

1 Michael W. Sobol (State Bar No. 194857)
2 Roger N. Heller (State Bar No. 215348)
3 Nicole D. Sugnet (State Bar No. 246255)
4 LIEFF CABRASER HEIMANN
5 & BERNSTEIN LLP
6 275 Battery Street, 29th Floor
7 San Francisco, CA 94111
8 Telephone: (415) 956-1000

9 Daniel M. Hattis (State Bar No. 232141)
10 Kirill M. Devyatov (State Bar No. 293106)
11 HATTIS LAW
12 2300 Geng Road, Suite 200
13 Palo Alto, CA 94303
14 Telephone: (650) 980-1990

15 John A. Yanchunis (admitted pro hac vice)
16 J. Andrew Meyer (admitted pro hac vice)
17 MORGAN & MORGAN
18 COMPLEX LITIGATION GROUP
19 201 North Franklin Street, 7th Floor
20 Tampa, FL 33602
21 Telephone: (813) 223-5505

22 *Class Counsel*

23 UNITED STATES DISTRICT COURT
24
25 NORTHERN DISTRICT OF CALIFORNIA

26 IN RE TRACFONE UNLIMITED
27 SERVICE PLAN LITIGATION

28 Lead Case No. 13-cv-03440-EMC

Consolidated Cases:
13-cv-05295-EMC
13-cv-05296-EMC
14-cv-01347-EMC

**DECLARATION OF MARTIN
BLAQMOOR 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

1 I, Martin Blaqmoor, declare as follows:

2 1. I am one of the named plaintiffs and class representatives in the above-captioned
3 case. I submit this declaration in support of Plaintiffs' motion for final approval of class action
4 settlement and in support of the request for service awards. The facts set forth herein are true and
5 based on my own personal knowledge, except where based upon a review of the relevant
6 pleadings and records. I have personal knowledge of the facts set forth herein, and if called to
7 testify thereto, I could and would do so competently.
8

9 2. In July 2013, having seen representations for a Simple Mobile "unlimited" mobile
10 phone plan, and based primarily on the promise of the plan including "unlimited" data, I
11 purchased a Simple Mobile SIM card, and signed up for Simple Mobile phone service. I was
12 later surprised to find my data throttled to unusably slow speeds, and then cut-off altogether. I
13 called customer service to complain, and the representative refused to restore my data service,
14 refused to answer my question of how much data was actually included in the "unlimited" data
15 plan and at what speed, and told me my data would be restored after I paid for another month of
16 service. Simple Mobile cut-off my data again after I paid for another month of service. I
17 transferred my phone service to another provider. Based on my experience I decided to file a
18 lawsuit against Defendants and agreed to be a class representative in this case, undertaking the
19 burdens and risks associated with litigation, to help put a stop to what I believed were
20 Defendants' wrongful and deceptive practices.
21

22 3. Pursuant to my duties as a plaintiff and class representative, I have been actively
23 engaged in this case. Among other things, I have provided information to my attorneys about my
24 experience, reviewed the allegations in the complaint, and consulted with Class Counsel multiple
25 times during the course of the case, staying updated about the status of the case and the settlement
26 negotiations. In all, although I have not maintained records of the time spent participating in this
27
28

1 case, I estimate that I spent approximately 9 hours working on this case.

2 4. I reviewed the settlement agreement and discussed the settlement agreement terms
3 with Class Counsel. Based on my personal experience regarding my purchase of a Simple
4 Mobile "unlimited" service plan and subsequent data throttling and suspension, and on my
5 involvement in this lawsuit, I believe that the settlement is fair, reasonable, adequate and in the
6 best interests of the respective class members.
7

8 5. I have never been promised any compensation for performing my duties as a
9 plaintiff and class representative. I understand, however, that the parties have requested the Court
10 to award me \$2,500 for my time and efforts on behalf of the class. I will be most appreciative if
11 the Court determines that my efforts on behalf of the Class in commencing and assisting with the
12 prosecution of this action warrant an award in that amount.
13

14 6. I also support Class Counsel's request for attorney's fees and costs. I have been
15 impressed by the representation Class Counsel provided to me and other class members. The
16 lawyers I have communicated with have always been professional, and made sure to keep me
17 informed about the status of the litigation. I am very appreciative for the results Class Counsel's
18 efforts achieved.
19

20 I declare under penalty of perjury that the foregoing is true and correct and that this

21 Declaration was signed in St Petersburg, FL on
(City) (State)

22 April 18TH, 2015.
23

24 Martin Blaquoore
25 MARTIN BLAQMOOR
26
27
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