

**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 RONALD A. MARRON IN SUPPORT OF PLAINTIFF’S  
MOTION FOR ATTORNEYS’ FEES, COSTS, EXPENSES, AND SERVICE AWARDS**

I, Ronald A. Marron, 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 the Law Offices of Ronald A. Marron (“LROM”), 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 Southern, Northern, Central, and Eastern Districts of California; the United States Court of Appeals for the Ninth and Fourth Circuits; and the Supreme Court of the United States of America.

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 the Law Offices of Ronald A. Marron. My firm 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 lead counsel in numerous consumer class actions across the United States as detailed in my firm resume. My firm currently employs six fulltime attorneys and support staff. My firm has an in-depth knowledge of litigating consumer protection and false advertising cases. I have practiced civil litigation for over 25 years. My work experience and education began in 1984 when I enlisted in the United States Marine Corps (Active Duty 1984-1988, Reserves 1988-1990) and thereafter received my Bachelor of Science in Finance from the University of Southern California (1991). While attending Southwestern University School of Law (1992-1994), I also studied Biology and Chemistry at the University of Southern California and interned at the California Department of Corporations with emphasis in consumer complaints and fraud investigations. I was admitted to the State Bar of California in January of 1995 and have been a member in good standing since that time. In 1996, I started my own law firm with an emphasis in consumer fraud.

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 150 hours in this case. My firm's lodestar in this case, based on current billing rates, is \$93,313.50. 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.

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 \$670 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.

11. Courts have also recognized that my law firm's attorney's hourly rates are reasonable. For example:

(a) On October 8, 2021, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$255 for paralegals and legal assistants were approved in the matter of *Young v. Neurobrands, LLC*, Case No. 4:18-cv-05907-JSW in the United States District Court for the Northern District of California before the Honorable Jeffrey S. White. See Dkt. No. 91-2 (declaration in support of fee motion) & Dkt. No. 95 (Order Granting Motion for Attorneys' Fees).

(b) On July 4, 2021, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$225 for paralegals and legal assistants were approved in the matter of *Randolph v. Amazon.com LLC*, Case No. 37-2017-00011078-CU-OE-CTL in the California Superior Court for the County of San Diego before the Honorable Keri Katz. See Dkt. No. 200 (declaration in support of fee motion) & Dkt. No. 210 (Order Granting Final Approval).

(c) On March 4, 2021, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$215 for paralegals and legal assistants were approved in the matter of *Fox, et al. v. Iowa Health System dba UnityPoint Health*, Case No. 3:18-cv-00327-jdp in the United States District Court for the Western District of Wisconsin before the Honorable James D. Peterson (Dkt. No. 115 (Order Granting Final Approval) & Dkt. No. 98 (declaration in support of fee motion)).

(d) On November 25, 2020, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$215 for paralegals and legal assistants were approved in the matter of *Daniel McSwain v. Axos Bank*, Case No. 37-2019-00015784-CU-BC-CTL in the California Superior Court for the County of San Diego before the Honorable Judge Joel Wohfiel (Dkt. No. 71 (declaration in support of fee motion) & Dkt. No. 79 (Order Granting Final Approval)).

(e) On November 19, 2020, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$225 for paralegals and legal assistants were approved in the matter of *Romero v. Securus Technologies, Inc.*, Case No. 3:16-cv-01283-JM-MDD in the United States District Court for the Southern District of California before

the Honorable Judge Jeffrey T. Miller (Dkt. No. 181-2 (declaration in support of fee motion) & Dkt. No. 184 (Order Granting Final Approval)).

(f) On February 24, 2020, the Marron Firm's hourly rates of \$785 for Ronald A. Marron, \$495 for Michael Houchin, \$440 for Lilach Halperin, and \$215 for paralegals and legal assistants were approved in the matter of *Graves v. United Industries, Inc.*, Case No. :17-cv-06983-CAS-SK in the United States District Court for the Central District of California before the Honorable Christina A. Snyder (Dkt. No. 78-2 (declaration in support of fee motion) & Dkt. No. 87 (Order Granting Final Approval)).

(g) On January 20, 2020, the Marron Firm's hourly rates of \$785 for Ronald A. Marron and \$215 for paralegals and legal assistants were approved in the matter of *Esparza v. Smartpay Leasing, Inc.*, Case No. 3:12-cv-03421-WHA in the United States District Court for the Northern District of California before the Honorable William H. Alsup (Dkt. No. 110).

(h) On August 3, 2020, the Marron Firm's hourly rates of \$815 for Ronald A. Marron, \$550 for Michael Houchin, \$490 for Lilach Halperin, and \$215 for paralegals and legal assistants were approved in the matter of *Hilsley v. Ocean Spray Cranberries, Inc.*, Case No. 3:17-cv-02335-GPC-MDD in the United States District Court for the Southern District of California before the Honorable Gonzalo P. Curiel (Dkt. No. 245-2 (declaration in support of fee motion) & Dkt. No. 259 (Order Granting Final Approval)).

(i) On October 11, 2019, the Marron Firm's hourly rates of \$785 for Ronald A. Marron and \$215 for paralegals and law clerks were submitted to the Court and approved in *Busch v. Bluestem Brands, Inc.*, No. 16-cv-0644 (WMW/HB), which received final approval, with costs and fees approved in full, on October 11, 2019. *See* Dkt. No. 106.

(j) On October 7, 2019, the Marron Firm's hourly rates of \$785 for Ronald Marron, \$495 for Michael Houchin, \$440 for Lilach Halperin and other associate attorneys, and \$215 for paralegals were approved in the matter of *Woodard v. Labrada*, Case No. 5:16-cv-00189-JGB-SP that is pending in the United States District Court for the Central District of California before the Honorable Jesus G. Bernal. (Dkt. No. 295-2 (declaration in support of fee motion) & Dkt. No. 321 (final approval order)).

(k) On September 12, 2019, the Honorable Jose E. Martinez of the Southern District of Florida approved an hourly rate for Ronald A. Marron of \$785 in *Medina v. Enhanced Recovery Company, LLC*, No. 15-cv-14342 (S.D. Fla.).

(l) On June 17, 2019, the Marron Firm's hourly rates of \$785 for Ronald A. Marron, \$495 for Michael Houchin, \$440 for Lilach Halperin and other associate attorneys, and \$215 for paralegals were approved in the matter of *Littlejohn v. Ferrara Candy Company*, Case No. 3:18-cv-00658-AJB-WVG that was pending in the United States District Court for the Southern District of California. (Dkt. No. 30-2 (declaration in support of fee motion) & Dkt. No. 47 (final approval order)). During the final approval hearing, the Honorable Anthony J. Battaglia stated that the Marron Firm's rates "appear to the Court to be typical for the community and counsel that are handling a class action, consumer-type litigation, in particular, I find them fair, reasonable and will approve those." (Dkt. No. 51 [June 14, 2019 Hr.'g Tr. at 11:3-9]).

