

EXHIBIT D

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

BRIAN MART, Individually and on Behalf)	Civ. No. 0:20-cv-02074-NEB-DTS
of All Others Similarly Situated,)	
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	DECLARATION OF JUNE P. HOIDAL
vs.)	FILED ON BEHALF OF
)	ZIMMERMAN REED LLP IN
TACTILE SYSTEMS TECHNOLOGY,)	SUPPORT OF APPLICATION FOR
INC., et al.,)	AWARD OF ATTORNEYS' FEES
)	AND EXPENSES
Defendants.)	
)	

I, June P. Hoidal, declare as follows:

1. I am a partner with the firm of Zimmerman Reed LLP (“Zimmerman Reed” or the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses/charges (“expenses”) in connection with services rendered in the above-entitled action.

2. This Firm is Liaison counsel of record for Lead Plaintiff St. Clair County Employees’ Retirement System (“Lead Plaintiff”).

3. The information in this declaration regarding the Firm’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed these reports (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the Firm’s lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

4. After the reductions referred to above, the number of hours spent on the litigation by my Firm is 252.30 hours. A breakdown of the lodestar is provided in **Exhibit A**. The lodestar amount for attorney/paralegal time based on the Firm’s current rates is

\$135,382.50. The hourly rates shown in **Exhibit A** are consistent with hourly rates submitted by the Firm in other securities class action and complex litigation. The Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work. Different timekeepers within the same employment category (*e.g.*, partners, associates, paralegals, etc.) may have different rates based on a variety of factors, including years of practice, years at the Firm, years in the current position (*e.g.*, years as a partner), relevant experience, relative expertise, and the rates of similarly experienced peers at this Firm or other firms. For personnel who are no longer employed by the Firm, the "current rate" used for the lodestar calculation is based upon the rate for that person in his or her final year of employment with the Firm.

5. My Firm seeks an award of \$1,344.10 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in **Exhibit B**.

6. The following is additional information regarding certain of these expenses:

(a) *Filing, Witness and Other Fees*: \$500.00. These expenses have been paid to the Court for filing fees. The vendors who were paid for these services are set forth in **Exhibit C**.

(b) *Transportation, Hotels & Meals*: \$10.00. In connection with the prosecution of this case, the Firm has paid for travel expenses to attend a Court hearing. The date, destination, and purpose of this trip is set forth in **Exhibit D**.

(c) *Photocopies*: \$161.80. In connection with this case, the Firm made 1,618 in-house photocopies, charging \$0.10 per copy for a total of \$161.80. Each time an in-

house copy machine is used, our billing system requires that a case or administrative billing code be entered and that is how the 1,618 copies were identified as related to this case.

(d) *Online Legal and Financial Research*: \$672.30. This category includes vendors such as Westlaw, Bloomberg Law, and PACER. These resources were used to obtain access to legal and factual research to prepare the following submissions, among others: Motion for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Lead Counsel briefing; Amended Class Action Complaint; Opposition to Motion to Dismiss; Opposition to Motion to Compel Discovery; and Motion for Preliminary Approval of Settlement. This expense represents the expense incurred by Zimmerman Reed for use of these services in connection with this litigation. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this Firm. These books and records are prepared from receipts, expense vouchers, check records, and other documents and are an accurate record of the expenses.

8. The identification and background of my Firm and its partners is attached hereto as **Exhibit E**.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of July, 2023, at Minneapolis, Minnesota.

s/ June P. Hoidal

June P. Hoidal

Exhibit A

EXHIBIT A*Mart v. Tactile Systems Technology, Inc., et al.*, No. 0:20-cv-02074-NEB-DTS**Zimmerman Reed LLP**
Inception through June 30, 2023

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Carolyn G. Anderson	(P)	4.40	\$975	\$4,290.00
June P. Hoidal	(P)	52.00	\$875	\$45,500.00
Anna E. Jenks	(A)	43.50	\$725	\$31,537.50
Rachel K. Tack	(A)	2.60	\$625	\$1,625.00
<i>Paralegals</i>				
Karen M. Colt		149.80	\$350	\$52,430.00
<i>TOTAL</i>		252.30		\$135,382.50
(P) Partner				
(A) Associate / Attorney				

Exhibit B

EXHIBIT B*Mart v. Tactile Systems Technology, Inc., et al.*, No. 0:20-cv-02074-NEB-DTS**Zimmerman Reed LLP**
Inception through June 30, 2023

<i>CATEGORY</i>	<i>AMOUNT</i>
Filing, Witness and Other Fees	\$500.00
Transportation, Hotels & Meals	\$10.00
Photocopies	
In-House: (1,618 copies at \$0.10 per page)	\$161.80
Online Legal and Financial Research	\$672.30
<i>TOTAL</i>	\$1,344.10

Exhibit C

EXHIBIT C*Mart v. Tactile Systems Technology, Inc., et al.*, No. 0:20-cv-02074-NEB-DTS**Zimmerman Reed LLP**

Filing, Witness and Other Fees: \$500.00

<i>DATE</i>	<i>VENDOR</i>	<i>PURPOSE</i>
12/9/2020	Clerk, U.S. District Court	Motion for Admission Pro Hac Vice fee for Ashley Price.
12/9/2020	Clerk, U.S. District Court	Motion for Admission Pro Hac Vice fee for Jessica Shinnefield.
3/23/2021	Clerk, U.S. District Court	Motion for Admission Pro Hac Vice fee for Nicole Gilliland.
5/5/2022	Clerk, U.S. District Court	Motion for Admission Pro Hac Vice fee for Joseph Tull.
3/2/2023	Clerk, U.S. District Court	Motion for Admission Pro Hac Vice fee for Ellen Stewart.

Exhibit D

EXHIBIT D

Mart v. Tactile Systems Technology, Inc., et al., No. 0:20-cv-02074-NEB-DTS

Zimmerman Reed LLP

Transportation, Hotels & Meals: \$10.00

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
June P. Hoidal	10/4/2021	St. Paul, MN	Parking charges to attend the hearing on Defendants' Motion to Dismiss the Amended Class Action Complaint.

Exhibit E

ZIMMERMAN | REED
— FIRM RESUME

MINNEAPOLIS

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FIRM PRACTICE AND ACHIEVEMENTS

Zimmerman Reed is a nationally recognized leader in complex and class action litigation and has been appointed as lead counsel in some of the largest and most complex cases in federal and state courts across the country. The firm was founded in 1983 and has successfully represented thousands of consumers and injured individuals nationwide in significant and demanding cases. The firm's practice includes a wide range of legal issues and complex cases involving consumer fraud, ERISA, shareholder actions, environmental torts, pharmaceutical drugs, dangerous or defective products, human rights violations, and privacy litigation. Since 2010, Zimmerman Reed has earned a "Best Law Firm" ranking released by U.S. News & World Report.

The following are just a few of the firm's notable achievements:

Co-Lead Counsel in the *Baycol Products Liability Litig.* (D. Minn.), seeking recovery for serious injuries from the use of Bayer's statin, Baycol. Achieved \$1.15 billion settlement.

Lead Counsel Committee member in the *Stryker Rejuvenate & ABG II Hip Implant Products Liability Litig.* (D. Minn.), seeking compensation for recalled Stryker hip replacements. Achieved in excess of \$1.4 billion settlement.

Co-Lead Counsel in the *Guidant Corp. Implantable Defibrillators Products Liability Litig.* (D. Minn.), arising out of malfunctions in cardiac defibrillators implanted in patients. Achieved \$230 million settlement.

Class and Derivative Counsel in the *Regions Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.), alleging violations of federal securities laws and breach of fiduciary duty due to the collapse of Regions Morgan Keegan open-end funds. Achieved \$125 million settlement.

Class Counsel in *Soo Line R.R. Co. Derailment of Jan. 18, 2002 in Minot, N.D.* (Hennepin Cty. Dist. Ct.), representing hundreds of individuals injured by the release of anhydrous ammonia. Obtained a \$1.2 million jury verdict. Achieved a \$7 million class settlement and assisted congressional leaders in drafting and passing amendments to the Federal Railroad Safety Act, clarifying the scope of railroad preemption law.

Lead Counsel for the State of Mississippi in *Mississippi ex rel. Hood v. AU Optronics*, 571 U.S. 161 (2014), resulting in a unanimous U.S. Supreme Court decision reversing a Fifth Circuit decision, resolving a circuit split, and establishing binding law across the country that a State's enforcement action is not removable to federal court as a mass action.

