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Attorneys for Plaintiff Maureen Harrold and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

MAUREEN HARROLD, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

MUFG UNION BANK, N.A.,

Defendant.

Case No. BC680214

**(Assigned for All Purposes to the Honorable
Yvette M. Palazuelos, Dept. 9)**

**DECLARATION OF JONATHAN M.
STREISFELD IN SUPPORT OF
UNOPPOSED MOTION FOR
ATTORNEYS' FEES, COSTS, AND
INCENTIVE AWARD**

Date: July 25, 2024
Time: 10:00 A.M.

Complaint Filed: October 19, 2017

Amended Complaint Filed: July 29, 2020
Trial Date: None Set

1 **DECLARATION OF JONATHAN M. STREISFELD IN SUPPORT OF UNOPPOSED**
2 **MOTION FOR ATTORNEYS' FEES, COSTS, AND INCENTIVE AWARD**

3 I, Jonathan M. Streisfeld, declare as follows:

4 1. I am an attorney admitted to practice in the State of Florida and admitted *pro hac*
5 *vice* in the Action. I am a partner at Kopelowitz Ostrow Ferguson Weiselberg Gilbert (KO),
6 attorneys for Plaintiff and the Settlement Class. I submit this Declaration in support of Plaintiff's
7 Unopposed Motion for Attorneys' Fees, Costs, and Incentive Award. I have personal knowledge of
8 the following, and if sworn as a witness, I could and would competently testify thereto.

9 2. For over two decades, KO has provided comprehensive, results-oriented legal
10 representation to individual, business, and government clients throughout Florida and the rest of the
11 country. KO has the experience and capacity to represent its clients effectively and has the legal
12 resources to address almost any legal need. The firm's 26 attorneys have practiced at several of the
13 nation's largest and most prestigious firms and are skilled in almost all phases of law, including
14 consumer class actions, multidistrict litigation involving mass tort actions, complex commercial
15 litigation, and corporate transactions.

16 3. The firm has a roster of accomplished attorneys. Clients have an opportunity to work
17 with some of the finest lawyers in Florida and the United States, each one committed to upholding
18 KO's principles of professionalism, integrity, and personal service. Among our roster, you'll find
19 attorneys whose accomplishments include: being listed among the "Legal Elite Attorneys" and as
20 "Florida Super Lawyers"; achieving an AV® Preeminent™ rating by the Martindale-Hubbell peer
21 review process; being Board Certified in their specialty; serving as in-house counsel for major
22 corporations, as a city attorney handling government affairs, as a public defender, and as a
23 prosecutor; achieving multi-millions of dollars through verdicts and settlements in trials,
24 arbitrations, and alternative dispute resolution procedures; successfully winning appeals at every
25 level in Florida state and federal courts; and serving governments in various elected and appointed
26 positions.

27 4. The firm has served or is currently serving as lead or co-lead counsel in dozens of
28 certified and/or proposed class actions against national and regional banks and credit unions

1 involving challenging the assessment of overdraft fees and insufficient funds (NSF) fees under a
2 variety of legal theories, including the APSN Fee theory in this Action. The cases are pending, or
3 were pending, in federal and state jurisdictions throughout the country. KO's substantial knowledge
4 and experience litigating overdraft fee class actions and analyzing overdraft damage data has
5 enabled the firm to obtain dozens of multi-million dollar settlements (in excess of \$500 million) for
6 the classes KO represents.

7 5. Other cases in which each I have been approved by a court to act as lead or co-
8 counsel are as follows: *Dasher v. RBC Bank, N.A.*, No. 10-cv-22190 (S.D. Fla.); *Lacour v. Whitney*
9 *Bank*, No. 11-cv-1896 (M.D. Fla.); *Hawthorne v. Umpqua Bank*, No. 11-cv-06700 (N.D. Cal.);
10 *Hawkins v. First Tenn. Bank, N.A.*, No. CT-004085- 11 (Cir. Ct., Shelby Cty., Tenn.); *Payne v. Old*
11 *Nat. Bank*, No. 82C01-1012 (Cir. Ct., Vanderburgh Cty., Ind.); *Roberts v. Capital One, N.A.*, No.
12 16-cv-04841 (S.D.N.Y.); *Lloyd, et al. v. Navy Fed. Cred. Union*, No. 17-cv-1280 (S.D. Cal.);
13 *Lashambae v. Capital One Bank, N.A.*, No. 17-cv-06406 (E.D.N.Y.); *Stahl v. Bank of the West*, No.
14 BC673397 (Sup. Ct. of Cal., Cty. of Los Angeles); *Perks v. TD Bank, N.A.*, No. 1:18-cv-11176
15 (S.D.N.Y.); *Smith v. Fifth Third Bank*, No. 18-cv-00464 (S.D. Ohio); *Lambert v. Navy Fed. Cred.*
16 *Union*, No. 19-cv-00103 (E.D. Va.); *Morris v. Provident Cred. Union*, No. CGC-19-581616 (Sup.
17 Ct. of Cal., Cty. of San Fran.); *Roy v. ESL Fed. Cred. Union*, No. 19-cv-06122 (W.D.N.Y.); *Glass*
18 *v. Delta Comm. Cred. Union*, No. 2019CV317322 (Sup. Ct. Fulton Cty., Ga.); *Thompson v. Comm.*
19 *Bank, N.A.*, No. 19-cv-0919 (N.D.N.Y.); *Coleman v. Alaska USA Fed. Cred. Union*, No. 19-cv-
20 00229 (D. Alaska); *Fallis v. Gate City Bank*, No. 09-2019-CV-04007 (Dist. Ct., Cty. of Cass, N.D.);
21 *Paris v. Prog. Amer, Ins.*, No. 19-cv-21761 (S.D. Fla.); *Osterndorf v. Grange Indem. Ins.*, No. 19-
22 cv-01147 (S.D. Ohio); *Spielman v. United Serv. Auto. Assoc.*, No. 2:19-cv-01359 (C.D. Cal.);
23 *Rosado v. Barry Univ., Inc.*, No. 20-cv-21813 (S.D. Fla.); *Baptiste v. GTE Fed. Cred. Union*, No.
24 20-CA-002728 (Cir. Ct., Hillsborough Cy., Fla.); *Quirk v. Liberty Bank*, No. X03-HHD-CV20-
25 6132741-S (Sup. Ct. Dist. of Hartford, Conn.); *Holiday v. Atlanta Postal Cred. Union*, No.
26 2020CV339077 (Sup. Court Fulton Cty., Ga.); *Mayo v. Affinity Plus Fed. Cred. Union*, No. 27-CV-
27 20-11786 (Dist. Ct., Cty. of Hennepin, Minn.); *In re: Luxottica of Am., Inc.*, No. 20-cv-00908 (S.D.

1 Ohio); *Lopez v. Volusion, LLC*, No. 20-cv-00761 (W.D. Tex.); *Abercrombie v. TD Bank, N.A.*, No.
2 21-cv-61376 (S.D. Fla.); *Precision Roofing of N. Florida Inc., et al. v. CenterState Bank*, 3:20-cv-
3 352 (S.D. Fla.); *Checchia v. Bank of America, N.A.*, 2:21-cv-03585 (E.D. Pa.); *Devore, et al. v.*
4 *Dollar Bank*, GD-21-008946 (Ct. Common Pleas Allegheny); *Harrold v. MUFG Union Bank, N.A.*,
5 BC680214 (Sup. Ct. L.A. County); *McNeil v. Capital One Bank, N.A.*, No. 1:19-cv-004730-RER-
6 TAM (E.D.N.Y.).

