

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT**

GLEN GRAYSON and DOREEN  
MAZZANTI, individually and on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

GENERAL ELECTRIC COMPANY,

Defendant.

Case No. 3:13-cv-01799 (MPS)

(JURY TRIAL DEMANDED)

April 30, 2020

**DECLARATION OF HASSAN ZAVAREEI IN SUPPORT OF PLAINTIFFS'  
MOTIONS FOR (1) CERTIFICATION OF THE SETTLEMENT CLASS AND FINAL  
APPROVAL OF CLASS ACTION SETTLEMENT, AND (2) AWARD OF ATTORNEYS'  
FEEES AND EXPENSES AND FOR LEAD PLAINTIFF SERVICE AWARDS**

I, Hassan Zavareei, hereby declare as follows:

1. This declaration is made in support of Plaintiffs' unopposed Motions for (1) certification of the Settlement Class and final approval of the class action Settlement, and (2) an award of attorneys' fees and expenses and for lead plaintiff service awards. I have personal knowledge of all the facts stated herein based on my active participation in the prosecution and settlement of the above-styled cases and related litigation and my firm's business records, and, if called as a witness, could and would competently testify thereto.

2. In granting class certification over Defendant's objection on March 7, 2017, the Court appointed my law firm, Tycko & Zavareei LLP, along with our co-counsel in this matter, Izard Nobel, LLP, as Class Counsel to represent Plaintiffs and the putative class against General Electric ("GE") in the above-captioned consolidated matter pursuant to Fed. R. Civ. P. 23(g). (*See* Dkt. 257.) The Court found our law firms "highly qualified in the area of class action litigation." (*Id.*)

3. In granting preliminary approval on January 15, 2020, this Court appointed me and my partner, Anna Haac, as well as our co-counsel, Robert A. Izard, Jr., Esq., Seth R. Klein, Esq., and Mark P. Kindall, Esq., of Izard Kindall & Raabe LLP, as Settlement Class Counsel. (Dkt. 364.)

4. Tycko & Zavareei is a national law firm with offices in Washington, D.C. and Oakland, California that has successfully brought a number of class action complaints in both federal and state courts. The firm's background and wealth of experience is set forth in greater detail in our firm's resume, which is attached hereto as Exhibit A and includes the professional backgrounds of all the attorneys who worked on this matter for our firm. In sum, the firm's practice focuses on complex and class action litigation involving, *inter alia*, consumer and financial matters, seeking redress for unfair business practices, and whistleblowers exposing fraud.

5. The Class Action Settlement Agreement and Release (the "Settlement Agreement") is the result of extensive good-faith, informed, and arms-length negotiations by highly experienced attorneys that took place in multiple rounds over the course of multiple years and included two formal mediations, the first before Judge William I. Garfinkel, and the second before a well-respected private mediator of complex litigation matters, David Brodsky. In my experienced opinion, the terms of the Settlement Agreement represent a highly favorable compromise that balances the merits of Plaintiffs' claims and the likelihood of succeeding at trial and on appeal with the attendant risks. The proposed settlement avoids the inherent uncertainty in litigation and potential appellate delay, while providing Settlement Class Members with immediate, meaningful, and certain monetary relief. Given these circumstances and the relief Settlement Class Members obtain under the Settlement Agreement, it is my experienced view that the Settlement Agreement represents a good, fair, and reasonable result for the Settlement Class.

6. Pursuant to the Settlement Agreement (Dkt. 358, Ex. A at ¶ 46) and as indicated in the Court-approved Notice disseminated to the Settlement Class, Class Counsel are permitted to and

accordingly are requesting that the Court award attorneys' fees and costs in the amount of \$1.325 million, as well as service awards of \$5,000 for each of the named Plaintiffs for the time, effort, and risks they undertook in prosecuting this action, for a combined total of \$1.35 million. Our firm alone has expended nearly \$2.7 million in lodestar and over \$260,000 in expenses prosecuting this Action on behalf of the Settlement Class. In other words, the fees and costs we are requesting represents less than half of the fees and costs our firm alone has incurred.

7. Salient facts concerning this Litigation's background are set forth in Plaintiffs' Consent Motion for Preliminary Approval (Dkts. 356-57) and Final Approval (filed concurrently herewith).

#### **Tycko & Zavareei's Fees**

8. The hourly rates for the attorneys at Tycko & Zavareei are those set forth in the so-called "LSI Adjusted Laffey Matrix" rates (<http://www.laffeymatrix.com/>), which provides market rates, indexed for the rate of inflation, for attorneys engaged in complex federal litigation in the Washington, D.C. and Baltimore metropolitan areas. The Laffey Matrix was originally developed by the U.S. Department of Justice and is adjusted by the nationwide legal services component of the Consumer Price Index produced by the U.S. Bureau of Labor Statistics. *See, e.g., DL v. Dist. of Columbia*, 924 F.3d 585 (D.C. Cir. 2019) (discussing the history and basis of the Laffey matrix); *Baker v. D.C. Pub. Schs.*, 815 F. Supp. 2d 102, 113 (D.D.C. 2011).

9. Courts outside of Washington—including district courts in the Fourth Circuit—regularly use the Adjusted Laffey Matrix to determine fees for District of Columbia lawyers. *See, e.g., Brown v. Transurban USA, Inc.*, 318 F.R.D. 560, 576 (E.D. Va. 2016) ("Additionally, other courts in the Fourth Circuit have used the Adjusted Laffey Matrix to evaluate the reasonableness of a requested fee award."); *Galvez v. American Servs. Corp.*, 2012 WL 2522814, at \*5 (E.D. Va. June 29, 2012) ("The Laffey Matrix is used as a guideline for reasonable attorneys' fees in the Washington/Baltimore area."); *In re Neustar, Inc. Secs. Litig.*, 2015 WL 8484438, at \*10 n.6 (E.D. Va. Dec. 8, 2015) (same). Indeed, the

Fourth Circuit has held that “the Laffey matrix is a useful starting point to determine fees” for work performed by Washington, D.C. lawyers. *Newport News Shipbuilding & Dry Dock Co. v. Holiday*, 591 F.3d 219, 229 (4th Cir. 2009).

