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*Attorneys for Plaintiff and the Putative Class*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO**

ANNE MOULTON, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

UNITED DOMINION REALTY, L.P., UDR,  
INC., AND DOES 1-100, inclusive,

Defendants.

Case No. CIVSB 2123480

**DECLARATION OF ANNE MOULTON  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
MOTION FOR ATTORNEYS' FEES,  
COSTS, EXPENSES, AND INCENTIVE  
AWARD**

Date: April 2, 2025

Time: 1:30 PM

Dept.: S-17

Hon. Joseph T. Ortiz

1 I, Anne Moulton, hereby declare as follows:

2 1. I am an adult over the age of 18 and a citizen of the State of California. I am a  
3 Class Representative in the lawsuit entitled *Moulton v. United Dominion Realty, L.P. and UDR,*  
4 *Inc.*, Case No. CIVSB 2123480, currently pending in the Superior Court of California for the  
5 County of San Bernardino. I make this Declaration in support of (i) the Motion for Final Approval  
6 of Class Action Settlement, and (ii) the Motion for Attorneys' Fees, Reimbursement of Costs and  
7 Expenses, and An Incentive Award to the Class Representative. The statements made in this  
8 Declaration are based on my personal knowledge and, if called as a witness, I could and would  
9 testify thereto.

10 2. I was a resident at Verano at Rancho Cucamonga Town Square ("Verano") in  
11 Rancho Cucamonga, California from May 2019 until September 2020. It is my understanding that  
12 Verano is an apartment complex owned and operated by Defendants United Dominion Realty, L.P.  
13 and UDR, Inc.

14 3. I assisted with the litigation of this case by detailing my experiences with the Late  
15 Fees that I paid. Specifically, I described to my lawyers my relationship with Defendants as a  
16 tenant at Rancho Cucamonga, the nature of the Late Fees, and a history of the charges I paid. I  
17 also provided my lawyers with documentation as to these items.

18 4. I worked with my attorneys to prepare the Class Action Complaint. I carefully  
19 reviewed the Class Action Complaint for accuracy and approved it before it was filed. I also  
20 worked with my attorneys to prepare and review the First Amended Class Action Complaint.

21 5. During this litigation for three years, I kept in regular contact with my lawyers.  
22 Specifically, I conferred with them regularly by phone and e-mail to discuss the status of the case.  
23 We also discussed case strategy, anticipated motions, forthcoming discovery issues, mediation, and  
24 the prospects of settlement. Furthermore, when appropriate, I informed my lawyers of additional  
25 facts for their research and consideration.

26 6. I also coordinated with my lawyers to search for documents that Defendant was  
27 likely to request in written discovery, including but not limited to copies of the billing records  
28 reflecting the dates on which I was charged Late Fees in connection with being a tenant at Rancho

1 Cucamonga and the amounts of such charges. I was also prepared to testify at deposition and trial,  
2 if necessary.


3 7. My lawyers have kept me well informed regarding their efforts to resolve this  
4 matter. I was fully informed and involved regarding the parties' two full-day mediations on  
5 September 27, 2023, and January 18, 2024. I was also involved in the subsequent settlement  
6 efforts. I carefully reviewed the Settlement Agreement and discussed the material terms with my  
7 attorneys prior to signing.

8 8. Based on the interactions and my relationship with my attorneys, I believe they  
9 have fairly and adequately represented me and the Settlement Class and will continue to do so.

10 9. Throughout this litigation, I understood that, as a Class Representative, I have an  
11 obligation to protect the interests of other Settlement Class Members and not act just for my own  
12 personal benefit. I do not have any conflicts with other Settlement Class Members. I have done  
13 my best to protect the interests of other Settlement Class Members and will continue to fairly and  
14 adequately represent the Settlement Class to the best of my ability.

15 10. I have not kept detailed daily or other time records which would show the precise  
16 amount of time which I have devoted to this action, but I have reviewed my records of my  
17 communications with Plaintiff's counsel and the court papers I reviewed. I estimate that my total  
18 time devoted to this litigation, including all of my phone calls, emails, and other consultations with  
19 Plaintiff's counsel, reviewing the pleadings and other court papers in the case, together with the  
20 time I spent consulting on and reviewing the terms of the proposed settlement and the written  
21 settlement papers, involved many dozens of hours of my time from the start of this litigation to the  
22 present.

