

1 Payam Shahian (SBN 228406)  
pshahian@slpattorney.com  
2 Karen Nakon (SBN 278423)  
knakon@slpattorney.com  
3 Strategic Legal Practices, APC  
1875 Century Park East, Suite 700  
4 Los Angeles, California 90067  
Telephone: (310) 277-1040  
5 Facsimile: (310) 943-3838

6 Jordan L. Lurie (SBN 130013)  
Jordan.Lurie@capstonelawyers.com  
7 Cody R. Padgett (SBN 275553)  
Cody.Padgett@capstonelawyers.com  
8 Capstone Law APC  
1840 Century Park East, Suite 450  
9 Los Angeles, California 90067  
Telephone: (310) 556-4811  
10 Facsimile: (310) 943-0396

Larry W. Lee (SBN 228175)  
lwlee@diversitylaw.com  
Diversity Law Group, APC  
550 S. Hope Street, Suite 2655  
Los Angeles, California 90071  
Telephone: (213) 488-6555  
Facsimile: (213) 488-6554

Attorneys for Plaintiff Yung Kim

11 Attorneys for Plaintiffs Ali Asghari  
and Daniel Tran

12 *Additional attorneys listed on signature page*

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14  
15 **UNITED STATES DISTRICT COURT**  
16 **CENTRAL DISTRICT OF CALIFORNIA—WESTERN DIVISION**

17  
18 ALI ASGHARI, DANIEL TRAN,  
19 YUNG KIM, ARA DERSARKISSIAN,  
and KATRINA NOBLE, individually,  
20 and on behalf of a class of similarly  
situated individuals,

21 Plaintiffs,

22 vs.

23 VOLKSWAGEN GROUP OF  
24 AMERICA, INC., VOLKSWAGEN AG,  
25 AND AUDI AG,

26 Defendants.  
27  
28

Case No.:CV13-02529-MMM (VBKx)

**DECLARATION OF EDWARD W.  
CHOI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
ATTORNEY'S FEES AND COSTS**

1 I, EDWARD W. CHOI, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all Courts in  
3 the State of California, and am a shareholder in the law firm Choi & Associates,  
4 PC, counsel of record for Plaintiff YUNG KIM (“KIM”). I have personal  
5 knowledge of the facts set forth below and if called to testify I could and would do  
6 so competently.

7 2. Prior to the filing of the lawsuit, co-counsel and I engaged in  
8 investigation including reviewing repair orders for the Plaintiff KIM’s vehicle,  
9 conducting an oil consumption test through an expert witness and conducting  
10 research.

11 3. On or about February 7, 2012, my co-counsel and I filed the initial  
12 Complaint against Defendants in the Northern District of California bearing case  
13 number 2:13-CV-02527-MMM-VBK. Thereafter, subsequent to providing notice  
14 under the Consumer Legal Remedies Act, Plaintiff KIM filed his First Amended  
15 Complaint on or about April 3, 2012. Subsequent to the filing of the foregoing  
16 Complaint, *Asghari v. Volkswagen Group of America, Inc. et al.*, 2:13-cv-02529-  
17 DMG (JEMx), was filed. The *Asghari* action was Ordered by the Northern  
18 District Judge (Wilken, C.J.) to be administratively related to this action (Doc.  
19 25).

20 4. Prior to the consolidation of the various actions that were filed  
21 against Defendants, my co-counsel and I opposed Defendants motion to dismiss  
22 Plaintiff’s First Amended Complaint (“FAC”) pursuant to Fed. R. Civ. P. 12(b)  
23 and 9(b). Further, my co-counsel and I opposed Defendant’s Motion to transfer  
24 venue.

25 5. On or about April 10, 2013, the Hon. Claudia Wilken transferred this  
26 matter to the Central District of California. Thereafter, the KIM matter was  
27 deemed related to the *Asghari* matter, and transferred to this Court on May 8,  
28 2013. It was subsequently agreed that Plaintiff KIM would be added as a plaintiff  
in the *Asghari* matter, and that the separate KIM action would be dismissed.

1           6.       Thereafter, the mediation for the consolidated action took place on  
2 March 27, 2014. As a result of the mediation, a settlement was reached.

3                           **ATTORNEY EXPERIENCE AND FEE REQUEST**

4           7.       I am one of the primary attorneys on this matter. My qualifications are  
5 as follows: I received my *Juris Doctorate* degree from UCLA Law School in  
6 2000. Upon graduation, I joined the law firm of Lee & Associates in Los Angeles,  
7 California as an associate. I started my own practice in October 2004.

8           8.       During the course of my practice, I have primarily represented  
9 consumers and obtained millions of dollars in recovery for my clients. I have  
10 handled numerous class actions, including class actions for breach of warranty. I  
11 have been certified as class counsel and granted final approval in *Choi, et al. v.*  
12 *Midway International Inc., et al.* Los Angeles Superior Court (“LASC”) Case No.  
13 BC394495; *Lee v. The Men’s Wearhouse, Inc., et al.* Alameda Superior Court  
14 Case No. RG09461973; *Garcia, et al. v. RGIS, LLC, et al.* LASC Case No. BC  
15 425624; *Choi v. Mazda, et al.* LASC Case No. BC 391638; *Cabrera v. Frazee, et*  
16 *al.* LASC Case No. BC 440309; *Vo, et al. v. The Party Staff, et al.* OCSC Case  
17 No. 30-2011-00444836-CU-OE-CXC; and *Oh, et al. v. Best Coach Technologies,*  
18 *Inc., et al.* LASC Case No. BC 462848. I have also been certified as class counsel  
19 on currently pending class actions in both the federal and state courts.

20           9.       As class counsel, collectively we are seeking the total combined sum  
21 of Two Million Three Hundred Thousand Dollars (\$2,300,000.00) in fees. My  
22 current billing rate is \$550.00 per hour, which is typical of attorneys in the Los  
23 Angeles community that have been practicing for more than 14 years. In fact, I  
24 have personal knowledge, many of my colleagues from UCLA Law School and  
25 opposing counsel are currently billing at rates much higher than \$550.00 per hour.  
26 I routinely engage in negotiations with attorneys who have practiced many more  
27 years than I have. I have a great deal more responsibility and discretion than  
28 attorneys with the same number of years experience at mid-to-big size firms.

1           10. To date, I have accrued approximately 65 hours of time in litigating  
2 this matter as follows: (1) pre-litigation investigation and pleadings approximately  
3 15 hours; (2) Post filing investigation and discovery of approximately 5 hours; (3)  
4 Opposing Defendant's motions to dismiss, transfer venue and attending hearings  
5 thereon of approximately 10 hours; (4) mediation/settlement negotiations and  
6 settlement agreement of approximately 10 hours; (5) Settlement/Fee Motions of  
7 approximately 5 hours; and (6) class member communications/supervision of  
8 settlement/notice and benefits approximately 20 hours for a total lodestar of  
9 \$35,750.00. Further, I incurred costs in the amount of \$461.80.

10  
11           I declare under penalty of perjury under the laws of the State of California  
12 that the foregoing is true and correct.

13           Executed on this 25th day of February 2015, at Los Angeles, California.

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16 \_\_\_\_\_  
17 EDWARD W. CHOI