10. Accordingly, Tycko & Zavareei firm’s rates have been approved by courts throughout the country. For example, the Northern District of California specifically found that the hourly rates charged by Tycko & Zavareei, which were determined using the Adjusted Laffey Matrix, “are reasonable and commensurate with those charged by attorneys with similar experience in the market.” *Kumar v. Salov N. Am. Corp.*, No. 14-CV-2411-YGR, 2017 WL 2902898, at \*7 (N.D. Cal. July 7, 2017). Although the Adjusted Laffey Matrix is updated annually, many other courts have likewise awarded attorneys’ fees consistent with the Adjusted Laffey Matrix to my firm in a number of cases. *See, e.g., Brown v. Transurban USA, Inc.*, No. 1:15CV494 (JCC/MSN), 2016 WL 6909683 (E.D. Va. Sept. 29, 2016); *Small v. BOKF, N.A.*, No. 1:13-cv-01125-REB-MJW (D. Colo.); *Soule v. Hilton Worldwide, Inc.*, No. CV 13-00652 ACK-RLP, 2015 WL 12827769 (D. Haw. Aug. 25, 2015); *Beck v. Test Masters Educ. Servs., Inc.*, 73 F. Supp. 3d 12 (D.D.C. 2014).

11. I believe my firm’s billing rates are reasonable in light of the rates charged by other firms with similar experience and expertise in the area of complex and class action litigation within this District and around the country.

12. Tycko & Zavareei has billed over 5,023 hours, totaling nearly \$2.7 million in lodestar to date on work in this Action. I have reviewed all of the time records in this case for my firm. These time records were maintained contemporaneously as we performed work on the matter. I believe that the time reflected in the firm’s lodestar calculation and our costs are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of this and related litigation.

13. The following chart details the time and hourly rate of the attorneys and litigation assistants whose work contributed to the aggregate lodestar of Tycko & Zavareei stated above.

<b>Professional</b>	<b>Title</b>	<b>Total Hours</b>	<b>Hourly Rate</b>	<b>Lodestar</b>
Anna C. Haac	Partner	1693.30	\$747	\$1,264,895.10
Annick Persinger	Partner	66.40	\$661	\$43,890.40
Hassan A. Zavareei	Partner	306.40	\$899	\$275,453.60
Kristen Sagafi	Partner	28.00	\$747	\$20,916.00
David Lawler	Of Counsel	63.60	\$899	\$57,176.40
Andrew Silver	Associate	34.90	\$661	\$23,068.90
Lorenzo Cellini	Associate	26.20	\$747	\$19,571.40
Sophia Goren	Associate	497.30	\$458	\$227,763.40
Tanya Koshy	Associate	2.10	\$661	\$1,388.10
Eliza Finley	Fellow	482.55	\$458	\$221,007.90
Rebecca Azhdam	Fellow	43.80	\$372	\$16,293.60
Jennifer Thelusma	Fellow	7.3	\$372	\$2,715.60
Kyra Taylor	Fellow	319.90	\$372	\$119,002.80
Lauren Kelleher	Fellow	5.50	\$372	\$2,046.00
Stephanie Berger	Fellow	435.60	\$458	\$199,504.80
Audrey Abate	Paralegal	4.70	\$203	\$954.10
Amy Berkowitz	Paralegal	1.20	\$203	\$243.60
Christina Parel	Paralegal	320.40	\$203	\$65,041.20
Melat Kiros	Paralegal	10.40	\$203	\$2,111.20
Melis Coban	Paralegal	231.30	\$203	\$46,953.90
Natasha Fletcher	Paralegal	429.30	\$203	\$87,147.90
Nathan LaPorte	Paralegal	7.00	\$203	\$1,421.00
Nicole Porzenheim	Paralegal	3.7	\$203	\$751.10
Sydney Teng	Paralegal	2.50	\$203	\$507.50
<b>Total</b>		<b>5,023.35</b>		<b>\$2,699,825.50</b>

14. My partner, Anna Haac, and I primarily worked on the matter with the assistance of associates, fellows, and paralegals as needed.

15. I co-founded Tycko & Zavareei and am based out of the law firm's Washington, D.C. office. I have nearly two decades of experience in the areas of consumer fraud, products liability, and unfair and deceptive business practices. I have tried complex cases to verdict in state and federal courts

across the nation and has successfully argued appeals before numerous federal appellate courts. I have also served as lead counsel or co-lead counsel in dozens of consumer class actions and been appointed class counsel by multiple courts. In addition, I am active in the public interest legal community. I serve on the Public Justice Board of Directors and have testified before the Judicial Committee of the U.S. House of Representatives and the Civil Rules Advisory Committee.

16. Anna Haac was an associate when this case was filed and is now a partner in the Washington, D.C. office of Tycko & Zavareei. She is a 2006 graduate of the University of Michigan Law School (13 years of experience) and was also previously an attorney at the Washington, D.C. office of the law firm of Covington & Burling, one of the nation's most prestigious defense-side law firms, where partners who graduated in 2006 generally bill at hourly rates in excess of \$800. In addition to having achieved considerable litigation success, Ms. Haac serves as Co-Chair of the D.C. Bar's Antitrust & Consumer Law Section Steering Committee and is the District of Columbia Co-Chair for the National Association of Consumer Advocates. She has also been asked to and has spoken at numerous CLE programs, symposiums, and conferences on issues related to consumer protection, class actions, and *qui tam* litigation.

17. The background of the other attorneys who worked on this matter and who are listed above are included in the firm resume attached at Exhibit A.

18. Tycko & Zavareei's time is reasonable given the duration, progression, nature, and complexity of this Litigation, as well as the results achieved, and reflects the efficient management of this Litigation. For example, Class Counsel took appropriate steps to avoid duplication of effort by dividing up various litigation tasks by firm. In addition, we endeavored to ensure that the case was efficiently staffed and that work was properly divided amongst lower and higher-level attorneys, and staff.

19. My firm, like our co-counsel, litigated this case wholly on a contingency fee basis, and did so at great risk of never receiving any compensation. In effect, my firm has advanced our legal services to the Settlement Class since the inception of this Litigation. My firm's contingent-fee model means that we do not get paid in every case. In some cases, we get nothing or are awarded fees equal to only a small percentage of the amount worked. We thus bore substantial risk in litigating these cases on a contingent basis and advancing all costs. Furthermore, the time spent on this Litigation was time that could not be spent litigating other matters. Indeed, during the pendency of the Litigation, my firm turned away other work.

