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9 *Attorneys for Plaintiff Tami Treppe and the Class*

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 11
 12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 13 **FOR THE COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE**

15 TAMI TREPTE,)
 16 Plaintiff,)
 17 vs.)
 18 BIONAIRE, INC., a Florida corporation,)
 and DOES 1 through 50,)
 19)
 20 Defendants.)
 _____)

CASE NO. BC540110

CLASS ACTION

**DECLARATION OF ALVIN CHANG IN
 SUPPORT OF PLAINTIFF'S MOTION
 FOR FINAL APPROVAL OF CLASS
 ACTION SETTLEMENT AND MOTION
 FOR ATTORNEYS' FEES, COSTS AND
 SERVICE AWARD**

Assigned to the Honorable Amy Hogue
 (Dept. SSC 7)

[Complaint Filed: March 20, 2014]

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Alvin Chang declares:

1. I am an attorney duly admitted to practice before this Court. I am a partner in the firm of Perona, Langer, Beck, Serbin and Harrison, A Professional Corporation ("Perona Langer"), attorneys of record appointed by this Court as Class Counsel for Plaintiffs Tami Trepte, the Certified Class, and for the proposed Settlement Class. I make this declaration in support of Plaintiff's Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs and Service Award, filed herewith.

2. I am personally familiar with the facts set forth in this declaration. If called as a witness I could would competently testify to the matters stated herein.

3. I attended the University of California Santa Barbara and received a Bachelor of Arts degree in 1997. I then attended the University of California Hastings College of the Law and obtained my Juris Doctor degree in 2002. I was admitted to the California State Bar in December 2002. I am admitted to practice in all courts in the state of California and before the United States District Court for the Central and Southern Districts of California.

4. Perona Langer was originally established in the 1960s. Perona Langer has produced a California Supreme Court Judge, David Eagleson, and former named partner, Major Langer, was the handling attorney in *Weber v. The City of Rolling Hills*, an inverse condemnation and negligence case, which was a jury trial that lasted 14 months and was one of the longest civil trial in California history. This case resulted in successful verdicts and settlements for the twenty seven plaintiffs.

5. I have been an attorney with Perona Langer since July 2007 and have helped prosecute plaintiff cases, the biggest award involving a jury verdict of over \$7 million. I became a partner of the firm in December 2017. Currently, I have been appointed as a member of Plaintiffs' Liaison Counsel in the *Palm Springs Bus Crash Litigation (Gloria Campos, et al. V. The estate of Teodulo Vides, et al., Lead Case No. PSC1606385 in Riverside Superior Court)*, helping lead the plaintiffs in prosecuting their claims against various defendants in this consolidated mass tort action involving a bus crash that killed 12 passengers, its driver, and injuring many others.

6. My firm has extensive experience in handling class actions, other complex litigation, and the types of claims asserted in this action. Under the leadership and supervision of former

1 partner Major Langer, who passed away in December of 2017 during the pendency of this action, my
2 firm, including myself, has directly worked on many products liability cases and/or numerous class
3 actions.

4 7. In October 2013, Perona Langer's employment law department obtained final
5 approval of a \$4,500,000 class settlement in the case of *Contreras, v Healthcare Services Group,*
6 *Inc.* (Case No. BC459333, Los Angeles Superior Court). My firm also obtained final approval of a
7 class settlement in *Monge v. old Dominion Freight Line, Inc.* (Case No1 CIVDS 1618958, San
8 Bernardino Superior Court) on September 15, 2017, obtained final approval of a class settlement in
9 *Carbajal v. CWPSA* (Case No. 30-2013-00675702-CU-OE-CXC, Superior Court of California,
10 County of Orange - Central Civil Complex) on June 13, 2018, and obtained final approval of a class
11 settlement in *Sinohui v CEC Entertainment* ("Chuck E. Cheese" Case No. 5: 14-cv-02516-JLS-KK,
12 United States District Court for the Central District of California, Eastern Division) on October 22,
13 2018. Currently my firm is litigating a pending class action lawsuit in *LaCross v. Knight*
14 *Transportation* (Case No. 2:15-cv-009900-JJT, United States District Court for the District of
15 Arizona), representing approximately 300 out of approximately 1,000 drivers alleging underpayment
16 of wages.

17 8. On August 24, 2017 this Court appointed Pearson, Simon & Warshaw ("PSW") and
18 Perona Langer as class counsel at the class certification hearing in this case. Former partner Major
19 Langer was the attorney from my firm principally responsible in handling this lawsuit with co-
20 counsel PSW until his untimely death in December 2017. After Mr. Langer's untimely death
21 attorney Daniel Warshaw and PSW undertook all tasks in this litigation on behalf of Class members
22 in order to help my firm deal with the devastating loss of its oldest active partner.

23 9. Since that time, I have helped take over some of Mr. Langer's responsibilities in this
24 case and personally attended the mediation with the Honorable Edward A. Infante (Ret.) on April 9,
25 2018.

26 10. I am familiar with the settlement negotiations in this case. The claims-made
27 settlement reached by the parties in my opinion is fair, adequate, and reasonable, and in the best
28 interest of the Class as it provides for an actual monetary recovery to class members with little

1 inconvenience to them to obtain their cash refunds. The settlement also allows for a monetary
2 recovery for those class members who are no longer in possession of the subject tower heaters.

3 11. Based upon my firm's experience in similar class action litigation and this case, I
4 believe that the proposed settlement is fair, reasonable and adequate and in the best interests of the
5 Settlement Class and has adequately represented the Class Members.

6 12. Although my firm is counsel of record and has worked on this matter regularly since
7 filing, Perona Langer has waived its billable time to effectuate the Settlement in the best interest of
8 the Settlement Class.

9 13. Perona Langer incurred a total of \$1,220.30 in expenses in connection with the
10 prosecution of this litigation, none of which have been reimbursed as of the time of the execution of
11 this Declaration. A true and correct copy of the breakdown of my firm's expenses are attached
12 hereto as Exhibit A.

13 14. For the above-stated reasons, and for the additional reasons set forth in Plaintiff's
14 Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and
15 Service Award, I respectfully request that this Court grant said motion.

16
17 I declare under penalty of perjury under the laws of the State of California that the foregoing
18 is true and correct.

19 Executed on May 6 2020, at Long Beach, California.

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21
22 
23 ALVIN CHANG

EXHIBIT A

PERONA, LANGER, BECK, SERBIN & HARRISON

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Statement Date: May 6, 2020
Account No.: 133158

Tami Trepte v. Bionaire, Inc.
Los Angeles Superior Court
Case No. BC540110

CATEGORY	AMOUNT
Litigation Support Vendors	\$1,182.30
Local Travel/Parking	\$38.00
TOTAL	\$1,220.30