

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Michelle Lee Tannlund, et al.

v.

Real Time Resolutions, Inc.

Case No. 1:14-cv-5149

Hon. Edmond E. Chang

**Declaration of Mark Ankcorn
in Support of Plaintiff's Motion for
Attorneys' Fees, Expenses and Incentive Award**

I, Mark Ankcorn, declare:

1. I am a member of the law firm of Ankcorn Law Firm PLLC ("Ankcorn Law Firm"), counsel of record for Plaintiff in this matter. I am admitted to practice before this Court and am a member in good standing of the bars of the states of California and Florida. I submit this declaration in support of Plaintiff's Motion for Attorneys' Fees, Expenses and Incentive Award in the above-captioned class action. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could testify competently to them.

2. Ankcorn Law Firm specializes in representing consumers in class actions involving financial fraud, dangerous products, invasions of privacy, and civil rights violations. The attorneys of Ankcorn Law Firm have extensive experience in class actions, and specifically class actions involving Telephone Consumer Protection ("TCPA") violations. They have been appointed lead or co-lead class counsel in numerous cases at both the state and federal level. They have negotiated settlements in excess of \$210 million on behalf of more than 50 million consumers.

3. Ankcorn Law Firm has taken the lead in some of the largest nationwide class actions filed under the TCPA, including those filed against large financial institutions such as Bank of America, Capital One, Discover Financial Services, Ocwen Loan Servicing, LLC, Chase Bank and Credit One Bank.

4. Ankcorn Law Firm has extensive experience in consumer protection law. It has litigated or is litigating more than five hundred TCPA cases; about forty of those were or are class actions.

5. Specifically, Ankcorn Law Firm is litigating or has recently settled the following TCPA class actions:

- *Gehrich v. Chase Bank USA, N.A. and JP Morgan Chase Bank, N.A.*, Case No. 1:12-cv-5510, filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. Final approval of the \$34 million settlement was granted in March 2016.
- *In re Capital One TCPA Litigation*, MDL No. 2416, Case No. 1:12-cv-10064 (N.D. Ill.), filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. Final approval of the \$75,455,098 settlement was granted in February 2015.
- *Steinfeld v. Discover Financial Services, et al.*, Case No. 3:12-cv-01118 (N.D. Cal.), filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. Ankcorn Law Firm negotiated an \$8.7 million settlement, which was granted final approval in March 2014.
- *Rose, et al. v. Bank of America Corporation, et al.*, Case No. 5:11-cv-02390-EJD, filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. Ankcorn Law Firm worked to negotiate a nationwide settlement of \$32 million, which was granted final approval in August 2014.
- *Snyder v. Ocwen Loan Servicing LLC*, Case No. 1:14-cv-8461, filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. The case is currently being litigated.

- *A.D. v. Credit One Bank, N.A.*, filed in the United States District Court, Northern District of Illinois, Eastern Division, No. 14-cv-10106, filed on behalf of consumers who received automated, prerecorded collection telephone calls on their cellular telephones without their prior express consent within the meaning of the TCPA. On appeal to the 7th Circuit Court of Appeals.

6. I am the lead attorney from Ankcorn Law Firm in the instant litigation. The founding member of Ankcorn Law Firm, I concentrate my practice in consumer protection law, as well as financial fraud and complex business disputes. I have served as co-lead counsel on numerous multi-state and nationwide class actions.

7. I received a B.A., magna cum laude, from the University of Redlands in 1990. In 1993, I received by J.D. from McGeorge School of Law. In law school I won the school's moot court competition and was an editor of the Pacific Law Journal. I received several book awards, and was a research assistant to two professors.

8. After law school, I was appointed as a Deputy District Attorney in Orange County California in 1993. I have tried more than 80 cases to verdict as first chair, including the county's first internet crime prosecution and several multiple co-defendant gang and narcotics cases. For my exceptional work on my very first jury trial, I was given the Outstanding Prosecutor Award.

9. I also hold a master's degree in Rabbinic Literature and was ordained as a Rabbi in 2002 by the Zeigler School of Rabbinic Studies in Los Angeles, California, after completing a five year course of graduate study.

10. I served as Trustee of the San Diego Bankruptcy Forum from 2011 to 2014.

11. Ann Marie Hansen is Trial Counsel at Ankcorn Law Firm. Ms. Hansen received her B.A., with general and departmental honors, from the University of Miami in 2000. She received her J.D., with high distinction, from Ohio Northern

University in 2006. Ms. Hansen began her legal career as the law clerk to United States Magistrate Judge Robert J. Johnston at the United States District Court, District of Nevada. Ms. Hansen is a member in good standing of the bars of the states of California and Nevada, as well as numerous district courts including this one. Ms. Hansen was named among Mountain States Super Lawyers Top 50 Women in Nevada in 2015. In 2015, she was also named by Nevada Legal Services, Champions of Justice, Gender Justice Attorney of the Year. She has received numerous other awards from Mountain States Super Lawyers. She was named among Nevada Business Magazine's Legal Elite in 2014.

12. Class Counsel undertook representation in this case on a pure contingency basis and have devoted substantial resources to the prosecution of this case with no guarantee that they would be compensated for our time or reimbursed for our expenses.

13. The risks presented by taking this case are not academic or hypothetical; Class Counsel have lost putative TCPA class actions against Real Time twice before and recovered nothing for their efforts.

14. A third putative class action was filed by two other law firms and was similarly stymied and settled on an individual basis only after having been stayed for nearly two years pursuant to the primary jurisdiction doctrine.

15. No counsel auction was conducted for this case and I am unaware of any consumer class action where an auction has been conducted.

16. The customary contingency fee agreement in this Circuit is 33% to 40% of the total recovery and my retainer agreements reflect this fee.

Dated: July 3, 2017

ANKCORN LAW FIRM PLLC

/s/ Mark Ankcorn