20. Below is a high-level summary of some, but certainly not all, of the work performed by my firm and which is reflected in the lodestar figures stated above (as well as the extensive docket in this Action):

a. **Pre-Filing Investigation, Drafting and Amending Complaints, and Responding to Consumer Inquiries.** Prior to filing suit, my firm spent time researching state and federal law and conducting other due diligence to confirm our clients' claims in connection with drafting their complaints. As part of our pre-filing work and on an ongoing basis, we also responded to numerous consumers, who contacted our law firm inquiring about the case and reporting their own experiences with their GE microwaves shattering, some of whom joined the litigation through amendment of the initial Complaint.

b. **Motion Briefing and Related Research.** This case was extensively litigated. Among other things, Defendant filed multiple motions to dismiss, which Plaintiffs successfully opposed, with our firm and co-counsel dividing up the research and drafting of the oppositions to avoid duplication of effort. Plaintiffs also won a contested motion for class certification of a multistate liability consumer protection class, and protected the ruling by defeating Defendant's petition for interlocutory appeal, both of which our firm took the lead on. Thereafter, Defendant filed a motion

for summary judgment, which again our firm took the lead in opposing. Throughout the litigation, our firm also took the lead in motion practice aimed at making public key documents in this case, including, most importantly, consumer incident reports that highlighted the nature and extent of the glass shattering consumers were experiencing with the GE microwaves at issue.

c. **Formal Discovery.** Our firm also drafted initial disclosures, reviewed and produced our clients' documents, drafted and responded to discovery requests, drafted subpoenas, met and conferred with opposing counsel regarding discovery disputes, and took the lead in reviewing tens of thousands of pages of documents produced by GE. In addition, our firm took numerous depositions of GE's employees and corporate representatives, as well as the deposition of third-party witness Underwriters Laboratories, Inc., and defended the depositions of all but one of the Plaintiffs. We also took the lead on working with Plaintiffs' glass breakage expert, statistical expert, and regulatory expert, including responding to related expert discovery requests and taking and defending certain of the expert depositions. In addition, we took the lead corresponding with and defending the deposition of several additional individual class members that GE subpoenaed after Plaintiffs won class certification.

d. **Settlement Negotiations and Memorialization.** Our firm took a lead role in the ongoing informal settlement negotiations with Defendant and participated in the two formal mediations, including by taking the lead in drafting the mediation statements submitted for both.

21. Moreover, Class Counsel's work is not yet done. Class Counsel will be required to, among other things: (1) continue to monitor the notice administration process; (2) respond to class member inquiries now and potentially for years to come; (3) prepare for and attend the Final Approval Hearing; (4) monitor distribution of benefits to the Settlement Class; and (5) potentially handle post-judgment appeals. However, my firm is not seeking any additional funds for this anticipated future work on behalf of the Settlement Class.

**Tycko & Zavareei's Costs & Expenses**

22. To date, my firm has incurred \$258,079.39 in reasonable and necessary costs and expenses in connection with this Action. This sum corresponds to certain actual out-of-pocket costs and expenses that my firm necessarily incurred and paid in connection with the prosecution of this litigation and the Settlement, as reflected in the firm's records.

23. These expenses include but are not limited to filing fees, photocopies, travel expenses, expert services, court reporting services, deposition services, transcript copy fees, and research fees, which are the type of expenses routinely charged to paying clients in the marketplace and, thus awarded by courts in full. Below is a breakdown by category of my firm's expenses in this Action:

<b>Expense Category</b>	<b>Amount</b>
Expert Fees	\$141,525.33
Document Review Hosting Fees	\$10,156.82
Deposition and Transcript Fees	\$47,788.26
Computer Research Fees	\$8,886.58
Copy and Postage Fees	\$11,977.49
Travel Expenses	\$28,887.80
Filing Fees	\$903.00
Mediation Services	\$6,250.00
Phone Services	\$108.11
Process Server Fees	\$1,596.00
<b>Total</b>	<b>\$258,079.39</b>

24. My firm has documentation evidencing these expenses.

25. In addition, Tycko & Zavareei's future costs (e.g., attending the Final Approval Hearing or other administrative costs connected with the ongoing monitoring of the settlement and claims process or responding to objections, if any) are not included above.

### Service Awards

26. As set forth in the Notice given to Settlement Class Members, Class Counsel respectfully submit that Plaintiffs Glen Grayson, Doreen Mazzanti, Daniel Levy, David Mequet, and Lauren Harris (“Settlement Class Representatives”) should each receive a reasonable and modest service award of \$5,000 for their considerable efforts in this Action.

27. The Service Awards requested for the Settlement Class Representatives are in recognition of the time and effort they committed to actively pursuing this litigation, including providing detailed information concerning their allegations, producing documents and interrogatory responses in response to Defendant’s discovery requests, sitting for depositions, remaining apprised about the status of the litigation—including discussing the terms of the proposed Settlement and ensuring that the Settlement Agreement was in the best interests of the Settlement Class Members, and otherwise actively assisting in the prosecution and settlement of this case.

28. In sum, all of the Plaintiffs have been exemplary Class Representatives. Moreover, they all took the risk of exposing themselves to publicity by attaching their names to a publicly filed class action lawsuit with the hope of helping others. The time they took out of their personal lives and effort exerted on behalf of the Settlement Class was made to support a case in which they had a relatively modest personal interest, but one that will provide meaningful benefits to Settlement Class Members.

29. Indeed, it is noteworthy how seriously each Class Representative took their role to represent the interests of the Settlement Class Members above their own. They were motivated by a desire to help other Settlement Class Members and ensure they were aware of the risks the GE microwaves at issue posed. With respect to the Settlement, Class Counsel discussed the final terms with each Plaintiff (Tycko & Zavareei spoke with Plaintiffs Grayson, Mazzanti, Mequet, and Harris, and our co-counsel spoke with Plaintiff Levy), including the different

amounts given to different Class Members in the different claimant categories. Each Plaintiff understood their obligations to the class as a whole to maximize recovery but thought the deal fair given the strengths and weaknesses of each group's claims if they went to trial.

