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18 *Attorneys for Plaintiff,*  
 19 Gregory Franklin

20 **UNITED STATES DISTRICT COURT**  
 21 **NORTHERN DISTRICT OF CALIFORNIA**

22 GREGORY FRANKLIN, individually  
 23 and on behalf of all others similarly  
 24 situated,

25 Plaintiff,

26 v.

27 OCWEN LOAN SERVICING, LLC,

28 Defendant.

Case No.: 3:18-cv-03333-SI

**DECLARATION OF ABBAS  
 KAZEROUNIAN IN SUPPORT OF  
 MOTION FOR FINAL APPROVAL OF  
 CLASS ACTION SETTLEMENT**

**Date:** August 26, 2022

**Time:** 10:00 a.m.

**Courtroom:** 1, 17<sup>th</sup> Floor

**Judge:** Hon. Susan Illston

Complaint Filed: June 5, 2018

FAC Filed: August 17, 2018

**DECLARATION OF ABBAS KAZEROUNIAN**

I, Abbas Kazerounian, declare:

1. I am one of the attorneys for the Plaintiff in this action, Gregory Franklin (the “Plaintiff”) against defendant Ocwen Loan Servicing, LLC (“Defendant”). I am over the age of 18 and am fully competent to make this declaration. I was admitted to the State Bar of California in 2007 and have been a member in good standing ever since that time. I have litigated cases in both state and federal courts in California, Washington, Nevada, Arizona, Arkansas, New York, New Jersey, Colorado, Tennessee, Ohio, Florida, Illinois and Texas. I am admitted in every federal district in California and have handled federal litigation in the federal districts of California. I am also admitted to the state bars of Texas, Illinois, Washington, Michigan, New York, Colorado, District of Columbia, the Ninth Circuit Court of Appeals, the Eighth Circuit Court of Appeals, and the Supreme Court of the United States.
2. If called as a witness, I would competently testify to the matters herein from personal knowledge. The declaration is based upon my personal knowledge, except where expressly noted otherwise.
3. I submit this declaration in support of the Plaintiff’s Motion for Final Approval of Class Action Settlement.
4. I have been approved as one of the Class Counsel for the proposed settlement class in this action, and I have worked on this case since it was filed.
5. I continue to be unaware of any conflict of interest between Plaintiff and the Settlement Class Members, or between Plaintiff and his counsel.
6. The Plaintiff has proposed the National Consumer Law Center and New Media Rights as potential *cy pres* recipients of any uncashed or unclaimed settlement funds and any appropriate subsequent distributions. I do not have any affiliation with either of the proposed *cy pres* recipients, and it is my understanding that my co-counsel do not have an affiliation with the proposed *cy pres* recipients as well.



1 7. I was one of the attorneys who participated in the two (2) private mediation sessions before  
2 Hunter Hughes, Esq., of Hunter ADR on August 27, 2019, and September 7, 2021,  
3 respectively. Following the second mediation session, follow-up negotiations, and a  
4 mediator's proposal, which resulted in an agreed-upon written settlement agreement.

5 8. In my opinion, Plaintiff has continued to serve as an adequate Class Representative by  
6 assisting Class Counsel by reviewing documents and submitting declarations in support of  
7 the Fee Brief and the Final Approval Motion.

8 9. Based on the number of valid claims reported by the Administrator as of approximately  
9 July 19, 2022, representing an approximate 9.50% claims rate (for valid claims), I believe  
10 the estimated individual settlement class member recovery of approximately \$270 is fair  
11 and reasonable here.

12 10. Also, based on my extensive experience and knowledge in litigating complex consumer  
13 class actions (*see* Dkt. Nos. 154-2, ¶¶ 24-77; 158-2, ¶¶ 32-87), including those involving  
14 Cal. Pen. Code § 630, *et seq.*, I believe the settlement merits Court approval. Taking into  
15 account the burdens, uncertainty and risks inherent in class action litigation, and the time  
16 and expense of trial, the parties have concluded that further prosecution and defense of this  
17 action could be protracted, unduly burdensome, and expensive, and that it is desirable, fair,  
18 and beneficial to the class that the action now be fully and finally compromised, settled  
19 and terminated in the manner and upon the terms and conditions set forth in the Agreement.  
20 Therefore, I believe the settlement merits final Court approval.

21 **EXHIBITS**

22 11. Attached hereto as **Exhibit A** is a true and correct copy of a screenshot of the settlement  
23 website, specifically, the webpage indicating documents that Settlement Class Members  
24 could review.

25 12. Attached hereto as **Exhibit B** is a non-exhaustive matrix of CIPA settlement, compiled by  
26 Class Counsel.

27 13. Attached hereto as **Exhibit C** is a true and correct copy of the Declaration of Richard Dubois of  
28 National Consumer Law Center, obtained on or about June 30, 2022.

1 14. Attached hereto as **Exhibit D** is a true and correct copy of the Declaration of Art Neill of New  
2 Media Rights, obtained on July 25, 2022.

3 I declare under penalty of perjury that the foregoing is true and correct, executed on July  
4 25, 2022, pursuant to the laws of the United States and the State of California.

5 /s/ Abbas Kazerounian  
6 Abbas Kazerounian



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