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7 *Attorneys for Plaintiff Lillian Franklin and the  
Proposed Class*

8  
9 UNITED STATES DISTRICT COURT  
10 SOUTHERN DISTRICT OF CALIFORNIA

11 LILLIAN FRANKLIN, on behalf of herself and  
12 all others similarly situated,

13 Plaintiff,

14 v.

15 WELLS FARGO BANK, N.A.,

16 Defendant.  
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CASE NO. 14-cv-2349-MMA (BGS)

**DECLARATION OF MATTHEW R.  
WILSON IN SUPPORT OF PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES AND  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT**

1 I, MATTHEW R. WILSON, declare as follows:

2 I am a principal attorney with the AV-rated law firm Meyer Wilson Co., LPA (“Meyer  
3 Wilson”), one of the counsel of record for Plaintiff. I am a member in good standing of the bars  
4 of the States of California and Ohio. I respectfully submit this declaration in support of  
5 Plaintiff’s Motion for Attorneys’ Fees and Costs and Service Awards to the Named Plaintiff, and  
6 in support of Final Approval of the Settlement. Except as otherwise noted, I have personal  
7 knowledge of the facts set forth in this declaration, and could testify competently to them if called  
8 upon to do so.

9 **Background and Experience**

10 1. Meyer Wilson is a plaintiffs’ law firm with its primary office in Columbus, Ohio.  
11 With co-counsel, Meyer Wilson handles cases across the county. In addition to its practice on  
12 behalf of individual and institutional investors in arbitrations before the Financial Industry  
13 Regulatory Authority (“FINRA”), Meyer Wilson has a robust complex litigation and class action  
14 practice involving consumer, employment, financial, and securities matters. Attached hereto as  
15 **Exhibit A** is a true and correct copy of Meyer Wilson’s current firm resume, showing a  
16 substantial portion of the firm’s experience in complex and class action litigation.

17 2. I graduated from Denison University, *magna cum laude*, in Philosophy in 1997,  
18 before graduating from the University of Virginia School of Law in 2000. I came to Meyer  
19 Wilson (then called Meyer & Associates Co., LPA) in 2006 as an associate and was promoted to  
20 named principal of the firm in 2012. Prior to coming to Meyer Wilson, I worked as an attorney at  
21 Jones Day in its Columbus office, where I defended class actions and litigated other complex civil  
22 cases. I have been the chair of the Class Action Committee of the Central Ohio Association for  
23 Justice for the past eight years. I was recognized this year and for the last several years as an  
24 Ohio Super Lawyer Rising Star. I am also a member of the Class Action Preservation Project  
25 with Public Justice. In addition to the California and Ohio state bars, I am also admitted to the  
26 Ninth, Seventh, and Sixth Circuit Courts of Appeals; to the Central, Eastern, Northern, and  
27 Southern Districts of California; the Northern and Southern Districts of Ohio; the Central and  
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1 Northern Districts of Illinois; and the Eastern and Western Districts of Wisconsin. As set forth  
2 below, I have significant experience in litigating consumer class actions.

3 3. I and others at the Meyer Wilson firm have been in the vanguard of the litigation  
4 of class action lawsuits under the Telephone Consumer Protection Act. Cases in which I have  
5 played a lead or active role include several large TCPA class settlements, as well as a number of  
6 other still-pending cases that involve some of the largest banking and financial institutions in the  
7 world:

- 8 a. *Bayat v. Bank of the West*, Case 3:13-cv-02376-EMC (N.D. Cal.)  
9 (nationwide class settlement of \$3.35 million approved in April 2015);
- 10 b. *Connor v. JPMorgan Chase Bank*, Case No. 10 CV 1284 DMS BGS (S.D.  
11 Cal. Mar. 12, 2012) (nationwide class settlement of \$11.67 million; final  
12 approval granted in early 2015);
- 13 c. *In Re: Capital One Telephone Consumer Protection Act Litigation*, MDL  
14 No. 2416 (N.D. Ill.) (nationwide settlement of more than \$75.5 million,  
15 which is the largest TCPA class settlement in history; final approval  
16 granted February 2015; appeal pending);
- 17 d. *Mills v. HSBC Bank Nevada, N.A.*, Case No. 3:12-cv-04010-SI (N.D. Cal.)  
18 (nationwide settlement of over \$39.9 million; final approval granted  
19 February 2015);
- 20 e. *Wannemacher v. Carrington Mortgage Services LLC*, Case No. 8:12-cv-  
21 02016-FMO-AN (C.D. Cal.) (nationwide settlement of \$1.03 million  
22 common fund; final approval granted in December 2014);
- 23 f. *Steinfeld v. Discover Financial Services, et al.*, Case No. 3:12-cv-01118-  
24 JSW (N.D. Cal.) (nationwide settlement of \$8.7 million common fund;  
25 final approval granted in 2014);
- 26 g. *Rose v. Bank of America*, Case No. 5:11-cv-02390 (N.D. Cal.) (nationwide  
27 settlement of \$32 million common fund, at the time the largest TCPA class  
28 settlement; final approval granted in September 2014);

- 1 h. *Arthur, et al. v. Sallie Mae, Inc.*, No. C10-0198 JLR (W.D. Wash.)
- 2 (nationwide class settlement of \$24.15 million; at the time the largest
- 3 TCPA class settlement; final approval granted in 2012);
- 4 i. *Brown v. Directv LLC, et al.*, Case No. 2:13-cv-01170-DMG-E (C.D. Cal.);
- 5 j. *Ossola v. American Express Company*, Case No. 1:13-cv-08436 (N.D. Ill.);
- 6 k. *Balschmitter v. TD Auto Finance, LLC*, Case No. 2:13-cv-01186 (E.D.
- 7 Wisc.);
- 8 l. *Smith v. State Farm Mutual Auto. Ins. Co.*, Case No. 13-cv-02018 (N.D.
- 9 Ill.);
- 10 m. *Wolf v. Lyft, Inc.*, Case No. 4:15-cv-01441 (N.D. Cal.).

