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*Attorneys for Plaintiffs and the Class*

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

GEOFF HASBROOK, et al. individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

EP GLOBAL PRODUCTION SOLUTIONS,  
LLC; and DOES 1 through 10, inclusive,

Defendant(s).

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
11/27/2024 4:29 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Nunez, Deputy Clerk

Jean S. Martin (*pro hac vice* forthcoming)

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Case No. 19STCV11000

**DECLARATION OF THOMAS A.  
ZIMMERMAN, JR. IN SUPPORT OF  
PLAINTIFFS' MOTION FOR AWARD  
OF ATTORNEYS' FEES, COSTS, AND  
SERVICE AWARDS**

DATE: January 9, 2025  
TIME: 11:00 A.M.  
JUDGE: Hon. Lawrence P. Riff  
DEPT.: 7

1 I, THOMAS A. ZIMMERMAN, JR., declare as follows:

2 1. I am an attorney duly licensed to practice before all courts of the State of Illinois, as  
3 well as other federal courts. I am the owner of the law firm ZIMMERMAN LAW OFFICES, P.C.  
4 I have been appointed to leadership positions in numerous state and federal courts, including in  
5 other data breach cases and in complex and consolidated consumer class action litigation.

6 2. I am very familiar with data privacy litigation, and was class counsel in significant  
7 data privacy class action lawsuits, such as: \$16 million recovery in *Edenborough v. ADT, LLC*, No.  
8 16 cv 2233 (N.D. Cal.); \$11.2 million recovery in *In re Ashley Madison Customer Data Security*  
9 *Breach Litigation*, MDL No. 2669 (E.D. Mo.); \$7.3 million recovery in *Aliano v. Airgas USA, LLC*,  
10 No. 14 CH 20024 (Cook Cnty., Ill.); \$4.95 million recovery in *Culbertson, et al. v. Deloitte*  
11 *Consulting LLP*, No. 20 cv 3962 (S.D.N.Y.); \$4.3 million recovery in *In re Herff Jones Data Breach*  
12 *Litigation*, No. 21 cv 1329 (S.D. Ind.); \$4.3 million recovery in *In re Sonic Corp. Customer Data*  
13 *Breach Litigation*, MDL No. 2807 (N.D. Ohio); \$1.75 million recovery in *Migliaccio, et al. v.*  
14 *Parker Hannifin Corp.*, No. 22 cv 835 (N.D. Ohio); \$1 million recovery in *Radaviciute v. Christian*  
15 *Audigier, Inc.*, No. 10 cv 8090 (N.D. Ill.); \$900,000 recovery in *Schmitt v. SN Servicing Corp.*, No.  
16 21 cv 3355 (N.D. Cal.).

17 3. I am class counsel in the following pending data breach cases that settled and have  
18 either been granted, or are seeking, preliminary approval: \$30 million recovery in *In Re: 23andMe,*  
19 *Inc., Customer Data Security Breach Litigation*, MDL No. 3098 (N.D. Cal.); \$9.5 million recovery  
20 in *Hasbrook v. EP Global Production Solutions, LLC*, No. 23STCV19711 (Los Angeles Cnty,  
21 Cal.); \$6 million recovery in *In Re: Overby-Seawell Company Customer Data Security Breach*  
22 *Litigation*, MDL No. 3056 (N.D. Ga.); \$5.1 million recovery in *Anderson v. U-Haul International,*  
23 *Inc.*, (D. Ariz.).

24 4. I am currently appointed to the plaintiffs' leadership in several pending data privacy  
25 class actions, including: Interim Class Counsel in *In re Advance Stores Company, Incorporated,*  
26 *Data Breach Litigation*, No. 24 cv 352 (E.D.N.C.); Co-Chair of the Executive Committee in *In re*  
27 *LastPass Data Security Incident Litigation*, No. 22 cv 12047 (D. Mass.); Executive Committee  
28 member in *Doe v. GoodRx Holdings, Inc.*, No. 23 cv 501 (N.D. Cal.).

5. I make this declaration based on my own personal knowledge, and if called to do so,  
could and would testify to the matters contained herein.

1           6.       I submit this Declaration in connection with and in support of Plaintiffs' Motion For  
2 Award Of Attorneys' Fees, Costs, And Service Awards.

3           7.       My law firm and I were fully and unequivocally committed to the prosecution this  
4 litigation to conclusion, and even to trial. The formidable resources and experience of the plaintiffs'  
5 counsel involved in this matter, combined with our substantial data privacy and class litigation  
6 experience, allowed us to achieve a favorable result for the class of consumers who were affected  
7 by the data security incident at issue in this litigation.

