

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

MARK SHAFFER, MARGARET MAULDIN,
CHARAFEDDINE ZAITOUN, and MARC
LESSIN, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

THE GEORGE WASHINGTON
UNIVERSITY and THE BOARD OF
TRUSTEES OF GEORGE WASHINGTON
UNIVERSITY,

Defendants.

No. 1:20-cv-01145-RJL

Hon. Richard J. Leon

**PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS,
AND CLASS REPRESENTATIVE SERVICE AWARDS**

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I. INTRODUCTION

Plaintiffs Mark Shaffer, Margaret Mauldin, Charafeddine Zaitoun, and Marc Lessin, (“Plaintiffs” or Class Representatives”) were students and parents of students who paid for in-person educational programs at Defendant George Washington University for the Spring 2020 semester. Plaintiffs allege George Washington breached a contractual agreement to provide in-person, on campus education when it transitioned classes to remote learning during the Spring 2020 semester due to the COVID-19 pandemic.

After a motion to dismiss, and the subsequent appeal to the D.C. Circuit, discovery, depositions, and Plaintiffs Motion for Class Certification, and extensive arms’-length negotiations, including a full day mediation with Judge Laporte, the Parties reached a Class Action Settlement Agreement (the “Settlement”). The Settlement commits Defendant to create a \$5,400,000 non-reversionary Settlement Fund that will provide *automatic* payments to each qualifying student following final approval, with an option for the Student and Payor to jointly submit a Claim Form for payment to go to the Payor. *See* Settlement Agreement ¶ 2.1(b) (ECF-66-1). The Settlement states that Class Counsel may seek from the Settlement Fund, subject to Court approval, attorneys’ fees, costs, and expenses not to exceed one-third of the Settlement Fund (i.e. \$1,799,820.00), and individual service awards of \$10,000 each for the four Class Representatives. *Id.* at 8.

The Settlement and Notice was preliminarily approved by this Court on December 13, 2023. (ECF 66). But to settle and arrive at this point, Class Counsel and all counsel incurred 1616.2 hours in uncompensated professional time (\$1,111,428.00) and \$122,729.57 in uncompensated professional costs on behalf of Plaintiffs and the Settlement Class Members. Under the requirements of Fed. R. Civ. P. 23(h), Plaintiffs timely and respectfully request the Court approve: (1) reasonable attorneys’ fees and costs totaling one-third of the Settlement Fund

plus expenses or \$1,799,820.00; and (2) service awards of \$10,000 for each Class Representative in recognition of their efforts and contributions to the case through their active role in pursuing the litigation and Settlement on behalf of Settlement Class Members.

II. ANALYSIS

A. The Requested Attorneys' Fees, Costs, And Expenses Are Reasonable And Should Be Approved.

The requested fee award of \$1,799,820.00, representing one-third of the all-cash common fund, is reasonable and merits approval. Under Federal Rule of Civil Procedure 23(h), courts may award “reasonable attorney’s fees and nontaxable costs that are authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h).¹ Under that doctrine, it is “well established that ‘a litigant or lawyer who recovers a common fund for the benefit of persons other than himself or his client is entitled to a reasonable attorney’s fee from the fund as a whole.’” *Swedish Hosp. Corp.*, 1 F.3d 1261, 1265 (D.C. Cir. 1993) (quoting *Boeing Co. v. Van Gemert*, 444 U.S. 472, 478 (1980)). In addition, the Settlement Agreement states that Class Counsel may petition the Court for an award of attorneys’ fees, costs, and expenses of up to one-third of the Settlement Fund:

The amount of the Fee Award shall be determined by the Court based on petition from Class Counsel. Class Counsel has agreed, with no consideration from Defendant, to limit their request for attorneys’ fees, costs, and expenses to no more than thirty-three percent (33%) of the Settlement Fund (i.e. \$1,799,820.00). Payment of the Fee Award shall be made from the Settlement Fund and should the Court award less than the amount sought by Class Counsel, the difference in the amount sought and the amount

