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Attorneys for Plaintiffs  
and Proposed Settlement Class

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**LILLIAN FRANKLIN,  
INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,**

Plaintiff,

v.

**WELLS FARGO BANK, N.A.,**

Defendant.

**Case No:14-CV-2349-MMA (BGS)**

**CLASS ACTION**

**DECLARATION OF FRANK J.  
JOHNSON IN SUPPORT OF  
MOTION FOR ATTORNEYS'  
FEES AND COSTS**

**DATE: JULY 20, 2015**

**TIME: 2:30 P.M.**

**CTRM: 3A**

**THE HON. MICHAEL M. ANELLO**

1 I, Frank J. Johnson, declare as follows:

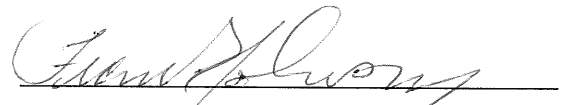
- 2 1. I am an attorney licensed to practice before all California courts and this court  
3 as well. I regularly practice in the courts of the Southern District of California  
4 and am familiar with the hourly rates charged by attorneys who practice in  
5 California District Courts, including this Court. I am submitting this  
6 declaration at the request of Douglas J. Champion in support of his request for  
7 approval of the fees requested in the case, specifically the reasonableness of  
8 his hourly rate. If called as a witness, I could and would testify to the matters  
9 herein from personal knowledge.
- 10 2. I am a partner with the firm of Johnson & Weaver, LLP located in San Diego,  
11 California. I have been licensed to practice law in the State of California since  
12 1994 and have been a named partner in my own firms since 2004. I was a  
13 partner in a large San Diego firm and practiced complex litigation before I  
14 started my own firm. I litigate class and derivative actions as well as business  
15 cases. A majority of my firm's revenues is generated by our class and  
16 derivative actions.
- 17 3. In my experience litigating many class actions, I have had the opportunity to  
18 see the fees charged by other counsel in class actions. I understand Mr.  
19 Champion's billing rate is \$750 per hour in this Telephone Consumer  
20 Protection Act case. I understand Mr. Champion has been in practice for  
21 almost 38 years, since 1977, and litigating class actions since 1989, about 25  
22 years. I also understand that he has been designated as lead or co-lead counsel  
23 in many class actions as well during that time period. Based on my  
24 experience, and the billing rates I have seen charged in the local community  
25 by attorneys in class actions and complex litigation, that hourly rate of \$750 is  
26 reasonable. In fact, that hourly rate is much less than many attorneys' hourly  
27 rates with less experience. I have also worked on at least one case with Mr.  
28 Champion and know his ability and skill level. Therefore, in my opinion \$750

1 per hour is a reasonable hourly rate for Mr. Campion in a class action,  
2 especially where he is lead or co-lead counsel.

3 4. My current billing rate for both hourly and contingency matters is \$785 per  
4 hour. I believe my hourly rate is comparable to other attorneys in the local  
5 community with my experience and handling the types of class and complex  
6 cases our firm litigates.

7 I declare under the penalty and perjury under the laws of the State of California,  
8 that the foregoing is true and correct.

9  
10 Date: May 19, 2015

  
11 Frank J. Johnson

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