(m) On January 15, 2019, the Marron Firm's hourly rates of \$785 for Ronald A. Marron and \$495 for Michael Houchin and other associate attorneys, and \$350 for post-bar law clerks were approved in the matter of *William Jackson, et al. v. Lang Pharma Nutrition, Inc., et al.*, Case No. 37-2017-00028196-CU-BC-CTL that was pending in the California Superior Court for the County of San Diego. (Dkt. No. 86 (declaration in support of fee motion) & Dkt. No. 112 (final approval

order)). In his Final Approval Order, the Honorable Joel R. Wohlfeil stated that my firm had “adequately represented the Class” and that the “value of the settlement is fair, represents a reasonable compromise after five years of litigation, and is adequate for the Class.” (Dkt. No. 112).

(n) On October 19, 2018, the Honorable William T. Lawrence of the Southern District of Indiana approved an hourly rate for Ronald A. Marron of \$745 in the case *Simms v. ExactTarget, LLC*, No. 1-14-cv-737-WTL-DKL (S.D. Ind.).

(o) On June 20, 2018, the Honorable Andrea R. Wood of the Northern District of Illinois approved an hourly rate for Ronald A. Marron of \$745 in the case *Elaine Mason v. M3 Financial Services, Inc.*, No. 15-cv-4194 (N.D. Cal.).

(p) On August 14, 2018, the Marron Firm’s hourly rates of \$785 for Ronald A. Marron, \$495 for Michael Houchin and other associate attorneys, and \$245 for law clerks were approved in *Mollicone v. Universal Handicraft, Inc.*, Case No. 1:17-cv-21468-RNS (S.D. Fla.) (Dkt. No. 122-1 (declaration in support of fee motion) & Dkt. No. 134 (Final Approval Order)). In his Final Approval Order, the Honorable Robert N. Scola, Jr. awarded 31.9% of the total Settlement Fund and stated that “[t]he requested percentage from the Settlement Fund is reasonable, considering the results obtained, the nature of the case, and Class Counsel’s significant work in this case and experience in litigating class actions.” (Dkt. No. 134).

(q) On May 4, 2018, the Marron Firm’s hourly rates of \$745 for Ronald A. Marron, \$440 for Michael Houchin and other associate attorneys, and \$245 for law clerks were approved in *In re Tommie Copper Products Consumer Litigation*, Case No. 7:15-cv-03183-AT (S.D.N.Y.) (Dkt. No. 127 (declaration in support of fee motion) & Dkt. No. 129 (Final Approval Order)). In her Final Approval Order, the Honorable Analisa Torres found that the settlement was “entered

into by experienced counsel and only after extensive, arms-length negotiations conducted in good faith and with the assistance” of a mediator. (Dkt. No. 129).

(r) On March 26, 2018, the Honorable Marilyn Huff of the Southern District of California approved an hourly rate for Ronald A. Marron of \$745 in the case *Gutierrez-Rodriguez v. R.M. Galicia, Inc.*, No 16-CV-0182-H-BLM.

(s) On October 31, 2017, the Honorable Thomas R. Allen of the Circuit Court of Cook County, Illinois, approved an hourly rate for Ronald Marron of \$745 in the case of *Thornton v. NCO Financial Systems, Inc.*, Case No. 16 CH 5780.

(t) On September 5, 2017, the Marron Firm’s hourly rates of \$745 for Ronald A. Marron, \$440 for Michael Houchin and other associate attorneys, and \$245 for law clerks were also approved in a class action captioned *Elkind et al. v. Revlon Consumer Products Corporation*, Case No. 2:14-cv-02484-AKT (E.D. N.Y) (Dkt. No. 125-2 (Declaration in Support of Fee Motion) & Dkt. No. 131 (Final Approval Order)). In her Final Approval Order dated September 5, 2017, the Honorable Judge Tomlinson stated that the settlement was “negotiated by highly capable and experienced counsel with full knowledge of the facts, the law and the risks inherent in litigating the Action and was the product of vigorously fought litigation.” (Dkt. No. 131).

(u) On November 16, 2015, the Honorable Maxine M. Chesney, Senior District Court Judge for the Northern District of California, approved the following hourly rates (Ronald Marron at \$745, associate attorneys at \$475, law clerks at \$245, and legal assistants/paralegals at \$215), in the case of *Johnson v. Triple Leaf, Inc.*, Case No. 3:14-cv-01570-MMC. The Court found that the fee requested was “reasonable when judged by the standards in this circuit,” and also that my firm’s attorney, law clerk and staff rates were “reasonable in light of the complexity of this litigation, the work performed, Class Counsel’s reputation, experience, competence, and the prevailing billing



rates for comparably complex work by comparably-qualified counsel in the relevant market.” Dkt. No. 65.

(v) On August 6, 2015, the Honorable Kenneth R. Freeman of the Superior Court of California, County of Los Angeles, approved the following hourly rates for Class Counsel: Ronald Marron at \$745, associate attorneys at \$475, and law clerks at \$290 in the case of *Perry v. Truong Giang Corp.*, No. BC58568.

(w) On August 7, 2015, the Honorable Brendan Linehan Shannon of the United States Bankruptcy Court for the District of Delaware approved the following hourly rates for Class Counsel: Ronald Marron at \$745, associate attorneys at \$475, and law clerks at \$290 in the case of *In re: LEAF123, INC. (f/k/a NATROL, INC.), et al.*, No. 14-11446 (BLS).

(x) On July 29, 2014, the Honorable Richard Seeborg of the Northern District of California approved the following hourly rates for Class Counsel: Ronald Marron at \$715, associate attorneys at \$440, and law clerks at \$290 in the case of *In re Quaker Oats Litig.*, No. 5:10-cv-00502-RS (N.D. Cal.), Dkt. No. 221.

(y) On March 13, 2014, the Honorable Gonzalo P. Curiel of the Southern District of California approved my hourly rate of \$715 per hour; an associate attorney rate of \$440 per hour and \$215 per hour for legal assistants in *Mason v. Heel, Inc.*, No. 3:12-cv-3056-GPC-KSC, 2014 WL 1664271 (S.D. Cal. Mar. 13, 2014).

(z) On October 31, 2013, the Honorable Michael M. Anello of the Southern District of California awarded me fees of \$680 per hour in a homeopathic drug consumer class action case. *See also Nigh v. Humphreys Pharmacal Incorporated*, 3:12-cv-02714-MMA-DHB, 2013 WL 5995382 (S.D. Cal. Oct. 23, 2013).

