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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION
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11 ALI ASGHARI, DANIEL TRAN,
YUNG KIM, ARA DERSARKISSIAN,
12 and KATRINA NOBLE individually,
and on behalf of a class of similarly
13 situated individuals,

14 Plaintiffs,

15 vs.

16 VOLKSWAGEN GROUP OF
AMERICA, INC., VOLKSWAGEN
17 AG, AND AUDI AG,

18 Defendants.
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Case No. CV13-02529-MMM-(JEMx)

Hon. Margaret M. Morrow

CLASS ACTION

**DECLARATION OF MARK
YABLONOVICH IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, EXPENSES,
AND COSTS**

Date: May 4, 2015
Time: 10:00 am
Place: Courtroom 780

LAW OFFICES OF
MARK YABLONOVICH
LOS ANGELES

DECLARATION OF MARK YABLONOVICH

I, Mark Yablonovich, declare as follows:

1. I am an attorney licensed to practice before all courts of the State of California and the United States District Courts for the Central, Southern, and Eastern Districts of California. I was counsel of record for Plaintiffs in this case from the commencement of the action until approximately March of 2013. Unless the context indicates otherwise, I have personal knowledge of the following facts and if called as a witness, I could and would competently testify thereto. I make this declaration in support of Plaintiffs’ Motion for Attorneys’ Fees and Costs.

QUALIFICATIONS

Educational and Professional Background

2. I earned my Juris Doctor from Harvard Law School in 1996. I took the California Bar Examination in the summer of 1996 and received my passing results in November of 1996. I was admitted to practice law in the State of California in December of 1996 and have remained in good standing as a member of the California Bar since admission to the present time.

3. I am the principal and owner of the Law Offices of Mark Yablonovich, which I founded in April 2010.

Record of Class Action Certifications

4. I have been litigating class actions since 2005 and during that time, I have helped successfully obtain numerous class action certifications, including certification for settlement purposes, in the following cases, among others:

- a. *Palos v. Int’l Protective Servs., Inc.* (L.A. Super. Ct. No. BC323209): Class certification of thousands of security guards based on claims of having been covertly paid lower-than-required wages, and violation of California Business and Professions Code section 17200.
- b. *Taylor v. Ross Stores, Inc.* (San Bernardino Super. Ct. No. RCV

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- 1 065453, JCCP 4331): Class certification of assistant managers
2 based on claims of having been misclassified as exempt from
3 overtime pay, and meal and rest periods.
- 4 c. *Bobadilla v. Kohl's Department Stores, Inc.* (Alameda Super. Ct.
5 No. RG08380189): Class certification of over a hundred thousand
6 hourly employees based on regular rate, rest period, and wage
7 statement violations.
- 8 d. *Kenemixay v. Nordstrom* (L.A. Super. Ct. No. BC318850):
9 Settlement on behalf of class based on claims for unpaid overtime,
10 and meal and rest break violations.
- 11 e. *Romero, et al. v. Countrywide Home Loans, Inc., et al.* (San Joaquin
12 Sup. Ct. No. 39-2010-00252741-CU-OE-STK): Settlement on
13 behalf of class based on various wage and hour claims, including
14 claims for meal break, rest break, and overtime violations.
- 15 f. *Gutierrez, et al. v. Lowe's HIW, Inc.* (Stanislaus Sup. Ct. No.
16 657474): Settlement on behalf of class based on various wage and
17 hour claims, including claims for unpaid meal and rest break
18 premiums, unpaid minimum wages, and non-compliant wage
19 statements.
- 20 g. *Figueroa, et al. v. J. C. Penney, et al.* (L.A. Super. Ct. BC425968):
21 Settlement on behalf of class based on numerous wage and hour
22 claims, including claims for unpaid overtime, unpaid minimum
23 wages, and unpaid business expenses.
- 24 h. *Gullet v. Providence Health and Services, et al.* (L.A. Super. Ct.
25 BC456896): Settlement on behalf of over twenty thousand hospital
26 hourly employees based on various wage and hour claims including
27 minimum and overtime wages, meal and rest periods, regular rate,
28 inadequate wage statements, and unreimbursed business expenses.

Attorneys' Fees and Costs Reasonably Incurred

5. I have reviewed my firm's billing records and time entry records. Based on my review of these records, employees working for my firm on this matter have billed a total of 164.7 hours. The division of hours and reasonable rates for each employee are: Michael Coats, Esq., admitted to the California State Bar in 2008, billed a total of 22.7 hours to this matter at a rate of \$365/hour. Neda Roshanian, Esq., admitted to the California State Bar in 2003, billed a total of 85 hours to this matter at a rate of \$495/hour. I billed a total of 57 hours to this matter at a rate of \$630/hour. Based on the total hours billed to this case, and multiplying these hours by the applicable hourly rates, the total amount my firm billed is \$86,270. Additionally, my firm incurred \$12,227.36 in reasonable costs consisting of \$1,996.69 in filing and service fees, \$3,880.00 in fees for international service of process in accordance with the Hague Convention, \$3,000.00 in Expert fees, \$1,283.40 for postage and shipping, and \$2,067.27 in travel expenses.

6. The work performed on this case by my firm includes legal research and factual investigation prior to the filing of the complaint, drafting, serving and filing the complaint, addressing international service issues, analyzing and responding to Defendant's Motion to Dismiss, working with co-counsel and experts, communicating with the class representatives, and attending a two-day vehicle inspection. The chart below represents the hours expended by my firm to these general tasks, which are more fully described in the declarations of Rebecca Labat and Payam Shahian:

Lawyers	Rates	1¹	2²	3³	Hours⁴	Fees
Mark Yablonovich	\$630.00	9.5	39.5	8	57	\$35,910.00
Neda Roshanian	\$495.00		72.3	12.7	85	\$42,075.00
Michael Coats	\$365.00		22.6	0.1	22.7	\$8,285.50
Hours		9.5	134.4	20.8	164.7	\$86,270.50
Fees		\$5,985.00	\$68,922.50	\$11,363.00		

¹ Pre-Filing Investigation & Pleadings

² Post-Filing Investigation & Discovery

³ Motion to Dismiss/Transfer

⁴ In the exercise of billing discretion, I reviewed the hours again after submission to Professor Rubenstein and reduced the billing by an additional 30 hours.

1 7. My firm's hourly rates are comparable to those charged by other law firms
2 in the community that regularly litigate wage and hour class actions and are comparable
3 to and actually lower than, those of other judicially approved rates for plaintiffs firms.
4 *See, e.g., Faigman v. AT&T Mobility LLC*, 2011, U.S. Dist. LEXIS 15825, *2 (N.D. Cal
5 Feb. 15, 2011) (approving hourly rates of \$650/hour for partner services and \$500/hour
6 for associate attorney services); *Browne, et al. v. American Honda Motor Co., Inc.*, No.
7 09-06750 (C.D. Cal. December 5, 2010) (approving the following hourly rates: 7th
8 Year= \$445; 10th Year= \$545; 15th Year= \$675).

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10 I declare under the penalty of perjury under the laws of the State of California that
11 the foregoing is true and correct. Executed this 27th day of February, 2015, at Los
12 Angeles, California.

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15 _____
16 Mark Yablonovich

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