

Exhibit A

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE ONE; JOHN DOE TWO;
JOHN DOE THREE; and JOHN DOE FOUR,
on behalf of themselves and all similarly
situated individuals,

Plaintiffs,

v.

CAREMARK, L.L.C.;
FISERV, INC.,
FISERV SOLUTIONS, LLC; and
DEFENDANTS DOES 1–10,

Defendants.

No. 2:18-cv-00238-EAS-CMV

No. 2:18-cv-00488-EAS-CMV

(Consolidated for all purposes)

CLASS ACTION

**DECLARATION OF MATTHEW R. WILSON IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES AND COSTS AND PLAINTIFFS' SERVICE AWARDS**

I, MATTHEW R. WILSON, declare as follows:

I am a principal attorney with the AV-rated law firm Meyer Wilson Co., LPA (“Meyer Wilson”), one of the counsel of record for Plaintiff. I am a member in good standing of the bars of the States of California and Ohio. I respectfully submit this declaration in support of Plaintiff’s Motion for Attorneys’ Fees and Costs and Service Awards to the Named Plaintiffs, and in support of Final Approval of the Settlement. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could testify competently to them if called upon to do so.

Background and Experience

1. Meyer Wilson is a plaintiffs’ law firm with its primary office in Columbus, Ohio. With co-counsel, Meyer Wilson handles cases across the county. In addition to its practice on behalf of individual and institutional investors in arbitrations before the Financial Industry

Regulatory Authority (“FINRA”), Meyer Wilson has a robust complex litigation and class action practice involving consumer, employment, financial, and securities matters. Attached hereto as **Exhibit A** is a true and correct copy of Meyer Wilson’s current firm resume, showing a substantial portion of the firm’s experience in complex and class action litigation.

2. I graduated from Denison University, *magna cum laude*, in Philosophy in 1997, before graduating from the University of Virginia School of Law in 2000. I came to Meyer Wilson (then called Meyer & Associates Co., LPA) in 2006 as an associate and was promoted to named principal of the firm in 2012. Prior to coming to Meyer Wilson, I worked as an attorney at Jones Day in its Columbus office, where I defended class actions and litigated other complex civil cases. I was the chair of the Class Action Committee of the Central Ohio Association for Justice from 2007 until 2018. I have also been a member of the Class Action Preservation Project with Public Justice. In addition to the California and Ohio state bars, I am also admitted to the Sixth, Seventh, Ninth, and Eleventh Circuit Courts of Appeals; to the Central, Eastern, Northern, and Southern Districts of California; the Northern and Southern Districts of Ohio; the Central and Northern Districts of Illinois; and the Eastern and Western Districts of Wisconsin. As set forth in the attached firm resume, I have significant experience in litigating consumer class actions, including privacy cases such as this one.

3. In many of these matters, including this one, I have been assisted by Michael J. Boyle, Jr., an associate attorney at Meyer Wilson. Mr. Boyle graduated *cum laude* from the University of Pennsylvania School of Law in 2008. Mr. Boyle clerked for the Honorable R. Guy Cole, Jr., of the United States Court of Appeals for the Sixth Circuit and worked at the international law firm Covington & Burling, LLP, prior to coming to work at Meyer Wilson in early 2013. Since coming to the firm, Mr. Boyle has worked primarily with me on our firm’s class action cases. In 2019, Mr. Boyle was recognized as an Ohio “Super Lawyer,” and a Rising Star in 2014, 2016 and 2017. Mr. Boyle is admitted to and in good standing in the bars of California and Ohio, as well as the Sixth, Seventh, Ninth, and Eleventh Circuit Courts of Appeals, the Northern, Eastern, Central, and Southern Districts of California, the Southern

District of Ohio, the Central District of Illinois, and the Eastern and Western Districts of Wisconsin.

4. Meyer Wilson's experience in these cases, and my experience in particular, has provided me with expertise in the legal, factual, management, settlement, notice, and administration issues that characterize these types of class actions.

Pre-Filing Investigation

5. Meyer Wilson, in collaboration with our co-counsel, began actively investigating this matter in 2018. We were alerted to the mailing at issue in this case by our co-counsel Matthew George at Kaplan Fox & Kilsheimer LLP, with whom I had worked on prior privacy-related cases.

6. I subsequently reached out to Marnie Lambert of the Lambert Law Firm, LLC, for further consultation and investigation. Ms. Lambert is a former colleague of mine at Meyer Wilson, and she has extensive contacts with, and a long history of advocacy on behalf of, the Ohio LGBT community, who were disproportionately impacted by the conduct alleged in the Complaint. Bringing Ms. Lambert onto the team was vital in building the necessary credibility with many in the community affected by the mailing, and to assure them that their privacy would be protected and that they would be in good hands.

