

MAY 16 2016

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST DISTRICT**

10 COLIN HIGGINS PRODUCTIONS, LTD.,

CASE NO. BC499179

11 Plaintiff,

(Related to Case Nos. BC499180, BC499181,
BC499182, BC500040, and BC540146)

12 v.

*Assigned to the Honorable Elihu M. Berle,
Department 323*

13 PARAMOUNT PICTURES
CORPORATION, and DOES 1-100,

CLASS ACTION

14 Defendant.

**DECLARATION OF RAYMOND P.
BOUCHER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

15 Date: June 10, 2016
16 Time: 10:00 A.M.
17 Dept.: 323

18 Action Filed: January 16, 2013
19 Trial Date: None

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DECLARATION OF RAYMOND P. BOUCHER

I, Raymond P. Boucher, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am the name partner of Boucher, LLP and shareholder of Law Offices of Raymond Boucher, APC, co-counsel of record for Plaintiffs Colin Higgins Productions, Ltd. and Michael Elias. and the proposed Class.

2. I submit this declaration in support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

3. The law firm of Boucher, LLP and its attorneys have significant experience prosecuting complex class action litigation on behalf of plaintiffs. Attached as Exhibits “1” and “2,” respectively, are true and correct copies of the Boucher, LLP firm resume and my curriculum vitae.

4. As set forth in the attached resumes, my firm and I have wide-ranging experience leading and managing a variety of complex litigation matters in state and federal courts, including Judicial Council Coordinated Proceedings (“JCCPs”) in California state court, multi-district litigation (“MDLs”) involving mass tort matters and class actions in federal courts, and state and nationwide class action lawsuits. A representative sampling of the cases in which attorneys from my firm and I have held lead, liaison, or co-lead positions in several mass torts, class actions, and complex coordinated actions follows:

a. *Abrica v. Tosco et al.*, Case No. BC239882 (Superior Court of California, County of Los Angeles): Mass tort relating to toxic refinery fire, which resolved successfully.

b. *Bartley v. Camarillo Miramonte Homeowners Association*, Case No. SC020953 (Superior Court of California, Ventura County). Class action against real estate developers on behalf of individual unit owners of a condominium project for faulty construction and repairs. The units were constructed over a high water table and on poor soils which expanded and contracted, causing the units to sink, and causing floor slabs, foundations, and walls to crack. The defendants knew about the defects but did not disclose them. After receiving complaints,

1 developers failed to repair as promised. Homeowners complained the repairs were not performed,
2 or were not performed improperly. Resolved on eve of trial.

3 c. *Black v. Blue Cross*, Case No. BC250339 (Superior Court of California,
4 County of Los Angeles): Certified class action against a health insurer for improper mid-year
5 contract modifications which led to a \$22.5 million settlement.

6 d. *Bustamante v. Southern California Gas Company, et al.*, Case No.
7 BC285598 (Superior Court of California, County of Los Angeles): Class action against energy
8 companies on behalf of California citizens for manipulation of the market for natural gas by
9 reporting false price and volume information to the price indices and industry publications that
10 were used to establish the cost of natural gas to end users, and the value of natural gas in the
11 commodities markets.

12 e. *Chavez v. Nestle USA, Inc.*, Case No.: CV09-9192 GW (CWx) (C.D. Cal.):
13 Class action to recover for false advertising in the marketing of a beverage for infants.

14 f. *Clergy Cases I & II*, California Judicial Council Coordinated Proceedings
15 (“JCCPs”) 4286, 4297, and 4359: Litigated childhood sexual abuse cases against the Archdioceses
16 of Los Angeles, San Diego, and Orange and other Catholic entities with the total settlement
17 exceeding \$1.2 billion.

18 g. *Colin Higgins Productions, LTD. v. Universal City Studios, LLC*, Case No.
19 BC499180 (Superior Court of California, County of Los Angeles). Class action against movie
20 studio arising from studio’s calculation of profit participation from home video distribution of
21 films. Final approval of class action settlement granted.

22 h. *County of Santa Clara v. Smithkline Beecham Corporation*, C.A. NO. 2:10-
23 cv-01637-CMR (E.D. Pa.). This is an action on behalf of the People of the State of California for
24 false advertising and deceptive business practices in the marketing, sales and distribution of the
25 Type 2 Diabetes drug Avandia.

26 i. *Del Campo v. Hometown Buffet, Inc. et al.*, C.D. Cal. 2:14-cv-04378-RGK-
27 SH. Court-appointed as Class Counsel in wage and hour case against restaurant chain. Final
28 approval of settlement granted.

- 1 j. *In Re Crestor Products Liability Cases*, California JCCP No. 4713.
2 Appointed Plaintiffs’ Co-Liaison Counsel in coordinated proceeding involving alleged personal
3 injuries from ingestion and use of prescription drug Crestor,
- 4 k. *In re Transient Occupancy Tax Cases*, California JCCP 4472: Represented
5 the City of Los Angeles in a class action on behalf of all cities in the state of California to recover
6 unremitted occupancy taxes from certain online travel companies.
- 7 l. *In re Galvanized Steel Pipe Litigation*, Case No. BC174649 (Superior Court
8 of California, County of Los Angeles): Class action involving construction defects that resolved
9 successfully for \$41 million.
- 10 m. *In re Wholesale Electricity Antitrust Cases I & II*, California JCCP 4204-
11 00005 and 4204-00006: Actions in which the plaintiffs sought to recover damages from energy
12 traders for unfair business practices.
- 13 n. *In re Wellpoint, Inc. Out-of-Network “UCR” Rates Litig.*, MDL No. 09-
14 2074 (C.D. Cal.): Served in a leadership role in a consolidated action to recover for
15 anticompetitive price fixing and for artificial deflation of medical payments and reimbursements,
16 leading to underpayments to doctors for medical care that they provided, and to artificially high
17 charges for out-of-pocket costs to insured individuals for medical care that they received.
- 18 o. *In Re: Wright Medical Technology, Inc., Conserve Hip Implant Products*
19 *Liability Litigation*, MDL No. 2329 and Wright California JCCP. Co-Lead Counsel and Plaintiffs’
20 Steering Committees in complex national and state complex litigations involving defective hip
21 system product.
- 22 p. *In re Yaz, Yasmin, Ocella Contraception Cases*, California JCCP No. 4608
23 (Superior Court of California, County of Los Angeles): Serves as liaison counsel to the court.
24 This coordinated proceeding involves personal injury actions resulting from ingestion of the oral
25 contraceptives Yaz, Yasmin and Ocella.
- 26 q. *Lopez, et al. v. Citrus Valley Health Partners, Inc.* Case Nos. BC544139
27 and BC545110 (Superior Court of California, Los Angeles County). Court-appointed as Class
28

1 Counsel in wage and hour class actions against large California hospital entity. Final approval of
2 settlement granted.

3 r. *Silver v. Del Webb*, Nevada Case No. A437325: A certified class
4 construction defect suit involving the installation of faulty plumbing systems in new homes. The
5 litigation resulted in a \$21 million settlement.

6 s. *Skeen, et al. v. BMW of North America LLC*, et al., Case No. 2:13-cv-1531-
7 WHW-CLW (Dist. N.J.) Appointed Interim Co-Lead Class Counsel in nationwide putative class
8 action involving alleged claims for breach of warranties and violations of state consumer
9 protection statutes for automobile defects in Mini vehicles. Preliminary approval of settlement
10 granted.

11 t. *Zolof Birth Defects Cases*, JCCP No. 4771. Appointed Plaintiffs' Co-Lead
12 Counsel in coordinated proceeding involving alleged birth defect claims arising from mother
13 plaintiffs' use and ingesting of prescription anti-depressant drug.

14 5. As more fully set forth in my curriculum vitae, throughout my career I have also
15 held numerous leadership positions in various legal organizations. I was the 2007 President of
16 Consumer Attorneys of California ("CAOC"), and the 2005 President of Consumer Attorneys
17 Association of Los Angeles ("CAALA"). I have served as a member of the Board of Directors of
18 Public Justice; the California State Delegate to the American Association of Justice; a member of
19 the Pepperdine School of Law Board of Visitors; a member of the Diversity in Law Foundation;
20 and the California State Delegate to the Association of Trial Lawyers of America. I also
21 previously served on the Los Angeles County Bar Association Board of Directors.

