Stillwater Mining Company*, Case No. DV-48-2024-0000061 (Stillwater County, MT); *Harris v. ERLC, LLC dba Elitecare Emergency Hospital*, Case No. 24-cv-1622 (Galveston County, TX); *William Moore v. Johnson & Wales*

University, Case No. 1:24-cv-00409 (D. R.I.); *William Adams et al. v. Family Health Center*, Consolidated Case No. 2024-0404-NO (Kalamazoo County, Michigan); *Chris Anderson as next friend of Joyner Anderson Baker v. Brockton Area Multi Services, Inc.*, Case No. 1:24-cv-11607 (D. Mass.); *Jacob Baggett v. State University of New York At Niagara et al.*, Case No. 1:24-cv-00645 (W.D. New York); *Michael Bodem v. Justice Resource Institute, Inc.*, Consolidated Case No. 1:24-cv-11856 (D. Mass.); *Guchait et al. v. Momin & Momin, PLLC*, Case No. 24-DCV-322363 (Ft. Bend County, TX); *Fares et al. v. C.K.S. Packaging, Inc.*, Case No. 1:24-cv-04586 (N.D. GA); *Michael Harrison et al. v. PECO Foods, Inc.*, Consolidated Case No. 7:24-cv-01034 (N.D. AL); *Chris Kidder v. American Addiction Centers, Inc.*, Case No. 3:25-cv-00032 (Middle D TN); *Eduardo Guillen v. Akumin Operating Corp., f/k/a Akumin Corp.*, Case No. 0:25-cv-60088 (S.D. Fla.); *Danella Claytor v. TECTA America Corp.*, Case No. 1:25-cv-00525 (N.D. IL); *Alberta Ruiz v. Stiizy, Inc.*, Case No. 25STCV01549 (Superior Court CA).

Ms. Montgomery has been appointed a leadership role in the following data security cases: *Atlantic Orthopaedic Specialists*, Case No. 2:24-cv-00696, (E.D. VA); *LaTisha Smalls et al. v Bon Securs Mercy Health, Inc.*, Case No. 1:24-cv-594, (S.D. OH); *Ted Christensen et al., v American Association of Colleges of Osteopathic Medicine d/b/a AACOM*, Case No. 8:25-cv-01239, (District of MD); *William Matiesak et al. v. Mystic Valley Elder Services, Inc.* Case No. 2481CV02873, (Commonwealth of Massachusetts); *In Re Lighthouse Electric Company Data Breach Litigation*, Case No. 2:25-cv-00362, (W.D. PA); *Matthew Egner et al., v Goodwill Industries of Southwest Oklahoma and North Texas, Inc.*, Case No. CJ-2025-189; (District Court of Comanche County, State of Oklahoma); *In re Heritage South Credit Union Data Breach Litigation*, Case No. 61-CV-2025-900175.00, (Circuit Court for Talladega County, AL); *Trevor Burge, et al v. Mason Construction, LLC*, Cause No. 24-DC-CV-2053 (District Court of Jefferson County, State of Texas).

Outside of the data breach context, Ms. Montgomery has an active nationwide wage and hour and class action practice. She has served as counsel in class actions matters from the filing of the complaint to final approval of the settlement, including briefing and arguing class certification. *See, e.g., Heath et al. v. TFS Dining, LLC, et al.*; Case No. 1:20-cv-899 (W.D. Tex.) (obtaining summary judgment on employee status and a final judgment on all damages after a jury trial); *Manasco et al. v Best in Town. d/b/a The Furnace et al.*; Case No.: 2-21-cv-00381 (N.D. AL) (Partial summary judgment on major liability issues); *Johnson et al. v. Houston, LP, LLC, et al.*; Case No.: 4:20-cv-00663 (S.D. TX)(Summary Judgment on issue of employee misclassification and affirmative defenses, and fees awarded); *Garcia et al. v Toezepecunia, Inc.*; Case No. 6:22-cv-00639, (D. Or.)(Summary judgment on all major liability issues, including willfulness determination).

Benjamin Eisner

Associate Attorney



Benjamin Eisner practices Class Action litigation, primarily regarding Data Breaches, especially violations of HIPAA, HITECH, and failure to comply with FTC Guidelines. Prior to joining EKSM Benjamin worked as an Assistant Briefing Attorney for Criminal Defense Appeals, where he gained a deep understanding of analyzing statutes for violations that have major repercussions for individuals. As one of EKSM's drafting attorneys Benjamin will apply his ability to analyze statutory violations by business entities in being able to bring justice and compensation to our clients.

After graduating from the University of Alabama in 2015 Benjamin made his way back to Houston and graduated from South Texas College of Law – Houston in 2024. Joining EKSM in 2025 after finishing a Legal Fellowship for The Randall O. Sorrels Legal Clinics. During his time at South Texas, he became a Certified Mediator in Texas, and excelled in IRS negotiations and settlements as part of the Low-Income Tax Clinic.

Through his various experiences and background Benjamin brings a well-rounded and robust knowledge of various aspects of the law to EKSM.

Vanessa Kinney

Associate Attorney



Vanessa Kinney has focused her practice primarily in employment law. Mrs. Kinney's wage and hour experience dates back to 2010, and she has experience in wage and hour cases from the inception of cases to trial, and all the way through the appeals process.

During her undergraduate years at the University of Arkansas, Mrs. Kinney excelled in her studies and was Brandon Burlsworth Memorial Scholarship recipient and magna *cum laude* graduate of the University of Arkansas' J. William Fulbright College of Arts and Sciences. While attending law school, Mrs. Kinney was the recipient of two further scholarships: the Shackleford Scholarship and the Harper and Mary Boyer Harb Scholarship.

