

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION  
Case No. 1:14-cv-06866**

Craftwood Lumber Company, an Illinois ]  
corporation, individually and on behalf of all ]  
others similarly situated, ]  
Plaintiff, ]  
v. ]  
Senco Brands, Inc., a Delaware corporation, ]  
Defendant. ]

**DECLARATION OF FRANK F. OWEN**

Frank F. Owen declares under penalty of perjury, as provide for by 28 U.S.C. Section 1746, that the following statements are true:

1. Frank F. Owen & Associates PA, a Florida Professional Corporation, has one (1) principal:  
Frank F. Owen.
2. I am co-counsel to Craftwood Lumber Company, an Illinois Corporation in this putative class action.
3. Since 1979 I have been an attorney admitted to practice within the state of Illinois. Since 2004 I have been an attorney admitted to practice within the state of Florida. I am admitted in all the Federal District Courts in Florida and in the Northern District of Illinois. I have personal knowledge of the following facts, and would and could competently testify thereto if called as a witness in this action.

4. This declaration addresses my background and experience handling complex litigation, including class actions for violations of the federal anti-junk fax law, and my actions to prosecute this case vigorously on behalf of the proposed class.
  
5. Although I am an experienced class action lawyer, the vast majority of my work for most of my years of practice has been done on a non-contingent basis, involving little or no collection risk. I considered whether to take this case on a contingency basis very carefully because of the inherent risks of contingency cases. Having agreed to bring this case, I was committed to prosecute this case diligently on behalf of the proposed class, and have done so.
  
6. I am a 1979 graduate of the Kent College of Law from the Illinois Institute of Technology.
  
7. Thereafter I formed the firm of Frank F. Owen & Associates with offices in Oakbrook IL, then Hinsdale, IL, and then Naperville IL. I am currently a solo practitioner and my firm in Florida is Frank F. Owen & Associates PA.
  
8. From 2003 to 2012 I was the General Counsel for G.D. Ross Properties which was a diverse privately held holding company and I handled many litigation cases for the company. I have handled complex business litigation in state and federal trial courts and in arbitration, in many substantive areas except for anti-trust and security law.

9. Since 2009, I have continuously handled plaintiff actions involving the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”), amended in 2005 by the Junk Fax Prevention Act of 2005 (“JFPA”). I have extensively studied and am intimately familiar with and knowledgeable about the TCPA/JFPA, orders and regulations by the Federal Communications Commission thereunder, and the leading judicial decisions regarding the TCPA/JFPA.
  
10. Since 2011, I have had had the privilege of being co-counsel with Scott Zimmermann and Darrel Cordero for the Plaintiff Class in the case of Craftwood Lumber Company v. Interline Brands, Inc., a Delaware corp. et al, Case Number: 1:11-cv-04462 in the Northern District of Illinois, which case has settled and funds to the class have been disbursed. I supplied the Class Representative in this matter.
  
11. I have also been co-counsel in two JFPA class actions in Florida state court with Scott Zimmerman and Joel Magolnick. (Davis v. Blue Cross and Blue Shield Ass’n and Bam Marine of Florida Inc. v. Isle of Capri Casinos, et al.) In both cases I supplied the Class Representative. These cases were settled whereby the defendants paid to the class, on a claims-made basis, \$425 or \$450 per fax transmission at issue, with the defendants separately paying costs of administration, attorneys’ fees and costs and incentive award. In other words, the payments of \$425 or \$450 per fax transmission were “net” amounts paid to the class and provided the class with all or essentially monetary relief under the Act.

12. Presently I am co-counsel with Darryl Cordero, on Craftwood Lumber Company v. Senco Brands, Inc. case number 1:14-cv-06866.
13. Attorney fee requests based on my time and billing rate, along with the other attorney's times and rates have been approved in the Tomy case in California, Interline case in the Northern District of Illinois, and the PharMerica case in the Southern District of Florida.
14. My usual and customary rate for this kind of work is \$450.00 per hour.
15. The rates of the other attorneys in junk fax cases for which I have been involved have all been higher, usually in the \$550 to \$600 per hour rate.
16. I supplied the Class Representative, Craftwood Lumber Company, in this matter. For many years Craftwood Lumber Company has sent their junk faxes to my office and I reviewed their junk faxes.
17. When I reviewed the Senco fax, I then sent it to my co-counsel and we agreed to proceed with a class action based upon the fax and what my client had told me.
18. In this case, I have obtained the Clients signature on the Representation agreements as well as the co-counsel agreements. I met with the client many times and discussed this matter with them prior to their signing the representation agreement. I participated in the

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Mediation wherein a Settlement was reached with Senco. I actively participated in this case.

19. I and my legal assistants keep track of all their time on a contemporaneous basis, on computer. We enter our time into a computer program and it tracks and sorts the time to the assigned clients. Expenses are also tracked in this system.

20. My hours expended in this matter are 34.30 and I have had costs of \$539.53 for air fare, \$235.00 for rental car, and \$426.00 for hotel, totaling \$1,200.53, for attending the Mediation in California.

21. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed April 4, 3017.

Executed at Miami Springs FL

/s/ Frank F. Owen  
Frank F. Owen  
Frank F. Owen & Associates PA  
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