11 4. Meyer Wilson's experience in these cases, and my experience in particular, has  
12 provided me with expertise in the legal, factual, management, settlement, notice, and  
13 administration issues that characterize these types of class actions.

14 5. I also have significant experience in the litigation, trial and settlement of class  
15 actions involving complex economic injury and product defects, false advertising, and breaches  
16 of medical data privacy. Cases in which I have served as Class Counsel in such actions and in  
17 which I played a lead or active role include:

- 18 a. *Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (D. Del.)
- 19 (Co-Lead Class Counsel in nationwide case alleging misrepresentations
- 20 related to marketing of mortgage note modifications; nationwide settlement
- 21 of over \$20 million cash relief approved October 2014.)
- 22 b. *Struck, et al. v. PNC Bank, N.A.*, Case No.2:11-cv-982 (S.D. Ohio) (Co-
- 23 Lead Class Counsel in class and collective action involving alleged
- 24 misclassification of mortgage loan officers; nationwide settlement of \$7
- 25 million cash approved May 2014.)
- 26 c. *Lazebnik v. Apple, Inc.*, Case No. 5:13-cv-04145-EJD (N.D. Cal.) (Co-
- 27 Lead Class Counsel in nationwide class action alleging fraudulent
- 28 marketing of a "season pass" of the television show *Breaking Bad* on

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Apple’s iTunes service. In response to the lawsuit, Apple provided a full credit to the entire proposed class; settlement reached in October 2014.)

- c. *Smith v. Regents of the University of California*, Case No. RG08-410004 (Alameda County, California, Superior Court) (Co-Lead Counsel in California statewide action alleging breaches of medical data privacy. The class was certified on July 9, 2009, and the case settled in late 2011.)
- d. *Mack v. hh gregg, Inc., et al.*, Case No. 1:08-cv-664 (S.D. Ind.) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on March 18, 2011.)
- e. *Kaiser-Flores v. Lowe’s Home Centers, Inc.*, Case No. 5:08-CV-00045 (W.D. North Carolina) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement, including cash relief for class members, was granted final court approval on December 15, 2010.)
- f. *Sanbrook v. Office Depot, Inc.* Case No. 07CV096374 (N.D. Cal.) (Co-Lead Class Counsel in California statewide class action involving misleading service plan terms and other related issues. After the Court certified a litigation class, the case settled for cash relief for class members, and was granted final approval by the Court on November 23, 2010.)
- g. *Frankle v. Best Buy Stores, L.P.*, Case No. 08-5501 (D. Minn.) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on November 9, 2010.)
- h. *Stout v. Jeld Wen, Inc.* Case No. 1:08-CV-652 (N.D. Ohio) (Lead Class Counsel in putative nationwide class action alleging defective windows. The court granted final approval to the nationwide settlement on August 8, 2010.)

- 1 i. *Fulford v. Logitech, Inc.*, Case No. 08-cv-02041 (N.D. Cal.) (Co-Lead  
2 Class Counsel in class action alleging deceptive advertising of a consumer  
3 product. The nationwide class action settlement was granted final Court  
4 approval on March 5, 2010.)
- 5 j. *Schweinfurth, et al. v. Motorola, Inc.* Case No. 1:05-CV-0024 (N.D. Ohio)  
6 (Co-Lead Class Counsel in nationwide class action alleging defective  
7 cellular phones, resulting in nationwide settlement with cash relief for class  
8 members, approved by the court on January 25, 2010.)
- 9 k. *Steele v. Pergo, Inc.* Case No. CV07-1493 (D. Oregon) (Lead Class  
10 Counsel in class action alleging defective laminate flooring. The  
11 nationwide settlement was granted final court approval in July, 2009.)
- 12 l. *Jenkins v. Hyundai Motor Finance Co.*, Case No. 2:04-cv-00720 (S.D.  
13 Ohio) (Appointed Co-Lead Class Counsel in a class action alleging  
14 defective notices in connection with the repossession and subsequent  
15 disposition of vehicles. The case settled after the court certified a litigation  
16 class, and final approval was granted by the court in July, 2009.)

17 **Qualifications of Other Meyer Wilson Attorneys**

18 6. Other Meyer Wilson attorneys include the following:

19 a. Daniel Freytag was formerly Of Counsel at Meyer Wilson, who departed  
20 the firm in early 2015. Mr. Freytag graduated *magna cum laude* from Wittenberg University and  
21 *summa cum laude* from the Moritz College of Law at The Ohio State University. He has  
22 practiced as a trial lawyer for more than thirty-four years, representing hundreds of large  
23 corporations, small businesses, and individuals in a wide variety of cases including much  
24 complex litigation. Mr. Freytag has personally examined or cross-examined more than 1000 lay  
25 witnesses and more than 150 expert witnesses (including nationally recognized experts);  
26 conducted jury and bench trials; and handled appeals.