22 6. I have been honored with numerous awards and distinctions for my work. Notably,
23 I was the recipient of the Los Angeles Daily Journal Trial Lawyer of the Decade, 2001-2010, in
24 particular for my work in California JCCPs entitled *Clergy Cases I & II*, JCCPs 4286, 4297, and
25 4359. In 2007, I received both the CAALA and CAOC Trial Lawyer of the Year Awards. I have
26 also received the Trial Lawyer of the Year Award from the Orange County Trial Lawyers
27 Association. I have also received the CLAY award from California Lawyer Magazine, which
28 recognizes attorneys from across the state whose achievements have made a profound impact on

1 the law. Additionally, the Honorable Chief Justice Ronald George and the California State Bar
2 honored me with an award for my efforts on behalf of court funding and on behalf of the State
3 Courts of California. In 2006, I was presented with the David S. Casey, Jr. Consumer Advocate
4 Award by the Consumer Attorneys of San Diego; and the Justice Armand Arabian Award by the
5 Project Sister organization. The California League of Conservation Voters awarded me with the
6 2005 Environmental Leadership Award for my longstanding dedication to the environment and
7 public health rights of individuals, and I was the recipient of the Ted Horn Memorial Award, a
8 CAALA honor for the selfless gift of one's talent. Additionally, I have been the recipient of
9 numerous Presidential Awards, Awards of Merit and Commendation from Trial Bars around the
10 country.

11 7. I personally have extensive trial experience and have briefed and argued many
12 appeals before the Ninth Circuit Court of Appeals and California Courts of Appeal.

13 8. I am a frequent speaker at CAOC, CAALA, AAJ, law schools, and National
14 College of Advocacy seminars and various educational conventions throughout the country.

15 9. I spend a considerable amount of time performing pro bono work and community
16 service. I began my career doing pro bono work with Cesar Chavez and the United Farm Workers.
17 More recently, I took a humanitarian trip to Uganda to assist improving the Juvenile Justice
18 system. I have spearheaded fundraisers for various local, state and national organizations.

19 10. I frequently advise U.S. Senators and Representatives, as well as California State
20 Senate, Assembly and Constitutional Officers about legal and political issues. In the fall of 2004, I
21 helped lead the fight to defeat Proposition 64, which sought to limit the ability to bring
22 environmental polluters to justice. I have received commendations from U.S. Senators Barbara
23 Boxer and Diane Feinstein, from numerous Congressmen and women, including U.S. Flags flown
24 over the U.S. Capitol for my humanitarian efforts. Likewise, I have received commendations from
25 the Governor, Lt. Governor, State Senate, State Assembly, Mayor of Los Angeles, and the Board
26 of the Los Angeles City Council.

27 11. I have been involved in the above-entitled putative class action from its inception
28 and have spent significant time investigating the alleged claims. I have allocated a significant

1 amount of time and money to develop the case. My firm, Boucher, LLP, has the resources, both
2 financially and personnel-wise, to pursue this type of litigation. Boucher, LLP employs eight
3 lawyers, works with one attorney who is of counsel to the firm, in addition to employing several
4 litigation assistants, paralegals, and other support staff. It has committed to technology and has
5 invested in complex litigation software tools that allow it to litigate a case of any size and scope.
6 The firm's lawyers are also widely acknowledged by their peers as possessing the skills and
7 resources to litigate class actions effectively and efficiently.

8 12. The Settlement Agreement and Release between Plaintiffs and Defendant was
9 reached after hard-fought litigation, including discovery, law and motion, arms-length negotiations
10 between the parties as well as formal mediation and other settlement discussions and meetings.

11 13. In my judgment, based on my professional experience, the settlement is not only
12 fair, adequate, and reasonable, but it also represents an excellent resolution of the Plaintiffs' and
13 proposed Class members' claims against Defendant.

14 14. Neither myself nor my law firm has any interest or involvement in the governance
15 or work of the proposed *cy pres* recipient, the Motion Picture & Television Fund.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 Executed on this 12th day of May, 2016, at Woodland Hills, California.

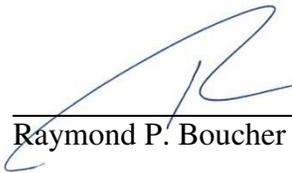
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EXHIBIT 1

BOUCHER LLP

Boucher LLP is a new firm, steeped in the tradition of obtaining justice for the people who need it most.

Founded by Raymond P. Boucher—Los Angeles Daily Journal’s Trial Lawyer of the Decade (2001-2010)—Boucher LLP focuses on the prosecution of high-impact, complex litigation, including class actions, mass actions, and representative actions on behalf of consumers and employees harmed by major corporations and insurance companies; civil rights and police misconduct cases; cases involving the sexual abuse of minors and disabled; and significant personal injury and wrongful death cases. Boucher and his colleagues are frequently appointed class counsel in major class actions and often serve among plaintiffs’ leadership in state and federal coordinated proceedings.

Boucher’s successes include a groundbreaking \$1 billion settlement on behalf of the victims of childhood sexual abuse by Catholic priests. He has long been a trusted resource for referring attorneys. His skill and tenacity also make him sought after as co-counsel.

Boucher built the firm from the ground up, handpicking dynamic, talented, and experienced attorneys who share his vision and values. Clients can expect meticulous preparation and tenacious, relentless representation, as well as highly individualized and compassionate service.

The firm is new. The founding principles of Boucher LLP are timeless.

EXPERTISE AND RESOURCES

Boucher LLP has the expertise and resources to handle cases against major corporations from intake through trial. The firm is presently comprised of three partners, three associates, two of counsel attorneys, and several paralegals and staff members. The firm is well-equipped to conduct discovery in a variety of cases, including large complex cases. The firm uses sophisticated technology and protocol to capture, evaluate, and present information gleaned from documents numbering in the multi-millions. In coordinated proceedings, the firm has the experience and leadership qualities needed to effectively manage resources to ensure efficiency of litigation.

Boucher LLP has expertise in the following practice areas:

Consumer Class Actions

The firm has extensive experience with consumer class action litigation and the relevant issues in evaluating and settling class action claims. Boucher LLP’s attorneys have litigated and certified consumer class actions in a range of areas—from automotive and other product defects, to privacy and data breach, to antitrust, breach of contract, and other business disputes.

Boucher LLP’s attorneys have served as lead class counsel and/or on the plaintiffs’ steering committee in numerous consumer class action cases including, *In Re Aetna UCR Litigation*, Dist. N.J., MDL No. 2020 (Class Counsel), *American Medical Association et al. v. Wellpoint, Inc.*, C.D. Cal, MDL No. 2074 (Interim Co-Lead Class Counsel), *Black v. Blue Cross of California*, Super. Ct. Los Angeles County, No. BC250339 (Class Counsel), *Chavez v. Nestlé USA, Inc.* C.D. Cal., No. CV09-9192 GW (CWx) (Lead Counsel), *In Re: Facebook, Inc. Internet Tracking Litig.*, N.D. Cal., MDL No. 2314 (Interim Liaison Counsel), *In Re Galvanized Steel Pipe Litigation*, Super. Ct.

Los Angeles County, No. BC174649 (Lead Class Counsel), *In re: Pellicano Cases*, Super. Ct. Los Angeles County No. BC316318 (Co-Lead Class Counsel), *Sister Sledge et al. v. Warner Music Group Corp.*, N.D. Cal., No. 12-CV-0559-RS (Interim Co-Lead Class Counsel), and *Skeen, et al. v. BMW of North America LLC, et al.*, Dist. N.J., No. 2:13-cv-1531-WHW-CLW (Interim Co-Lead Class Counsel).

Employment Class and Representative Actions

Boucher LLP is currently prosecuting numerous class and representative cases against corporations on behalf of thousands of workers alleging wage-and-hour violations, including claims for violations of meal and rest break laws, illegal rounding of time, and failure to pay all wages. The firm is committed to ensuring employees are properly compensated under state and federal laws, and to holding corporations accountable for failing to abide by the law.

Mass Tort Litigation

Boucher LLP's attorneys have obtained favorable recoveries for thousands of clients harmed by major pharmaceutical companies. Boucher presently serves in leadership for numerous coordinated proceedings in state and federal court, including *In Re Crestor Products Liability Cases*, Super. Ct. Los Angeles County, JCCP No. 4713 (Plaintiffs' Co-Liaison Counsel), *In Re Diet Drug Litigation*, Super. Ct. Los Angeles County, JCCP 4032 (Plaintiffs' Co-Liaison Counsel), *In re Wright Medical Technology, Inc., Conserve Hip Implant Products Liability Litigation*, MDL No. 2329 (Co-Lead Counsel for Plaintiffs and state Liaison Counsel), and *Zoloft Birth Defects Cases*, JCCP No. 4771 (Plaintiffs' Co-Lead Counsel).