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

Executed November 10, 2021

By:           /s/ Ronald A. Marron            
Ronald A. Marron

**LAW OFFICES OF RONALD A.  
MARRON**

Ronald A. Marron  
651 Arroyo Drive  
San Diego, CA 92103  
Tel: 619-696-9006  
Fax: 619-564-6665  
Email: ron@consumersadvocates.com

# **EXHIBIT A**

# LAW OFFICES OF RONALD A. MARRON, APLC

651 Arroyo Drive  
San Diego • CA • 92103  
Tel.: (619) 696-9006  
Fax: (619) 564-6665

## Firm Resume

### FIRM OVERVIEW

The Law Offices of Ronald A. Marron is a recognized class action and complex litigation firm based out of San Diego, California, representing clients across the nation. Founded in 1996 with an emphasis in consumer and securities fraud, the firm has expanded its practice to include complex cases such as electronic privacy, banking regulations, antitrust, automatic renewals, Telephone Consumer Protection Act and Government Environmental Law Litigation. The firm has skillfully litigated hundreds of lawsuits and arbitrations against investment advisors and stockbrokers, such as Morgan Stanley, LPL Financial, Merrill Lynch, Banc of America Securities, and Citigroup, who placed clients into unsuitable investments, failed to diversify, and who violated the Securities Act of 1933 and/or 1934. Aptly and competently prepared to represent its clients, the firm has taken on cases against the likes of Shell Oil, Citigroup, Wells Fargo, Union Bank of California, American Express Advisors, Morgan Stanley and Merrill Lynch. Since 2004, the firm has devoted most of its practice to the area of false and misleading labeling of Consumer Products and food, drug and over-the-counter products, as well as seeking to protect consumers from unauthorized and unsolicited telephone calls, SMS or text messages to cellular phones from corporations under the Telephone Consumer Protection Act. The firm employs six attorneys, whose qualifications are discussed in brief below.

### THE MARRON FIRM'S ATTORNEYS:

#### **Ronald A. Marron, Founder**

As the founder of the Law Offices of Ronald A. Marron, APLC, Mr. Marron has been practicing law for 26 years. He was a member of the United States Marine Corps from 1984 to 1990 (Active Duty 1984-1988, Reserves 1988-1990) and thereafter received a B.S. in Finance from the University of Southern California (USC) in 1991. While attending Southwestern University School of Law (1992-1994), he interned at the California Department of Corporations with emphasis in consumer complaints and fraud investigations; and studied Bio-Chemistry at the University of Southern California and was a member of the Trojan Chemistry Club. Mr. Marron has extensive experience in class actions and other complex litigation and has obtained hundreds of millions of dollars on behalf of consumers as lead counsel. Mr. Marron has represented plaintiffs victimized in TCPA cases, Consumer Fraud, Antitrust, Broker-Dealer Liability, Ponzi schemes, shareholder derivative suits, and securities fraud cases.

Mr. Marron has assisted two United States Senate Subcommittees and their staff in investigations of financial fraud, plus the Senate Subcommittee on Aging relating to annuity sales practices by agents using proceeds from reverse mortgages. Mr. Marron's clients have testified before the United States Senate Subcommittee on Investigations relating to abusive sales practices alleged in a complaint he filed against All-Tech Investment Group. The hearings resulted in federal legislation that: (a) raised

the minimum capital requirements, and (b) required written risk disclosure signed by consumer. The civil action resulted in return of client funds and attorneys' fees pursuant to the private attorney general statute and/or Consumers Legal Remedies Act. Mr. Marron conducted the legal research and co-wrote the brief that resulted in the largest punitive damages award (500%) in NASD history for aggrieved investors against Dean Witter Reynolds in securities arbitration. Mr. Marron's opinion on deferred annuity sales practices targeting the elderly has often been sought by major financial news organizations and publications such as Forbes, the Wall Street Journal, the Kiplinger's Retirement Report, CNN, and FOX News affiliates. In addition, he has devoted significant energy and time educating seniors and senior citizen service providers, legislators, and various non-profits (including Elder Law & Advocacy) about deferred annuity sales practices targeting the elderly. Mr. Marron had numerous speaking engagements at FAST (Fiduciary Abuse Specialist Team), which is an organization devoted to the detection of, prevention, and prosecution of elder financial abuse; Adult Protective Services; and Elder Law & Advocacy, a non-profit dedicated to assisting seniors who have been the victims of financial fraud. He has litigated hundreds of lawsuits and arbitrations against major corporations, such as Shell Oil, Citigroup, Wells Fargo, Morgan Stanley, and Merrill Lynch. In recent years, Mr. Marron has devoted almost all of his practice to the area of TCPA and Privacy Violations, false and misleading labeling of food, dietary supplements, and over-the-counter products. He is a member in good standing of the State Bar of California; the United States District Courts for the Eastern, Southern and Northern Districts of New York; the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California; the United States District Court for the Eastern District of Michigan; the United States District Court for the Eastern and Western Districts of Wisconsin; the United States District Court of Colorado; the United States District Court for the Eastern District of Arkansas; the United States Court of Appeals for the Ninth Circuit; and the Supreme Court of the United States.

#### **Alexis M. Wood, Senior Associate**

Ms. Wood graduated *cum laude* from California Western School of Law in 2009, where she was the recipient of the Dean's Merit Scholarship for Ethnic & Cultural Diversity and also Creative Problem Solving Scholarships. In addition, during law school, Ms. Wood was the President of the Elder, Child, and Family Law Society, and participated in the study abroad program on international and comparative human rights law in Galway, Ireland. Ms. Wood interned for the Alternate Public Defender during law school, and also held a judicial externship with the San Diego Superior Court. Upon graduation, Ms. Wood obtained her Nevada Bar license and worked at the law firm Alverson Taylor Mortensen & Sanders in Las Vegas, Nevada where she specialized in medical malpractice. Ms. Wood then obtained her license to practice law in California in 2010 and worked at the bankruptcy firm Pite Duncan, LLP in San Diego, California, in which she represented financial institutions in bankruptcy proceedings. She additionally worked for the national law firm Gordon & Rees, LLP as an associate attorney in the professional liability defense and tort & product liability practice groups. Ms. Wood was also selected to the 2015 and 2016 California Super Lawyers Rising Star list (general category)—a research-driven, peer influenced rating service of outstanding lawyers who have attained a high degree of peer recognition and professional achievement. No more than 2.5% of the lawyers in the state were selected for the Rising Stars list. Ms. Wood joined the Law Office of Ronald Marron in September of 2012 and has dedicated her practice to consumer advocacy. Ms. Wood is also a foster youth advocate with Voices for Children. She is a member in good standing of the State Bar of California; the State Bar of Nevada; the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California; the United States District Court of Nevada; the United States District Court for the Eastern and Western Districts of Wisconsin; the

United States District Court of Colorado; the United States Court for the Eastern District of Arkansas; and the United States Court of Appeals for the Ninth Circuit.

