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17 Attorneys for Representative Plaintiffs

18  
19 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
20 **IN AND FOR THE COUNTY OF TULARE**

21 In re HAPY BEAR SURGERY CENTER  
22 DATA SECURITY INCIDENT  
23 LITIGATION

Case No. VCU307987  
(Assigned for all purposes to Hon. Gary M.  
Johnson, Dept. 7)

24 This Document Relates To: All Actions

**SUPPLEMENTAL DECLARATION OF  
DANIEL SROURIAN IN SUPPORT OF  
PLAINTIFFS' UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

HEARING DATE: October 7, 2024  
TIME: 8:30 A.M.  
DEPT. 7

COMPLAINT FILED: April 15, 2024

1 I, Daniel Srourian, declare:

2 1. I am counsel for Plaintiffs David Underwood and Duncan Meadows  
3 (“Plaintiffs”), in the above-captioned case. Based on that representation I have personal  
4 knowledge of the matters stated herein and could and would testify competently about them if  
5 called upon to do so. I make this declaration in further support of Plaintiffs’ Motion for  
6 Preliminary Approval of Class Action Settlement with defendant, Hapy Bear Surgery Center,  
7 LLC (“Defendant”), pursuant to the Court’s tentative ruling dated September 16, 2024,  
8 requesting that the parties further address various issues.

9 2. In connection with this matter, I have spent a total of 119.8 hours, to date. Based  
10 on the hours incurred to date, and my \$800.00 hourly rate, the total amount of fees incurred by  
11 my firm for the entirety of this case is \$95,840. I anticipate spending an additional 10 hours to  
12 see this matter through until completion, including but not limited to attending the Motion for  
13 Final Approval, communicating with the settlement administrator, speaking with Class Members  
14 with inquiries about the settlement and/or claims process, and eventually advising the Court of  
15 the status of administration. My billing mirrors the development of the case as it unfolded before  
16 this Court.

17 3. \$800.00 is the current hourly rate I customarily charge for my time. I have other  
18 clients who pay this rate for my time working on that client’s particular matter. In fact, the  
19 majority of my clients (those charged on an hourly basis) pay for my time at this rate. Even for  
20 those cases handled on a contingency basis, this hourly rate is reasonable in light of my relevant  
21 experience handling these types of case.

22 4. I am a graduate of Southwestern Law School of Los Angeles and have been a  
23 practicing attorney in California since 2012. I am admitted to practice law in the State of  
24 California and multiple federal district courts. I primarily focus my practice on data breach class  
25 action cases and have been actively involved in numerous class actions and complex litigation  
26 involving wage and hour issues like the ones at issue in this case, including PAGA claims. I am  
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1 informed and believe through conversations with other attorneys, as well as reviewing  
2 declarations filed by other attorneys, that my rate is lower than the normal hourly rate of partners  
3 at other law firms practicing in this field. I believe my hourly rate to be reasonable.

4           5. I currently serve as counsel of record on approximately 150 class action data  
5 breach cases across the country. Judges around the country have appointed Srourian Law Firm as  
6 Lead or Co-Lead Counsel in class action data breach matters, including *Boyd et al. v. Prudential*  
7 *Financial, Inc.* (2:24-cv-06818-SRC-AME) (D.N.J.), a national data breach involving  
8 approximately 2.3 million individuals; *Malinowski et al. v. International Business Machine*  
9 *Corporation, et al.* (7:23-cv-08421-NSR) (S.D. New York), a national data breach involving  
10 approximately 500,000 individuals; *Conifer et al. v. Conifer Revenue Cycle Solutions, LLC, et al.*  
11 (2:23-CV-01987 AB) (S.D.N.Y.), a national data breach involving approximately 100,000  
12 individuals; *Lenaway v. Octapharma Plasma, Inc.* (3:24-CV-424-MOC) (W.D.N.C.), a national  
13 data breach involving approximately 200,000 individuals; and *Feathers et al. v. On Q Financial*  
14 *LLC* (CV-24-00811-PHX-SMB) (D. Ariz.), a national data breach involving approximately  
15 211,000 individuals.  
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17           6. Srourian Law Firm has additionally been appointed to the Plaintiff's  
18 Steering/Executive Committee for the following class action data breach cases: *Cain et al. v.*  
19 *CGM, L.L.C* (1:23-cv-02604) (N.D. Ga.), *Hahn et al. v. Phoenician Medical Center, Inc.,*  
20 (CV2023-010982) (Superior Court of the State of Arizona, County of Maricopa), *Dudurkaewa v.*  
21 *Midfirst Bank and Midland Financial Co.,* (5:23-cv-00817-R) (W.D. Okla.), *Trottier v. Sysco*  
22 *Corporation* (4:23-cv-01818) (S.D. Tex.), *Mathis v. Planet Home Lending, LLC* (3:24-cv-00127)  
23 (D. Conn.), *Gambino v. Berry, Dunn, McNeil & Parker, LLC* (2:24-cv-00146) (D. Me),  
24 *Tambroni v. WellNow Urgent Care, P.C.* (1:24-cv-01595) (N.D. Ill.), and *In Re: Golden Corral*  
25 *Data Breach Litigation* (5:24-cv-123) (E.D.N.C.).  
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27           7. Mr. Srourian began his work in the class action arena in 2014, representing  
28 employees across the country in wage and hour class action cases for violations of the California