Boucher LLP's attorneys have also successfully resolved mass tort cases involving toxic exposure, including, among others, *Bunker Hill Twrs Condo Ass'n, et al. v. W.R. Grace & Co.*, Super. Ct. Los Angeles County, No. B072642, and *Zachary et al. v. ARCO et al.*, Super. Ct. Los Angeles County, No. BC209944.

Complex, High-Impact Litigation

Boucher LLP is committed to advancing the rights of the people and to holding corporations accountable. Throughout his career, Mr. Boucher has brought worthy cases in furtherance of these goals. For example, in the *California Gubernatorial Recall Election Litigation*, Boucher represented former Governor Gray Davis in a challenge to the qualification of the 2003 California gubernatorial recall election. In *Madrid v. Perot Systems Corporation et al.*, Super. Ct. Sacramento County, No. 03AS04763, Boucher resolved an antitrust and unfair competition action to recover from Perot Systems Corporation for aiding and abetting the manipulation, distortion, and corruption of California's electricity market. More recently, in *Centinela Freeman Emergency Medical Associates, et al. v. Maxwell-Jolly, et al.*, Super. Ct. Los Angeles County, Pending, No. BC406372, Boucher and his partners obtained an order compelling California's Department of Health Care Services to comply—for the first time ever—with their obligation to annually review of Medi-Cal physician reimbursement rates to ensure access to quality healthcare in California.

These are but a few of the many “impact” cases Boucher and his colleagues have pursued in the interest of positive social change.

Civil Rights and Police Misconduct Cases

Boucher LLP prosecutes individual, mass, and class actions against public entities for civil rights violations and police misconduct. The firm is committed to helping people obtain justice and to motivating significant policy changes.

Boucher is particularly proud of the published result in *Wallace v. City of Los Angeles* (1993) 12 Cal. App. 4th 1385, a case of first impression he brought against the City on behalf of Demetria Wallace, a teenaged honors student who was shot and killed while waiting for a bus, just five days before she was to testify against a man accused of fatally shooting a taxi driver. After non-suit was granted at trial, the appeals court held the police had a duty to warn the victim. The case affirmed the government’s responsibility to protect citizens who place their lives in jeopardy by stepping forward as witnesses to crimes, and prompted changes in police procedures that have saved countless other witnesses’ lives since.

Sexual Abuse Cases

Boucher LLP prosecutes individual and mass action cases against public and private entities that fail to protect minors and the disabled from sexual abuse. The firm’s attorneys have extensive experience representing survivors of sexual abuse in such cases.

For example, in *The Clergy Cases*, Super. Ct. California, JCCP Nos. 4286, 4297, 4359, Boucher served as Plaintiffs’ Liaison Counsel on behalf of almost 1,000 individuals and their families in significant personal injury claims involving molestation at the hands of Catholic priests. In *Jane Doe v. Garden Grove Unified School District*, Boucher prosecuted claims on behalf of a child victim of sexual abuse at school against a public school district. *Elena A. et al. v. Casa de Angeles Cal. Corp., d/b/a Healthy Start, et al.*, Super. Ct. Los Angeles County, No. BC457840, was brought on behalf of developmentally disabled adults who were subjected to serious verbal, physical, and sexual abuse and neglect while attending an adult day care center. And Boucher was a leader in *Los Angeles Unified School District Sexual Molestation Cases*, which were brought on behalf of the many children who were molested by a teacher at Miramonte Elementary School.

Significant Personal Injury and Wrongful Death

Boucher LLP represents individuals who have suffered serious personal injury or the death of loved ones.

The firm is committed to obtaining the justice that its clients deserve. For example, in *Young v. Johnny’s Hot Dog Stand, et al.*, Super. Ct. Los Angeles County, No. BC102837, Boucher obtained a jury verdict in excess of \$1 million in compensatory damages on behalf of 57-year-old indigent person who was shot by a waitress outside of a hot dog stand. The firm is also passionate about seeking justice on behalf of children and adults who have suffered serious injuries from in apparel fires.

BOUCHER LLP

RAYMOND P. BOUCHER

Raymond P. Boucher, a veteran trial lawyer specializing in complex consumer litigation, class actions, product liability, toxic tort litigation, employment discrimination and bad faith, is the Founder and Senior Partner of Boucher LLP.

During his professional career, which spans three decades, Boucher has tried more than 50 cases, and has helped obtain verdicts and settlements on behalf of clients in excess of \$3 billion. In two of his more notable cases, he served as lead attorney in the landmark \$660 million sexual abuse settlement with the Catholic Archdiocese of Los Angeles in which he represented over 250 abuse victims in the July 2007 settlement as well as obtaining nearly \$200 million for 144 survivors in a lawsuit against the Roman Catholic Diocese of San Diego. Boucher has briefed and argued more than 20 appeals before the Ninth Circuit Court of Appeals and California Courts of Appeal.

For his professional achievements, Boucher has received a diverse array of honors and awards, to include recognition as: “Top 100 Attorneys in California” (2002) by the Daily Journal; “Trial Lawyers of the Decade, “ (2001-2010) by the Daily Journal; “California Lawyer Attorney of the Year” (2008) by California Lawyer; “Consumer Attorney of the Year” (2007) by the Consumer Attorneys of California; and “Trial Lawyer of the Year” by the Consumer Attorneys Association of Los Angeles (additional awards listed below).

A noted author and lecturer, Boucher has lectured at numerous law schools (e.g. Stanford, Pepperdine, Loyola) and has delivered hundreds of presentations to bar associations and other legal organizations as well as legal media sponsored events and educational and government forums.

Prior to founding Boucher, LLP, Boucher served several other Los Angeles area law firms, including: Kiesel, Boucher & Larson LLP (Partner), Law Offices of Raymond P. Boucher (Founder/Senior Partner), Nordstrom, Steele, Nicolette & Jefferson (Of Counsel), Sayre, Moreno, Purcell & Boucher (Managing Partner), and Gould & Sayre.

A native of Massachusetts, Boucher received his undergraduate education at Fort Lewis College in Durango, CO where he received his Bachelor of Arts degree with a double major in Business Administration and Political Science.

He was Student Body President, on the Dean’s List and later was honored as its “Alumnus of the Year” (2007). He matriculated to Colorado State University where he received a Master of Science degree in Management. Boucher obtained his Juris Doctor degree from Pepperdine University School of Law While in law school, Boucher ranked in the top 15% of his class, was a member of the Phi Delta Phi honor society and later honored in 2002 with its Distinguished Alumnus Award. He received an Honorary Doctor of Law by Whittier College School of Law in 2005.

Boucher is admitted to the State Bar of California as well as the United States District Court for the Central, Northern, Southern and Eastern Districts of California. He is a member of, and has held leadership positions in, numerous legal professional entities, including:

- American Association for Justice, Member
- American Bar Association, Admitted as a Fellow of the American Bar
- Association of Trial Lawyers of America, State of California Delegate Member

- Beverly Hills Bar Association, Member
- California Courts, Administrative Office of the Courts (2002 to 2007), Committees: Court Funding, Complex Courts System, Court Integration
- California State Bar Association, Member
- Civil Justice Foundation, Member
- Consumer Attorneys Association of Los Angeles (Formerly the Los Angeles Trial Lawyers Association) President (2005), Board of Governors, Emeritus Member (2005 to present), Board of Governors, Member (1996 to 2006)
- Consumer Attorneys of California (Formerly the California Trial Lawyers Association, President (2007), Board of Governors (1997 to present)
- Consumer Attorneys of San Diego (2001 to present), Consumer Advocate of the Year (2007)
- Diversity in Law Foundation, Board of Directors
- Los Angeles County Bar Association, Board of Trustees (2000 to 2002)
- Los Angeles Superior Court Bench and Bar Committee (2001 to 2008)
- National College of Advocacy, Fellow
- Orange County Trial Lawyers Association, Member
- Pepperdine School of Law, Board of Visitors (1997 to present)
- Public Citizen, Member
- Public Justice (Formerly Trial Lawyers for Public Justice), Board of Directors (1996 to present), Member (1984 to present)
- The Roscoe Pound Foundation, Member