23 I declare under penalty of perjury that the above and foregoing is true and accurate.  
24 Executed this 13th day of February, 2025, at Rancho Cucamonga, California.

25  
26  
27   
Anne Moulton (Feb 13, 2025 10:19 MST)

28  
\_\_\_\_\_  
Anne Moulton

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9 *Attorneys for Plaintiff and the Putative Class*

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF SAN BERNARDINO**

12  
13 ANNE MOULTON, individually and on  
14 behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 UNITED DOMINION REALTY, L.P., UDR,  
18 INC., AND DOES 1-100, inclusive,

19 Defendants.  
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Case No. CIVSB 2123480

**DECLARATION OF ADRIAN  
GUCOVSKI IN SUPPORT OF  
PLAINTIFF'S MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT AND MOTION FOR  
ATTORNEYS' FEES, COSTS,  
EXPENSES, AND INCENTIVE AWARD**

Date: April 2, 2025

Time: 1:30 PM

Dept.: S-17

Hon. Joseph T. Ortiz

1 I, Adrian Gucovschi, declare as follows:

2 1. I am a member of the bar of the State of New York and am appearing *pro hac vice*  
3 for Plaintiff Anne Moulton in this action. I have personal knowledge of the facts set forth in this  
4 declaration and, if called as a witness, could and would competently testify under oath concerning  
5 the matters set forth in this declaration.  
6

7 2. I make this declaration in support of Plaintiff's Motion for Final Approval of Class  
8 Action Settlement and for Final Approval of Attorneys' Fees, Costs, Expenses, And Service  
9 Award, filed herewith.

10 3. I am a partner of Gucovschi Rozenshteyn PLLC, an experienced class action law  
11 firm. Attached as **Exhibit 1** is a true and correct copy of Gucovschi Rozenshteyn's firm resume.  
12

13 4. I have been actively involved in this litigation from its inception. Among other  
14 things, I along with Plaintiff's co-counsel from Bursor & Fisher, P.A. assisted in all of the  
15 pleadings and motion practice in this case, including investigating Plaintiffs' claims; researching  
16 and preparing the original and amended class action complaints; researching and preparing  
17 Plaintiff's opposition to Defendant's demurrer. In addition, I have been involved in all phases of  
18 the substantial discovery that took place in this case.

19 5. Furthermore, I actively participated in the Parties settlement discussions throughout  
20 the lawsuit, consulted frequently with co-counsel regarding this topic, and attended two full days of  
21 mediation with Jill R. Sperber, Esq., of Judicate West, with the first session occurring on  
22 September 27, 2023, and the second occurring on January 18, 2024. I further assisted in preparing  
23 the term sheet which culminated from the meditation.  
24

25 6. After the Parties executed the term sheet on January 18, 2024, I continued to work  
26 on all material matters related to the preparation and execution of the Class Action Settlement,  
27 Plaintiff's Motion for Preliminary Approval, as well as Plaintiff's Motion for Final Approval of  
28

1 Class Action Settlement and for Final Approval of Attorneys' Fees, Costs, Expenses, And Service  
2 Award, filed herewith.

3 7. A copy of my firm's time records from this matter are attached as **Exhibit 2**. To  
4 date, my firm has spent 142.06 hours working on this matter for a lodestar of \$101,646.  
5

6 I declare under penalty of perjury that the foregoing is true and correct. Executed in New  
7 York, New York on February 14, 2025.  
8

9 /s/ Adrian Gucovschi  
10 Adrian Gucovschi

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## **FIRM RESUME**

Headquartered in New York, NY, Gucovschi Rozenshteyn PLLC (“GR Firm”) represents consumers in state and federal courts nationwide. Our firm spearheads and prosecutes novel cases aimed at redressing injuries suffered by large and diverse groups of people. In the past two years alone, GR Firm has filed over 50 consumer protection class actions and prevailed in every single motion to dismiss—creating important precedent along the way. *See Stevens v. Walgreen Co.*, 623 F. Supp. 3d 298 (S.D.N.Y. 2022); *Rodriguez v. Walmart Inc.*, No. 22-CV-2991 (JPO), 2023 U.S. Dist. LEXIS 53253 (S.D.N.Y. Mar. 28, 2023); *Ary v. Target Corp.*, No. 22-cv- 02625-HSG, 2023 U.S. Dist. LEXIS 49633 (N.D. Cal. Mar. 23, 2023). GR Firm has also been on the forefront of litigating important California statutes, such as California’s Automatic Renewal Law cases.