Co-Lead Counsel in *Medtronic Implantable Defibrillators Products Liability Litig.* (D. Minn.), seeking recovery for more than 2,682 patients with recalled Medtronic heart defibrillators. Achieved a \$95.6 million settlement.

Class Counsel in *City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A.* (D. Minn.), to recover losses caused by the bank's mismanagement of its securities lending program. Achieved a \$62.5 million settlement, two days before trial.

Lead Counsel in *Dryer v. National Football League* (D. Minn.), arising out of the unauthorized use of retired NFL players' identities to generate revenue. Achieved a \$50 million settlement and created a ground-breaking program which allowed retired players the opportunity to benefit from the League's use of their images and allowed the League an opportunity to build its marketing using film clips of these former players.

Lead Counsel in *Target Corporation Customer Data Security Breach Litig.* (D. Minn.), to recover financial institutions' losses from the company's massive 2013 data breach. Achieved a \$39 million settlement.

Class Counsel in *The Shane Group Inc. v. Blue Cross Blue Shield of Michigan* (E.D. Mich.), against insurance carrier for violations of antitrust laws from contractually requiring hospitals to charge higher prices to competitors. Achieved a \$30 million settlement (pending final approval).

Lead Counsel in *Zicam Remedy Marketing, Sales Practices & Products Liability Litig.* (D. Ariz.), seeking to recover for customers' loss of the sense of smell from using Zicam Cold Remedy Nasal Gel. Achieved \$27 million settlement.

Counsel for third-party payor in *In re Metoprolol Succinate End-Payor Antitrust Litig.* (D. Del.), alleging that the manufacturing and marketing of the heart drug, Toprol-XL, violated antitrust and deceptive trade practices laws. Achieved \$20 million settlement.

Class Counsel in *Weincke v. Metropolitan Airports Commission* (Hennepin Cty. Dist. Ct.), regarding excessive noise levels from the Minneapolis-St. Paul International Airport. Achieved settlement to provide noise mitigation to more than 9,500 homeowners.

ACKNOWLEDGMENT OF THE FIRM'S WORK

Federal and state judges as well as legal scholars have consistently recognized the quality and impact of the firm's work on numerous occasions. Below are just a few examples.

"To summarize: class counsel recovered over ten times what is recovered in the typical case of this kind despite risks and complexities much more formidable than the typical case." Brian Fitzpatrick, Law Professor at Vanderbilt University and former clerk to Justice Scalia, expert in *In re Region Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.)

"Fortunately for the absent class members, experienced counsel ... negotiated a settlement that is truly one-of-a-kind, and a remarkable victory for the class as a whole." Judge Paul Magnuson, *Dryer v. National Football League* (D. Minn.)

"I think no one can question your leadership in this matter. Again, thank you, and I say again it was the best decision I have ever made." Judge Michael Davis (former Chief Judge), *In re Baycol Products Liability Litig.* (D. Minn.)

"[S]uperior work the court observed from the firm throughout this litigation." Judge Donovan Frank, *In re Guidant Corp. Implantable Defibrillators Products Liability Litig.* (D. Minn.)

“The parties were represented by highly skilled and experienced counsel, who were extremely knowledgeable and clearly had spent a considerable amount of time developing the law and facts in this complex litigation.” Judge Layn Phillips (ret.), mediator in *In re Region Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.)

It is “clear of the dedication, devotion, professionalism, and in the court’s view efficiency of these firms, so there is no question in the court’s mind of the quality of the representation.” Judge Deborah Batts, *In Re American Express Financial Advisors Securities Litig.* (S.D.N.Y.)

“Here, there is no doubt that the class has had competent counsel It’s been a pleasure ... to have counsel of this quality on both sides. I wish you would together go out and teach seminars about class action litigation. It would make my life a lot easier.” Judge Isabel Gomez, *Edwards v. Long Beach Mortgage Co.* (Hennepin Cty. Dist. Ct.)

“The reputation and experience of [Zimmerman Reed and co-counsel] to conduct class litigation of this nature is outstanding, and the record reflects that both law firms have successfully prosecuted numerous class actions in Minnesota courts and throughout the United States. The quality of representation in this case has been excellent, and the two firms are eminently qualified to serve as class counsel.” Judge Lloyd Zimmerman, *Holdhal v. BioErgonomics* (Hennepin Cty. Dist. Ct.)

REPRESENTATIVE LEADERSHIP POSITIONS

Zimmerman Reed has been appointed Lead or Liaison Counsel in the following MDLs:

CenturyLink Residential Customer Billing Disputes Litig., MDL 2795
National Hockey League Players’ Concussion Injury Litig., MDL 2551
Target Corporation Customer Data Security Breach Litig., MDL No. 2522
Stryker Rejuvenate and ABG II Hip Implant Products Liability Litig., MDL 2441
National Arbitration Forum Trade Practices Litig., MDL 2122
Zicam Cold Remedy Marketing, Sales Practices, and Products Liability Litig., MDL 2096
Northstar Education Finance, Inc. Contract Litig., MDL 1990
Zurn Pex Plumbing Products Liability Litig., MDL 1958
Levaquin Products Liability Litig., MDL 1943
Medtronic, Inc. Sprint Fidelis Leads Products Liability Litig., MDL 1905
Medtronic Implantable Defibrillators Products Liability Litig., MDL 1726
Viagra Products Liability Litig., MDL 1724
Guidant Corp. Implantable Defibrillators Products Liability Litig., MDL 1708
Pacquiao-Mayweather Boxing Match Pay-Per-View Litig., MDL 2639
Medco Health Solutions, Inc., Pharmacy Benefits Management Litig., MDL 1508
Baycol Products Liability Litig., MDL 1431
St. Jude Medical, Inc. Silzone Heart Valves Products Liability Litig., MDL 1396
Mortgage Escrow Deposit Litig., MDL 899

Zimmerman Reed has been appointed to the Plaintiffs' Executive Committee, Steering Committee, or Sub-Committees in the following MDLs:

Apple Inc. Device Performance Litig., MDL 2827
Dicamba Herbicides Litig., MDL 2820
Equifax, Inc. Customer Data Security Breach Litig., MDL 2800
Fieldturf Artificial Turf Marketing Practices Litig., MDL 2779
Stryker Orthopaedics LFIT V40 Femoral Head Products Liability Litig., MDL 2768
Abilify Products Liability Litig., MDL 2734
Vizio, Inc. Consumer Privacy Litig., MDL 2693
Viagra and Cialis Products Liability Litig., MDL 2691
The Home Depot, Inc., Customer Data Security Breach Litig., MDL 2583
LifeTime Fitness, Inc., Telephone Consumer Protection Act (TCPA) Litig., MDL 2564
National Collegiate Athletic Association Student-Athlete Concussion Litig., MDL 2492
H&R Block IRS Form 8863 Litig., MDL 2474
Biomet M2A Magnum Hip Implant Products Liability Litig., MDL 2391
National Football League Players' Concussion Injury Litig., MDL 2323
Building Materials Corp. of America Asphalt Roofing Shingle Products Litig., MDL 2283
Zimmer NexGen Knee Implant Products Liability Litig., MDL 2272
Uponor, Inc., F1807 Plumbing Fittings Products Liability Litig., MDL 2247
DePuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litig., MDL 2197
Apple iPhone "MMS" Sales Practices Litig., MDL 2116
Digitek Products Liability Litig., MDL 1968
Fedex Ground Package System, Inc., Employment Practices Litig., MDL 1700
Bextra and Celebrex Marketing Sales Practices and Product Liability Litig., MDL 1699
Celebrex and Bextra Products Liability Litig., MDL 1694
Vioxx Products Liability Litig., MDL 1657
Neurontin "Off-Label" Marketing Litig., MDL 1629
Zyprexa Products Liability Litig., MDL 1596
Welding Rods Products Liability Litig., MDL 1535
Meridia Products Liability Litig., MDL 1481
Serzone Products Liability Litig., MDL 1477
Sulzer Inter-Op Orthopedic Hip Implant Litig., MDL 1401
Propulsid Products Liability Litig., MDL 1355
Rezulin Products Liability Litig., MDL 1348
Diet Drugs Products Liability Litig., MDL 1203
Telectronics Pacing Systems, Inc. Accufix Atrial "J" Lead Products Liability Litig., MDL 1057
Orthopedic Bone Screw Products Liability Litig., MDL 1014
Silicone Gel Breast Implant Products Liability Litig., MDL 926
T-Mobile Customer Data Sec. Breach Litig., MDL 3019

Representative cases in which Zimmerman Reed has served as Class or Lead Counsel:

Adams v. DPC Enterprises, LP (Jefferson Cty. Cir. Ct., Mo.)
Adedipe v. U.S. Bank, N.A. (D. Minn.)
AI Plus, Inc. and IOC Distrib., Inc. v. Petters Group Worldwide (D. Minn.)
Arby's Restaurant Group, Inc., Data Security Litig. (N.D. Ga.)
Castano Tobacco Litig. (E.D. La.)

