

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH ZIMMERMAN, ANTHONY
DEVITO, and SEAN DONNELLY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PARAMOUNT GLOBAL, COMEDY
PARTNERS and DOES 1-10,

Defendants.

MICHAEL KAPLAN, an individual
on behalf of himself and all others
similarly situated,

Plaintiff,

v.

COMEDY PARTNERS, a New York
general partnership,

Defendant.

Case No. 1:23-cv-2409 (VSB)

Hon. Vernon S. Broderick

Consolidated with:

Case No. 1:22-cv-09355 (VSB)

**DECLARATION OF SCOTT A. KAMBER IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS, AND
EXPENSES**

I, Scott A. Kamber, declare as follows:

1. I am an attorney licensed to practice before the United States District Court for the Southern District of New York as well as the State Courts of New York. I am the Managing Partner of the law firm KamberLaw, LLC. (“KamberLaw”).

2. I serve as co-counsel for named Plaintiffs and proposed class representatives Joseph Zimmerman, Anthony DeVito, and Sean Donnelly on behalf of themselves and all others similarly situated (collectively “Zimmerman Plaintiffs”) in the above-captioned litigation and submit this declaration in support of Plaintiffs’ Fee Application.

3. I make this declaration based on my personal knowledge and if called to testify to the contents hereof, I could and would competently do so. I respectfully submit this Declaration in Support of Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Expenses.

EXPERIENCE

4. I am the founding member of KamberLaw and have served as lead counsel in dozens of class actions in state and federal courts resulting in hundreds of millions of dollars in relief. These cases have set precedents for consumer protection, internet privacy rights, and sophisticated financial fraud. I have also served as

counsel in numerous matters on behalf of corporations, both hourly and contingent, involving a wide range of issues in the United States and abroad.

5. I graduated *cum laude* from the University of California Hastings College of the Law in 1991, where I was *Order of the Coif*, Thurston Society, Articles Editor for the *Hastings Constitutional Law Quarterly*, and a member of the Moot Court Board. Prior to attending law school, I modeled cost structures at a nuclear power plant. I graduated with University and Departmental Honors from The Johns Hopkins University.

6. I am admitted to practice in the states of Colorado, Missouri, and New York, as well as the United States Supreme Court, the United States Courts of Appeals for the First, Second, Eighth and Ninth Circuits, and numerous United States District Courts.

7. Ms. Christine Davis is the Managing/Senior Paralegal at KamberLaw. She has over 30-years of extensive legal experience, including complex consumer litigation on behalf of plaintiffs in state and federal courts across the country. Ms. Davis's organizational skills, effective writing skills, ability to analyze a case, legal research, firm understanding of court/jurisdiction rules and procedures, and production of essential documents have proven highly beneficial in her role at Kamberlaw. Ms. Davis's strong attention to detail, work ethic, superb computer

skills, and professionalism has resulted in significant case efficiencies by reducing the time that would otherwise be required by counsel.

8. Ms. Davis is a former United States Marine who graduated *magna cum laude* from the University of Maryland, earning her Bachelor of Science in Legal Studies.

9. The compensation for services rendered by KamberLaw (“Counsel”) in this case has been wholly contingent on the success of this litigation.

10. Attached hereto as Exhibit A is a spreadsheet reflecting the hours spent by Counsel, and the costs on this case from inception to date, *excluding* time spent on Plaintiff’s Motion for Reasonable Attorneys’ Fees, Costs and Expenses, and Declaration in Support Thereof.

11. All the hours reflected in paragraph 25 below were reasonable and necessary to the prosecution of this case.

THIS LITIGATION

12. A true and correct copy of the fully executed Settlement Agreement for which Preliminary Approval was approved and filed at ECF No. 49-1, and is referred to herein as the “Settlement” or “Settlement Agreement.”

13. Our role as co-counsel has been to assist lead counsel in vigorous prosecution of this case as requested, including serving as local counsel and having substantial involvement in the settlement process.

14. The contemporaneously filed declaration of Benjamin J. Sweet provides an overview of the case's history, the investigation and client work that began in 2021, as well the extensive effort undertaken to resolve this matter through mediation.