Mrs. Kinney went on to graduate 8th in her class in 2007 from the University of Arkansas at Little Rock William H. Bowen School of Law. There, Mrs. Kinney was a member of

the *University of Arkansas at Little Rock Law Review*, and in the winter of 2006, the review published her article, “The Path Leads to Nowhere: The Supreme Court Re-examines the Trek Through the Political Thicket: *Vieth v. Jubelirer*, 541 U.S. 267 (2004), 28 UALR Law Rev. 251.”

Rebecca Matlock

Associate Attorney



Rebecca Matlock practices employment law litigation, primarily regarding the application of the Fair Labor Standards Act but also in the application of various state wage statutes including the Arkansas Minimum Wage Act and the Illinois Minimum Wage Law. Rebecca has experience in all types of labor law cases, including misclassification, minimum wage and overtime violations, tip credit violations, and “off-the-clock” violations. As one of EKSM’s drafting attorneys, Rebecca has developed knowledge in many of the technical applications and integrations of the FLSA and various labor laws.

Rebecca graduated from the UALR William H. Bowen School of Law in 2015 and joined the Sanford Law Firm the same year. At Bowen, she served as Executive Editor of the *UALR Law Review*, which published her article, “CONSTITUTIONAL LAW—Fifth Amendment and Takings—Courts and the Judicial Process Will Impede Orderly City Development by Limiting Local Governments’ Use of Exactions in Development Planning. *Koontz v. St. Johns River Water Management District*, 133 S. Ct. 2586 (2013),” in Spring 2015.

As an undergraduate at Baylor University, Rebecca majored in News Editorial Journalism with minors in English and Religion. She wrote for the University newspaper, The Lariat, and worked as a teaching assistant in the English Department.

Sean Short

Associate Attorney



Sean Short is a Little Rock native who practices primarily in employment law. He studied finance and accounting at Boston University. Before attending law school, Mr. Short has worked in New York City for a financial services firm. As a law student, he completed a clerkship in Washington, D.C. with the Department of Justice's Federal Tort Claims Act Section. Prior to joining EKSM, Sean worked in Bangkok, Thailand for a leading international law firm and a multi-national software development company.

Anna Stiritz *Associate Attorney*



Anna Stiritz is a talented veteran of evaluating employment law claims. Mrs. Stiritz has worked exclusively with our intakes department evaluating plaintiffs' data breach violations and employment claims. Prior to becoming a lawyer, Mrs. Stiritz graduated cum laude from Wheaton College with a B.A. in English. Later, Mrs. Stiritz went on to graduate from University of Arkansas at Little Rock Bowen School of Law.

John Kristensen *Of Counsel*



John Kristensen is Of Counsel at EKSM. He is an attorney licensed to practice before all Courts in the States of California and Massachusetts, and the founding partner at Kristensen Law Group.

Mr. Kristensen has offices in California and Massachusetts. He is an attorney licensed to practice in the States of California and Massachusetts. Mr. Kristensen is admitted to practice before the United States District Court for the Northern, Eastern, Southern, Central Districts of California, the United States District Court for the District of Colorado, the United States District Courts for the Eastern and Western District of Wisconsin, the District of Massachusetts, and the United States District Court for the District of Columbia, as well as the Seventh and Ninth Circuit Courts of Appeal.

Mr. Kristensen has tried multiple employment litigation cases, including against exotic dance clubs, and wrongful death trials wherein I have obtained numerous million-dollar settlements. He, along with EKSM attorneys, have also handled many matters in arbitration through final hearing.

Mr. Kristensen has litigated cases against NBC, Enterprise Rent-A-Car, Spearmint Rhino, Ford Motor Company, Toyota Motor Company, General Motors, Taco Bell, Sony and numerous other large corporations. His practice has included in multiple appellate cases where he has argued successfully before the California Courts of Appeal.

In 2017, Mr. Kristensen obtained what was then a record Title IX settlement against UC Regents. Mr. Kristensen was appointed Class Counsel in the matter of *Mankin v. Mountain West Research Center*, L.C., Case Number 2:13-cv-06447-DSF-AGR in the Central District of California. The class settlement in that matter was approved by Hon. Dale S. Fischer.

On August 7, 2019, Mr. Kristensen was appointed Class Counsel in the matter of *George v. Shamrock Saloon II, LLC*, Case Number 17-cv-6663 (RA) (HBP) in the Southern District of New York by Magistrate Judge Pitman. Class certification was contested and an objection on the class certification, not his qualifications, was made to Hon. Ronnie Abrams, who adopted Magistrate Judge Pitman's report and recommendations in its entirety.

On October 23, 2019, in a contested motion for class certification in the Central District of California, Hon. George H. Wu appointed Mr. Kristensen as Class Counsel in the matter of *Lisa Friedman v. Jillian Michaels, et al.*, Case No. 19- CV-9414-GW(SSx) in the Central District of California.

Mr. Kristensen was appointed Class Counsel in the matter *Guzman v. Polaris Industries., et al.*, Case No. 8:19-cv-01543-FLA-KES in the Central District of California. He is the lead trial counsel in that case, which is set for trial on May 5, 2025. The case is based on Polaris' failing to test the roll cages on their off-road vehicles in compliance with the stated OSHA standard. The *Guzman* case was certified after a successfully overturning summary judgment in the Ninth Circuit, and obtaining a decision that any dismissal of UCL claims under *Sonner* are without prejudice, permitting Plaintiffs to re-file in State Court.

In the past four years alone, Mr. Kristensen obtained plaintiffs' verdict in the past four years of \$8.9 million, \$5.5 million in a business dispute where the only cause of action was intentional interference with contractual relations, and two employment cases tried in the Western District of Texas and Los Angeles Superior Court. Twice the jury found malice and the cases went to punitive damages.