City of Farmington Hills Emps. Ret. Sys. v. Wells Fargo Bank, N.A. (D. Minn.)
City of Tallahassee Pension Plan v. Insight Enterprises, Inc. (Maricopa Cty. Super. Ct., Ariz.)
Cooksey v. Hawkins Chemical Co. (Henn. Cty. Dist. Ct., Minn.)
Coyle v. Flowers Food and Holsum Bakery (D. Ariz.)
Cuff v. Brenntag North America, Inc. (N.D. Ga.)
Daud v. Gold'n Plump Poultry, Inc. (D. Minn.)
DeKeyser v. ThyssenKrupp Waupaca, Inc. (E.D. Wis.)
Dockers Roundtrip Airfare Promotion Sales Practices Litig. (C.D. Cal.)
Doe v. Cin-Lan, Inc. (E.D. Mich.)
DeGrise v. Ensign Group, Inc. (Sonoma Cty. Super. Ct., Cal.)
Dryer v. National Football League (D. Minn.)
Ebert v. General Mills, Inc. (D. Minn.)
First Choice Fed. Credit Union v. The Wendy's Co. (W.D. Pa.)
Frank v. Gold'n Plump Poultry, Inc. (D. Minn.)
Garner v. Butterball, LLC (E.D. Ark.)
GLS Companies v. Minnesota Timberwolves Basketball LP (Henn. Cty. Dist. Ct., Minn.)
Haritos v. American Express Financial Advisors (D. Ariz.)
Helmert v. Butterball, LLC (E.D. Ark.)
Kurvers v. National Computer Systems, Inc. (Henn. Cty. Dist. Ct., Minn.)
Martin v. BioLab, Inc. (N.D. Ga.)
McGruder v. DPC Enterprises, LP (Maricopa Cty. Super. Ct., Ariz.)
Mehl v. Canadian Pacific Railway (D.N.D.)
Milner v. Farmers Insurance Exchange (D. Minn.)
Oakbend Medical Center Data Breach Litig. (S.D. Tex.)
Patlan, et al. v. BMW of North America, LLC (D.N.J.)
Ponce v. Pima County (Maricopa Cty. Super. Ct., Ariz.)
Regions Morgan Keegan [Landers v. Morgan Asset Mgmt.] (W.D. Tenn.)
Russo v. NCS Pearson, Inc. (D. Minn.)
Sanders v. Norfolk Southern Corporation (D.S.C.)
Scott v. American Tobacco Co. (Civ. Dist. Ct. Parish of New Orleans, La.)
Soo Line R.R. Co. Derailment of Jan. 18, 2002 in Minot, N.D. (Henn. Cty. Dist. Ct., Minn.)
Soular v. Northern Tier Energy, LP (D. Minn.)
State of Mississippi v. AU Optronics Corp. (Rankin Cty. Ch. Ct., Miss.)
State of New Mexico v. Visa, Inc. (Santa Fe Cty., N.M.)
Trauth v. Spearmint Rhino Companies Worldwide, Inc. (C.D. Cal.)
Weincke v. Metropolitan Airports Commission (Henn. Cty. Dist. Ct., Minn.)
Zicam Product Liability Cases (Maricopa Cty. Super. Ct., Ariz.)

ZIMMERMAN REED PARTNERS

Carolyn G. Anderson is a Managing Partner at Zimmerman Reed. She is co-chair of the Public Client & Attorney General practice and leads the firm's Securities & Financial Fraud practice group. Carolyn has successfully represented small investors, institutional clients, and states in individual and nationwide securities fraud, ERISA, and antitrust actions. She has served in a leadership role in obtaining significant recoveries in both individual actions and multi-state actions.

Carolyn currently represents two states in their investigation of and litigation related to the opioid crisis. Those cases involve pharmaceutical manufacturers, drug distributors, and pharmacies related to their roles in the ongoing opioid epidemic.

She is a member of the Lead Counsel Committee in nationwide litigation involving CenturyLink customers alleging they were overcharged and billed for services they didn't request or authorize. She also served as Lead Counsel in a case representing the State of New Mexico., where the State alleged antitrust and unfair practices against Visa and MasterCard. Carolyn also served as Lead Counsel in an action, asserting consumer fraud and antitrust violations, collaborating with a coalition of four Attorneys General, against manufacturers of LCD displays. The case was filed in state court but removed to federal court under the Class Action Fairness Act (CAFA). After opposing this removal at the district court and the Fifth Circuit, the State petitioned the U.S. Supreme Court. The Supreme Court ruled unanimously in favor of Mississippi, reversing the Fifth Circuit's decision and clarifying the standard for removal of state actions under CAFA. *Mississippi ex rel. Hood v. AU Optronics*, 571 U.S. 161 (2014).

Carolyn also represented the Office of Attorney General for the State of Mississippi, defending that Office in an action brought by Google, challenging the State's authority to issue a Civil Investigative Demand (CID). Google attempted to enjoin the Attorney General's CID authority and the district court granted that motion. In April, 2016, the State prevailed and the district court's decision was reversed by the Fifth Circuit.

Carolyn was also appointed Co-Lead Counsel on behalf of investors alleging losses due to Wells Fargo's securities lending program. The case settled for \$62 million, two days before trial was set to commence. She serves as Interim Co-Lead Counsel in an ERISA matter pending in the District of Minnesota against fiduciaries of U.S. Bancorp Pension Plan for violations of ERISA. Carolyn also served as Class Counsel on behalf of investors who had purchased bond funds from Morgan Keegan in a lawsuit that arose from the collapse of three mutual funds. The case also involved the auditor as a defendant. In 2016, the legal team achieved a \$125 million settlement with the assistance of mediator Layn Phillips, a former U.S. Attorney and former United States District Judge.

In prior representation, Carolyn represented large groups of investors with significant losses involving Merrill Lynch, AIG, Boston Scientific, and Lehman Brothers. Carolyn also led a legal team in a case brought by investors against American Express Financial Advisors, challenging that company's practices and breaches of fiduciary duty with its investing customers. The case, brought under the Investment Advisor Act, resulted in a \$100 million settlement. Carolyn also successfully represented Midwest farmers/shareholders who challenged an ethanol plant's merger with Archer Daniels Midland; she was appointed Class Counsel in that matter. The case was resolved weeks prior to trial. Carolyn was also appointed Lead Counsel in a securities fraud lawsuit involving Boston Scientific, representing a public pension fund and a certified class.

In addition to serving in positions of leadership in investor protection litigation, Carolyn currently represents *pro bono* one hundred not-for-profit organizations related to their losses from the \$3.6 billion Petters Ponzi scheme, centered in Minnesota. She was appointed by the federal judge to serve as Assistant Liquidating Trustee under the supervision of the Court and the

Liquidating Trustee for assets being distributed to some of those investors. In *U.S. v. Petters*, No. 08-cv-05348 (D. Minn.), the Firm worked with the Department of Justice and the court-appointed receiver, to successfully recover and distribute millions of dollars to victims pursuant to a settlement with one of the Petters financiers.

Carolyn maintains strong ties with the National Association of Attorneys General, individual state Attorneys General, state pension fund officers, and other institutional investors. She is a lecturer at colleges and law schools, and has served as a legal education faculty member on the topics of complex litigation, legal ethics, the 2008 financial crisis, and securities law.

Carolyn currently serves as a board member with Bloomberg Law on its Litigation Innovation Board. She also serves as a board member and Chairperson for Children's Shelter of Cebu, an interdenominational organization for abandoned and neglected children.