¹ The requested fee award also encompasses unreimbursed litigation expenses. Settlement Agreement ¶ 8.1. Reasonable litigation-related expenses are customarily awarded. *See Driscoll v. George Washington Univ.*, 55 F. Supp. 3d 106, 124 (D.D.C. 2014) (“It is well-established in this Circuit that compensable costs include all “reasonable out-of-pocket expenses incurred by the attorney which are normally charged to a fee-paying client, in the course of providing legal services.”). Thus, any requested award will also serve to compensate Class Counsel and all counsel for the \$122,729.57 in out-of-pocket expenses incurred in this case. *See* Kurowski Decl. ¶ 38; Drake Decl. ¶ 18; Levetown Decl. ¶ 3.

ultimately awarded pursuant to this Paragraph shall remain in the Settlement Fund.

Settlement Agreement ¶ 8.1.

Courts in the D.C. Circuit have determined the percentage of the fund fee method is proper for calculating attorneys' fees in common fund class actions. *Swedish Hosp. Corp. v. Shalala*, 1 F.3d 1261, 1265 (D.C. Cir. 1993). In this circuit, a lodestar cross-check is not required, *Trombley v. Nat'l City Bank*, 826 F. Supp. 2d 179, 205 (D.D.C. 2011)(citing *Swedish Hosp. Corp. v. Shalala*, 1 F.3d at 1266–67), although district courts may employ this cross-check at their discretion to confirm the reasonableness of an award. *See, e.g., Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d 1, 7 (D.D.C. 2008); *In re Baan Co. Sec. Litig.*, 288 F. Supp. 2d 14, 19–20 (D.D.C. 2003).

“While this Circuit has not yet developed a formal list of factors to be considered in evaluating fee requests under the percentage-of-recovery method, other jurisdictions have delineated factors that courts should consider in evaluating fee requests.” *In re Lorazepam & Clorazepate Antitrust Litig.*, No. 99MS276(TFH), 2003 WL 22037741, at *8 (D.D.C. June 16, 2003). Courts typically consider seven factors to guide their inquiries:

- (1) the size of the fund created and the number of persons benefited,
- (2) the presence or absence of substantial objections by class members to the settlement terms or fees requested by counsel,
- (3) the skill and efficiency of the attorneys involved,
- (4) the complexity and duration of litigation,
- (5) the risk of nonpayment,
- (6) the time devoted to the case by plaintiffs' counsel, and
- (7) awards in similar cases.

Trombley, 826 F. Supp. 2d at 204; *see also Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d at 6; *In re Baan Co. Sec. Litig.*, 288 F. Supp. 2d at 17.

In this Circuit, many common fund class action fee awards similar to Class Counsel's fee request of one third are approved. *In re Nifedipine Antitrust Litig.*, No. 1:02:CV01931, 2011 WL

13392312, at *2 (D.D.C. Jan. 31, 2011)(approving 33.3% award); *Lorazepam*, 2003 WL 22037741, at **8–9 (approving 30% award); *Radosti v. Envision EMI, LLC*, 760 F. Supp. 2d 73, 78 (D.D.C. 2011) (approving 33% award); *In re Vitamins Antitrust Litig.*, No. MDL 1285, 2001 WL 34312839, at *10 (D.D.C. July 16, 2001) (approving 34% award); *Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d at 7 (approving 45% award).