Among the other honors, awards and other forms of recognition Boucher has received for his professional achievements and accomplishments from legal, community, educational, nonprofit and media entities, include:

- American Association for Justice Steven J. Sharp Public Service Award (2008)
- Consumer Attorneys Association of Los Angeles Ted Horn Memorial Award in recognition of service to the California State Bar (2002), Finalist, Trial Lawyer of the Year (1996) , Several Presidential Awards for Outstanding Contribution to the Trial Bar
- Consumer Attorneys of California Legislative Champion Award (2002), Several Presidential Awards of Merit
- Consumer Attorneys of San Diego David S. Casey, Jr. Consumer Advocate Award (2006)
- California League of Conservation Voters Environmental Leadership Award (2005) for dedication to the environment and for fostering the public health rights of individuals
- Fort Lewis College, Durango, Colorado Alumnus of the Year (2007)

- Lawdragon Named one of 500 Leading Lawyers in America (2009-2014)
- Los Angeles Daily Journal Law Business Named one of the 100 Most Influential Attorneys in California several times
- Los Angeles Magazine Super Lawyer (2001 to present); named one of the Top 100 Super Lawyers in Southern California (2010 to present)
- Loyola Law School Champion of Justice Award (2008)
- Martindale-Hubbell, Peer Reviewed AV (highest rating)
- Orange County Trial Lawyers Association Top Gun Award (2008)
- Pepperdine University School of Law Distinguished Alumnus Award (2002)
- Project Sister Family Services Justice Armand Arabian Award (2006) for outstanding efforts to secure justice for victims of clergy abuse
- Trial Lawyers for Public Justice Trial Lawyer of the Year (1994)

Additionally, Boucher has been the recipient of presidential awards, awards of merit, recognition and commendation from federal, state and local government entities as well as a variety of bar associations.

Boucher, who resides in Tarzana, CA, is active in numerous business, civic, community and charitable organizations (e.g. Ambassador, Make a Wish Foundation). He is also active in fund raising for various local, state and national organizations for whom he has raised millions of dollars. He spends significant time doing pro bono work and frequently advises California Senate, Assembly and constitutional offices about legal and political issues.

BOUCHER LLP

SHEHNAZ M. BHUJWALA

Shehnaz M. Bhujwala, a strong advocate of consumer rights in civil courts and the California Legislature, is a partner of Boucher LLP.

Bhujwala helps consumers harmed by defective products or business practices of corporations and insurance companies obtain justice through the courts. She exclusively prosecutes class actions, mass torts, and other complex civil cases on behalf of consumers in federal and California state courts. In recent years, she has developed expertise with class actions involving data breaches and corporate privacy violations.

Bhujwala, who has been recognized for her work as a consumer attorney as a “Southern California Rising Star” by both Los Angeles Magazine and Southern California Rising Stars Magazine (2009-2011), and was bestowed with a Martindale-Hubbell “AV Preeminent” rating for her professionalism and ethics in 2015, has helped bring resolution to numerous cases through settlement and trials over the course of her legal career, including:

- A \$58 million jury verdict for a construction worker who suffered severe burn injuries from a defective O-ring part on his construction vehicle
- A historic settlement on behalf of hundreds of survivors of childhood sexual abuse against the Los Angeles and San Diego Catholic Archdioceses
- A favorable settlement on behalf of a news reporter who suffered severe electrical burns and related injuries when her transmission truck hit overhead power lines
- A class action settlement with the Writers Guild of America on behalf of writers to ensure the Guild’s payment of collected, foreign levy funds to them.

Prior to joining Boucher LLP, Bhujwala worked for top plaintiffs’ firms in the Los Angeles area, including Khorrami Boucher, LLP, Kiesel Boucher & Larson, LLP, and Greene, Broillet, Panish & Wheeler, LLP.

An active author and speaker on consumer law subjects, Bhujwala is a member of, and has held leadership positions in, numerous professional organizations, including:

- Consumer Attorneys of California - (Board of Governors – 2011-2015; Chair-Elect, Women’s Caucus – 2014, Chair, Woman’s Caucus – 2015)
- Consumer Attorneys Association of Los Angeles - (Board of Governors, 2013-2014)
- Los Angeles County Bar Association - (Litigation Section, Legislative Chair – 2014, member of Judicial Appointments Committee)
- American Association for Justice
- Public Justice

Through her work with the Consumer Attorneys of California, Bhujwala also regularly speaks with California legislators regarding the need for sufficient court funding and other issues affecting consumers.

A California native and current resident of Los Angeles, Bhujwala received her undergraduate education at the University of California, Los Angeles where she obtained her Bachelor of Arts degree in Psychology. Thereafter, she attended the University of Southern California's Gould School of Law, where she obtained her Juris Doctor degree. During law school, she externed for the Honorable U.S. District Court Judge Robert Takasugi of the Central District of California and counseled victims of domestic violence through the Los Angeles County Bar Association's Barrister's Project.

BOUCHER LLP

BRIAN BUSH

Brian Bush, a trial lawyer who concentrates his legal practice in the areas of civil rights, personal injury and mass tort litigation, is an Associate of Boucher LLP.

Bush is admitted to the State Bar of California as well as the United States District Courts for the Central, Eastern and Northern Districts of California. Among his professional affiliations, he is a member of the American Association for Justice, Los Angeles County Bar Association and the Consumer Attorneys Association of Los Angeles (CAALA).

Bush received his Juris Doctor degree from Loyola Law School in Los Angeles. Throughout law school, Bush volunteered at the Los Angeles County District Attorney's Office. In his capacity as a certified law student, he presided over numerous felony preliminary hearings, evidence suppression hearings and also served as second chair for the prosecution in a child molestation trial.

While in law school, Bush competed in trial advocacy tournaments in California and New York as a member of Loyola's nationally-ranked Byrne Trial Advocacy Team and served as speaker, co-chair and vice president of Loyola's student chapter of CAALA. Additionally, at Loyola, he earned First Honors awards in White Collar Crimes, Cross Examination and Advanced Trial Advocacy.

A native of Seattle, WA, Bush attended Washington State University where he obtained a Bachelor of Arts degree in Communications with an Advertising Emphasis. At the university, he was on the Dean's Honor Roll (2001-2004), was a graduate of the WSU Honors College, served as President and Vice President of the Ad Club and was a member of the student chapter of the American Advertising Federation.

BOUCHER LLP

MILIN CHUN

Milin Chun, an attorney with experience in both criminal and civil law, is a Senior Associate of Boucher LLP. Throughout her career, Chun has focused her practice on federal white-collar criminal defense and appellate matters. She has represented clients in criminal investigations, including cases arising out of the Hobbs Act, Contraband Cigarette Trafficking Act, False Claims Act, securities fraud, money laundering, wire fraud, and tax evasion. Chun has previously represented a CEO of a major defense firm and executive director of a large non-profit organization in Washington, D.C.

Chun has been named to the Maryland Rising Stars list by Maryland Super Lawyers for three consecutive years (2013-2015), and in 2015 was named “Top 40 Under 40” by the National Trial Lawyers.

Chun currently serves on the Diversity Task Force for the National Association of Criminal Defense Lawyers, the nation’s leading organization devoted to ensuring a just legal process for all criminal cases, and previously served on the Editorial Advisory Board of the Daily Record, a legal and business newspaper in Maryland.

Chun is admitted to practice in California, Maryland, and the District of Columbia. She is also admitted to practice in the United States District Courts for the Central District of California, District of Maryland, and the District of Nebraska, and the United States Court of Appeals for the Fourth Circuit.

Raised in Southern California, Chun attended the University of California, San Diego, where she received a Bachelor of Arts degree in Political Science. She then obtained her Juris Doctor degree from the University of Maryland, Baltimore, where she served as the Managing Editor of the University of Maryland Law Journal of Race, Religion, Gender, and Class. Following law school, Chun clerked for the Honorable Gale E. Rasin in the Circuit Court for Baltimore City.

BOUCHER LLP

CATHY KIM

Cathy Kim is an Associate of Boucher LLP. During her legal career, Cathy has focused her practice on representing individuals in mass tort litigation (e.g. products liability) against major pharmaceutical companies and medical device manufacturers in state and federal proceedings.

