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5 *Attorney for Plaintiff Daniel Berman and the Proposed Class*

6
7 UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 DANIEL BERMAN, STEPHANIE
HERNANDEZ, and ERICA RUSSELL,

11 Plaintiff,

12 v.

13 FREEDOM FINANCIAL NETWORK, LLC,
14 FREEDOM DEBT RELIEF, LLC, FLUENT,
INC., and LEAD SCIENCE, LLC,

15 Defendants.

Case No. 4:18-cv-01060-YGR

**DECLARATION OF ANTHONY I.
PARONICH IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

DATE: April 25, 2023
TIME: 2:00 p.m.
LOCATION: Oakland Courthouse
Courtroom 1 - 4th Floor

17
18 I, Anthony I. Paronich, declare under penalty of perjury:

19 1. I am an attorney duly admitted to practice in the Commonwealth of Massachusetts, I
20 am over 18 years of age, am competent to testify and make this affidavit on personal knowledge I
21 make this affidavit in support of Plaintiffs’ Motion for Preliminary Approval of Class Action
22 Settlement and to describe the work that I and my co-counsel have done in identifying and
23 investigating potential claims in the action and to set forth my qualifications to serve as class
24 counsel, and to describe my experience in representing plaintiff classes in class actions, and cases
25 brought under the 47 U.S.C. § 227, the Telephone Protection Act. I have personal knowledge of the
26 facts set forth in this declaration, and could testify competently to them if called upon to do so.

27 2. I was involved in every stage of representing Plaintiffs in this case, from pre-trial
28 investigation, analysis of Plaintiffs’ potential claims, drafting and researching motions, review of

1 documents, discovery responses, class certification and trial. I also participated in settlement
2 negotiations and strategy, participated in the mediation process, and contributed to preparing the
3 proposed settlement agreement and motion for preliminary approval.

4 3. In light of the risks inherent in class action litigation, as well as my experience
5 litigating dozens of TCPA action settlements, it is my opinion that the pending settlement is an
6 excellent result for consumers and members of the class and merits preliminary approval.

7 4. My firm and that of my co-counsel have received no payment for fees and costs.
8 Since beginning work on this case in February of 2018 my firm worked with no guarantee of being
9 compensated for its time and efforts. Payment of my fees has always been contingent on successfully
10 obtaining relief for the Plaintiffs and class members. As a result, there was a substantial risk of non-
11 payment, particularly in light of the legal challenges involved in litigating this case. Work on this
12 case has necessarily been to the exclusion of work on other matters that likely would have generated
13 fees. I have also been denied use of the any such fees the course of this case.

14 5. My time expended on this case is recorded while I was my former firm, Broderick &
15 Paronich, P.C. will be included in the lodestar submission by Edward Broderick, my former partner.
16 Since forming Paronich Law, P.C., I have expended an additional 95 hours at my customary rate of
17 \$550 per hour, yielding a lodestar of \$52,250 and expenses of \$1,549.80.

18 6. I am a 2010 graduate of Suffolk Law School. In 2010, I was admitted to the Bar in
19 Massachusetts. Since then, I have been admitted to practice before the Federal District Court for the
20 District of Massachusetts. From time to time, I have appeared in other State and Federal District
21 Courts *pro hac vice*. I am in good standing in every court to which I am admitted to practice.

22 7. I was an associate at Broderick Law, P.C. in Boston, Massachusetts from 2010
23 through 2016.

24 8. I was a partner at Broderick & Paronich, P.C. in Boston, Massachusetts from 2016
25 through 2019.

26 9. In 2019, I started Paronich Law, P.C., focused on protecting consumers in class action
27 lawsuits.

1 10. I have been appointed class counsel in more than 25 TCPA cases, including the
2 following:

- 3 i. Desai and Charvat v. ADT Security Services, Inc., USDC, ND. Ill., Civil Action No.
4 11-CV-1925, TCPA class settlement of \$15,000,000 granted final approval on June
5 21, 2013.
- 6 ii. Kensington Physical Therapy, Inc. v. Jackson Therapy Partners, LLC, USDC, D.
7 MD, Civil Action No. 11-CV-02467, TCPA class settlement of \$4,500,000 granted
8 final approval on February 12, 2015.
- 9 iii. Jay Clogg Realty Group, Inc. v. Burger King Corporation, USDC, D. MD., Civil
10 Action No. 13-cv-00662, TCPA class settlement of \$8,500,000 granted final approval
11 on April 15, 2015.
- 12 iv. Charvat v. AEP Energy, Inc., USDC, ND. Ill., 1:14-cv-03121, TCPA class settlement
13 of \$6,000,000 granted final approval on September 28, 2015.
- 14 v. Mey v. Interstate National Dealer Services, Inc., USDC, ND. Ga., 1:14-cv-01846-
15 ELR, TCPA class settlement of \$4,200,000 granted final approval on June 8, 2016.
- 16 vi. Philip Charvat and Ken Johansen v. National Guardian Life Insurance Company,
17 USDC, WD. Wi., 15-cv-43-JDP, TCPA class settlement for \$1,500,000 granted final
18 approval on August 4, 2016.
- 19 vii. Bull v. US Coachways, Inc., USDC, ND. Ill., 1:14-cv-05789, TCPA class settlement
20 finally approved on November 11, 2016 with an agreement for judgment in the
21 amount of \$49,932,375 and an assignment of rights against defendant's insurance
22 carrier.
- 23 viii. Toney v. Quality Resources, Inc., Cheryl Mercuris and Sempris LLC, et al., USDC,
24 ND. Ill., 1:13-cv-00042, TCPA class settlement of \$2,150,000 was granted final
25 approval on December 1, 2016 with one of three defendants, and an assignment of
26 rights against defendant's insurance carrier. Second settlement on behalf of class
27 against two remaining defendants of \$3,300,000 granted final approval on September
28 25, 2018.
- ix. Smith v. State Farm Mut. Auto. Ins. Co. , et. al., USDC, ND. Ill., 1:13-cv-02018,
TCPA class settlement of \$7,000,000.00 granted final approval on December 8, 2016.
- x. Biringer v. First Family Insurance, Inc., USDC, ND. Fla., a TCPA class settlement of
\$2,900,000 granted final approval on April 24, 2017.
- xi. Mey v. Frontier Communications Corporation, USDC, D. Ct., 3:13-cv-1191-MPS, a
TCPA class settlement of \$11,000,000 granted final approval on June 2, 2017.