**Kas L. Gallucci, Senior Associate**

Ms. Gallucci graduated *cum laude* from California Western School of Law in 2012, where she ranked in the top 12% of her graduating class and was listed on the Dean's Honor List for four terms. During law school, Ms. Gallucci received the highest grade in her Legal Skills and Advanced Legal Research classes. She also participated in the Capitals of Europe Summer Study Abroad Program, where the Honorable Samuel A. Alito, Jr. was a Distinguished Guest Jurist. Ms. Gallucci has worked for the firm since 2009 and has a number of years' experience in consumer fraud cases and is currently prosecuting violations of the Telephone Consumer Protection Act. Ms. Gallucci also regularly assists with the firm's food, drug, and cosmetic cases. She is a member in good standing of the State Bar of California; the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California; the United States District Court for the Eastern District of Michigan; the United States District Court for the Eastern and Western Districts of Wisconsin; the United States District Court for New Mexico; the United States District Court of Colorado; the United States Court for the Eastern District of Arkansas; and the United States Court of Appeals for the Ninth Circuit.

**Michael Houchin, Senior Associate**

Mr. Houchin has been with the Law Offices of Ronald A. Marron since 2011. Prior to passing the California bar exam, Mr. Houchin worked as a law clerk for the firm while he attended law school courses in the evenings at the Thomas Jefferson School of Law. During law school, Mr. Houchin received four Witkin Awards for the highest grade achieved in his Legal Writing, Constitutional Law, American Indian Law, and California Civil Procedure courses. He also served as an editor on the *Thomas Jefferson Law Review* and was a member of an editing team that prepared a student Note for compliance with publishable quality standards. See I. Suruelo, *Harmonizing Section 14(B) with The Policy Goals of the NLRA on the Heels of Michigan's Enactment of Right-To-Work Laws*, 36 T. JEFFERSON L. REV. 427 (2014). Mr. Houchin graduated *magna cum laude* in May of 2015 and ranked in the top 5% of his graduating class. Through his work at the Law Offices of Ronald A. Marron, APLC, Mr. Houchin has gained substantial familiarity with multi-district litigation proceedings, solutions for e-discovery management, and false advertising investigations. He is a member in good standing of the State Bar of California; and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California; the Western District of Wisconsin; the United States Court of Appeals for the Ninth Circuit; and the Supreme Court of the United States.

**Lilach Halperin, Associate**

Ms. Halperin graduated *cum laude* from the University of San Diego School of Law in 2018. During law school, Ms. Halperin held a judicial externship with the San Diego Superior Court and volunteered for numerous pro bono clinics, including the USD Entrepreneurship Clinic, the USD State Sales and Use Tax Clinic, and the San Diego Clean Slate Clinic. In addition, Ms. Halperin was the Chair of the USD Pro Bono Legal Advocates Consumer Affairs Clinic, where she worked with the Legal Aid Society of San Diego to assist indigent clients with lawsuits in consumer protection law. In her third year of law school, Ms. Halperin was hired as a law clerk for the Law Offices of Ronald A. Marron and assisted in consumer fraud cases for the firm, including the areas of false and misleading labeling of consumer products. She is a member of good standing of the State Bar of California; the United States District Courts for the Central, Eastern, Northern and Southern Districts of California; and the Western District of Wisconsin.

### **Elisa Pineda, Associate**

Ms. Pineda graduated *magna cum laude* from California Western School of Law in 2019, where she was the recipient of the Dean's Merit Scholarship for Ethnic & Cultural Diversity and ranked in the top 3% of her graduating class. During law school, Ms. Pineda received an award for obtaining the highest grade in the following classes: Property I, Torts I, Trusts & Estates, Professional Ethics, and the Mediation Clinic. Ms. Pineda was listed on the Dean's Honor List for three terms. In addition, during law school, Ms. Pineda received an Outstanding Editor Award for her efforts as Senior Editor for her law school's International Law Journal. Ms. Pineda interned for both the San Diego District Attorney's Office and the San Diego Public Defender's Office. She also held a judicial externship with the Honorable United States Magistrate Judge Jill Burkhardt at the United States District Court for the Southern District of California. Ms. Pineda recently passed the California Bar and is now working as an Associate Attorney at the Law Offices of Ronald A. Marron. She is a member in good standing of the State Bar of California and the United States District Court for the Central, Eastern, Northern and Southern Districts of California.

### **Support Staff**

The Marron Firm also employs a number of knowledgeable and experienced support staff, including paralegals and legal assistants.

### **EXAMPLES OF MARRON FIRM'S SUCCESSES ON BEHALF OF CONSUMERS**

#### ***Randolph v. Amazon.com LLC***, No. 37-2017-00011078-CU-OE-CTL (San Diego Sup. Ct.)

Plaintiffs alleged that Defendants Amazon Logistics, Inc. and Amazon.com failed to comply with wage and hour laws with respect to persons who delivered packages to Amazon customers in California. On October 5, 2020, the Honorable Ronald L. Styn preliminarily approved the settlement to which the Law Offices of Ronald A. Marron served as co-lead class counsel. On July 4, 2021, the Honorable Keri Katz granted final approval of class action and PAGA representative action settlement which settled for \$3,200,000.00 (ROA # 210).

#### ***Fox v. Iowa Health System***, No. 3:18-cv-00327-JDP (W.D. Wiscon.)

On March 4, 2021, the Honorable James D. Pederson granted final approval to a class action settlement regarding two data breaches of a healthcare system's patient and employees personal and private information. The Settlement provided for substantial monetary and injunctive relief. Dkt. No. 115.

#### ***McSwain v. Axos Bank***, No. 37-2019-00015784-CU-BC-CTL (San Diego Sup. Ct.)

Plaintiff alleged that Axos Bank failed to pay a minimum of 2% simple interest on homeowners' impound escrow accounts as required by California law. Axos filed a demurrer arguing that Plaintiff's state law claims are preempted under the federal Homeowners' Loan Act, 12 U.S.C. §§ 1461, *et seq.* and the Law Offices of Ronald A. Marron successfully opposed the demurrer. (ROA # 36). On July 22, 2020, a class action settlement was preliminarily approved by the Court (ROA # 58), and on November 25, 2020 the court granted final approval of the Settlement (ROA # 81).

#### ***Romero v. Securus Technologies, Inc.*** No. 3:16-cv-01283 (JM) (S.D. Cal.)

Plaintiffs allege that Securus Technologies illegally recorded telephone conversations between inmates and their counsel. On November 21, 2018, the Honorable Jeffrey Miller granted class

certification in part, appointing the Law Offices of Ronald A. Marron as co-lead class counsel. On June 16, 2020, the class action settlement was preliminary approved by the Court, and on November 19, 2020, the Court granted final approval of the Settlement. Dkt. No. 184.