27 b. Michael J. Boyle, Jr. is an associate attorney at Meyer Wilson. Mr. Boyle  
28 graduated *cum laude* from the University of Pennsylvania School of Law in 2008. Mr. Boyle

1 clerked for the Honorable R. Guy Cole, Jr., of the United States Court of Appeals for the Sixth  
2 Circuit and worked at the international law firm Covington & Burling, LLP, prior to coming to  
3 work at Meyer Wilson in early 2013. Since coming to the firm, Mr. Boyle has worked primarily  
4 with me on our firm's TCPA class action cases. In 2014, Mr. Boyle was recognized as an Ohio  
5 Super Lawyer Rising Star. Mr. Boyle is admitted to and in good standing in the bars of  
6 California and Ohio, as well as the Ninth, Seventh, and Sixth Circuit Courts of Appeals, the  
7 Northern, Eastern, Central, and Southern Districts of California, the Southern District of Ohio, the  
8 Central District of Illinois, and the Eastern and Western Districts of Wisconsin.

9 c. Bridget Wasson was formerly an associate attorney at Meyer Wilson who  
10 departed the firm in January 2013. Ms. Wasson graduated from Capital University Law School in  
11 2008. She had worked with me on our class action cases exclusively during her approximately  
12 three-year tenure at Meyer Wilson, including several TCPA class actions.

13 d. Courtney Yeager is an associate attorney at Meyer Wilson. Ms. Yeager  
14 joined Meyer Wilson as a law clerk in 2010. She graduated *magna cum laude* from Capital Law  
15 School in 2012. Prior to joining Meyer Wilson, Ms. Yeager interned at the Franklin County  
16 Municipal Court under the Honorable Anne Taylor, the Federal Public Defender's Office for the  
17 Southern District of Ohio, the Ohio State University Office of Legal Affairs, and the Parliament  
18 of Canada.

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1           **Prior Actions Against Wells Fargo**

2           7. Meyer Wilson, in collaboration with our co-counsel, has been in active litigation  
3 against Wells Fargo with regard to the TCPA since 2012. In particular, besides this *Franklin*  
4 case, Meyer Wilson has been counsel of record in two other cases against Wells Fargo: (1) *Martin*  
5 *v. Wells Fargo Bank, N.A.*, Case No. 3:12-cv-06030-SI (N.D. Cal.), and (2) *Heinrichs v. Wells*  
6 *Fargo Bank N.A.*, Case No. 3:13-cv-05434-WHA (N.D. Cal.). It is my belief that, absent Meyer  
7 Wilson's and our co-counsel's litigation of the *Martin* and *Heinrichs* cases, the current settlement  
8 with Wells Fargo would have been much less likely, particularly a settlement as large as this one  
9 so early in the litigation.

10           8. In an effort not to burden the Court with unnecessary repetition, I do not separately  
11 recount the *Martin* and *Heinrichs* cases here. I note only that, as his co-counsel in them, I concur  
12 completely with Daniel M. Hutchinson's description and commentary regarding those cases,  
13 found in paragraphs 21 through 46 of his declaration, which has been filed simultaneously  
14 herewith.

15           **The Franklin Case**

16           9. Soon after the dismissal of the *Heinrichs* case, counsel for Plaintiff Franklin sued  
17 Wells Fargo in the present case, building on the efforts in *Martin* and *Heinrichs*.

18           10. The monetary relief in this Settlement (\$13,859,103.80 common fund for  
19 4,076,207 Class Members) compares favorably with similar TCPA class actions where large  
20 portions of the class may be subject to arbitration agreements. For example, the class settlement  
21 in *Steinfeld* (in which Meyer Wilson was co-lead counsel, *see* Paragraph 3(b), *supra*) included an  
22 \$8.7 million common fund for approximately 9,088,000 persons holding accounts with Discover,  
23 many or all of whom were potentially subject to an arbitration clause, much like the class  
24 members here.

25           11. In my view, the higher *pro rata* monetary relief for class members here is  
26 attributable in large part to the victory on the motion to compel arbitration in the *Martin* case. In  
27 my judgment and experience, this created conditions that facilitated the settlement of the action  
28 on the terms obtained.



1           **Contingent Nature of the Action**

2           12.     Work on this matter and on *Martin* and *Heinrichs* required Meyer Wilson to spend  
3 time that could have been spent on other matters. At various times during the litigation of those  
4 class actions, they have consumed my time, along with the time of other Meyer Wilson attorneys,  
5 current and former, Dan Freytag, Michael Boyle, Bridget Wasson, and Courtney Yeager, as well  
6 as that of former Meyer Wilson staff member, investigator Shelly Coffman.

7           13.     Nearly all of the work that Meyer Wilson undertakes is on a contingency fee basis.  
8 As such, Meyer Wilson shouldered the risk of expending costs and time in litigating these actions  
9 without any monetary gain in the event of an adverse judgment. If not devoted to litigating them,  
10 from which any compensation to Meyer Wilson is wholly contingent on a successful outcome, the  
11 time that Meyer Wilson's attorneys and staff spent could and would have been spent pursuing  
12 other potentially fee-generating matters.