Cathy is admitted to the State Bar of California and the United States District Court, Central District of California. Among her professional affiliations, she is a member of Consumer Attorneys of California and the Korean American Bar Association.

Raised in Torrance, CA, Cathy attended the University of California, Los Angeles where she received a Bachelor of Arts degree in Business Economics with a minor in East Asian Languages and Cultures. Cathy graduated magna cum laude, was a member of Phi Beta Kappa Honor Society and the Golden Key International Honour Society, as well as being on the Provost's Honors List for six quarters.

Cathy matriculated to Loyola Law School in Los Angeles where she obtained her Juris Doctor degree while receiving numerous academic honors and recognition, including the First Honors Award in Advanced Legal Research. During law school, she served as a judicial extern to the Honorable Samuel L. Bufford in the United States Bankruptcy Court. Cathy also served as the Internal and External Vice President of the Asian Pacific American Law Students Association.

An accomplished musician (e.g. piano, violin) who has won many awards in competitions and performed in various orchestras, Cathy is active in community and cultural organizations. Among her involvements, she has served as a Korean-English translator for the Asian Pacific American Legal Center's Citizenship Workshops and Volunteer Income Tax Assistance.

BOUCHER LLP

HERMEZ MORENO

Hermez Moreno, a veteran trial lawyer who specializes in complex police misconduct litigation and catastrophic person injury and trial work, serves as Of Counsel to Boucher LLP.

During his professional career, which spans nearly four decades, Moreno has a diverse array of litigation experience and has attained verdicts and settlements for his clients up to eight figures. Some of the legal areas he has litigated include:

- Civil Rights
- Medical/Legal Malpractice
- Mass Torts
- Insurance Bad Faith
- Police Misconduct
- Excessive Use of Force
- False Arrest/Imprisonment
- Asbestos Personal Injury
- Mishandling of Human Remains
- Traumatic Brain Injury
- Asbestos Commercial Property Damage
- Asbestos Personal Injury
- Jail Abuse

Moreno also has extensive experience in transactional work and has been involved in the negotiating and drafting of contracts and other documents for entertainers in the fields of film, music recordings and film and recording financing. He has also negotiated and drafted contracts for the sale and purchase of businesses and landmark real estate in the Los Angeles area.

Moreno, who began his career handling civil rights cases throughout California, served as Special Counsel to Cesar Chavez (1984-1993) and as Trial Counsel for the United Farm Workers Union (1984-1990) in areas involving labor disputes and cases brought by growers' efforts to break the union. He also represented indigent clients in pro bono cases and continues to do so.

In addition to his legal practice, Moreno is actively serving as a professor of trial advocacy. He has served as a Clinical Professor at the UCLA School of Law in its Trial Advocacy Program and has been both a Visiting Associate Professor of Law, Clinical Instructor in the Trial Advocacy Program of Southwestern Law School and currently serves as an Adjunct Professor of Law in the school's Trial Advocacy and Civil Rights Program.

Moreno is admitted to the State Bar of California as well as the United States Supreme Court, United States Court of Appeal Ninth Circuit, United States Court of Appeal, Federal Circuit and the United States District Court for the Central, Northern, and Eastern

Districts of California. Among his professional affiliations, he is or has been a member of:

- Consumer Attorneys of California
- Consumer Attorneys Association of Los Angeles
- Trial Lawyers for Public Justice
- Mexican American Bar Association (Board of Trustees)
- Mexican American Bar Foundation (Board of Directors)
- Santa Monica Third Street Development Corporation (Board of Directors)

A native of Mexico, Moreno attended the University of California, Santa Barbara where he received a Bachelor of Arts degree in Political Science. He obtained his Juris Doctor degree from the UCLA School of Law. While in law school, he co-founded Centro Legal de Santa Monica, Inc., a non-profit legal aid office operated by UCLA Chicano law students. The organization, which subsequently merged with Westside Legal Services, provided legal services to underprivileged residents in Santa Monica and Moreno served as a Board of Trustees member and supervising attorney.

Moreno lives with his wife in Moorpark, CA on a 15-acre horse ranch. Among his personal interests, he is an art collector, an artist, and has written his first novel.

BOUCHER LLP

MARIA L. WEITZ

Maria L. Weitz, an attorney with broad experience in numerous areas of consumer law, is a partner of Boucher LLP.

Throughout her legal career, Weitz has focused her practice on unfair, deceptive, and fraudulent business practices, and seeking legal accountability on behalf of injured plaintiffs. As a result, her diverse range of litigation experience spans a wide array of legal issues, including complex class actions, product liability and other personal injury cases, employment litigation, and appellate practice.

Weitz's interest in civil justice developed while attending the University of California, Davis School of Law, where she earned her Juris Doctor degree. She received a Public Service Law Certificate recognizing her legal work in public interest organizations and government agencies. This work included serving as co-counsel in a federal jury trial on behalf of an inmate alleging civil rights violations, and working within the California Attorney General's Office to prosecute civil cases for violations of California's Air Pollution Control Laws. She also received a Witkin Award for Academic Excellence in Legal Writing and the Sacramento County Bar Association Diversity Fellowship.

Weitz is admitted to the State Bar of California and the United States District Courts in the Northern, Southern, Central, and Eastern Districts of California. Among her professional affiliations, she is a member of the Consumer Attorneys Association of Los Angeles.

In recognition of her career accomplishments, Weitz has twice been selected as a Southern California Rising Star by Super Lawyers Magazine and was listed among Top Women Attorneys by Los Angeles Magazine.

Weitz received her undergraduate education at the University of California, Los Angeles, where she earned a Bachelor of Arts degree in Sociology and Communications.

EXHIBIT 2

CURRICULUM VITAE

RAYMOND PAUL BOUCHER, ESQ.

BOUCHER LLP

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Woodland Hills, California 91367

Tel. (818) 340-5400 | Fax (818) 340-5401

ray@boucher.la | www.boucher.la

EDUCATION

Pepperdine University School of Law, Malibu, California

Distinguished Alumnus Award (2002). Juris Doctorate (1984).

Ranked in top fifteen percent of class. Moot Court (first place petitioner brief).

Phi Delta Phi honor society.

Whittier College School of Law, Costa Mesa, California

Honorary Doctor of Law (2005).

Colorado State University, Fort Collins, Colorado

Master of Science in Management (1981). Graduate assistant.

Sigma Iota Epsilon honor society.

Fort Lewis College, Durango, Colorado

Alumnus of the Year (2007). Bachelor of Arts (1979). Double Major, Business

Administration and Political Science. Student Body President. Dean's List.

ADMISSIONS

State Courts of California; United States District Courts for the Central, Northern, Southern, and Eastern Districts of California

PROFESSIONAL EXPERIENCE

Boucher LLP, Woodland Hills, California

Partner (2014 to Present)

Khorrami Boucher LLP, Los Angeles, California

Member (2013 to 2014)

Kiesel, Boucher & Larson LLP, Beverly Hills, California

Partner (1999 to 2013)

Law Offices of Raymond P. Boucher, Tarzana, California

Partner (1990 to present)

Nordstrom, Steele, Nicolette & Jefferson, Los Angeles, California

Attorney of Counsel (1993 to 1996)

Sayre, Moreno, Purcell & Boucher, Los Angeles, California

Managing Partner (1985 to 1990)

Gould & Sayre, Santa Monica, California

Attorney at Law (1984 to 1985)

AFFILIATIONS AND SELECTED LEGAL INVOLVEMENT

American Association for Justice, Member

American Bar Association, Admitted as a Fellow of the American Bar

Association of Trial Lawyers of America

State of California Delegate

Member

Beverly Hills Bar Association, Member

California Courts, Administrative Office of the Courts (2002 to 2007)

Committees: Court Funding, Complex Courts System, Court Integration

California State Bar Association, Member

Civil Justice Foundation, Member

Consumer Attorneys Association of Los Angeles

Formerly the Los Angeles Trial Lawyers Association

President (2005)

Board of Governors, Emeritus Member (2005 to present)

Board of Governors, Member (1996 to 2006)

Consumer Attorneys of California

Formerly the California Trial Lawyers Association

President (2007)

Board of Governors (1997 to present)

Consumer Attorneys of San Diego (2001 to present)

Consumer Advocate of the Year (2007)

Diversity in Law Foundation, Board of Directors

Los Angeles County Bar Association

Board of Trustees (2000 to 2002)

Los Angeles Superior Court Bench and Bar Committee (2001 to 2008)

