

Daniel A. Schlanger (admitted *pro hac vice*)
SCHLANGER LAW GROUP, LLP
60 East 42nd Street, 46th Floor
New York, NY 10165
T: 212-500-6114
F: 646-612-7996
dschlanger@consumerprotection.net

Co-Counsel for Plaintiff and the Putative Class

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

JENNA GRANADOS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ONPOINT COMMUNITY CREDIT UNION,

Defendant.

Case No. 3:21-cv-00847-SI

**DECLARATION OF DANIEL A.
SCHLANGER IN SUPPORT OF
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARD**

DANIEL A. SCHLANGER, an attorney duly licensed to practice law in the States of New York and New Jersey and admitted *pro hac vice* to practice in this Court, does hereby declare under the penalty of perjury that the following is true and correct:

1. I am the managing partner of Schlanger Law Group LLP, counsel for Plaintiff and am familiar with the facts and documents relevant to this dispute.
2. I make this Declaration in support of Plaintiff's Motion for Attorneys' Fees and Costs.
3. Specifically, I make this declaration to properly set before the Court my qualifications and experience, the qualifications and experience of other staff members, and my firm's time and expenses in this matter.

I. Qualifications and Experience

4. I am a 2004 graduate of Harvard Law School, *cum laude*.
5. Following law school, I clerked for one year on the United States Court of Appeals 11th Circuit for the Honorable R. Lanier Anderson, III.
6. From mid-2006 through mid-2007, I worked as a staff attorney at the Legal Aid Society of Cleveland, where I was a member of the Consumer Protection practice group.
7. I joined Schlanger Law Group's predecessor firm, Schlanger & Schlanger, LLP in August, 2007.
8. My practice has focused almost exclusively on representation of consumers pursuant to federal and state consumer protection statutes.
9. The large majority of these litigations have involved affirmative individual or class action claims brought in federal court.
10. Attached hereto as **Exhibit A** is a true and correct copy of a table of "Selected Consumer Litigation for Daniel A. Schlanger", which contains a detailed listing of over one hundred (100) such matters I have handled since going into private practice in 2007. These matters include multiple class actions, as well as individual cases, appeals, and fully litigated arbitrations.
11. I have also resolved a large number of consumer claims under state and federal consumer protection statutes at the pre-litigation stage.
12. I am a member in good standing of the bar of the states of New York and New Jersey and of the U.S. District Courts for the Southern, Northern, Eastern, and Western Districts of New York and the District of New Jersey.

13. I am also a member in good standing of the U.S. Court of Appeals, Second Circuit.

14. I am also admitted in Ohio and was in good standing there until I took inactive status in 2013.

15. I am a former member of the New York City Bar Association Professional Responsibility Committee, serving from 2009-2010.

16. From 2010 to Fall 2013, I served on the New York City Bar's Civil Court Committee.

17. From Fall 2013 to Spring 2015, I served on the New York City Bar's Consumer Affairs Committee.

18. I am a member of the National Association of Consumer Advocates, and served from 2010 through 2012, and from Spring 2015 through 2020 on that organization's Education/Professional Development Committee.

19. From 2020 through 2022, I served on the National Association of Consumer Advocates Issues Committee (which is responsible for that organization's amicus participation in appellate cases across the country, including the U.S. Supreme Court).

20. From December 2022 through May 3, 2023, I served as the co-chair for the 2023 National Association of Consumer Advocates Class Action Workshop (held in New Orleans, LA on May 2 and 3, 2023).