7. Meyer Wilson and our co-counsel spent significant time gathering facts and evidence regarding the mailing and its impact on the affected community, conducting legal research into potential claims implicated by Defendants' conduct, and preparing the case for filing. This work led to the filing of *Doe v. Caremark, LLC et al.*, Case No. 2:18-cv-00488, on May 16, 2018.

The Litigation of the Case

8. Although the Parties were at all times very professional and cooperative, Defendants vigorously defended this case, taking the position that the Mailing did not cause a loss of privacy at all, and to the extent that it did, they contended that it was not in violation of Ohio statutory or common law, and did not cause any damage to Plaintiffs or the class members.

Accordingly, Defendants' litigation position required Meyer Wilson attorneys and our co-counsel to put significant effort into this matter in order to defeat pleading challenges, coordinate with related proceedings, and execute a discovery and class certification plan that would position the case for the settlement that was achieved. Among other things, Defendant Caremark moved to dismiss the entire case on several grounds. *See* Dkt. No. 18. Meyer Wilson attorneys and co-counsel researched and briefed this motion, and the Court upheld the most significant of Plaintiff's claims, many of which were matters of first impression under Ohio privacy law on the fact pattern present here. *See* Dkt. No. 42.

9. In my view, the Plaintiffs' success in this matter is in large measure attributable to the favorable outcome for Plaintiffs on Defendants' Motion to Dismiss. In my judgment and experience, this created conditions that facilitated the settlement of the action on the terms obtained.

10. After the two cases were consolidated, all Plaintiffs' counsel coordinated their efforts and worked together to reduce or eliminate any possible duplicative efforts.

11. Plaintiffs were in a litigation posture throughout the course of this case, and engaged in significant discovery, both first-party and third-party. This discovery was critical to providing a picture of the strengths and weaknesses of the matter, and was a necessary precondition to obtaining a settlement of the case.

12. More specifically, with regard to first-party discovery, after the Rule 26 conference held with the Court on September 12, 2018, *see* Dkt. No. 39, Meyer Wilson attorneys engaged in extensive, and at times contentious, negotiation and practice with opposing counsel regarding the production of electronically stored information ("ESI") maintained by Defendants. This involved multiple rounds of technical discussions regarding custodians, key word search terms, and production protocols. In addition, Meyer Wilson attorneys reviewed the produced documents and analyzed them in preparation for ESI negotiations, litigation and mediation.

13. In addition, Meyer Wilson attorneys and their co-counsel engaged in two different mediations, with two different mediators, one in Philadelphia and one in Chicago. Both

mediations were extensively prepared and briefed, and the parties spent a full day at each. While the parties were disappointed in the outcome of the first mediation, it did provide valuable information, and in my judgment and experience, it too helped to create conditions that facilitated the ultimate class settlement of the action on the terms obtained.

14. Once a settlement was reached, Meyer Wilson attorneys and their co-counsel engaged in extensive discussion with opposing counsel and potential settlement administrators regarding the administration of the settlement, and solicited bids from several such administrators. This settlement has required an extraordinarily high level of attention to detail in comparison even to “normal” class settlements, because Plaintiffs have kept protecting the privacy of class members the overriding goal during the course of the settlement’s execution, and developed a series of special procedures with the notice administrator in order to ensure class members experienced no further loss of privacy in obtaining further information, filing claims, or otherwise exercising their rights under the settlement. We have been singularly focused on ensuring that the events that gave rise to this case were not repeated in the process of resolving it. Crafting the settlement administrator’s structures and policies needed to ensure this goal was met took a significant amount of time, care, and effort.

15. Meyer Wilson attorneys participated in the drafting of most of the briefing in the case, in addition to having a hand in other necessary legal research.

16. Finally, Meyer Wilson served the role of being Plaintiffs’ main point of contact with the Court for purposes of case management issues, as well as with respect to the provision of knowledge regarding local practices, procedures, and preferences to all counsel (including defense counsel, after the Settlement had been reached) throughout the case. We will continue to do so in order to implement the Settlement.

Contingent Nature of the Action

17. Work on this matter required Meyer Wilson to spend time that could have been spent on other matters. Moreover, virtually all of the work that Meyer Wilson undertakes, including this case, is on a contingency fee basis. As such, Meyer Wilson shouldered the risk of

expending costs and time in litigating this action without any monetary gain in the event of an adverse judgment. If not devoted to litigating it, from which any compensation to Meyer Wilson is wholly contingent on a successful outcome, the time that Meyer Wilson's attorneys and staff spent could and would have been spent pursuing other potentially fee-generating matters.