15. In my role as co-counsel, I have been responsible for ensuring compliance with the District's Local Rules, Guidelines and practices. I have coordinated the filing of Plaintiffs' documents throughout the litigation and emailed the proposed orders to the Court.

16. My office maintains full records of all filings in the litigation and coordinates the distribution of the filings from the Court to all working attorneys not admitted pro hac vice.

17. Members of my firm and I have materially been involved in all aspects of the litigation.

18. I, along with co-counsel, spent a significant amount of time negotiating a potential settlement in this litigation. My role was most significant at the beginning of the settlement process in that I was the initial point of contact with defendant for settlement based on my past experience with their in-house counsel.

19. The settlement discussions were a many months long process that included mediation and the time-consuming process of negotiating and finalizing all documents.

TIME AND EXPENSES IN THIS LITIGATION

20. KamberLaw maintains contemporaneous records of its time and expenses. These records are prepared and maintained in the ordinary course of business through software systems maintained by the firm.

21. I personally reviewed the time and expenses to exercise business judgment on these time and expense entries. I used my best efforts to minimize duplication of efforts and utilized paraprofessional assistance where appropriate.

22. I prepared my declaration with the assistance of another lawyer and staff at the firm with knowledge of the matters reflected herein. I have personally reviewed the information supporting the fee and expense requests that are the subject of this declaration, and, based on that review, I believe that the information contained herein is accurate.

23. As part of the preparation of my declaration, I reviewed members of my firm's submitted time and expenses incurred in the litigation to again exercise billing judgment on these entries, which eliminated duplicative time entries.

24. In addition, the time and expense figures in my declaration do not include the additional time related to preparing this declaration, Final Approval Hearing, and any additional time to administer the Settlement or time spent preparing this motion.

25. After exercising billing judgment and making billing reductions based on my review of the records, the number of hours spent on this litigation by my firm and my firm's lodestar is reflected below. The lodestar amount for attorney and paralegal time is based on the firm's current rates, using the usual and customary rates set by the firm for each individual.

	Title	Law School Year	Total Hours	Hourly Rate	Lodestar
Scott A. Kamber	Partner	1991	35.2	\$1,250	\$44,000
Michael Aschenbrener	Partner	2006	2.2	\$950	\$2,090
Christine Davis	Sr. Paralegal	N/A	33.9	\$350	\$11,865

26. As demonstrated above, members of my firm and I spent time working toward the success of this litigation and benefit of the class.

27. The hourly rates for the partners and senior paralegal are the same rates submitted in other contingent class action litigation and approved by the courts. The billing rates charged in this matter are consistent with the firm's billing rate in other contingent fee litigations and is not higher than any hourly litigation matters handled by the firm in the past year. My firm has arrived at these hourly rates by review of the non-contingent market rates charged by attorneys across the country (my firm's offices are in Colorado, Illinois and California; and formerly in New York). Through

my practice, I have become familiar with the non-contingent market rates. This familiarity has been obtained in several ways: (a) negotiations with hourly clients; (b) by litigating attorneys' fees applications; (c) by discussing fees with other attorneys; and (d) by reviewing attorneys' fee applications and awards in other cases as well as surveys and articles on attorneys' fees. The information I have gathered shows that my firm's rates are in line with the non-contingent market rates charged by attorneys of reasonable comparable experience, skill, and reputation. In reasonably comparable class action work, comparable hourly rates have been found by various courts for reasonably comparable services.

28. My firm seeks an award of \$1026.72 in expenses in connection with the prosecution of this litigation. The expenses are summarized below:

Expenses	Amount
Court Filing Fee	\$ 402.00
Service of Process Fees (2)	\$ 224.72
Pro Hac Vice Fees (2)	\$ 400.00
TOTAL:	\$1026.72

29. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, check records and other documents and are an accurate record of the expenses.

[signature on next page]

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on May 5, 2025, in Avon, Colorado.



*Counsel for Plaintiffs
and the Settlement Class*