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David W. Slayton,
Executive Officer/Clerk of Court,
By G. Carini, Deputy Clerk

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Attorneys for Plaintiff,
Jennifer Goodwin

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES – UNLIMITED CIVIL**

Jennifer Goodwin, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

K M P Enterprises d/b/a Powell Electric,

Defendant.

Case No.: 20STCV18428

**DECLARATION OF PAMELA
PRESCOTT IN SUPPORT OF
PLAINTIFF’S MOTION FOR
ATTORNEY’S FEES, COSTS AND
SERVICE AWARD**

Date: January 16, 2024

Time: 10:00 a.m.

Department: 14

Judge: Hon. Kenneth R. Freeman

Complaint Filed: May 14, 2020

DECLARATION OF PAMELA PRESCOTT

I, Pamela Prescott, declare:

1. I am one of the attorneys for the Plaintiff in this action, Jennifer Goodwin (“Plaintiff”) against Defendant K M P Enterprises d/b/a Powell Electric (“Powell Electric” or “Defendant”).
2. I am a member in good standing of the bars in California as of December 2019. I am also a member of the bar of Minnesota, and admitted in every federal district in California, and I have handled litigation in Illinois, Colorado, Florida, Texas, New Jersey, Illinois, Massachusetts, and Rhode Island.
3. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto, except as to those matters which are explicitly set forth as based upon my information and belief, as to such matters, I am informed and believe that they are true and correct.
4. I am an associate at Kazerouni Law Group, APC.

COUNSEL LODESTAR

5. From May of 2020 to the present, I have incurred approximately 66.4 hours in the course of this litigation against Defendant. All hours were logged contemporaneously in the normal course of business. I have been involved in several important aspects of the case, including but not limited to pleadings, conference with the Court (including an informal discovery conference), discovery, and settlement. I have spent approximately 1.7 hours on Pleadings, approximately 8.3 hours on Communications with co-counsel, approximately 3.6 hours on Communications with opposing counsel, approximately 3.8 hours on Communications (other), approximately 6.4 on Communications with Court, approximately 13.3 hours on Motion Practice, approximately 1.4 hours Communications with Client; approximately 6.5 hours on discovery, approximately 2.7 hours on Investigations, approximately 14.7 hours on Mediation/Settlement, approximately 3.3 hours on Administrative tasks, and approximately 0.7 hours on Miscellaneous tasks.

- 1 6. My lodestar in this action is \$26,228 based on 66.4 hours.
- 2 7. Based on my experience litigating consumer class actions as detailed below, I believe my
- 3 proposed hourly rate of \$395 for this complex litigation is fair and reasonable.
- 4 8. I was previously approved for a requested hourly rate of \$400 in *Almada v. Kriger Law*
- 5 *Firm*, No. 19-CV-2109 TWR (MDD), 2023 U.S. Dist. LEXIS 15717, at *11 (S.D. Cal. Jan.
- 6 30, 2023) (class action settlement finally approved concerning violations of the FDCPA and
- 7 RFDCPA). In November of 2022, I was approved at the hourly rate of \$300 in *Lo v.*
- 8 *Nutribullet*, 2022 Cal. Super. LEXIS 84831, *5 (Sup. Ct. Los Angeles, Nov. 3, 2022)
- 9 (finally approved class action settlement in consumer warranty case). Before that, I was
- 10 approved at a rate of \$250.00 for a less complex consumer class action settlement (compared
- 11 to this action) for injunctive relief only involving product mislabeling in the matter
- 12 of *Baumrind v. Brandstorm, Inc.*, 30-202001160083-CU-MC-CXC, 2021 Cal. Super.
- 13 LEXIS 9571 (Sup. Ct. Orange County, Dec. 3, 2021).

14 EXPERIENCE

- 15 9. I have spent a majority of my legal career thus far litigating complex cases such as this one
- 16 and I have assisted in resolving various class actions, resulting in numerous class action
- 17 settlements, benefiting consumers thought out the country.
- 18 10. Since my admission to the State Bar of California in 2019, I have been engaged exclusively
- 19 in the area of consumer rights litigation, primarily in the area of fair debt collection under
- 20 the FDCPA and RFDCPA (both individually and on a class-basis), the defense of debt
- 21 collection lawsuits, class action litigation under the Telephone Consumer Protection Act,
- 22 California's Invasion of Privacy Statute pursuant to Penal Code § 630, *et seq.*, false
- 23 advertising actions concerning consumer products, unfair competition and other consumer
- 24 statutes.
- 25 11. In January of 2023, I was approved as class counsel for settlement purposes in a class action
- 26 involving unfair debt collection practices under the FDCPA and RFDCPA resulting in
- 27 settlement class members each obtaining a \$507.11 settlement payment. *See Almada*, 2023
- 28 U.S. Dist. LEXIS 15717, at *8. In that action, I was extensively involved in the resolution

1 of the case and handled negotiations with opposing counsel, drafted the preliminary and
 2 final approval motions, and participated the mediation session that resulted in the class
 3 wide settlement. I was also involved in overseeing the claims administration process and
 4 attended the final approval hearing.

5 12. I was approved as class counsel for settlement purposes in 2021, in a consumer class action
 6 involving product mislabeling in the matter of *Baumrind*, 2021 Cal. Super. LEXIS 9571
 7 (finally approved class action settlement for false and misleading claims on the packaging
 8 of a consumer product).

9 13. For the past three years, over approximately 60% of my case load is devoted to handling
 10 complex class action matters such as this one.