13           **Meyer Wilson's Lodestar**

14           14.     Meyer Wilson has maintained contemporaneous time records since the  
15 commencement of its initial investigation of the *Martin* action. Meyer Wilson worked a total of  
16 175.6 hours in the *Martin* action, for a total lodestar of \$66,325.00.

17           15.     Meyer Wilson worked a total of 34.1 hours in the *Heinrichs* action, for a total  
18 lodestar of \$14,832.50.

19           16.     Through May 18, 2015, Meyer Wilson has worked a total of 9.6 hours on the  
20 present *Franklin* case, for a total lodestar of \$4,560.00.

21           17.     Together, Meyer Wilson has worked 219.3 hours on the Wells Fargo matters, for a  
22 combined total lodestar of \$82,582.50.

23           **Meyer Wilson's Costs**

24           18.     Meyer Wilson maintains books and records regarding costs expended on each case  
25 in the ordinary course of business, which books and records are prepared from expense vouchers  
26 and check and credit card records. I have reviewed the costs expended in this matter.

27           19.     Meyer Wilson incurred \$701.41 in expenses in connection with the *Martin* action,  
28 which consists of fees for admission *pro hac vice* (\$511.00), postage, mailing and copying

1 expenses (\$120.96), and PACER fees and other research charges (\$69.45).

2 **Meyer Wilson Billing Rates**

3 20. All attorneys and staff at Meyer Wilson are instructed to maintain  
4 contemporaneous time records reflecting the time spent on this and other matters. Firm policy  
5 requires all staff to enter their time into an electronic timekeeping system on a daily basis.

6 21. The following table lists the Meyer Wilson attorneys and professional personnel  
7 and their current hourly rates (the hourly rate shown for any attorney or staff member who is no  
8 longer employed with Meyer Wilson reflects the last rate that applied at the time of their  
9 employment in that position). The hourly rates listed herein are modest, given national class  
10 counsel's typical rates in cases of this size and complexity:

Name and Position	Rate
Matthew R. Wilson Principal Attorney University of Virginia School of Law, 2000	\$475
Daniel Freytag Of Counsel Ohio State University School of Law, 1974	\$450
Michael J. Boyle, Jr. Associate Attorney University of Pennsylvania School of Law, 2008	\$325
Bridget Wasson Former Associate Attorney Capital University School of Law, 2008	\$325
Courtney Yeager Associate Attorney Capital Law School, 2012	\$325
Shelley Coffman Former Investigator	\$200

22 22. Meyer Wilson sets its rates for attorneys and staff members based on a variety of  
23 factors, including, among others: the experience, skill and sophistication required for the types of  
24 legal services typically performed; the rates customarily charged in similar matters; and the  
25 experience, reputation and ability of the attorneys and staff members. Meyer Wilson's rates have  
26 been specifically approved by federal courts throughout the country on multiple occasions. *See,*  
27 *e.g., Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (October 7, 2014, D. Del.)  
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1 (approving class counsel's rates as a "reasonable reward"); *Steinfeld v. Discover Financial*  
 2 *Services, et al.*, 3:12-cv-01118-JSW (N.D. Cal.) (March 31, 2014, N.D. Cal.) (White, J.)  
 3 (approving 3.5 lodestar multiplier cross-check in common fund settlement and finding that  
 4 "[c]lass counsel have submitted declarations that show the hourly rates that they have requested  
 5 are reasonable ...").

#### 6 **Careful Assignment of Work**

7 23. Although I was the main attorney at Meyer Wilson to work on this case, I assigned  
 8 certain tasks to Mr. Freytag, Mr. Boyle, Ms. Wasson, Ms. Yeager, and Ms. Coffman as were  
 9 appropriate according to their complexity. The work I delegated was work that required  
 10 sufficient knowledge of legal concepts that I would have had to perform, absent such assistance.  
 11 I made every effort to litigate this efficiently.

12 24. The following chart details the time each of these attorneys and staff members  
 13 worked on this case and their contribution to Meyer Wilson's total lodestar in the *Martin* case:

15 <b>Attorney</b>	<b>Total Hours</b>	<b>Billing Rate</b>	<b>Lodestar</b>
16 Matthew Wilson	64.20	\$475.00	\$30,495.00
17 Daniel Freytag	0.70	\$450.00	\$315.00
18 Michael Boyle	24.00	\$325.00	\$7,800.00
19 Bridget Wasson	23.10	\$325.00	\$7,507.50
20 Courtney Yeager	59.90	\$325.00	\$19,467.50
21 Shelley Coffman	3.70	\$200.00	\$740.00
22	175.60		\$66,325.00

23 25. The following chart details the time each of these attorneys and staff members  
 24 worked on this case and their contribution to Meyer Wilson's total lodestar in the *Heinrichs* case:

26 <b>Attorney</b>	<b>Total Hours</b>	<b>Billing Rate</b>	<b>Lodestar</b>
27 Matthew Wilson	25.00	\$475.00	\$11,875.00
28 Michael Boyle	9.10	\$325.00	\$2,957.50