Meyer Wilson's Lodestar and Billing Rates

18. All attorneys and staff at Meyer Wilson are instructed to maintain contemporaneous time records reflecting the time spent on this and other matters. Firm policy requires all staff to enter their time into an electronic timekeeping system on a daily basis.

19. Meyer Wilson sets its rates for attorneys and staff members based on a variety of factors, including, among others: the experience, skill and sophistication required for the types of legal services typically performed; the rates customarily charged in similar matters; and the experience, reputation and ability of the attorneys and staff members. Meyer Wilson's rates have been specifically approved by federal courts throughout the country on multiple occasions. *See, e.g., Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (October 7, 2014, D. Del.) (approving class counsel's rates as a "reasonable reward"); *Steinfeld v. Discover Financial Services, et al.*, 3:12-cv-01118-JSW (N.D. Cal.) (March 31, 2014, N.D. Cal.) (White, J.) (approving 3.5 lodestar multiplier cross-check in common fund settlement and finding that "[c]lass counsel have submitted declarations that show the hourly rates that they have requested are reasonable ...").

20. Although Meyer Wilson's hourly rates are higher than the rates of many lawyers in this region, they are quite modest compared to their peer lawyers' rates in the national class action bar. And even when compared to the rates of other class action lawyers in this region, the rates are relatively comparable. For example, in *Linneman v. Vita-Mix Corp.*, 2019 WL 2603567 (S.D. Ohio, June 25, 2019), in a case in which only the lodestar method was used - and not the percentage method - Judge Dlott used \$550 per hour as the appropriate rate for a Cincinnati class

action attorney with 21 years of experience, which is roughly similar to my rate of \$615/hour.¹

21. Meyer Wilson has maintained contemporaneous time records since the commencement of its initial investigation of this matter. Meyer Wilson worked a total of 881.5 hours in this action, for a total lodestar of \$516,231.50.

22. Although I was the main attorney at Meyer Wilson to work on this case, I assigned certain tasks to Mr. Boyle as were appropriate. The work I delegated was work that required sufficient knowledge of legal concepts that I would have had to perform, absent such assistance. I made every effort to litigate this efficiently, but in a small plaintiffs' firm such as Meyer Wilson, there is no army of relatively low-cost first- or second-year associates who are available to perform necessary legal tasks.

23. The following chart details the time each of these attorneys worked on this case and their contribution to Meyer Wilson's total lodestar:

Attorney	Total Hours	Billing Rate	Lodestar
Matthew Wilson	698.60	\$615.00	\$429,639.00
Michael Boyle	182.90	\$475.00	\$86,592.50
	881.50		\$516,231.50

24. I have personally reviewed the time reported for the attorneys listed in the schedules set forth above. I reduced or eliminated time reported where necessary to ensure that there was no unnecessary duplication of efforts. For example, I deleted time spent on routine, housekeeping matters. I can confidently assert that the lodestar reported in this declaration is reasonable, particularly in light of our efforts and accomplishments in this litigation.

Meyer Wilson's Costs

25. Meyer Wilson maintains books and records regarding costs expended on each

¹ None of this detail is offered in order to suggest to the Court that it should go over Class Counsel's rates or its time entries with a fine-tooth comb. Indeed, a significant advantage of the percentage method over the lodestar method is that a Court need not engage in such a process. Rather, this lodestar information is presented so that the Court may use Class Counsel's total lodestar as a general cross-check on the percentage method if it wishes to do so.

case in the ordinary course of business, which books and records are prepared from expense vouchers and check and credit card records. I have reviewed the costs expended in this matter.

26. Meyer Wilson incurred \$8,602.13 in expenses in connection with the action, which consists of fees for filing and service (\$1,205.00), postage, mailing, conference calling, copying, and other miscellaneous minor expenses (\$508.97), and travel- and mediation-related expenses for two out-of-town mediations (\$6,888.16).

Plaintiff Does' Request for Service Awards

27. The Plaintiffs in this case were all willing to come forward at the risk of publicizing their HIV status and potentially subjecting them to vigorous scrutiny of their personal health and other private matters, about which Caremark propounded discovery. The Plaintiffs were willing to testify in deposition and at trial, if necessary, and each one strongly supports the Settlement. My view is that the reasonable service awards requested here are easily warranted based on these facts.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct, and that this declaration was executed at Columbus, Ohio on December 5, 2019.

