

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

RYAN STRASSBURGER, individually, and  
on behalf of all others similarly situated,

Plaintiff,

v.

SIX FLAGS THEME PARKS INC., a Texas  
corporation, SIX FLAGS ENTERTAINMENT  
CORPORATION, a Delaware corporation, and  
GREAT AMERICA LLC, d/b/a SIX FLAGS  
GREAT AMERICA, an Illinois limited  
liability company,

Defendants.

No. 2020CH06208

CLASS ACTION

15561048

**DECLARATION OF DARYOOSH KHASHAYAR IN SUPPORT OF PLAINTIFF'S  
MOTION FOR ATTORNEYS' FEES, COSTS, EXPENSES, AND SERVICE AWARDS**

I, Daryoosh Khashayar, hereby aver, pursuant to 735 ILCS 5/1-109, that I am fully competent to make this Declaration, that I have personal knowledge of all matters set forth herein unless otherwise indicated, and that I would testify to all such matters if called as a witness in this matter.

1. I am the founding Partner at Khashayar Law Group ("KLG"), Class Counsel in this action. I make this declaration in support of Plaintiff's Motion for Attorneys' Fees, Costs, Expenses, and Service Awards, filed herewith.

2. I am a member in good standing of the State Bar of California; the United States District Courts for the Eastern, Southern and Central Districts of California; the United States Court of Appeals.

3. To avoid redundancy, I hereby incorporate the Declaration of Yeremey Krivoshey In Support of Plaintiff's Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Awards as if fully stated herein.

FILED DATE: 11/10/2021 8:31 PM 2020CH06208

4. Attached hereto as **Exhibit A** is a true and correct copy of the firm resume of Daryoosh Khashayar of Khashayar Law Group (“KLG”). KLG is well suited to continue to represent the Plaintiff and the Settlement Class in this matter.

5. I have extensive experience litigating class actions of similar size, scope, and complexity to the instant action. I have been practicing Civil Litigation for over 16 years and I have done over 35 trials as well as a jury verdict of \$61.5M (Asbaghi v. Nydeggar California Superior Court Case No. 37-2013-00066639) I have been lead counsel in numerous consumer class actions in the United States, such as Thomas v. Costco Wholesale Corp. US District Court Southern District of California Case No. 20CV0718 LAB BLM; Safaie v. City of Los Angeles United States District Court Central District Case No. 2:19-cv-03921-FMO-PJW; Verdun et. al. v. City of San Diego, United States District Court Southern District of California Case No. 19-cv-0839-AJB-WVG . These are only a few of my cases, my firm has 2 other lawyers that work with me and we are focused on litigation matters.

6. Since the Court preliminarily approved the Settlement, my firm has worked with the Settlement Administrator, Kroll to carry out the Court-ordered notice plan. Specifically, my firm helped compile and review the contents of the class notices, reviewed the final claim forms, and reviewed and tested the settlement website before it launched live.

7. Since class notice has been disseminated, my firm has continued to work closely with Kroll to monitor settlement claims and any other issues that may arise.

8. My firm undertook this litigation on a contingency basis, despite knowing the litigation risks and the prospect of no recovery. Through November 9, 2021, my firm expended 278.9 hours in this case. My firm’s lodestar in this case, based on current billing rates, is \$695/hour for myself and \$495/hour for my associate Taylor Marks, Attached hereto as **Exhibit**

**B** is a summary of the time my firm spent prosecuting this action to date, as well as my firm's current hourly rates. The total hourly billing is \$180,135.50.

9. As set forth above, my firm has devoted (and continues to devote) a significant amount of attorney time and other resources investigating, prosecuting and resolving this litigation and, as a result, has been forced to forego other new matters that we otherwise would have taken on.

10. Additionally, to date my firm has expended \$2,063.25, in out-of-pocket costs and expenses in connection with the investigation, prosecution, and resolution of this litigation. Attached hereto as **Exhibit C** is an itemized list of those costs and expenses. These costs and expenses are reflected in my firm's records, and were necessary to effectively prosecute this litigation. Cost and expense items are billed separately, and such charges not duplicated in my firm's billing rates. My firm undertook these expenses without any guarantee of reimbursement.