Additionally, on a percentage basis, Class Counsel’s fee request tracks fees approved in many other similar settling COVID-19 college tuition refund cases, including those that did not involve the same significant discovery and motion and appellate briefing. *See Rosado v. Barry Univ.*, No. 20-cv-21813-JEM (S.D. Fla. Sept. 7, 2021) (granting final approval to \$2,400,000 settlement fund, payment of attorneys’ fees and costs of \$800,000 (33.3%)); *Wright v. Southern New Hampshire Univ.*, No. 1:20-cv-00609-LM, 561 F. Supp. 3d 211, 214 (D.N.H. Sept. 22, 2021) (granting final approval to \$1,250,000 settlement fund, payment of attorneys’ fees of \$416,666.66 (33.3%)); *In re Columbia Univ. Tuition Refund Action*, No. 1:20-cv-03208 (JMF) (S.D.N.Y. Mar. 29, 2022) (granting final approval to \$12,500,000 settlement fund, payment of attorneys’ fees for \$4,166,666.67 (33.3%)); *D’Amario v. Univ. of Tampa*, No. 7:20-cv-03744-CS (S.D.N.Y. Oct. 18, 2022) (granting final approval to \$3,400,000 settlement fund, payment of attorneys’ fees and costs of \$1,133,333.33 (33.3%)); *Metzner v. Quinnipiac Univ.*, 3:20-cv-00784-KAD (D. Conn. March 27, 2023) (granting final approval to \$2,500,000 settlement fund, payment of attorneys’ fees for \$833,333.33 (33.3%)); *Miranda v. Xavier Univ.*, No. 1:20-CV-539, 2023 WL 6443122, at *6 (S.D. Ohio Oct. 3, 2023) (“the Court finds that Class Counsel’s request for one-third of the common fund to be reasonable”).

1. The percentage of the fund method should be used to calculate fees.

The trend in this Circuit is to use the percentage of the fund method in common fund cases like this one. *Swedish Hosp. Corp.*, 1 F.3d at 1265. The lodestar approach is more often applied in federal fee-shifting cases, particularly civil rights actions. *See, e.g., Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 551 (2010). Percentage of the fund is favored as the lodestar method requires a “considerable demands upon judicial resources” and causes “substantial delay in distribution of the common fund.” *Swedish Hosp. Corp.*, 1 F.3d at 1269-70.

2. The reasonableness of the requested fees is supported by this Circuit’s seven-factor test.

The D.C. Circuit articulates seven factors for Courts to consider when determining the reasonableness of a requested percentage to award as attorneys’ fees: (1) the size of the fund created and the number of persons benefited, (2) the presence or absence of substantial objections by class members to the settlement terms or fees requested by counsel, (3) the skill and efficiency of the attorneys involved, (4) the complexity and duration of litigation, (5) the risk of nonpayment, (6) the time devoted to the case by plaintiffs’ counsel, and (7) awards in similar cases. *Trombley*, 826 F. Supp. 2d at 204.

a. The size of fund and class.

As noted, the settlement provides that \$5,400,000 will be shared among approximately 18,000 GW class members. The direct cash payment to Students and Payors enhances the value of the settlement. Each class member will receive significant value from this settlement. Moreover, at \$5.4 million, the settlement is the third largest settlement in this area of litigation to Class Counsel’s knowledge.

b. No objections to Class Counsel's fee request.

While the objection deadline closes on March 11, 2024, as of this filing, no class member has objected to the settlement. GW is not opposing Class Counsel's request for reasonable fees and costs. Settlement Agreement ¶ 8.1.

c. Class Counsel is skilled and efficient.

Class action litigation presents unique challenges and – by achieving an exceptional Settlement – Class Counsel proved that they have the ability and resources to litigate this case zealously and effectively. In addition, Class Counsel are well-respected attorneys with significant experience litigating consumer class actions of similar size, scope, and complexity. Kurowski Decl. ¶¶ 19-28; Drake Decl. ¶¶ 4-6; Levetown Decl. ¶ 4. In the college tuition refund context, Class Counsel successfully obtained settlements for students in *Mahmood v. Rutgers*, No. MID-L-003039-20 (Middlesex County, NJ); *Choi v. Brown Univ.*, No. 1:20-cv-00191-JJM-LDA (D.R.I.), and *Metzner v. Quinnipiac Univ.*, 3:20-cv-00784-KAD (D. Conn.).

Moreover, Class Counsel has been recognized by courts across the country for their expertise. *See* Ex. A to Kurowski Decl. ¶ 20. *Diaz v. Univ. of S. Cal.*, No. CV204066DMGPVCX, 2020 WL 5044419, at *5 (C.D. Cal. July 17, 2020) (“Hagens Berman’s detailed track records in class actions show great depth of experience in bringing plaintiffs’ class actions for similar claims, and the specific partners committed...as well as their deep benches of associates, have proven track records of success.”).