/s/ Matthew R. Wilson
MEYER WILSON CO., LPA
Matthew R. Wilson (0072925)

Exhibit A

MeyerWilson

The law firm of Meyer Wilson Co., LPA is Martindale-Hubbell AV-rated, and is devoted to the prosecution of consumer and securities class actions and the representation of investors with claims against the securities industry. The firm prosecutes individual cases and class actions nationwide on behalf of individuals in arbitration and litigation in court. Since its inception, Meyer Wilson has achieved jury awards, arbitration awards, and settlements with combined value of hundreds of millions of dollars on behalf of its clients.

Meyer Wilson has prosecuted numerous nationwide class actions as court-appointed Lead and Co-Lead Class Counsel in federal and state courts throughout the country, including one class action that resulted in what is believed to be the largest jury verdict in Ohio's history at that time and was also reported to be the country's largest securities class action jury verdict in history. In that case, the firm's founding principal David Meyer was appointed Co-Lead Class Counsel action against Prudential Securities. The firm represented more than 250 investors from Marion, Ohio. The jury trial lasted several weeks and the jury returned a Plaintiffs' verdict in excess of \$261 million. The case was *Burns, et al. v. Prudential Securities, Inc.*, Case No. 99CV0438, in the Court of Common Pleas of Marion County, Ohio. The case was pending for more than seven years. Following an appeal of the jury verdict by Prudential Securities, Class Members received in excess of 100% recovery of their actual losses, even after payment of attorneys' fees and expenses.

As part of its service to consumers, Meyer Wilson has been a leader in protecting the privacy interests of consumers and patients by holding corporations accountable for illegal and invasive mass calling campaigns, as well as data breaches and other similar violations.

Each class settlement negotiated by Meyer Wilson involving privacy has resulted in *cash for class members*. Successes in privacy-related matters in which Meyer Wilson served as Lead or Co-Lead counsel include:

- *Smith v. Regents of the University of California*, Case No. RG08-410004 (Alameda County, California, Superior Court) (Co-Lead Counsel in California statewide action alleging breaches of medical data privacy. In what was one of the first successful class action cases under California's Confidentiality of Medical Information statute, the class was certified on July 9, 2009, and the case settled in late 2011).
- *In re: Capital One Telephone Consumer Litigation*, Master Docket 1:12-cv-10064 (N.D. Il) (Class Counsel in MDL proceeding involving privacy violations

from autodialed and prerecorded message calls to cell phone by Capital One and several of its vendors. The case settled on a nationwide basis for over \$75.5 million, the largest TCPA settlement ever. Final approval, which was argued by Meyer Wilson principal Matthew R. Wilson, was granted in February 2015.).

- *Mills v. HSBC Bank Nevada, N.A., et al.*, Case No. 3:12-cv-04010 (N.D. Cal.) (Class Counsel in nationwide class action alleging privacy violations from autodialer calls to cell phones. Final approval, which was argued by Meyer Wilson principal Matthew R. Wilson, of the \$39.975 million cash settlement was approved in February 2015.).
- *Cross v. Wells Fargo Bank, N.A.*, Case No. 1:15-cv-1270 (N.D.Ga.) (Class Counsel in nationwide class settlement of privacy violations from autodialer calls to customers and non-customers in connection with deposit accounts. Final approval of \$30.6 million cash settlement was approved February 2017).
- *Markos v. Wells Fargo Bank, N.A.*, Case No. 1:15-cv-1156 (N.D.Ga.) (Class Counsel in nationwide class settlement of privacy violations from autodialer debt collection calls to customers and non-customers in connection with mortgage accounts. Final approval of \$16.4 million cash settlement was approved January 2017).
- *Prather v. Wells Fargo Bank, N.A.*, Case No. 1:15-cv-4231 (N.D.Ga.) (Class Counsel in case alleging privacy violations from autodialer debt collection calls to customers and non-customers in connection with student loans. Final approval of a \$2 million cash settlement was granted August 2017).
- *Luster v. Wells Fargo Dealer Services*, No. 1:15-cv-1058, (N.D. Ga.) (Class Counsel in case alleging privacy violations from autodialer debt collection calls to customers and non-customers in connection with auto loans. Final approval of a \$14.8 million cash settlement was granted December 2017).
- *Smith v. State Farm, et al.*, Case No. 1:13-cv-02018 (N.D. Il.) (Class Counsel in nationwide class settlement alleging privacy violations from autodialer telemarketing calls by or on behalf of several large insurance companies to millions of cell phones. Final approval of approximately \$7 million cash settlement (with no claims process) was approved December 2016).
- *Ossola, et al. v. American Express Co., et al.*, Case No. 1:13-CV-4836 (N.D. Il.) (Class Counsel in nationwide class settlement alleging privacy violations from autodialer calls to cell phones. Final approval of \$8.7 million cash settlement was approved December 2016).
- *Franklin v. Wells Fargo Bank, N.A.*, Case No. 14-cv-2349-MMA (S.D.Cal.) (Class Counsel in a nationwide class settlement of privacy violations from

autodialer calls to cell phones. Final approval, argued by Meyer Wilson principal Matthew R. Wilson, of the \$13.89 million cash settlement was approved in January 2016).

