

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

KEVIN PINE, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

A PLACE FOR MOM, INC., a Delaware  
corporation,

Defendant.

Case No. 17-cv-1826

**DECLARATION OF TAMMY HUSSIN IN  
SUPPORT OF PLAINTIFF'S MOTION  
FOR ATTORNEYS' FEES AND COSTS,  
AND SERVICE AWARDS TO THE  
PLAINTIFFS**

1 I, Tammy Hussin, being competent to testify, make the following declaration based on  
2 my personal knowledge, and where stated, upon information and belief, I declare:

3 1. I am currently the owner of Hussin Law, which was founded on February 1, 2014.  
4 I am one of the lead attorneys for Plaintiff and the Class in this matter. I submit this declaration  
5 in support of Plaintiff's Motion for Attorneys' Fees, Costs and Service Awards. Except as  
6 otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could  
7 testify competently to them if called upon to do so.

8 2. I graduated from Florida State University (B.A. Finance/Marketing), and from  
9 Southwestern University School of Law in 1991 (J.D., *cum laude*). While at Southwestern, I was  
10 a Note and Comment Editor on the Law Review Staff, and a three-time recipient of the Merit  
11 Scholarship Award. I became licensed to practice law in California in 1991, and I am also  
12 licensed to practice law in Michigan (currently inactive) and Colorado (currently inactive).  
13 Additionally, I am admitted to practice law in various federal courts across the country,  
14 including, but not limited to, each of the U.S. District Courts for the District of California. I am  
15 good standing in each jurisdiction in which I practice, and I have never been sanctioned by a  
16 court and have never faced a bar complaint.

17 3. Prior to forming Hussin Law, I worked at two national consumer protection law  
18 firms, I focused on representing plaintiffs in individual and class action litigation.

19 4. For the last fifteen years, my focus has been exclusively in the area of consumer  
20 rights litigation, primarily in the areas of the Telephone Consumer Protection Act 47 U.S.C. §  
21 227 *et. seq.* ("TCPA"), the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*  
22 ("FDCPA"), and the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et. seq.* ("FCRA"), as well as  
23 other various state consumer laws.

24 5. My in-depth experience as a consumer protection attorney justifies my  
25 involvement in this case. Throughout my legal career, I have successfully resolved hundreds of  
26 individual claims involving consumer law violations in state and federal courts across the  
country, and my efforts have resulted in obtaining millions of dollars in settlements for aggrieved

1 consumers. My focus has been primarily on individual cases, but I have also been counsel for  
2 plaintiffs in other class actions, including the following: *Stephen Comstock v. HSBC Bank U.S.A.*  
3 *N.A.*, Case No. 13-cv-0001, U.S. District Court for the Southern District of California; *Bedard*  
4 *Controls Inc. v. Liberty Capital Group Inc.*, Case No. 3:13-cv-01595, U.S. District Court for the  
5 Southern District of California; *Fugere v. 1&1 Internet Inc.*, Case No. 3:13-cv-01180, U.S.  
6 District Court for the Southern District of California; *Betty Gregory v Evine Live, Inc.*, Case No.  
7 8:17-cv-01112, U.S. District Court for the Southern District of California; and *Bedard Controls*  
8 *Inc. v. Liberty Capital Group Inc.*, Case No. 3:13-cv-01595, U.S. District Court for the Southern  
9 District of California.

10 6. In addition to my litigation experience, I have systematically stayed abreast of  
11 relevant legal issues in the area of consumer law by attending legal conferences, and by regularly  
12 conducting large amounts of legal research. Over the years I have attended conferences regarding  
13 consumer laws, including class action symposiums and numerous multi-day National Consumer  
14 Law Center (“NCLC”) seminars on consumer laws. In addition, various organizations have  
15 requested that I appear for speaking engagements to discuss the current state of consumer laws.  
16 Organizations that I have presented before include ACA International and the California  
17 Association of Collectors.

