

Florida Consumer Collection Practices Act (“FCCPA”) and Intentional Infliction of Emotion Distress claims.

4. Morgan & Morgan is the largest exclusively plaintiffs law firm in the state of Florida and one of the largest in the United States, employing over 250 lawyers and 1600 support staff who populate offices in Florida, Georgia, Mississippi, Tennessee, Kentucky and New York. I and my firm have the financial resources and legal experience to equalize the playing field in furtherance of justice for our clients.

5. Recently I testified in Tallahassee before an Insurance and Banking Subcommittee and help defeat a proposed change to Florida’s consumer protection law from the banking industry.

6. I was asked by the Federal Trade Committee (“FTC”) to round-table in D.C. concerning the use of social media, including Facebook, to collect debts and locate consumers.

7. I obtained a punitive damages verdict against a national debt collection company and have gone to trial on numerous times in consumer cases against large companies and debt collectors.

8. I am regarded as an expert in consumer rights cases and have frequently appeared on national news stations including: Inside Edition, World News Tonight with Dianne Sawyer, 60 Minutes, CNN, ABC Nightly News, Nightline, Fox, Fox and Friends, CBS and NBC. I have also been the subject of thousands of on-line articles world-wide concerning some of my high profile consumer rights cases.

9. I have lectured at colleges and seminars concerning consumer rights.

10. Prior to joining Morgan & Morgan, as a law student, I Clerked for The Honorable Edward Rodgers and tried numerous cases as a Certified Legal Intern for the Palm Beach State Attorney's Office. Prior to joining Morgan & Morgan, as a lawyer, I worked for numerous nationwide insurance companies and obtained a million dollar verdict in a civil theft trial.

11. Some of my notable rulings include:

- i) *Jaquita Lyons v. Dish Network, LLC*, M.D. Florida, 3:12-cv-199-J-32MCR, one of the only Orders standing for the proposition that punitive damages are available in TCPA cases.
- ii) *Page v. Regions Bank*, 2012 WL 6913593 (N.D. Ala. 2012), the first opinion in the 11th Circuit to rule that the "called party" has standing to bring a TCPA claim.
- iii) *Kathy Clements v. DSM Supply LLC*, 2014 WL 560561 (M.D. Fla. 2014) and *Brian Gambon v. Regent Asset Management Solutions, Inc.*, 2015 WL 64561 (M.D. Fla. 2015), both TCPA cases ruling that after notice of incorrect calls, each subsequent violation was considered willful and knowing and thus worth \$1,500.00.
- iv) *Coniglio v. Bank of America, N.A.*, 2014 WL 5366248 (M.D. Fla. 2014), final default TCPA judgment issued in the amount of \$1,051,000.00 asserting that each call placed after verbally requesting for the calls to stop were worth \$1,500.00 each.
- v) *Heather Howard v. MBNA America Bank, N.A.*, 13th Judicial Circuit of Florida, Hillsborough County, 06-CA-01942 and *Heather Howard v. Wolpoff & Abramson, LLP*, 13th Judicial Circuit of Florida, Hillsborough County, 06-CA-001045, allowing punitive damages for alleged false credit reporting and violations of the FCCPA.

12. Overall, this case has spanned over three (3) years in duration and involved significant amounts of work, including factual investigation, legal research, motion practice, discovery and depositions, working with experts regarding issues such as damages

formulations, communications with the class representatives, mediation, settlement negotiations, and work done with regard to the settlement itself and its implementation.

13. The following is a compilation of professional time I incurred representing Plaintiffs and the Class, as reflected by the books and records of Morgan and Morgan, through the date of this declaration. David Mitchell also worked on this case by performing research on legal issues which I directed him to undertake, and he attended three hearings with me, but we have not included his time in our lodestar.

ATTORNEY	HOURS	RATE	TOTAL
William Peerce Howard	302	\$550.00	\$166,100.00

14. I assert that the attorneys' fees sought in the motion for attorneys' fees is reasonable and seeks fair and reasonable compensation for undertaking this case on a contingency basis, and for obtaining the very substantial relief for Plaintiffs and the Class.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of May, 2015 at Tampa, Florida.

s/William Peerce Howard
WILLIAM PEERCE HOWARD, ESQ.

WILLIAM PEERCE HOWARD

Mr. Howard serves as the Managing Partner of Morgan and Morgan's Consumer Protection Department, one of the largest consumer protection legal teams in the country.