The above statements are of my own personal knowledge, and I make such statements under penalty of perjury under the laws of California and the United States of America.

Executed November 10, 2021

By:           /s/ Daryoosh Khashayar  
Daryoosh Khashayar

**KHASHAYAR LAW GROUP**

Daryoosh Khashayar  
12636 High Bluff Dr., Ste. 400  
San Diego, CA 92130  
Tel: 858-509-1550  
Fax: 858-509-1551  
Email: daryoosh@mysdlawyers.com

**EXHIBIT A**

# DARYOOSH KHASHAYAR

San Diego, CA 92130 • (858) 509-1550 • daryoosh@mysdlawyers.com

---

## ATTORNEY AT LAW

Proven record of litigation on both sides, (Plaintiff and Defense) experience in jury as well as bench trials, experience in appellate work, and reversals of superior court rulings, judgments and settlements worth millions of dollars, successfully defended cases as high as \$20 million, represented multiple corporations as well as prosecuted against large corporations. Consistent record of excellence in legal representation.

### —Key Areas of Expertise—

Legal research and Writing ~ Bench Trials ~ Jury Trials ~ Representing both Plaintiffs and Defendants ~ Appeals on both sides, with multiple reversals of Superior Court rulings~ Defending cases successfully with damages claims of \$20 million ~ Received judgments or Settled cases as Plaintiffs counsel for millions of dollars ~ Complex Legal issues ~ Case evaluation

---

## PROFESSIONAL EXPERIENCE

**KHASHAYAR LAW GROUP**, San Diego, CA • 2008 to present  
*Business and Real Estate Litigation Law Firm*

### **Lead Counsel on 30 trials**

Handled hundreds of Depositions, Deposed Experts witnesses as well as attorneys, CEO's of large Corporations; Experience in Motion preparation as well as arguments. Oral arguments in Superior Court, Federal Court, and Appellate Court.

### **Lead Counsel on 7 Appeals**

Research and drafting of appellate papers as well as oral arguments. Reversals against Los Angeles County as well as private individuals and corporations.

### **Partner and Lead Counsel at KLG (2008–Present)**

Experience in a variety of practice areas, including commercial and residential real estate, breach of contract, Personal Injury, Multiple Party Litigation, Corporations and Partnership issues, as well as multiple Appeal victories. Has successfully trial many jury as well as bench trials, he has successfully argued before the Appellate court and has reversed multiple Superior court rulings.

His unique mastery of legal concepts and ability to analyze complex issues is garnered from his considerable experience. Has effectively handled countless civil & criminal cases, and has argued successfully to benefit his clients, in Superior Courts, Federal Court, as well as Court of Appeals.

**SEMNR & KHASHAYAR LLP** San Diego, CA • 2005 to 2008  
*Partner at firm*

### **Counsel on 7 trials (Lead Counsel on 5)**

Written discovery and defending and taking depositions; oral arguments at Superior Court, Federal Court, and Appellate Court.

### **Partner at Semnar & Khashayar LLP (2005-2008)**

Has represented and successfully litigated breach of contract, as well as tort claims, against big corporations and insurance companies, such as Century 21, KB Homes, Wal-Mart, First American Title Co., Progressive, and Geico Insurance, as well as Costco. Furthermore, he has effectively represented major lenders, brokers, mortgage companies, and local small to median sized businesses/companies in the region.

---

## PROFESSIONAL MEMBERSHIPS

### **Consumer Attorneys of San Diego (Since 2007)**

Consumer Attorneys of San Diego is a professional association that serves and promotes the needs and interests of trial lawyers in pursuit of a fair and effective legal system.

We preserve and raise standards of trial advocacy through innovative continuing legal education, and create opportunities for our members to support and inspire one another through networking, collegiality and community outreach.