- *Rose v. Bank of America Corp., et al.*, Case No.5:11-cv-2390 (N.D. Cal.) (Class Counsel in putative nationwide class action alleging privacy violations from autodialer calls to cell phones. The \$32 million cash settlement, the largest TCPA class settlement ever at the time, was approved in 2014.).
- *Bayat v. Bank of the West*, Case 3:13-cv-02376-EMC (N.D. Cal.) (Class Counsel in putative nationwide class alleging privacy violations from autodialer calls to cell phones. Settlement of \$3.35 million cash settlement approved in April 2015).
- *Connor v. JPMorgan Chase Bank*, Case No. 10 CV 1284 DMS BGS (S.D. Cal. Mar. 12, 2012) (Class Counsel in nationwide class alleging privacy violations from autodialer calls to cell phones. Settlement of \$11.67 million was granted final approval granted in early 2015).
- *Wannemacher v. Carrington Mortgage Services, LLC*, Case No. 8:12-cv-2016-FMO-AN (C.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging privacy violations from autodialer calls to cell phones. On December 23, 2014, the Court approved a \$1.03 million class settlement).
- *Steinfeld v. Discover Financial Services*, Case No. 3:12-cv-01118-JSW (N.D. Cal.) (Counsel for the class in action alleging privacy violations from autodialer calls to the cell phones. On March 31, 2014, the court approved an \$8.7 million class settlement.)
- *Arthur v. Sallie Mae, Inc.*, Case No. C10-0198 (W.D. Wash) (Co-Lead Class Counsel in putative nationwide class action alleging privacy violations from autodialer calls to the cell phones of borrowers who took out student loans with the national lender. The \$24.15 million nationwide settlement was granted final approval on September 17, 2012. It was believed to be, at the time, the largest TCPA settlement since that statute was enacted.).

Meyer Wilson currently serves as Class Counsel in numerous pending privacy class actions throughout the country, including the following:

- *John Doe v. CVS Health Corp. et al.*, Case No. 2:18-cv-00488 (S.D. Ohio) (Class counsel in a class action alleging illegal disclosure of HIV status of patients as part of a mass mailing.).

- *Brown v. DirectTV, LLC, et al.*, Case No. 2:12-cv-08382 (C.D. Cal.) (Class Counsel in nationwide class action alleging privacy violations from autodialer calls to cell phones.).
- *Cordoba v. Directv LLC, et al.*, Case No. 1:15-cv-03755-MHC (N.D. Ga.) (Class counsel in a nationwide class action alleging violations of federal Do Not Call List rules regulating illegal telemarketing. The class was certified by the Court in July 2017.).
- *Bishop v. Wells Fargo Bank, N.A.*, Case No. 1:17-cv-01505-TWT (N.D.Ga.) (Class Counsel in nationwide class action alleging privacy violations autodialer calls to cell phones.).
- *Simonich v. OnShift, Inc.*, Case No. 1:17-cv-02394-SO (N.D. Ohio) (Class Counsel in nationwide class action alleging privacy violations text messages to cell phones.).
- *Sokol v. Fortegra Financial Corp.*, Case No. 3:18-cv-00262 (M.D. Fla.) (Class Counsel in nationwide class action alleging privacy violations autodialer calls to cell phones.).
- *Rice-Redding et al. v. Nationwide Mutual Automobile Ins. Co.*, Case No. 1:16-cv-03634-TCB (N.D. Ga.) (Class Counsel in nationwide class action alleging privacy violations from autodialer calls to cell phones.).