7 6. The \$5,000,000.00 recovery here is in my opinion an excellent and favorable result
8 given the complexity of the litigation. Based on Plaintiff's expert data analysis, the Settlement
9 Class's most likely recoverable damages at trial would have been approximately \$13.3 million. The
10 Settlement will afford Plaintiff and the Settlement Class a recovery of approximately 37% of their
11 most probable damages, without the risk of further uncertain and prolonged litigation. This is on par
12 with other account fee class actions challenging APSN Fees. Thus, the Settlement will provide
13 Settlement Class Members with substantial relief that is well within the range of reasonable recovery
14 in this Circuit in light of the many continued litigation risks.

15 7. Class Counsel entered into a fee sharing arrangement that is intended in part to reflect
16 each firm's relative contribution to the investigation, development, litigation, and settlement of this
17 Action. Specifically, as already disclosed to the Court in conjunction with the Motion for
18 Preliminary Approval, under the Joint Prosecution Agreement among the firms, which Plaintiff
19 approved in writing, the McCune Law Group and The Kick Law Firm, APC will collectively receive
20 25% of the total attorneys' fees or their relative lodestar, whichever is greater; Tycko and Zavareei
21 LLP and Kopelowitz Ostrow P.A. will each receive 40% of the remainder of the attorneys' fees;
22 and KalielGold PLLC would receive the final 20% of the attorneys' fees. The total fee has not
23 increased solely by reason of this agreement, as required by California Rule of Professional Conduct
24 1.5.1. The fee arrangement was also disclosed to Settlement Class in the Notice.

25 8. As demonstrated in the concurrently filed declarations of Class Counsel, the
26 McCune Law Group, The Kick Law Firm, APC, and Jeffrey D. Kaliel (now with KalielGold
27 PLLC) while with his former law firm and co-counsel in this matter, Tycko and Zavareei, were
28 responsible for the development of the case, pre-suit investigation, and the retention of the class

1 representative. Tycko and Zavareei LLP and Kopelowitz Ostrow P.A. were generally responsible
2 for litigating the Action, and I have reviewed the declaration of Andrea Gold, which details the
3 collective efforts of our firms. The McCune Law Group and The Kick Law Firm, APC also
4 drafted the motion supported by this declaration.

5 9. KO undertook this case on a contingent basis, with the understanding that the firm
6 would not be compensated for its efforts unless the case was successful. To date, KO has not been
7 paid for any of its time spent on this matter. The time spent on this matter by the firm's attorneys
8 has required considerable work that could have, and would have, been spent on other fee generating
9 matters.

10 10. Class Counsel has agreed not to apply for attorneys' fees of more than one-third of
11 the Settlement. Here, the Settlement is comprised of \$5,000,000.00. Accordingly, Class Counsel's
12 fee request amounts to **\$1,666,500.00**.

13 11. KO has spent a total of **502.9** hours to date on this litigation, totaling **\$473,499.90** in
14 fees.

15 12. To date, I have worked **334.5** hours on this case, and my work in this case is billed
16 at \$1,057 per hour. I estimate spending an additional 20 hours in preparation for the Final Approval
17 hearing and to work with the Settlement Administrator following Final Approval.

18 13. I was admitted to practice in Florida in 1997 and numerous federal district courts and
19 appellate courts. I joined KO as a partner in 2008, and I concentrate my practice in the areas of
20 consumer class actions, business litigation, and appeals nationwide. I am a Hubbell AV®
21 Preeminent™ rated attorney in both legal ability and ethics. I have vast and successful experience
22 in class action litigation, serving as class counsel in nationwide and statewide consumer class action
23 lawsuits against the nation's largest financial institutions in connection with the unlawful assessment
24 of fees, recovering hundreds of millions of dollars. I oversee the firm's appellate and litigation
25 support practice, representing clients in the appeal of final and non-final orders, as well as writs of
26 certiorari, mandamus, and prohibition.

27 14. Jeff Ostrow is KO's managing partner, founded the firm and leads its class action
28 group. He was admitted to practice in Florida in 1997 and the District of Columbia in 2022. Mr.

Ostrow is licensed in several federal courts around the country and has been appointed lead and co-lead class counsel in numerous class actions. Mr. Ostrow was integral to reaching the Settlement in this Action.

15. Steven Sukert is a partner in the firm's class action group and was admitted to practice in New York in 2019 and Florida in 2020, after graduating from the Georgetown University Law Center. He is licensed in several federal courts around the country and has been appointed to leadership positions in multiple class actions.

16. Daniel Tropin is a former KO partner and was admitted to practice in Florida in 2012, after graduating from the University of Virginia School of Law. He is licensed in several federal courts around the country and has been appointed class counsel in numerous class actions.

17. Joshua Levine is a former partner in the firm and was admitted to practice in Florida in 2011, after graduating from the University of Miami School of Law. He is licensed in several federal courts around the country and has been appointed class counsel in several class actions.

18. Rachel Glaser is a former associate in the firm and was admitted to practice in Florida in 2020, after graduating from Nova Southeastern University's Shepard Broad College of Law .

19. Todd Becker is a senior paralegal in the firm and has been working at KO in the class action group since 2009.

20. An updated copy of the KO's firm resume is attached here as **Exhibit 1**, which details the firm's relevant experience as of the date of this filing and includes descriptions of each KO attorney currently working at the firm who spent substantial time on this case.

21. The following is the summary listing of each employee for whom KO is seeking compensation for legal services in connection with this litigation, the hours each individual worked on the case, and the lodestar based on the timekeepers' current hourly rate applying the Adjusted Laffey Matrix, which has been approved for use by California courts:

Timekeeper	Position	Hours	Rate	Lodestar
Jonathan Streisfeld	Partner	334.5	\$1,057	\$353,566.50
Jeff Ostrow	Partner	13.9	\$1,057	\$14,692.30
Daniel Tropin	Partner	50.5	\$878	\$44,339.00
Joshua Levine	Partner	25.2	\$878	\$22,125.60
Steven Sukert	Partner	18.7	\$538	\$10,060.60

Rachel Glaser	Associate	48.0	\$538	\$25,824.00
Todd Becker	Paralegal	12.1	\$239	\$2,891.90
Total		502.9		\$473,499.90