Make a Wish Foundation, Ambassador

National College of Advocacy, Fellow

Orange County Bar Association, Member

Orange County Trial Lawyers Association, Member

Pepperdine School of Law

Board of Visitors (1997 to present)

Public Citizen, Member

Public Justice, Board of Directors

Formerly Trial Lawyers for Public Justice

Board of Directors (1996 to present)

Member (1984 to present)

The Roscoe Pound Foundation, Member

SELECTED AWARDS AND HONORS

Trial Lawyer of the Decade (2001-2010)

Los Angeles Daily Journal

American Association for Justice

Steven J. Sharp Public Service Award (2008)

California Lawyer Magazine

California Lawyer Attorney of the Year (CLAY) Award (2008)

Consumer Attorneys of Los Angeles

Trial Lawyer of the Year (2007)

Ted Horn Memorial Award in recognition of service to the
California State Bar (2002)

Finalist, Trial Lawyer of the Year (1996)

Several Presidential Awards for Outstanding Contribution
to the Trial Bar

Consumer Attorneys of California

Consumer Attorney of the Year (2007)

Legislative Champion Award (2002)

Several Presidential Awards of Merit

Consumer Attorneys of San Diego

David S. Casey, Jr. Consumer Advocate Award (2006)

California League of Conservation Voters

Environmental Leadership Award (2005) for dedication to the environment and
for fostering the public health rights of individuals

Fort Lewis College, Durango, Colorado

Alumnus of the Year (2007)

Lawdragon

Named one of 500 Leading Lawyers in America (2009-2011)

Los Angeles Daily Journal Law Business

Named one of the 100 Most Influential Attorneys in California several times

Los Angeles Magazine

Super Lawyer (2001 to present); named one of the Top 100 Super Lawyers in
Southern California (2010 to present)

Loyola Law School

Champion of Justice Award (2008)

Martindale-Hubbell, Peer Reviewed AV (highest rating)

Orange County Trial Lawyers Association

Top Gun Award (2008)

Pepperdine University School of Law

Distinguished Alumnus Award (2002)

Project Sister Family Services

Justice Armand Arabian Award (2006) for outstanding efforts to secure justice for victims of clergy abuse

Trial Lawyers for Public Justice

Finalist, Trial Lawyer of the Year (2000, 2008)
Trial Lawyer of the Year (1994)

Recipient of presidential awards, awards of merit, recognition, and commendations from federal, state, and local governmental entities and a variety of bar organizations.

LITIGATION

Tried more than fifty cases to verdict, recovering in excess of three billion dollars in verdicts and settlements for clients. Briefed and argued more than twenty appeals before the Ninth Circuit Court of Appeals and California Courts of Appeal.

Selected class actions and complex litigation generated:

Adderton v. Nextel Commc'n, Inc., et al. ("Boost Mobile")

Super. Ct. Los Angeles County, 2006, No. BC344300.

Owners of Pipeline asserted Nextel unlawfully used its power as majority interest holder to force Pipeline's owners to sell their shares in Boost Mobile for below market value. Nextel withheld financial and marketing support from Boost Mobile until the Pipeline owners sold their interests, and provided false valuations and withheld financial information so that Pipeline could not know Boost Mobile's true value. Resolved.

In Re Aetna UCR Litigation

Dist. N.J., Pending, MDL No. 2020, No.: 2:07-cv-3541 (FSH)(PS)

Appointed Class Counsel for class of subscribers to Aetna's healthcare insurance plan in class action alleging Aetna knowingly used inherently flawed databases licensed from Ingenix to set usual, customary, and reasonable ("UCR") rates for out-of-network services, resulting in artificially reduced reimbursements to plaintiffs. Plaintiffs allege the existence of a secret and illegal agreement by Aetna, UnitedHealth Group, Ingenix, and most of the country's largest health insurers to systemically under-reimburse consumers for out-of-network services in violation of ERISA, RICO, and the Sherman Act, as well as state law. Pending.

American Medical Association et al. v. Wellpoint, Inc.

C.D. Cal, Pending, MDL No. 09-2074 PSG (FFMx)

Appointed Co-Lead Counsel in action on behalf of physicians and physician groups to recover payment from insurers who violated federal antitrust laws by fixing artificially low reimbursement rates for treatment provided to out-of-network patients. Pending.

Balasubramaniam v. Cty of Los Angeles, et al.

Super. Ct. Los Angeles County, 2004, Case No. BC158506.

Represented plaintiff medical doctor in case of employment discrimination based upon color. Resolved after trial, on appeal.

Bartley v. Camarillo Miramonte Homeowners Ass'n

Super. Ct. Ventura County, 2002, No. SC020953.

Class action against real estate developers on behalf of individual condominium owners for faulty construction and repairs. The units were constructed over a high water table and on poor soils which expanded and contracted, causing the units to sink, and causing floor slabs, foundations, and walls to crack. The defendants knew about the defects but did not disclose them. After receiving complaints, developers failed to repair as promised. Resolved on eve of trial.

Bianchi v. Schneiderman, et al.

Super. Ct. Los Angeles County, 2003, No. EC033688.

Represented plaintiff in suit for breach of an agreement and for fraud after Schneiderman fraudulently obtained control of L.A. Digital Post and then transferred it to his wife in order to hide assets from creditors. Resolved.

Black v. Blue Cross of California

Super. Ct. Los Angeles County, 2007, No. BC250339.

A certified class action against a health insurer for improper mid-year contract modifications. Settled for an eight-figure amount after a liability trial.

Berger v. The Berger Foundation, et al.

Super. Ct. Riverside County, 2011, Case No. INC 10010664.

H. N. and Frances Berger founded a charitable organization to promote and support education and alleviate human suffering. Defendants diverted millions from this foundation to engage in self-dealing transactions and to pay themselves excessive compensation, and to fund ventures to employ their relatives. Represented the Berger Foundation to remedy these wrongs and safeguard a family legacy. Resolved.

Bunker Hill Twrs Condo Ass'n, et al. v. W.R. Grace & Co.

Super. Ct. Los Angeles County, No. B072642.

Represented 250 resident unit owners in a 32-story, luxury downtown high-rise in an action against the nation's leading asbestos products manufacturer. The building's steel girders were coated with asbestos, which contaminated the building with hazardous amounts of emitted asbestos fibers in breathable dust. A jury awarded over \$6 million to compensate for the cost of the abatement.

California Gubernatorial Recall Election Litigation

Represented former Governor Gray Davis in a challenge to the qualification of the 2003 California gubernatorial recall election.

Castaneda, et al. v. State of California et al.

Super. Ct. Los Angeles County, 2004, No. BC299062.

The California Legislature passed a bill to allow victims of wrongful deportation or coerced emigration between 1929 and 1944 to bring civil actions. *Castaneda* was a class action on behalf of approximately 400,000 U.S. citizens and resident aliens who were wrongfully expelled from California because of their Mexican heritage. Complaint withdrawn after governor's veto of the bill.

Catalina Toys v. Forward Winsome

Super. Ct. Orange County, No. 68-59-34.

Defended Forward Winsome, one of the largest toy manufacturers in the world, and represented it on a cross complaint. Plaintiffs alleged that Forward Winsome intentionally delayed shipments of goods and breached an agreement in order to place the plaintiffs in financial duress and to foreclose upon their assets. After a fifteen-day trial, the jury entered a unanimous verdict awarding Forward Winsome more than \$6 million; settled before punitive damages phase.

Centinela Freeman Emergency Medical Associates, et al. v. Maxwell-Jolly et al.

Super. Ct. Los Angeles County, Pending, No. BC406372.

Action on behalf of emergency room doctors who received medical reimbursements in amounts that were significantly below the costs that they incurred to treat their patients. Writ of mandate issued; case pending.

Chavez v. Nestlé USA, Inc.

C.D. Cal., 2013, No. CV09-9192 GW (CWx).

Appointed lead counsel in class action for false advertising in the marketing of a beverage for infants. Resolved following successful appeal to Ninth Circuit.

CIGNA Litigation

Class action against medical insurers who under-reimbursed hundreds of thousands of medical patients for out-of-network care they received. The plaintiffs allege the health insurers manipulated data to artificially depress reimbursements for medical care. Pending.

