Case3:13-cv-03440-EMC Document122-10 Filed04/20/15 Page1 of 3

1 2 3 4 5 6 7 8 9 10 11 11	Michael W. Sobol (State Bar No. 194857) Roger N. Heller (State Bar No. 215348) Nicole D. Sugnet (State Bar No. 246255) LIEFF CABRASER HEIMANN & BERNSTEIN LLP 275 Battery Street, 29th Floor San Francisco, CA 94111 Telephone: (415) 956-1000 Daniel M. Hattis (State Bar No. 232141) Kirill M. Devyatov (State Bar No. 293106) HATTIS LAW 2300 Geng Road, Suite 200 Palo Alto, CA 94303 Telephone: (650) 980-1990 John A. Yanchunis (admitted pro hac vice) J. Andrew Meyer (admitted pro hac vice) MORGAN & MORGAN COMPLEX LITIGATION GROUP 201 North Franklin Street, 7th Floor Tampa, FL 33602 Telephone: (813) 223-5505	
13	Class Counsel	
14	UNITED STATES DISTRICT COURT	
15	NORTHERN DISTRICT OF CALIFORNIA	
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117 118 119 220 221 222 223 224 225	IN RE TRACFONE UNLIMITED SERVICE PLAN LITIGATION	Lead Case No. 13-cv-03440-EMC Consolidated Cases: 13-cv-05295-EMC 13-cv-05296-EMC 14-cv-01347-EMC DECLARATION OF MARSHALL TIETJE IN SUPPORT OF MOTION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES AND FOR SERVICE AWARDS FOR PLAINTIFFS Date: June 23, 2015 Time: 2:30 p.m. Judge: Hon. Edward M. Chen
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I, Marshall Tietje, declare as follows:

- 1. I am one of the named plaintiffs and class representatives in the above-captioned case. I submit this declaration in support of Plaintiffs' motion for final approval of class action settlement and in support of the request for service awards. The facts set forth herein are true and based on my own personal knowledge, except where based upon a review of the relevant pleadings and records. I have personal knowledge of the facts set forth herein, and if called to testify thereto, I could and would do so competently.
- 2. In July 2013, having seen representations for a Net10 "unlimited" mobile phone plan, and based primarily on the promise of the plan including "unlimited" data, I purchased a Net10-branded LG Optimus smartphone from a local Kmart store and signed up for a Net10 "unlimited" data plan. I was later surprised to find my data service terminated. I called customer service to complain, and the representative refused to restore my data service, told me my data would be restored after I paid for another month of service, and then, when I asked to speak to a supervisor, the agent transferred me to a "High Data Usage Hotline" recorded message. I transferred my phone service to another provider. Based on my experience I decided to file a lawsuit against Defendants and agreed to be a class representative in this case, undertaking the burdens and risks associated with litigation, to help put a stop to what I believed were Defendants' wrongful and deceptive practices.
- 3. Pursuant to my duties as a plaintiff and class representative, I have been actively engaged in this case. Among other things, I have provided information to my attorneys about my experience, reviewed the allegations in the complaint, and consulted with Class Counsel multiple times during the course of the case, staying updated about the status of the case and the settlement negotiations. In all, although I have not maintained records of the time spent participating in this case, I estimate that I spent approximately 8 hours working on this case.

- 4. I reviewed the settlement agreement and discussed the settlement agreement terms with Class Counsel. Based on my personal experience regarding my purchase of a Net10 "unlimited" service plan and subsequent data suspension, and on my involvement in this lawsuit, I believe that the settlement is fair, reasonable, adequate and in the best interests of the respective class members.
- 5. I have never been promised any compensation for performing my duties as a plaintiff and class representative. I understand, however, that the parties have requested the Court to award me \$2,500 for my time and efforts on behalf of the class. I will be most appreciative if the Court determines that my efforts on behalf of the Class in commencing and assisting with the prosecution of this action warrant an award in that amount.
- 6. I also support Class Counsel's request for attorney's fees and costs. I have been impressed by the representation Class Counsel provided to me and other class members. The lawyers I have communicated with have always been professional, and made sure to keep me informed about the status of the litigation. I am very appreciative for the results Class Counsel's efforts achieved.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was signed in BigBear Lake A on (State)

MARSHALL TIETJE