21. I currently sit on the National Association of Consumer Advocates' Membership Committee.

22. I am also currently a member of the Monroe County Bar Association President's Commission on Access to Justice.

23. I speak regularly on consumer law topics at CLE events and other lawyer-focused fora. For example:

- On May 7, 2024, I presented a CLE sponsored by the Empire Justice Center’s Crime Victims Legal Network, titled Holding Financial Institutions and Credit Reporting Agencies Responsible For Identity Theft & Other Unauthorized Charges: A Primer for Victims’ Advocates.
- On May 2, 2023, I co-presented a CLE at the National Association of Consumer Advocates/National Consumer Law Center Spring Training, titled “Emerging Areas in Class Actions”;
- On December 6, 2022, I co-presented a CLE at the Practising Law Institute’s 2022 Annual Consumer Financial Services Institute titled “Deposit Account Litigation Update”;
- On May 28, 2021, I presented a Lawline CLE titled, “Representing Victims of Identity Theft And Other Unauthorized Charges: Federal Claims Against Financial Institutions & Credit Bureaus”;
- On May 25, 2021, I presented a Lawline CLE titled, “Representing Victims of Inaccurate Credit Reporting: Identifying & Litigating Fair Credit Reporting Act Claims”;
- On March 12, 2019, I co-presented a CLE at the National Consumer Law Center Conference titled, “Valuing Companies for FDCPA Class Actions: Dealing with Claims of Low, No or Negative Net Worth”;
- On February 8, 2017, I presented a Lawline CLE titled “Using TILA To Challenge Predatory Auto Lending”;

- On July 28, 2016, I presented a Lawline CLE on “The Fair Debt Collection Practices Act: Bringing Suit Based On State Court Litigation And Judgment Enforcement Misconduct”;
- On October 11, 2015, I presented regarding FDCPA issues at the advanced FDCPA litigator’s session of the National Consumer Litigation Conference, in San Antonio, Texas;
- In September 2015, I presented a National Association of Consumer Advocates webinar on assignee liability in auto fraud cases;
- In Fall 2012, I presented a webinar for the same organization regarding consumer law practice management and case selection issues;
- I also served as a panelist for a CLE training for volunteer attorneys on consumer protection issues, sponsored by the New York City Bar Association and Fordham Law School’s Feerick Center for Social Justice (Spring 2012).

24. From mid-2012 through Spring 2014, I served as the Chair of the Westchester CLARO program’s Steering Committee implementing that program’s pro bono Courthouse consumer assistance clinic.

25. In May of 2013, I was awarded a New York State Bar Association’s President’s award for my pro bono work on behalf of consumers.

26. In August 2013, I was awarded the White Plains, New York Rotary Club’s annual award for business ethics.

27. I have published on consumer law issues. These publications include:

- a. *Assisting the Consumer Debtor: Becoming Aware of Potential Affirmative Claims*, New York State Bar Association, One on One (Quarterly Publication of the General Practice Section) Fall 2009, Vol. 30, No.3;

b. *Assisting the Consumer Debtor, Part II: Defenses To Consumer Credit Claims*, New York State Bar Association, One on One (Quarterly Publication of the General Practice Section), Winter 2009, Vol. 30, No.4; and

c. *Assisting the Consumer Debtor, Part III: Improper Service*, New York State Bar Association, One on One (Quarterly Publication of the General Practice Section), Spring/Summer 2010, Vol. 31, No.2.

28. As set forth in the attached list of selected cases, I have been appointed class counsel in numerous consumer class action cases.

29. More generally, I am a committed, skilled, knowledgeable, federal litigator who has dedicated his career to consumer protection.

30. My firm has been involved in every facet of the litigation, including initial case planning, drafting initial and amended pleadings, drafting merits submissions (including work on Plaintiff's opposition to Defendant's motion to dismiss); strategy; client communications; drafting discovery requests and discovery responses; review, analysis and compilation of voluminous discovery materials including class-wide, claims-level data aggregation; discovery-related meet and confers; discovery dispute letters; written communications with the Court; informal settlement negotiations; preparing for and attending two separate third-party mediations, including pre-mediation briefing, and post-mediation work in connection with settlement efforts; and all aspects of the finalization of the proposed settlement now before the Court.

31. My firm has zealously represented Plaintiff and the Settlement Class throughout this litigation.

II. Attorney's Fees & Costs

32. Class Counsel seeks approval of attorney's fees of \$525,000, and costs of \$29,782.00. ECF 88, at p. 10.

33. Class Counsel's total lodestar -- including work performed by Sugerman Dahab; Terrell Marshall Law Group, PLLC, Schlanger Law Group, LLP, greatly exceeds that figure, totaling \$1,025,972.18.