Notably, GR Firm has been appointed class counsel on behalf of nationwide and California classes on numerous occasions. *See e.g., Winston v. Peacock TV LLC*, 23-cv-8191(S.D.N.Y), ECF No. 47 (Granting Final Approval and appointing GR Firm as Class Counsel for a California Automatic Renewal Law class in a case arising from a leading streaming platform); *O’Malley, et al. v. FloSports, Inc.*, No. 2023LA000516 (Cir. Ct. DuPage Cty., Ill. 2023) (same); *Bell v. Pharmacy, Inc.*, No. 21-cv-6850 (E.D.N.Y. July 18, 2023), ECF No. 61 at 6 (“Proposed class counsel, Bursor & Fisher, P.A. and Gucovschi Rozenshteyn, PLLC are qualified, experienced, and have been actively involved throughout the pendency of this litigation”); *Dutcher v. Newrez LLC*, No. 21-2062, 2022 U.S. Dist. LEXIS 194706, at \*15-16 (E.D. Pa. Oct. 20, 2022) (Granting final



approval and noting that “Class Counsel recovered the statutory maximum amount recoverable under the Fair Debt Collection Practices Act.”).

### **Biography of Adrian Gucovschi**

Adrian Gucovschi is the founding partner of GR Firm. He is a member in good standing of the New York State Bar and the United States District Courts for the Southern and Eastern District of New York. He received a Bachelor of Arts from Yeshiva University and a Juris Doctor, cum laude, from Fordham University School of Law. Before founding GR Firm, Mr. Gucovschi worked at various firms where he prosecuted, and subsequently defended, billion-dollar lawsuits brought by multiple institutional investors and banks arising from the 2008 mortgage-backed securities economic disaster. In early 2021, Mr. Gucovschi partnered with Benjamin A. Rozenshteyn to advance the firm’s class action work. Mr. Rozenshteyn received a Bachelor of Arts from Yeshiva University, magna cum laude, an Executive Education degree in business analytics from Harvard Business School, and a Juris Doctor from Benjamin N. Cardozo School of Law. Mr. Rozenshteyn is a member in good standing of the New York State Bar and the United States District Courts for the Southern and Eastern District of New York.



**Moulton v. United Dominion Realty, L.P., et al. Lodestar through 2/13/2025**

<b>ATTORNEY</b>	<b>HOURS</b>	<b>RATE</b>	<b>TOTAL</b>
Adrian Gucovschi (AG)	93.07	\$750.00	\$69,802.50
Ben Rozenshteyn (BR)	48.99	\$650.00	\$31,843.50
<b>Total:</b>	142.06		\$101,646.00

