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13 *Attorneys for Plaintiffs and the Class*

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF SAN FRANCISCO

16 CARMEN ANDREWS,
17 LAURIE MUNNING,
18 CARON COLADONATO, and
19 MICHAEL PALLAGROSI, on behalf of
20 themselves and all others similarly situated,

21 Plaintiffs

22 v.

23 THE GAP, INC.;
24 GAP (APPAREL), LLC;
25 GAP INTERNATIONAL SALES, INC.;
26 BANANA REPUBLIC, LLC; and
27 BANANA REPUBLIC (APPAREL), LLC,

28 Defendants.

Case No. CGC-18-567237

**DECLARATION OF TODD M.
FRIEDMAN IN SUPPORT OF
UNOPPOSED MOTION FOR
ATTORNEY FEES ASD COSTS**

Reservation No. 09091011-04

Hearing

Date: October 11, 2019

Time: 9:30 a.m.

Dept: 302

Judge: Richard B. Ulmer, Jr.

I, TODD M. FRIEDMAN, declare:

1. I am one of the attorneys for the plaintiffs in this action. I am an attorney licensed to practice law in the State of California since 2001, the State of Illinois since 2002, and the State of Pennsylvania since 2011. I have been continuously licensed in California since 2001, Illinois since 2002, and Pennsylvania since 2011, and am in good standing with the California State Bar, Illinois State Bar, and Pennsylvania State Bar. I have litigated cases in

1 both state and federal courts in California, Colorado, Florida, Ohio and
2 Illinois. I am also admitted in every Federal district in California and have
3 handled federal litigation in the federal districts of California.

- 4 2. The declaration is based upon my personal knowledge, except where
5 expressly noted otherwise.
- 6 3. I submit this declaration in support of the Plaintiff's Motion for Preliminary
7 Approval of Class Action Settlement and Certification of Settlement Class in
8 the action against all defendants.

9 CLASS COUNSEL'S EXPERIENCE

- 10 4. The Law Offices of Todd M. Friedman, P.C. seeks appointment as Class
11 Counsel in this Action. I am informed and believe that Class Counsel are
12 qualified and able to conduct this litigation as a class action.
- 13 5. As one of the main plaintiff litigators of consumer rights cases in the
14 Southern of California, I have been requested to and have made regular
15 presentations to community organizations regarding debt collection laws and
16 consumer rights.
- 17 6. I have extensive experience prosecuting cases related to consumer
18 issues. My firm, The Law Offices of Todd M. Friedman, P.C., in which I am
19 a principal, has litigated over 2000 individual based consumer cases and
20 litigated over 100 consumer class actions. These class actions were litigated
21 in federal courts in California, Illinois, Pennsylvania, Colorado and Florida
22 as well as California State Courts. Approximately 100% percent of my
23 practice concerns consumer and employment litigation in general, with
24 approximately 90% of my class action experience involving consumer
25 protection, and approximately 10% percent of my class action practice
26 involves litigating claims under the IPA.
- 27 7. Therefore, my experience in litigating class actions and my years in practice
28 allow me to provide outstanding representation to the Settlement Class. I will

1 continue to strive to fairly, responsibly, vigorously and adequately represent
2 the putative class members in this action.

3 8. I have served as plaintiff's counsel in at least the following cases involving
4 various consumer rights claims (including class actions claims):