Furthermore, “[t]he experience, skill and professionalism of counsel and the performance and quality of opposing counsel” are all considered in evaluating a requested fee. *In re Vitamins*, 2001 WL 34312839, at *11. Class Counsel litigated this case efficiently, effectively, and civilly against excellent opposing counsel. The resulting settlement reflects the high quality of that work, which supports the requested fee award.

d. This class action addressed complex issues and focused on the novel application of contract law to the student-university relationship.

The complex nature of this litigation further favors the requested fee award. *See In re Vitamins*, 2001 WL 34312839, at *11 (noting complex legal and factual matters, and extensive time and effort by attorneys warrant higher fee awards). Here specifically, the claims and legal theories are novel, complicated, and unsettled. In reviewing the appeal here, the D.C. Circuit recognized “the novel and challenging issues that these cases present.” *Shaffer v. George Wash. Univ.*, 27 F.4th 754, 760 (D.C. Cir. 2022). The complexity of this case is further underscored by the challenges Plaintiffs faced on a motion to dismiss and at class certification. Indeed, courts have both granted and denied class certification and granted and denied summary judgment in university defendants’ favor. *Cf. Arredondo v. Univ. of La Verne*, 341 F.R.D. 47 (C.D. Cal. 2022) (granting class certification); *In re Pepperdine University Tuition and Fees COVID-19 Refund Litigation*, No. CV20-4928-DMG (C.D. Cal. March 7, 2023) (granting in part and denying in part university’s motion for summary judgment); *with In re Suffolk Univ. Covid Refund Litig.*, No. CV 20-10985-WGY, 2022 WL 6819485 (D. Mass. Oct. 11, 2022) (denying class certification) and *Randall v. Univ. of the Pac.*, No. 5:20-CV-03196-EJD, 2022 WL 1720085 (N.D. Cal. May 28, 2022) (granting university’s motion for summary judgment). This factor favors the requested fee.

e. There was significant risk of nonpayment.

This factor recognizes the risk of non-payment in cases prosecuted on a contingency basis where claims are unsuccessful, which can justify higher fees. Here, this case presented a substantial risk of non-payment for Class Counsel. Since 2020, Class Counsel invested significant time, effort, and resources into the litigation with no compensation. Kurowski Decl. ¶ 29. Even with a significant risk of nonpayment, Class Counsel still took this case on a pure

contingency basis and committed substantial resources of attorney and staff time towards investigating and litigating this action. *Id.* ¶ 30. This risk was realized when this case was dismissed on a motion to dismiss and partially affirmed by the D.C. Circuit. Class Counsel further recognizes that Plaintiffs faced additional considerable risks in establishing class-wide liability, obtaining Rule 23 certification of the proposed class action (and perhaps opposing a motion for decertification or a Rule 23(f) petition), and establishing damages. “The risk of nonpayment through either an award of summary judgment or loss at trial was significant and real in this case.” *Lorazepam*, 2003 WL 22037741, at *8. Class Counsel also assumed the risk of the significant delay associated with achieving a final resolution through trial and any appeals. Class counsel recognized the novel nature of claims for in-person education and experiences as a result of the COVID-19 pandemic and hurdles that could result in zero recovery for the class. That Class Counsel undertook this representation, despite the significant risk of nonpayment, and was able to manage these risks in negotiating a substantial settlement, supports the requested fee award.

f. Class Counsel devoted significant time and effort to this case.

Since Class Counsel began investigating this matter in March 2020, Counsel has devoted no less than 1,616.2 hours to successfully pursuing this matter. Kurowski Decl. ¶ 35; Drake Decl. ¶ 13; Levetown Decl. ¶ 3.² Class Counsel’s dedication to this matter and expenditure of substantial time, effort, and resources has brought this complex litigation to a successful resolution.

² While this is not a fee-shifting case, out of an abundance of caution, Plaintiffs’ counsel also includes detailed, contemporaneous time records in support of these hours. The usefulness of submitting actual time charges to support a fee request has been recognized by this and other courts. *Nat’l Ass’n of Concerned Veterans v. Sec’y of Def.*, 675 F.2d 1319, n.12 (D.C. Cir. 1982) (citing *Pete v. UMW Welfare & Retirement Fund*, 517 F.2d 1275, 1292 (D.C.Cir.1975)).