1 Labor Code and the Fair Labor Standards Act. Since that time, Mr. Srourian gained extensive  
2 class action litigation experience, having vigorously litigated approximately 200 wage and hour  
3 class actions to date, including conducting complex written discovery and taking depositions.  
4 Overall, since starting the practice of law in 2013, Mr. Srourian has conducted at least 300  
5 depositions on various matters for which he has served as plaintiff's counsel, as well as  
6 conducted three trials, one of which produced a successful verdict in the amount of \$1,541,000  
7 when Defendant's top pre-trial offer was \$450,000.00, while another produced a successful jury  
8 verdict in the amount of \$1,041,697.00 when Defendant's top pre-trial offer was a mere  
9 \$30,000.00.

10 8. Notable class action recoveries obtained by Mr. Srourian include the following:  
11 *RCHS Wage and Hour Cases*, No. JCCP5243, (Riverside County, Ca.), \$6,000,000.00 recovered  
12 on behalf of over 3,000 current/former restaurant employees (preliminary approval granted, final  
13 approval pending); *Kirk McLemore et al. v. Nautilus Hyosung America, Inc.*, No. 2:17-cv-  
14 02298-CBM (C.D. Cal.), \$3,182,979.00 recovered on behalf of nearly 1,000 current/former  
15 nationwide ATM technicians (Final Approval granted in 2020 with no objections)<sup>1</sup>; *Robert*  
16 *Bennet v. 48Forty Solutions, LLC*, No. CVRI2201011 (Riverside County, Ca.) \$1,950,000.00  
17 recovered on behalf of approximately 850 warehouse employees (Final Approval granted in  
18 2024 with no objections); *Diego Zamudio v. Letter Ride*, No. RIC1805755 (Riverside County,  
19 Ca.) \$1,000,000.00 recovered on behalf of approximately 1,000 delivery drivers (Final Approval  
20 granted in 2019 with no objections); *Kevork Manoukian v. John Bean Technologies*, No.  
21 BC688700 (Los Angeles County, Ca.) \$987,500.00 recovered on behalf of over 500 LAX airport  
22 staff (Final Approval granted in 2020 with no objections); *Chelsea Medlock et al. v. MedMen*  
23 *Dispensary*, No. 18STCV05391 (Los Angeles County, Ca.) \$975,000.00 recovered on behalf of  
24 nearly 1,000 retail workers (Final Approval granted in 2021 with no objections).  
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28 <sup>1</sup> This settlement was the 13<sup>th</sup> largest class action settlement reported in the State of California in the year  
2020, per <https://topverdict.com/lists/2020/california/top-20-class-action-settlements>

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9. I have also been selected to Super Lawyers from 2023-2025, in addition to being selected for Super Lawyers – Rising Stars from 2016-2022.

10. To date, Srourian Law Firm, P.C. has incurred \$3,669.06 in litigation costs for this action, including filing fees, the service of summons and complaint, and mediation expenses for the formal mediation conducted by the parties.

I declare under penalty of perjury under the laws of the State of California that the foregoing declaration is true and correct.

Executed on October 1, 2024 in Los Angeles, California.

/s/ Daniel Srourian  
Daniel Srourian