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12 *Attorneys for Plaintiffs Lynn Slovin,*
13 *Samuel Katz, Jeffery Price, and*
14 *Justin Birkhofer, on their own*
15 *behalf, and on behalf of all others*
16 *similarly situated*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

17 LYNN SLOVIN, an individual, on her own
18 behalf and on behalf of all others similarly
19 situated,

20 Plaintiff,

21 v.

22 SUNRUN, INC., a California corporation,
23 CLEAN ENERGY EXPERTS, LLC, a
24 California limited liability company doing
25 business as SOLAR AMERICA, and
26 DOES 1-5, inclusive,

26 Defendants.

Case No. 4:15-cv-05340-YGR

(Assigned to Hon. Yvonne Gonzalez Rogers)

DECLARATION OF ALAN
HIMMELFARB IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEY FEES' AND COSTS

Hon. Yvonne Gonzalez Rogers

Date: July 9, 2019

Time: 2:00 p.m.

Location: Courtroom 1

Ronald V. Dellums Fed. Bldg.
1301 Clay Street
Oakland, California 94612

1
2 I, ALAN HIMMELFARB, hereby declare and state:

3 1. I am an attorney at law, duly licensed to practice before all courts of the State, and
4 am one of the attorneys for Attorneys for Plaintiffs Lynn Slovin, Samuel Katz, Jeffery Price, and
5 Justin Birkhofer (collectively, "Plaintiffs"), individually and on behalf of all others similarly
6 situated in this action. I have personal knowledge of the matters set forth in this declaration and,
7 if called to testify to them, would be competent to do so.

8 2. I am the sole owner of The Law Offices of Alan Himmelfarb.

9 3. I submit this Declaration in support of Class Counsels' Application for an Award
10 of Attorneys' Fees, Costs and Service Awards and my firm's application for an award of
11 attorneys' fees in connection with services rendered in the above-entitled action.

12 4. I have served as co-lead in many consumer class action, including: *Kiesel v. Time*
13 *Warner*, No. 809542 (Orange County Sup. Ct.); *Hyatt v. GeoCities*, No. 196032 (Los Angeles
14 Sup. Ct.); *Chancer v. Princess Cruises*, No. BC 115472 (Los Angeles Sup. Ct.); *Weaver v.*
15 *Webtv*, No. 793551 (Santa Clara Sup Ct.); *Frey v. Trans Union Corporation*, C798893 (Orange
16 County Sup. Ct.); *Barber v. Home Depot*, Case No: 1222-CC00272 (Circuit Court, Missouri);
17 *Barber v. Orshelen Farms*, Case No: CASE NO. 13CY-CV01291 (Circuit Court, Missouri); and
18 I have participated in many additional consumer class cases, including: *Gresham v. Cellco*
19 *Partnership*, No. BC 387729 (Los Angeles Sup. Ct.); *In Re: ATI Technologies HDCP Litigation*,
20 No. 06-cv-1303 JW (N.D. Cal); *In re Facebook Privacy Litigation*, 10-cv-02389 (N.D. Cal); *Kan*
21 *v. Toshiba America Information Systems*, No. BC327273 (Los Angeles Sup. Ct.); *In re Sony*
22 *BMG CD Technologies*, 1:05-cv-09575-NRB (S.D.N.Y.); *Mirfashi v. Fleet Bank*, 01C0722
23 (N.D. Ill); *Blackford v. At Home / AT&T*, C416131 (San Mateo Sup Ct.); *In Re Trans Union*
24 *Litigation*, MDL # 1350 (N. D. Ill).

25 5. My firm resume attached hereto as Exhibit A.

26 6. I am the only person in my firm who worked on this litigation. I spent a total of
27 53.2 hours on this litigation and I bill at \$550.00 per hour. My firm's total lodestar is
28 \$29,260.00.

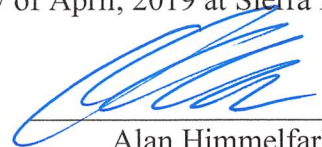
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7. I have worked with Class Counsel in other litigation and was asked to perform certain discrete tasks in this litigation. My time in this action was incurred between approximately March 9, 2017 and November 27, 2017. During this time, I was asked by Class Counsel to perform the following tasks:

- i. Factual Investigation: web and Lexis-based searches for parties, witness, companies, relationships, agents for service of process, and counsel for such.
- ii. Legal Research: expert report related issues, opinions concerning named defendants, and related parties.
- iii. Discovery: subpoena research, discovery motions, sanctions, meet and confer, dialers, includes legal research.
- iv. Motions: Rule 68 research, contempt motions, cost shifting, motion to amend, research regarding release issues.
- v. Telecons: regarding each of the above.

