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*Attorneys for Plaintiff,*

Roy Lo

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES– UNLIMITED CIVIL**

**ROY LO, Individually and On Behalf  
Of All Others Similarly Situated,**

Plaintiffs,

v.

**NUTRIBULLET LLC,**

Defendant.

**Case No.:** 21STCV12852

**DECLARATION OF ADIB ASSASSI IN  
SUPPORT OF PLAINTIFF'S MOTION  
FOR ATTORNEYS' FEES, COSTS, AND  
SERVICE AWARD**

**Judge:** Hon. William F. Highberger

**Dept.:** 10



**DECLARATION OF ADIB ASSASSI**

I, Adib Assassi, declare:

1. I am an attorney admitted to the State Bar of California on December 7, 2014, and have been a member in good standing since that time.
2. I am over the age of 18 and am fully competent to make this declaration.
3. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto, except as to those matters which are explicitly set forth as based upon my information and belief and, as to such matters, I am informed and believe that they are true and correct.
4. I am the founding attorney at Black Oak Law Firm, and co-counsel for Plaintiff Roy Lo (“Plaintiff”) in the above-captioned action against defendant NutriBullet, LLC (“Defendant” or “NutriBullet”).
5. I have been appointed as one of Class Counsel in this action.
6. I am writing this declaration in support of the Plaintiff’s Motion for Attorney’s Fees, Costs, and Service Award.
7. I have worked on this action since its inception.
8. I attended the all-day private mediation before Judge Patrick Walsh (Ret.) of Signature Resolution on August 11, 2021.
9. In my opinion, the proposed injunctive relief settlement is fair and reasonable, and merits final approval, especially where it provides for meaningful changes to Defendant’s marketing practices and no class member is releasing any claim for monetary damages.

**HOURS INCURRED AND COSTS**

10. From early 2021 to September 6, 2022, I have incurred approximately 45.7 hours in this action against Defendant. All hours were logged contemporaneously in the normal course of business. I have been involved in every major aspect of the case, including but not limited to attending the mediation and motion practice to date. A breakdown of my hours logged by major category is provided below:

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Pleadings	3.3 hrs
Motion Work	11.6 hrs
Discovery	.9 hrs
Hearings/Hearing Prep	5.5 hrs
Mediation/Settlement	20.7 hrs
OC Communication	3.7 hrs
<b>TOTAL</b>	<b>45.7 hrs</b>

11. I anticipate incurring at least 15 hours of additional time to prepare a motion for final approval of the class action settlement and through the fairness hearing, for a total of 60.7 hours.
12. Based on my extensive experience litigating consumer actions as detailed below, I believe my proposed hourly rate of \$425 is fair and reasonable.
13. At the \$425 hourly rate and with the 60.7 hours incurred above, my lodestar for this action is \$25,797.50, after taking into considering the estimated additional hours likely to be incurred.
14. To date, my firm has incurred costs of \$475.20. I believe these expenses were reasonably incurred in the prosecution and also settlement of this matter. Additional costs will be incurred through the filing a motion for final approval of a class action settlement and attending the fairness hearing scheduled for November 3, 2022. An itemized breakdown of costs incurred to date is provided below:

DATE	EXPENSE NAME	AMOUNT
11.15.21	Case Anywhere Invoice #236455	\$115.20
02.26.22	Case Anywhere Invoice #244630	\$120.00
05.16.22	Case Anywhere Invoice #252999	\$120.00
08.07.22	Case Anywhere Invoice #262818	\$120.00
	<b>Total</b>	<b>\$475.20</b>

15. My firm has not been paid anything for our time in working on this matter on a contingency fee basis.

#### EXPERIENCE

16. Prior to being admitted to practice law in California, I interned at the Norwalk Superior Court Self Help Resource Center in Norwalk, CA, for approximately three months, and the Legal Aid Society of Orange County in Santa Ana, CA, for approximately two months.
17. I exclusively practice in the federal and state courts in California.

18. My law practice is almost fully devoted to consumer and employment actions, with the majority of my legal practice dedicated to violations of the Song-Beverly Consumer Warranty Act.

19. I have been involved in litigating numerous consumer and employment class actions.

20. I have participated in mediations involving putative class action cases.

21. I have also litigated several Song-Beverly warranty registration cases, including for example:

- a. *Schneider v. All-Clad Metalcrafters, LLC*, No. 30-2021-01189853-CU-BT-CXC, 2021 Cal. Super. LEXIS 8074 (Sup. Ct. Orange County, Sept. 28, 2020) (prevailed on demurrer to all causes of action);
- b. *Naseri v. Greenfield World Trade, Inc.*, No. SACV 21-01084-CJC (KESx), 2021 U.S. Dist. LEXIS 150274 (C.D. Cal. Aug. 10, 2021) (opposed Rule 12(b)(6) motion to dismiss; filed motion to remand to state court);
- c. *Phillips v. Royal Appliance Mfg. Co. d/b/a Hoover*, No. 3:21-cv-00987-WQH-KSC (S.D. Cal.) (opposed motion to dismiss and for a more definite statement; filed motion to remand to state court).

I declare under penalty of perjury that the foregoing is true and correct, executed on September 6, 2022 pursuant to the laws of the State of California, at Tustin, CA.



Adib Assassi