- 5 a. *Vacarro v. I.C. Systems, Inc.*, 12-CV-02371-JAH-NLS (S.D. Cal.);
6 b. *Rivera v. Nuvel Credit Company LLC*, 13-CV-00164-TJH-OP (E.D.
7 Cal.);
8 c. *Dancer v. L.A. Times*, BC472154 (L.A. Superior Court);
9 d. *Couser v. Comenity Bank*, 3:12-cv-02484-MMA-BGS (S.D. Cal.);
10 e. *Stemple v. QC Financial Services Group of California, Inc.*, 3:12-cv-
11 01997-CAB-WVG (S.D. Cal.);
12 f. *Abdejalil v. GE Capital Retail Bank*, 3:12-cv-02078-IEG-RBB (S.D.
13 Cal.);
14 g. *Groina v. Doc Prep Solutions*, 3:12-cv-02578-BTM-BGS (S.D.
15 Cal.);
16 h. *Alexander v. Manasseh Jordan Ministries*, 3:12-cv-02584-IEG-BLM
17 (S.D. Cal.);
18 i. *Neuls v. Dish Network*, 1:13-cv-01181-WJM-KMT (D. CO.);
19 j. *Lecesse v. My Financial Gateway*, 3:12-cv-02375-JLS-KSC (S.D.
20 Cal.);
21 k. *Auerbach v. Successful Education Online, LLC*, 3:12-cv-05248-JSC
22 (N.D. Cal.);
23 l. *Raffin v. E-Choice Healthcare LLC*, 3:12-cv-02517-LAB-BLM
24 (S.D. Cal.);
25 m. *Olney v. Job.com*, 1:12-cv-01724-LJO-GSA (E.D. Cal.);
26 n. *Couser v. Legal Shield*, 3:12-cv-02575-LAB-WVG (S.D. Cal.);
27 o. *Langley v. Homeward Residential*, 2:12-cv-02623-JAM-EFB (E.D.
28 Cal.);

- 1 p. *Hunter v. Palisades Collection*, 3:12-cv-02401-JAH-JMA (S.D.
2 Cal.);
- 3 q. *Couser v. Worldwide Commerce Associates, LLC*, 3:13-cv-00118-H-
4 BGS (S.D. Cal.);
- 5 r. *Tarizzo v. United Agencies, Inc., Et Al.*, CV12-10248 JFW (MRWx)
6 (C.D. Cal.);
- 7 s. *Richard Chen v. National Enterprise Systems*, 3:12-cv-05910-JCS
8 (N.D. Cal.);
- 9 t. *Couser v. Apria Healthcare, Inc.* 8:13-cv-00035-JVS-RNB (C.D.
10 Cal.);
- 11 u. *Willis, Et Al. v. Chase Retail Services, Et Al.*, CV12-10252 DMG
12 (SHx) (C.D. Cal.);
- 13 v. *French v. Target*, 0:13-cv-02626 (District of MN);
- 14 w. *Williams v. Credit Management, LP*, 5:12-cv-01924-TJH-OP (C.D.
15 Cal.);
- 16 x. *Murdock v. Western Dental Services, Inc.*, 3:12-cv-02449-GPC-
17 BLM (S.D. Cal.);
- 18 y. *Senesac v. Santander*, 3:12-cv-1193-J-20JRK (M.D. FL.);
- 19 z. *Kielbasinski v. American Publishing Co.*, 841 Civil 2012 (Somerset
20 County, PA)
- 21 aa. *Friedman, Et Al. v. United American Insurance Company*, 3:12-cv-
22 02837-IEG-BGS (S.D. Cal.);
- 23 bb. *Malis v. Saveology.com, LLC*, 2:13-cv-10013-BAF-LJM (E.D. MI.);
- 24 cc. *Blotzer v. Vital Recovery Services, Inc.*, 3:13-cv-00119-H-JMA (S.D.
25 Cal.);
- 26 dd. *Friedman v. Massage Envy*, 2:13-cv-04607-JAK-FFM (C.D. Cal.);
- 27 ee. *Labou v. Cellco Partnership, et al*, 2:13-cv-00844-MCE-EFB (S.D.
28 Cal.);