22. A more detailed breakdown of KO's lodestar in this matter is as follows:

Kopelowitz Ostrow PA Hours by Litigation Phase							
Category	JS	JO	DT	JL	SS	RG	TB
Case Development, Background Investigation, and Case Administration <i>Includes legal and factual research, review of relevant docs; other pre-suit tasks, etc.</i>	1.0						
Strategy Development, Case Analysis, Class Counsel Conferences <i>Includes strategy meetings internally at firm and with co-counsel throughout case, etc.</i>	21.0	0.2		11.0			2.1
Pleadings <i>Includes research, drafting, filing, etc.</i>	21.8	0.2	1.5			3.0	
Written Discovery <i>Includes drafting and responding to discovery; document review, negotiating and drafting protective order; written discovery disputes, etc.</i>	9.0			2.7		4.5	
Judicial Referee Tasks	9.0						
Depositions	5.5						
Motion practice	109.5		31.0	11.0		12.0	5.5
Attending Court Hearings	29.0		1.5				
Case Management and Other Court Mandated Tasks <i>Includes case management conferences, motions or stips related to scheduling, etc.</i>	16.0						
ADR/Mediation	29.5	8.2	16.5	0.5		28.5	
Settlement	32.3	5.0					1.0

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Case No. BC680214

1	<i>Includes drafting agreement, discussions between counsel related to settlement, tasks assigned by Court related to settlement, etc.</i>						
2							
3	Preliminary Approval						
4	<i>Includes drafting motion, class notice, accompanying declarations, etc.</i>	35.8	0.3			18.7	3.5
5	Class Administration						
6	<i>Includes seeking bids, discussion of notice plan and cost efficiencies; overseeing notice process, responding to class member calls/emails, etc.</i>	9.2					
7							
8	Fee Petition Preparation	5.5					
9	Motion for Final Approval Preparation	0.4					
10	TOTAL	334.5	13.9	50.5	25.2	18.7	48.0
11							

23. Pursuant to the fee sharing arrangement among Class Counsel, McCune Law Group and The Kick Law Firm, APC will collectively receive 25% of the total attorneys' fees or their relative lodestar, whichever is greater; Tycko and Zavareei LLP and Kopelowitz Ostrow P.A. will each receive 40% of the remainder of the attorneys' fees; and KalieGold PLLC will receive the final 20% of the attorneys' fees. As indicated above, KO's lodestar based on reasonable hours worked at the Adjusted Laffey rates, which are consistent with prevailing market rates, amounts to \$473,499.90. Therefore, the firm would receive 40% of the remainder of \$1,249,875.00, which is \$499,950.00, assuming the full fee award is granted. Accordingly, KO's lodestar multiplier here is approximately 1.05, which is well within the range of approval, and on the low end, of what is reasonable in California. *See Wershba v. Apple Computer, Inc.* (2001) 91 Cal.App.4th 224, 255).

24. The accompanying Motion argues the total fee awarded should be one-third, pursuant to the percentage of recovery, and if the Court were to conduct a lodestar crosscheck it should conduct such an analysis as to Class Counsel as a whole. However, KO's total fees and multiplier are also individually reasonable.

25. Class Counsel also seeks reimbursement of the reasonable expenses incurred in the prosecution of this action. The following is a breakdown of the expenses Class Counsel incurred to date, and for which they seek reimbursement in this matter:

Type	Amount
Court Fees and Electronic Docket	\$4,843.20
Mediation Fees	\$2,571.15
Travel	\$1,035.40
Postage/Shipping	\$147.14
Total	\$8,596.89

26. The foregoing expenses were incurred solely in connection with this Action and are reflected in Class Counsel's books and records as maintained in the ordinary course of business. The claimed expenses were incurred to allow experienced overdraft class action litigators to appear *pro hac vice* and for CaseAnywhere access; to retain the services of a preeminent mediator that has assisted the parties successfully settling the case; and to travel to California to attend proceedings in this Action. Through May 10, 2024, those expenses have amounted to \$8,596.89.

27. Class Counsel has agreed to cap costs at \$60,458.10. Because those costs are small relative to the common fund amount, and are facially reasonable and necessary, the Court should award the requested \$60,458.10 in costs. Moreover, if final costs are lower than \$60,458.10, any remaining funds will remain in the Settlement Fund for distribution to the Settlement Class Members.

28. The above expense numbers do not include significant internal and other costs that Class Counsel have incurred, but for which Class Counsel do not seek reimbursement, including costs for in-house copying, scanning and printing, telephone expenses and legal research program subscription expenses.

29. In my opinion, the proposed class representative, Maureen Harrold, was critical to the success of this case. Ms. Harrold provided essential information for the prosecution of this action, made herself available for multiple phone calls with Class Counsel at all stages of the litigation, reviewed the complaint and first amended complaint before each was filed, gathered and provided pertinent documents, and participated in discussions with Class Counsel regarding the settlement and reviewed and approved the settlement documents. She spent approximately 75 hours helping Class Counsel prosecute this case over the course of six years with no guarantee of any success or recovery. At no time did Plaintiff ever have a guarantee of any personal benefit as a result

1 of this case. In addition, even if the success of the lawsuit could have been assumed, Plaintiff stood
2 to recover only the amounts of her improperly assessed overdraft fees, which are minimal when
3 considered against the time and effort Plaintiff devoted to the action on behalf of the class. A full
4 recitation of Ms. Harrold's important, pro-active, and substantial role in this case is documented in
5 her declaration filed concurrently with this motion.

6 30. I am informed by the Settlement Administrator, Kroll, that to date, there have been
7 no objections to the Settlement or attorneys' fee request and no class members have filed requests
8 to be excluded.

9
10 I declare under penalty of perjury pursuant to the laws of the State of California that the
11 foregoing is true and correct.

12
13 Executed this 10th day of May 2024, at Fort Lauderdale, Florida.

14 /s/ Jonathan M. Streisfeld
15 Jonathan M. Streisfeld
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EXHIBIT 1



FIRM RESUME

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OUR FIRM

For over two decades, Kopelowitz Ostrow Ferguson Weiselberg Gilbert (KO) has provided comprehensive, results-oriented legal representation to individual, business, and government clients throughout Florida and the rest of the country. KO has the experience and capacity to represent its clients effectively and has the legal resources to address almost any legal need. The firm's 25 attorneys have practiced at several of the nation's largest and most prestigious firms and are skilled in almost all phases of law, including consumer class actions, multidistrict litigation involving mass tort actions, complex commercial litigation, and corporate transactions. In the class action arena, the firm has experience not only representing individual aggrieved consumers, but also defending large institutional clients, including multiple Fortune 100 companies.

WHO WE ARE

The firm has a roster of accomplished attorneys. Clients have an opportunity to work with some of the finest lawyers in Florida and the United States, each one committed to upholding KO's principles of professionalism, integrity, and personal service. Among our roster, you'll find attorneys whose accomplishments include Board Certified in their specialty; serving as in-house counsel for major corporations, as city and county attorneys handling government affairs, and as public defenders and prosecutors; achieving multi-millions of dollars through verdicts and settlements in trials, arbitrations, and alternative dispute resolution procedures; successfully winning appeals at every level in Florida state and federal courts; and serving government in various elected and appointed positions.

KO has the experience and resources necessary to represent large putative classes. The firm's attorneys are not simply litigators, but rather, experienced trial attorneys with the support staff and resources needed to coordinate complex cases.

CLASS ACTION PLAINTIFF

Since its founding, KO has initiated and served as lead class counsel in dozens of high-profile class actions. Although the actions are diverse by subject area, KO has established itself as one of the leading firms that sue national and regional banks and credit unions related to the unlawful assessment of fees. Their efforts spanning a decade plus have resulted in recoveries in excess of \$500 million and monumental practices changes that have changed the industry and saving clients billions of dollars.