***Hilsley v. Ocean Spray Cranberries, Inc.***, No. 3:17-cv-02335(GPC) (S.D. Cal.)

A nationwide class of consumers brought this suit against Ocean Spray Cranberries, Inc. and Arnold Worldwide LLC for violations of California’s Consumer Legal Remedies Act. Plaintiff alleges that certain Ocean Spray products falsely state “no artificial flavors” when they in fact contain the artificial flavoring agent, malic acid. On November 29, 2018, the Honorable Gonzalo P. Curiel granted class certification, appointing Ronald A. Marron, Michael Houchin, and Lilach Halperin of the Marron Firm as class counsel. On July 3, 2019, Judge Curiel denied Defendant’s Motion for Summary Judgment and on July 10, 2019 denied Defendant’s Motion to Decertify the Class. On January 31, 2020, the Honorable Judge Gonzalo P. Curiel granted Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, and on August 3, 2020 the Court granting final approval of the settlement. Dkt. No. 259.

***Graves v. United Industries Corp.***, No. 2:17-cv-06983-CAS-SK (C.D. Cal.)

On February 24, 2020, the Honorable Christiana A. Snyder granted final approval a nation-wide class action settlement concerning United Industries Corporation’s Spectracide® Weed and Grass Killer Concentrate Products. The Plaintiffs alleged that the Spectracide® Concentrate Products were labeled as making more solution than the products were capable of making when mixed for certain weed control purposes. The Law Offices of Ronald A. Marron served as Class Counsel. The settlement created a \$2.5 million dollar common fund in addition to injunctive relief in the form of labeling changes. Judge Snyder noted that the Law Offices of Ronald A. Marron had “vigorously represented the Class” and has “extensive experience in consumer class action litigation.”

***Esparza v. Smartpay Leasing, Inc.***, No. 3:17-cv-03421-WHA (N.D. Cal.)

On January 28, 2020, the Honorable William Alsup granted final approval a nation-wide certified class action settlement. The class included individuals who were texted on behalf of the defendant, using its vendor Twilio, Inc.’s platform after texting the word “STOP”, between September 29, 2015 to June 13, 2017. Ronald A. Marron, Alexis M. Wood and Kas L. Gallucci of the Law Offices of Ronald A. Marron served as class counsel. The settlement created a \$8.67 million dollar common fund. *See Esparza v. Smartpay Leasing, Inc.*, No. 3:17-cv-03421-WHA, 2020 WL 465865, at \*2 (N.D. Cal. Jan. 28, 2020), judgment entered, 2020 WL 465863 (N.D. Cal.).

***Busch v. Bluestem Brands, Inc.***, No. 16-cv-0644(WMW/HB) (D. Minn.)

On October 11, 2019, the Honorable Judge Wilhelmina M. Wright granted final approval of a nationwide TCPA class action settlement where Ronald A. Marron, Alexis M. Wood and Kas L. Gallucci served as co-lead class counsel. The settlement created a \$5.25 million common fund. *See Busch v. Bluestem Brands, Inc.*, No. 0:16-cv-00644-WMW-HB, 2019 WL 5092952, at \*1 (D. Minn. Oct. 11, 2019).

***Woodard, et al. v. Labrada, et al.***, Case No. 5:16-cv-00189-JGB-SP (C.D. Cal.)

On October 7, 2019, the Honorable Jesus G. Bernal granted final approval of a settlement between Plaintiffs and Defendant Naturex, Inc. for monetary and injunctive relief and the Law Offices of Ronald A. Marron served as co-lead class counsel. *See* Dkt. No. 321.



***Medina v. Enhanced Recovery Company, LLC***, No. 15-CV-14342-MARTINEZ-MAYNARD (S.D. Fla.)

On September 12, 2019, the Honorable Judge Jose E. Martinez granted final approval of a nationwide TCPA class action settlement and the Law Offices of Ronald A. Marron served as co-lead class counsel. The settlement created a \$1.45 million common fund.

***Littlejohn v. Ferrara Candy Company***, No. 18-cv-0658-AJB-WVG (S.D. Cal.)

On June 17, 2019, the Honorable Anthony J. Battaglia granted final approval of a nationwide CLRA class action settlement stating “Class Counsel has fully and competently prosecuted all causes of action, claims, theories of liability, and remedies reasonably available to the Class Members.” *Littlejohn v. Ferrara Candy Co.*, No. 318CV00658AJBWVG, 2019 WL 2514720, at \*3 (S.D. Cal. June 17, 2019).

***Rwomwijhu v. SMX, LLC***, No. BC634518 (L.A. Supr. Ct.)

On January 11, 2019, the Honorable Carolyn B. Kuhl granted final approval of case brought pursuant to under California’s Private Attorneys General Act where the Law Offices of Ronald A. Marron served as co-lead class counsel.

***Jackson v. Lang Pharma Nutrition, Inc.***, No. 37-2017-00028196-CU-BC-CTL (S.D. Supr. Ct.)

On December 20, 2018, the Honorable Joel R. Wohlfeil of the California Superior Court granted final approval to a nationwide labeling case settlement involving Co-q10 dietary supplements where the Law Offices of Ronald A. Marron served as class counsel. The settlement created a fund in the amount of \$1,306,000 for which class members could elect to obtain cash or product vouchers.

***Simms v. ExactTarget, LLC***, No. 1-14-cv-00737-WTL-DKL (S.D. Ind.)

On October 19, 2018, the Honorable William T. Lawrence granted final approval of a nationwide TCPA class action settlement where the Law Offices of Ronald A. Marron served as class counsel. The settlement created a \$6.25 million common fund.

***Mancini v. The Western and Southern Life Insurance Company, et al.***, No. 16-cv-2830-LAB (WVG) (S.D. Cal)

On September 18, 2018, the Honorable Larry Alan Burns granted final approval of settlement in the amount of \$477,500 to resolve claims under California’s Private Attorneys General Act.

***Gonzales v. Starside Security & Investigation***, No. 37-2015-00036423-CU-OE-CTL (S.D. Supr. Ct.)

On September 7, 2018, the Honorable Gregory W. Pollack granted final approval of a wage and hour class action settlement and where the Law Offices of Ronald A. Marron served as class counsel.

***Mollicone v. Universal Handicraft***, No. 17-21464-Civ-Scola (S.D. Fla.)

On August 10, 2018, the Honorable Robert N. Scola, Jr. granted final approval of class action settlement regarding false advertising claims of Adore cosmetics products marketed as containing a plant stem cell formula where in which the Law Offices of Ronald A. Marron served as class counsel. In his Preliminary Approval Order, Judge Scola stated that the Marron Firm is “experienced and competent in the prosecution of complex class action litigation.” (Dkt. No. 120).

***Mason v. M3 Financial Services, Inc.***, No. 15-cv-4194 (N.D. Ill.)

On June 29, 2018, the Honorable Andrea R. Wood granted final approval of a nationwide TCPA class action settlement in the amount of \$600,000 in which the Law Offices of Ronald A. Marron served as co-lead class counsel.