### **State of California Bar Association Business Law (Since 2007)**

The Section serves as a forum to educate members on recent developments and current issues in all fields of business law; provides a vehicle for the business bar to communicate with the general public, the California Legislature, regulatory agencies, business trade associations, and other interested groups. Specific substantive areas covered: corporations, partnerships, unincorporated business associations, banking, bankruptcy, securities, commercial code, debtor-creditor relations, agribusiness, consumer financial services, cyberspace law, franchise, insurance, legal opinions, health law and alternative dispute resolution.

### **State of California Bar Association Real Estate Law (Since 2007)**

The real property law section is the third largest of the State Bar sections. Organized in 1979, the section coordinates educational programs and literature for California's diverse real estate attorneys, and serves as a forum for communicating information to its members on current developments and trends in real property law. Membership in the section not only gives members up-to-date access to this information, but also provides them with an opportunity to network and develop relationships with other lawyers and professionals in the real estate industry, and to play a significant role in the development of policies and legislation affecting California real estate. The section is an approved California MCLE provider, and offers educational opportunities for real estate lawyers throughout the year, such as the annual real property retreat and the section's participation in the State Bar's Annual meeting.

### **State of California Bar Association Litigation Section (Since 2007)**

It is the purpose of the Section to promote excellence in all areas affecting dispute resolution, including the protection of the rights of all litigants, pre-trial discovery, the expeditious trial of lawsuits, alternative dispute resolution, effective judicial administration, uniform rules of court, and the protection and preservation of the independence of a judiciary of high quality.

---

## EDUCATION

**Juris Doctorate** —John F. Kennedy School of Law, Walnut Creek, CA (2004)  
*Admitted as Member of the State Bar of San Diego (2005)*

**Bachelor of Science, Psychology**—San Francisco State University, San Francisco, CA (1998)

**EXHIBIT B**

**Khashayar Law Group**  
 12636 High Bluff Dr., Suite 400  
 San Diego, CA 92130  
 United States  
 (760) 806-4388



**Shahriyar Rezai-Hariri**

**Balance** \$180,135.50  
**Invoice #** 00460  
**Invoice Date** November 9, 2021  
**Payment Terms**  
**Due Date**

-----  
**Magic Mountain**

**Time Entries**

Date	EE	Activity	Description	Rate	Hours	Line Total
11/09/2021	DK	Case file work		\$695.00	210.40	\$146,228.00
11/09/2021	TM	Case file work		\$495.00	68.50	\$33,907.50

Totals: **278.90** **\$180,135.50**

Time Entry Sub-Total:	\$180,135.50
<b>Sub-Total:</b>	<b>\$180,135.50</b>
<b>Total:</b>	<b>\$180,135.50</b>
<b>Amount Paid:</b>	<b>\$0.00</b>
<b>Balance Due:</b>	<b>\$180,135.50</b>

FILED DATE: 11/10/2021 8:31 PM 2020CH06208

**EXHIBIT C**

**Khashayar Law Group**  
 12636 High Bluff Dr., Suite 400  
 San Diego, CA 92130  
 United States  
 (760) 806-4388



**Shahriyar Rezai-Hariri**

**Balance** \$2,063.25  
**Invoice #** 00461  
**Invoice Date** November 9, 2021  
**Payment Terms**  
**Due Date**

-----  
**Magic Mountain**

**Expenses**

Date	EE	Activity	Description	Cost	Quantity	Line Total
04/09/2020	JLV	filing fees	filing complaint	\$400.00	2.0	\$800.00
04/29/2020	JLV	precedent invoices	invoices to serve defendants	\$629.85	2.0	\$1,259.70
10/28/2020	JLV	Envelopes	10.28.2020-mailing notice of dismissal to oppo counsel 4 pages * .35 (black and white) + 1.50 (envelope) + .65 (postage)	\$3.55	1.0	\$3.55

Expense Total: **\$2,063.25**

Expense Sub-Total:	\$2,063.25
<b>Sub-Total:</b>	\$2,063.25
<b>Total:</b>	\$2,063.25
<b>Amount Paid:</b>	\$0.00
<b>Balance Due:</b>	<b>\$2,063.25</b>

FILED DATE: 11/10/2021 8:31 PM 2020CH06208