30. In my and my firm's experience, the requested Service Awards are reasonable and in line with those awarded in similar cases. Given their sacrifice and contribution to the successful prosecution of this action, Plaintiffs should each be granted Service Awards of \$5,000.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 29th day of April 2020, in Washington, D.C.



---

HASSAN ZAVAREEI

# EXHIBIT A

## **TYCKO & ZAVAREEI LLP**

Tycko & Zavareei LLP was founded in 2002 when Jonathan Tycko and Hassan Zavareei left the large national firm at which they both worked to start a private public interest law firm. Since then, a wide range of clients have trusted us with their most difficult problems. Those clients include individuals fighting for their rights, tenants' associations battling to preserve decent and affordable housing, consumers seeking redress for unfair business practices, whistleblowers exposing fraud and corruption, and non-profit entities and businesses facing difficult litigation.

Our firm's practice focuses on complex litigation, with a particular emphasis on consumer and other types of class actions, and *qui tam* and False Claims Act litigation. In our class action practice, we represent consumers who have been victims of corporate wrongdoing. Our attorneys bring a unique perspective to such litigation because many of them trained at major national defense firms where they obtained experience representing corporate defendants in such cases. This unique perspective enables us to anticipate and successfully counter the strategies commonly employed by corporate counsel defending class action litigation. Our attorneys have successfully obtained class certification, been appointed class counsel, and obtained approval of class action settlements with common funds totaling over \$500 million.

Tycko & Zavareei's fifteen attorneys graduated from some of the nation's finest law schools, including Yale Law School, Harvard Law School, Columbia Law School, and the University of Michigan Law School. They have served in prestigious clerkships for federal and state trial and appellate judges and have worked for low-income clients through competitive public interest fellowships. The firm's diversity makes it a leader amongst its peers, and the firm actively and successfully recruits attorneys who are women, people of color, and LGBTQ. To support its mission of litigating in the public interest, Tycko & Zavareei offers a unique public interest fellowship for recent law graduates. Tycko & Zavareei's attorneys practice in state and federal courts across the nation.



### **HASSAN A. ZAVAREEI**

Mr. Zavareei has devoted the last eighteen years to recovering hundreds of millions of dollars on behalf of consumers and workers. He has served in leadership roles in dozens of class action cases and has been appointed Class Counsel on behalf of numerous litigation and settlement classes. An accomplished and experienced attorney, Mr. Zavareei has litigated in state and federal courts across the nation in a wide range of practice areas; tried several cases to verdict; and successfully argued numerous appeals.

Mr. Zavareei graduated *cum laude* from Duke University in 1990 with degrees in Comparative Area Studies and Russian. He earned his law

degree from the University of California, Berkeley School of Law in 1995, where he graduated as a member of Order of the Coif. After graduating from Berkeley, Mr. Zavareei joined the Washington, D.C. office of Gibson, Dunn & Crutcher LLP. There, he managed the defense of a nationwide class action brought against a major insurance carrier, along with other complex civil matters. In 2002, Mr. Zavareei founded Tycko & Zavareei LLP with his partner Jonathan Tycko.

Mr. Zavareei has served as lead counsel or co-counsel in dozens of class actions involving deceptive business practices, defective products, and/or privacy. He has been appointed to leadership roles in multiple cases. As Lead Counsel in an MDL against a financial services company that provided predatory debit cards to college students, Mr. Zavareei spearheaded a fifteen-million-dollar recovery for class members. He is currently serving as Co-Lead Counsel in consolidated proceedings against Fifth Third Bank, and on the Plaintiffs' Executive Committee in MDL litigation against TD Bank. As Co-Lead Counsel in *Farrell v. Bank of America*, a case challenging Bank of America's punitive overdraft fees, Mr. Zavareei secured a class settlement valued at \$66.6 million in cash and debt relief, together with injunctive relief forcing the bank to change a practice that will save millions of low-income consumers approximately \$1.2 billion in overdraft fees. In his Order granting final approval, Judge Lorenz of the U.S. District Court for the Southern District of California described the outcome as a "remarkable" accomplishment achieved through "tenacity and great skill."

Apart from his litigation experience, Mr. Zavareei is also active in the public interest legal community. He serves on the Public Justice Board of Directors and has testified before the Judicial Committee of the U.S. House of Representatives and the Civil Rules Advisory Committee. He also served as an editor of Duke Law Review's Guidance on New Rule 23 Class Action Settlement Provisions.

## REPRESENTATIVE CONSUMER CLASS ACTION LITIGATION

- ***Vergara v. Uber Technologies, Inc.*, No. 1:15-cv-06972 (N.D. Ill.)**. Mr. Zavareei served as Co-Lead Counsel in this case under the Telephone Consumer Protection Act, in which he obtained a class settlement of \$20 million.
- ***In re Fifth Third Early Access Cash Advance Litigation*, No. 1:12-cv-00851 (S.D. Ohio)**. Mr. Zavareei was appointed Co-Lead Counsel in these consolidated payday lending cases, which are in discovery after a successful appeal before the Sixth Circuit.
- ***Farrell v. Bank of America, N.A.*, No. 16-cv-000492 (S.D. Cal.)**. As Co-Lead Counsel, Mr. Zavareei obtained a settlement valued at \$66.6 million plus injunctive relief valued at \$1.2 billion.
- ***In re TD Bank, N.A. Debit Card Overdraft Fee Litigation*, No. 15-mn-02613 (D.S.C.)**. Mr. Zavareei is serving on the Plaintiffs Executive Committee in this case challenging TD Bank's overdraft fee practices. Mr. Zavareei assisted in obtaining a \$70 million class settlement.