***Lucero v. Tommie Copper, Inc.***, No. 15 Civ. 3183 (AT) (S.D. N.Y.)

On May 4, 2018, the Honorable Analisa Torres granted final approval of a false advertising class settlement in the amount \$700,000. This case involves allegations of false and deceptive advertising and endorser liability for copper fabric compression clothing. On January 4, 2016, the Honorable Analisa Torres appointed the Marron firm as Interim Lead Class Counsel over the opposition and challenge of other plaintiffs' counsel, noting that the Marron firm's "detailed" complaint was "more specifically pleaded, . . . assert[ing] a more comprehensive set of theories . . . [and was] more factually developed." *Potzner v. Tommie Copper Inc.*, No. 15 CIV. 3183 (AT), 2016 WL 304746, at \*1 (S.D.N.Y. Jan. 4, 2016). Judge Torres also noted that Mr. Marron and his firm's attorneys had "substantial experience litigating complex consumer class actions, are familiar with the applicable law, and have the resources necessary to represent the class." *Id.*

***Gutierrez-Rodriguez v. R.M. Galicia, Inc.***, No. 16-cv-00182-H-BLM (S.D. Cal.)

On March 26, 2018, the Honorable Marilyn Huff granted final approval of a nationwide TCPA class action settlement which provided monetary relief in the amount of \$1,500,000, in addition to significant injunctive relief. The Law Offices of Ronald A. Marron served as class counsel. *Gutierrez-Rodriguez v. R.M. Galicia, Inc.*, No. 16-CV-00182-H-BLM, 2018 WL 1470198, at \*2 (S.D. Cal. Mar. 26, 2018).

***Thornton v. NCO Financial Systems***, No. 16-CH-5780 (Cook County, Ill)

On October 31, 2017, the Honorable Tomas R. Allen of the Circuit Court of Cook County, Illinois, granted final approval to a nationwide TCPA class which created a common fund in the amount of \$8,000,000 and also provided for injunctive relief. The Law Offices of Ronald A. Marron served as co-lead class counsel.

***Elkind v. Revlon Consumer Products Corporation***, No. 14-cv-2484(JS)(AKT) (E.D.N.Y.)

On September 5, 2017, the Honorable A. Kathleen Tomlinson granted final approval of a nationwide false advertising class action settlement which challenged Revlon's advertising of its "Age Defying with DNA Advantage" line of cosmetics in the amount of \$900,000, and significant injunctive relief. The Law Offices of Ronald A. Marron served as co-lead class counsel.

***Sanders v. R.B.S. Citizen, N.A.***, No. 13-CV-03136-BAS (RBB) (S.D. Cal.)

On January 27, 2017 the Honorable Cynthia A. Bashant granted final approval of a nationwide TCPA class action settlement in the amount of \$4,551,267.50. *Sanders v. R.B.S. Citizen, N.A.*, No. 13-CV-03136-BAS (RBB), 2017 WL 406165 (S.D. Cal. Jan. 25, 2017). On July 1, 2016, the Honorable Cynthia A. Bashant certified a nationwide class, for settlement purposes, of over one million persons receiving cell phone calls from Citizens made with an alleged automatic telephone dialing system. Dkt. 107. The Court appointed the Law Offices of Ronald A. Marron as class counsel, noting they have "significant experience in handling class actions." *Id.*

***In re Leaf123 (Augustine v. Natrol)***, No. 14-114466 (U.S. Bankruptcy Court for the District of Delaware)

This action involved allegations of false and deceptive advertising of Senna Leaf tea products as dietary aids. Plaintiff alleged Senna Leaf is nothing more than a stimulant laxative which does not aid diets but hinders them. After a strong showing in the district court, and pursuant to other actions against the defendant manufacturer, the defendant filed for bankruptcy. The Marron Firm followed defendant to the federal bankruptcy court and retained bankruptcy counsel to assist. After a full day mediation before a retired federal jurist, and months of follow up negotiations, a settlement was reached. On August 7, 2015, in *In re Leaf123* (adversary proceeding of *Augustine v. Natrol*), the Honorable Brendan L. Shannon approved an injunctive relief-only settlement, finding it “fair, reasonable and adequate.”

***Johnson v. Triple Leaf Tea, Inc.***, No. 3:14-cv-01570-MMC (N.D. Cal.)

An injunctive relief class action settlement, requiring manufacturer of senna leaf diet teas to re-label their products and remove ingredients based on alleged consumer confusion and harm, was filed in April 2014. The Marron firm served as class counsel and the Honorable Maxine M. Chesney, Senior U.S. District Court Judge granted final approval to a classwide settlement on November 16, 2015. *Johnson v. Triple Leaf Tea Inc.*, No. 3:14-CV-01570-MMC, 2015 WL 8943150, at \*3, \*5 (N.D. Cal. Nov. 16, 2015) (“Class Counsel has fully and competently prosecuted all causes of action, claims, theories of liability, and remedies reasonably available to the Class Members. The Court hereby affirms its appointment of the Law Offices of Ronald A. Marron, APLC as Class Counsel . . . . Class Counsel and Defendant's counsel are highly experienced civil litigation attorneys with specialized knowledge in food and drug labeling issues, and complex class action litigation generally.”).

***Perry v. Truong Giang Corp.***, Case No. BC58568 (L.A. Supr. Ct.)

Plaintiff alleged defendant’s Senna Leaf teas, advertised as diet aids, were falsely or misleadingly advertised to consumers. After an all-day mediation, a class wide settlement was reached. In granting final approval to the settlement on August 5, 2015, the Honorable Kenneth Freeman noted that class counsel’s hourly rates were “reasonable” and stated the Marron Firm’s lawyers used skill in securing the positive results achieved on behalf of the class. The court also noted “this case involved difficult legal issues because federal and state laws governing dietary supplements are a gray area, . . . the attorneys displayed skill in researching and settling this case, which provides a benefit not only to Class Members but to the public at large . . . .”

***Carr v. Tadin, Inc.***, No. 3:12-cv-03040-JLS-JMA (S.D. Cal.)

An injunctive relief class action settlement, requiring manufacturer of diet teas and other health supplements to re-label their products to avoid alleged consumer confusion, was filed in January 2014 before the Honorable Janis L. Sammartino. The Marron Firm was appointed as class counsel and the classwide settlement was granted final approval on December 5, 2014.

***Gallucci v. Boiron, Inc.***, No. 3:11-cv-2039-JAH (S.D. Cal.)

The firm was class counsel for consumers of homeopathic drug products in an action against Boiron, Inc., the largest foreign manufacturer of homeopathic products in the United States, involving allegations that Boiron’s labeling and advertising were false and misleading. We obtained a nationwide settlement for the class which provided injunctive relief and restitution from a common fund of \$5 million. The settlement was upheld by the Ninth Circuit on February 21, 2015. The case also set an industry standard for homeopathic drug labeling. See [www.homeopathicpharmacy.org/pdf/press/AAHP\\_Advertising\\_Guidelines.pdf](http://www.homeopathicpharmacy.org/pdf/press/AAHP_Advertising_Guidelines.pdf).