Additionally, other past and current cases have been prosecuted for breaches of insurance policies; data breaches; data privacy; wiretapping; biometric privacy; gambling; false advertising; defective consumer products and vehicles; antitrust violations; and suits on behalf of students against colleges and universities arising out of the COVID-19 pandemic.

The firm has in the past litigated certified and proposed class actions against Blue Cross Blue Shield and United Healthcare related to their improper reimbursements of health insurance benefits. Other insurance cases include auto insurers failing to pay benefits owed to insureds with total loss vehicle claims. Other class action cases include cases against Microsoft Corporation related to its Xbox 360 gaming platform, ten of the largest oil companies in the world in connection with the destructive propensities of ethanol and its impact on boats, Nationwide Insurance for improper mortgage fee assessments, and several of the nation's largest retailers for deceptive advertising and marketing at their retail outlets and factory stores.

CLASS ACTION DEFENSE

The firm also brings experience in successfully defended many class actions on behalf of banking institutions, mortgage providers and servicers, advertising conglomerates, aircraft manufacturer and U.S. Dept. of Defense contractor, a manufacturer of breast implants, and a national fitness chain.

MASS TORT LITIGATION

The firm also has extensive experience in mass tort litigation, including serving as Lead Counsel in the Zantac Litigation, one of the largest mass torts in history. The firm also has handled cases against 3M related to defective earplugs, several vaginal mesh manufacturers, Bayer in connection with its pesticide Roundup, Bausch & Lomb for its Renu with MoistureLoc product, Wyeth Pharmaceuticals related to Prempro, Bayer Corporation related to its birth control pill YAZ, and Howmedica Osteonics Corporation related to the Stryker Rejuvenate and AGB II hip implants. In connection with the foregoing, some of which has been litigated within the multidistrict arena, the firm has obtained tens of millions in recoveries for its clients.

OTHER AREAS OF PRACTICE

In addition to class action and mass tort litigation, the firm has extensive experience in the following practice areas: commercial and general civil litigation, corporate transactions, health law, insurance law, labor and employment law, marital and family law, real estate litigation and transaction, government affairs, receivership, construction law, appellate practice, estate planning, wealth preservation, healthcare provider reimbursement and contractual disputes, white collar and criminal defense, employment contracts, environmental, and alternative dispute resolution.

FIND US ONLINE

To learn more about KO, or any of the firm's other attorneys, please visit www.kolawyers.com.

Devore, et al. v. Dollar Bank, GD-21-008946 (Ct. Common Pleas Allegheny 2024) - \$7 million

Nimsey v. Tinker Federal Credit Union, C1-2019-6084 (Dist. Ct. Oklahoma 2024) - \$5.475 million

Precision Roofing of N. Fla. Inc., et al. v. CenterState Bank, 3:20-cv-352 (S.D. Fla. 2023) - \$2.65 million

Checchia v. Bank of America, N.A., 2:21-cv-03585 (E.D. Pa. 2023) - \$8 million

Quirk v. Liberty Bank, X03-HHD-CV20-6132741-S (Jud. Dist. Ct. Hartford 2023) - \$1.4 million

Meier v. Prosperity Bank, 109569-CV (Dist. Ct. Brazoria 2023) - \$1.6 million

Abercrombie v. TD Bank, N.A., 0:21-cv-61376 (S.D. Fla. 2022) - \$4.35 million

Perks, et al. v. TD Bank, N.A., 1:18-cv-11176 (E.D.N.Y. 2022) - \$41.5 million

Fallis v. Gate City Bank, 09-2019-CV-04007 (Dist. Ct., Cty. of Cass, N.D. 2022) - \$1.8 million

Mayo v. Affinity Plus Fed. Credit Union, 27-CV-20-11786 (4th Judicial District Minn. 2022) - \$1 million

Glass, et al. v. Delta Comm. Cred. Union, 2019CV317322 (Sup. Ct. Fulton Cty., Ga. 2022) - \$2.8 million

Roy v. ESL Fed. Credit Union, 19-cv-06122 (W.D.N.Y. 2022) - \$1.9 million

Wallace v. Wells Fargo, 17CV317775 (Sup. Ct. Santa Clara 2021) - \$10 million

Doxey v. Community Bank, N.A., 8:19-CV-919 (N.D.N.Y. 2021) - \$3 million

Coleman v. Alaska USA Federal Credit Union, 3:19-cv-0229-HRH (Dist. of Alaska 2021) - \$1 million

Smith v. Fifth Third Bank, 1:18-cv-00464-DRC-SKB (W.D. Ohio 2021) - \$5.2 million

Lambert v. Navy Federal Credit Union, 1:19-cv-00103-LO-MSN (S.D. Va. 2021) - \$16 million

Roberts v. Capital One, N.A., 16 Civ. 4841 (LGS) (S.D.N.Y. 2021) - \$17 million

Baptiste v. GTE Financial, 20-CA-002728 (Cir. Ct. Hillsborough 2021) - \$975,000

Morris v. Provident Credit Union, CGC-19-581616 (Sup. Ct. San Francisco 2020) - \$1.1 million

Lloyd v. Navy Federal Credit Union, 17-cv-01280-BAS-RBB (S.D. Ca. 2019) - \$24.5 million

Farrell v. Bank of America, N.A., 3:16-cv-00492-L-WVG (S.D. Ca. 2018) - \$66.6 million

Bodnar v. Bank of America, N.A., 5:14-cv-03224-EGS (E.D. Pa. 2015) - \$27.5 million

Morton v. Green Bank, 11-135-IV (20th Judicial District Tenn. 2018) - \$1.5 million

Hawkins v. First Tenn. Bank, CT-004085-11 (13th Jud. Dist. Tenn. 2017) - \$16.75 million

Payne v. Old National Bank, 82C01-1012 (Cir. Ct. Vanderburgh 2016) - \$4.75 million

Swift. v. Bancorpsouth, 1:10-CV-00090 (N.D. Fla. 2016) - \$24.0 million

Mello v. Susquehanna Bank, 1:09-MD-02046 (S.D. Fla. 2014) - \$3.68 million

Johnson v. Community Bank, 3:11-CV-01405 (M.D. Pa. 2013) - \$1.5 million

McKinley v. Great Western Bank, 1:09-MD-02036 (S.D. Fla. 2013) - \$2.2 million

Blabut v. Harris Bank, 1:09-MD-02036 (S.D. Fla. 2013) - \$9.4 million

Wolfgeher v. Commerce Bank, 1:09-MD-02036 (S.D. Fla. 2013) - \$18.3 million

Case v. Bank of Oklahoma, 09-MD-02036 (S.D. Fla. 2012) - \$19.0 million Settlement

Hawthorne v. Umpqua Bank, 3:11-CV-06700 (N.D. Cal. 2012) - \$2.9 million Settlement

