

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 21-MD-2989**

In re:

**JANUARY 2021 SHORT SQUEEZE
TRADING LITIGATION**

This Document Relates to the Federal Securities Tranche

**DECLARATION OF ANDREW J. OBERGFELL IN SUPPORT OF MOTION TO
WITHDRAW BY SARAH N. WESTCOT, ANDREW J. OBERGFELL, AND BURSOR &
FISHER, P.A. AS COUNSEL FOR PLAINTIFF AARON FASSINGER**

I, Andrew J. Obergfell, declare as follows:

1. I am an attorney licensed to practice in the States of New York and New Jersey and am Counsel at the law firm of Bursor & Fisher, P.A., counsel to Plaintiff Aaron Fassinger in the *Quat, et al. v. Robinhood Financial, LLC, et al.*, Case No. 1:21-cv-21404 (S.D. Fl.) matter. I make this declaration in support of the Motion to Withdraw as counsel for Plaintiff Aaron Fassinger. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. In the past thirty (30) days I have made numerous attempts to communicate with Plaintiff Aaron Fassinger regarding pressing issues in the above-referenced matter.

3. Specifically, on December 3, 2024, I attempted to reach Plaintiff Fassinger by phone to discuss pressing issues in this matter, but the call was not returned. I made numerous additional attempts to reach Plaintiff Fassinger by phone, including on December 4, 2024, December 5, 2024, December 6, 2024 (two separate attempts), December 9, 2024 (two separate attempts), December 10, 2024 (two separate attempts), December 13, 2024, December 16, 2024, December 17, 2024 (two separate attempts), December 18, 2024, December 30, 2024, and December 31, 2024.

4. On several occasions, I left a voicemail for Plaintiff Fassinger asking for a return call to discuss the above-captioned matter. However, the mailbox became full and currently no additional messages can be left.

5. In addition to the phone calls and voicemails, I sent numerous emails to Mr. Fassinger following up on the calls and explaining the need to discuss pressing matters in the case, but no response was received. Specifically, I sent emails to Mr. Fassinger on December 4, 2024, December 5, 2024, December 6, 2024, December 10, 2024, December 16, 2024, and December 31, 2024, regarding the above-referenced matter and requested a response. Several of the emails specifically note the time sensitive nature of the communication. To date, no response has been received to any of the above-referenced emails.

6. In addition to the phone calls and emails, I also sent text messages to Mr. Fassinger advising of the need to discuss pressing matters in this case. Specifically, I sent text messages to Mr. Fassinger on December 10, 2024, December 17, 2024, and December 31, 2024, asking for a return communication to discuss this matter. To date, I have not received a response to any of the above-referenced text messages.

7. In addition to the phone calls, voicemails and text messages, I also tried to reach Mr. Fassinger through direct message on social media on December 16, 2024, but did not receive a response.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed January 8, 2025, at New York, New York.

By: /s/ Andrew J. Obergfell
Andrew J. Obergfell