Carolyn graduated cum laude from Trinity College, where she received a Bachelor of Arts degree in Psychology. She received her law degree cum laude from Hamline University School of Law where she was a Dean's Scholar, received the Cali Award for Excellence in Constitutional Law, and served on Hamline Law Review, where her case note article was selected for publication. Carolyn also studied law at Hebrew University in Jerusalem, Israel in course-work focusing on Law, Religion, & Ethics. Following law school, Carolyn served as a judicial extern to the Honorable Paul A. Magnuson, then Chief Judge for the U.S. District Court for the District of Minnesota. Carolyn has been honored as Rising Star of Law, has been recognized as a Super Lawyer since 2014 by her peers in Minnesota, and named to The Best Lawyers in America in the fields of Class Actions and Mass Tort Litigation since 2019. She has also been recognized by Super Lawyers as one of the Top 50 Women Lawyers in Minnesota since 2020.

Carolyn is admitted to practice before, and is a member in good standing of, the U.S. Supreme Court, the Court of Appeals for the Eighth Circuit, Fifth Circuit, and First Circuit, the United States District Court for the District of Minnesota, and the Bar of the State of Minnesota. In addition to these courts, Carolyn works on cases with local counsel nationwide. She is a member of Public Justice, the Federal Bar Association, the American Association for Justice, the Minnesota Bar Association, and the Hennepin County Bar Association.

David M. Cialkowski is a partner with Zimmerman Reed and dedicates a substantial portion of his practice to the area of complex and mass tort litigation, with a primary focus on antitrust and consumer protection litigation.

Dave Cialkowski has two decades of experience in complex and class litigation. His leadership and litigation skills have been recognized by state and federal courts and have led to his appointment as class counsel and to several MDL leadership positions.

Dave was a member of the legal team representing the *Mississippi Attorney General's Office* in *Mississippi ex rel. Hood v. AU Optronics*, 571 U.S. 161 (2014), an antitrust case against manufacturers of LCD displays, which presented the issue of whether an attorney general's parens patriae case is a "mass action" under the meaning of the Class Action Fairness Act. The Supreme Court ruled unanimously in Mississippi's favor.

On behalf of the firm, Dave served on the Steering Committee for the Commercial and Institutional Indirect Purchaser Plaintiffs in *In re Pork Antitrust Litigation*, No. 18-cv-1776 (D. Minn.), on the Executive Committee for plaintiffs in *In re Crop Inputs Antitrust Litigation*, No. 21-md-02993 (E.D. Mo.), and as discovery team leader coordinating complex discovery in *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, 16-md-2724 (E.D. Pa.), *In re Domestic Airline Travel Antitrust Litigation*, 15-mc-1404 (D.D.C), and *In re Hard Disk Drive Suspension Assemblies Antitrust Litigation*, 19-md-291 (N.D. Cal.).

Dave was also appointed to leadership positions in consumer protection class actions including as class counsel on behalf of consumers in the consolidated action *Hudock et al. v. LG Electronics U.S.A. Inc.*, 0:16-cv-01220 (D. Minn.), on behalf of the firm as Executive Committee member in *In re Generali COVID-19 Travel Insurance Litigation*, No. 20-md-2968 (S.D.N.Y), as a member of the Plaintiffs' Steering Committee in *In re Apple iPhone 3G and 3GS "MMS" Marketing and Sales Practices Litigation*, MDL 2116, and co-lead counsel in *In re Dockers Roundtrip Airfare Promotion Sales Practices Litigation*.

His extensive class action experience advanced the claims in *In re Fedex Ground Package Systems, Inc.*, MDL 1700, a multi-district consolidated proceeding involving 40 different state class actions challenging FedEx Grounds' independent contractor model. He also served as a lead counsel team member in *Target Corporation Customer Data Security Breach Litigation* (D. Minn.), to recover financial institutions' losses from the company's massive 2013 data breach.

In addition to his consumer protection and antitrust work, Dave is experienced in complex mass torts. He was a member of the lead counsel trial team in *Levaquin Products Liability Litig.*, MDL 1943, and represented plaintiffs in *In re St. Jude Silzone Heart Valves Product Liability Litigation*, MDL 1396. Dave also represented a class of people injured following a train derailment and chemical release in *In re Soo Line Railroad Company Derailment of January 18, 2002 in Minot, N.D.* His work and leadership led to a clarification in federal law which limited the application of railroad preemption.

In addition to being recognized by the courts, Dave is recognized by his peers as one of Minnesota's top 100 lawyers since 2020, as a Super Lawyer in Minnesota since 2015, and as a Rising Star in Minnesota from 2006-2008 and 2010-2013.

Dave is licensed to practice and a member in good standing, for the Bars of the State of Minnesota and the State of Illinois. He is also admitted to practice before, and is a member in good standing of, the U.S. Supreme Court, the Court of Appeals for the Eighth Circuit, and the United States District Courts for the District of Minnesota, Northern District of Illinois, and District of North Dakota.

Brian C. Gudmundson is a partner and has led and litigated numerous MDL and consolidated actions in recent years. He currently serves as court-appointed lead counsel in the Sonic data breach litigation on behalf of financial institutions, *In Re: Sonic Corp. Customer Data Security Breach*, 17-md-02807 (N.D. Ohio), and in the consolidated consumer action *Patlan, et al. v. BMW of North America, LLC*, 18-cv-09546 (D.N.J.), which alleges damages arising from risk of fire caused by defective BMW vehicles. He is also appointed as interim class counsel in the consolidated action *In re Alexa Data Privacy Consumer Litigation*, No. 21-cv-00854 (W.D. Wash.), alleging privacy

violations related to the recording of communications obtained by Amazon's Alexa devices and co-lead counsel in *In re: Netgain Technology, LLC, Consumer Data Breach Litigation*, 21-cv-1210 (D. Minn.) (SRN/LIB), alleging damages arising from breach of sensitive consumer medical and personal information. Recently, Brian successfully led all plaintiff counsel on behalf of consumers in the settled MDL action *In Re: CenturyLink Sales Practices and Securities Litig.*, MDL 2795 (D. Minn.). Previously, Brian served as co-lead counsel in the consolidated Arby's data breach action on behalf of financial institutions, *In re: Arby's Restaurant Group, Inc., Data Security Litig.*, 17-cv-00514, (N.D. Ga.), and in the arbitration action *GLS Companies, et al. v. Minnesota Timberwolves Basketball LP*, which challenged implementation of the Timberwolves' paperless ticketing system and restrictions on transfer of game tickets.

In addition to serving as lead counsel, Brian has been appointed to and served on a number of steering committees, including in data breach actions on behalf of financial institutions such as *First Choice Fed. Credit Union v. The Wendy's Co.*, 16-cv-00506 (W.D. Pa.); the Home Depot data breach, MDL 2583 (N.D. Ga.); and Equifax data breach, MDL 2800 (N.D. Ga.), among others. Brian is a member of the lead counsel team that achieved a \$39 million settlement on behalf of banks and other financial institutions in recovering losses due to the 2013 Target data breach, MDL 2522. Brian has also served on executive committees in consumer actions, such as *FieldTurf Artificial Turf Marketing Practices Litigation*, MDL 2779 (representing schools, universities, municipalities, and private companies around the country that purchased allegedly defective artificial turf prone to rapid degradation); *Vikram Bhatia, D.D.S. v. 3M Company*, 16-cv-01304-DWF-TNL (settled action on behalf of dentists and dental practices for allegedly defective dental crown products); *Vizio, Inc. Consumer Privacy Litigation*, MDL 2693 (settled action asserting unlawful collection and sale of private consumer data);

Brian has also extensively litigated sports law cases, and represents hundreds of retired NFL players in claims arising from concussive head injuries on the field, MDL 2323 (E.D. Pa.). Brian also represented retired NHL players alleging the National Hockey League minimized concussion risks from its players for decades, MDL 2551 (D. Minn) and was a member of the lead counsel team that achieved a \$50 million settlement on behalf of retired National Football League players in a class action for the unauthorized use of former players' identities to generate revenue *In re: Dryer v. National Football League*, 09-cv-02182 (D. Minn.).

Brian also specializes in claims under the RICO Act and represented multiple non-profit and faith-based investors pro bono in RICO claims arising from the \$3.5 billion Petters Ponzi scheme.

Brian currently serves on the Steering Committee and Faculty of the Class Action Roundtable.