- 1 ff. *Pacleb v. Career Education Corporation*, 2:13-cv-03090-R-FFM
2 (C.D. Cal.);
3 gg. *McNally v. Commonwealth Financial Systems, Inc. et al*, 3:12-cv-
4 02770-IEG-MDD (S.D. Cal.);
5 hh. *Franco v. Consumer Portfolio Services, Inc.*, 3:13-cv-01364-EDL
6 (N.D. Cal.);
7 ii. *Zimmer, Jr. v. 24 Hour Fitness, et al*, NC057484 (L.A. Superior
8 Court);
9 jj. *Webb v. Healthcare Revenue Recovery Group, LLC*, 3:13-cv-00737-
10 RS (N.D. Cal.);
11 kk. *Couser v. Central Credit Services, Inc.*, 3:12-cv-02424-LAB-WMC
12 (S.D. Cal.);
13 ll. *Abdeljalil v. General Electric Capital Corporation*, 12-CV-02078-
14 IEG-RBB (S.D. Cal.);
15 mm. *Rivera v. Nuvel Credit Company et al*, 5:13-cv-00164-TJH-OP
16 (C.D. Cal.);
17 nn. *Blotzer v. Dura Medic, LLC*, 2:13-cv-00675-JAK-JCG (C.D. Cal.);
18 oo. *Foote v. Credit One Bank*, 2:13-cv-00512-MWF-PLA (C.D. Cal.);
19 pp. *Rodriguez v. Real Time Resolutions*, 3:13-cv-00728-JM-RBB (S.D.
20 Cal.);
21 qq. *Fox v. Asset Acceptance*, 3:13-CV-00922-DMS-BGS (S.D. Cal.);
22 rr. *Couser v. Financial Recovery Services, Inc.*, 3:12-cv-02541-CAB-
23 WVG (S.D. Cal.);
24 ss. *Friedman v. LAC Basketball Club, Inc.*, 2:13-cv-00818-CBM-AN
25 (C.D. Cal.);
26 tt. *Chen v. Allstate Insurance Company, et al*, 3:13-CV-00685-LB
27 (N.D. Cal.);
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- 1 uu. *Eubank v Terminix International*, 3:15-cv-00145-WQH-JMA (S.D.
- 2 Cal.);
- 3 vv. *Rowe v Michaels Stores* 15-cv-01592-EJD (N.D. Cal.);
- 4 ww. *Hernandez v Chevron* 56-2015-00465135-CU-NP-VTA (Ventura
- 5 County SC);
- 6 xx. *Benotmane v Midway Rent a Car* BC560969 (LASC);
- 7 yy. *Payton v Luxe Valet* BC588462 (LASC);
- 8 zz. *Kellet, et. al v Uber Technologies*, BC585704 (LASC); and
- 9 aaa. *Starks v Geico Indemnity Company*, Case No. CV-15-5771-MWF
- 10 (PJW);
- 11 bbb. *Nicole Romano et. al. v. SCI Direct, Inc.* Case No. 2:17-cv-03537-
- 12 ODW-JEM (C.D. Cal.);
- 13 ccc. *Nicole Romano et al v. SCI Direct, Inc.* Case No. 2:18-cv-02377-
- 14 ODW-JEM (C.D. Cal.);
- 15 ddd. *Marko, et al. v. Doordash, Inc.*, BC659841 Los Angeles Superior
- 16 Court.
- 17 9. Over the past three years alone, The Law Offices of Todd M. Friedman has
- 18 served as plaintiff's counsel in at least the following class action cases
- 19 involving various class actions claims consumer rights claims, where a
- 20 settlement was reached on a class-wide basis, and have achieved over
- 21 \$85,000,000 in class-wide relief for consumers:
- 22 a. *Dancer v. L.A. Times*, BC472154 (L.A. Superior Court) (common fund
- 23 class-wide settlement of \$3 million to \$4 million granted final
- 24 approval);
- 25 b. *Couser v. Comenity Bank*, 3:12-cv-02484-MMA-BGS (S.D. Cal.)
- 26 (\$8.475 million class-wide settlement achieved and granted final
- 27 approval);
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- 1 c. *Stemple v. QC Financial Services Group of California, Inc.*, 3:12-cv-
2 01997-CAB-WVG (S.D. Cal.) (certified class achieved by motion, and
3 subsequent class-wide settlement of \$1.5 million achieved, with final
4 approval granted);
- 5 d. *Couser v. Apria Healthcare, Inc.* 8:13-cv-00035-JVS-RNB (C.D. Cal.)
6 (common fund class-wide settlement of \$400,000 to \$750,000, granted
7 final approval);
- 8 e. *Abdeljalil v. General Electric Capital Corporation*, 12-CV-02078-
9 IEG-RBB (S.D. Cal.) (class-wide settlement with common fund of
10 \$6.125 million achieved, preliminary approval granted, final approval
11 pending);
- 12 f. *Fox v. Asset Acceptance*, 3:13-CV-00922-DMS-BGS (S.D. Cal.)
13 (common fund of \$1 million in class-wide relief achieved, granted final
14 approval);
- 15 g. *Friedman v. LAC Basketball Club, Inc.*, 2:13-cv-00818-CBM-AN
16 (C.D. Cal.) (class-wide settlement achieved and granted final
17 approval);
- 18 h. *Gerich et. al. v. Chase Bank USA et. al.* Case No 1:12-cv-5510 (N.D.
19 Ill.) (class-wide settlement of \$34 million, granted final approval);
- 20 i. *Than Zaw v Nelnet, Inc.*, Penal Code § 632 class – (Achieved class-
21 wide settlement of \$1,188,110, granted final approval of court);
- 22 j. *Medeiros v HSBC*, (common fund settlement of between \$4.5 million
23 and \$6.5 million achieved, preliminary approval granted);
- 24 k. *Ann Fox v. Spectrum Club Holding Company et al.*, Case No. 2:14-CV-
25 06766-PSG-FFMx (class-wide settlement, preliminary approval
26 granted);
- 27 l. *Sayan Aboudi v. T-Mobile USA, Inc.*, Case No. 3:12-cv-02169-BTM-
28 NLS (class-wide settlement in TCPA case, with common fund of \$2.5