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	34.10		\$14,832.50
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26. The following chart details the time of the attorney who worked on this case and his contribution to Meyer Wilson’s total lodestar in the *Franklin* case:

<b>Attorney</b>	<b>Total Hours</b>	<b>Billing Rate</b>	<b>Lodestar</b>
Matthew Wilson	9.60	\$475.00	\$4,560.00
	9.60		\$4,560.00

**Careful Review of Meyer Wilson’s Lodestar and Deletion of Duplicative Work**

27. I have personally reviewed the time reported for all attorneys and other personnel listed in the schedules set forth above. I reduced or eliminated time reported where necessary to ensure that there was little or no unnecessary duplication of efforts. For example, I deleted time spent on routine, housekeeping matters. I can confidently assert that the lodestar and hours reported in this declaration are reasonable, particularly in light of our efforts and accomplishments in this litigation.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct, and that this declaration was executed at Columbus, Ohio on May 19, 2015.

/s/Matthew R. Wilson  
 \_\_\_\_\_  
 Matthew R. Wilson

# PLAINTIFF'S EXHIBIT A

Firm Resume re: Meyer Wilson Co., LPA

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*In The Case Of*

*Lillian Franklin, Individually and on Behalf of All Others Similarly  
Situated,*

*v.*

*Wells Fargo Bank, N.A.,*

**14-cv-2349 MMA (BGS)**

# MeyerWilson

The law firm of Meyer Wilson Co., LPA is Martindale-Hubbell AV-rated, and is devoted solely to the prosecution of consumer and securities class actions and the representation of investors with claims against the securities industry. The firm prosecutes individual cases and class actions nationwide on behalf of individuals in arbitration and litigation in court. Since its inception, Meyer Wilson has achieved jury awards, arbitration awards, and settlements with combined value of hundreds of millions of dollars on behalf of its clients.

Meyer Wilson has prosecuted numerous nationwide class actions as court-appointed Lead and Co-Lead Class Counsel in federal and state courts throughout the country, including one class action that resulted in what is believed to be the largest jury verdict in Ohio's history at that time and was also reported to be the country's largest securities class action jury verdict in history. In that case, the firm's founding principal David Meyer was appointed Co-Lead Class Counsel action against Prudential Securities. The firm represented more than 250 investors from Marion, Ohio. The jury trial lasted several weeks and the jury returned a Plaintiffs' verdict in excess of \$261 million. The case was *Burns, et al. v. Prudential Securities, Inc.*, Case No. 99CV0438, in the Court of Common Pleas of Marion County, Ohio. The case was pending for more than seven years. Following an appeal of the jury verdict by Prudential Securities, Class Members received in excess of 100% recovery of their actual losses, even after payment of attorneys' fees and expenses.

Meyer Wilson has been appointed class counsel in numerous other class actions that have resulted in significant recoveries. Recent successes in which Meyer Wilson served as Lead or Co-Lead counsel include:

- *In re: Capital One Telephone Consumer Litigation*, Master Docket 1:12-cv-10064 (N.D. Il) (Class Counsel in MDL proceeding involving claims of improper autodialer and prerecorded message calls to cells phone by Capital One and several of its vendors. The case settled on a nationwide basis for over \$75.5 million, the largest TCPA settlement ever. Final approval was granted in February 2015; an appeal is pending.).
- *Mills v. HSBC Bank Nevada, N.A., et al.*, Case No. 3:12-cv-04010 (N.D. Cal.) (Class Counsel in nationwide class action alleging unauthorized autodialer calls to cell phones. Final approval of the \$39.975 million cash settlement was approved in February 2015.).

- *Rose v. Bank of America Corp., et al.*, Case No.5:11-cv-2390 (N.D. Cal.) (Class Counsel in putative nationwide class action alleging unauthorized autodialer calls to cell phones. The \$32 million cash settlement was approved in 2014.).
- *Wannemacher v. Carrington Mortgage Services, LLC*, Case No. 8:12-cv-2016-FMO-AN (C.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging unauthorized autodialer calls to cell phones. On December 23, 2014, the Court approved a \$1.03 million class settlement).
- *Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (D. Del.) (Co-Lead Class Counsel in nationwide class action alleging misrepresentations related to marketing of mortgage note modifications. A 10-state class was certified in 2012. On October 7, 2014, the Court granted final approval to a \$20.3 million class settlement).
- *Lazebnik v. Apple, Inc.*, Case No. 5:13-cv-04145-EJD (N.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging fraudulent marketing of a “season pass” of the television show *Breaking Bad* on Apple’s iTunes service. In response to the lawsuit, Apple provided a full credit to the entire proposed class. On October 21, 2014, the parties settled all remaining issues).
- *Steinfeld v. Discover Financial Services*, Case No. 3:12-cv-01118-JSW (N.D. Cal.) (Counsel for the class in action alleging unauthorized autodialer calls to the cell phones. On March 31, 2014, the court approved an \$8.7 million class settlement.)
- *Whitaker, et al. v. Health Net of California, Inc., et al.*, Case No. 2:11-cv-00910-KJM-DAD (E.D. Cal.) (The firm served on the Plaintiffs’ Executive Committee in this consolidated proceeding alleging breach of medical data privacy. Case settled in mid-2014).
- *Arthur v. Sallie Mae, Inc.*, Case No. C10-0198 (W.D. Wash) (Co-Lead Class Counsel in putative nationwide class action alleging unauthorized autodialer calls to the cell phones of borrowers who took out student loans with the national lender. The \$24.15 million nationwide settlement was granted final approval on September 17, 2012. It was believed to be, at the time, the largest TCPA settlement since that statute was enacted.).
- *Smith v. Regents of the University of California*, Case No. RG08-410004 (Alameda County, California, Superior Court) (Co-Lead Counsel in California statewide action alleging breaches of medical data privacy. The class was certified on July 9, 2009, and the case settled in late 2011).
- *Mack v. hh gregg, Inc., et al.*, Case No. 1:08-cv-664 (S.D. Indiana) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers.