Description	User	Start Date	Duration (decimal)	Billable Rate (USD)	Billable Amount (USD)
Draft Motion to Dismiss Opposition	AG	1/17/2022	7.60	\$750.00	\$5,700.00
Draft Motion to Dismiss Opposition	AG	1/18/2022	9.60	\$750.00	\$7,200.00
Draft Motion to Dismiss Opposition	AG	1/25/2022	7.70	\$750.00	\$5,775.00
Draft amended complaint	AG	3/24/2022	3.00	\$750.00	\$2,250.00
Review Defendant's second document production; share comments with team	AG	1/24/2023	4.90	\$750.00	\$3,675.00
Speak with T.Fisher re: meet and confer	AG	4/21/2023	0.20	\$750.00	\$150.00
UDR Letter - meet & confer - review and redline	BR	4/25/2023	1.00	\$650.00	\$650.00
Conference call with J.Marchese re: motion to compel discovery and draft motion to compel	AG	5/23/2023	7.30	\$750.00	\$5,475.00
Conference with J.Marchese and T.Fisher re: UDR's late fee data and upcoming mediation	AG	8/1/2023	0.40	\$750.00	\$300.00
Speak with J.Marchese re: edits to mediation statement.	AG	9/12/2023	0.10	\$750.00	\$75.00
Edit meditation statement from co-counsel and send same for review.	AG	9/12/2023	0.70	\$750.00	\$525.00
Review and edit mediation statement	AG	9/20/2023	1.50	\$750.00	\$1,125.00
Attend mediation	AG	9/27/2023	5.00	\$750.00	\$3,750.00
Attend mediation	BR	9/27/2023	5.00	\$650.00	\$3,250.00
Draft deposition notice	AG	10/6/2023	1.50	\$750.00	\$1,125.00
Edit deposition notice and send to Ben R. for review	AG	10/9/2023	1.10	\$750.00	\$825.00
Review draft deposition notice and send to co-counsel for review	BR	10/11/2023	0.60	\$650.00	\$390.00
Review and edit the second set of ROGS and RFP's	BR	10/20/2023	2.10	\$650.00	\$1,365.00
Review Defendant's supplemental document production	BR	12/20/2023	4.00	\$650.00	\$2,600.00
Review Defendant's supplemental document production	AG	12/21/2023	3.40	\$750.00	\$2,550.00
Review Defendant's supplemental document production	AG	12/22/2023	5.70	\$750.00	\$4,275.00
Review and edit UDR deposition exhibits	BR	1/5/2024	2.80	\$650.00	\$1,820.00
Review T.Fisher and J.Marchese's deposition outline, exhibits, and comments and correspond about the same via emails	AG	1/7/2024	3.00	\$750.00	\$2,250.00
Discuss deposition topics with Ben.R based on exhibits and SEC filing in preparation for UDR's corporate deposition; confer with T.Fisher regarding the same	AG	1/16/2024	0.70	\$750.00	\$525.00
Second chair UDR Deposition with T.Fisher	BR	1/16/2024	5.10	\$650.00	\$3,315.00
Prepare for and attend mediation	AG	1/18/2024	10.00	\$750.00	\$7,500.00
Prepare for and attend mediation	BR	1/18/2024	10.00	\$650.00	\$6,500.00
Draft settlement agreement	BR	2/7/2024	7.00	\$650.00	\$4,550.00
Draft preliminary approval; confer with T.Fisher re: same	AG	3/8/2024	7.10	\$750.00	\$5,325.00
Draft preliminary approval	AG	3/12/2024	6.80	\$750.00	\$5,100.00
Review and redline J.Marchese's and opposing counsel's edits to the settlement agreement	AG	3/21/2024	3.00	\$750.00	\$2,250.00
Review and edit settlement agreement	BR	3/21/2024	3.10	\$650.00	\$2,015.00
Confer with J.Marchese re: Defendants redlines to settlement agreement and Plaintiff's counter redlines; email team regarding the same	AG	3/22/2024	0.40	\$750.00	\$300.00
Examine exhibits, mediation, and deposition notes to approximate the class size for the settlement admin and email J.Marchese with data.	BR	3/25/2024	0.30	\$650.00	\$195.00
Review and edit preliminary approval and claim form exhibits	BR	4/8/2024	4.60	\$650.00	\$2,990.00
Review Preliminary and Final Approval Orders supplied by Bursor (Josh Glatt)	BR	4/15/2024	2.3	\$650.00	\$1,495.00

Description	User	Start Date	Duration (decimal)	Billable Rate (USD)	Billable Amount (USD)
Review Defendant's edits to the settlement agreement and send it to co-counsel via email with comments.	AG	5/7/2024	0.29	\$750.00	\$217.50
Email Josh from B&F to relay tasks pertaining to preliminary approval motion	BR	5/8/2024	0.27	\$650.00	\$175.50
Revise and send out GR Firm resume as an exhibit to the preliminary approval motion	BR	5/22/2024	0.34	\$650.00	\$221.00
Review supplemental declarations from T.Fisher as exhibits to the preliminary approval motion	BR	7/9/2024	0.48	\$650.00	\$312.00
Draft deposition notice	AG	10/4/2024	1.90	\$750.00	\$1,425.00
Attend call with the class administrator to address notice issues to be resolved	AG	11/7/2024	0.18	\$750.00	\$135.00
<b>Total:</b>			<b>142.06</b>		<b>\$101,646.00</b>