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- million to \$5 million, with average per class member payment of \$500, final approval granted);
- m. *Andrew Roseman v. BGASC, LLC, et. al.*, Case No. EDCV 15-1100-VAP (SPx) (C.D. Cal.) (class-wide relief achieved, final approval granted);
- n. *Everado Gonzalez v The Scotts Company*, Case No. BC577875, Consolidated with Case No: BC570350 (LASC) (class-wide settlement of \$925,000 in wage and hour class action on behalf of approximately 603 employees achieved, final approval granted);
- o. *Payton v Luxe Valet*, Case No. BC588462 (LASC) (class-wide settlement in wage and hour independent contractor misclassification class action, on behalf of 1,800 employees, settled for \$2.4 million, final approval granted);
- p. *Shelby v Two Jinn, Inc.*, Case No. 2:15-cv-03794-AB-GJS (C.D. Cal.) (EFTA class action involving no cognizable actual damages, with net worth of company of \$25 million, settled for non-reversionary common fund of \$457,000, despite liability under 15 U.S. Code § 1693m(a) likely being only \$250,000; final approval granted, zero objections);
- q. *Couser v Dish One Satellite*, Case No. 5:15-cv-02218-CBM-DTB (C.D. Cal.) (TCPA class action, final approval granted);
- r. *Couser v Dish One Satellite*, Case No. RIC 1603185 (Riverside S.C.) (Penal Code 632 class action, preliminary approval pending);
- s. *Miller v Pacific Auto Wash*, Case No. BC510734 (OCSC) (PAGA and Labor Code class action, preliminary approval granted);
- t. *Anne Wolf v Hewlett Packard Company*, Case No. 5:15-cv-01221-BRO-GJS (C.D. Cal.) (CLRA class action certified by contested motion on behalf of tens of thousands of class members who purchased printer