Brian received his BA from the University of Minnesota and his JD, *cum laude*, from the University of Minnesota Law School. Brian is admitted to the state courts of Minnesota, the U.S. District Courts for the District of Minnesota, the Northern District of Illinois, and the District of Colorado, and in the 4th Circuit Court of Appeals, 6th Circuit Court of Appeals, 8th Circuit Court of Appeals, and 10th Circuit Court of Appeals. His professional associations include membership in the Federal Bar Association, Minnesota State Bar Association, Hennepin County Bar Association, American Bar Association, and the American Association for Justice. Brian has been recognized as a Rising Star of Law 2010-2016 and a Super Lawyer since 2017.

June P. Hoidal is a partner at Zimmerman Reed and co-chair of the Public Client & Attorney General practice group. She represents individuals and businesses who experience losses as a result of securities, consumer protection, and antitrust violations. June currently represents the State of Vermont and the State of Indiana in their investigation of and litigation related to the manufacturing, distribution, advertisement, dispensing, and marketing of opioid pain killers. She was a member of the legal team representing the State of Mississippi in a consumer fraud and antitrust action against manufacturers of LCD screens. Her work included assisting with briefing before the U.S. Supreme Court, which unanimously ruled in favor of Mississippi by finding the State's *parens patriae* action was not removable to federal court. *Mississippi ex rel. Hood v. AU Optronics*, 571 U.S. 161 (2014). June also represented investors alleging losses due to Wells Fargo's securities lending program, a case that settled two days before trial was set to commence for \$62 million. She represented the State of New Mexico in a matter against Visa and MasterCard, alleging antitrust and unfair practices and investors of Medtronic in a shareholder derivative case. June currently represents participants of the U.S. Bancorp Pension Plan alleging violations of ERISA.

Prior to joining the firm, June served as a judicial law clerk to the Honorable Arthur J. Boylan on the United States District Court for the District of Minnesota. She gained substantial experience following law school at two law firms in Washington, D.C. and Minneapolis, practicing in diverse subject areas, including contract disputes, franchise, products liability, insurance, and employment law.

June currently serves as a board member and as the lead co-chair of the Associates Campaign for The Fund for Legal Aid. She also serves as a member of the Advisory Board for the Minnesota Urban Debate League and the Publications Committee for the Bench & Bar of Minnesota. Previously, she served as a Commissioner for the City of Saint Anthony Parks Commission, and a member of the Diversity Committee and the Women in the Legal Profession Committee of the Minnesota State Bar Association. In addition, June volunteered as an assistant debate coach for the Minnesota Urban Debate League and worked pro bono for Legal Assistance of Dakota County, Volunteer Lawyers Network, and The Advocates for Human Rights.

June graduated cum laude from the University of Minnesota Law School in 2003, where she was the Lead Managing Editor for the Minnesota Law Review and a member of the Dean's List. She is admitted to the state courts of Minnesota and the U.S. District Courts for the District of Minnesota. June has been recognized as a Rising Star of Law in 2007, 2015-2018 and a Super Lawyer since 2019. She has also been recognized by Best Lawyers in America for consumer protection law in 2023.

Jason P. Johnston is a partner at the firm's Minneapolis office, focusing primarily on complex cases involving individuals injured by defective drugs and faulty medical devices, advocating for clients both locally and nationally. Jason's personal engagement, resolute view of the law, and solid practice style make him a strong voice for his clients and an integral part of our firm.

Jason represents clients injured from defective orthopedic hip devices manufactured by DePuy, Biomet, Stryker, Smith & Nephew and other manufacturers of hip replacement systems. In the Stryker Rejuvenate and ABG II Multidistrict Litigation (MDL), Jason represents patients who experienced serious health complications as a result of a modular hip that was recalled from the

market. Jason also serves as a member of the Plaintiff Steering Committee in the Stryker LFIT V40 MDL. During the Biomet M2a hip litigation, Jason was a member of the Plaintiffs' Science Committee where he reviewed technical documents and participated in depositions involving the design and development of the hip implant systems. In the Zimmer NexGen knee litigation, Jason serves as a member of the Plaintiffs' Steering Committee and has played an active role in the science and discovery phases of the litigation, as well as preparing cases for trial.

Jason's medical device litigation experience extends beyond orthopedic devices, including, representing clients injured by defibrillators and leads manufactured by St. Jude, Medtronic, and Guidant. In the Medtronic Sprint Fidelis litigation, Jason served as a member of the Claims Review Committee following a mass settlement involving Sprint Fidelis leads. He has also represented plaintiffs injured by various pharmaceutical drugs, including, Abilify, Invokana, Viagra, Avandia, Aredia/Zometa, testosterone replacement therapy drugs, and other medications.

Jason has participated in pro bono service during his career, including accepting cases in the District of Minnesota's Federal Pro Se Project which provides *pro se* plaintiffs with volunteer counsel to improve access to justice in the Federal Courts. Jason is also an active member of the American Association for Justice and the Minnesota Association for Justice. In 2016, the Minnesota Association for Justice recognized Jason as the "Member of the Year" for his contributions to the organization.

Since 2014, Jason has been selected as a Minnesota Rising Star of Law by Super Lawyers a distinction award given to only 2.5% of attorneys in the state. In addition, Jason has also been selected as a member of The National Trial Lawyers Top 100 Trial Lawyers and Top 40 Under 40. A graduate of the University of St. Thomas School of Law, he was recognized by the Minnesota Justice Foundation for his pro bono service while attending law school. Prior to law school, Jason attended Winona State University, earning his Bachelor of Science degree, magna cum laude, in Marketing.

Jason has been recognized as a Rising Star of Law by Super Lawyers since 2014. He is admitted to the state courts of Minnesota and U.S. District Court for the District of Minnesota.

Caleb LH Marker is a partner at Zimmerman Reed, working at the firm's Los Angeles office. Caleb dedicates a significant portion of his practice to consumer protection and employment cases, including consumers, misclassified employees, mortgage borrowers, student loan borrowers, and senior citizens.

Caleb is a creative litigator who has been a leader in the consumer protection area and has been actively involved as class counsel in cases that have provided meaningful recoveries, through trial or settlement. He has first-chair trial experience in court and arbitration, having tried several cases to verdict and award. In 2016, he tried the first merits arbitration in the United States that alleged that a "gig economy" worker was an employee as opposed to an independent contractor and has continued to try and advance such cases in arbitration and courtrooms. He has briefed and argued appeals in California, Michigan, and the Ninth Circuit.

Caleb currently represents tobacco consumers as a member of the plaintiffs' steering committee for in the *Santa Fe Natural Tobacco Company Marketing and Sales Practices Litigation* (MDL 2695) currently pending in the U.S. District Court for the District of New Mexico. The Santa Fe MDL was recently the subject of an in-depth article published by Bloomberg Businessweek in an article entitled "Nature's Cancer Sticks: American Spirits Long, Strange Trip to Court."

Caleb leads the firm's involvement in representing a sexual assault survivor of Larry Nassar, the former Michigan State University team physician and U.S. Women's Gymnastics Team coach. Nassar has been sentenced to up to 175 years in prison and dozens of high-ranking university and gymnastics officials have been ousted or face criminal investigations for their role in these heinous crimes. Among other issues, Caleb is defending Michigan P.A. 183 which provided a brief window for child sexual assault survivors to bring suit regardless of whether the statute of limitations had previously lapsed.

In recent years, Caleb's successes include leading a class action against the City of Los Angeles and Xerox that drew widespread media attention, winning a trial that now requires the City to end its decades-long outsourcing of the City's parking violations bureau in a case that will help over a hundred thousand motorists in Los Angeles in the next few years. Caleb later defended the trial court's verdict on appeal, resulting in a unanimous opinion fully affirming the trial court's verdict and award under the private attorney general doctrine. *Weiss v. City of Los Angeles*, 2 Cal. App. 5th 194 (August 8, 2016). Caleb has been a driving force in a number of class actions that have resulted in eight-figure settlements, including actions that involving misclassified employees, homeowners victimized by force-place insurance practices, patients at understaffed nursing homes, consumers of dangerous gas absorption refrigerators, and student loan borrowers who were overcharged for interest.