- ***In re Higher One Account Marketing & Sales Practices Litigation*, No. 12-md-02407 (D. Conn.)**. As Lead Counsel, Mr. Zavareei helped secure a \$15 million common fund settlement with significant changes to business practices for illegal debit card fees.
- ***Duval v. Citizens Financial Group, Inc.*, No. 10-cv-21080 (S.D. Fla.)**. Mr. Zavareei was appointed Class Counsel and obtained a common fund settlement of \$137.5 million.
- ***In re American Psychological Association Assessment Fee Litigation*, No. 10-cv-01780 (D.D.C.)**. Mr. Zavareei served as Co-Lead Counsel in this case challenging the APA's deceptive fee practices, and achieved a \$9.02 million common fund settlement for the class.
- ***Lloyd v. Navy Federal Credit Union*, No. 17-cv-1280 (S.D. Cal.)**. As Co-Lead Counsel, Mr. Zavareei helped secure a \$24.5 million common fund settlement on behalf of a class of NFCU customers harmed by the credit union's overdraft fee practices.
- ***Morgan v. Apple, Inc.*, No. 17-cv-5277 (N.D. Cal.)**. Mr. Zavareei is currently serving as Lead Counsel in this class action challenging Apple's deceptive marketing of Powerbeats headphones.
- ***Wallace v. Wells Fargo Bank, N.A.*, No. 17CV31775 (Sup. Ct. Ca., Santa Clary Cty.)**. Mr. Zavareei is serving as Co-Lead Counsel in this case against Wells Fargo's overdraft fee practices. Mr. Zavareei's team defeated a motion to compel arbitration and Wells Fargo has appealed.
- ***Roberts v. Capital One Financial Corporation*, No. 16-cv-04841 (S.D.N.Y.)**. As Co-Lead Counsel, Mr. Zavareei helped secure a \$17 million settlement on behalf of Capital One customers forced to pay excessive overdraft fees.
- ***Hawkins v. First Tennessee Bank, N.A.*, No. CT-0040851-11 (Cir. Ct. Shelby Cty. Tenn.)**. As Co-Lead Counsel, Mr. Zavareei helped obtain a class settlement of \$16.75 million on behalf of bank customers harmed by First Tennessee's predatory overdraft fees.
- ***Mascaro v. TD Bank, N.A.*, No. 10-cv-21117 (S.D. Fla.)**. Mr. Zavareei was appointed Class Counsel and was instrumental in obtaining a \$62 million common fund on behalf of the class.
- ***Trombley v. National City Bank*, No. 10-cv-00232 (D.D.C.)**. Mr. Zavareei served as Lead Counsel and obtained a \$12 million common fund settlement on behalf of a class of consumers.
- ***Taulava v. Bank of Hawaii*, No. 11-1-0337-02 (Cir. Ct. of 1<sup>st</sup> Cir., Haw.)**. As Co-Lead Counsel, Mr. Zavareei obtained a \$9 million common fund for a class of customers who were harmed by Bank of Hawaii's overdraft fee practices.
- ***Bodnar v. Bank of America, N.A.*, No. 14-cv-3224 (E.D. Pa.)**. Mr. Zavareei served as lead Counsel and obtained a \$27.5 million class settlement and significant injunctive relief.

\* \* \*

Tycko & Zavareei is proud of our public interest mission and the results we have achieved on behalf of our clients. More detailed biographies and information about the firm's attorneys and its mission of litigating in the public interest can be found on our website: [www.tzlegal.com](http://www.tzlegal.com).



### **ANNA C. HAAC**

Anna C. Haac is a Partner in Tycko & Zavareei's Washington, D.C. office. She focuses her practice on consumer protection class actions and whistleblower litigation. Her prior experience at Covington & Burling LLP, one of the nation's most prestigious defense-side law firms, gives her a unique advantage when representing plaintiffs against large companies in complex cases. Since arriving at Tycko & Zavareei, Ms. Haac has represented consumers in a wide range of practice areas, including product liability, false labeling, deceptive and unfair trade practices, and predatory financial practices. Her whistleblower practice involves claims for fraud on federal and state governments across an equally broad spectrum of industries, including health care fraud, customs fraud, and government contracting fraud.

Ms. Haac has helped secure multimillion-dollar relief on behalf of the classes and whistleblowers she represents. Ms. Haac also serves as the D.C. Co-Chair of the National Association of Consumer Advocates and as Co-Chair of the Antitrust and Consumer Law Section Steering Committee of the D.C. Bar.

Ms. Haac earned her law degree cum laude from the University of Michigan Law School in 2006 and went on to clerk for the Honorable Catherine C. Blake of the United States District Court for the District of Maryland. Prior to law school, Ms. Haac graduated with a B.A. in political science with highest distinction from the Honors Program at the University of North Carolina at Chapel Hill.

Ms. Haac is a member of the District of Columbia and Maryland state bars. She is also admitted to the United States Court of Appeals for the Second, Third, and Fourth Circuits and the United States District Courts for the District of Columbia, District of Maryland, and the Eastern District of Michigan, among others.

### **Leadership Positions and Recognitions**

- CONSUMER LAW: Super Lawyers Rising Star (Washington DC 2015)
- Co-Chair of Antitrust & Consumer Protection Section of District of Columbia Bar
- National Association of Consumer Advocates, District of Columbia Co-Chair



### **Presentations**

Discussion Leader, “Practical Ideas about Properly Framing the Issues and Educating the Court and Public in Filings Responding to Increasing Attacks on Class Action Settlements and Fees,” Invitation-Only Cambridge Forum on Plaintiffs’ Class Action Litigation (October 2020)

Speaker, “Anatomy of a Class Action,” National Association of Consumer Advocates (TBD)

Panelist, “Government-Initiated (c)(2)(A) Dismissals of Qui Tam Complaints,” American Bar Association False Claims Act Conference (February 2020)

Panelist, “Rule 23(f) & Interlocutory Class Action Appeals,” National Consumer Law Center Class Action Symposium (November 2019)

Panelist, “Emerging Practice Areas,” Taxpayers Against Fraud Education Fund Conference (October 2019)

Moderator, “Current Landscape of Consumer Protection Enforcement at the Federal, State, and Individual Levels,” D.C. Bar Antitrust and Consumer Law Institute (September 2019)

Panelist, “False Claims Act 101,” Taxpayers Against Fraud Education Fund Conference (October 2018)

Speaker, “Nuts & Bolts of False Claims Act Practice,” American Bar Association Public Contract Law Fall Conference (Nov. 2018)

Panelist, “Developments in Reverse False Claims Liability,” Taxpayers Against Fraud Education Fund Conference (Nov. 2017)

### **News & Press Mentions**

Peter Hall, “Victaulic Ordered to Pay \$1.1 Million to Attorneys in Customs Lawsuit,” The Morning Call (Sep. 11, 2019)