- 1 that was falsely advertised to include Smart Install feature, settled on a
2 wider multi-state, multi-product basis, preliminary approval granted);
- 3 u. *De La Paz v Accurate Courier NCA LLC*, Case No. 16CV00555 (wage
4 and hour class action, preliminary approval granted);
- 5 v. *Ross v Zurixx LLC*, Case No. 34-2016-00190874 (Sacramento SC)
6 (UCL, FAL and CLRA class action alleging false advertising for real
7 estate educational courses, non-reversionary common fund settlement
8 for over \$600 per class member, final approval granted);
- 9 w. *Eubanks v Terminix International, Inc.*, Case No. 3:15-cv-00145-
10 WQH-JMA (PAGA settlement reached in wage and hour action on
11 behalf of pest control technicians, preliminary approval pending);
- 12 x. *Jonathan Weisberg, v. HD Supply, Inc.*, Case No. 15-cv-08248-FMO
13 (MRWx) (class-wide settlement in TCPA class action, settled for
14 \$1.225 million, final approval granted);
- 15 y. *Ryoo Dental, Inc. v OCO Biomedical, Inc.*, Case No. 8:16-cv-01626-
16 DOC-KES (TCPA fax blast class action, settled on class wide basis,
17 preliminary approval granted);
- 18 z. *Sonia Barrientos v Law Office of Jeffrey H. Jordan*, Case No. 2:15-cv-
19 06282-JAK-GJS (FDCPA/RFDCPA letter class action, settled on class
20 wide basis, preliminary approval granted);
- 21 aa. *Tahmasian v Midway Rent A Car*, Case No. 30-2015-00813013-CU-
22 OE-CXC (LASC) (PAGA and Labor Code class action, final approval
23 granted);
- 24 bb. *Craig Cunningham v Lexington Law Firm*, Case No. 1:17-cv-00087-
25 EJF (N.D. UT) (TCPA class action MDL involving solicitation
26 prerecorded voice calls made by a third party, vicarious liability
27 alleged, preliminary approval pending).
- 28

- 1 cc. *Fernandez v Reliance Home Services, Inc.* Case No. BC607572 Los
2 Angeles Superior Court (wage and hour plus PAGA class action, Final
3 approval granted); and
4 dd. *Jaylinda Girardot et al v. Bail Hotline Bail Bonds, Inc.*, Case No.
5 FCS048335 Solano County Superior Court (wage and hour plus PAGA
6 class action, preliminary approval pending);
7 ee. *Wondra Curtis v The Anthem Companies, Inc.*, Case No. 8:16-cv-
8 01654-DOC-JCG (wage and hour class action for off the clock work,
9 settled on class wide basis, preliminary approval pending);
10 10. My firm is also currently litigating the following cases which were certified
11 as class actions under Rule 23 by contested motion:
12 a. *Sheena Raffin v Mediacredit, Inc.* et. al., Case No. 2:15-cv-04912-MWF-
13 PJW (C.D. Cal.) (Cal. Penal Code § 632.7 class action certified by Hon.
14 George H. King Ret. under Rule 23(b)(2) and (b)(3) on behalf of class
15 members whose calls were recorded without knowledge or consent);
16 b. *Anne Wolf v Hewlett Packard Company*, Case No. 5:15-cv-01221-
17 BRO-GJS (C.D. Cal.) (CLRA class action certified on behalf of tens of
18 thousands of class members who purchased printer that was falsely
19 advertised to include Smart Install feature);
20 c. *Caldera v. American Medical Collection Association*, (C.D. Cal.) Case
21 No. 2:16-cv-00381-CBM-AJW (TCPA class action on behalf of
22 30,000-100,000 class members, certified by contested motion);
23 d. *Alfred Zaklit, et. al. v. Nationstar Mortgage LLC*, Case No. 5:15-cv-
24 02190-CAS-KK (C.D. Cal.) Cal. Penal Code § 632.7 class action
25 certified under Rule 23(b)(2) and (b)(3) on behalf of class members
26 whose calls were recorded without knowledge or consent);
27 e. *D'Angelo Santana vs Rady Children's Hospital*, Case No. 37-2014-
28 00022411-CU-MT-CTL (San Diego Superior Court) Confidentiality of
Medical Information Act, Cal. Civ. Code § 56 *et seq.*;
f. *Edward Makaron v. Enagic USA, Inc.*, Case No. 2:15-cv-05145-DDP-
E (C.D. Cal.) (TCPA class action certified on behalf of approximately
1,000,000 class members, potential damages over \$1 billion); and
g. *Rodriguez v. Experian Information Solutions, Inc. et. al.* Case No. 2:15-
cv-01224-RAJ (W.D. Wash.) (FCRA class action for improper credit
pulls; certified under Rule 23).

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11. My hourly rate, which has been approved by several State and Federal Courts is \$695. In litigating this matter over the last three years I expended a total of 70 hours.

I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct, and that this declaration was executed on September 9, 2019



TODD M. FRIEDMA