8           8.       On August 10, 2023, my firm filed an action on behalf of our client Brenden Smith  
9 styled: *Brenden Smith v. Entertainment Partners, LLC*, Case No. 2:23-cv-6546 (C.D. Cal.). We  
10 subsequently joined the litigation before this Court.

11           9.       The tasks undertaken by my firm in this action were as follows: factual and legal  
12 research, draft the complaint, conference calls with co-counsel, review documents from the  
13 plaintiff, conferences with the plaintiff, draft stipulation to appoint interim class counsel, draft order  
14 appointing interim class counsel, revise plaintiff vetting questionnaire, revise plaintiff's mediation  
15 memorandum, revise consolidated complaint.

16           10.      My firm was the primary contact for Plaintiff Brenden Smith. We maintained  
17 regular communication with Mr. Smith and kept him apprised of the progress of the litigation. Mr.  
18 Smith was advised on his obligations as a class representative to select adequate and skilled counsel,  
19 to cooperate with counsel, and to place the interests of the class on a level equal to or above his  
20 own interests. Mr. Smith has met and continues to meet these obligations, cooperating fully with  
21 counsel to fulfill his fiduciary duties to the Class.

22           11.      Mr. Smith did everything asked of him in the course of this litigation. His interests  
23 in the litigation are aligned with, and not antagonistic to, those of the Settlement Class. At all times,  
24 he has acted in the best interest of the Class in pursuit of this litigation.

25           12.      My firm kept contemporaneous, daily time records which were recorded and  
26 maintained in the ordinary course of business at my law firm.

27           13.      Below is a summary of the hours billed by each timekeeper of my firm, their  
28 positions, and hourly rates:

BILLER	POSITION	YEARS IN PRACTICE	HOURLY RATE	HOURS BILLED	LODESTAR
Tom Zimmerman	Managing Partner	28	\$830	27.3	\$22,659.00
Sharon Harris	Senior Associate	26	\$765	0.5	\$382.50
Jeff Blake	Associate	11	\$610	7.9	\$4,819.00
Matt De Re	Associate	10	\$575	0.6	\$345.00
Jacalyn Zaleski	Paralegal	N/A	\$220	2.9	\$638.00
<b>TOTAL</b>				39.2	\$28,843.50

10. The hourly rates of the professionals in my firm, including my own, reflect experience and accomplishments in the area of class litigation. The billable rates charged by the attorneys and other professionals in my law firm as set forth above are adjusted for inflation based on billable rates that have been approved by other federal and state courts as follows: *Phillips v. Help at Home, LLC*, N.D. IL Case No. 15 cv 8954 (Dkt. 426); *Lhota, et al. v. Michigan Avenue Immediate Care, S.C.*, Circuit Court of Cook County Case No. 22 CH 6616; *Joseph v. Inventure Foods, Inc.*, N.D. IL Case No. 21 cv 1340 (Dkt. 70); and *Forrest, et al. v. PHH Mortgage Corp.*, D. RI Case No. 20 cv 323.

11. I assert that the attorneys' fees sought by Zimmerman Law Offices, P.C. in the motion for attorneys' fees are reasonable, and my firm seeks fair and reasonable compensation for undertaking this case on a contingency basis and for assisting in obtaining the relief for Plaintiffs and the Settlement Class.

12. My firm has also incurred \$142.37 in expenses in this litigation to date. Expenses include costs for court fees. The expenses pertaining to this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, check records, invoices, and other documents maintained in the ordinary course of litigation and the business operations of the firm.

EXPENSE CATEGORY	AMOUNT
Court Fees	\$142.37
<b>TOTAL EXPENSES</b>	<b>\$142.37</b>

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13. My firm has an active litigation practice. The time and effort we devoted to this case would have been spent on other cases but for our commitment to Plaintiffs and their claims.

14. It is my considered opinion as an experienced class action lawyer that the requested attorneys' fees, costs, and expenses, and Representative Plaintiff Awards, are reasonable and appropriate.

15. I respectfully request that the Court award the requested attorneys' fees, costs, and expenses, and Representative Plaintiff Awards.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18<sup>th</sup> day of November, 2024 at Chicago, Illinois

/s/ Thomas A. Zimmerman, Jr.  
Thomas A. Zimmerman, Jr.