Whistleblower Lawyers See a Growth Area: Customs Fraud – Risk Compliance Journal (January 29, 2018)

“Court Unseals Documents and Grants Class Certification in Case against General Electric Company Alleging Dangerous Potential of Microwave Glass Doors to Spontaneously Shatter and Explode,” PR Newswire (March 16, 2017)

Moussako, Abraham, “Classes Certified In GE Shatter-Prone Microwave Suit,” Law360 (March 10, 2017)

Moyer, Justin Wm., “Lawsuit alleges JPMorgan Chase bilks D.C. jurors with high debit card fees,” The Washington Post (Feb. 10, 2017)



“U.S. Court of Appeals for the Third Circuit Issues Landmark Decision Holding that Failing to Properly Mark Imports with their Foreign Country of Origin Can Give Rise to False Claims Act Liability,” National Law Review (Oct. 6, 2016)

Katy Stetch & Valerie Bauerlein, “Christian Laettner Reaches Deal to Repay Investors,” Wall Street Journal (Sept. 20, 2016) –

Blythe, Anne, “Former Duke player Laettner reaches deal with creditors to avoid bankruptcy,” The News & Observer (Sep. 20, 2016) –

Center for Health Law & Policy Innovation, “In Face of Class Action Lawsuit, Delaware Medicaid Removes Unlawful Restrictions to the Cure for the Hepatitis C Virus,” Health Law & Policy, News Blog (June 8, 2016)

\* \* \*



**ANNICK M. PERSINGER**  
PARTNER

Annick M. Persinger graduated magna cum laude as a member of the Order of the Coif from the University of California, Hastings College of the Law in 2010. While in law school, Ms. Persinger served as a member of Hastings Women's Law Journal, and authored two published articles. In 2008, Ms. Persinger received an award for Best Oral Argument in the first year moot court competition. In 2007, Ms. Persinger graduated cum laude from the University of California, San Diego with a B.A. in Sociology, and minors in Law & Society and Psychology.

Prior to joining Tycko & Zavareei LLP, Ms. Persinger was a litigation associate at Bursor & Fisher, P.A., a prestigious consumer class action firm. During her time at Bursor & Fisher, Ms. Persinger represented classes of purchasers of homeopathic products, mislabeled food products, mislabeled toothpaste products, and purchasers of large appliances that were mislabeled as Energy Star qualified. While working at Bursor & Fisher, Ms. Persinger developed cases for filing, drafted countless successful briefs in support of class certification, and defeated numerous motions to dismiss and motions for summary judgment. Ms. Persinger also routinely appeared in court, and regularly deposed and defended witnesses.

Following law school, Ms. Persinger also worked as a legal research attorney for Judge John E. Munter in Complex Litigation at the San Francisco Superior Court.

Since joining Tycko & Zavareei in 2017, Ms. Persinger has focused her practice on consumer class actions and other complex litigation.

Ms. Persinger has served as an elected board member of the Bay Area Lawyers for Individual Freedom (BALIF) since 2017. The BALIF Board named Ms. Persinger Co-Chair of BALIF in 2018.

Ms. Persinger is admitted to the State Bar of California and the bars of the United States District Courts for the Northern District of California, Central District of California, Eastern District of California, and Southern District of California.

\* \* \*



**DAVID LAWLER**  
OF COUNSEL

David Lawler received his law degree from Creighton University School of law in 1997. Mr. Lawler graduated from the University of California, Berkeley in 1989 with a degree in Political Science.

Mr. Lawler joined Tycko & Zavareei LLP in January 2012. He has over fifteen years of commercial litigation experience, including an expertise in eDiscovery and complex case management. At the firm Mr. Lawler has worked extensively on overdraft fee litigation and In re Automotive Parts Antitrust litigation.

Before joining Tycko & Zavareei LLP, Mr. Lawler was an attorney in the litigation departments at McKenna & Cuneo LLP and Swidler Berlin Shereff Friedman LLP.

Among Mr. Lawler's accomplishments include the co-drafting of appellate briefs which resulted in reversal and remand of lower court decision, US Court of Appeals for the Fourth Circuit.

Mr. Lawler is a member of the District of Columbia Bar, as well as numerous federal courts

\* \* \*



**JENNIFER THELUSMA**  
FELLOW

Jennifer Thelusma graduated from Duke University School of Law in 2019 with a J.D. and a certificate in Public Interest and Public Service.

While at Duke Law, Jennifer gained legal experience through various practical projects. For example, during the Fall of her 2L year, as a legal intern in the Duke Wrongful Convictions Clinic, she worked to move five cases through post-conviction review by conducting legal research, interviewing witnesses, and drafting a motion for appropriate relief. During the Fall of her 3L year, Jennifer externed full time at the U.S. Department of Justice's Special Litigation Section where she worked on cases aimed at enforcing the Constitutional rights of individuals under state hospital and correctional control.

During her time at Duke Law, Jennifer also served as symposium editor of the Duke Environmental Law and Policy Forum, externed in Earthjustice's D.C. office, and served as internal vice president of Duke's Black Law Students Association.

Jennifer received her B.A. in political science and history from the University of Florida.

Jennifer is a member of the Florida State Bar and practices in the District of Columbia under the supervision of Jonathan K. Tycko.

\* \* \*



### **KRISTEN L. SAGAFI**

Kristen Law Sagafi is a 2002 graduate of the University of California, Berkeley School of Law, where she served as articles editor for Ecology Law Quarterly and a student law clerk to the Hopi Appellate Court in Keams Canyon, Arizona. After graduating from law school, Ms. Sagafi joined the San Francisco office of Lief Cabraser Heimann & Bernstein, LLP, one of the nation's premier class action firms. Ms. Sagafi was recognized as a "Rising Star for Northern California" by Super Lawyers every year between 2009 and 2014, before being named as a "Super Lawyer" in 2015.

Ms. Sagafi focuses her practice on consumer fraud cases, including matters involving false advertising and unfair competition. In 2014, Ms. Sagafi drafted and advanced a bill to strengthen the protections afforded to consumers under California's Consumers Legal Remedies Act, an effort that included presenting testimony to the California State Senate Judiciary Committee. Beyond her consumer protection practice, Ms. Sagafi has received more than 40 hours of accredited mediation training and has served as a volunteer mediator at Contra Costa Superior Court, successfully mediating small claims and landlord-tenant cases.

