

1 **LAW OFFICES OF RONALD A. MARRON**  
 2 RONALD A. MARRON (SBN 175650)  
 3 *ron@consumersadvocates.com*  
 4 LILACH HALPERIN (SBN 323202)  
 5 *lilach@consumersadvocates.com*  
 6 651 Arroyo Drive  
 7 San Diego, California 92103  
 8 Telephone: (619) 696-9006  
 9 Facsimile: (619) 564-6665  
 10 *Attorneys for Plaintiff and the Settlement Class*

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 12 **FOR THE COUNTY OF LOS ANGELES**

13 RONA KOMINS, on behalf of herself, her  
 14 children, B.K. and M.K, and all others similarly  
 15 situated,

16 Plaintiff,

17 v.

18 DAVE YONAMINE, JOHN LIBBY,  
 19 MOBILITYWARE, LLC; DOES 1-100,  
 20 inclusive, and ROES Software Development Kit  
 21 Business Entities 1-100, inclusive,

22 Defendants.

Case No. 19STCV24865

CLASS ACTION

**DECLARATION OF RONA KOMINS IN  
 SUPPORT OF PLAINTIFF'S MOTION  
 FOR ATTORNEYS' FEES, COSTS, AND  
 INCENTIVE AWARD**

Date: September 18, 2024  
 Time: 11:00 a.m.  
 Dept.: 14  
 Judge: Hon. Kenneth R. Freeman

1 I, Rona Komins, declare:

2 1. I am a named Plaintiff and class representative in the above-titled action. I submit  
3 this Declaration in Support of Plaintiff's Motion for Attorneys' Fees, Costs, and Incentive Award.  
4 I make this declaration based on my personal knowledge and if called to testify, I could and would  
5 competently testify to the matters contained herein.

6 2. I joined this litigation on July 17, 2019 when my counsel filed the Complaint on  
7 my behalf. During the course of this litigation, I was dedicated to vigorously pursuing the claims  
8 on behalf of the Class. For the past five years, I have reviewed copies of the material filings in the  
9 action and frequently communicated with my counsel about major case developments throughout  
10 the litigation. I was also willing to testify at trial in this matter.

11 3. I have actively participated in the discovery process. During the litigation,  
12 Defendants served me with discovery requests consisting of three sets of Requests for Production  
13 (34 total Requests for Production), four sets of Special Interrogatories (20 total Special  
14 Interrogatories), three sets of Form Interrogatories (24 total Form Interrogatories), and two sets of  
15 Requests for Admission (22 total Requests for Admission). I worked with my counsel to search  
16 for and produce requested documents, and provide responses, amended responses, and second  
17 amended responses to these discovery requests. I reviewed and verified the accuracy and  
18 truthfulness of the discovery responses.

19 4. On October 13, 2021, Defendant took my deposition. Prior to my deposition, I spent  
20 several hours preparing for the deposition by meeting with my counsel and by reviewing case  
21 filings and discovery responses. I was also willing to attend a second deposition.

22 5. I have remained in contact with my Counsel throughout the course of this litigation  
23 and have kept myself informed about the status of the proceedings.

24 6. It is my understanding that my counsel attended mediation with Defendants on  
25 November 2, 2021. During the mediation, I made myself available by telephone to discuss  
26 settlement proposals with my counsel.

27 7. On February 21, 2022, I reviewed the original settlement agreement and sent a  
28 signed copy of the Settlement Agreement to my counsel, along with a signed declaration in support

1 of a Motion for Preliminary Approval of Class Action Settlement. I also reviewed and signed  
2 amended settlement agreements on March 22, 2023, December 12, 2023, and March 27, 2024. I  
3 believe that the terms of the settlement are fair, reasonable, and adequate and that the settlement  
4 achieves the primary goal of the litigation.

5 8. Over the course of about five (5) years, I have remained committed to securing  
6 substantive relief on behalf of all class members as evidenced by the successful outcome of the  
7 settlement and the time and effort I spent assisting with this case.

8 9. I have demonstrated a strong commitment to this case. I have also taken a  
9 substantial risk by electing to have my name as part of the public record in this lawsuit.

10 10. It is my understanding that a \$7,500 settlement award is reasonable and comparable  
11 to those approved by other Courts in California. *See, e.g., Cellphone Termination Fee Cases* (June  
12 28, 2010) 186 Cal. App. 4th 1380 (\$10,000 incentive award to each class representative).

13  
14 I declare under penalty of perjury of the laws of the United States and California that the  
15 foregoing is true and correct.

16  
17 Executed on this 22 day of july, 2024 in California.

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20 Rona Komins

Rona Komins (Jul 22, 2024 09:35 PDT)

21 Rona Komins  
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