Successes in other class action matters in which Meyer Wilson served as Lead or Co-Lead counsel include:

- *Yarger, et al. v. ING Bank FSB*, Case No. 1:11-cv-00154-LPS (D. Del.) (Co-Lead Class Counsel in nationwide class action alleging misrepresentations related to marketing of mortgage note modifications. A 10-state class was certified in 2012. On October 7, 2014, final approval, argued by Meyer Wilson principal Matthew R. Wilson, was granted to the \$20.3 million class settlement.).
- *Lazebnik v. Apple, Inc.*, Case No. 5:13-cv-04145-EJD (N.D. Cal.) (Co-Lead Class Counsel in nationwide class action alleging fraudulent marketing of a “season pass” of the television show *Breaking Bad* on Apple’s iTunes service. In response to the lawsuit, Apple provided a full credit to the entire proposed class. On October 21, 2014, the parties settled all remaining issues.).
- *Mack v. hh gregg, Inc., et al.*, Case No. 1:08-cv-664 (S.D. Indiana) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on March 18, 2011.).

- *Kaiser-Flores v. Lowe's Home Centers, Inc.*, Case No. 5:08-CV-00045 (W.D. North Carolina) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement, including cash relief for class members, was granted final court approval on December 15, 2010.).
- *Frankle v. Best Buy Stores, L.P.*, Case No. 08-5501 (D. Minnesota) (Co-Lead Counsel in putative class action involving alleged incorrect installation of dryers. Nationwide class settlement was granted final court approval on November 9, 2010.).
- *Sanbrook v. Office Depot, Inc.* Case No. 07CV096374 (N.D. Cal.) (Co-Lead Class Counsel in California statewide certified class action involving misleading service plan terms and other related issues. The case settled for cash relief for class members, and was granted final approval by the Court on November 23, 2010.).
- *Stout v. Jeld Wen, Inc.* Case No. 1:08-CV-652 (N.D. Ohio) (Lead Class Counsel in nationwide class action alleging defective windows. Final approval, argued by Meyer Wilson principal Matthew R. Wilson, was granted to the nationwide settlement on August 8, 2010.).
- *Fulford v. Logitech, Inc.*, Case No. 08-cv-02041 (N.D. Cal.) (Co-Lead Class Counsel in class action alleging deceptive advertising of a consumer product. The nationwide class action settlement was granted final court approval on March 5, 2010.).
- *Schweinfurth, et al. v. Motorola, Inc.* Case No. 1:05-CV-0024 (N.D. Ohio) (Co-Lead Class Counsel in nationwide class action alleging defective cellular phones, resulting in nationwide settlement with cash relief for class members, approved by the Court on January 25, 2010.).
- *Steele v. Pergo, Inc.* Case No. CV07-1493 (D. Oregon) (Lead Class Counsel in class action alleging defective laminate flooring. The nationwide settlement was granted final court approval on July 7, 2009.).
- *Jenkins v. Hyundai Motor Finance Co.*, Case No. 2:04-cv-00720 (S.D. Ohio) (Appointed Co-Lead Class Counsel in a certified class action alleging defective notices in connection with the repossession and subsequent disposition of vehicles. The case settled after certification, and was approved by the Court on July 7, 2009.).
- *Guisseppone v. Wendy's International, Inc., et al.*, Case No. 08-CVC-4-6219 (Common Pleas Court, Franklin County, Ohio) (Liaison Counsel in the derivative and class action suit involving the sale of Wendy's to the parent

company of Arby's. The nationwide class action settlement was approved by the Court on July 1, 2009.).

- *In Re Apple iPod Nano Products Liability Litigation*, MDL Docket No. M: 06-cv-01754-RMW (N.D. Cal.) (Co-Lead Counsel in the Multi-District Litigation proceeding in which nationwide class actions allege that screens on Ipod Nanos were susceptible to excessive scratching under normal use and were therefore defective. A nationwide settlement of the related case in state court, including cash relief for consumers, was granted final approval by the Court on April 28, 2009.).
- *Health Science Products LLC. v. Sage Software SB, Inc.*, Case No. 1:05-CV-03329-RWS (N.D. Ga.) (Co-Lead Class Counsel in nationwide class action settlement involving allegedly defective software. Settlement included cash relief for Class Members. It was approved by the Court on April 24, 2008.).
- *Wiatrowski, et al. v. Sears, Roebuck & Co., et al.*, Case No. 1:06-CV-00637 (N.D. Ohio) (Co-Lead Counsel in a nationwide class action settlement that provided cash reimbursement of Class Members for out of pocket losses. The court granted final approval on December 20, 2007.).
- *Bowen, et al. v. Whirlpool Corp., et al.*, Case No. CV05-8067 (C.D. Cal.) (Co-Class Counsel in nationwide class action alleging defective water heaters. Final approval was granted in the nationwide class settlement on October 11, 2007.).
- *Opperman, et al. v. Cellco Partnership, et al.*, Case No. BC326764 (Superior Court of the State of California, Los Angeles County 2006) (Nationwide settlement approved in 2006. Provided, *inter alia*, for the option to return improperly marketed cellular telephone for a full refund of the purchase price and cancellation of a Class Member's contract without early termination penalties.).
- *Heitbrink, et al. v. eMachines*, Case No. G-4801-CI-200501229 (Court of Common Pleas of Lucas County, Ohio 2006) (Nationwide settlement provided cash relief for qualified Class Members for purchasers of defective notebook computers. The Court granted final approval on December 21, 2006.).
- *Martino, et al. v. Motorola, Inc.* Case No. 03-CIV-1562 (Court of Common Pleas, Medina County, Ohio 2004) (Nationwide class action settlement provided relief valued in the millions of dollars and included cash reimbursement of Class Members for out of pocket losses. The Court granted final approval on March 2, 2005.).

