

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MICHAEL SESSA,

Plaintiff,

v.

ABLETO, INC.,

Defendant.

Case No. 8:23-cv-02219

**PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
MOTION FOR ATTORNEYS' FEES AND COSTS**

I. INTRODUCTION

Pursuant to the Court's February 3, 2026, Preliminary Approval Order (Doc. No. 133), Plaintiff Michael Sessa ("Plaintiff" or "Mr. Sessa") submits this timely motion for attorneys' fees and costs in connection with the proposed settlement.

According to Federal Rules of Civil Procedure, "[i]n a certified class action, the court may award reasonable attorneys' fees and nontaxable costs that are authorized by law or by the parties' agreement." Fed. R. Civ. P. 23. As noted by Plaintiff's motion for preliminary approval of class action Settlement (Doc. 130), which was approved by this Court (Doc. 133), the Settlement Agreement in this action resulted from extensive arm's length negotiations, including a mediation before Hon. (ret.) Emmett L. Battles near the beginning of the case, and ultimately settling the case with the help of mediator Rodney Max, Esq. after several intense additional mediations. The arm's length negotiations, especially those before a seasoned mediator, serve as "independent confirmation" of the reasonableness of the settlement's terms including at the very least the costs and incentive award sought by this Motion. *See Johnson v. United Healthcare Servs., Inc.* (M.D. Fla. July 10, 2025) ("The settlement was the result of arm's-length settlement negotiations, as directed by an experienced class action mediator.").

The reasonableness of the requested fees is strongly supported by percentage of the common fund doctrine approach. Through this fee petition, for which Defendant AbleTo, Inc. (“Defendant” or “AbleTo”) does not oppose, Plaintiff seeks Court approval of the agreed-upon amounts as follows: (1) attorneys’ fees *and* costs of \$1,625,000. These amounts are to be paid by Defendant under the Agreement. *See* Agr. ¶ II.D.1.

As more thoroughly stated herein and as detailed in the supporting declarations filed herewith, these sums are exceptionally fair and reasonable, when compared to attorney’s fees and costs awards in similar TCPA and consumer class settlements.

II. SUMMARY OF PLAINTIFF’S COUNSELS’ ATTORNEYS’ FEES

Federal Rules of Civil Procedure provide that “[i]n a certified class action, the court may award reasonable attorneys’ fees and nontaxable costs that are authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h) (emphasis added).

A. PERCENTAGE OF THE COMMON FUND

A court may award reasonable attorney’s fees and costs in certified class actions where they are authorized by law or by the parties’ agreement. Fed. R. Civ. P. 23(h). Under the common fund doctrine in the Eleventh Circuit, attorney’s fees are calculated as a reasonable percentage of the fund established for the benefit of the class. *Boeing Co. v. Van Gemert*, 444 U.S. 472, 478, 100 S. Ct. 745, 62 L. Ed. 2d 676 (1980). This approach is grounded in the equitable principle that those who benefit from litigation should share in its costs, including attorney’s fees. *Camden I Condominium Ass’n v. Dunkle*, 946 F.2d 768 (1991), *Kuhr v. Mayo Clinic Jacksonville*, 530 F. Supp. 3d 1102 (2021), *In re Domestic Air Transp. Antitrust Litig.*, 148 F.R.D. 297 (1993).

In the Eleventh Circuit, class counsel are awarded a percentage of the funds made available through a settlement. *Hanley v. Tampa Bay Sports & Entm’t Ltd. Liab. Co.*, No. 8:19-cv-00550-CEH-CPT, 2020 WL 2517766, at *5 (M.D. Fla. Apr. 23, 2020) (noting that the percentage of the fund analysis applies to claims made settlements and that the “percentage applies to the total fund created, even where

the actual payout following the claims process is lower”) (quoting *Pinto v. Princess Cruise Lines, Ltd.*, 513 F. Supp. 2d 1334, 1339 (S.D. Fla. 2007)); see also *Marty v. Anheuser-Busch Cos., LLC*, No. 13-cv-23656-JJO, 2015 WL 6391185 (S.D. Fla. Oct. 22, 2015) (same); *Montoya v. PNC Bank, N.A.*, No. 14-20474, 2016 WL 1529902, *23 (S.D. Fla. Apr. 14, 2016) (“the valuation of counsel’s fee should be based on the opportunity created for the Settlement Class . . . [a]nd counsel should not be penalized for class members’ failure to take advantage of such a settlement”). The Court has discretion in determining the appropriate fee percentage. “There is no hard and fast rule mandating a certain percentage of a common fund which may be awarded as a fee because the amount of any fee must be determined upon the facts of each case.” *Sunbeam*, 176 F. Supp. 2d at 1333 (quoting *Camden I*, 946 F.2d at 774).

The Eleventh Circuit has established that the majority of common fund fee awards fall between 20% and 30% of the fund, with 25% often considered a benchmark or presumptively reasonable percentage. *Kuhr v. Mayo Clinic Jacksonville*, 530 F. Supp. 3d 1102 (2021), *In re Domestic Air Transp. Antitrust Litig.*, 148 F.R.D. 297 (1993), *In re Blue Cross Blue Shield Antitrust Litig.* MDL 2406, 85 F.4th 1070 (2023). *Camden I* noted that “the majority of common fund fee awards fall between 20% and 30% of the fund,” with an upper limit of 50%. *Id.*

Courts in the Eleventh Circuit use the *Johnson* factors to determine if fees are reasonable. *Johnson v. Georgia Highway Express, Inc. Inc.* 488 F.2d 714 (5th Cir., 1974) (it is necessary for a court to consider: 1) the time and labor required; 2) the novelty and difficulty of the questions; 3) the skill requisite to perform the legal service properly; 4) the preclusion of other employment by the attorney due to acceptance of the case; 5) the customary fee; 6) whether the fee is fixed or contingent; 7) time limitations imposed by the client or the circumstances; 8) the amount involved and the results obtained; 9) the experience, reputation, and ability of the attorneys; 10) the ‘undesirability’ of the case; 11) the nature and length of the professional relationship with the client; and 12) awards in similar cases. Failure to consider these factors and to reflect such consideration in the record constitutes an abuse of discretion.”)

Plaintiff's counsel seeks a capped \$1,625,000, which is just over 5% of the possible recovery of \$31,588,200 (1,373,400 people x \$23 per person) for attorney fees *and* costs. The \$31.5+ million dollar resolution made available to over 1.3 million Americans is one of the largest TCPA settlements to Class Counsel's knowledge. Moreover, 5% in attorney fees and costs is relatively low when compared to the vast majority of TCPA class action settlements. This request consists of \$71,828.39 in costs incurred thus far, which does not include costs for traveling and appearing at the final approval hearing.

1. The Time and Labor Required

Although hours claimed or spent on a case should not be the sole basis for determining a fee, *Electronics Capital Corp. v. Sheperd*, 439 F.2d 692 (5th Cir. 1971), they are a necessary ingredient to be considered. *Johnson* at 717.

Here, Plaintiff's counsel spent a significant amount of time and labor, including repeatedly meeting with the client in intensive pre-suit investigations through the successful litigation of this case. Plaintiff's counsel communicated regularly with Plaintiff throughout the litigation. The Parties reached this Settlement only after years of arduous litigation. During this time, Plaintiff's counsel engaged in significant discovery, including attending three separate depositions, and sending multiple rounds of written requests, which required significant conferral. McBride Decl. ¶ 9. Plaintiff's counsel also filed a motion a Motion to Designate Expert, a Motion for Class Certification, a Motion for Summary Judgment, and a highly contested Motion to Designate an Expert. *Id.* at ¶¶ 9-11. Plaintiff's counsel additionally responded to Defendant's Motion for Summary Judgment. *Id.* at ¶ 11. Finally, Plaintiff's counsel participated in three full day mediations to obtain resolution. *Id.* at ¶¶ 7, 12-13. Plaintiff's counsel performed all this work without assurance they would receive any reimbursement of fees. *Id.* at ¶ 22. Plaintiff's Counsel's summary of the significant hours spent, and fees incurred throughout the years of litigation is below.

2. The Novelty and Difficulty of the Questions

Cases of first impression generally require more time and effort on the attorney's part. *Johnson* at 718. Although this greater expenditure of time in research and preparation is an investment by counsel in obtaining knowledge which can be used in similar later cases, he should not be penalized for undertaking a case which may “make new law.” *Id.* Instead, he should be appropriately compensated for accepting the challenge. *Id.*

The issue in the case, of an insurance company providing lead information to a provider, which resulted in telemarketing calls, is novel. This issue was difficult to address because the situation had not clearly arisen in previous litigation. Thus, this factor favors Plaintiff's fee request.

3. The Skill Requisite to Perform the Legal Service Properly

The trial judge should closely observe the attorney's work product, his preparation, and general ability before the court. *Id.* The trial judge's expertise gained from experience as a lawyer and his observation from the bench of lawyers at work become highly important in this consideration. *Id.*

Here, Defendant vigorously argued against class certification including making an argument there were individualized issues. Defendant also argued there were issues regarding consent as provided by a third party. To get to the bottom of Defendant's arguments, Plaintiff was required to perform extensive unique research and navigate difficult discovery issues that arose. Further, Plaintiff had to respond to the novel situation where an insurance company provided lead information to a provider and then using prerecorded calls to contact them. The quality of work completed by Class Counsel had to be exemplary and Plaintiff asserts it was. Class Counsel were able to use their experience from previous similar class actions involving the TCPA, and successfully navigate extensive discovery, multiple complex motions, as well as negotiate a favorable settlement for the Class.

4. The Preclusion of Other Employment by the Attorney Due to Acceptance of the

Case

This guideline involves the dual consideration of otherwise available business which is foreclosed because of conflicts of interest which occur from the representation, and the fact that once the employment is undertaken the attorney is not free to use the time spent on the client's behalf for other purposes. *Id.*

Here, Class Counsel spent significant time on this case, but while conceding they did not forego employment as a result of this case, they were required to redirect significant time and resources.

5. The Customary Fee

The customary fee for similar work in the community should be considered. It is open knowledge that various types of legal work command differing scales of compensation. *Id.*

Here, the requested rate of recovery is reasonable pursuant to case precedent in the Eleventh Circuit and other Circuits around the United States. In the Southern District of Florida in 2016, a court awarded \$1,650,000, with a settlement fund of \$5,000,000 in a FDUPTA class case. *Morgan v. Public Storage*, 301 F.Supp. 3d 1237 (S.D. Fla. March 9, 2016). Another court found that attorney's fees of \$1,333,333.00 in attorney's fees for a \$4,000,000 class settlement fund case. *Stoll et al v. Musculoskeletal Institute, Chartered d/b/a Florida Orthopaedic Institute*, Case No. 8:20-cv-01798-CEH-AAS, Dkt. No. 115 (M.D. Fla. 2022).

Class Counsel here is requesting 5% of the potential class recovery, which is far below the trending 20%-33% recoveries in the Eleventh Circuit. *See Waters v. Intern. Precious Metals Corp.*, supra at 1292-98 (11th Circ. 1999) (affirming fee award of 33 1/3 % of settlement of \$40 million); *Seghroughni v. Advantus Rest, Inc.*, No. 12-2000, 2015 WL 2255278, at *1 (M.D. Fla. May 13, 2015) ("An attorney's fee . . . which is one-third of the settlement fund . . . is fair and reasonable in light of the results obtained by the Lead Counsel, the risks associated with this action, the Lead Counsel's ability and experience in class action litigation, and fee awards in comparable cases."); *Wolff v. Cash 4 Titles*, No. 03-22778,

2012 WL 5290155, at *4 (S.D. Fla. Sept. 26, 2012) (“One-third of the recovery is considered standard in a contingency fee agreement.”); *Morefield v. NoteWorld, LLC*, No. 10-117, 2012 WL 1355573 (S.D. Ga. April 18, 2012) (awarding fees of 33 1/3% of the \$1,040,000 settlement fund in addition to expenses); *Atkinson v. Wal-Mart Stores, Inc.*, No. 08-691, 2011 WL 6846747, at *6 (M.D. Fla. Dec. 29, 2011) (approving class settlement with one-third of the maximum \$2,020,000 common fund); *In re Terazosin Hydrochloride Antitrust Litig.*, No. 99-1317, (Doc. 1557 at 8–10) (S.D. Fla. Apr. 19, 2005) (awarding class counsel 33.3% of settlement fund in part because they prosecuted the action on a wholly contingent basis); *In re: Managed Care Litig. v. Aetna*, MDL No. 1334, 2003 WL 22850070 (S.D. Fla. Oct. 24, 2003) (awarding fees and costs of 35.5% of settlement of \$100 million); *Gutter v. E.I. DuPont De Nemours & Co.*, No. 95-2152, (Doc. 626 at 7) (S.D. Fla. May 30, 2003) (awarding class counsel 33.3% of the Settlement Fund as attorneys’ fees (\$1,201,728.42) after expending significant time and resources on a purely contingent basis under the common fund theory).

6. Whether the Fee is Fixed or Contingent

The fee quoted to the client or the percentage of the recovery agreed to is helpful in demonstrating the attorney's fee expectations when he accepted the case. *Johnson* at 718.

The risk inherent in contingency representation is a critical factor. Here, Class Counsel took this matter on a contingency fee basis. Howard Decl. ¶ 3; Kazerounian Decl., ¶ 22. This factor supports the fee request, as Class Counsel have spent over 1,222 hours of work since the complaint was filed on September 29, 2023) and thousands of dollars of costs (\$71,828.39 as of May 13, 2026) without the guarantee they would obtain a recovery. *See Ressler v. Jacobson*, 149 F.R.D. 651 (M.D. Fla. Dec. 14, 1992) (“Here, of course, the fee was entirely contingent, which meant that, had Petitioners recovered nothing for the Class, they would not have been entitled to any fee at all. The substantial risks of this litigation abundantly justify the fee requested herein.”)