The Clergy Cases

Super. Ct. California, JCCP Nos. 4286, 4297, 4359

Served as Plaintiffs' Liaison Counsel representing almost 1,000 individuals and their families in significant personal injury claims involving molestation at the hands of Catholic priests. Settlements totaled in excess of \$1.5 billion.

The Clergy Cases I, California JCCP 4286 (Diocese of Orange).

Ninety survivors of Clergy sexual abuse filed lawsuits against the Roman Catholic Diocese of Orange. In December 2004, after nearly two years of intense negotiations, lead negotiations to successfully settle all claims against the Diocese for \$100 million on the condition that the secret files of the Diocese of Orange would be made public.

The Clergy Cases I, California JCCP 4286 (Archdiocese of Los Angeles).

Five-hundred and eight survivors of clergy sexual abuse filed lawsuits against the Roman Catholic Archbishop of Los Angeles. On the eve of the first of more than a dozen scheduled trials, successfully negotiated an agreement with the Archbishop to resolve all cases against it for \$660 million, the largest resolution with any diocese in the United States. The case is still pending as the parties litigate the public release of abusing priest and Church files.

The Clergy Cases II, California JCCP 4297 (Archdiocese of San Diego).

One-hundred and forty-four survivors were sexually abused by Clergy members in the Roman Catholic Diocese of San Diego. In the second-largest settlement by a Roman Catholic diocese nationwide since claims of sexual abuse by clergy members came to light in 2002, the Diocese agreed to pay nearly \$200 million to these 144 survivors. The case is pending as the parties litigate over the public release of the offending priests' files.

In Re Crestor Products Liability Cases

Super. Ct. Los Angeles County, Pending, California JCCP No. 4713.

Appointed Plaintiffs' Co-Liaison Counsel in Judicial Council coordinated proceeding pending before the Los Angeles Superior Court involving personal injury claims arising from use of Crestor pharmaceutical drug. Pending.

DePUY ASR Artificial Hip Implants Litigation

Super. Ct., San Francisco County, Pending, California JCCP No. 4649.

Nationwide personal injury actions on behalf of patients who received the recalled, defective, surgically implanted, metal-on-metal ASR XL Acetabular and ASR Hip Resurfacing systems manufactured by DePuy Orthopedics, a unit of Johnson & Johnson. The complaints allege DePuy Orthopedics was aware its ASR hip implants were failing at a high rate, yet continued to manufacture and sell the product to unsuspecting physicians and patients. Pending.

In Re Diet Drug Litigation

Super. Ct. Los Angeles County, California JCCP 4032.

Appointed Co-Plaintiffs' Liaison Counsel. Claims arose from injuries resulting from the use of the diet drug Phen-Fen. Resolved.

Jane Doe v. Garden Grove Unified School District

Represented a child victim of sexual abuse at school. Resolved.

Elena A. et al. v. Casa de Angeles Cal. Corp., d/b/a Healthy Start, et al.

Super. Ct. Los Angeles County, Pending, No. BC457840.

Case on behalf of developmentally disabled adults who were subjected to serious physical and verbal abuse and neglect while attending an adult day care center. The abuse included sexual molestation which caused rashes, bruises, scratches, abrasions, scarring, and cuts and the contraction of venereal disease. It also included the withholding of medical care, and the failure to provide appropriate meals, leading to dehydration, malnutrition, and anemia. It included rough

handling acts of humiliation, and threats to harm family members after clients witnessed inappropriate behavior. Pending.

In Re: Facebook, Inc. Internet Tracking Litig.,

N.D. Cal., Pending, MDL No. 2314, No. 5:12-md-02314-EJD.

Appointed Interim Liaison Counsel in this class action lawsuit seeking damages and injunctive relief for the knowing interception of users' Internet communications and activity after logging out of their Facebook accounts, in violation of state and federal laws including the Federal Wiretap Act, the Stored Communications Act, and the Computer Fraud and Abuse Act.

In Re Galvanized Steel Pipe Litigation

Super. Ct. Los Angeles County, 2010, No. BC174649

Appointed Lead Counsel (2001). Class action involving construction defects. Settled for an amount in the high eight figures.

Gillis et al. v. Ralph Wyatt Plastering Company, et al.

Super. Ct. Los Angeles County, 1999, No. SC034918.

Case to recover for negligent construction leading to water intrusion and an infestation of highly toxigenic mold, resulting in the total loss of the plaintiff's home and all of its contents. Eight-figure settlement.

Grossman v. Unger Fabrik, LLC

Super. Ct. Los Angeles County, 2013, No. BC480626.

Breach of contract action on behalf of an executive who made \$55 million in sales for a company that then failed to pay her commissions. Resolved.

Hablian et al. v. Zurich U.S. et al.

Cal. Comp. Bd. of Appeals

Class action to recover workers' compensation benefits that were due to injured employees, but that employers and their insurers instead kept for themselves. The California Workers Compensation Appeals Board has ruled that a class action may be brought. Case pending.

Leslie v. Hochman, Salkin & Deroy

Super. Ct. Los Angeles County, 1997, No. BC127454.

In this legal malpractice case, attorneys arranged to provide the plaintiffs with a tax shelter plan under which a commodities broker would reduce their income tax burden through trades in gold futures, and the attorneys would take \$20 for each of the broker's transactions in return for legal representation about the tax consequences of the trades. The Ninth Circuit then ruled that the types of deductions the attorneys advised the plaintiffs to take on their tax returns were not based on genuine losses, such that the plaintiffs were now responsible for unpaid taxes, interest, and penalties. Litigation ensued in which the attorneys represented the plaintiffs before the U.S. Tax Court, promising that they would prevail when all the while they had no reasonable possibility of doing so. Resolved.

Los Angeles Unified School District Sexual Molestation Cases

Represented numerous children who were molested at Miramonte Elementary School in the Los Angeles Unified School District.

Madrid v. Perot Systems Corporation et al.

Super. Ct. Sacramento County, No. 03AS04763.

Antitrust and unfair competition action to recover from Perot Systems Corporation for aiding and abetting the manipulation, distortion, and corruption of California's electricity market, including the design and sale of derivative securities, in the wake of the deregulation of California's energy sector. Resolved.

Martinez et al. v. EMI Music Distribution et al.

("Compact Disc Minimum-Advertised Price Antitrust Litigation")

C.D. Cal, No. CV-00-05730 RAP (RNBx).

Suit to recover from recorded-music distributors and retailers for price fixing. Resolved.

Murray v. Belka ("First Pension")

Super. Ct. Orange County, California JCCP No. 3131.

Suit against a pension plan administrator, one of the nation's largest law firms, and one of the world's largest accounting firms to recover damages and for restitution to hundreds of investors who had lost their life savings to a Ponzi scheme. Co-tried a four month trial with Michael Aguirre, resulting in a liability and punitive damages verdict. The Orange County, California jury in the case found that Pricewaterhouse Coopers helped defraud the investors by creating fraudulent audits and reviews that First Pension Corporation used in its filings with government agencies over nine years. The case resolved on the eve of the punitive damage phase for nearly nine figures.

In re: National Association of Music Merchants, Musical Instruments and Equipment Antitrust Litigation

S.D. Cal. MDL No. 2121.

Class action in antitrust to recover for anticompetitive price fixing.

Northridge Homeowners v. The Newhall Land and Farming Co., et al.

Super. Ct. Los Angeles County, 2010, No. BC174649.

Recovered \$41 million on behalf of 5,000 Santa Clarita Valley residents in a suit against real estate developers for the installation of defective galvanized steel pipes which rusted and leaked inside their new homes.

In Re Northridge Earthquake Litigation

Appointed Plaintiffs' Liaison Counsel (2002). Numerous coverage lawsuits against State Farm Insurance, 21st Century Insurance, Farmers Insurance, and USAA Insurance Company for fraudulent insurance practices arising out of the Northridge Earthquake. Resolved.

In re: Pellicano Cases

Super. Ct. Los Angeles County, 2014, No. BC316318.

Appointed as Co-Lead Counsel in class action against AT&T. Cases involved wiretapping in violation of the California Penal Code. Settled.

Quesada v. Herb Thyme Farms, Inc.

Super. Ct. Los Angeles, County, No. BC436557.

Action against the largest grower and marketer of herbs in California for labeling conventionally grown food as “fresh organic” in order to mislead consumers into paying more. Pending in Supreme Court of California.

Residents of Tucson, Arizona v. Tucson Airport Authority et al.,

AZ Court of Appeals, No. 2 CA-CV 93-0204.