DAVID P. MEYER is the founding principal of Meyer Wilson.

Mr. Meyer is recognized as one of the top litigation attorneys in Ohio. Thomson Reuters named him one of the Top 100 lawyers in Ohio and one of the Top 50 in Columbus in 2012. He is also listed in Best Lawyers in America® in multiple categories and the American Trial Lawyers Association selected him as one of the Top 100 Trial Attorneys in Ohio.

Mr. Meyer has the honor of winning the largest jury verdict in Ohio history; a \$261 million class action verdict against Prudential Securities on behalf of 200 individuals.

Mr. Meyer has earned a national reputation for successfully representing investors who are victims of investment fraud. He has represented over eight hundred individual investors from all across the country in FINRA/NASD securities arbitration and litigation cases against all major brokerage firms and won verdicts, judgments and settlements of hundreds of millions of dollars in losses on their behalf.

He has also been appointed lead or co-lead counsel by state and federal courts throughout the country in numerous consumer class actions.

Mr. Meyer is a recognized authority on securities arbitration procedure and often serves as a guest lecturer on securities fraud and stockbroker malpractice. Numerous bar associations have invited him to speak to attorneys at educational seminars. Mr. Meyer also provides education to investor groups, accountants and other financial professionals concerning investor protection.

Mr. Meyer holds a business administration degree from Ohio University and a law degree and master's degree in tax law from Ohio's Capital University Law School. He is licensed to practice in the states of Ohio and Michigan.

MATTHEW R. WILSON is a principal attorney with the firm.

Mr. Wilson prosecutes the firm's class action cases. During the past ten years, Mr. Wilson has served as court-appointed class counsel to more than thirty certified classes, either in settlement or in litigation.

Mr. Wilson has been court-appointed class counsel in numerous privacy cases across the country, including cases in which the defendants were alleged to have made unauthorized calls and sent text messages to cellular telephones through the use of an automated telephone dialing system and/or an artificial or prerecorded voice, in violation of federal law. These class settlements - over the last five years alone - in which Mr. Wilson has been class counsel have provided over \$290 million in cash for consumers.

Several of Mr. Wilson's cases have resulted in nationwide settlements for consumers that are among the largest since the federal statute involving telephone privacy was enacted in 1991, including *In re: Capital One Telephone Consumer Protection Act Litigation*, 1:12-cv-10064 (N.D. Ill.) (\$75.5 million all-cash class settlement); *Wilkins v. HSBC Bank Nevada, N.A. et al.*, 1:14-cv-00190 (N.D. Ill.) (\$39.9 million all-cash class settlement); *Rose v. Bank of America Corp.*, 5:11-cv-02390-EJD (N.D. Cal.) (\$32 million all-cash class settlement); and *Arthur, et al. v. Sallie Mae, Inc.*, No. 10-cv-198-JLR (W.D. Wash.) (\$24.15 million all-cash class settlement).

In another matter, Mr. Wilson was co-lead counsel in *Yarger v. ING Bank, fsb*, 1:11-cv-00154-LPS (D. Del.), representing consumers who alleged that ING breached its promise to allow them to refinance their home mortgages for a fixed flat fee of \$500 or \$750, and instead charged a higher fee. In 2012, the court certified a class of consumers in ten states who purchased or retained an ING adjustable rate mortgage. In October 2014, the court approved a \$20.35 million all-cash class settlement.

In addition to Mr. Wilson's complex civil litigation practice, his pro bono services have included the representation of indigent criminal defendants in Sixth Circuit appeals in Criminal Justice Act cases, including one case in which the Sixth Circuit vacated the criminal sentence of Mr. Wilson's indigent client on appeal. See *United States v. Boards*, 202 Fed. Appx. 869 (6th Cir. 2006). He has been a frequent Interfaith Legal Services volunteer, where he has assisted low-income clients with all manner of legal difficulties, trying one such case to a state court jury. He is also a member of the National Association of Consumer Advocates, and has participated as a mentor for the last four years in the Ohio Supreme Court Lawyer-to-Lawyer Mentoring Program.