7. Time Limitations Imposed by the Client or the Circumstances

Priority work that delays the lawyer's other legal work is entitled to some premium. *Id.* This factor is particularly important when a new counsel is called in to prosecute the appeal or handle other matters at a late stage in the proceedings. *Id.*

Here, the work in this case was extensive and Class Counsel spent a significant amount of time on the case in which they could have been litigating other cases.

8. The Amount Involved and Results Achieved

The court should consider the amount involved and the results achieved. *See Camden I* at 774. (“monetary results achieved predominate over all other criteria.”); *see also Berry v. Refresco Bevs. U.S. Inc.*, 2026 U.S. Dist. LEXIS 80342 (M.D. Fla. April 13, 2026) (“The amount involved and the results obtained is the "most important factor" in determining an award of attorneys' fees.”); *see also Allapattah Servs., Inc. v. Exxon Corp.*, 454 F. Supp. 2d 1185, 1204-05 (S.D. Fla. 2006).

Here, Class Counsel were able to negotiate a nationwide-wide settlement on behalf of 1,373,344 persons called by Defendant. (Agreement ¶ I.GG.). This settlement provided much-needed relief to all Class Members. The total settlement is for \$23 per Class Member who makes a valid claim. Thus, the total settlement amount could reach up to \$31,588,200 in awards to Class Members, which is an outstanding result. In light of the risks in this case, Class Counsel have obtained significant relief for the settlement Class Members.

9. The Experience, Reputation, and Ability of the Attorneys

Most fee scales reflect an experience differential with the more experienced attorneys receiving larger compensation. *Johnson* at 718-719. Longevity *per se*, however, should not dictate the higher fee. *Id.* If a young attorney demonstrates the skill and ability, he should not be penalized for only recently being admitted to the bar. *Id.*

Here, the experience, reputation, and ability of Plaintiff’s attorneys is and was top notch. The Consumer Protection Firm and the Kazerouni Group have outstanding reputations nationwide,

especially handling TCPA cases, and for decades have been asked to lecture concerning this subject. These types of complex cases, often against banks and other large companies, present many challenges that need to be navigated by experienced counsel.

The Consumer Protection Firm is well known locally in Tampa where Mr. Howard has practiced 26 years. Mr. Howard is asked to lecture, go on local and national news outlets and radio, to talk about consumer rights. Howard Decl., ¶¶ 22, 31. Mr. Howard, the founder and CEO of The Consumer Protection Firm is recognized as a consumer protection expert here in Tampa and around the United States. He has been asked many times to testify in Tallahassee, for consumer subjects including legislative changes to Florida's debt collection, robocall and data breach laws. Mr. Howard was also asked by the Federal Trade Commission (FTC) to participated in a consumer protection round table. The Honorable Charlene Honeywell recognized Mr. Howard's long history of practicing consumer protection law in Tampa at the final approval hearing of the *Ray Stoll, et. al., v. Musculoskeletal Institute, Chartered d/b/a Florida Orthopedic Institute*, Case No. 8:20-cv-01798. Mr. Howard was described by the Honorable Beth Bloom as "vigorously and effectively" pursuing a settlement for class members in *Stuart Sawyer v. Intermix Wire Transfer, LLC.*, Case No. 1:19-cv-22212-BB Howard Decl. ¶ 34.

Kazerouni Law Group, APC also has extensive experience in class action matter such as this one. In the matter of *Barani v. Wells Fargo Bank, N.A.*, No. 12-cv-02999-GPC-KSC (S.D. Cal. March 6, 2015), the court opined that the attorneys for the plaintiff at Kazerouni Law Group, APC "are very seasoned" "in handling ... class actions." In the matter of *Holt v. Foodstate Inc.*, No. 17-cv-637-LM (D.N.H. Jan. 6, 2020), in which Mr. Kazerounian served as one of Co-Class Counsel, the Court at the final approval hearing (as reflected by the hearing transcript for that matter) expressed that "Class counsel are highly qualified and experienced in consumer class actions, including false advertising claims," and further stated that Abbas Kazerounian "[h]as participated in over 50 consumer protection class action suits in the last several years and he also has received extensive training in consumer protection litigation, has given presentations on the subject, including teaching a law school course on

consumer law.” Thus, Kazerouni law Group, APC and The Consumer Protection Firm are very experienced in TCPA consumer actions *See* Kazerounian Decl., ¶¶ 20-89; McBride Decl., ¶¶ 20-39.

10. The “Undesirability” of the Case

Like all complex cases and class actions, this case was not without its risks and pitfalls. Although Plaintiffs’ counsel felt confident in their case against AbleTo, the defenses articulated by AbleTo raised potential obstacles to recovery throughout the litigation process, including, without limitation, issues relating to consent. Moreover, in regards to class certification hurdles, AbleTo argued there was an individualized inquiry problem. Specifically, Defendant argued that there would be individualized inquiries as to whether each class member had given consent via different methods available. Thus, Defendant argued the class should not be certified.

The merit and class issues were all contested at the class certification and motion for summary judgment stage in the briefed motions, and likely would have been contested at the trial stage, and be appealed after trial. Thus, the risk is great in a case like this. While Plaintiffs’ counsel believes this case is a strong TCPA class action, no case is fool-proof, and all cases (especially class actions) have inherent risks. This factor therefore favors the requested fee award.

11. The Nature and Length of the Professional Relationship with the Client

A lawyer in private practice may vary his fee for similar work in the light of the professional relationship of the client with his office. *Johnson* at 718. The Court may appropriately consider this factor in determining the amount that would be reasonable. *Id.*

Class Counsel have worked very closely with Mr. Sessa for over nearly three years during this litigation. Class Counsel has only worked with Mr. Sessa on a contingency basis.

12. Awards in Similar Cases

The reasonableness of a fee may also be considered in the light of awards made in similar litigation within and without the court’s circuit. *Id.* “30% is a customary fee often awarded in TCPA class action cases.” *Fishman v. Npas Sols., LLC*, 2025 U.S. Dist.

LEXIS 156978 (S.D. Fla. Aug. 12, 2025) (*See, e.g., Jairam v. Colourpop Cosms., LLC*, No. 19-CV-62438-RAR, 2020 U.S. Dist. LEXIS 181656, 2020 WL 5848620, at *9 (S.D. Fla. Oct. 1, 2020))

Here, Class Counsel is requesting 5% of the possible total settlement. This is well within the range of reasonableness considering the complexity of the case and risks involved. Based upon Class Counsel’s research this case ranks in the top 10 of all TCPA class settlements with its \$31.5+ million available for class member throughout the United States.

B. LODESTAR ANALYSIS CONFIRMS REASONABLENESS OF FEES

Under *Camden I*, use of the lodestar analysis is improper in common fund cases. *See In re Checking*, 830 F. Supp. 2d at 1362–63 (declining to perform lodestar cross-check because *Camden I* “mandated the exclusive use of the percentage approach in common fund cases” and noting that “courts in this Circuit regularly award fees . . . without discussing lodestar at all”) (internal marks omitted). Still, other courts have used lodestar as a “cross-check” to the percentage-of-the-fund analysis. *Waters*, 190 F.3d at 1289 (“[W]hile we have decided in this circuit that a lodestar calculation is not proper in common fund cases, we may refer to that figure for comparison.”); *Pinto*, 513 F. Supp. 2d at 1343 (nothing that “[s]ome courts use the lodestar method as a cross-check of the percentage of the fund approach”) (citing *Sunbeam*, 176 F. Supp. 2d at 1336). “[L]odestar multiple[r]s 'in large and complicated class actions' range from 2.26 to 4.5, while 'three appears to be the average.’” *See Pinto*, 513 F. Supp. 2d at 1344 (quoting *Behrens v. Wometco Enterprises, Inc.*, 118 F.R.D. at 549 (S.D. Fla. 1988)).

To determine the lodestar amount, the “court must multiply the number of hours reasonably expended by a reasonable hourly rate.” *Duckworth v. Whisenant*, 97 F.3d 1393, 1396 (11th Cir. 1996). “A reasonable hourly rate is the prevailing market rate in the relevant legal community for similar services by lawyers of reasonably comparable skills, experience, and reputation.” *Norman v. Housing Auth. of City of Montgomery*, 836 F.2d 1292, 1299 (11th Cir. 1988). “After the lodestar is determined...the court must next consider the necessity of an adjustment for results obtained.” *Id.* at 1302. “If the results obtained were exceptional, then some enhancement of the lodestar might be called

for.” *Id.* (citing *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 478 U.S. 546, 565 (1986), *supplemented*, 483 U.S. 711 (1987)). “Even if the results obtained are exceptional, no enhancement is permissible unless there is specific evidence in the record to show that the quality of representation was superior to that which one would reasonably expect in light of the rates claimed.” *Id.* (citing *Blum*, 465 U.S. at 899). “This is because the reasonable hourly rate already should reflect the skill demonstrated by the advocate.” *Id.* “[E]nhancement may be appropriate if there is a risk of non-recovery of a fee in the case,” such as in a contingent fee arrangement. *Id.*

Here, the Court has stated, “the settlement has been negotiated in good-faith at arms-length between experienced attorneys familiar with the legal and factual issues of this case...” Dkt. No. 133, p. 2. Class Counsel continue to believe and contend that this settlement was in part the product of experienced and skilled counsel. Furthermore, the requested fees are very reasonable when compared to similar TCPA class settlements. Thus, Class Counsel asserts their request for attorney’s fees should be granted.

1. Detailed Time Records

It is the policy and procedure at Kazerouni Law Group and The Consumer Protection Firm that all attorneys and staff keep detailed contemporaneous time records. A detailed time log for Class Counsel and their staff is available upon request by the Court. Plaintiff’s Counsel has provided a summary of time spent and requested hourly rates below:

KAZEROUNI LAW GROUP, APC

Attorney/Staff	Hourly Rate	Hours	Lodestar
Abbas Kazerounian-Partner	\$1,075	87.5	\$ 94,062.50
Ryan McBride-Partner	\$650	220.2	\$ 143,130
Jonathan Gil-Associate Attorney	\$350	134.9	\$ 47,215
Aryanna Young-Associate Attorney	\$350	12.4	\$ 4,340
Paralegals	\$180	26.5	\$ 4,770

Administrative Staff	\$150	1.5	\$ 225
Total:		483	\$ 294,048.50

THE CONSUMER PROTECTION FIRM

Billy Howard	\$ 1,100	307	\$ 337,700
Charles Schropp	\$ 900	230.9	\$ 207,810
Amanda Allen	\$725	95.7	\$ 69,382.50
Britany Taylor (Paralegal)	\$275	67	\$ 18,425
Brenda Allen (Paralegal)	\$275	39.2	\$ 10,780
Total:		739.80	\$ 644,097.50

Additionally, Plaintiff’s counsel estimate that they will incur an additional \$60,000 – 70,000 in fees and costs from now until after the final approval hearing occurs. Thus, Plaintiff’s counsel estimates the total lodestar will be approximately \$1 million. Therefore, in a lodestar cross check, Plaintiff’s counsel are asking for a multiplier of 1.6. Considering the time, effort, and skill put into this case, the request is reasonable.

i. Experience of Counsel and Hourly Rates Approved In Other Cases

Plaintiff’s counsel here are experienced, highly regarded members of the bar with extensive expertise in the area of class actions and complex litigation involving consumer claims like those at issue here. The requested rates are similar to previous awards that Plaintiff’s counsel have received. *See* Kazerounian Decl., ¶¶ 70-85; McBride Decl., ¶¶ 44-54; Howard Decl., ¶¶ 33-35.

1. Abbas Kazerounian – Partner; Kazerouni Law Group, APC

Mr. Kazerounian and the Kazerouni Law Group, APC have considerable experience litigating consumer class actions. *See, e.g.,* Kazerounian Decl., ¶¶ 20-89. Mr. Kazerounian has also lectured on consumer litigation and is an adjunct professor at California Western School of Law teaching a

consumer law course. He has also successfully argued numerous appeals before the Ninth Circuit Court of Appeals in various consumer class actions.

Mr. Kazerounian has spent 87.5 hours in this litigation, as explained in the accompanying declaration. Mr. Kazerounian was approved for an hourly rate of \$1,075 in *Oie v. Husch Blackwell LLP*, No. 2:24-cv-00672-LA (ED WI). Kazerounian Decl., ¶ 70. Further, Mr. Kazerounian was approved at an hourly rate of \$1,025 in *In re Loandepot Data Breach Litig.*, 2025 U.S. Dist. LEXIS 6335 (C.D. Cal. Aug. 25, 2025). Kazerounian Decl., ¶ 72. Moreover, Mr. Kazerounian's hourly rate of \$1,025 was approved in *Hillborn v. R1 RCM, et al*, Case No. 2:24-cv-00664-JAD-EJY (D. Nev. Nov. 14, 2025). Kazerounian Decl., ¶ 71. Additionally, Mr. Kazerounian's hourly rate of \$975 was approved in *In Re Planned Parenthood Los Angeles Data Incident Litigation*. Kazerounian Decl., ¶ 73. He was also approved at \$900 per hour in *Stoffers v. Dave Inc.*, 2023 Cal. Super. LEXIS 99280 (L.A. Cty. Sup. Ct. 2023). Kazerounian Decl., ¶ 76. Thus, Mr. Kazerounian's request for an hourly rate of \$1,075 is reasonable.

2. Ryan L. McBride- Partner; Kazerouni Law Group, APC

Mr. McBride is a Partner at Kazerouni Law Group who has substantial experience litigating consumer cases. *See* McBride Decl., ¶¶ 20-54 (listing some of the consumer cases worked on and relevant experience).

Mr. McBride as spent 220.2 hours in this litigation, as explained in the accompanying declaration. Mr. McBride's hourly rate of \$650 based on his over 11 years of experience in complex litigation is reasonable. For more details of Mr. McBride's class action experience, see his declaration ¶¶ 20-54.