Actions on behalf of over 1,600 residents of the Sunnyside community of Tucson against the Tucson Airport Authority and other defendants for dumping a carcinogen, trichloroethylene (TCE), into disposal pools and allowing it to seep into the city’s ground water. After an EPA-sponsored researcher found high levels of TCE and other carcinogens in drinking water, experts discovered that several unusual forms of cancer, particularly among children in the area, were at almost epidemic levels. The actions settled for \$84.5 million.

Silver et al. v. Aetna Health Inc., PA, et al.

N.D. Cal., No. C10-00143.

Class action against medical insurers who under-reimbursed hundreds of thousands of medical patients for out-of-network care they received. The plaintiffs allege the health insurers manipulated data to artificially depress reimbursements for medical care. Pending.

Silver v. Del Webb

Super. Ct. Nevada. No. A437325.

Appointed Lead Counsel (2001). Certified class construction defect suit involving installation of faulty plumbing systems in new homes. Resolved.

Sinskey, et al. v. Ernst & Young et al.

Super. Ct. Los Angeles County, No. BC247851.

Represented plaintiffs in action for fraud in the sale of securities. Resolved.

Sister Sledge et al. v. Warner Music Group Corp.

N.D. Cal., No. 12-CV-0559-RS.

Appointed Interim Co-Lead Counsel in this suit to recover for the shortchanging of artists in the licensing of their works to third parties for subsequent retail sale as digital downloads and ringtones. Settled for \$11.5 Million.

Skeen, et al. v. BMW of North America LLC, et al.

Dist. N.J., Pending, No. 2:13-cv-1531-WHW-CLW.

Appointed Interim Co-Lead Class Counsel in putative class action on behalf of owners and lessees of MINI Cooper vehicles manufactured with defective “timing chain tensioner” parts that cause premature engine damage and failure. Pending.

The Temptations et al. v. UMG Recordings, Inc.

N.D. Cal., No. 12-CV-1289-JCS.

Suit to recover for shortchanging of artists in the licensing of their works to third parties for subsequent retail sale as digital downloads and ringtones. Pending.

Terry W. et al. v. Kaiser Foundation Health Plan, Inc. et al.

Super. Ct., Los Angeles County, No. BC187451.

Case against Kaiser for failing to take action to protect patients after receiving complaints that one of their doctors was molesting minors. The doctor was later arrested, convicted, and incarcerated for his crimes. Resolved.

In re Transient Occupancy Tax Cases

Super. Ct. Los Angeles County, California JCCP 4472.

Action on behalf of thirty-nine separate California cities to recover unremitted occupancy taxes from online travel companies.

In re Trasylol Drug Cases

Super. Ct. Los Angeles County, California JCCP 4593.

Action on behalf of the people of the State of California against a pharmaceutical company that continued to aggressively market a drug after becoming aware that it significantly increased the risk of renal failure, stroke, and death, and which was ultimately removed from the market. Resolved.

Welch v. Orkin Exterminating Co.

Super. Ct. Los Angeles County, No. 516323.

Orkin's negligent treatment of the plaintiffs' San Diego home for termites caused plaintiffs to develop chemical sensitivities. Orkin argued the plaintiffs were only imagining their injuries, or that the injuries preexisted. Orkin denied that it misapplied the chemicals, and denied that the chemicals could cause any injury. After an eighteen-day trial, a jury awarded plaintiffs approximately \$1 Million.

In re Wright Medical Technology, Inc., Conserve Hip Implant Products Liability Litigation, MDL No. 2329.

Appointed Co-Lead Counsel and state Liaison Counsel in this national MDL involving actions against a manufacturer of defective surgically implanted metal-on-metal hip replacement systems. Pending.

Yaz, Yasmin and Ocella Contraceptive Cases

Super. Ct., Los Angeles County, California JCCP 4608.

Appointed and served as Plaintiffs' Co-Liaison Counsel in cases on behalf of women who were prescribed Yasmin and Yaz oral contraceptives and suffered blood clots, deep vein thrombosis, strokes, or heart attacks. Case involved allegations that Bayer failed to warn.

Young v. Johnny's Hot Dog Stand et al.

Super. Ct. Los Angeles County, 1997, No. BC102837.

Ronald Young, a 57 year-old homeless man who had been a hospital orderly before going on disability, had been frequenting Johnny's Hot Dog Stand for more than twenty years. After Young approached the window of Johnny's with

money in his pocket to purchase a cup of coffee, the waitress shouted insults at him. Minutes later, the waitress walked out of the stand, approached Young, and shot him six times, leaving him permanently disfigured and almost \$70,000 in debt to the hospital. The police never recovered the gun and the district attorney declined to prosecute. At trial, the jury found the restaurant negligent and ordered Johnny's to pay nearly \$1 million in compensatory damages.

Zachary et al. v. ARCO et al.

Super. Ct. Los Angeles County, No. BC209944.

Appointed Lead Counsel. Mass tort toxic refinery fire resulting in injury to plaintiffs and their property. Resolved.

Among cases involving published decisions:

Bains v. Moores (2009) 172 Cal. App. 4th 445.

Action on behalf of investors to recover for fraud in the sale of certain securities.

Callahan v. Gibson, Dunn & Crutcher LLP (2011) 194 Cal. App. 4th 557.

Represented family members in suit against law firm that drafted a partnership agreement which damaged the family business. Resolved.

Harrell v. 20th Century Ins. Co. (9th Cir. 1991) 934 F.2d 203.

Suit to recover for fraud in the sale of a small business. Resolved.

Ileto v. Glock, Inc. (C.D. Cal. 2006) 421 F. Supp. 2d 127.

Action against weapons manufacturers Glock and China North, whose firearms were used by a member of the Aryan Nation to shoot several children and kill a postal worker.

Ramirez v. Fox Television Station (9th Cir. 1993) 998 F.2d 743.

Suit for unconstitutional employment discrimination based on national origin.

Shirk v. Vista Unified School District (2007) 42 Cal. 4th 201.

Case to recover for sexual molestation by a public school teacher.

Regents of University of California v. Superior Court (2010) 183 Cal. App. 4th 755.

Represented relatives of decedents who willed their bodies to a medical school for research and teaching purposes, only to learn the remains had been improperly disposed of in a grotesque and undignified manner after scientific uses were concluded. Donors were told that after use, their remains would be cremated and scattered in a rose garden. Human remains were commingled with other remains and incompletely incinerated, leaving hair and flesh intact. Remains were placed in a mixture of incinerated human bodies, laboratory animal carcasses, and medical waste into garbage dumpsters and then transported to a landfill where they were disposed of with common refuse.

Rippon v. Bowen (2008) 160 Cal. App. 4th 1308.

Case on behalf of California citizens who challenged the constitutionality of Proposition 140, which imposed lifetime term limits upon state legislators and other state officers.

Santillan v. Roman Catholic Bishop of Fresno (2008) 163 Cal. App. 4th 4.

Case on behalf of a victim of childhood sexual abuse.

Wallace v. City of Los Angeles (1993) 12 Cal. App. 4th 1385.

Demetria Wallace, a teenaged honors student, was shot and killed by a shotgun blast as she sat on a bench waiting for a bus five days before she was to testify against a man accused of fatally shooting a taxi driver. Following granting of non-suit at trial, the appeals court held the police had a duty to warn the victim. The case affirmed the government's responsibility to protect citizens who jeopardize their lives by stepping forward as witnesses to crimes, and prompted changes in police procedures that have saved other witnesses' lives since.

Wholesale Electricity Antitrust Cases I & II (2007) 147 Cal. App. 4th 1293.

Co-lead counsel in suit to recover from energy traders for antitrust and unfair business practices in the wake of the deregulation of California's energy sector. Resolved in conjunction with the Attorney General's office for over \$1.1 billion.

PRESENTATIONS

Guest Lecturer

Stanford Law School, Stanford, California

Pepperdine University School of Law, Malibu, California

Loyola Law School, Los Angeles, California

Continuing Legal Education

Delivered hundreds of continuing legal education presentations to organizations including the Los Angeles County Bar Association, the Consumer Attorneys of California, the Consumer Attorneys Association of Los Angeles, the Association of Southern California Defense Counsel, the American Association for Justice, the Orange County Bar Association, the California League of Cities, Pepperdine Law School, Mealey's, the Los Angeles Daily Journal, Glasser Legal Works, and the National College of Advocacy.