Caleb serves on the Los Angeles County Bar's Litigation Executive Committee and Access to Justice Committee, the latter of which aims to maximize the delivery of legal services to the poor and encourage attorneys to provide free legal services to those in need. Several of his successes have been recognized as a "Top Settlement & Verdict" by the Los Angeles Daily Journal and Michigan Lawyers Weekly. He has been interviewed by numerous media outlets, including NBC, Fox Business, NPR, *The Wall Street Journal*, AP, the *Los Angeles Times*, *LA Weekly*, and Law360. He has also been recognized as a Rising Star of Law in Southern California by Super Lawyers since 2015, after a peer-nomination and review process awarded to less than 2.5% of attorneys under 40.

A native of Michigan, Caleb graduated from Michigan State University's James Madison College and College of Law. He is a member of the Los Angeles County Bar Association (LACBA), Duke Law's Bolch Judicial Institute and Electronic Discovery Reference Model (EDRM), the Federal Bar Association (FBA), the American Association for Justice (AAJ), Consumer Attorneys Association of Los Angeles (CAALA), and Consumer Attorneys of California (CAOC).

Hart L. Robinovitch is a partner with Zimmerman Reed, leading the firm's Scottsdale, Arizona office. Hart focuses his practice in the areas of consumer and shareholder actions, and sports law.

For the past decade, Hart has represented clients in a series of class action lawsuits contesting mortgage lenders' excessive billing and deposits practices for mortgage escrow accounts. Hart is

now involved in numerous federal court lawsuits around the country alleging that mortgage banks and lenders have violated federal and state laws. These cases allege payment of kickbacks and/or illegal and unearned referral fees by the banks and lenders to mortgage brokers who refer mortgage clients who are then charged inflated interest rates on the mortgages. In addition, he represents consumers in other actions contesting the imposition of overcharges and improper fees or other contractual violations in various mortgage transactions. He has worked with co-counsel in state and federal courts across the country.

Hart currently represents corn farmers and DDGS exporters in the *Syngenta Viptera Litigation* who have experienced the effects of China's ban of U.S. corn and corn-derived products, suffering lower prices, decreased sales and other losses as the prices of U.S. corn has decreased. He is a member of the lead counsel team representing retired NHL players alleging the National Hockey League minimized the chronic cumulative effects of concussion risks from its players for decades. Hart also represents clients in a class action lawsuit on behalf of RV owners alleging that Norcold knew of a potentially dangerous RV refrigerator fire risk, but hid that information from the public.

Hart has been involved in numerous state and federal court lawsuits around the country challenging the misclassification of entertainers as independent contractors opposed to employees in the nightclub industry. He also represented consumers in other actions alleging deceptive and unlawful business conduct towards customers including, but not limited to, false advertising practices, "bait and switch" tactics, altering contractual terms without valid consideration, and retailers' requests and/or requirements that their customers provide personal identification information when they complete a transaction using their credit card, in violation of state and/or federal statutes. In addition, Hart represented residents of various skilled nursing facilities alleging pervasive and intentional failure to provide sufficient direct nursing care staffing resulting in harm to the residents.

A native of Canada, Hart earned his degree from the University of Toronto Law School in 1992 where he served as an Associate Editor on the University of Toronto Faculty of Law Review. He received his Bachelor of Science degree in 1989 from the University of Wisconsin-Madison.

Hart is admitted to practice before, and is a member in good standing of, the Bars of the States of Arizona and Minnesota and the United States District Court for the Districts of Arizona, Minnesota, and the Eastern District of Michigan. Hart is also licensed to practice law before the United States Courts of Appeals for the Sixth, Eighth, Ninth, and Eleventh Circuits, and the United States Supreme Court. Hart's memberships include the National Association of Consumer Advocates and Canadian American Bar Association.

J. Gordon Rudd, Jr. is a Managing Partner at Zimmerman Reed and represents clients in the areas of consumer protection, employment law, and mass torts. Gordon has been appointed class counsel in cases in state and federal courts across the country.

Gordon was recently part of the team that achieved a \$50 million settlement in the complicated court fight over publicity rights for retired NFL players. In a separate lawsuit, he represents hundreds of retired NFL players suffering from concussive head injuries that occurred while playing in the league. Gordon also represented thousands of individuals injured by the largest

release of anhydrous ammonia in U.S. history. Two of those individuals were awarded \$1.2 million by a jury. Eventually, these trials led to a settlement on behalf of other residents of Minot, North Dakota injured by the derailment.

In mass tort litigation, Gordon leads several cases, including representing clients who developed gambling addictions after taking top-selling prescription drug Abilify; representing nursing home residents sickened by a Hepatitis C outbreak (the second-largest outbreak of the disease in U.S. History); representing men who suffered cardiovascular injuries following their use of testosterone therapy supplements; and representing clients who experienced severe bleeding problems while taking Xarelto.

Gordon has also served on a number of multi-district litigation cases. He was a member of the lead counsel team representing banks and other financial institutions seeking recovery of losses from the 2013 Target data breach. He also holds leadership positions on several Plaintiffs' Steering Committees including *In re H&R Block IRS Form 8863 Litigation*, MDL 2474, *In re Life Time Fitness, Inc., Telephone Consumer Protection Act (TCPA) Litigation*, MDL 2564, *In re FedEx Ground Package System, Inc.*, MDL 1700, and *In re Building Materials Corp. of America Asphalt Roofing Shingle Products Liability Litigation*, MDL 2283.

Gordon graduated from Connecticut College, where he received a Bachelor of Arts degree in English Literature & Government. He received his law degree from the University of Cincinnati College of Law. Gordon is licensed to practice before, and is a member in good standing of, the Bar of the State of Minnesota and the United States District Court for the District of Minnesota. Gordon is admitted to the United States Court of Appeals for the Eighth Circuit. He has been admitted to appear pro hac vice in cases pending in the states of California, Oregon, Arizona, New Mexico, Texas, North Dakota, Ohio, Florida, Georgia, Tennessee, and Michigan. Gordon has been selected as a Super Lawyer by his peers in Minnesota since 2006 and recognized in The Best Lawyers in America in the fields of Class Actions and Mass Tort Litigation since 2018.

Behdad C. Sadeghi is a partner at Zimmerman reed and a member of the firm's Attorney General practice. His practice focuses his practice on complex litigation involving consumer protection, securities and financial fraud, and antitrust law in state and federal courts.

Behdad currently is part of the Attorney General Practice, working with the team representing two states in the opioid litigation, conducting research, discovery, and motion practice. Behdad worked on the team representing investors who sustained losses as a result of alleged federal securities law violations by Morgan Keegan and its affiliates that achieved a \$125 million settlement. He also represented a class of financial institutions who suffered losses resulting from a major data breach in a class action against the Target Corporation that resulted in a \$39 million dollar settlement. In consumer litigation, he successfully achieved a multi-million dollar wrongful death settlement against a major automobile manufacturer, and a settlement on behalf of a group of elderly victims of one of the largest hepatitis C outbreaks in the nation's history. He also represents a putative class of consumers alleging violations of the Telephone Consumer Protection Act by Papa Murphy's and SuperAmerica.

Behdad graduated magna cum laude from William Mitchell College of Law, where he was a member of the William Mitchell Journal of Law and Practice and the Niagara International Moot

Court Team; he also participated in the school's Civil Advocacy Clinic. His academic honors include a CALI Excellence for the Future Award, four Dean's List honors, and a Burton Award Nomination for Excellence in Legal Writing. Behdad has been recognized as a Rising Star of Law since 2019. Behdad is licensed to practice law in Minnesota and the United States District Court for the District of Minnesota

ZIMMERMAN REED ATTORNEYS

Hrag Alexanian is an attorney at Zimmerman Reed working in the firm's Los Angeles office. He is a member of the consumer protection and employment law practice groups. He represents individuals in various employment wage disputes, gig-economy employment misclassification, consumer privacy, breach of contract, and financial fraud cases.

While in law school, Hrag gained valuable experience interning in the legal department for an international athletic apparel company and clerking at a software company working on a wide variety of issues with the General Counsel.

Prior to joining the firm, Hrag externed at a California law firm specializing in civil litigation.

Hrag is a graduate of the Chapman University Dale E. Fowler School of Law. He also graduated with a Master of Business Administration from the Chapman Argyros School of Business & Economics. Hrag earned his B.S. from California State University, Northridge in Business Administration, Finance.

Hrag speaks conversational Spanish and is fluent in Armenian. He is licensed to practice before and is a member in good standing of the California State Bar.