3. Billy Howard – Principal; The Consumer Protection Firm

Mr. Howard's passion for helping consumers began as a Legislative Assistant for Senator Bob Graham. He began his legal career in 1997 and has had the privilege to work with some of the best plaintiff and defense firms throughout Florida. In 2006, he became a partner at Morgan & Morgan and

started their Consumer Protection Department where he represented hundreds of consumers in a wide variety of individual cases including debt harassment and filed his first-class action. (See *Jennifer Mendoza v. Bank of America, N.A. (USA)*, Case No.: 6:09-cv-1251-Orl-28KRS (M.D. Fla.). In 2016 he started the Tampa law firm The Consumer Protection Firm. For the past 18 years, Mr. Howard has been lead counsel or taken a significant role in over 50 class actions bringing relief and compensation to millions of people who may otherwise never had their grievance resolved.

Mr. Howard has incurred 307 hours in this litigation, as explained in his accompanying declaration and based upon his 29 years of practicing law including complex class actions a reasonable rate is \$1,100. For more details, please see declaration and firm resume.

C. CLASS COUNSELS' LITIGATION COSTS OF \$71,828.39 ARE REASONABLE

Class Counsel are also entitled to reimbursement of reasonable out-of-pocket costs advanced for the Class for which they provide adequate documentation. See *Hanley v. Tampa Bay Sports & Entm't LLC*, 2020 U.S. Dist. LEXIS 89175, 2020 WL 2517766, at *6 ("[C]ourts normally grant expense requests in common fund cases as a matter of course."); *Stoll v. Musculoskeletal Inst., Chtd.*, 2022 U.S. Dist. LEXIS 133514, 2022 WL 16927150, at *4.

"Reasonable costs and expenses incurred by an attorney who creates or preserves a common fund are reimbursed proportionately by those class members who benefit from the settlement." *In re Media Vision Tech. Sec. Litig.*, 913 F. Supp. 1362, 1366 (N.D. Cal. 1996) (citing *Mills v. Electric Auto-Lite Co.*, 396 U.S. 375, 391-392 (1970)). The significant litigation expenses Class Counsel incurred in this case were necessary to secure the resolution of this litigation. See *In re Immune Response Sec. Litig.*, 497 F. Supp. 2d 1166, 1177-78 (S.D. Cal. 2007) (finding that costs such as filing fees, photocopy costs, travel expenses, postage, telephone and fax costs, computerized legal research fees, and mediation expenses are relevant and necessary expenses in class action litigation).

Based upon the discussion herein, Class Counsel believe that the costs incurred in this matter are fair and reasonable.

The reasonable litigation costs requested of \$71,828.39 (as of approximately May 13, 2026) are itemized in, and supported by, Kazerouni Law Group and the Consumer Protection Firm's Costs Report, which is attached as Exhibit A. This includes costs related to research, printing, postage, travel to mediation, travel to hearings, and expert costs.

V. CONCLUSION

For all the foregoing reasons, Plaintiff respectfully requests that the Court enter an order awarding Class Counsel \$1,625,000 in reasonable attorneys' fees *and* costs from the settlement payment; *See Agr.* ¶ II.D.1.¹

Dated: May 13, 2026

Respectfully submitted,

KAZEROUNI LAW GROUP, APC

/s/ Abbas Kazerounian
Abbas Kazerounian, Esq.
Admitted Pro Hac Vice
ak@kazlg.com
245 Fischer Ave, Suite D1
Costa Mesa, CA 92626

THE CONSUMER PROTECTION FIRM

/s/ Billy Howard
William (Billy) Howard, Esq.
Florida Bar No. 103330
billy@theconsumerprotectionfirm.com
401 East Jackson St., Suite 2340
Tampa, Florida 33602

/s/ Ryan L. McBride
Ryan L. McBride, Esq.
Florida Bar No. 1010101
ryan@kazlg.com
2221 Camino Del Rio S, Suite 101
San Diego, CA 92108

Attorneys for Plaintiff

¹ A proposed order will be submitted in connection with the motion for final approval of class action settlement, which will include a proposal for an award of the requested attorneys' fees, costs and incentive payment.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 13, 2026, I electronically caused the foregoing document to be filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Ryan L. McBride
Florida Bar No. 1010101
Counsel for Plaintiff

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

Michael Sessa, individually and on
behalf of others similarly situated,

Case No.: 8:23-cv-02219-TPB-CPT

Plaintiff,

v.

AbleTo, Inc.,

Defendant.

DECLARATION OF WILLIAM (“BILLY”) PEERCE HOWARD

I, WILLIAM PEERCE HOWARD, hereby declare as follows:

1. I have personal knowledge of the following facts and, if called as a witness, would testify as follows.
2. I am Lead Class Counsel in this action and make this declaration in support of Plaintiffs’ Motion for Attorney Fees and Costs.
3. Class Counsel took this case on a contingency basis and completed a significant amount of work on this case, which resulted in a successful class action settlement as described herein. Detailed time logs of the time spent on this case are available upon request.

PROCEDURAL BACKGROUND

4. On September 29, 2023, Plaintiff filed this putative class action alleging claims for violations of 47 U.S.C. § 227 *et seq.*, the Telephone Consumer Protection Act (“TCPA”) against AbleTo, Inc. (“Defendant”).

5. On December 22, 2023, Defendant filed its Answer to the Complaint.
6. On January 15, 2024, and January 26, 2024, Plaintiff and Defendant respectively filed Answers to the Court Interrogatories. (Doc. 29, 30).
7. On February 26, 2024, Defendant filed a supplement to its Court-ordered Interrogatories. (Doc. 39).
8. On September 4, 2024, Plaintiff filed a Motion to Compel Discovery. (Doc 49). Defendant filed its Response in Opposition on September 18, 2024. (Doc 51). Both parties attended the hearing on Plaintiff's Motion to Compel on October 22, 2024. (Doc 59).
9. On February 13, 2025, both parties filed Cross-Motions for Summary Judgment. (Doc. 81, 83). On March 6, 2025, both parties filed Responses in Opposition to each other's Motions for Summary Judgment. (Doc. 95, 97). On March 20, 2025, both parties filed a Reply in Support of their respective Motions for Summary Judgment (Doc. 106, 108) and Plaintiff filed a Motion to Designate an Expert. (Doc. 110).
10. I strongly advocated to have Mediator Rodney Max mediate this case because Mr. Max has proven to be smart and "tough" on each side in such cases. In my opinion, Mr. Max was highly qualified to explain the pros and cons of settling this sophisticated litigation to both sides.
11. On March 20, 2025, the Parties attended mediation with Mediator Rodney Max. Though the Parties did not reach resolution on that date, the Parties made enough progress that they agreed to attend a second day of mediation.

12. On May 15, 2025, the Parties participated in a second day of mediation with Rodney Max. The Parties were successful in resolving the class claims on this date despite what would be described as highly contentious yet professional differences of opinion relating to the facts and law.
13. On May 30, 2025, the parties filed a Joint Notice of Settlement. (Doc. 125). The Court subsequently lifted the stay and directed the parties to file a motion for preliminary approval of the class action settlement.
14. Plaintiff filed a Motion for Preliminary Approval of the Class Action Settlement, which was granted on February 3, 2026, by the Court.

The Settlement

15. Based on the facts of this case, I believe this settlement is fair, reasonable, and adequate. Among other things, the Settlement will avoid costly and time-consuming litigation and the need for what could be a risky trial.
16. In considering the Settlement, Plaintiff, my co-counsel, and I carefully balanced the risks of continuing in protracted and contentious litigation relative to the benefits to the Settlement Class. We all believe that the settlement is in the best interests of the numerous Settlement Class Members.
17. We further believe that under the circumstances the proposed Settlement is fair, reasonable, and adequate.
18. This Settlement was only obtained after the parties engaged in both informal and formal discovery, extensive arm's length negotiations, and multiple mediation sessions before Mediator Rodney Max, Esq.

**THE CONSUMER PROTECTION FIRM PLLC'S
CONSUMER RELATED EXPERIENCE AND RESULTS**

19. I have been lead counsel in hundreds of TCPA individual cases. I know of no lawyer that has handled more TCPA cases on an individual basis in Florida or in the country.
20. I have also been court-appointed lead class counsel in numerous TCPA class actions.
21. I have also been named lead counsel or on the executive committees in numerous data breach class action cases.
22. Representing consumers has been a passion of mine for the past 29 years of practicing law in Florida.
23. My law firm, The Consumer Protection Firm, will continue to fully commit the time and resources necessary to represent the Class.
24. I have extensive experience prosecuting complex cases including class actions, especially the TCPA and more recently data breach cases. I have been licensed to practice law in the State of Florida for 29 years.
25. As managing partner of The Consumer Protection Firm, PLLC, we have helped millions of individuals nationwide in numerous class actions.
26. I have handled over 1,000 consumer protection and privacy cases (many on a *pro bono publico* basis) which dealt with the following issues: Identity Theft, Fair Debt Collection Practice Act (“FDCPA”), Fair Credit Reporting Act (“FCRA”), Unfair and Deceptive Trade Practices, Illegal Tape Recordings, Civil Theft, Fraud, Florida Consumer Collection Practices Act (“FCCPA”), Civil

Theft, Negligence, Personal Injury, Medical Malpractice, Breach of Contract, DUI, Bar Grievances and Intentional Infliction of Emotional Distress claims.

27. I have testified numerous times before Florida state government entities in Tallahassee, including very recently to help fight off changes to Florida's state Robocall law.
28. I was also successful in front of the Florida House's Insurance and Banking Subcommittee in helping defeat a proposed change to the Florida Consumer Collection Practices Act (FCCPA) from Chase Bank and the banking industry.
29. I was asked by the Federal Trade Committee ("FTC") to round-table in D.C. concerning the use of social media, including Facebook, to collect debts and locate consumers.
30. I am one of the very few lawyers that takes consumer protection cases to trial, and one of the even fewer lawyers to obtain a punitive damages verdict against a national debt collection company.
31. I am regarded as an expert in consumer rights cases nationwide and especially in my home community of Tampa. I have appeared in over 100 television spots locally including ABC Action News and Fox 13. I have also frequently appeared on national news stations including: Inside Edition, World News Tonight with Dianne Sawyer, 60 Minutes, CNN, ABC Nightly News, Nightline, Fox, Fox and Friends, CBS and NBC. Thousands of world-wide articles have been written about the high-profile consumer rights cases I

pursued, and many have “gone viral,” the most recent being the Netflix class action deemed “The Baddest Streaming Event on the Planet.”

32. With respect to privacy cases, such as the case at issue, prerecorded “robocalls” calls, and data breach cases, The Consumer Protection Firm is presently litigating dozens of these complex class cases across the country.

33. Some of my more notable cases are the following:

- a. *Deleon v. Bank of America, N.A.*, United States District Court, Middle District of Florida, 6:09-cv-0125-CEM-KRS, (Lead Counsel in a certified class action settlement for \$10,000,000 where defendant charged plaintiffs with late fees for on-time payments).
- b. *Zybuero v. NCSPLUS, Inc.*, United States District Court, Southern District of New York, 1:12-cv-06677-JSR, (Lead Counsel in a certified TCPA class action where defendant called plaintiff concerning someone else’s debt and continued to do so after Plaintiff asked for calls to stop. Case settled for the \$2,000,000 depleting insurance policy, two days before a bench trial was set in front of the Honorable Jed Rakoff. Plaintiff’s counsel was also awarded sanctions in the amount of \$38,041.63 for fees and costs due to defendant’s misconduct.)
- c. *Jaquita Lyons v. Dish Network, LLC*, M.D. Florida, 3:12-cv-199-J- 32-MCR, (Lead counsel in the first case in the 11th Circuit standing for the proposition that punitive damages are available in TCPA cases).
- d. *Page v. Regions Bank*, 2012 WL 6913593 (N.D. Ala. 2012), (Lead counsel in the first opinion in the 11th Circuit to rule that the “called

party” has standing to bring a TCPA claim).

- e. *Fini v. Dish Network, LLC*, United States District Court, Middle District of Florida, 6:12-cv-00690-ACC-TBS, (Lead Counsel in TCPA case standing for the proposition that the regular user of the phone has standing to bring a case).
- f. *Kathy Clements v. DSM Supply LLC*, 2014 WL 560561 (M.D. Fla. 2014) (Lead counsel in individual TCPA case, obtained ruling that after notice of incorrect calls, each subsequent violation was considered willful and knowing and thus worth \$1,500.00 per call).
- g. *Brian Gambon v. Regent Asset Management Solutions, Inc.*, 2015 WL 64561 (M.D. Fla. 2015)(Lead counsel obtained TCPA ruling that after being told to “stop calling” each subsequent call was considered willful and knowing and thus worth \$1,500.00 per call).
- h. *Coniglio v. Bank of America, N.A.*, 2014 WL 5366248 (M.D. Fla. 2014), (Lead counsel obtained final default TCPA judgment issued in the amount of \$1,051,000.00 asserting that each call placed after verbally requesting for the calls to stop were worth \$1,500.00 each, reversed on different issue).
- i. *Heather Howard v. MBNA America Bank, N.A.*, Thirteenth Judicial Circuit of Florida, Hillsborough County, 06-CA-01942 and *Heather Howard v. Wolpoff & Abramson, LLP*, Thirteenth Judicial Circuit of Florida, Hillsborough County, 06-CA-001045, (Lead counsel obtained ruling allowing punitive damages for alleged false credit reporting and

violations of the FCCPA).

- j. *McCaskill v. Navient Solutions Inc. No. 8:2015-cv-01559*, (Lead counsel in obtaining largest TCPA summary judgment in an individual case in the country).

34. I have also served as Plaintiff's counsel in the following TCPA class actions:

- a. *Swaney v Regions Bank*, United States District Court Northern District of Alabama, Southern Division, Case No. 2:13-cv-00544; (Lead counsel – settled on class basis)
- b. *Cook and Bermudez v. Palmer Riefler & Associates, P.A.*, United States District Court, Middle District of Florida, Jacksonville Division, Case No.: 3:16-cv-673; (Lead counsel – settled on class basis)
- c. *Glasser v. Hilton Grand Vacations*, United States District Court, Middle District of Florida, Tampa Division, Case No. 8:16-cv- 00952. (Lead counsel, one of the cases that went to United States Supreme Court on the automatic telephone dialing system “ATDS” issue))
- d. *Clark v. Macy's Credit and Customer Services, Inc.*, United States District Court, Middle District of Florida, Orlando Division, Case No: 6:17-cv-692; (Lead counsel settled on class basis)
- e. *Sawyer v Intermex*, United States District Court, Southern District of Florida, Miami Division, Case No. 1:19-cv-22212; (Lead counsel settled for 4 million dollars, judge commented what a good job counsel for plaintiff did, obtained \$15,000 for named plaintiff as an incentive award).