8. The Law Offices of Alan Himmelfarb's compensation for the services rendered in this case were wholly contingent on the success of the Action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of April, 2019 at Sierra Madre, California.



Alan Himmelfarb

Exhibit A

**The Law Offices of
Alan Himmelfarb**
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Sierra Madre, California 91024
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Consumerlaw1@earthlink.net

Alan Himmelfarb was admitted to the practice of law in California in July, 1979. He specialized in complex litigation, contracts, high technology, foreign licensing, and foreign technology transfers, and practiced before both state and federal courts. In 1988, he took a position overseas as a foreign legal consultant in Asia (chief negotiator for international sales/service/technical transfer agreements, mediated cross-cultural (Asian--Western) business and governmental interests, evaluated international business/marketing strategies for multinational corporations, drafted and negotiated a full range of international transactional agreements for Korean, European and American corporations and businessmen and marketed legal services to Korean domestic market and international community). In 1992, he returned to Los Angeles in the capacity of a litigator, with an emphasis on plaintiff's work against banks and other financial institutions. He has been engaged in class action litigation since 1994.

Lead / Co-Lead (Representative Actions)

Kiesel v. Time Warner No. 809542 (Orange County Sup. Ct.)

Co-lead counsel in a representative action on behalf of thousands of apartment and condominium residents in which firewalls were breached during cable installation. The settlement provided the class with complete relief including the inspection of every multi-unit dwelling in the affected county and repair of all breached units wherever they were found.

Hyatt v. GeoCities, No. 196032 (Los Angeles Sup. Ct.)

Class Counsel in consumer class action for privacy violations that is believed to be the first internet privacy case to recover a benefit for impacted class members

Chancer v. Princess Cruises, No. BC 115472 (Los Angeles Sup. Ct.)

Co-lead counsel in a class action lawsuit challenging a cruise line's deceptive "low price guarantee" as a consumer fraud class action. The settlement provided the class with a collective award with a face value of millions of dollars.

Weaver v. Webtv, No. 793551 (Santa Clara Sup Ct.) co-lead counsel in a certified nationwide consumer class action case alleging consumer fraud / deceptive advertising of computer services and capabilities. The settlement provided the class with a collective award with a guaranteed minimum face value of six millions of dollars.

Frey v. Trans Union Corporation C798893 (Orange County Sup. Ct.) consumer privacy, FCRA class and representative action.

Barber v. Home Depot, Case No: 1222-CC00272 (Circuit Court, Missouri):

Co-lead counsel in class action re unlawful collection of taxes.

Barber v. Orshelen Farms, Case No: CASE NO. 13CY-CV01291 (Circuit Court, Missouri): Co-lead counsel in class action re unlawful collection of taxes.

Participation (Representative Actions)

Gresham v. Cellco Partnership, No. BC 387729 (Los Angeles Sup. Ct.): case alleging unauthorized charges were placed on cell phone bills. Settlement provided class members with full refunds.

In Re: ATI Technologies HDCP Litigation, No. 06-cv-1303 JW (N.D. Cal): class action alleging deceptive trade practices against a graphics card manufacturer resulting in an \$11 million settlement.

In re Facebook Privacy Litigation, 10-cv-02389 (N.D. Cal): case alleging that Facebook unlawfully shared its users' sensitive personally identifiable information with Facebook's advertising partners.

Kan v. Toshiba America Information Systems, No. BC327273 (Los Angeles Sup. Ct.)
Class counsel in a defective product / breach of warranty action concerning laptop computers. The settlement provided the class with a collective award with a face value of approximately \$45,000,000.

In re Sony BMG CD Technologies, 1:05-cv-09575-NRB (S.D.N.Y.)
Suit alleging that defendants' "rootkit" technology encoded into music CDs harmed users computers and computer software. Settlement was valued at over \$300 million.

Mirfashi v. Fleet Bank, 01C0722 (N.D. Ill): consumer fraud / deceptive advertising class action, private mortgage information on customers wrongfully sold to third parties.

Blackford v. At Home / AT&T C416131 (San Mateo Sup Ct.): consumer fraud / deceptive advertising class and representative action.

In Re Trans Union Litigation,_MDL # 1350 (N. D. Ill), consumer privacy, FCRA class.