Nationwide class settlement was granted final court approval on March 18, 2011).

- *Kaiser-Flores v. Lowe's Home Centers, Inc.*, Case No. 5:08-CV-00045 (W.D. North Carolina) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement, including cash relief for class members, was granted final court approval on December 15, 2010).
- *Frankle v. Best Buy Stores, L.P.*, Case No. 08-5501 (D. Minnesota) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on November 9, 2010).
- *Sanbrook v. Office Depot, Inc.* Case No. 07CV096374 (N.D. Cal.) (Co-Lead Class Counsel in California statewide certified class action involving misleading service plan terms and other related issues. The case settled for cash relief for class members, and was granted final approval by the Court on November 23, 2010).
- *Stout v. Jeld Wen, Inc.* Case No. 1:08-CV-652 (N.D. Ohio) (Lead Class Counsel in putative nationwide class action alleging defective windows. The Court granted final approval to the nationwide settlement on August 8, 2010).
- *Fulford v. Logitech, Inc.*, Case No. 08-cv-02041 (N.D. Cal.) (Co-Lead Class Counsel in class action alleging deceptive advertising of a consumer product. The nationwide class action settlement was granted final court approval on March 5, 2010.)
- *Schweinfurth, et al. v. Motorola, Inc.* Case No. 1:05-CV-0024 (N.D. Ohio) (Co-Lead Class Counsel in nationwide class action alleging defective cellular phones, resulting in nationwide settlement with cash relief for class members, approved by the Court on January 25, 2010).
- *Steele v. Pergo, Inc.* Case No. CV07-1493 (D. Oregon) (Lead Class Counsel in class action alleging defective laminate flooring. The nationwide settlement was granted final court approval on July 7, 2009.).
- *Jenkins v. Hyundai Motor Finance Co.*, Case No. 2:04-cv-00720 (S.D. Ohio) (Appointed Co-Lead Class Counsel in a certified class action alleging defective notices in connection with the repossession and subsequent disposition of vehicles. The case settled after certification, and was approved by the Court on July 7, 2009.)



- *Guisseppone v. Wendy's International, Inc., et al.*, Case No. 08-CVC-4-6219 (Common Pleas Court, Franklin County, Ohio) (Liaison Counsel in the derivative and class action suit involving the sale of Wendy's to the parent company of Arby's. The nationwide class action settlement was approved by the Court on July 1, 2009.)
- *In Re Apple iPod Nano Products Liability Litigation*, MDL Docket No. M: 06-cv-01754-RMW (N.D. Cal.) (Co-Lead Counsel in the Multi-District Litigation proceeding in which nationwide class actions allege that screens on Ipod Nanos were susceptible to excessive scratching under normal use and were therefore defective. A nationwide settlement of the related case in state court, including cash relief for consumers, was granted final approval by the Court on April 28, 2009.)
- *Health Science Products LLC. v. Sage Software SB, Inc.*, Case No. 1:05-CV-03329-RWS (N.D. Ga.) (Co-Lead Class Counsel in nationwide class action settlement involving allegedly defective software. Settlement included cash relief for Class Members. It was approved by the Court on April 24, 2008.)
- *Wiatrowski, et al. v. Sears, Roebuck & Co., et al.*, Case No. 1:06-CV-00637 (N.D. Ohio) (Co-Lead Counsel in a nationwide class action settlement that provided cash reimbursement of Class Members for out of pocket losses. The court granted final approval on December 20, 2007).
- *Bowen, et al. v. Whirlpool Corp., et al.*, Case No. CV05-8067 (C.D. Cal.) (Co-Class Counsel in nationwide class action alleging defective water heaters. Final approval was granted in the nationwide class settlement on October 11, 2007.)
- *Opperman, et al. v. Cellco Partnership, et al.*, Case No. BC326764 (Superior Court of the State of California, Los Angeles County 2006) (Nationwide settlement approved in 2006. Provided, *inter alia*, for the option to return improperly marketed cellular telephone for a full refund of the purchase price and cancellation of a Class Member's contract without early termination penalties).
- *Heitbrink, et al. v. eMachines*, Case No. G-4801-CI-200501229 (Court of Common Pleas of Lucas County, Ohio 2006) (Nationwide settlement provided cash relief for qualified Class Members for purchasers of defective notebook computers. The Court granted final approval on December 21, 2006.)
- *Martino, et al. v. Motorola, Inc.* Case No. 03-CIV-1562 (Court of Common Pleas, Medina County, Ohio 2004) (Nationwide class action settlement provided relief valued in the millions of dollars and included cash reimbursement of Class Members for out of pocket losses. The Court granted final approval on March 2, 2005)