Mr. Howard litigates consumer related cases against some of the largest banks and companies in the country for violations of the Telephone Consumer Protection Act ("TCPA"), Fair Debt Collection Practices Act ("FDCPA"), Fair Credit Reporting Act ("FCRA") and Florida Consumer Collection Practices Act ("FCCPA") just to name a few. Mr. Howard handles an average of twenty-five open cases at one time against these major corporations. Mr. Howard also manages hundreds of cases against large financial institutions and debt collectors. Mr. Howard has obtained a punitive damage jury verdict against a national debt collector, one of the few such awards in the country. Mr. Howard was also one of the first attorneys to be granted punitive damages in a TCPA action in the case *Jaquita Lyons v. Dish Network, LLC*, M.D. Florida, 3:12-cv-199-J-32MCR. Mr. Howard has successfully defended the constitutionality of Florida's Consumer Collection Practices Act. Mr. Howard remains dedicated to representing victims of "collection harassment" and to protect Americans from abusive debt collectors and robo-dialers. Mr. Howard testified in Tallahassee concerning the bank industries attempts to change the FCCPA and was also invited to round table in Washington D.C. concerning debt collectors using social media.

Mr. Howard has also participated in several class action cases including: *Means vs. DCM Services, LLC*, Case No. 0:12-cv-02638-JNE-AJB, United States District Court, District of Minnesota; *Mendoza vs. Bank of America, N.A. (USA), n/k/a FIA Card Services, N.A.*, Case No. 6:09-cv-1251-Orl-28KRS, United States District Court Middle District of Florida – Orlando; *Rosario vs. SDI Diagnostic Imaging and Financial Credit Services, Inc.*, Case No.: 09-24988, Division: A, Thirteenth Judicial Circuit, Hillsborough County, Florida and *Swaney v. Regions Bank*, Case No. 2:13-cv-00544-JHE, United States District Court Northern District of Alabama.

Mr. Howard's training experience includes working as a Legislative Assistant in Washington, D.C. for Senator Bob Graham. While in law school, he was approved by the Florida Supreme Court as a Certified Legal Intern and prosecuted numerous cases for the West Palm Beach State Attorney's Office. Mr. Howard also clerked for the Honorable Edward Rogers, and worked for the law firms of Lytal & Reiter, P.A. and Conney, Halizter & Blackburn and was also in-house counsel for Nationwide Insurance.

Mr. Howard appeared numerous times on Inside Edition and continues to advise them regarding consumer issues. Mr. Howard has also interviewed with other national news stations such as ABC Nightly News, Nightline, CNN, Fox, CBS, NBC and 60 Minutes. Mr. Howard and his department have been the subject of over one-thousand articles including international exposure in reference to harassment lawsuits.

Education:

- University of Florida (B.A., Economics 1990)
- Nova Southeastern University (J.D., 1995)

Bar Admissions:

- The Florida Bar

Court Admissions:

- United States District Court, Middle District of Florida
- United States District Court, Southern District of Florida
- United States District Court, Northern District of Florida

Memberships:

- The Florida Bar
- Hillsborough County Bar
- Florida Justice Association
- National Association of Consumer Advocates

Practice Areas:

- Robo-Dialing Harassment
- Debt Collection Harassment
- Unfair Credit Reporting
- Unfair and Deceptive Trade Practices
- Identity Theft
- Consumer Fraud
- Junk Facsimiles
- Class Actions

Published Opinions:

- *Page vs. Regions Bank*, 2012 WL 6913593 (N.D. Ala.). Lead counsel in case involving TCPA abuse.
- *Kathy Clements v. DSM Supply LLC*, 2014 WL 560561 (M.D. Fla. 2014). Lead counsel default judgment in which, after notice of incorrect calls was made, each subsequent call was considered “willful and knowing” and thus worth \$1,500.00.
- *Gambon v. R & F Enterprises, Inc.*, 2015 WL 64561. Lead counsel default judgment in which, after notice of incorrect calls was made, each subsequent call was considered “willful and knowing” and thus worth \$1,500.00.
- *Coniglio v. Bank of America, N.A.*, 2014 WL 5366248 (M.D. Fla. 2014). Default Judgment awarded totaling \$1,051,000.00 which found each call after verbal revocation was “willful and knowing” and thus worth \$1,500.00.
- *Desmond vs. HSBC Card Services, Inc.*, WL 2436582 (M.D. Fla. 2009). Motion to amend for Punitive damages granted concerning almost one-thousand phone calls to the plaintiff, although he did not owe the money.
- *Green Tree vs. McLeod*, 15 So. 3d 682 (Fla. 2d DCA 2009). Lead counsel in case considered to be one of the seminal appellate opinions on waiver of arbitration.
- *Strominger vs. Amsouth Bank*, 991 So. 2d 1030 (Fla. 2d DCA 2008). Lead counsel in case involving banks waiver of arbitration.
- *Laufman vs. Phillips & Burns, Inc.*, WL 190604 (M.D. Fla. 2008). Motion to amend for Punitive damages granted in case alleging debt collector threatened daughter with the arrest of her father.