In addition, Ms. Sagafi has been a guest lecturer on class action law at UC Berkeley and law firm management at UC Hastings. Since 2010, she has been co-chair of the Berkeley Consumer Law Alumni Group. Ms. Sagafi currently sits on the Board of the Justice and Diversity Center of the Bar Association of San Francisco, which advances fairness and equality by providing pro bono legal services to low-income people and educational programs that foster diversity in the legal profession. From 2009-2014, Ms. Sagafi served on the Board of Governors of California Women Lawyers, where she was a member of the executive committee and co-chair of the membership committee.

\* \* \*



## **ANDREW SILVER**

Andrew Silver graduated magna cum laude as a member of the Order of the Coif from Boston College Law School in 2012. While in law school, he was selected as an Articles Editor of the Boston College International & Comparative Law Review, for which he previously served as a Staff Writer. In 2007, Mr. Silver graduated from Tufts University with a B.A. in Economics and a concentration in Communication and Media Studies.

Prior to joining Tycko & Zavareei LLP, Mr. Silver worked as a student-attorney at the Boston College Legal Assistance Bureau, practicing housing law, family law, and administrative law on behalf of indigent clients. During law school, he spent summers at the Appeals Bureau of the Manhattan District Attorney's Office and as a judicial intern for the Honorable Williams K. Sessions III at the United States District Court for the District of Vermont.

Prior to law school, Mr. Silver worked as a correspondent and desk assistant at The Boston Globe's Sports Department and additionally served as Managing Editor of The Tufts Daily, an independent daily student newspaper. He also worked as an administrator and senior staff member at Camp Bauercrest, a nonprofit residential overnight camp in northeastern Massachusetts for boys aged 8 to 16.

Mr. Silver is a member of the Massachusetts and District of Columbia bars and is admitted to practice before the United States District Court for the District of Columbia.

\* \* \*



## **LORENZO CELLINI**

Lorenzo Cellini graduated magna cum laude from the University of Arizona, James E. Rogers College of Law in 2004. In law school he was a member of the moot court board, a legal writing fellow and the recipient of the E. Thomas Sullivan Antitrust Award. He also received his B.A. from the University of Arizona, graduating magna cum laude and as a member of Phi Beta Kappa.

Before joining Tycko & Zavareei LLP, Mr. Cellini practiced law in Tucson, Arizona. He specialized in commercial litigation, with an emphasis on contract disputes, real estate, intellectual property and bankruptcy. Additional practice areas included real estate and business transactions, appellate, employment and civil rights law. Representative clients included large biomedical engineering, technology and real estate development firms, as well as local restaurants, banks and individuals.

Mr. Cellini also has substantial experience in antitrust law. While in law school, he served as a law clerk in the Antitrust Division of the U.S. Department of Justice, where he assisted in investigations of anticompetitive conduct and proposed mergers. Before attending law school, he worked in the Federal Trade Commission's Bureau of Competition.

Other legal experience includes externships with the University of Arizona Student Legal Services and Judge Raner Collins of the U.S. District Court for the District of Arizona.

Mr. Cellini is a member of the District of Columbia Bar, and also is admitted to practice before the Supreme Court of Arizona, U.S. District Court for the Districts of Arizona and Maryland and the U.S. Court of Appeals for the Federal Circuit.

\* \* \*



## **SOPHIA GOREN**

Sophia Goren graduated from the University of California, Berkeley, School of Law in 2015. While in law school, Sophia was involved in the Berkeley Mock Trial Team and placed 1<sup>st</sup> in the prestigious Bales Mock Trial Competition. Sophia also participated in the California Asylum Representation Clinic and served as the student chair of the Faculty Appointments Committee. She received the Jurisprudence Award for Conflict of Laws.

Sophia spent her first summer in law school representing workers exposed to asbestos. In her second summer, Sophia was selected by the San Francisco Trial Lawyers' Association for the Trial Advocacy Fellowship, through which she split her summer between three San Francisco plaintiff-side firms.

Sophia graduated summa cum laude from Wake Forest University with a degree in Political Science.

\* \* \*



## **TANYA KOSHY**

Tanya Koshy graduated from University of California, Berkeley School of Law in 2010. Ms. Koshy graduated from Wellesley College magna cum laude in 2005 with a Bachelor of Arts degree in Political Science and Africana studies.

Ms. Koshy joined Tycko & Zavareei in 2018. Prior to joining the firm, Ms. Koshy was a staff attorney at the Ninth Circuit Court of Appeals, where she reviewed civil appeals and presented her recommendations as to the disposition of those appeals to monthly panels of circuit judges. Through this position, she was exposed to a wide range of civil litigation matters and consumer protection issues. Prior to working at the Ninth Circuit, Ms. Koshy was a supervising staff attorney at the East Bay Community Law Center in Berkeley, California. While at the East Bay Community Law Center, she worked on administrative proceedings, civil litigation, and direct legal services aimed at removing systemic barriers to employment for people with criminal records. Ms. Koshy was also a clinical supervisor at the University of California, Berkeley School of Law and in that capacity, supervised and trained clinical law students and oversaw a weekly direct legal services clinic in Oakland, California. Prior to law school, Ms. Koshy worked as a paralegal at Neufeld Scheck and Brustin in New York City, a law firm focused on civil rights cases challenging wrongful convictions and police misconduct.

Ms. Koshy is a member of the California, Massachusetts, and New York state bars. She is also admitted to practice before the United States Court of Appeals for the Ninth Circuit.

\* \* \*



### **ELIZA FINLEY**

Eliza came out of Harvard Law School with a strong dedication to public-interest work, and used her Fellowship at Tycko & Zavareei LLP to launch her career in that direction. She was immediately engaged in challenging and substantive work spanning multiple practice areas. In addition to interviewing clients, developing legal strategies, and drafting motions and briefs, her extensive involvement in a national products liability class action served as a valuable crash course in nearly all aspects of discovery. The attorneys at Tycko & Zavareei embraced the opportunity to mentor Eliza through the world of complex litigation via significant assignments and meaningful feedback.