Simpson v. Citizens Bank, 2:12-CV-10267 (E.D. Mich. 2012) - \$2.0 million

Harris v. Associated Bank, 1:09-MD-02036 (S.D. Fla. 2012) - \$13.0 million

LaCour v. Whitney Bank, 8:11-CV-1896 (M.D. Fla. 2012) - \$6.8 million

Orallo v. Bank of the West, 1:09-MD-202036 (S.D. Fla. 2012) - \$18.0 million

Taulava v. Bank of Hawaii, 11-1-0337-02 (1st Cir. Hawaii 2011) - \$9.0 million

FALSE PRICING

CONSUMER PROTECTION

MASS TORT

Gattinella v. Michael Kors (USA), 14-Civ-5731 (WHP) (S.D. NY 2015) - \$4.875 million

Stathakos v. Columbia Sportswear, 4:15-cv-04543-YGR (N.D. Ca. 2018) - Injunctive relief prohibiting deceptive pricing practices

Lopez, et al. v. Volusion, LLC, 1:20-cv-00761 (W.D. Tex. 2022) - \$4.3 million

Gupta v. Aerics Software, Inc., 8:20-cv-00995 (C.D. Ca. 2022) - \$1.75 million

In Re: CaptureRx Data Breach, 5:21-cv-00523 (W.D. Tex. 2022) - \$4.75 million

Ostendorf v. Grange Indemnity Ins. Co., 2:19-cv-01147-ALM-KAJ (E.D. Ohio 2020) – \$12.6 million

Walters v. Target Corp., 3:16-cv-1678-L-MDD (S.D. Cal. 2020) – \$8.2 million

Papa v. Grieco Ford Fort Lauderdale, LLC, 18-cv-21897-JEM (S.D. Fla. 2019) - \$4.9 million

Bloom v. Jenny Craig, Inc., 18-cv-21820-KMM (S.D. Fla. 2019) - \$3 million

Masson v. Tallahassee Dodge Chrysler Jeep, LLC, 1:17-cv-22967-FAM (S.D. Fla. 2018) - \$850,000

DiPuglia v. US Coachways, Inc., 1:17-cv-23006-MGC (S.D. Fla. 2018) - \$2.6 million

In re Disposable Contact Lens Antitrust Litig., MDL 2626 (M.D. Fla.) - \$88 million

In re: 21st Century Oncology Customer Data Sec. Breach Litig., 8:16-md-2737-MSS-AEP (M.D. Fla. 2021) - \$21.8 million

In re Zantac (Ranitidine) Prods. Liab. Litig., 9:20-md-02924-RLR (S.D. Fla.) - MDL No. 2924 – Co-Lead Counsel

In re: Stryker Rejuvenate and ABG II Products Liability Litigation, 13-MD-2411 (17th Jud. Cir. Fla. Complex Litigation Division)

In re: National Prescription Opiate Litigation, 1:17-md-02804-DAP (N.D. Ohio) - MDL 2804

In re: Smith and Nephew BHR Hip Implant Products Liability Litigation, MDL-17-md-2775

Yasmin and YAZ Marketing, Sales Practices and Products Liability Litigation, 3:09-md-02100-DRH-PMF (S.D. Ill.) – MDL 2100

In re: Prempro Products Liab. Litigation, MDL 507, No. 03-cv-1507 (E.D. Ark.)

In Re: 3M Combat Arms Earplug Products Liability Litigation (N.D. Fla.) - MDL 2885



JEFF OSTROW

Managing Partner

Bar Admissions

The Florida Bar

District of Columbia Bar

Court Admissions

Supreme Court of the United States

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

U.S. District Court, Northern District of Illinois

U.S. District Court, Eastern District of Michigan

U.S. District Court, Western District of Tennessee

U.S. District Court, Western District of Wisconsin

U.S. District Court, Western District of Kentucky

U.S. District Court, Northern District of New York

U.S. District Court, District of Colorado

U.S. District Court, Eastern District of Texas

Education

Nova Southeastern University, J.D. - 1997

University of Florida, B.S. – 1994

ostrow@kolawyers.com

Jeff Ostrow is the Managing Partner of Kopelowitz Ostrow P.A. He established his own law practice in 1997 immediately upon graduation from law school and has since grown the firm to 25 attorneys in 3 offices throughout south Florida. In addition to overseeing the firm's day-to-day operations and strategic direction, Mr. Ostrow practices full time in the areas of consumer class actions, sports and business law. He is a Martindale-Hubbell AV® Preeminent™ rated attorney in both legal ability and ethics, which is the highest possible rating by the most widely recognized attorney rating organization in the world.

Mr. Ostrow often serves as outside General Counsel to companies, advising them in connection with their legal and regulatory needs. He has represented many Fortune 500® Companies in connection with their Florida litigation. He has handled cases covered by media outlets throughout the country and has been quoted many times on various legal topics in almost every major news publication, including the Wall Street Journal, New York Times, Washington Post, Miami Herald, and Sun-Sentinel. He has also appeared on CNN, ABC, NBC, CBS, Fox, ESPN, and almost every other major national and international television network in connection with his cases, which often involve industry changing litigation or athletes in Olympic swimming, professional boxing, the NFL, NBA and MLB.

Mr. Ostrow is an accomplished trial attorney who has experience representing both Plaintiffs and Defendants. He has successfully tried many cases to verdict involving multi-million-dollar damage claims in state and federal courts. He is currently court-appointed lead counsel and sits on plaintiffs' executive committees in multiple high profile nationwide multi-district litigation actions involving cybersecurity breaches and related privacy issues. He has spent the past decade serving as lead counsel in dozens of nationwide and statewide class action lawsuits against many of the world's largest financial institutions in connection with the unlawful assessment of fees. To date, his efforts have successfully resulted in the recovery of over \$1 billion for tens of millions of bank and credit union customers, as well

as monumental changes in the way they assess fees. Those changes have forever revolutionized an industry, resulting in billions of dollars of savings. In addition, Mr. Ostrow has served as lead class counsel in many consumer class actions against some of the world's largest airlines, pharmaceutical companies, clothing retailers, health and auto insurance carriers, technology companies, and oil conglomerates, along with serving as class action defense counsel for some of the largest advertising and marketing agencies in the world, banking institutions, real estate developers, and mortgage companies.

In addition to the law practice, he is the founder and president of ProPlayer Sports LLC, a full-service sports agency and marketing firm. He represents both Olympic Gold Medalist Swimmers, World Champion Boxers, and select NFL athletes, and is licensed by both the NFL Players Association as a certified Contract Advisor. At the agency, Mr. Ostrow handles all player-team negotiations of contracts, represents his clients in legal proceedings, negotiates all marketing and NIL engagements, and oversees public relations and crisis management. He has extensive experience in negotiating, mediating, and arbitrating a wide range of issues on behalf of clients with the NFL Players Association, the International Olympic Committee, the United States Olympic Committee, USA Swimming and the World Anti-Doping Agency. He has been an invited sports law guest speaker at New York University and Nova Southeastern University and has also served as a panelist at many industry-related conferences.

Mr. Ostrow received a Bachelor of Science in Business Administration from the University of Florida in 1994 and Juris Doctorate from Nova Southeastern University in 1997. He is a licensed member of The Florida Bar and the District of Columbia Bar, is fully admitted to practice before the U.S. Supreme Court, the U.S. District Courts for the Southern, Middle, and Northern Districts of Florida, Eastern District of Michigan, Northern District of Illinois, Western District of Tennessee, Western District of Wisconsin, and the U.S. Court of Appeals for the Eleventh Circuit. Mr. Ostrow is also member of several Bar Associations.