- f. *Mey v John Doe, et al*, United States District Court, Northern District of West Virginia, Wheeling Division, Case No. 5:19-cv- 00237 (Lead counsel in class attempting to hold the “Gateway” carriers responsible for allowing millions of scam call int the country using their lines-settle individually);
- g. *Terrace Ellis v. UnitedHealth Group, Inc.*, 0:26-cv-01926-LMP-SGE, District of Minnesota (class action - pending);
- h. *Bradley v. DentalPlans & Cigna*, 1:20-cv-01094-BAH, District of Maryland (Lead counsel – TCPA class action - pending)
- i. *Mary Coffey-Szanyi v. LoanDepot (consolidated Kearns v. LoanDepot)*, 8:22-cv-01217-JWH-JDE, C.D. California (lead counsel in TCPA class action – pending);
- j. *Saggio v. Medicredit*, 4:22-CV-1005-JAR, E.D. Missouri (Lead counsel – class action - pending);

35. The Consumer Protection Firm has participated in litigation of several data breach and privacy cases, which include:

- a. *Ray Stoll and Heidi Imhof v. Musculoskeletal Institute, Chartered d/b/a Florida Orthopaedic Institute*, Case No. 8:20-cv-01798 (M.D. Fla.), a Florida data breach case involving the improper disclosure of the highly sensitive medical information of many children. Lead counsel, settled for \$4 million.
- b. *Morgan Stanley Data Security Litigation*, Case No. 1:20-cv-05914-

- PAE* (USDC for the Southern District of New York); Settled \$60 million;
- c. *Capital One Consumer Data Security Breach Litigation, Case No.:*
MDL No. 1:19-md-02915-AJT-JFA (USDC for the Eastern District of Virginia, Alexandria Division). Settled \$190 million;
 - d. *In re: Purfoods, Inc., Data Security Litigation, Case No. 4:23-cv-0332-RGE-SBJ* (S.D. Iowa). Settled \$4.25 million;
 - e. *In re: Consulting Radiologists Ltd., Case No. 27-cv-24-9850* (Fourth Judicial District of Minnesota)
 - f. *Lopez, Patricia v. City of Hope National Medical Center, Case No. 2:24-cv-02879* (C.D. California). Settled \$8.5 million;
 - g. *Pelt, Latricia v. Henry Ford Health System, Case No. 2:23-cv-11736-GAD-KGA* (E.D. Michigan). Settled;
 - h. *Rutledge, Matthew v. Desert Physicians Management LLC, Case No. CIVSB2316332* (Superior Court of the State of California- San Bernadino County);
 - i. *Harris, Robert v. Bienville Orthopaedic, Case No. 1:23-cv-248-HSO-BWR* (S.D. MI) ;
 - j. *Elia Colon, et al., v. Florida Health Science Center D/B/A/ Tampa General Hospital, Case No.: 8-23-cv-01909-KKM-CPT* (M.D. Fla). Settled for \$7,000,000 on a class basis;
 - k. *Burgin, LaQue, et al. v. St. Anthony's Hospital, Case No.: 2024CH00940* (Circuit Court of Cook County). Settled \$1.3 million;
 - l. *Cucuta, Adealaida v. FloridaCentral Credit Union, Case No.: 2024-CA-*

- 006065* (Circuit Court of Hillsborough County). Settled \$505k;
- m. *Edna Whitten v. Landmark Admin and Liberty Bankers Insurance Co*,
Case No.: 3:24-cv-02723, Settled on a class basis for \$6 million;
- n. *Uceta v. Discord*, *Case No. 3:25-cv-08582-JD* (N.D. California);
- o. *In re: Trans Union, LLC, Customer Data Security Breach Litigation*,
MDL No. 3170 (N.D. Illinois).

Attorneys' Fees and Costs Incurred

36. I respectfully submit that this firm, as well as our co-counsel, utilized skill, careful and thorough preparation and investigation through litigation to reach a favorable result for the Plaintiff. After carefully reviewing my firm's time records, I determined that the hours were reasonably expended in litigating this case to a successful resolution. All costs were also reasonably incurred for the benefit of the class.

37. My co-counsel and I spent a significant amount of time litigating the case, negotiating the Settlement in principle and then finalizing the actual terms of the Settlement with Defendant.

38. I note that the work of my co-counsel and myself has not yet been completed, as we must still: (1) review claims and work with the claims administrator handling issues related to administration; (2) draft the final approval motion; (3) prepare for and attend the final approval hearing set for July 28, 2026; and (4) disburse service awards and awards for Plaintiff's counsel's fees and expenses.

39. I recorded 307 hours expended in this case. Due to my 29 years of practice and particularized class counsel experience, including as lead counsel, I believe a reasonable hourly rate is \$1,100 per hour for my work on this case. This totals to \$337,700 of lodestar fees.

40. A former partner of The Consumer Protection Firm, Amanda Allen, Esq, recorded 95.69 hours expended in this matter. Based upon her 13 years of practice and relevant consumer protection experience, I believe a rate of \$750.00 per hour is reasonable for her services in this case, for a total lodestar of \$71,767.50.

41. I also contracted the legal services of Charles M. Schropp, Esq., who worked as a contract attorney to assist my firm with the extensive trial-level drafting of complex motions and memoranda necessitated by this case. Mr. Schropp recorded 230.9 hours expended in performing those tasks. Based upon his 23 years of legal practice and his relevant experience in working with me on a number of other significant consumer protection matters, I believe a rate of \$900 per hour is reasonable, totaling \$ 207,810 in lodestar.

42. The above described hours in this case were fair and reasonable based on the novel and complex issues addressed in well over a year of litigation.

43. My office has incurred a total of \$24,791.67 in costs for this entire action up until now. That amount represents mediation fees, printing, mailing, research, travel, and expert costs. The only costs remaining to be determined

are travel costs for the Final Approval hearing. Class Counsel will be able to provide an updated accounting at the Final Approval hearing if requested by the Court.

44. The total amount of fees **and** costs Class Counsel seeks is \$1,625,000

45. A copy of The Consumer Protection Firm's Costs are available upon request by the Court. Time records can also be made available.

I declare under penalty of perjury under the laws of Florida that the foregoing is true and correct.

Respectfully submitted,

THE CONSUMER PROTECTION FIRM PLLC

Date: May 13, 2026

/s/ William (Billy) Peerce Howard
Billy Howard, Esq.
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MICHAEL SESSA,

Plaintiff,

v.

ABLETO, INC.,

Defendant.

Case No. 8:23-cv-02219-TPB-CPT

**DECLARATION OF ABBAS KAZEROUNIAN IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES AND COSTS**

I, Abbas Kazerounian hereby declare under penalty of perjury that the following is true and correct:

1. I have personal knowledge of the following facts and, if called as a witness, would testify as follows.
2. I am one of the Class Counsel in this action and make this declaration in support of Plaintiffs' Motion for Attorneys' Fees and Costs.
3. Class Counsel completed a significant amount of work on this case, which resulted in a successful class settlement as described herein. Detailed time logs of the time spent on this case are available upon request.

Procedural History

4. Plaintiff filed his initial Complaint on September 29, 2023 for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. ("TCPA") and Florida Statute §§ 501.059 ("FTSA").
5. On December 22, 2023, Defendant filed its Answer. (Doc. 26).
6. On January 15, 2024, and January 26, 2024, Plaintiff and Defendant respectively filed Answers to the Court Interrogatories. (Doc. 29, 30).

7. On February 1, 2024, the parties attended a mediation before Emmett L. Battles and reached an impasse. (Doc. 33).
8. On February 26, 2024, Defendant filed a supplement to its Court-ordered Interrogatories. (Doc. 39).
9. On September 4, 2024, Plaintiff filed a Motion to Compel Discovery. (Doc. 49). Defendant filed its Response in Opposition on September 18, 2024. (Doc. 51). Both parties attended the hearing on Plaintiff's Motion to Compel on October 22, 2024. (Doc. 59).
10. On January 17, 2025, Plaintiff filed a Motion for Class Certification. (Doc. 70). Defendant filed its Response in Opposition on February 7, 2025. (Doc. 79).
11. On February 13, 2025, both parties filed Cross-Motions for Summary Judgment. (Doc. 81, 83). On March 6, 2025, both parties filed Responses in Opposition to each other's Motions for Summary Judgment. (Doc. 95, 97). On March 20, 2025, both parties filed a Reply in Support of their respective Motions for Summary Judgment (Doc. 106, 108) and Plaintiff filed a Motion to Designate an Expert. (Doc. 110).
12. Additionally, on March 20, 2025, the parties attended mediation with mediator Rodney Max, Esq. but were unable to reach an agreement at that time. (Doc. 119). On March 24, 2025, Plaintiff filed his Reply in Support of his Motion for Class Certification. (Doc. 116). That same day, the parties filed a Joint Motion to Stay (Doc. 115), which the Court granted until June 16, 2025. (Doc. 117). On April 2, 2025, Defendant filed its Opposition to Plaintiff's Motion to Designate an Expert. (Doc. 122).
13. On May 15, the parties attended another mediation with mediator Rodney Max, Esq. As a result of the Parties' and Rodney Max's efforts, the Parties reached a class settlement.
14. On May 30, 2025, the parties filed a Joint Notice of Settlement. (Doc. 125). The Court subsequently lifted the stay and directed the parties to file a motion for preliminary approval of the class action settlement.
15. Plaintiff filed a Motion for Preliminary Approval of the Class Action Settlement, which was granted on February 3, 2026, by the Court.

Class Settlement

16. Based on the facts of this case, I believe this settlement is fair, reasonable, and adequate; and among other things, the Settlement will avoid costly and time-consuming litigation and the need for trial.
17. In considering the Settlement, Plaintiff, my co-counsel, and I carefully balanced the risks of continuing to engage in protracted and contentious litigation against the benefits to the Settlement Class and believe that the settlement is in the best interests of the Settlement Class Members.
18. I believe that under the circumstances the proposed Settlement is fair, reasonable, and adequate.
19. This Settlement was only obtained after the parties engaged in both informal and formal discovery, extensive arm's length negotiations, and several mediations before Rodney Max, Esq. This matter was regarding allegations that Defendant violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. ("TCPA") and Florida Statute §§ 501.059 ("FTSA").

Kazerouni Law Group Practice

20. Kazerouni Law Group APC's practice is almost exclusively devoted to the litigation of consumer law, primarily focusing on cases under consumer protection matters and has nine offices in seven states.
21. The firm has litigated over 20,000 cases in the past 15 years.
22. On most cases Kazerouni Law Group represents consumers on a contingency fee, funding all litigation costs, and usually waiting a considerable amount of time before being paid for services. Kazerouni Law Group took this case on a purely contingent basis and has not been paid for any of its services thus far.
23. Below is a brief summary of a non-inclusive list of notable decisions that I have been involved in:

- *Hill v. Quicken Loans, Inc.*, No. ED CV 19-0163 FMO (SPx), 2020 U.S. Dist. LEXIS 140980 (C.D. Cal. Aug. 5, 2020) (denying defendant’s motion to dismiss and motion to compel arbitration of TCPA case after an evidentiary hearing);
- *Malta, et al. v. Wells Fargo Home Mortgage, et al.*, 10-CV-1290-IEG (BLM) (Served as co-lead counsel for a settlement class of borrowers in connection with residential or automotive loans and violations of the TCPA in attempts to collect on those accounts; obtained a common settlement fund in the amount of \$17,100,000; final approval granted in 2013);
- *Ronquillo-Griffin v. TransUnion Rental Screening Solutions, Inc. et al.*, No. 3:17-cv-00129-JM-BLM (S.D.Cal. May 9, 2019) (co-lead counsel in finally approving class action settlement involving claims under Cal. Pen. Code § 630, *et seq.*);
- *Barrow v. JPMorgan Chase Bank, N.A.*, 1:16-cv-03577-AT (N.D. Ga) (co-lead counsel in finally approved TCPA class settlement for \$2,250,000);
- *Barani v. Wells Fargo Bank, N.A.*, 12-CV-02999-GPC (KSC) (S.D. Cal.) (Co-lead class counsel in a settlement under the TCPA for the sending of unauthorized text messages to non-account holders in connection to wire transfers; finally approved on March 6, 2015 for over \$1,000,000);
- *Holt v. Foodstate, Inc.*, No. 1:17-cv-00637-LM, 2020 U.S. Dist. LEXIS 7265 (D.N.H. Jan. 16, 2020) (finally approving class action settlement for alleged false advertising of consumable product, \$2,100,000, with Abbas Kazerounian and Jason Ibey as co-lead class counsel);
- *Delisle v. Speedy Cash*, No. 3:18-CV-2042-GPC-RBB, 2019 U.S. Dist. LEXIS 96981 (S.D. Cal. June 10, 2019) (denying defendant’s motion to compel arbitration of claims for allegedly charging excessive APR; remanded on appeal to consider intervening law, decision pending; I am co-lead counsel);
- *Oxina v. Lands’ End, Inc.*, 3:14-cv-02577-MMA-NLS (S.D. Cal. 2016) (co-lead counsel in finally approved settlement under California Made in the USA statute);