***Red v. Kraft Foods Global, Inc.***, No. 2:10-1028-GW (C.D. Cal)

The firm represented consumers in a class action against one of the world's largest food companies and was appointed lead counsel in a consolidated putative class action. The action has resulted in a permanent injunction barring the use of deceptive health claims on Nabisco packaged foods containing artificial trans fat. The Court has also granted an interim award of attorneys' fees.

***Mason v. Heel, Inc.***, No. 3:12-cv-3056-GPC-KSC (S.D. Cal.)

Plaintiff alleged false and deceptive advertising of over-the-counter homeopathic drugs. On October 31, 2013, the Honorable Gonzalo P. Curiel granted preliminary approval to a nationwide class settlement of \$1 million in monetary relief for the class plus four significant forms of injunctive relief. Final approval was granted on March 13, 2014. *See Mason v. Heel, Inc.*, 3:12-CV-03056-GPC, 2014 WL 1664271 (S.D. Cal. Mar. 13, 2014).

***Clark v. National Western Life Insurance Co.***, No. BC321681 (L.A. Co. Super. Ct.)

Class action involving allegations of elder financial abuse and fraud. After litigating the case for well over six years, including Mr. Marron being appointed co-lead class counsel, the case resulted in a settlement of approximately \$25 million for consumers.

***In re Quaker Oats Labeling Litig.***, No. 5:10-cv-00502-RS (N.D. Cal.)

False and deceptive advertising case concerning Instant Oats, Chewy Granola Bars and Oatmeal To Go products, including use of partially hydrogenated vegetable oil while also representing the products as healthy snacks. An injunctive relief class action settlement was granted preliminary approval on February 2, 2014, with my firm being appointed Class Counsel. On July 29, 2014, the court granted the final approval of the settlement.

***Nigh v. Humphreys Pharmacal, Inc.***, No. 3:12-cv-02714-MMA-DHB (S.D. Cal.)

Case involving allegations of false and deceptive advertising of homeopathic over-the-counter drugs as effective when they allegedly were not. On October 23, 2013, a global settlement was granted final approved by the Honorable Michael M. Anello, involving a common fund of \$1.4 million plus five significant forms of injunctive relief for consumers.

***Burton v. Ganeden Biotech, Inc.***, No. 3:11-cv-01471-W-NLS (S.D. Cal.)

Action alleging false and deceptive advertising of a dietary probiotic supplement. On March 13, 2012, the Marron Firm settled the case for \$900,000 in a common fund plus injunctive relief in the form of labeling changes. Final approval was granted on October 5, 2012.

***Hohenberg v. Ferrero U.S.A., Inc.***, No. 3:11-CV-00205-H-CAB (S.D. Cal.)

This case involved false and deceptive advertising of sugary food product as a healthy breakfast food for children. After successfully defeating a motion to dismiss, *Hohenberg*, 2011 U.S. Dist. LEXIS 38471, at \*6 (S.D. Cal. Mar. 22, 2011), the Honorable Marilyn Huff certified a class on November 15, 2011, resulting in a published decision, *In re Ferrero Litig.*, 278 F.R.D. 552 (S.D. Cal. 2011). A final settlement consisting of injunctive relief labeling and marketing changes, plus a \$550,000 common fund for monetary relief to the class was finally approved on July 9, 2012.

***In re Qunol CoQ10 Liquid Labeling Litigation***, No. 8:11-cv-173-DOC (C.D. Cal.)

This case involved false and deceptive consumer advertising of a dietary supplement. The Marron

Firm was appointed class counsel and successfully defeated defendants' motion to decertify the class following the Ninth Circuit's decision in *Mazza v. Am. Honda Motor Co.*, 666 F.3d 581 (9th Cir. 2012). See *Bruno v. Eckhart Corp.*, 280 F.R.D. 540 (C.D. Cal. 2012); see also *Bruno v. Quten Research Inst., LLC*, 280 F.R.D. 524 (C.D. Cal. 2011). The case settled on the eve of trial (originally scheduled for October 2, 2012) for cash payments to the class and injunctive relief.

***Iorio v. Asset Marketing Systems, Inc.***, No. 05cv00633-IEG-CAB (S.D. Cal.)

This action involved allegations of elder financial abuse and fraud. Mr. Marron was appointed class counsel on August 24, 2006 and the Court certified a class on July 25, 2006. After nearly six years of intensive litigation, including "challenges to the pleadings, class certification, class decertification, summary judgment, ... motion to modify the class definition, motion to strike various remedies in the prayer for relief, and motion to decertify the Class' punitive damages claim," plus three petitions to the Ninth Circuit, attempting to challenge the Rule 23(f) class certification, a settlement valued at \$110 million was reached and approved on March 3, 2011. *Iorio*, Dkt. No. 480. In granting final approval to the settlement, the Court noted that class counsel were "highly experienced trial lawyers with specialized knowledge in insurance and annuity litigation, and complex class action litigation generally" and "capable of properly assessing the risks, expenses, and duration of continued litigation, including at trial and on appeal." *Id.* at 7:18-22.

***Martinez v. Toll Brothers***, No. 09-cv-00937-CDJ (E.D. Penn.)

Shareholder derivative case alleging breach of fiduciary duty, corporate waste, unjust enrichment and insider trading, filed derivatively on behalf of Toll Brothers and against individual corporate officers. Under a joint prosecution agreement, this action was litigated along with other consolidated and related actions against Toll Brothers in a case styled *Pfeiffer v. Toll Brothers*, No. 4140-VCL in the Delaware Chancery Court. After extensive litigation, the case settled in September 2012 for \$16.25 million in reimbursement to the corporation.

***Peterman v. North American Co. for Life & Health Insurance***, No. BC357194, (L.A. Co. Super. Ct.), involved allegations of elder financial abuse. This case was litigated for over four years and achieved a settlement of approximately \$60 million for consumers.

***Vaccarino v. Midland Nat'l Life Ins. Co.***, No. 2:11-cv-05858-CAS (MANx) (C.D. Cal.)

This action involved allegations of elder financial abuse and fraud. On June 17, 2013, the Honorable Christina A. Snyder appointed the Marron Firm as Class Counsel, and on February 3, 2014, the Court certified a class of annuities purchasers under various theories of relief, including breach of contract and the UCL. On September 22, 2014, the court granted final approval to a class action settlement that achieved a settlement of approximately \$5.55 million for consumers, including *cy pres* relief to the Congress of California Seniors.