He is a lifetime member of the Million Dollar Advocates Forum. The Million Dollar Advocates Forum is the most prestigious group of trial lawyers in the United States. Membership is limited to attorneys who have had multi-million dollar jury verdicts. Additionally, he is consistently named as one of the top lawyers in Florida by Super Lawyers®, a publication that recognizes the best lawyers in each state. Mr. Ostrow is an inaugural recipient of the University of Florida's Warrington College of Business Administration Gator 100 award for the fastest growing University of Florida alumni- owned law firm in the world.

When not practicing law, Mr. Ostrow serves on the Board of Governors of Nova Southeastern University's Wayne Huizenga School of Business and is a Member of the Broward County Courthouse Advisory Task Force. He is also the Managing Member of One West LOA LLC, a commercial real estate development company with holdings in downtown Fort Lauderdale. He has previously sat on the boards of a national banking institution and a national healthcare marketing company. Mr. Ostrow is a founding board member for the Jorge Nation Foundation, a 501(c)(3) non-profit organization that partners with the Joe DiMaggio Children's Hospital to send children diagnosed with cancer on all-inclusive Dream Trips to destinations of their choice. Mr. Ostrow resides in Fort Lauderdale, Florida, and has 3 sons, 2 of which currently attend the University of Florida.



DAVID FERGUSON

Partner

Bar Admissions

The Florida Bar

Court Admissions

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

Education

Nova Southeastern University, J.D. - 1993

Nova Southeastern University, B.S. - 1990

Email: ferguson@kolawyers.com

David L. Ferguson is an accomplished trial attorney and chairs the firm's litigation department. He routinely leads high stakes litigation across a wide array of practice areas, including, but not limited to, employment law, complex business litigation, class actions, product liability, catastrophic personal injury, civil rights, and regulatory enforcement actions.

Mr. Ferguson is a Martindale-Hubbell AV® Preeminent™ rated attorney in both legal ability and ethics, a testament to the fact that his peers (lawyers and judges in the community) have ranked him at the highest level of professional excellence. Mr. Ferguson is well regarded as a formidable advocate in court and for providing creative and insightful strategic advice, particularly in emergency and extremely complex situations.

While in law school, Mr. Ferguson served as a Staff Member of the Nova Law Review. He was also a member of the Moot Court Society and the winner of the Moot Court Intramural Competition.

Representation of the Broward Sheriff's Office

Since 2013, Mr. Ferguson has had the privilege of representing the Broward Sheriff's Office ("BSO") in over 150 matters involving many different types of disputes and issues, including: defense of civil rights lawsuits in state and federal court; negotiating collective bargaining agreements with unions; and arbitrations brought by unions or employees subjected to termination or other significant discipline. Mr. Ferguson has had many arbitration final hearings and state and federal jury trials for BSO representing the agency as well as the Sheriff and numerous Deputies individually.

Class/Mass Actions

Mr. Ferguson has experience in class actions against large banks and some of the world's largest companies, including technology companies and oil conglomerates.

Additionally, during his career Mr. Ferguson has defended many large companies in MDL's, and mass and class actions, including medical equipment manufacturers, pharmaceutical companies, an aircraft parts and engine manufacturer and defense contractor, nationwide retailers, and a massive sugar manufacturer.

Large Fraud and Ponzi Cases

Mr. Ferguson has a great deal of experience litigating cases involving massive fraud claims, most often for victims, but also for select defendants. Mr. Ferguson's clients have included individual victims who have lost multiple millions of dollars in fraud schemes to large businesses with tremendous damages, including one international lending institution with damages in excess of \$150 million. Additionally, Mr. Ferguson successfully represented several individuals and entities subjected to significant claims by a receiver and the United States Marshals Service in a massive billion-dollar Ponzi scheme involving a notorious Ft. Lauderdale lawyer and his law firm.

Regulatory Agency Enforcement Actions

Mr. Ferguson has extensive experience defending individuals and entities in significant enforcement actions brought by regulatory agencies, including the CFTC, FTC, and SEC.

Employment, Human Resources, and Related Matters

Mr. Ferguson has represented numerous business and individuals in employment and human resource related matters. Mr. Ferguson has represented several Fortune 50 companies, including Pratt & Whitney/UTC, Home Depot, and Office Depot in all phases of employment related matters. Mr. Ferguson has litigated virtually every type of discrimination and employment related claim, including claims based upon race, pregnancy, disability, national origin, religion, age, sexual preference, sexual harassment, worker's compensation, unemployment, FMLA leave, FLSA overtime, unpaid wages, whistleblower, and retaliation.

Mr. Ferguson primarily represents companies, but also represents select individuals who have claims against their present or former employers. In addition to the wide variety of employment claims discussed above, as plaintiff's counsel Mr. Ferguson has also handled federal False Claims Act (Qui Tam) and the Foreign Corrupt Practices Act claims brought by individuals.

Business Disputes

Throughout his legal career, as counsel for plaintiffs and defendants, Mr. Ferguson has handled a myriad of commercial cases involving all types of business disputes, including claims for breach of partnership agreements, breach of shareholder or limited liability company operating agreements; dissolution of corporations and limited liability companies; appointment of receivers; breaches of fiduciary duty; conversion; constructive trust; theft; negligent or intentional misrepresentation or omissions; fraudulent inducement; tortious interference; professional negligence or malpractice; derivative actions, breach of contract, real estate disputes, and construction disputes.

Noncompetition and Trade Secret Litigation

Mr. Ferguson routinely represents companies and individuals in commercial disputes involving unfair and deceptive trade practices, unfair competition and/or tortious interference with contracts or valuable business relationships. Often these cases involve the enforcement of noncompetition agreements and protection of valuable trade secrets. Mr. Ferguson has extensive experience representing businesses seeking to enforce their noncompetition agreements and/or protect trade secrets through suits for injunctive relief and damages and representing subsequent employers and individuals defending against such claims. He has obtained numerous injunctions for his clients and has also successfully defended against them numerous times, including getting injunctions dissolved that were entered against his clients without notice or prior to his representation. Mr. Ferguson has also obtained contempt sanctions and entitlement to punitive damages against individuals and entities who have stolen trade secrets from his clients.



ROBERT C. GILBERT

Partner

Bar Admissions

The Florida Bar

District of Columbia Bar

Court Admissions

Supreme Court of the United States

U.S. Court of Appeals for the 11th Circuit

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

Education

University of Miami School of Law, J.D. - 1985

Florida International University, B.S. - 1982

Email: gilbert@kolawyers.com

Robert C. “Bobby” Gilbert has over three decades of experience handling class actions, multidistrict litigation and complex business litigation throughout the United States. He has been appointed lead counsel, co-lead counsel, coordinating counsel or liaison counsel in many federal and state court class actions. Bobby has served as trial counsel in class actions and complex business litigation tried before judges, juries and arbitrators. He has also briefed and argued numerous appeals, including two precedent-setting cases before the Florida Supreme Court.