As part of the public-interest fellowship, Eliza worked for two months at Bread for the City's legal clinic. There she helped pilot Bread for the City's medical-legal partnership and worked side-by-side with doctors to develop a protocol for identifying patients with housing problems and referring them to the legal clinic. In addition to this exciting project, Eliza also represented a client during his Social Security Disability appeal and helped him win full Social Security Disability benefit payments.

Tycko & Zavareei's public interest fellowship facilitated Eliza's rapid acquisition of legal skills and competence, which she will apply during the course of her Equal Justice Works fellowship delivering direct legal services in Los Angeles

\* \* \*



## **REBECCA AZHDAM**

Rebecca Azhdam graduated from Columbia School of Law and received her undergraduate degree from Johns Hopkins University.

During her fellowship, Rebecca gained substantive experience in multiple practice areas, including consumer protection, employment, False Claims Act, Freedom of Information Act, Real Estate Settlement Procedures Act, and Fair Credit Reporting Act litigation. In addition to assisting with client engagement, case development, and discovery, Rebecca drafted (and received meaningful feedback on) a wide variety of motions and briefs, including complaints, motions for class certification, motions for reconsideration, motions to compel, and oppositions to motions for summary judgment and motions to dismiss. Among other projects, Rebecca had the opportunity to work on a case challenging President Trump's third travel ban, as well as multiple cases involving harmful practices by mortgage servicers, banks, and payday lenders. With the encouragement and guidance of Tycko & Zavareei attorneys, she also originated cases against a cosmetics company for marketing a dangerous product containing undisclosed drug ingredients; a kitchen appliances manufacturer for selling defective countertop ovens; and a big bank for repeatedly violating the Telephone Consumer Protection Act.

For her non-profit placement, Rebecca spent three months at Tzedek D.C., a legal services organization focused primarily on safeguarding the rights of low-income D.C. residents facing crises related to debt collection and other consumer protection problems. While at Tzedek D.C., Rebecca provided direct legal services to clients in D.C. Small Claims Court. She also researched and drafted memoranda regarding D.C.'s so-called "Clean Hands" law, which prevents people with more than \$100 in outstanding debt to the D.C. government from receiving a license or permit, regardless of ability to pay.

The attorneys at Tycko & Zavareei provided Rebecca with invaluable mentorship and training, which she will carry forward with her into her position as an Honors Attorney at the U.S. Department of Labor.

\* \* \*



## **KYRA TAYLOR**

Kyra graduated from Berkeley Law eager to address the myriad of ways in which corporations abuse vulnerable consumers. At the beginning of Kyra's Public Interest Fellowship with Tycko & Zavareei LLP, Kyra extended her fellowship at Public Justice, a plaintiffs' public interest appellate law firm. While working with Public Justice, Kyra participated in appellate litigation challenging abusive arbitration practices and advancing environmental justice. Kyra also investigated and wrote a 200 page report detailing how internet payday lenders attempt to avoid state usury laws by claiming that they are Native American tribal businesses.

During her time at Tycko & Zavareei LLP, Kyra investigated prospective cases, drafted important court filings, developed case strategies, and participated in depositions. Kyra worked closely with all of the firm's partners on products liability, civil rights, personal injury, TCPA, consumer, and qui tam cases. The opportunity to be in the trenches with the firm's litigators—and to receive their feedback and mentorship—was invaluable to Kyra's development as a plaintiffs' attorney. She looks forward to applying the lessons learned at Tycko & Zavareei LLP to other plaintiffs' firms as she continues to fight against corporate misconduct.

\* \* \*



## **LAUREN KELLEHER**

Lauren Kelleher graduated from Georgetown University of Law and received her undergraduate degree from Northwestern University.

During her fellowship Lauren worked on a wide range of substantive litigation including lawsuits against two St. Louis County cities operating modern day debtors prison schemes, and several class actions against banks charging customers usurious extended overdraft fees. Lauren assisted with deposition preparation and discovery, drafted several oppositions to summary judgment motions and motions to dismiss, and briefed jurisdictional issues in the Eleventh Circuit for an appeal from a district court's denial of Tycko & Zavareei's clients' motion to compel class arbitration on behalf of families and friends who were serially overcharged for making money transfers to loved ones serving time in prison.

For her non-profit placement, Lauren spent two months at Public Justice—a national public interest law firm—where she worked primarily on the organization's court secrecy project. The project intervenes to unseal records in lawsuits against corporations that make all kinds of harmful products; from tires that cause rollovers to rifles that fired without anyone pulling the trigger. As part of this work she helped research and draft a brief before the Ninth Circuit Court of Appeals to unseal records in a products defect lawsuit against Chrysler.

The Tycko & Zavareei fellowship experience gave Lauren a strong base of litigation skills, which will serve her well during her clerkship in the U.S. District Court for the Eastern District of Michigan.

\* \* \*



## **STEPHANIE BERGER**

Stephanie Berger graduated from Harvard Law School and received her B.A. from Arizona State University.

During her fellowship, Stephanie Berger spent two months working at the National Women's Law Center in addition to the rest of her time at Tycko & Zavareei. At the firm, Stephanie jumped right into important public interest work, gaining substantive litigation and procedural knowledge through interviewing new clients, investigating potential matters, writing briefs, and conducting motion practice and written discovery. Stephanie had the opportunity to work substantively with all of the firm's partners and associates on a variety of matters encompassing all of the firm's practice areas. Most notably, Stephanie worked extensively on products liability cases involving defective microwave ovens, consumer protection cases involving deceptive labeling claims and fraudulent payday lending practices, and a malpractice case. Stephanie's fellowship at Tycko & Zavareei was invaluable to her development as a new litigator, and she looks forward to continuing her work as a public interest plaintiffs' attorney.

In addition, during her time at the National Women's Law Center, Stephanie worked in the Education & Employment division, where she gained experience in the policy field while furthering NWLC's agenda to champion laws and policies that promote women and their families. This included drafting advocacy materials and helping to prepare for Hill briefings on issues such as fighting unfair treatment of girls of color in schools, promoting vocational education guidelines that provide opportunities for girls to gain training in traditionally male-dominated trades, raising awareness about sexual assault on campuses, and lobbying for the Paycheck Fairness Act.

\* \* \*