- *Kline v. Dymatize Enters., LLC*, No. 15-CV-2348-AJB-RBB, 2016 U.S. Dist. LEXIS 142774, at *16 (S.D. Cal. Oct. 13, 2016) (co-lead counsel in finally approved class action settlement regarding slack fill claim);
- *Maxin v. RHG & Company, Inc.*, 2017 U.S. Dist. LEXIS 27374 (S.D. Cal. February 27, 2017) (co-lead counsel in finally approved class action settlement for \$900,000);
- *Scheuerman v. Vitamin Shoppe Industries, Inc.*, BC592773 (Los Angeles Superior Court) (co-lead counsel in finally approved class action settlement for up to \$638,384);
- *Fishman v. Subway Franchisee Advert. Fund Tr., Ltd.*, No. 2:19-cv-02444-ODW (ASx), 2019 U.S. Dist. LEXIS 200710 (C.D. Cal. Nov. 18, 2019) (co-lead counsel; obtained order denying a defendant's motion to dismiss case for lack of personal jurisdiction where jurisdiction as based on an agency relationship);
- *Meza v. Sirius XM Radio Inc.*, No. 17-cv-02252-AJB-JMA (S.D. Cal. February 25 2020) (was co-lead counsel; obtained order denying the defendant's motion to strike class allegations and motion to dismiss complaint where defendant challenge the constitutionality of the TCPA);
- *Conner v. JPMorgan Chase Bank, et al.*, 10-CV-1284 DMS (BGS) (S.D. Cal.) (finally approved \$11,973,558);
- *In Re Jiffy Lube International, Inc.*, MDL No. 2261 (Finally approved for \$47,000,000.00 in value to the class);
- *Newman v. AmeriCredit Financial Services*, 11-cv-03041-DMS-BLM (S.D. Cal.) (co-lead counsel in finally approving TCPA settlement for over \$6,500,000 on March 28, 2016);
- *Fox v. Asset Acceptance, LLC*, 14-cv-00734-GW-FFM (C.D. Cal. July 1, 2016) (co-lead counsel in finally approved TCPA class action for \$1,000,000; \$200,000 cash and \$800,000 debt relief);

- *Barrett v. Wesley Financial Group, LLC*, 13-cv-00554-LAB-KSC (S.D. Cal.) (Appointed co-lead class counsel in certified TCPA action);
- *Gehrich v. Chase Bank, N.A.*, 12-cv-5510 (N.D. Cal.) (finally approved for \$34,000,000);
- *Macias v. Water & Power Community Credit Union*, BC515936 (Los Angeles Superior Court) (Co-class counsel in certified class action under the Rosenthal Fair Debt Collection Practices Act; class action settlement finally approved on April 21, 2016);
- *LaPuebla v. BirchBox, Inc.*, 3:15-cv-00498-BEN-BGS (S.D. Cal. 2016) (co-lead counsel in finally approved settlement in unlawful auto-renewal action, allowing class members to receive credits ranging from \$5 to \$20 toward future purchases);
- *Stemple v. QC Holdings, Inc.*, 12-cv-01997-BAS-WVG (S.D. Cal. Nov. 7, 2016) (Co-lead counsel in finally approved for \$1,500,000);
- *Abdeljalil v. GE Capital Retail Bank*, 12-cv-02078-JAH-MDD (S.D. Cal.) (Co-lead counsel; Class Certification granted and finally approved for \$7,000,000);
- *Hooker v. Sirius XM Radio Inc.*, 4:13-cv-00003-AWA-LRL (E.D.Va. December 22, 2016) (Served as co-lead counsel in finally approved TCPA class action settlement with a monetary fund of \$35,000,000);
- *Medeiros v. HSBC Bank Nevada, N.A.*, 3:14-cv-01786-JLS-MDD (S.D. Cal. 2017) (Finally approved action under Penal Code 632, *et seq.* for \$13,000,000);
- *Burkhammer v. Allied Interstate, LLC*, 2017 Cal. Super. LEXIS 109 (Sup. Ct. San Luis Obispo) (Co-lead counsel in RFDCPA class action finally approved on October 30, 2017);
- *Caldera v. Am. Med. Collection Agency*, 2017 U.S. Dist. LEXIS 99239 (C.D. Cal. June 27, 2017) (Order certifying nationwide TCPA class action and appointing Mr. Kazerounian as co-lead counsel);

- *Moreno-Peralta v. TRS Recovery Services, Inc.*, 2017 Cal. Super. LEXIS 548 (Sup. Ct. San Luis Obispo Oct. 10, 2017) (Co-lead counsel in RFDCPA class action finally approved);
- *Luster v. Wells Fargo Dealer Services, Inc.*, 15-cv-1058 (TWT) (N.D. Ga. November 8, 2017) (TCPA class action finally approved in the amount of \$14,834,058.00);
- *McPolin v. Credit Service of Logan*, 16-cv-116 BSJ (Utah District Court) (Co-lead counsel in FDCPA class action with consumers to each receive \$1,428.57, debt relief, and tradeline deletion finally approved on November 9, 2017);
- *Reid v. I.C. System, Inc.*, 2017 U.S. Dist. LEXIS 43770 (D.Ariz. March 24, 2017) (TCPA class actions finally approved in the amount of \$3,500,000);
- *Dowlatshahi v. Mcilhenny Company*, No. 30-2017-00911222-CU-NP-CXC (Sup. Ct. Orange County Oct. 10, 2018) (granting final approval to product false advertising settlement with Mr. Kazerounian as co-lead counsel);
- *Giffin v. Universal Protein Supplements Corporation d/b/a/ Universal Nutrition et al.*, No. BC613414 (Superior Court of California, County of Los Angeles) (co-lead counsel in finally approved class action settlement alleging violation of California law involving Made in USA representations);
- *Holt v. Noble House Hotels & Resort, Ltd.*, No. 17cv2246-MMA (BLM), 2018 U.S. Dist. LEXIS 177940 (S.D. Cal. Oct. 16, 2018) (achieved class certification status on CLRA claim for alleged false advertising of restaurant surcharge; Abbas Kazerounian appointed as class counsel);
- *Sherman v. Kaiser Foundation Health Plan, Inc.*, 13-CV-0981-JAH (JMA) (S.D. Cal.) (Settled for \$5,350,000 and finally approved on May 12, 2015; served as co-lead counsel);
- *Couser v. Comenity Bank*, 12-cv-02484-MMA-BGS (S.D. Cal. Oc. 2, 2014) (Finally approved for \$8,475,000 on May 27, 2015 served as co-lead counsel);

- *Arthur v. SLM Corporation*, 10-CV-00198 JLR (W.D. Wash.) (nationwide settlement obtaining \$24.15 million; final approval granted in 2012);
- *Lo v. Oxnard European Motors, LLC, et al.*, 11-CV-1009-JLS-MDD (S.D. Cal.) (Achieving one of the highest class member payouts in a TCPA action of \$1,331.25 per claimant; final approval granted in 2012; served as co-lead counsel);
- *In Re: Midland Credit Management, Inc., Telephone Consumer Protection Act Litigation*, 11-md-2286-MMA (MDD) (S.D. Cal.) (Co-lead counsel for a Plaintiff in the lead action, prior to the action being recategorized through the multi-district litigation process; finally approved for \$18 million);
- *In Re: Portfolio Recovery Associates, LLC Telephone Consumer Protection Act Litigation*, 11-md-02295-JAH (BGS) (Co-lead counsel for a Plaintiff in the lead action, prior to the action being recategorized through the multi-district litigation process; finally approved for \$18 million);
- *Sarabri v. Weltman, Weinberg & Reis Co., L.P.A.*, 10-01777-AJB-NLS (S.D. Cal.) (Approved as co-lead counsel and worked to obtain a national TCPA class settlement where claiming class members each received payment in the amount of \$70.00 per claimant; final approval granted in 2013);
- *Mills v. HSBC Bank Nevada, N.A.*, Case No. 12-CV-04010-SI (N.D. Cal.) (Finally approved for \$39,975,000);
- *Rose v. Bank of America Corporation et al.*, 12-cv-04009-EJD (N.D. Cal.) (finally approved for \$32,000,000 in 2014);
- *Lemieux v. EZ Lube, LLC, et al.*, 12-CV-01791-JLS-WYG (S.D. Cal.) (Served as co-lead counsel; finally approved on December 8, 2014);
- *Knell, et al. v. FIA Card Services, N.A.*, 13-CV-01653-AJB-WVG (S.D. Cal.) (California class action settlement under Penal Code 632, *et seq.*, for claims of invasion of privacy. Settlement resulted in a common fund in the amount of \$2,750,000; finally approved in August 15, 2014; served as co-lead counsel.);

- *Hoffman v. Bank of America Corporation*, 12-CV-00539-JAH-DHB (S.D. Cal.) (California class action settlement under Penal Code 632, *et seq.*, for claims of invasion of privacy. Settlement resulted in a common fund in the amount of \$2,600,000; finally approved on November 6, 2014; served as co-lead counsel.);
- *Mount v. Wells Fargo Bank, N.A.*, BC395959 (Sup. Ct. Los Angeles) (finally approved for \$5,600,000 in action under Cal. Pen. Code § 630, *et seq.*);
- *Zaw v. Nelnet Business Solutions, Inc. et al.*, No. 13-cv-05788-RS (N.D. Cal.) (Co-lead counsel in finally approved in 2014 for \$1,188,110 in action under Cal. Pen. Code § 630, *et seq.*)

Counsel's Experience in Support of Attorneys' Fees Request

24. In 2014, I argued before the Ninth Circuit Court of Appeals in the case of *Knutson v. Sirius XM Radio*, No. 12-56120 (9th Cir. 2014), which resulted in an order in favor of my client.
25. On December 6, 2016, I successfully argued before the Ninth Circuit Court of Appeals in the case of *Marks v. Crunch San Diego, LLC*, No. 14-56834. The Ninth Circuit decided in my client's favor in a 3-0 decision.
26. In April of 2017, I successfully argued before the Ninth Circuit Court of Appeals in the case of *Afewerki v. Anaya Law Group, et al.*, No. 15-56510.
27. On May 15, 2019, I successfully argued again before the Ninth Circuit Court of Appeals in the case of *Afewerki v. Anaya Law Group*, 2019. U.S. App. LEXIS 18777 (9th Cir. 2019), which resulted in an order in favor of my client.
28. I am an adjunct professor at California Western School of Law where I teach a three-credit course in consumer law.
29. I have undergone extensive training in the area of consumer law. The following is a list of recent training conferences I attended:
- Four-day National Consumer Law Center Conference; Nashville, TN –2008;
 - Three-day National Consumer Law Center Conference; Portland, OR -2008;
 - Three-day National Consumer Law Center Conference; San Diego, CA - 2009;
 - Three-day National Consumer Law Center Conference; Seattle, WA -2011;

- National Consumer Law Center Conference in 2013;
- National Consumer Law Center Conference in 2014;
- National Consumer Law Center Conference in 2015;
- National Consumer Law Center Conference in 2016;
- Three-day CAALA Conference; Las Vegas, NV – 2009;
- Three-day CAALA Conference; Las Vegas, NV – 2013;
- Three-day CAALA Conference; Las Vegas, NV – 2015;
- Three-day CAALA Conference; Las Vegas, NV – 2016;
- Three-day COAC Conference – 2014 and 2015
- Speaker ABA National Conference, Business Litigation Section; Trends in Consumer Litigation; San Francisco, CA – 2013;
- Speaker at the ABA TCPA National Webinar (Consumer Protection, Privacy & Information Security, Private Advertising Litigation, and Media & Technology Committees) – September 2013;
- Spoke at the 2014 ACA Conference in November 2014;
- Speaker at ACI Conference in Dallas, TX in September of 2016 concerning The Borrower's Perspective: Insight From The Plaintiffs' Bar and Consumer Advocates;
- Speaker on TCPA panel in September of 2016 at the Annual Consumer Financial Services Conference;
- Spoke at the 2016 CAOC Conference in November of 2016;
- Presented at the 2017 CAOC seminar in Palm Springs, CA;
- Presented at the 2021 CAOC virtual seminar in Palm Springs, CA; and
- Speaker at national webinar on June 7, 2017 for the CAOC, entitled, Understanding the Fair Debt Collection Practices Act.

30. As one of the main plaintiff litigators of consumer rights cases in the Central District of California, I have been requested to and have made regular presentations to community organizations regarding debt collection laws and consumer rights. These organizations include Whittier Law School, Iranian American Bar Association, Trinity School of Law,

Chapman Law School, University of California, Irvine, and California Western School of Law.

31. I was the principle anchor on Time Television Broadcasting every Thursday night as an expert on consumer law generally between 2012 and 2013.
32. I lectured in Class Action Trends at the CAOC 2015 Conference in San Francisco.
33. I lectured on the TCPA before the ABA Business Law Section, Consumer Financial Services Committee in January 2016 at an event in Utah entitled, "Impact of the FCC's 2015 Rulings on TCPA Litigation."
34. I was a speaker at the The Knowledge Group's national webinar in 2016 on the impact of the Federal Communications Commission's 2015 ruling on the TCPA.
35. I was a speaker at San Diego Law School Class Action Forum 2020 on Consumer Class Actions in March of 2020.
36. I was a speaker for the California Lawyers Association March 3, 2020 Webinar on "Recent Developments in Internet and Privacy Law Affecting California Consumer Financial Service Providers" presented by the Internet and Privacy Law Committee; and, the Consumer Financial Services Committee.
37. I was named Rising Star by San Diego Daily Tribune in 2012, and Rising Star in Super Lawyers Magazine in 2013, 2014 and 2015. I was named a Super Lawyer by Super Lawyers Magazine in 2016 and 2017.
38. I was selected for membership into The National Trial Lawyers: Top 40 Under 40 in 2016.
39. In January of 2016, I spoke on the impact of the Federal Communications Commission's 2015 Declaratory Ruling on TCPA litigation at the ABA National Convention in Salt Lake City, Utah.
40. In May of 2016, I spoke on Class Action Trends at the CAOC seminar in Palm Springs, California.
41. I lectured on the TCPA before the ABA Business Law Section, Consumer Financial Services Committee in January 2016 at an event in Utah entitled, "Impact of the FCC's 2015 Rulings on TCPA Litigation."