Molly F. Billion is an associate in the firm's Minneapolis office and a member of the consumer protection and employment law practice groups. She currently represents employees in employment wage disputes and gig-economy employment misclassification matters and represents consumers in consumer privacy, breach of contract, and financial fraud cases.

Before joining Zimmerman Reed, Molly litigated in immigration proceedings, representing asylum seekers and other noncitizens, appearing in immigration court on behalf of asylum and cancellation of removal applicants.

Molly is a graduate of the University of St. Thomas School of Law. While in law school, she clerked for the Hennepin County Attorney's Office, negotiating plea offers, and appearing in court for juvenile and misdemeanor matters as a Certified Student Attorney. She also served as the Managing Editor of the University of St. Thomas Law Journal and was President of the Women's Law Student Association. Prior to law school, she worked as a Guardian ad Litem in the Minnesota Fourth Judicial District Court where she advocated for the best interests of children in child protection cases.

Molly is licensed to practice before and is a member in good standing of the Minnesota State Bar.

Killian Commers is an associate at Zimmerman Reed, working in the firm's Minneapolis office. As part of the consumer protection team, Killian handles all aspects of litigation and arbitration including dispositive motion practice, pleadings, oral arguments, trial preparation, and settlement negotiations.

Prior to joining the firm, Killian represented and advised businesses, including Fortune 500 companies in commercial, product, and professional liability litigation matters. He gained extensive experience in the discovery process, including expert discovery, dispositive motion practice, and settlement negotiations.

Killian is a graduate of Marquette University Law School. While in law school, Killian was a finalist in the Jenkins Honors Moot Court Competition and recognized with the Franz C. Eschweller award for best legal brief. As a law student, Killian participated in national moot court and negotiation competitions and served on the editorial of the *Marquette Sports Law Review*. Killian also worked as a judicial intern at the U.S. Court of Appeals for the Seventh Circuit.

Killian is licensed to practice law in Illinois, Minnesota, and Wisconsin.

Zachary J. Freese is an associate in the firm's Minneapolis office and a member of the consumer protection and antitrust practice groups. In this practice, Zach focuses on protecting consumers and individuals from fraud, deceptive trade practices, and marketplace collusion.

Prior to joining the firm, Zach worked as a commercial litigator in the areas of business and construction litigation, litigating a broad range of disputes in state court. Prior to that, he clerked with Judge William H. Koch and Judge Kerry W. Meyer in the Fourth Judicial District Court.

Zach is a graduate of the University of St. Thomas School of Law, where he was the senior editor of the law journal. While in law school, he was a Certified Student Attorney in the Hennepin County Attorneys' Office where he assisted county attorneys in investigating and prosecuting complex white-collar crimes.

He is licensed to practice before and is a member in good standing of the Minnesota State Bar.

Richard Hansen is an associate at Zimmerman Reed and a member of the firm's Public Client practice. His practice focuses on complex cases involving consumer fraud and environmental issues.

As part of the Public Client group, Richard represents states and municipalities in various matters. This includes currently representing the State of Minnesota in litigation against Juul for deceptively marketing its e-cigarettes. Richard has also represented states in litigation against entities responsible for the deceptive marketing, sale, and distribution of opioids.

Following law school, Richard work as a law clerk in the Minnesota Court of Appeals where he drafted bench memoranda and assisted with preparing judicial opinions. After his clerkship, he was an associate at a Minnesota firm that practices in a broad spectrum of areas, including antitrust, energy, and financial services law. In that position, Richard was responsible for preparing and drafting briefs for dispositive and non-dispositive motions, arguing motions in state court proceedings, and acted as lead associate in multiple cases which involved overseeing document collection and review.

Richard graduated cum laude from the University of Wisconsin Law School, where he served as the Managing Editor of the Wisconsin Law Review and was admitted to the Order of the Coif. He is admitted to the state courts of Minnesota and Wisconsin, and the U.S. District Court for the District of Minnesota.

Richard is an associate at Zimmerman Reed and a member of the firm's Public Client practice. His practice focuses on complex cases involving consumer fraud and environmental issues.

Jeff Harrington is an attorney in the firm's Minneapolis office, and a member of the consumer protection and employment law practice groups. He represents individuals in various consumer protection, employment wage disputes, employment misclassification, and consumer privacy cases.

Jeff's experience spans nearly two decades in employment, consumer protection, and business law. During his legal career, he has served as an Assistant Attorney General in the Complex Litigation Division, where he focused on consumer protection issues, and as an Unemployment Law Judge, where he issued decisions on appeals of unemployment claims. Early in his career, Jeff clerked for the Honorable Richard H. Kyle in the U.S. District Court for the District of Minnesota.

Andre S. LaBerge brings over twenty years of professional experience – as an attorney and as a business executive – in his advocacy for the rights of investors and consumers, providing counsel to several of the firm's practice areas. He has represented participants in Wells Fargo's securities lending program, investors with losses in Morgan Keegan open end bond funds, and the Office of Attorney General in the LCD antitrust litigation.

Andre has practiced law in Chicago and Minneapolis, and has represented clients at all court levels and in various regulatory forums. He has also served as Vice President, Chief Compliance Officer, General Counsel, and FINRA Registered Principal and Designated Supervisor in the financial services industry with companies that supervised and supported large numbers of securities brokers, financial planners, and insurance agents.

Andre is a graduate of DePaul University College of Law, where he was a Senior Editor for the Journal of Health and Hospital Law, and worked as a Mansfield Foundation Fellowship intern at Southern Minnesota Regional Legal Services. He is a member of the Minnesota State Bar Association and the Hennepin County Bar Association.

Anna E. Jenks is a member of the firm's Public Client practice. Her practice focuses on representing state attorneys general and public entities in complex litigation involving consumer protection, securities and financial fraud, and antitrust law in state and federal courts.

Prior to joining Zimmerman Reed, Anna served as an Assistant Attorney General at the Minnesota Attorney General's Office. In that position, Anna worked on a wide variety of regulatory, administrative, and civil issues. She represented the State of Minnesota in tort and employment litigation at both the trial and appellate levels. She also advised the Minnesota Public Utilities Commission and represented the Commission on appeal. An accomplished advocate, Anna's impactful representations of clients throughout the stages of complex multi-party litigation and appeals has earned her the respect of the courts where she appears and the colleagues with whom she works.

Anna graduated magna cum laude from the University of Minnesota Law School and is licensed to practice law in Minnesota.

Michael J. Laird is an Associate at Zimmerman Reed and focuses his practice in the areas of sports law, data breach litigation, and consumer protection.

Michael currently represents hundreds of retired NFL players in the National Football League Concussion litigation. Former players sued the NFL alleging it downplayed the risk of progressive degenerative brain injuries caused by playing in the NFL. Michael has successfully obtained tens of millions of dollars on behalf of former players suffering degenerative brain injuries as part of the NFL Concussion Settlement. Michael also successfully represented former NHL players who alleged the National Hockey League was negligent in dealing with concussions and head injuries causing players to suffer serious brain injuries, including chronic traumatic encephalopathy (CTE).

In his data breach practice, Michael represents financial institutions and individuals affected by cyber-attacks that exposed their sensitive business and personal data. These cases seek to hold companies accountable for harm caused by their data breaches and allegedly inadequate data security. Michael has previously litigated against major companies responsible for some of the largest nationwide data breaches, including Equifax, Marriott, and Wendy's. He is currently litigating data breach cases against Sonic, Netgain, and is currently a court-appointed member of the leadership committee in the ParkMobile litigation.

In his consumer protection practice, Michael brings his broad experience to represent individuals and businesses who experienced consumer-related injuries. Currently, Michael represents pet owners and is currently a court-appointed member of the leadership committee in a class action where pets suffered harm and, in some cases, died allegedly due to Elanco's flea and tick collar, Seresto. Michael also represents consumers and electrical contractors who claim Siemens manufactured defective arc fault circuit interrupters.

Michael graduated magna cum laude from the University of Minnesota Law School. During law school, he served as a member of the Journal of Law, Science & Technology and argued on the American Bar Association Moot Court team. He externed for the Honorable Jeffrey J. Keyes of the United States District Court for the District of Minnesota.

Michael has been recognized as a Rising Star by Super Lawyers since 2021. He is licensed to practice law in Minnesota.