Bobby was appointed as Plaintiffs’ Coordinating Counsel in *In re Checking Account Overdraft Litig.*, MDL 2036, class action litigation brought against many of the nation’s largest banks that challenged the banks’ internal practice of reordering debit card transactions in a manner designed to maximize the frequency of customer overdrafts. In that role, Bobby managed the large team of lawyers who prosecuted the class actions and served as the plaintiffs’ liaison with the Court regarding management and administration of the multidistrict litigation. He also led or participated in settlement negotiations with the banks that resulted in settlements exceeding \$1.1 billion, including Bank of America (\$410 million), Citizens Financial (\$137.5 million), JPMorgan Chase Bank (\$110 million), PNC Bank (\$90 million), TD Bank (\$62 million), U.S. Bank (\$55 million), Union Bank (\$35 million) and Capital One (\$31.7 million).

Bobby has been appointed to leadership positions in numerous other class actions and multidistrict litigation proceedings. He is currently serving as co-lead counsel in *In re Zantac (Ranitidine) Prods. Liab. Litig.*, 9:20-md-02924-RLR (S.D. Fla.), as well as liaison counsel in *In re Disposable Contact Lens Antitrust Litig.*, MDL 2626 (M.D. Fla.); liaison counsel in *In re 21st Century Oncology Customer Data Security Breach Litig.*, MDL 2737 (M.D. Fla.); and *In re Farm-Raised Salmon and Salmon Products Antitrust Litig.*, No. 19-21551 (S.D. Fla.). He previously served as liaison counsel for indirect purchasers in *In re Terazosin Hydrochloride Antitrust Litig.*, MDL 1317 (S.D. Fla.), an antitrust class action that settled for over \$74 million.

For the past 18 years, Bobby has represented thousands of Florida homeowners in class actions to recover full compensation under the Florida Constitution based on the Florida Department of Agriculture's taking and destruction of the homeowners' private property. As lead counsel, Bobby argued before the Florida Supreme Court to establish the homeowners' right to pursue their claims; served as trial counsel in non-jury liability trials followed by jury trials that established the amount of full compensation owed to the homeowners for their private property; and handled all appellate proceedings. Bobby's tireless efforts on behalf of the homeowners resulted in judgments exceeding \$93 million.

Bobby previously served as an Adjunct Professor at Vanderbilt University Law School, where he co-taught a course on complex litigation in federal courts that focused on multidistrict litigation and class actions. He continues to frequently lecture and make presentations on a variety of topics.

Bobby has served for many years as a trustee of the Greater Miami Jewish Federation and previously served as chairman of the board of the Alexander Muss High School in Israel, and as a trustee of The Miami Foundation.



JONATHAN M. STREISFELD

Partner

Bar Admissions

The Florida Bar

Court Admissions

Supreme Court of the United States

U.S. Court of Appeals for the First, Second, Fourth, Fifth Ninth, and Eleventh Circuits

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

U.S. District Court, Northern District of Illinois

U.S. District Court, Western District of Michigan

U.S. District Court, Western District of New York

U.S. District Court, Western District of Tennessee

Education

Nova Southeastern University, J.D. - 1997

Syracuse University, B.S. - 1994

Email: streisfeld@kolawyers.com

Jonathan M. Streisfeld joined KO as a partner in 2008. Mr. Streisfeld concentrates his practice in the areas of consumer class actions, business litigation, and appeals nationwide. He is a Martindale Hubbell AV® Preeminent™ rated attorney in both legal ability and ethics.

Mr. Streisfeld has vast and successful experience in class action litigation, serving as class counsel in nationwide and statewide consumer class action lawsuits against the nation's largest financial institutions in connection with the unlawful assessment of fees. To date, his efforts have successfully resulted in the recovery of over \$500,000,000 for tens of millions of bank and credit union customers, as well as profound changes in the way banks assess fees. Additionally, he has and continues to serve as lead and class counsel for consumers in many class actions involving false advertising and pricing, defective products, data breach and privacy, automobile defects, airlines, mortgages, and payday lending. Mr. Streisfeld has also litigated class actions against some of the largest health and automobile insurance carriers and oil conglomerates, and defended class and collective actions in other contexts.

Mr. Streisfeld has represented a variety of businesses and individuals in a broad range of business litigation matters, including contract, fraud, breach of fiduciary duty, intellectual property, real estate, shareholder disputes, wage and hour, and deceptive trade practices claims. He also assists business owners and individuals with documenting contractual relationships and resolving disputes. Mr. Streisfeld has also provided legal representation in bid protest proceedings.

Mr. Streisfeld oversees the firm's appellate and litigation support practice, representing clients in the appeal of final and non-final orders, as well as writs of certiorari, mandamus, and prohibition. His appellate practice includes civil and marital and family law matters.

Previously, Mr. Streisfeld served as outside assistant city attorney for the City of Plantation and Village of Wellington in a broad range of litigation matters. As a member of The Florida Bar, Mr. Streisfeld served for many years on the Executive Council of the Appellate Practice Section and is a past Chair of the Section's Communications Committee. Mr. Streisfeld currently serves as a member of the Board of Temple Kol Ami Emanu-El.



KEN GRUNFELD

Partner

Bar Admissions

The Pennsylvania Bar

The New Jersey Bar

Court Admissions

U.S. Court of Appeals for the Third, Fourth, Fifth, Ninth, Tenth and Eleventh Circuits

U.S. District Ct, Eastern District of Pennsylvania

U.S. District Ct, Middle District of Pennsylvania

U.S. District Ct, Western District of Pennsylvania

U.S. District Ct, District of New Jersey

U.S. District Ct, Eastern District of Michigan

U.S. District Ct, Western District of Wisconsin

Education

Villanova University School of Law, J.D., 1999

University of Michigan, 1996

Email: grunfeld@kolawyers.com

Ken Grunfeld is one of the newest KO partners, having just started working at the firm in 2023. Having worked at one of Philadelphia's largest and most prestigious defense firms for nearly a decade defending pharmaceutical manufacturers, national railroads, asbestos companies and corporate clients in consumer protection, products liability, insurance coverage and other complex commercial disputes while working, Mr. Grunfeld "switched sides" about 15 years ago.

Since then, he has become one of the city's most prolific and well-known Philadelphia class action lawyers. His cases have resulted in the recovery of hundreds of millions of dollars for injured individuals.

Mr. Grunfeld brings with him a wealth of pre-trial, trial, and appellate work experience in both state and federal courts. He has successfully taken many cases to verdict. Currently, he serves as lead counsel in a number of nationwide class actions. Whether by settlement or judgment, Mr. Grunfeld makes sure the offending companies' wrongful practices have been addressed. He believes the most important part of bringing a wrongdoer to justice is to ensure that it never happens again; class actions can be a true instrument for change if done well.

Mr. Grunfeld has been named a Super Lawyer numerous times throughout his career. He has been a member of the Philadelphia, Pennsylvania, and American Bar Associations, as well as a member of the American Association for Justice (AAJ). He was a Finalist for AAJ's prestigious Trial Lawyer of the Year Award in 2012 and currently serves as AAJ's Vice Chair of the Class Action Law Group. To his strong view that attorneys should act ethically, he volunteers his time as a Hearing Committee Member for the Disciplinary Board of the Supreme Court of Pennsylvania.

