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KAZEROUNI LAW GROUP, APC
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Attorneys for Plaintiffs

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

<p>SABER AMHED and JOHN MONTELEONE, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>HSBC BANK USA, N.A. et. al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: 5:15-cv-02057-FMO-SP</p> <p>DECLARATION OF NICHOLAS R. BARTHEL IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS AND SERVICE AWARDS</p> <p>JUDGE: Fernando M. Olguin</p>
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DECLARATION OF NICHOLAS R. BARTHEL

I, NICHOLAS R. BARTHEL, declare:

1. I am co-counsel for Plaintiffs Saber Ahmed and John Monteleone (the “Plaintiffs”) in the above-captioned action against defendant HSBC Bank USA, N.A. (“HSBC”) and PHH MORTGAGE CORPORATION (“PHH,” together the “Defendants”).
2. I am over the age of 18 and am fully competent to make this declaration.
3. I was admitted to the State Bar of California in 2017 and have been a member in good standing ever since that time. I have litigated cases in both state and federal courts in California. I am admitted in every in the Northern, Central, and Southern district courts in California.
4. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto, except as to those matters which are explicitly set forth as based upon my information and belief and, as to such matters, I am informed and believe that they are true and correct.
5. I submit this declaration in support of Plaintiffs’ Motion for Attorneys’ Fees, Costs and Service Awards.

HOURS INCURRED

6. As of approximately August 26, 2019, I have incurred approximately 48.3 hours on this litigation. Specifically, I have incurred approximately 0.2 hours on pleadings and investigations; approximately 20.3 hours on document review and motion practice; approximately 1.8 hours for travel relating to mediation; approximately 7.3 hours to prepare for and attend mediation; approximately 13.5 hours on discovery; approximately 2.9 hours communicating with co-counsel; and approximately 2.6 hours on administrative tasks.

All of these hours were logged contemporaneously in the normal course of

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1 business.

2 7. I anticipate incurring approximately at least 10 additional hours through the
3 final approval hearing, for a total of 58.3 hours in this action.

4 8. Based on my experience litigating consumer class actions as detailed below,
5 I believe my proposed hourly rate of \$285 is fair and reasonable.

6 **EXPERIENCE**

7 9. I have been working in consumer law since I began my internship with
8 Kazerouni Law Group in August 2017.

9 10. I predominantly practice in the Central District of California and Southern
10 District of California; however, I have litigated in the Northern District of
11 Illinois, and I am currently admitted *pro hac vice* within the District of New
12 Hampshire.

13 11. I have been approved for an hourly rate of \$275 in *Ayala v. TriplePulse Inc.*,
14 2018 Cal. Super. LEXIS 3242, *4 (Los Angeles County Superior Court Nov.
15 13, 2018), and in *Ronquillo-Griffin v. TransUnion Rental Screening Sols.*,
16 *Inc.*, No. 17cv129 JM (BLM) 2019 U.S. Dist. LEXIS 79021, at *28 (S.D.
17 Cal. May 9, 2019).

18 12. In the time since I was approved under these cases, I have written two
19 articles that are set to be published this fall.

20 13. I have joined several organizations dedicated to protecting consumer rights,
21 including the National Consumer Law Center.

22 14. I practice law almost exclusively in the area of consumer actions, with over
23 90% of my legal practice dedicated to consumer class actions. I have been
24 involved in litigating several consumer class actions.

25 15. I substantially contributed to the appellate briefing in *Self-Forbes v.*
26 *Advanced Call Center*, No. 17-15804 (9th Cir. 2018), which ended with a
27 successful ruling for my client. *Self-Forbes v. Advanced Call Ctr. Techs.*,
28 *LLC*, 2018 U.S. App. LEXIS 30577, at *1 (9th Cir. Oct. 29, 2018).

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16.I have made over a dozen court appearance in state and federal court.

17.I have drafted several legal briefs in support of and in opposition to consumer cases, including consumer class actions.

PUBLICATIONS

18.Sometime in fall of 2019, my article entitled, *Uncharted Territory: When an Expired Product is a Ripe Case* will be published in The San Luis Obispo Bar Bulletin. This article focuses on how expiration dating on certain products can be misleading to consumers.

19.Sometime in fall of 2019, my article entitled, *Implications of Footnote 8: An Examination of the Ninth Circuit’s Dictum in Durnford v. Muscleharm Corp.* will be published in The Gavel. This article focuses on preemption based on testing supplements under 21 C.F.R. 101.9(g).

I declare under penalty of perjury that the foregoing is true and correct, executed on September 5, 2019, in Costa Mesa, California, pursuant to the laws of the State of California.

By: s/ Nicholas R. Barthel
Nicholas R. Barthel

CERTIFICATE OF SERVICE

I, Adrienne D. McEntee, hereby certify that on September 26, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Attorneys for Defendants HSBC Bank USA, National Association and
PHH Mortgage Corporation*

1 DATED this 26th day of September, 2019.

2 TERRELL MARSHALL LAW GROUP PLLC

3
4 By: /s/ Adrienne D. McEntee, Pro Hac Vice

5 Adrienne D. McEntee, *Pro Hac Vice*

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