Mr. Wilson graduated *magna cum laude*, Phi Beta Kappa, in Philosophy from Denison University in Granville, Ohio. He received his law degree from the University of Virginia Law School in Charlottesville, Virginia. He is admitted to practice in Ohio and California.

CHAD M. KOHLER is an attorney with the firm.

Mr. Kohler devotes his practice to the representation of investors and consumers who have claims against their investment advisors, brokerage firms and insurance companies.

Prior to joining Meyer Wilson, Mr. Kohler was a stockbroker at one of the nation's largest brokerage firms, where he obtained his Series 7, 63 and 65 securities licenses. Mr. Kohler also has experience in managing regulatory compliance matters at two SEC-registered investment adviser firms, including holding the position of Chief Compliance Officer.

He also has significant experience as a practicing attorney. Beginning in 2001, Mr. Kohler's practice focused on business litigation involving contracts, fiduciary relationships and business torts.

Mr. Kohler received his law degree from Case Western Reserve University School of Law in 2001. He is admitted to practice law in the state of Ohio.

Mr. Kohler is a member of the Ohio State Bar Association, the Central Ohio Association for Justice, the Franklin County Democratic Lawyers Club, and the Public Investors' Arbitration Bar Association (PIABA), a national organization of attorneys who represent investors in securities disputes.

MICHAEL J. BOYLE, JR. is an attorney with the firm.

Mike Boyle prosecutes the firm's class action cases on behalf of consumers and patients.

In 2014, 2016 and 2017, Mr. Boyle was named a "Rising Star" by *Ohio Super Lawyers Magazine*.

Prior to joining the firm, Mr. Boyle clerked for the Honorable R. Guy Cole, Jr., a judge on the United States Court of Appeals for the Sixth Circuit during the 2011-2012 term. Mr. Boyle began his career with the international law firm Covington & Burling, LLP, in San Francisco. He also worked for the San Francisco firm Carroll Burdick & McDonough, LLP and the Columbus firm Carpenter Lipps & Leland, LLP. With these firms, Mr. Boyle handled a wide spectrum of legal cases, from nine-figure bankruptcies and insurance coverage actions to individual real estate disputes.

Mr. Boyle has also maintained a significant pro bono practice. In the aftermath of Hurricane Katrina, he volunteered with a free legal clinic run by Loyola University of New Orleans, in which he provided a wide range of services to displaced residents of Louisiana. Mr. Boyle also served with the San Francisco Bar Association's Legal Assistance project, providing free legal assistance to low income residents of the Bay Area.

Mr. Boyle attended the University of Pennsylvania School of Law, where he graduated with honors in 2008. He also served as a Senior Editor of the University of Pennsylvania Law Review, and was a finalist in the Kedy Cup Moot Court competition. Prior to law school, Mr. Boyle graduated with honors from Dominican University in River Forest, Illinois, with a focus on political theory. Mr. Boyle is a member of the California and Ohio bars.

COURTNEY WERNING is an attorney with the firm.

As an associate attorney with Meyer Wilson, Courtney Werning devotes her practice to the representation of investors who have claims against their investment advisors and brokerage firms. She also assists in prosecution of the firm's class action cases.

Ms. Werning joined Meyer Wilson as a law clerk in 2010. She graduated *magna cum laude* from Capital University Law School in 2012. While at Capital Law, she participated in Moot Court and coordinated the law school's pro bono legal volunteering program. She is a member of the Order of the Curia, as well as the Order of the Barristers for excellence in scholastic brief writing and oral advocacy.

Prior to joining Meyer Wilson, Ms. Werning interned at the Franklin County Municipal Court under the Honorable Anne Taylor, the Federal Public Defender's Office for the Southern District of Ohio, the Ohio State University Office of Legal Affairs, and the Parliament of Canada.

Ms. Werning has also regularly volunteered at the Interfaith Legal Clinic, a pro bono clinic that operates through the Legal Aid Society. Interfaith is a monthly clinic where low-income individuals with legal problems can meet with an attorney for free legal advice.

Ms. Werning is admitted to practice law in the state of Ohio. She is currently a member of the Public Investors Arbitration Bar Association (PIABA), the Central Ohio Association for Justice (COAJ), the Ohio Association for Justice (OAJ), and the Ohio State Bar Association (OSBA). Ms. Werning is an active participant in the Ohio Supreme Court Lawyer to Lawyer Mentoring Program.