Mr. Grunfeld received his undergraduate degree from the University of Michigan. He is an active member of the Michigan Alumni Association, Philadelphia chapter and serves as a Michigan Alumni Student recruiter for local high schools. He received his Juris Doctor from the Villanova University School of Law. He was a member of the Villanova Law Review and graduated Order of the Coif.

Ken is a life-long Philadelphian. He makes his home in Bala Cynwyd, Pennsylvania, where he resides with his wife, Jennifer, and his year-old twins.

KRISTEN LAKE CARDOSO

Partner



Bar Admissions

The Florida Bar
The State Bar of California

Court Admissions

U.S. District Court, Southern District of Florida
U.S. District Court, Middle District of Florida
U.S. District Court, Central District of California
U.S. District Court, Eastern District of California
U.S. District Court, Northern District of Illinois
U.S. District Court, Eastern District of Michigan

Education

Nova Southeastern University, J.D., 2007
University of Florida, B.A., 2004

Email: cardoso@kolawyers.com

Kristen Lake Cardoso is a litigation attorney focusing on consumer class actions and complex commercial litigation. She has gained valuable experience representing individuals and businesses in state and federal courts at both the trial and appellate levels in a variety of litigation matters, including contractual claims, violations of consumer protection statutes, fraud, breach of fiduciary duty, negligence, professional liability, real estate claims, enforcement of non-compete agreements, trade secret infringement, shareholder disputes, deceptive trade practices, and other business torts.

Currently, Ms. Cardoso serves as counsel in nationwide and statewide class action lawsuits concerning violations of state consumer protection statutes, false advertising, defective products, data breaches, and breaches of contract. Ms. Cardoso is actively litigating cases against major U.S. airlines for their failure to refund fares following flight cancellations and schedule changes, as well as cases against manufacturers for their sale and misleading marketing of products, including defective cosmetics and nutritional supplements. Ms. Cardoso has also represented students seeking reimbursements of tuition, room and board, and other fees paid to their colleges and universities for in-person education, housing, meals, and other services not provided when campuses closed during the COVID-19 pandemic. Additionally, Ms. Cardoso has represented consumers seeking recovery of gambling losses from tech companies that profit from illegal gambling games offered, sold, and distributed on their platforms.

Ms. Cardoso is admitted to practice law throughout the states of Florida and California, as well as in the United States District Courts for the Southern District of Florida, Middle District of Florida, Central District of California, Eastern District of California, Northern District of Illinois, and Eastern District of Michigan.

Ms. Cardoso attended the University of Florida, where she received her Bachelor's degree in Political Science, cum laude, and was inducted as a member of Phi Beta Kappa honor society. She received her law degree from Nova Southeastern University, magna cum laude. While in law school, Ms. Cardoso served as an Articles Editor for the Nova Law Review, was on the Dean's List, and was the recipient of a scholarship granted by the Broward County Hispanic Bar Association for her academic achievements. When not practicing law, Ms. Cardoso serves as a volunteer at Saint David Catholic School, including as a member of the school Advisory Board and an executive member of the Faculty Student Association. She has also served on various committees with the Junior League of Greater Fort Lauderdale geared towards improving the local community through leadership and volunteering.



STEVEN SUKERT

Partner

Bar Admissions

The Florida Bar

The New York Bar

Court Admissions

United States District Court, Southern District of Florida

United States District Court, Middle District of Florida

United States District Court, Southern District of New York

United States District Court, Eastern District of New York

United States District Court, Northern District of Illinois

United States District Court, Central District of Illinois

Education

Georgetown University Law Center, J.D., 2018

Northwestern University, B.S., 2010

Email: sukert@kolawyers.com

Steven Sukert has experience in all aspects of complex litigation in federal and state court, including drafting successful dispositive motions and appeals, handling discovery, and arguing court hearings. Steven focuses his practice at KO on complex class actions and multi-district litigations in courts around the country, including in data privacy, bank overdraft fee, and other consumer protection cases.

Before joining KO, Steven gained experience at Gunster, Yoakley & Stewart, P.A. in Miami in high-stakes commercial cases often involving trade secret and intellectual property claims, consumer contract claims, and legal malpractice claims, as well as in international arbitrations. Steven co-authored an amicus brief in the Florida Supreme Court case *Airbnb, Inc. v. Doe* (Case No. SC20-1167), and helped organize the American Bar Association's inaugural International Arbitration Masterclass, in 2021.

Steven was born and raised in Miami. He returned to his home city after law school to clerk for the Honorable James Lawrence King in the U.S. District Court for the Southern District of Florida.

In 2018, Steven earned his J.D. from Georgetown University Law Center. While living in the nation's capital, he worked at the U.S. Department of Labor, Office of the Solicitor, where he won the Gary S. Tell ERISA Litigation Award; the Civil Fraud Section of the U.S. Department of Justice, where he worked on large Medicare fraud cases and pioneered the use of the False Claims Act in the context of pharmaceutical manufacturers who engaged in price fixing; and the Lawyers' Committee for Civil Rights Under Law, where his proposal for writing an amicus brief in the *Janus v. AFSCME* U.S. Supreme Court case was adopted by the organization's board of directors.

Steven has a degree in Molecular Biology from Northwestern University. Prior to his legal career, he worked as a biomedical laboratory researcher at the Diabetes Research Institute in Miami.

CAROLINE HERTER

Associate



Bar Admissions

The Florida Bar

Court Admissions

U.S. District Court, Middle District of Florida

U.S. District Court, Southern District of Florida

U.S. Bankruptcy Court, Southern District of Florida

Education

University of Miami School of Law, J.D. - 2020

University of Miami, B.S. – 2016

Email: Herter@kolawyers.com

Caroline Herter is a litigation attorney at the firm's Fort Lauderdale office. Caroline focuses her practice on consumer class actions, mass torts, and white-collar commercial litigation in state and federal courts nationwide. She has gained valuable experience representing individuals and businesses to hold wrongdoers accountable through claims involving personal injury, wrongful death, consumer fraud, products liability, breach of fiduciary duty, civil theft/conversion, corporate veil-piercing, fraudulent transfer, tortious interference, False Claims Act violations, and the like.

Before joining KO, Caroline worked at a boutique law firm in Miami where she represented plaintiffs in matters involving creditor's rights, insolvency, and asset recovery. She now applies this experience throughout her practice at KO, often combining equitable remedies with legal claims to ensure the best chance of recovery for her clients.

Notable cases that Caroline has been involved in include *In Re: Champlain Towers South Collapse Litigation*, where she was a member of the team serving as lead counsel for the families of the 98 individuals who lost their lives in the tragic condominium collapse. The case resulted in over \$1 billion recovered for class members, the second-largest settlement in Florida history. She also co-authored a successful petition for certiorari to the United States Supreme Court in *Olhausen v. Arriva Medical, LLC et al.*, a False Claims Act case involving the standard for determining a defendant's scienter, which led the high Court to reverse the Eleventh Circuit Court of Appeal's earlier ruling against her client.

Caroline earned her law degree from the University of Miami School of Law, summa cum laude, where she received awards for the highest grade in multiple courses. During law school Caroline was an editor of the University of Miami Law Review and a member of the Moot Court Board.

Outside of her law practice, Caroline serves on the Board of Directors of the non-profit organization Americans for Immigrant Justice.