42. In 2016, I wrote an article entitled “Finding a Balance” that was published in the Nutrition Business Journal, concerning a lawsuit filed under the Racketeer Influenced and Corrupt Organization Act.
43. I was published in the Daily Journal in September of 2016, with the title, “The FDCPA: The Forgotten Statute.”
44. I am often called upon to give legal analysis on popular television and radio shows such as Dr. Drew Midday Live and Fox 5.
45. In March of 2016, I moderated the Judges Panel on Class Action Trends and Federal Litigation Trends at the NCLC Conference.
46. I spoke on privacy rights on a panel before the California State Bar Convention in 2016.
47. I spoke at the 22nd National Forum on Residential Mortgage Litigation & Regulatory Enforcement conference on January 22, 2017.
48. Speaker at the Western Trial Lawyers Association conference on Class Action Trends in 2017, held in Steamboat Springs, Colorado.
49. Speaker at Consumer Attorneys of California 2017 seminar on hot litigation topics at Lake Tahoe, Nevada.
50. I wrote an article entitled, *Collateral Damage, Beyond the personal injury: When creditors and collection agencies stalk your client*, published in the September 2017 edition of Plaintiff magazine.
51. Speaker at National Webinar by the ABA Consumer Financial Services Committee on TCPA Update – “The D.C. Circuit’s TCPA Decision on the FCC Ruling, held on March 22, 2018.
52. Spoke at 2018 Inland Empire CAOC Convention on “Class Action Hot Topics” - May 2018.
53. I spoke on the FDCPA at National Consumer Law Center’s National Convention in Las Vegas in March, 2019.
54. Presented at Mass Torts Made Perfect on Modern Trends in the TCPA in April of 2019.
55. Speaker at the MTMP on Nuts and Bolts of Mass Arbitrations In October of 2022.

56. Presented at the 2022 CAOC Annual Convention on Hot Topics Surrounding Consumer Class Actions in San Francisco, CA on November 19, 2022.
57. Speaker on Recent Trends in Mass Torts and Class Actions at CAOC Sonoma Seminar on March 11, 2023.
58. Speaker on Mass Arbitrations at Mass Torts Made Perfect in Las Vegas, Nevada on April 12, 2023.
59. Speaker at MTMP Conference on Class Action Structures and Service Awards that Pass Muster on October of 2023.
60. Speaker at NCLC National Conference on TCPA Developments in October of 2023.
61. Speaker at CAOC Conference in Sonoma on Pre-Trial Nuts and Bolts of Federal Litigation in March of 2024.
62. Speaker for CAOC DE&I Speaker Series in July of 2024.
63. Speaker at “A Conversation with Plaintiff’s Attorney’s” on Account Recovery National Webinar in July of 2024.
64. Speaker for CAOC DE&I Speaker Series in July 2024.
65. Speaker for a “A Conversation with Plaintiff’s Attorneys” on Accounts Recovery National Webinar" in July 2024.
66. Speaker/Moderator at Consumer Attorneys of California (CAOC) Napa/Sonoma Travel Seminar on “Mediation: All You Wanted To Know But Were Afraid To Ask” in March 2025.
67. Speaker at Consumer Attorneys of California (CAOC) Palm Springs Seminar on “Mediation Mastery: The Latest Strategies for Successful Negotiations” on May 2, 2025.
68. Speaker at Practising Law Institute’s Hot Topics in Advertising Law 2025 on “Class Action Quicksand: Avoiding Common Traps for Advertisers” on June 3, 2025.
69. I am a member in good standing of the following local and national associations:
 - Consumer Attorneys Association of Los Angeles;
 - The Orange County Bar Association;
 - The Federal Bar Association;

- National Consumer Law Center;
- American Association for Justice;
- Twice served as former President of the Orange County Chapter of the Iranian American Bar Association;
- Member in good standing of National Association of Consumer Advocates;
- Consumer Attorneys of California; two-time Vice-President
- Member of the Leading Forum of the American Association of Justice.

70. I was recently approved for an hourly rate of \$1,075 in *Oie v. Husch Blackwell LLP*, No. 2:24-cv-00672-LA (ED WI).

71. On November 14, 2025, I was approved at an hourly rate of \$1,025 in *Hillborn v. RI RCM, et al*, Case No. 2:24-cv-00664-JAD-EJY (D. Nev. Nov. 14, 2025) (data breach class action settlement).

72. On August 25, 2025, I was approved at \$1,025 per hour *In re loanDepot Data Breach Litigation Case* No. 8:24-cv-00136-DOC-JDE (August 25, 2025, C.D. Cal.) (data breach class action settlement valued at over \$98M).

73. In the case of *In re Planned Parenthood L.A. Data Incident Litig., 2024 Cal. Super. LEXIS 2*, I was approved at \$975 per hour.

74. On April 14, 2025, I was approved for an hourly rate of \$975 in *Kamrava v. Cenlar Capital Corporation*, 2025 U.S. Dist. LEXIS 71473; 2025 WL 1116851 (C.D. Cal. April 14, 2025).

75. On January 14, 2025, I was approved at an hourly rate of \$975 in *Tobajian v. Allstate Insurance Company*, 2023 U.S. Dist. LEXIS 154293, 2023 WL 6813321 (C.D. Cal. Aug. 31, 2023).

76. On January 16, 2024, in *Stoffers v. Dave Inc.*, 2023 Cal. Super. LEXIS 99280, I was approved at \$900 per hour in the courts Final Approval Order.

77. On January 20, 2023, in *Kolar, et al v. ClearBalance* Case No. 37-2021-00030426-CU-NP-CTL in Superior Court of California County of San Diego, I was approved at an hourly rate of \$795 in the courts Final Approval Order.

78. On June 30, 2022, in *R.O. v. Rady Children's Hospital-San Diego*, 2022 Cal. Super. LEXIS 19407 in the Superior Court of the State of California County of San Diego- Civil Complex, I was approved at the rate of \$775 in a Final Approval Order.
79. On February 19, 2021, in the case of *Hofstader v. Providence Health and Services*, Case No. 2:18-cv-00062 in the United States District Court, Eastern District of Washington, I was approved at an hourly rate of \$710 in a Final Approval Order.
80. In 2020, in the case of *McCurley v. Royal Sea Cruises, Inc.*, U.S. Dist. LEXIS 227110 (S.D. Cal. 2020), I was approved at the rate at \$710 per hour in an order.
81. On September 12, 2019 in the case of *Medina, et al v. Enhanced Recovery Company*, Case No. 2:15-cv-14342 in the United States District Court, Southern District of Florida, I was approved at an hourly rate of \$705 in a Final Approval Order.
82. On May 9, 2019, in the case of *Ronquillo v. Transunion Rental Screening Solutions, Inc.*, Case No. 17-civ-129-JMI in the United States District Court, Southern District of California, I was approved at \$705 per hour in a Final Approval order.
83. On February 9, 2019, in the case of *Santana, et al. v. Rady Children's Hospital*, Case No. 37-2014-00022411-CU-MT-CTL, Superior Court of California, County of San Diego, I was approved at a \$695 hourly rate in a Final Approval Order.
84. On December 21, 2018, in the case of *Ayala v Triplepulse, Inc.*, Case No. BC655048 in the Superior Court of California, County of Los Angeles, I received an order granting my hourly rate in the Final Approval at \$675 per hour.
85. On October 10, 2018, in the case of *Dowlatshahi v. McIlhenny*, Case No. 30-2017-009911222-CU-NP-CXC, in the Superior Court of California, County of Orange, I received an order granting my hourly rate at \$675 per hour.
86. In the matter of *Holt v. Foodstate Inc.*, No. 17-cv-637-LM (D.N.H. Jan. 6, 2020), in which I served as one of Class Counsel, the Court at the final approval hearing (as reflected by the hearing transcript for that matter) expressed that “Class counsel are highly qualified and experienced in consumer class actions, including false advertising claims,” and further stated that Mr. Kazerounian “[h]as participated in over 50 consumer protection class action

suits in the last several years and he also has received extensive training in consumer protection litigation, has given presentations on the subject, including teaching a law school course on consumer law.”

87. Other courts have recognized the experience of Kazerouni Law Group, APC, *see e.g., Barani v. Wells Fargo Bank, N.A.*, No. 12CV2999-GPC (KSC), 2014 U.S. Dist. LEXIS 49838, at *7-8 (S.D. Cal. Apr. 9, 2014) (noting Kazerouni Law Group, APC’s experience in consumer class actions); *Kline v. Dymatize Enters., LLC*, No. 15-CV-2348-AJB-RBB, 2016 U.S. Dist. LEXIS 142774, at *16 (S.D. Cal. Oct. 13, 2016) (same).
88. Based on my experience and previous awards in other cases described herein, I am requesting my hourly rate in this case be approved at \$1,075 per hour.
89. In addition to my class action experience, I have experience in commercial litigation and large-scale products liability litigation including a \$2.5 million-dollar settlement in *Mei Lu Hwei, et al v. American Honda Motor Co., Inc., et al.* BC401211 (Los Angeles Superior Court). I have regularly litigated cases in state and federal courts, and have reached numerous confidential seven-figure settlements against internationally known companies.
90. Plaintiff’s counsel’s hourly rates include many factors beyond personal compensation, including non-billed office personnel, equipment, insurance, research materials, office and other overhead expenses. Consumer rights litigation inevitably involves large corporations, which have the capacity to bring enormous resources to bear that individual consumers are simply unable to meet on their own.
91. Insurance companies vigorously resist settling cases. If plaintiffs’ attorneys are not compensated at a rate that allows them to maintain the technological – as well as intellectual and professional resources – to match corporate defendants’ exhaustive resources, consumers simply cannot prevail. Few attorneys have the means and ability to take these cases, and if those that do so are not compensated at a rate that allows them the chance of prevailing on behalf of consumers, these cases will not be brought, and the remedial purpose of this legislation will fail.

92. Unfortunately, there are very few attorneys who regularly represent plaintiffs in cases involving consumer rights. This is most likely due to the specialized and complex nature of the statute and case law and due to the relative financial resources of the respective parties, whereby the consumer is often forced to “match resources” with the defendant and litigate his or her rights up to – and sometimes through – trial.
93. The average consumer does not have funds to litigate this type of case. Therefore, in further justification of our fees, I note that we take such cases (this case included) on a contingency fee basis, advance all litigation costs and do not charge the consumer one penny up front. If the case is lost, we do not get paid. This alone would justify a fee rate well in excess of the fees we charge for doing hourly work.
94. My firm’s fees are based on our experience, our proficiency, and our winning track record.
95. I have been preliminarily approved as Class Counsel in this matter.

Attorneys’ Fees and Costs Incurred

96. I respectfully submit that this firm utilized skill, careful and thorough preparation and investigation through litigation to reach a favorable result for the Plaintiff. After carefully reviewing my firm’s billing records, I determined that the fees were reasonably incurred in litigating this case to a successful resolution.
97. My co-counsel and I prosecuted the claims at issue efficiently and effectively, making every effort to prevent the duplication of work that could have resulted in having multiple law firms work on this case.
98. My co-counsel and I spent a significant amount of time litigating the case, negotiating the Settlement in principle and then finalizing the actual terms of the Settlement with Defendant.
99. I note that my co-counsel and my work has not yet been completed, as we must still: (1) review claims and work with the claims administrator handling issues related to administration; (2) draft the final approval motion; (3) prepare for and attend the final approval hearing set for July 28, 2026; and (4) disburse service awards and awards for Plaintiff’s counsel’s fees and expenses.

100. I billed 87.5 hours at a rate of \$1,075 per hour for work on this case for a total of \$94,062.50.
101. These hours do not account for clerical work, administrative work, emails, messages, etc. completed by office staff.
102. The billing for my hours in this case was fair and reasonable based on the novel and complex issues addressed over a year of litigation.
103. My office has incurred a total of \$47,036.72 in costs for this entire action up until now. That amount represents a filing fee, process server fees, mediation fees, printing, mailing, research, travel, and expert costs. My co-counsel, The Consumer Protection Law Firm, incurred additional costs. The only costs remaining to be determined are travel costs for the Final Approval hearing. Class Counsel will be able to provide an updated accounting at the Final Approval hearing if requested by the Court.
104. The total amount of fees *and* costs Class Counsel seeks is **\$1,625,000**.
105. A copy of Kazerouni Law Group's Fees and Costs is available upon request by the Court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was signed on May 13, 2026, in Costa Mesa, California.

Respectfully submitted,

/s/ Abbas Kazerounian
Abbas Kazerounian, Esq.
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MICHAEL SESSA,

Plaintiff,

v.

ABLETO, INC.,

Defendant.

Case No. 8:23-cv-02219-TPB-CPT

**DECLARATION OF RYAN L. MCBRIDE IN SUPPORT OF MOTION FOR ATTORNEYS’
FEES AND COSTS**

I, Ryan L. McBride hereby declare under penalty of perjury that the following is true and correct:

1. I have personal knowledge of the following facts and, if called as a witness, would testify as follows.
2. I am one of the Class Counsel in this action and make this declaration in support of Plaintiffs’ Motion for Attorneys’ Fees and Costs.
3. Class Counsel completed a significant amount of work on this case, which resulted in a successful class settlement as described herein. Detailed time logs of the time spent on this case are available upon request.

Procedural History

4. Plaintiff filed his initial Complaint on September 29, 2023 for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. (“TCPA”) and Florida Statute §§ 501.059 (“FTSA”).
5. On December 22, 2023, Defendant filed its Answer. (Doc. 26).
6. On January 15, 2024, and January 26, 2024, Plaintiff and Defendant respectively filed Answers to the Court Interrogatories. (Doc. 29, 30).