Ian F. McFarland is an associate at Zimmerman Reed and a member of the firm's Antitrust and Consumer Protection Practice Groups. Ian's current antitrust work includes representation of a putative classes of restaurants and catering businesses in multidistrict litigation against the nation's largest pork and turkey processors. In addition, he is also representing reseller class plaintiffs in multidistrict litigation against the manufacturers of a critical component of hard disk drives. Previously, as a member of the firm's Public Client Practice Group, Ian represented the States of Indiana and Vermont in litigation against the entities responsible for the unfair and deceptive marketing, sale, and distribution of opioids.

Following law school, Ian served as a law clerk to the Honorable Regina M. Chu, Minnesota District Court, Fourth Judicial District. He then moved to a litigation firm where he worked on a variety of complex litigation matters, including National Hockey League Players' Concussion Injury Litigation, Dental Supplies Antitrust Litigation, Aggrenox Antitrust Litigation, and the Target Customer Data Security Breach Litigation.

Ian graduated magna cum laude from the University of Wisconsin Law School, where he served as a Note and Comment Editor of the Wisconsin Law Review and was admitted to the Order of the Coif. While attending law school, he worked as a judicial intern to the Honorable Margaret J. Vergeront, Wisconsin Court of Appeals, District IV.

Ian was recognized as a Rising Star by Super Lawyers in 2022.

He is licensed to practice before and is a member in good standing of the Bar of the State of Minnesota.

Kimberly McNulty is an associate at Zimmerman Reed and is a member of the Public Client practice group. She represents states and municipalities in a variety of matters. She currently represents the State of Minnesota in its litigation against e-cigarette manufacturer, JUUL, for its deceptive marketing practices and targeting of Minnesota's youth. She also represents individual state Attorneys General in litigation against entities responsible for deceptive marketing, sale, and distribution of opioids.

Prior to joining the firm, Kimberly was an associate attorney for another Minneapolis law firm representing businesses and individuals in all stages of complex commercial litigation. Prior to that, she worked as a Judicial Law Clerk to the Honorable Matthew E. Johnson. Kimberly is a graduate of the University of South Dakota School of Law with high honors. While in law school, she was the Lead Articles Editor for the South Dakota Law Review, member of the Trial Team, and intern with the United States Attorney's Office (District of South Dakota). Kimberly earned her B.A. from Creighton University in English.

Kimberly has been recognized as a Rising Star by Super Lawyers since 2021. She is licensed to practice before and is a member in good standing of the Bar of the State of Minnesota.

Flinn T. Milligan is an associate at Zimmerman Reed, working in the firm's Los Angeles office. He dedicates his practice to protecting consumers and workers in complex litigation, including cases involving consumer fraud and misclassified employees. Flinn has demonstrated his commitment to ensuring access to justice, especially for the most vulnerable members of our communities.

Prior to joining the firm, he worked at a non-profit, as a UC President's Public Interest Fellow. He assisted victims of PACE (property assessed clean energy) financing scams, ensuring that his clients stayed in their homes. He also worked on matters at the intersection of poverty and elder law, including debt collection, real estate, elder abuse, and access to estate funds. During law school, Flinn served as a law clerk for the Legal Aid Foundation of Los Angeles, working in the domestic violence clinic and the eviction defense center.

Flinn is a graduate of the UCLA School of Law. He also earned his B.A. from the University of Exeter (South West England, UK), during which he studied abroad at Iowa State University. Flinn is licensed to practice before and is a member in good standing of the Bar of the State of California.

Flinn is licensed to practice before and is a member in good standing of the Bar of the State of California.

Christopher Nagakawa is an attorney at Zimmerman Reed working in the firm's Los Angeles office. He is a member of the consumer protection and employment law practice groups, representing individuals in various consumer privacy, breach of contract, and financial fraud cases.

Prior to joining the firm, Chris was a Deputy Attorney General of the California Department of Justice and Deputy City Attorney of the Santa Monica City Attorney's Office. He defended the State of California, City of Santa Monica, and city and state officials and employees. During his career, Chris also specialized in investigating and prosecuting fraud claims. He was solo or first-chair in numerous trials at both agencies and is an experienced litigator in state and federal courts, at the district and appellate levels.

Chris served as a proud member of the Glendale California and Los Angeles County Fire Departments. He remains a member of the International Association of Fire Fighters and the California Professional Firefighters Association.

He is licensed to practice before and is a member in good standing of the California State Bar.

Rachel K. Tack is an associate at Zimmerman Reed and a member of the firm's Consumer Protection practice and the Securities and Financial Fraud practice.

Rachel is currently litigating against multiple insurance companies for denying certain coverages and overcharging for others, including Meta Platforms, Inc. for failing to control or remove copyright infringement on its sites, BMW of North America for damages related to unresolved safety defects, and several healthcare companies for data breaches. Rachel has also worked on many other data breach cases, including the T-Mobile data breach, in which a federal district

court appointed Rachel to the Plaintiffs' Executive Committee to oversee the litigation and advocate on behalf of more than 53 million breach victims.

Following law school, Rachel worked at a general practice firm where she concentrated on complex civil litigation and corporate disputes. Her litigation experience includes working directly with clients and developing skills in all areas of legal advocacy including drafting pleadings, conducting discovery, motion practice, oral arguments, and representing clients in mediations and arbitration. Representing clients in this diverse practice honed her litigation expertise in state, tribal, and federal courts.

Rachel graduated from University of North Dakota Law School, where she served as a member of the North Dakota Law Review and the American Inns of the Court. While attending law school, Rachel served as a Chambers Legal External Clerk in the U.S. Bankruptcy Court where she gained hands-on experience in the courtroom, conducted extensive legal research, and assisted in preparing judicial opinions.

Rachel is admitted to the state courts of Minnesota and North Dakota and the U.S. District Courts for the District of Minnesota.

Charles R. Toomajian, III is an associate at Zimmerman Reed and a member of the firm's Public Client, Consumer Protection, and Whistleblower/False Claims Act practice groups.

In the Public Client context, Chuck represents states and municipalities in various matters, including representing the State of Minnesota in its litigation against JUUL for deceptively marketing its e-cigarettes and targeting Minnesota's youth. Chuck also represents the State of Indiana and the State of Vermont in the opioid litigation, against entities responsible for the deceptive marketing, sale, and distribution of opioids.

In the False Claims Act practice, Chuck represents whistleblowers who come forward to report fraud against state and federal governments. In the Consumer Protection area, Chuck has successfully represented individuals with claims under the TCPA and other consumer-facing statutes and regulations.

Prior to joining Zimmerman Reed, Chuck practiced at a nationally recognized trial and litigation firm where he handled broad aspects of cases including drafting pleadings, conducting discovery, motion practice, oral arguments, and representing clients in mediation, arbitration, and through all phases of litigation and settlement.

A magna cum laude graduate from the University of Minnesota Law School, Chuck was a symposium editor for *Law and Inequality: A Journal of Theory and Practice*. He was a three-year consecutive Dean's List recipient and received the First Amendment Law Book Award for achieving the highest score in the class.

During law school, he externed for the Honorable Mark Wernick of the Hennepin County District Court. Chuck holds a Bachelor of Arts in English from Williams College. He is licensed to practice law in Minnesota and California and is admitted to the U.S. District Courts for Minnesota and the Central District of California.

Chuck has been recognized as a Rising Star by Super Lawyers since 2021. He is licensed to practice before and is a member in good standing of the Bar of the State of Minnesota.

Jeff Westerman's experience spans 40 years in securities fraud, Ponzi scheme, consumer fraud, antitrust, shareholder derivative, and employment litigation. He has served as lead or co-lead counsel in cases resulting in significant corporate governance changes and recoveries - and recognized increased value to plaintiffs - totaling more than \$2 billion. The Daily Journal recognized him as one of the top 30 securities litigators in California. Jeff's strong reputation for leadership and positive collaboration have resulted in appointments to a leadership role in large multi-party cases. He has also been an active member of the California bar, serving in Court appointed and volunteer roles within California and the U.S. Central District of California including Chair, U.S. Central District of California Attorney Discipline Committee; Honorary Board Member and past President of the Federal Bar Association - Los Angeles Chapter; and Member, U.S. Central District of California Magistrate Judge Merit Selection Panel.

Jeff has been recognized as a Super Lawyer since 2005. He is licensed to practice before and is a member in good standing of the Bar of the State of California.