Meyer Wilson currently serves as Class Counsel in numerous pending class actions throughout the country, including the following:

- *Walls v. JP Morgan Chase Bank, N.A.*, 3:11-cv-00679 (W.D. Kentucky) (Class Counsel in case alleging the bank and its agents illegally force-placed home insurance with certain consumers.)
- *Brown v. DirectTV, LLC, et al.*, Case No. 2:12-cv-08382 (C.D. Cal.) (Class Counsel in nationwide class action alleging unauthorized autodialer calls to cell phones).
- *Smith v. State Farm, et al.*, Case No. 1:13-cv-02018 (N.D. Ill.) (Class Counsel in putative nationwide class action alleging unauthorized autodialer telemarketing calls by or on behalf of several large insurance companies to millions of cell phones).
- *Balschmiter v. TD Auto Finance, LLC*, Case No. 13cv1186 (E.D. Wis.) (Co-Lead Class Counsel in putative nationwide class action alleging unauthorized autodialer calls to cell phones).
- *Ossola, et al. v. American Express Co., et al.*, Case No. 1:13-CV-4836 (N.D. Ill.) (Class Counsel in putative nationwide class action alleging unauthorized autodialer calls to cell phones).
- *In re: Apple REITs Litigation*, Case No. 1:11-cv-2919 (E.D.N.Y.) (Class Counsel in consolidated securities putative class action involving misrepresentations and omissions in sales of certain non-traded real estate investment trusts).
- *Goodman v. JP Morgan Investment Management, Inc.*, Case No. 2:14-cv-00414 (S.D. Ohio) (Local Counsel in class action case alleging improper and excessive mutual fund management fees charged to investors).
- *Barnard v. US Bank, N.A.*, Case No. 1:15-cv-00008 (S.D. Ohio) (Local Counsel in case alleging the bank and its agents illegally force-placed home insurance with certain consumers).

**DAVID P. MEYER** is the founding principal of Meyer Wilson.

Mr. Meyer is recognized as one of the top litigation attorneys in Ohio. Thomson Reuters named him one of the Top 100 lawyers in Ohio and one of the Top 50 in Columbus in 2012. He is also listed in Best Lawyers in America® (2012) in multiple categories and the American Trial Lawyers Association selected him as one of the Top 100 Trial Attorneys in Ohio.

Mr. Meyer has the honor of winning the largest jury verdict in Ohio history; a \$261 million class action verdict against Prudential Securities on behalf of 200 individuals.

Mr. Meyer has earned a national reputation for successfully representing investors who are victims of investment fraud. He has represented over eight hundred individual investors from all across the country in FINRA/NASD securities arbitration and litigation cases against all major brokerage firms and won verdicts, judgments and settlements of hundreds of millions of dollars in losses on their behalf.

He has also been appointed lead or co-lead counsel by state and federal courts throughout the country in numerous consumer class actions.

Mr. Meyer is a recognized authority on securities arbitration procedure and often serves as a guest lecturer on securities fraud and stockbroker malpractice. Numerous bar associations have invited him to speak to attorneys at educational seminars. Mr. Meyer also provides education to investor groups, accountants and other financial professionals concerning investor protection.

Mr. Meyer holds a business administration degree from Ohio University and a law degree and master's degree in tax law from Ohio's Capital University Law School.

**MATTHEW R. WILSON** is a principal attorney with the firm.

At Meyer Wilson, Mr. Wilson prosecutes the firm's class action cases. During the past eight years, Mr. Wilson has served as court-appointed class counsel to more than twenty-five certified classes, either in settlement or in litigation.

Recently, Mr. Wilson has been court-appointed class counsel in numerous cases across the country in which the defendants were alleged to have made unauthorized calls and sent text messages to cellular telephones through the use of an automated telephone dialing system and/or an artificial or prerecorded voice, in violation of the TCPA. The TCPA class settlements - over the last four years alone - in which Matt has been class counsel total over \$200 million in cash for consumers.

Several of Mr. Wilson's cases have resulted in nationwide settlements for consumers that are among the largest since the TCPA was enacted in 1991, including *In re: Capital One Telephone Consumer Protection Act Litigation*, 1:12-cv-10064 (N.D. Ill.) (\$75.5 million – largest all-cash TCPA class settlement) (final approval granted February, 2015; appeal pending); *Wilkins v. HSBC Bank Nevada, N.A. et al.*, 1:14-cv-00190 (N.D. Ill.) (\$39.9 million – third-largest all-cash TCPA class settlement); *Rose v. Bank of America Corp.*, 5:11-cv-02390-EJD (N.D. Cal.) (\$32 million – largest all-cash TCPA class settlement at the time final approval was granted) (final approval granted in 2014; motion for reconsideration pending); and *Arthur, et al. v. Sallie Mae, Inc.*, No. 10-cv-198-JLR (W.D. Wash.) (\$24.15 million – largest all-cash TCPA class settlement at the time final approval was granted).

In another recent matter, Mr. Wilson was co-lead counsel in *Yarger v. ING Bank, fsb*, 1:11-cv-00154-LPS (D. Del.), representing consumers who alleged that ING breached its promise to allow them to refinance their home mortgages for a fixed flat fee of \$500 or \$750, and instead charged a higher fee. In 2012, the court certified a class of consumers in ten states who purchased or retained an ING adjustable rate mortgage. In October 2014, the court approved a \$20.35 million all-cash class settlement.