7. On February 1, 2024, the parties attended a mediation before Emmett L. Battles and reached an impasse. (Doc. 33).
8. On February 26, 2024, Defendant filed a supplement to its Court-ordered Interrogatories. (Doc. 39).
9. On September 4, 2024, Plaintiff filed a Motion to Compel Discovery. (Doc. 49). Defendant filed its Response in Opposition on September 18, 2024. (Doc. 51). Both parties attended the hearing on Plaintiff's Motion to Compel on October 22, 2024. (Doc. 59). Subsequently, Plaintiff's counsel participated in significant discovery, including attending three separate depositions, and sending multiple rounds of written requests, which required significant conferral.
10. On January 17, 2025, Plaintiff filed a Motion for Class Certification. (Doc. 70). Defendant filed its Response in Opposition on February 7, 2025. (Doc. 79).
11. On February 13, 2025, both parties filed Cross-Motions for Summary Judgment. (Doc. 81, 83). On March 6, 2025, both parties filed Responses in Opposition to each other's Motions for Summary Judgment. (Doc. 95, 97). On March 20, 2025, both parties filed a Reply in Support of their respective Motions for Summary Judgment (Doc. 106, 108) and Plaintiff filed a Motion to Designate an Expert. (Doc. 110).
12. Additionally, on March 20, 2025, the parties attended mediation with mediator Rodney Max, Esq. but were unable to reach an agreement at that time. (Doc. 119). On March 24, 2025, Plaintiff filed his Reply in Support of his Motion for Class Certification. (Doc. 116). That same day, the parties filed a Joint Motion to Stay (Doc. 115), which the Court granted until June 16, 2025. (Doc. 117). On April 2, 2025, Defendant filed its Opposition to Plaintiff's Motion to Designate an Expert. (Doc. 122).
13. On May 15, the parties attended another mediation with mediator Rodney Max, Esq. As a result of the Parties' and Rodney Max's efforts, the Parties reached a class settlement.
14. On May 30, 2025, the parties filed a Joint Notice of Settlement. (Doc. 125). The Court subsequently lifted the stay and directed the parties to file a motion for preliminary approval of the class action settlement.

15. Plaintiff filed a Motion for Preliminary Approval of the Class Action Settlement, which was granted on February 3, 2026, by the Court.

Class Settlement

16. Based on the facts of this case, I believe this settlement is fair, reasonable, and adequate; and among other things, the Settlement will avoid costly and time-consuming litigation and the need for trial.

17. In considering the Settlement, Plaintiff, my co-counsel, and I carefully balanced the risks of continuing to engage in protracted and contentious litigation against the benefits to the Settlement Class and believe that the settlement is in the best interests of the Settlement Class Members.

18. I believe that under the circumstances the proposed Settlement is fair, reasonable, and adequate.

19. This Settlement was only obtained after the parties engaged in both informal and formal discovery, extensive arm's length negotiations, and several mediations before Rodney Max, Esq. This matter was regarding allegations that Defendant violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. ("TCPA") and Florida Statute §§ 501.059 ("FTSA").

Kazerouni Law Group Practice

20. Kazerouni Law Group APC's practice is almost exclusively devoted to the litigation of consumer law, primarily focusing on cases under consumer protection matters and has nine offices in seven states.

21. The firm has litigated over 20,000 cases in the past 15 years.

22. On most cases Kazerouni Law Group represents consumers on a contingency fee, funding all litigation costs, and usually waiting a considerable amount of time before being paid for services. Kazerouni Law Group took this case on a purely contingent basis and has not been paid for any of its services thus far.

Counsel's Experience in Support of Attorneys' Fees Request

23. I practice law full time as a private consumer rights plaintiff's attorney and am a Partner at Kazerouni Law Group in the San Diego office.
24. I am licensed in Washington, Arizona, Utah, California, and Florida.
25. My primary responsibilities include managing caseloads and attorney responsibilities in the states in which I am licensed.
26. I regularly manage and supervise associates and staff within our firm, assigning projects and giving advice.
27. I was primarily responsible for opening our office in Phoenix, Arizona, and developing this location's caseload in 2015.
28. Kazerouni Law Group's and my practice is substantially devoted to consumer rights matters.
29. I have worked for this firm for over 11 years and as an attorney since 2014.
30. I have undergone extensive training in the area of the Telephone Consumer Protection Act. The following is a list of recent training conferences I have attended:
 - a. Three-day National Consumer Law Center: Fair Credit Reporting Act Training Conference, in Las Vegas, NV - May 2015;
 - b. Four-day National Consumer Law Center Conference; San Antonio, TX – November, 2015;
 - c. Three-day Mass Torts Made Perfect Conference; Las Vegas, Nevada – April 2019.
 - d. Three-day Fair Credit Reporting Act Conference; Long Beach, CA – May 2019.
 - e. Three-Day National Association of Consumer Advocates Conference; Chandler, Arizona – May 2022
 - f. Three-day National Consumer Law Center Conference; Orlando, FL – Oct. 2024
 - g. Three-day National Consumer Law Center Conference; Long Beach, CA – April 2025
 - h. Four-day National Consumer Law Center Conference; Washington D.C. – Nov. 2025
 - i. Four-day National Consumer Law Center Conference; Minneapolis, MN -April 2026

31. I was a speaker at the October 2024 NCLC Conference in Orlando, Florida on the topic of “TCPA Class Certification Issues for Pre-Recorded Telemarketing Calls and Calls to the DNC List.”
32. I was a speaker at the April 2025 NCLC Conference in Long Beach , CA on the topic of “Establishing Affirmative EFTA Claims.”
33. I was a speaker at the November 2025 NCLC Conference in Washington D.C. on the topic of “Beyond Certification: The Role of Remedies in Class Litigation.”
34. I was a speaker at the April 2026 NCLC Conference in Minneapolis, MN on the topic of “Mapping the Laws: Understanding which Transactions Fall Under EFTA, TILA, UCC, beyond.”
35. I have been a guest consumer rights attorney on the 2016 and 2017 “Let Joe Know On the Road” ABC 15 events.
36. I have personally been appointed as class counsel in the following cases since becoming licensed:
 - a. *Pastor v. Bank of America*, Case No. 3:15-cv-03831-MEJ (N.D. Ca. 2015) (FCRA class finally approved in the amount of \$1,645,000)
 - b. *Morrison v. Express Recovery Services, Inc. d/b/a Clear Management Solutions, Inc.*, Case No. 1:17-cv-00051-CW (D. Ut. 2017) (FDCPA class finally approved).
 - c. *Hofstader v. Providence Health and Services*, Case No. 2:18-cv-00062-SMJ (E.D. WA 2020) (Washington Consumer Protection Act class finally approved).
 - d. *Rodriguez v. Cascade Collections, LLC*, Case No. 2:20-cv-00120-JNP-DBP (D. Utah 2021) (Appointed as class counsel in opposed motion for class certification).
 - e. *Barbano v. JPMorgan Chase Bank, N.A.*, 2021 U.S. Dist. LEXIS 204354 (C.D. Cal. 2021) (Real Estate Settlement Procedures Act (“RESPA”) class finally approved).
 - f. *Franklin v. Ocwen Loan Servicing, LLC*, 2022 U.S. Dist. LEXIS 158711 (N.D. Cal.) (CIPA class finally approved).

- g. *Tobajian v. Allstate Ins. Co.*, 2024 U.S. Dist. LEXIS 112751, at *5 (C.D. Cal. June 21, 2024) (preliminarily approved as class counsel with a final approval hearing on January 10, 2025).
- h. *Kamrava v. Cenlar FSB*, 2025 U.S. Dist. LEXIS 71473 (C.D. Cal. April 14, 2025).
- i. *Nilchian v. Organic Pastures Dairy Company LLC*, 2025 Cal.Super.LEXIS 56882 (Orange Cty. Sup. Ct. Sept. 22, 2025).

37. I have successfully argued twice in front of the Ninth Circuit Court of Appeals in *Sylvester v. Merchants Credit Corp.*, 2021 U.S. App. LEXIS 31528 (9th Cir. 2021) and *Pearson v. Apria Healthcare Grp., Inc.*, 2023, U.S. App. LEXIS 10948 (9th Cir. May 4, 2023).

38. I have argued in front of the California Court of appeals in *Olson v. La Jolla Neurological Associates*, 85 Cal.App. 5th 723 (4th Dist. Ct. App. November 23, 2022).

39. Plaintiffs' counsel's hourly rates include many factors beyond personal compensation, including non-billed office personnel, equipment, insurance, research materials, office and other overhead expenses. TCPA litigation inevitably involves large corporations, which have the capacity to bring enormous resources to bear that individual consumers are simply unable to meet on their own.

40. Insurance companies vigorously resist settling cases, and as here, at times file various dispositive motions in response to our Complaint. If plaintiffs' attorneys are not compensated at a rate that allows them to maintain the technological – as well as intellectual and professional resources – to match corporate defendant's exhaustive resources, consumers simply cannot prevail. Few attorneys have the means and ability to take these cases, and if those that do so are not compensated at a rate that allows them the chance of prevailing on behalf of consumers, these cases will not be brought, and the remedial purpose of this legislation will fail.

41. Unfortunately, there are very few attorneys who regularly represent plaintiffs in cases involving TCPA. This is most likely due to the specialized nature of the statute and case law and due to the relative financial resources of the respective parties, whereby the

consumer is often forced to “match resources” with the defendant and litigate his or her rights up to – and sometimes through – trial.

42. The average consumer does not have funds to litigate this type of case. Therefore, in further justification of our fees, I note that we take such cases (this case included) on a contingency fee basis, advance all litigation costs and do not charge the consumer one penny up front. If the case is lost, we do not get paid. This alone would justify a fee rate well in excess of the fees we charge for doing hourly work.
43. My firm’s fees are based on our experience, our proficiency, and our winning track record.
44. On September 22, 2025, Judge David A. Hoffer, of the Orange County Superior Court, approved my request of \$600 per hour in attorney’s fees in *Nilchian v. Organic Pastures Dairy Company LLC*, 2025 Cal.Super.LEXIS 56882 (Orange Cty. Sup. Ct. Sept. 22, 2025).
45. On April 14, 2025, I was approved at an hourly rate of \$550 in a final approval of class action settlement order in *Kamrava v. Cenlar FSB*, 2025 U.S. Dist. LEXIS 71473 (C.D. Cal. Apr. 14, 2025).
46. On January 14, 2025, District Judge Dolly M. Gee, of the United States District Court, Central District of California, approved my request for \$550 per hour for attorney’s fees in a California Invasion of Privacy Act case, *Tobajian v. Allstate Ins. Co.*, 2024 U.S. Dist. LEXIS 112751, at *5 (C.D. Cal. June 21, 2024).
47. On May 4, 2021, District Judge Susan M. Brnovich, of the United States District Court, District of Arizona, approved my request for \$375 per hour for attorney’s fees in an FDCPA case, *Wax v. DK Williams & Assocs. LLC*, case number 2:20-cv-01872-PHX-SMB.
48. On April 12, 2021, Hon. Rebecca A. Albercht (ret.) approved my request for \$375 per hour for attorney’s fees in an Arizona Consumer Fraud Act and Credit Repair Organizations Act arbitration case, *Hunt v. Debt Assistance Network, LLC*, case number 01-20-0000-4717.
49. On February 19, 2021, in the case of *Hofstader v. Providence Health and Services*, Case No. 2:18-cv-00062 in the United States District Court, Eastern District of Washington, I was approved at an hourly rate of \$350 in a Final Approval Order.

50. On July 7, 2020, Judge Clark Waddoups of the U.S. District of Utah approved my request for \$350 per hour for attorney's fees in a Fair Debt Collection Practices Act ("FDCPA") class action, *Morrison v. Express Recovery Services, Inc. d/b/a Clear Management Solutions*, case number 1:17-cv-00051-CW-DAO (ECF # 82).
51. On February 18, 2020, Judge Thomas S. Zilly, of the Western District of Washington, approved my request for \$350 per hour for attorney's fees in an FDCPA case, *Sylvester v. Merchants Credit Corporation*, case number 2:17-cv-00168-TSZ.
52. On October 28, 2019, Judge Bastian of the Eastern District of Washington approved my request for \$350 per hour for attorney's fees in an FDCPA case, *McGilvra v. Abbott & Rose Associates, LLC*, case number 2:19-cv-00106.
53. In *Pastor v. Bank of America*, United States District Court, Northern District of California case number 3:15-cv-03831-VC, I filed a Motion for Attorneys Fees and Costs in which my hourly rate requested was \$300 per hour. The full amount requested was granted on August 16, 2018, ECF# 84.
54. In February of 2018 my hourly rate of \$300 was approved by Arbitrator Marc Kalish through the American Arbitration Association in *Larranaga v. Eveland Sales Inc.*, case no 01-17-0000-4724.
55. Furthermore, during the litigation of this matter, I regularly consulted with the senior partners of the firm, and had the benefit of their experience in bringing this matter to a successful conclusion, without having Plaintiff incur attorneys' fees at the higher rate charged by other partners.
56. Based on my experience and previous awards in other cases described herein, I am requesting my hourly rate in this case be approved at \$650 per hour.
57. I have been preliminarily approved as Class Counsel in this matter.

Attorneys' Fees and Costs Incurred

58. I respectfully submit that this firm utilized skill, careful and thorough preparation and investigation through litigation to reach a favorable result for the Plaintiff. After carefully

reviewing my firms billing records, I determined that the fees were reasonably incurred in litigating this case to a successful resolution.

59. My co-counsel and I prosecuted the claims at issue efficiently and effectively, making every effort to prevent the duplication of work that could have resulted in having multiple law firms work on this case.
60. My co-counsel and I spent a significant amount of time litigating the case, negotiating the Settlement in principle and then finalizing the actual terms of the Settlement with Defendant.
61. I note that my co-counsel and my work has not yet been completed, as we must still: (1) review claims and work with the claims administrator handling issues related to administration; (2) draft the final approval motion; (3) prepare for and attend the final approval hearing set for July 28, 2026; and (4) disburse service awards and awards for Plaintiff's counsel's fees and expenses.
62. I billed 220.2 hours at a rate of \$650 per hour for work on this case for a total of \$143,130.
63. Jonathan Gil and Aryanna Young both billed hours in the case as well. Both Mr. Gil and Ms. Young have experience in class action cases and have been practicing for over two years each. Thus, \$350 per hour is a reasonable rate for Mr. Gil and Ms. Young.
64. The billing for my hours in this case was fair and reasonable based on the novel and complex issues addressed over a year of litigation.
65. I reduced my fees as a result of reasonable billing discretion.
66. My office has incurred a total of \$47,036.72 in costs for this entire action up until now. That amount represents a filing fee, process server fees, mediation fees, printing, and mailing costs. My co-counsel, The Consumer Protection Law Firm, incurred additional costs. The only costs remaining to be determined are travel costs for the Final Approval hearing. Class Counsel will be able to provide an updated accounting at the Final Approval hearing if requested by the Court.
67. The total amount of fees *and* costs Class Counsel seeks is **\$1,625,000**.
68. A copy of Kazerouni Law Group's Fees and Costs is available upon request by the Court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was signed on May 13, 2026, in San Diego, California.