34. Schlanger Law Group, LLP's lodestar attorney's fees and costs in this matter total \$204,600.61

A. *Hourly Rates*

35. My regularly charged hourly rate in contingent and non-contingent matters is currently \$700/hour.

36. In 2021, I was awarded my then-current rate of \$600/hour by a U.S. District Court for the Eastern District of New York, for my work as class counsel in *Diallo v. Immediate Credit Recovery, Inc.*, (18-cv-00470-KAM-SJB) (E.D.N.Y.).

37. I was also awarded my then-current rate of \$600/hour by this Court in 2021 for my work as class counsel in *Carrillo v. Wells Fargo Bank, N.A.*, (2:18-CV-03095-PKC) (E.D.N.Y.).

38. In 2019, I was approved at the rate of \$550.00/hour for work as Class Counsel in *Midland Funding LLC Interest Rate Litigation* (7:11-cv-08149-LMS) (S.D.N.Y.).

B. *Experience, Credentials and Rates of Other Schlanger Law Group Attorneys and Staff Working on Case*

39. I have participated actively in this litigation since inception in 2021, including all aspects of this intensively litigated case.

40. Payment of my firm's fees in this matter is contingent on successfully obtaining relief for Plaintiff.

41. This meant my firm has risked recovering nothing for the work we performed over the past four years, a risk that was substantial in light of the challenges inherent in the case.

42. The case has involved complex legal issues and required significant skill.

43. The case has been prosecuted over the course of many years and recovery has been highly uncertain.

44. Discovery in this matter was particularly challenging due not only to the numerous discovery disputes between the parties (some of which were adjudicated by this Court and others of which were resolved via multiple meet and confer processes), but also due to the nature of Defendant's document production.

45. Specifically, Defendant opted to produce account level dispute documentation for all denied Reg. E claims for the entire class period without regard to any of the class criteria. This production contained account level notes, Reg. E documentation and customer correspondence for many thousands of accounts. The disputes, correspondence and denial reasons were not coded, requiring hundreds of hours of discovery review to organize the documents by code and category sufficient to make inclusion and exclusion decisions based on objective criteria. In order to meet this need, it was necessary to hire contract attorneys Teliyah Carr and Richard T. Vendetti, whose time is submitted herein as part of **Exhibit D**, and whose resumes are attached hereto as **Exhibit B**.

46. The experience and credentials of support staff at my law firm who worked on this case are set forth herein. **Exhibits C**.

C. *Number of Hours*

47. As of the date of this Declaration, my firm has expended over 570 hours on this matter.

48. Schlanger Law Group LLP's lodestar fees to date total \$204,193.40.

49. Schlanger Law Group LLP's costs to date total \$407.21.

50. Thus, Schlanger Law Group LLP's lodestar fees plus costs to date total \$204,600.61.

51. Specifically, Schlanger Law Group LLP's lodestar and expense calculations are summarized as follows:

Team Member	Hours	Years of Practice	Rate	Totals
Schlanger, Daniel A.	104.8	20	\$683.00	\$71,578.40
Vendetti, Richard	122.1	9	\$300.00	\$36,630.00
Carr, Teliyah	296.4	3	\$300.00	\$88,920.00
Paralegals	47.1		\$150.00	\$7,065.00
Expenses				\$407.21
Totals	570.4			\$204,600.61

52. Schlanger Law Group LLP's time and expense records are attached hereto as **Exhibit D**.

53. Recovery of attorney's fees in this matter does not reduce Plaintiff's recovery or recovery for the Class.

54. Accordingly, Plaintiff requests that this Court approve attorney's fees of \$525,000, and costs of \$29,782.00.

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

Dated: February 18, 2025

Respectfully Submitted,

/s/Daniel A. Schlanger

Daniel A. Schlanger, Esq.