In addition to Mr. Wilson's complex civil litigation practice, his pro bono services have included the representation of indigent criminal defendants in Sixth Circuit appeals in Criminal Justice Act cases, including one case in which the Sixth Circuit vacated the criminal sentence of Mr. Wilson's indigent client on appeal. See *United States v. Boards*, 202 Fed. Appx. 869 (6th Cir. 2006). He has been a frequent Interfaith Legal Services volunteer, where he has assisted low-income clients with all manner of legal difficulties, trying one such case to a jury. He is also a member of the National Association of Consumer Advocates.

Mr. Wilson graduated *magna cum laude*, Phi Beta Kappa, in Philosophy from Denison University in Granville, Ohio. He received his law degree from the University of Virginia Law School in Charlottesville, Virginia.

**CHAD M. KOHLER** is an attorney with the firm.

Mr. Kohler devotes his practice to the representation of investors and consumers who have claims against their investment advisors, brokerage firms and insurance companies.

Prior to joining Meyer Wilson, Mr. Kohler was a stockbroker at one of the nation's largest brokerage firms, where he obtained his Series 7, 63 and 65 securities licenses. Mr. Kohler also has experience in managing regulatory compliance matters at two SEC-registered investment adviser firms, including holding the position of Chief Compliance Officer.

He also has significant experience as a practicing attorney. Beginning in 2001, Mr. Kohler's practice focused on business litigation involving contracts, fiduciary relationships and business torts.

Mr. Kohler received his law degree from Case Western Reserve University School of Law in 2001. He is admitted to practice law in the state of Ohio.

Mr. Kohler is a member of the Ohio State Bar Association, the Central Ohio Association for Justice, the Franklin County Democratic Lawyers Club, and the Public Investors' Arbitration Bar Association (PIABA), a national organization of attorneys who represent investors in securities disputes.

**MICHAEL J. BOYLE, JR.** is an attorney with the firm.

Mike Boyle represents investors in FINRA arbitrations and also prosecutes the firm's class action cases on behalf of consumers and investors.

In 2014, Mike was named a "Rising Star" by *Ohio Super Lawyers Magazine*.

Prior to joining the firm, Mike clerked for the Honorable R. Guy Cole, Jr., a judge on the United States Court of Appeals for the Sixth Circuit during the 2011-2012 term. Mike began his career with the international law firm Covington & Burling, LLP, in San Francisco. He also worked for the San Francisco firm Carroll Burdick & McDonough, LLP and the Columbus firm Carpenter Lipps & Leland, LLP. With these firms, Mike handled a wide spectrum of legal cases, from nine-figure bankruptcies and insurance coverage actions to individual real estate disputes.

Mike has also maintained a significant pro bono practice. In the aftermath of Hurricane Katrina, Mike volunteered with a free legal clinic run by Loyola University of New Orleans, in which he provided a wide range of services to displaced residents of Louisiana. Mike also served with the San Francisco Bar Association's Legal Assistance project, providing free legal assistance to low income residents of the Bay Area.

Mike attended the University of Pennsylvania School of Law, where he graduated with honors in 2008. He also served as a Senior Editor of the University of Pennsylvania Law Review, and was a finalist in the Keedy Cup Moot Court competition. Prior to law school, Mike graduated with honors from Dominican University in River Forest, Illinois, with a focus on political theory. Mike is a member of the California and Ohio Bars, and is admitted to the United States Court of Appeals for the Sixth and Ninth Circuits, as well as the United States District Courts for the Northern, Central, Southern, and Eastern Districts of California, the Southern District of Ohio, the Central and Northern Districts of Illinois, and the Eastern and Western Districts of Wisconsin.

**COURTNEY YEAGER** is an attorney with the firm.

As an associate attorney with Meyer Wilson, Courtney Yeager devotes her practice to the representation of investors who have claims against their investment advisors and brokerage firms. She also assists in prosecution of the firm's class action cases.

Ms. Yeager joined Meyer Wilson as a law clerk in 2010. She graduated *magna cum laude* from Capital University Law School in 2012. While at Capital Law, she participated in Moot Court and coordinated the law school's pro bono legal volunteering program. She is a member of the Order of the Curia, as well as the Order of the Barristers for excellence in scholastic brief writing and oral advocacy.

Prior to joining Meyer Wilson, Ms. Yeager interned at the Franklin County Municipal Court under the Honorable Anne Taylor, the Federal Public Defender's Office for the Southern District of Ohio, the Ohio State University Office of Legal Affairs, and the Parliament of Canada.

Courtney also regularly volunteers at the Interfaith Legal Clinic, a pro bono clinic that operates through the Legal Aid Society. Interfaith is a monthly clinic where low-income individuals with legal problems can meet with an attorney for free legal advice.

Ms. Yeager is admitted to practice law in the state of Ohio. She is currently a member of the Public Investors Arbitration Bar Association (PIABA), the Central Ohio Association for Justice (COAJ), the Ohio Association for Justice (OAJ), and the Ohio State Bar Association (OSBA). Ms. Yeager is an active participant in the Ohio Supreme Court Lawyer to Lawyer Mentoring Program.