Respectfully submitted,

/s/ Ryan L. McBride
Ryan L. McBride, Esq.
Attorney for Plaintiff

Exhibit A

For Invoice Date: 5/12/2026

3990

Page #: 1

073604 001711 SESSA, MICHAEL
 Michael Sessa
 ATTN:

Action			
Bill	Hold	W/U/D	W/O
Apply Retainer Trust		REDO	
Show to			
Close Matter	AddAttached		

Matter Name: Michael Sessa v. AbleTo, Inc. - Matter Number 73604-(

Responsible: William Howard
 Originating: William Howard
 Fee Arrangement: Contingency
 Matter Opened on: 3/1/2024
 Invoice Style: S1 - Default Invoice

Fees from - through: - 5/12/2026
 Other Accounting from - through: - 5/12/2026
 Type of Law: CP
 Quoted Price: \$0.00
 Default Rate: 001

Include Invoice in Hard Copy

Billing Notes:
 Matter Description:

Cost & Expenses

Date	ID	Description	Orig Amt
Record #	Code		Bill Amt
2/28/2024	FIRM	Parking	\$9.35
117874			\$9.35
3/1/2024	FIRM	Zinober Diana & Monteverde, PA- Mediation Matter #73604-01711 {7151}	\$500.00
117804			\$500.00
3/8/2024	FIRM	Phone Records	\$175.00
117875			\$175.00
5/14/2025	FIRM	Lodging/Hotel	\$454.26
117896			\$454.26
5/15/2025	FIRM	Air Travel	\$708.68
117895			\$708.68
7/21/2025	FIRM	Upchurch Watson White & Max Mediation Group- Miscellaneous Expense- Mediation Sessa {7281}	\$5,353.13
117910			\$5,353.13
7/21/2025	FIRM	Upchurch Watson White & Max Mediation Group- Miscellaneous Expense- Sessa Mediation {7282}	\$5,175.00
117911			\$5,175.00
4/23/2026	FIRM	Hansen Legal Technologies, Inc.- Expert Witness- Matter No. 21-29 Sessa v Ableto {7349}	\$12,416.25
117970			\$12,416.25

For Invoice Date: 5/12/2026

Page #: 2

073604 001711 SESSA, MICHAEL

Matter Name: Michael Sessa v. AbleTo, Inc. - Matter Number 73604-(

	Orig Amt	Bill Amt
Total Selected Cost & Expenses	\$24,791.67	\$24,791.67
Total Deferred Cost & Expenses	\$0.00	\$0.00
Total Cost & Expenses	\$24,791.67	\$24,791.67

History

--	--	--	--

Current	\$0.00	Last Billing of Matter		
31-60	\$0.00	Last Payment Received/Transferred		
61-90	\$0.00	Payment Amount	\$0.00	
91-120	\$0.00	Fees Billed/Paid to Date	\$0.00	\$0.00
121+	\$0.00	Cost & Expenses Billed/Paid to Date	\$0.00	\$0.00
A/R Balance	\$0.00	Credit & WO Fees/Expenses	\$0.00	\$0.00

Invoice Totals

	Orig Amt	Bill Amt
--	----------	----------

Balance Forward	\$0.00	\$0.00
Selected Fees	\$0.00	\$0.00
Selected Cost & Expenses	\$24,791.67	\$24,791.67
Selected Interest	\$0.00	\$0.00
Selected Totals	\$24,791.67	\$24,791.67
Less Payment & Credits	\$0.00	\$0.00
Invoice Total	\$24,791.67	\$24,791.67

Retainer Balance	\$0.00	Retainer Amount to Apply	_____
Trust Balance	\$0.00	Trust Amount to Apply	_____
		Total Due After Application	_____

List of Expense Report Items-CP - 5/11/2026

Date	Expense Description	Amount
5/11/2026	Hansen Legal Invoice 21-29	\$ 12,416.25
9/18/2025	erikarendon; Priority Mail out - Check 10034 # 9405511105496800	\$ 8.40
9/15/2025	yajaira5; Upchurch Watson Check - Mediation Inv 8490055; Total Invoice \$10,350 KLG is paying 50%	\$ 5,175.00
9/15/2025	yajaira5; Upchurch Watson Check - Mediation Inv 8490155; Total Invoice \$10,706.25 Klg paying 50%	\$ 5,353.12
8/7/2025	ak2; Printed my dec to mark up for prelim papers	\$ 17.10
8/6/2025	jacqueline19; Lexis Research Coast	\$ 2.66
8/6/2025	yajaira5; Veritext Inv # 8529978 (Open Invoice)	\$ 1,488.75
7/2/2025	jacqueline19; Lexis Research Coast	\$ 109.78
7/2/2025	jacqueline19; Lexis Research Coast	\$ 109.78
6/12/2025	ak2; Printed off draft of SA to look over for prelim pa	\$ 16.65
5/20/2025	yajaira5; TLC Luxury	\$ 150.00
5/19/2025	yajaira5; American Airlines Wifi - Ryan	\$ 25.00
5/19/2025	yajaira5; Uber - Ryan Reimbursement ; REQUEST FOR REIMBURSEMENT, uber ride from mediation to hotel, 2nd mediation, Michael Sessa v. AbleTo, Inc.	\$ 23.16
5/16/2025	yajaira5; Meal - Ryan	\$ 20.57
5/16/2025	yajaira5; Snack - AK; 2ND Mediation	\$ 17.82
5/16/2025	yajaira5; Abbas - Snack	\$ 11.83
5/16/2025	yajaira5; Meal - Ryan	\$ 340.44
5/16/2025	yajaira5; Abbas - Wifi ; American Airlines	\$ 25.00
5/16/2025	yajaira5; Snack - Ryan ; Old town News	\$ 11.83
5/16/2025	yajaira5; Meal - Ryan	\$ 23.61
5/16/2025	yajaira5; Meal - Ak; 2ND Mediation	\$ 23.83
5/16/2025	yajaira5; Parking	\$ 76.00
5/15/2025	yajaira5; Uber - Ryan Reimbursement ; uber ride from airport to hotel, Michael Sessa v. Ableto, Inc., 2nd mediation	\$ 45.04
5/15/2025	yajaira5; Abbas - Uber ; 2nd Mediation	\$ 35.58
5/14/2025	yajaira5; Abbas Wifi; on Amex for Michael Sessa v. AbleTo, Inc. 2nd mediation	\$ 23.00
5/14/2025	yajaira5; ryan - wifi; internet for flight for prep for mediation, Michael Sessa v. Ableto, Inc., 2nd mediation	\$ 20.00
5/14/2025	yajaira5; Transportation - Abbas	\$ 55.76
5/8/2025	yajaira5; American Airlines Flight - Ryan; Flight for 2nd Mediation	\$ 703.16
5/6/2025	yajaira5; Transportation - Abbas ; ***** Update. New amount was updated, Abbas Flight was changed to Early morening the amount was increased by \$12.00 More. Elite Black Car Service ---- Pick-up Date: 05/14/2025 - Wednesday Pick-up Time: 11:30 AM ServiceType: To Airport Passenger: Abbas	\$ 219.61
5/5/2025	yajaira5; JW Marriott Miami; Abbas	\$ 469.98
5/5/2025	yajaira5; JW Marrott hotel abbas	\$ 50.83
5/5/2025	yajaira5; American Airline - Abbas	\$ 3,348.97
5/5/2025	yajaira5; Hotel.com - Ryan ; EXPENDITURE, Ryan CC on 5/5/25, Hotel for 2nd mediation with Rod Max, Michael Sessa v. Ableto, Inc.	\$ 450.87
3/31/2025	yajaira5; Uber Reimbursement - Ryan ; uber rider from hotel to mediation, Michael Sessa v. AbleTo, Inc.	\$ 47.88
3/31/2025	yajaira5; Mediation Dinner ; Mastros	\$ 656.47
3/27/2025	yajaira5; Ryan - Meal	\$ 17.16
3/27/2025	yajaira5; San Diego Inter Airport Parking - Ryan	\$ 76.00
3/27/2025	yajaira5; Snack - Ryan	\$ 5.99
3/27/2025	yajaira5; Snack - Ryan	\$ 5.24
3/27/2025	yajaira5; Snack - AK; Peet's coffee	\$ 8.36
3/27/2025	yajaira5; Springs Cab - Ryan	\$ 52.94
3/27/2025	yajaira5; Meal - Ryan	\$ 22.30
3/21/2025	yajaira5; American Airline Abbas Wifi	\$ 25.00
3/21/2025	yajaira5; JW Marriott Miami; Ryan	\$ 95.12
3/20/2025	ak2; Car transportation TO airport for mediation	\$ 150.00
3/20/2025	yajaira5; Elite Black Car; Abbas pickup from airport Re Mediation	\$ 225.96
3/19/2025	yajaira5; American Airline Ryan Wifi	\$ 23.00
3/19/2025	yajaira5; TLC Luxury ; Abbas to the airport transportation	\$ 150.00
3/19/2025	yajaira5; American Airline - Abbas ; Flight Pass	\$ 25.00
3/17/2025	yajaira5; Pay.gov Acc# 4564028; Account Number: 4564028 Court: FLORIDA MIDDLE DISTRICT COURT Amount: \$150.00 Tracking Id: AFLMDC-23133329 Approval Code: 08328G Card Number: *****8423 Date/Time: 03/14/2025 07:49:44 ET	\$ 150.00
3/14/2025	yajaira5; Mediation Binder - AK ; Binder - \$8.00, Tabs - \$8.00, Printing - (Color - 3 pgs: \$3.00, BW - 160 pgs: \$91.2) = \$110.2	\$ 110.20
3/11/2025	yajaira5; Hotels.com Ryan ; EXPENDITURE, Ryan CC, 3/10/25, Hotel for mediation, Michael Sessa v. AbleTo, Inc.	\$ 654.27
3/10/2025	ak2; Printed mediation brief to mark up	\$ 4.40
3/10/2025	yajaira5; JW Marriott Miami; person mediation in Miami Abbas. Wed, Mar 19, 2025 ? Thu, Mar 20, 2025 Confirmation Number: 92405846	\$ 640.71

List of Expense Report Items-CP - 5/11/2026

3/10/2025 yajaira5; American Airlines - Abbas ; Mediation in Miami, Confirmation code: WEAFME	\$	2,703.97
2/28/2025 yajaira5; American Airline - Ryan	\$	375.12
1/17/2025 kandace; Certified mail to JUDGE THOMAS P. BARBER 801 N FLO	\$	5.82
1/17/2025 kandace; Printing	\$	0.30
1/14/2025 yajaira5; Veritext 8002991	\$	2,113.00
12/31/2024 yajaira5; Veritext 7974624	\$	2,102.55
12/30/2024 yajaira5; Veritext 7966933	\$	1,807.72
12/23/2024 yajaira5; Veritext 7950673	\$	1,553.40
11/19/2024 yajaira5; Proof Invoice 624768	\$	120.00
8/28/2024 yajaira5; southwest - Ryan flight ; Wifi	\$	8.00
Our portion was paid online Payment Receipt \$500.00 Zinober Diana & Monteverde PA 150 2nd Ave N Suite 1170 St Petersburg, Florida 33701 (727) 498-2244 Account Holder Ryan McBride 245 Fisher ave Suite D1 Costa Mese, 92626 Payment Summary Account: Operating Reference: Michael Sessa v Ableto Inc Amount Paid: \$500.00 Payment Method: VISA Card Number: *****6001 Entry Mode: Manual Auth Code: 00008G Payment Date: February		
2/14/2024 14, 2024 01:40 pm Transactio	\$	500.00
2/5/2024 yajaira5; Jimmy John ; Ryan	\$	11.80
2/5/2024 yajaira5; Ulele- Ryan	\$	56.57
2/5/2024 yajaira5; Restaurant Taps ; Ryan	\$	41.39
2/5/2024 yajaira5; Jersey mikes ; Ryan	\$	19.79
2/5/2024 yajaira5; Starbucks Ryan	\$	14.71
2/5/2024 yajaira5; Bavaro Pizza - Ryan	\$	7.40
2/5/2024 yajaira5; Starbucks - Ryan	\$	11.86
2/5/2024 yajaira5; Woody Creek ; Ryan Lunch	\$	21.98
2/2/2024 yajaira5; Uber Reimbursement -Ryan; hotel to mediation	\$	18.94
2/2/2024 yajaira5; reimbursement Ryan ; wifi internet for work	\$	8.00
2/2/2024 yajaira5; Uber Reimbursement -Ryan; mediation to airport	\$	10.30
2/2/2024 yajaira5; uber reimbursement - ryan ; uber ride fro airport	\$	55.43
1/31/2024 yajaira5; Uber Reimbursement - Ryan ; Airport to hotel	\$	39.06
1/29/2024 yajaira5; southwest airline - ryan	\$	56.00
1/24/2024 yajaira5; Hotels.com - Ryan; hotel for mediation, Michael Sessa v. Ableto	\$	543.25
1/23/2024 yajaira5; Southwest	\$	277.98
10/22/2023 yajaira5; Sano - 2023008825	\$	135.00
yajaira5; pay.gov acc# 4564028; Account Number: 4564028 Court: FLORIDA MIDDLE DISTRICT COURT Amount: \$402.00 Tracking Id: AFLMDC-21306969 Approval Code: 01598G Card Number: *****6001 Date/Time: 09/29/2023		
9/29/2023 03:20:53 ET	\$	402.00
Total:		\$ 47,036.72