18 7. Prior to joining this action, I represented Kevin Pine in a separate claim against  
19 APFM for violations of the TCPA. I thoroughly researched Defendant’s practices and Plaintiff’s  
20 legal claims by, among other things, conducting an independent investigation and researching  
21 relevant TCPA case law and regulations. This information was critical to my understanding of  
22 the nature of the problem, the scope of potential damages and remedies, and the potential risks  
23 and benefits of continued litigation.

24 8. In conducting my research on APFM, I became aware of this action and, in  
25 August of 2017, I reached out to my now co-counsel Daniel Hutchinson and Gary Klinger to  
26 discuss joining Mr. Pine to the instant case and combining our efforts against APFM.

1           9.       On October 13, 2017, Plaintiff’s counsel moved to substitute Mr. Pine for Andrew  
2 Kim (Dkt. No. 26.), and I joined the case as Plaintiff’s counsel. I have since then been actively  
3 involved in litigating this case. On October 17, 2017, Plaintiff filed the First Amended Class  
4 Action Complaint and substituted Kevin Pine for Andrew Kim as the named plaintiff. (Dkt. No.  
5 30). The First Amended Complaint contained allegations that Defendant violated the TCPA by  
6 using an automatic telephone dialing system to call cellular phones without the prior express  
7 written consent of Mr. Pine and the putative class members.

8           10.       I regularly communicated with Mr. Pine throughout this litigation, and kept him  
9 abreast of the progress of the case by providing him with copies of filings and discussing new  
10 developments with him. I assisted in the preparation and defense of Plaintiff’s deposition, and  
11 assisted in responding to APFM’s discovery requests. During this course of this litigation, I also  
12 actively participated in numerous meet and confer conferences, each of which directly bore on  
13 Mr. Pine and his claims.

14           11.       I remained active in this case during the negotiation phase and throughout the  
15 settlement process. In July of 2018, I participated in a mediation in this action before Lou  
16 Peterson of Hillis Clark Martin & Peterson P.S in Seattle and in a second mediation before the  
17 Hon. Edward A. Infante (ret.) of JAMS in San Francisco. Although neither mediation initially  
18 resulted in settlement, the parties continued to negotiate with the continued efforts of Judge  
19 Infante and ultimately agreed on a settlement.

20           12.       This matter required me to spend time on this litigation that could have been spent  
21 on other matters—time that could otherwise have been spent on other fee-generating work. My  
22 time spent on this case was at the risk of recovering nothing. The time that I spent working on  
23 this case could and would have been spent pursuing other potentially fee generating matters.

24           13.       I, with other Class Counsel, therefore made every effort to litigate this efficiently  
25 by reducing duplication of effort and assigning work to the lowest billing timekeepers where  
26 feasible.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

14. My current hourly rate is \$600.00 per hour, which reflects my experience and the market rate within San Diego, California, where my firm is located. It is my regular practice to keep contemporaneous time records on a daily basis, describing tasks in .01 hour increments, and I maintained such contemporaneous time records in this case. Based upon my time records, as of June 11, 2020, I worked a total of 63.2 hours in this action, with a total lodestar of \$37,920.

15. I maintained all books and records regarding costs expended on this case in the ordinary course of business, which books and records are prepared from expense vouchers and check records. I have reviewed the records of costs expended in this matter. Based on my records, I incurred \$1,432.36 in expenses, which include my payments for travel to the two mediations, as well as other costs such as a conference room, printing, and copying.

I declare under penalty of perjury of the laws of California and the United States that the foregoing is true and correct, and that this declaration was executed in San Diego, California on this 11th day of June, 2020.

*/s/ Tammy Hussin*  
\_\_\_\_\_  
Tammy Hussin  
**HUSSIN LAW**  
1596 N. Coast Hgwy 101  
Encinitas CA 92024  
*Counsel for Plaintiff, Kevin Pine*