**CURRENT AND NOTABLE APPOINTMENTS AS CLASS COUNSEL**

***O'Shea v. American Solar Solutions, Inc.***, No. 3:14-cv-00894-L-RBB (S.D. Cal.)

On March 3, 2017, the Honorable M. James Lorenz certified a TCPA class of all individuals in the United States who were called on behalf of the defendant, using the ViciDial predictive dialers, on a cellular telephone number, between November 22, 2012 and August 22, 2015, and appointed Ronald A. Marron, Alexis Wood and Kas Gallucci as class counsel.

***Robbins v. Gencor Nutrients, Inc.***, No. 16AC-CC00366 (Circuit Court, Cole Cty. Mo.).

On May 14, 2018, the Honorable Jon E. Beetem granted preliminary approval of a nationwide false advertising class action settlement concerning testosterone boosting supplements and appointed the Law Offices of Ronald A. Marron as co-lead class counsel.

***Allen v. Hyland's, Inc.***, No. 12-CV-1150 DMG (MANx) (C.D. Cal.)

Nationwide class of consumers certified for false and deceptive advertising against largest U.S.-based manufacturer of homeopathic drugs, involving ten over-the-counter homeopathic drug products. A nationwide class was certified after two years of vigorous litigation, including Marron firm counsel surviving against two motions to dismiss, a motion for judgment on the pleadings, and a motion to strike punitive damages. *See* 300 F.R.D. 643 (C.D. Cal. 2014). Following a thirteen-day jury trial before the Honorable Judge Dolly M. Gee, a verdict was returned in favor of Hyland's. The Marron Firm timely appealed. On May 15, 2019, the Ninth Circuit reversed the judgment in part holding that "the jury's narrow findings as to deceptive advertising do not resolve [Plaintiffs'] broader unfair practices theory" and that "the district court must engage in fact-finding to resolve [the UCL claim], and erred in granting judgment to Hyland's without doing so." *Allen v. Hylands, Inc.*, 773 F. App'x 870, 874 (9th Cir. 2019).

***Allen v. Similasan Corp.***, No. 12-cv-376 BAS (JLB) (S.D. Cal.)

A California class of consumers alleging false and deceptive advertising of six homeopathic drugs was certified by the Honorable Cynthia A. Bashant on March 30, 2015, with the Court noting that the firm was experienced and competent to prosecute the matter on behalf of the Class. Judge Bashant denied summary judgment on the class' claims that the drug products were not effective, as advertised, and certified claims under California's Consumers Legal Remedies Act, Unfair Competition Law, False Advertising Law, breach of express and implied warranty, and violation of the federal Magnuson-Moss Warranty Act.

### OTHER NOTABLE CASES

***In re Santa Fe Natural Tobacco Company Marketing & Sales Practices Litig.***, No. 1:16-md-02695-JB-LF (D.N.M.)

On May 24, 2016, Ronald A. Marron was appointed to the Executive Committee in a multidistrict litigation labeling case. (Dkt. 24.)

***Henderson v. The J.M. Smucker Company***, No. 2:10-cv-4524-GHK (C.D. Cal.)

This action was the catalyst forcing the defendant to reformulate a children's frozen food production to remove trans-fat. On June 19, 2013, the Honorable George H. King held the firm's client was a prevailing Private Attorney General and entitled to her costs and attorneys' fees.

### APPELLATE CASES

***Littlejohn v. Ferrara Candy Company, Inc.***, Case No. 19-55805 (9th Cir.)

The Marron Firm was appointed by the district court as class counsel for a settlement class involving purchasers of SweeTARTS candy products that are labeling as containing "No Artificial Flavors" The plaintiff alleged that the "No Artificial Flavors" claim is false and misleading because the SweeTARTS products are made with an artificial flavoring ingredient. The district court approved a nationwide class action settlement that provided valuable injunctive relief by requiring the

defendant to remove the “No Artificial Flavors” labeling claim. An objector appealed the district court’s approval of the settlement. On June 30, 2020, the Ninth Circuit fully affirmed the district court’s approval of the settlement holding that the “SweeTARTS purchasers tend to be repeat buyers who would derive value from the Settlement’s injunctive relief upon each future purchase of SweeTARTS.” *Littlejohn v. Ferrara Candy Company, Inc.*, ---Fed. Appx.---, 2020 WL 3536531, at \*2 (9th Cir. June 30, 2020).

***Shyriaa Henderson v. United States Aid Funds, Inc.***, Case No. 17-55373 (9th Cir.)

On March 22, 2019, the Ninth Circuit reversed the District Court’s order granting summary judgment in favor of Defendant, and remanded for further proceedings in a class action where debt collectors acting on behalf of defendant were in violation of the TCPA. The Ninth Circuit found that a reasonable jury could hold Defendant vicariously liable for the alleged TCPA violations by debt collectors. *Henderson v. United Student Aid Funds, Inc.*, 918 F.3d 1068 (9th Cir. 2019).

***John Sandoval v. Pharmicare US, Inc.***, Case No. 16-56301 (9th Cir.)

On April 5, 2016, the Ninth Circuit reversed, in part, the District Court’s order granting summary judgment in a false advertising class action concerning an aphrodisiac dietary supplement called “IntenseX” The Marron Firm successfully argued that statements on the intensex.com website showed that the defendant failed to obtain approval of IntenseX as an OTC aphrodisiac drug, thus creating a basis for liability under California’s Unfair Competition Law. *Sandoval v. PharmaCare US, Inc.*, 730 Fed.Appx. 417 (9th Cir. 2018).

***Reid v. Johnson & Johnson***, Case No. 12-56726 (9th Cir.)

On March 13, 2015, the Ninth Circuit reversed, in part, the District Court’s order granting the defendant’s motion to dismiss in a false advertising class action concerning Benecol spread that was allegedly falsely advertised as containing “No Trans Fat.” The Marron Firm successfully argued that the plaintiff’s claims are not preempted by the Federal Food, Drug, and Cosmetics Act. *Reid v. Johnson & Johnson*, 780 F.3d 952, 964 (9th Cir. 2015).

# **EXHIBIT B**



**Law Offices of Ronald A. Marron, APLC Lodestar**

<b>Timekeeper</b>	<b>Position</b>	<b>Rate</b>	<b>Hours</b>	<b>Total</b>
Ronald A. Marron	Partner	\$815	47.1	\$38,386.50
Michael Houchin	Senior Associate	\$550	75.1	\$41,305.00
Lilach Halperin	Associate	\$490	27.8	\$13,622.00
<b>TOTAL</b>			<b>150</b>	<b>\$93,313.50</b>

# **EXHIBIT C**

## Law Offices of Ronald A. Marron, APLC Costs

Date	Description	Amount
4/21/2020	Filing Fee for Complaint in the <i>McConnell v. Six Flags</i> Action	\$400
5/1/2020	Process server fee for service of summon and complaint in the <i>McConnell v. Six Flags</i> Action	\$270
<b>TOTAL</b>		<b>\$670.00</b>