

EXHIBIT 5

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ANDREW S. KIERSTEAD is a graduate of Johns Hopkins University (B.A. in History, 1984; Dip. International Relations, School of Advanced International Studies --SAIS) and the University of Southern California (J.D. 1987), where he was awarded a full tuition merit scholarship and received the Am Jur prize in both Torts and Torts II. Mr. Kierstead is admitted to practice in the states of California and Oregon as well as the federal Central District of California, Northern District of California, District of Oregon and before the Ninth Circuit Court of Appeals.

Mr. Kierstead primarily litigates on behalf of consumers in class actions and other complex cases before state and federal courts. He is currently a member of the plaintiffs' counsel executive committee in the certified national class action *In Re: Universal Service Fund Telephone Billing Practices Litigation* (District of Kansas), class co-counsel in the putative California class action *Lopez v. American Express* (Central District of California), class co-counsel in the putative national class action *Murphy v. Citibank* (District of Rhode Island), class co-counsel in the putative national class action *Frock v. Bank of America* (Southern District of Ohio), class co-counsel in the putative national class action *Le Faivre v. KV Pharmaceutical* (Eastern District of Missouri), class co-counsel in the putative national class action *Hibnick/Souvalian v. Google, Inc.* (Northern District of California), class co-counsel in the putative national class action *Trombley v. Bank of America* (District of Rhode Island), class co-counsel in the putative national class action *Blankenship v. Citizens Bank* (District of Rhode Island), class co-counsel in the putative California class action *Gabriel v. Chase* (Central District of California), class co-counsel in the putative California class action *Greene v. Citibank* (Central District of California), class co-counsel in the putative national class action *In Re: National Security Agency Telecommunications Records Litigation* (Northern District of California), class co-counsel in several of the putative state class actions coordinated as *In Re: Motor Fuel Temperature Sales Practices Litigation* (District of Kansas), and class co-counsel in the putative California class action *In Re: Late Fee And Over-Limit Fee Litigation* (Northern District of California).

He has been co-lead class counsel in the settled (2003) national class action *Rossmann v. Fleet Bank* (Eastern District of Pennsylvania), co-lead class counsel in the settled (2003) Oregon class action *Bruce v. EarthLink, Inc.* (Multnomah County (Oregon) Circuit Court), co-lead class counsel in the settled (2001) national class action *Rosted v. First USA Bank* (Western District of

Washington), co-lead class counsel in the settled (2005) western states' class action *Egger v. Duke Energy* (San Diego Superior Court), class co-counsel in the settled (2009) national class action *Carr v. Nationwide* (Franklin County (Ohio) Court of Common Pleas), class co-counsel in the settled (2009) national class action *Montaquila v. Countrywide Home Loans* (Central District of California), class co-counsel in the settled (2010) national class action *In Re: Ameriquest Mortgage Company Mortgage Lending Practices Litigation* (Northern District of Illinois) class co-counsel in the settled (2005) national class action *Kruss v. Banner Life Insurance Co.* (Montgomery County (Maryland) Circuit Court), class co-counsel in the settled (2004) national class action *Jones v. The Midland Life Insurance Company* (Franklin County (Ohio) Court of Common Pleas), class co-counsel in the settled (2003) national class action *Schoenwald v. Travelers Insurance Company* (Alameda County (California) Superior Court) and class co-counsel in the settled (2003) national class action *Feldman v. Jefferson Pilot Financial Insurance Company* (Central District of California).

Mr. Kierstead was a speaker at the 2003 annual national conference of the National Consumer Law Center/National Association of Consumer Advocates.