



1 **KAZEROUNI LAW GROUP, APC**  
 2 Abbas Kazerounian, Esq. (SBN: 249203)  
 ak@kazlg.com  
 3 Ryan L. McBride, Esq. (SBN: 297557)  
 ryan@kazlg.com  
 4 245 Fischer Avenue, Unit D1  
 Costa Mesa, CA 92626  
 5 Telephone: (800) 400-6808  
 Facsimile: (800) 520-5523  
 6

7 **KAZEROUNI LAW GROUP, APC**  
 Jason A. Ibey, Esq. (SBN: 284607)  
 8 jason@kazlg.com  
 321 N. Mall Drive  
 9 Suite R108  
 St. George, UT 84790  
 10 Telephone: (800) 400-6808  
 Facsimile: (800) 520-5523  
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12 *Attorneys for Plaintiff,*  
 Gregory Franklin  
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14 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

15 GREGORY FRANKLIN, individually  
 16 and on behalf of all others similarly  
 situated,

17 Plaintiff,

18 v.

19 OCWEN LOAN SERVICING, LLC,

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

**DECLARATION OF RYAN L. MCBRIDE  
 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 RYAN L. MCBRIDE**

I, Ryan L. McBride, 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”).
2. I am over the age of 18 and fully competent to make this declaration. I was admitted to the State Bar of California in 2014 and have been a member in good standing ever since that time.
3. I am also admitted to the state bars of Arizona, Washington, Utah, and Florida, as well as the Ninth Circuit Court of Appeals.
4. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto, except as to those matters which are explicitly set forth as based upon my information and belief and, as to such matters, I am informed and believe that they are true and correct.
5. I am writing this declaration in support of the Plaintiff’s Motion for Final Approval of Class Action Settlement.
6. I am the Managing Associate Attorney at Kazerouni Law Group, APC in the Arizona office, and have worked on this action since June 5, 2018, and I am one of the appointed class counsel in this matter. I have assisted with settlement administration in terms of frequent communication with the Administrator, and communication with defense counsel.
7. I was one of the attorneys who participated in the two (2) private mediation sessions before Hunter Hughes, Esq., of Hunter ADR on August 27, 2019, and September 7, 2021, respectively.
8. Before the second mediation, the parties participated in large amounts of discovery and motion work.
9. Unable to reach a resolution during the second mediation, the parties subsequently engaged in additional follow-up negotiations and independently accepted a mediator’s proposal, which resulted in an agreed-upon written settlement agreement.





- 1 10. Based on discovery materials, discussions with Defendant’s counsel, and Administrator’s  
2 efforts in checking the Class List, it is my understanding that the class consists of  
3 approximately 37,031 persons.
- 4 11. I continue to be unaware of any conflict of interest between Plaintiff and the Settlement  
5 Class Members, or between Plaintiff and his counsel.
- 6 12. The Plaintiff proposes the National Consumer Law Center and New Media Rights as the  
7 potential *cy pres* recipients of any uncashed or unclaimed settlement funds after making  
8 subsequent distributions to the extent administratively feasible. I do not have any affiliation  
9 with either of the proposed *cy pres* recipients, and it is my understanding that my co-counsel  
10 do not have an affiliation with the proposed *cy pres* recipients as well.
- 11 13. Based on the number of valid claims reported by the Administrator as of approximately July  
12 19, 2022, representing an approximate 9.50% claims rate (for valid claims), I believe the  
13 estimated individual settlement class member recovery of approximately \$269.81 is fair and  
14 reasonable here.
- 15 14. Based on my experience litigating consumer class action for over six years (*see* Dkt. Nos.  
16 154-8, ¶¶ 33-36; 158-6, ¶¶ 29-36), I believe the settlement merits the Court’s approval.  
17 Taking into account the burdens, uncertainty and risks inherent in class action litigation, and  
18 the time and expense of trial, the parties have concluded that further prosecution and defense  
19 of this action could be protracted, unduly burdensome, and expensive, and that it is  
20 desirable, fair, and beneficial to the class that the action now be fully and finally  
21 compromised, settled and terminated in the manner and upon the terms and conditions set  
22 forth in the Agreement. I believe the settlement is fair and reasonable. Therefore, I believe  
23 the settlement merits final Court approval.
- 24 15. As there are 3,518 claims determined to be valid, the individual recovery to Settlement Class  
25 Members will be approximately \$270.
- 26 16. The Class Administrator is still gathering information as to the number of claims that were  
27 remailed and returned undeliverable and this information will be supplemented in a  
28 subsequent filing shortly.

1 I declare under penalty of perjury under the laws of the State of California and the  
2 United States that the foregoing is true and correct and that this declaration was signed on July  
3 25, 2022, in Phoenix, Arizona.

4  
5 /s/ Ryan L. McBride  
6 RYAN L. MCBRIDE, ESQ.  
7 ATTORNEY FOR PLAINTIFF  
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