11 14. Some notable published decisions in which I was personally involved in include:

12 a. *Jackson v. Bacelar*, 2023 Cal. Super. LEXIS 18921, *16 (Sup. Ct. Los Angeles
 13 May 1, 2023) (overruling defendants’ demurrer in its entirety for a class action
 14 for alleged violations of the FAL, UCL, and CLRA (among other causes of
 15 action)).

16 b. *Tate v. United States*, No. CV 15-9323 FMO (JPRx), 2021 U.S. Dist. LEXIS
 17 250473, at *7 (C.D. Cal. Nov. 8, 2021) (granting, in part, plaintiff’s motion to
 18 exclude evidence at trial for a pro bono case under the Federal Tort Claims
 19 Act);

20 c. *Kamrava v. Cenlar Capital Corp.*, No. 2:20-CV-11465-AB (Ex), 2021 U.S.
 21 Dist. LEXIS 209314, at *9 (C.D. Cal. Oct. 7, 2021) (denying defendant’s
 22 motion to bifurcate discovery and permitting plaintiff to proceed with both
 23 class and individual discovery for RFDCPA and TCPA class action case).

24 d. *Phillips v. Royal Appliance Mfg. Co.*, No. 21-cv-987-WQH-KSC, 2021 U.S.
 25 Dist. LEXIS 167976, at *18 (S.D. Cal. Sep. 3, 2021) (granting plaintiffs’
 26 motion to remand to state court in a consumer false advertising case regarding
 27 unlawful warranty practices);

28 e. *Burt v. Bd. of Trs. of the Univ. of R.I.*, No. 20-465-JJM-LDA, 2021 U.S. Dist.

1 LEXIS 42059 (D.R.I. Mar. 4, 2021) (denying in part and granting in part
2 motion to dismiss breach of contract claims involving putative class action for
3 refund as a result of campus closure due to COVID-19); and,

- 4 f. *Hill v. Quicken Loans, Inc.*, No. ED CV 19-0163 FMO (SPx), 2020 U.S. Dist.
5 LEXIS 140980 (C.D. Cal. Aug. 5, 2020) (denying defendant’s motion to
6 dismiss and motion to compel arbitration of TCPA case).

7 **ADDITIONAL RELEVANT TRAINING, ENGAGEMENTS, PUBLICATIONS AND**
8 **ASSOCIATIONS**

9 15. I have written several articles concerning consumer protection law and plaintiff’s litigation,
10 including but not limited to:

- 11 a. “The Fair Access to Credit Act Provides New Protections to California
12 Consumers Against Predatory Lending Practices” published in Volume 39,
13 Number 1, of the Banking & Financial Services Policy Report in January 2020.
14 b. “A first-year associate’s survival guide to mediation: What you need to know
15 to get the most out of your first mediation process” published in Forum
16 Magazine in June 2020.
17 c. “To Confer Or Not To Confer?: An Overview Of A Federal Rule Of Civil
18 Procedure 30(B)(6) Deposition In Light Of The New Meet And Confer
19 Requirement” – *publication forthcoming*.

20 16. Member of Consumer Attorneys of California (CAOC) - 2020.

21 17. Recognized by Super Lawyer as a Rising Star for 2023.

22 18. Active member of the National Trial Lawyers Top 40 under 40 for Civil Plaintiff’s litigation,
23 2023.

24 19. I have assisted with creating PowerPoint presentations on the following topics for MCLE
25 events presented by Abbas Kazerounian (a partner in my firm):

- 26 a. 2023 Fair Debt Collections Practices Act Webinar;
27 b. 2023 presentation on Hot Topics: Sanctions;
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- c. 2022 Mass Torts Made Perfect on Arbitrating Mass Tort Claims;
- d. 2022 CAOC seminar in Sonoma, CA, on the “Use of Technology in Litigation in the Pandemic Age;”
- e. 2021 CAOC San Francisco conference on Using Arbitrations as a Sword;
- f. 2021 CAOC Sonoma Virtual Conference on Nuts & Bolts of Fighting Arbitration.

20. Prior to becoming an attorney, I served as the California Western Law Review, Executive Editor of Notes and Comments, 2018–2019. My article was published in California Western Law Review Journal in 2018. *See* “‘Entitled’: Why Victims of Sex Discrimination Should Be Entitled to Seek Relief Under Title VII and Title IX,” California Western Law Review: Vol. 54: No. 2, Article 3.

21. I have supervised two third-year law student as part of California Western School of Law’s Clinical Externship Program in which law students extern for thirteen weeks with a law firm for school credit. The Clinical Externship Program allows law students to gain experience on actual lawyering responsibilities by shadowing a supervising attorney and assisting with complex assignments.

22. I have also supervised a first-year law student as part of Western State College of Law’s Civil and Judicial Externship Program in which the law student obtained school credit.

23. I am currently supervising a second-year law student for school credit as part of Chapman University Fowler School of Law’s Externship Program.

24. I attended the following relevant MCLE lectures:

- a. Jay Wheeler Civility Lecture: Civility in the Practice of Law - Upholding Professional Standards with Opposing Counsel - Tuesday, July 28, 2020;
- b. Serving Client Needs During the Age of COVID; Speaker(s): John H. Gomez; Manny Valdez, Jr.; Lori Sarracino - Friday, June 12, 2020;
- c. Ethical Duties and Electronically Stored Information - February 11, 2020; and,
- d. PAGA After the Viking River Cruises Decision, July 15, 2002 webinar.

1 I declare under penalty of perjury that the foregoing is true and correct, executed on
2 September 28, 2023, pursuant to the laws of the State of California at Costa Mesa, California.

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4 /s/ Pamela Prescott
5 Pamela Prescott
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