(1) Class Counsel thoroughly investigated the claims and allegations in this matter.

Class Counsel extensively investigated legal and factual allegations of Plaintiffs' breach of contract and unjust enrichment claims due to George Washington's campus closures resulting from COVID-19. Before filing, Class Counsel conducted a detailed factual investigation, including (i) conducting research of the underlying allegations in the Complaint; (ii) reviewing public statements issued by George Washington; (iii) reviewing George Washington course registration portals, various policy documents, the catalog, and handbooks; and (iv) reviewing other publicly available information on George Washington's website. *See* Kurowski Decl. ¶ 6. In addition, Class Counsel's analysis did not stop there as counsel continued to evaluate the claims and potential issues throughout the various stages of the litigation, whether as part of the motion to dismiss process or deep in the discovery phase. *Id.* ¶¶ 7-16.

(2) Class Counsel actively litigated this case.

Furthermore, Class Counsel actively litigated this case, often by using creative and novel legal arguments. Such efforts included researching and drafting multiple complaints, opposing Defendant's motion to dismiss, bringing this case on appeal to the D.C. Circuit, staying on top of emerging case law in this new area through the submission of supplemental authority notices, conducting extensive discovery including reviewing the large volume of documents produced by Defendant, taking and defending depositions, including the non-party deposition of a Plaintiff Payor's student child, and engaging in a full day mediation session with Magistrate Judge Laporte on the path to settlement. *Kurowski Decl.* ¶¶ 6-16.

(3) Class Counsel committed substantial time and resources to reaching a comprehensive Class Settlement and obtaining Preliminary Approval.

Class Counsel also dedicated significant time to resolving this matter. Class Counsel crafted a settlement proposal; participated in a full day mediation session, which was preceded by several weeks of settlement negotiations, and followed by several weeks of finalizing the settlement agreement; negotiated and prepared the Class Action Settlement Agreement and the Class Notice documents and Claim Form; and secured and worked with a Settlement Administrator to effectuate the Settlement. *See* Kurowski Decl. ¶¶ 16-17. Class Counsel also successfully moved for Preliminary Approval of the Proposed Class Action Settlement (*see* ECF Nos. 66-67). Class Counsel provided this Court with lengthy briefing, declarations, and exhibits supporting their Motion.

(4) Class Counsel's significant work after Preliminary Approval.

After this Court granted Preliminary Approval, Class Counsel has worked with the Settlement Administrator and helping the Plaintiffs and Class Members with the Settlement, including reviewing notice materials and supervising timely issuance of the requisite notice to Class Members. Kurowski Decl. ¶ 17.

(5) Over the next several months, Class Counsel will commit additional time and resources to advancing and administering the Settlement.

Class Counsel will continue their efforts in this case by pursuing final approval of the Settlement, and in the event of final approval, continuing to oversee the work of the claims administrator to ensure timely payment of settlement awards to the Class Members, and fielding any calls that Class Members may have regarding the Settlement and their rights thereunder. Kurowski Decl. ¶ 18. Thus, Class Counsel will, in the immediate future, continue to dedicate time and resources to administering the Settlement. *Id.* Based on Class Counsel's experience in

other cases, this ongoing work will likely involve about 50-75 total more hours. *Id.* This additional work should be accounted for as well.

g. Class Counsel's fee request is consistent with the standard fee awards approved as reasonable in other COVID-19 university litigation cases.

Class Counsel seeks attorneys' fees of one-third of the \$5.4 million cash settlement fund. As aforementioned, courts in this Circuit routinely approve fee requests for one-third of a common fund. *See supra* Section II.A.1 (collecting cases). Moreover, the fee request of one-third of the settlement fund reflects the same percentage repeatedly approved by other courts across the country reviewing fee applications in similar COVID-19 tuition refund cases. *See id.* This factor thus supports the requested fee award.

h. Public policy supports Class Counsel's fee award.

Courts can also consider the public interest although it is not always considered in the fee-award determination. *Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d 1, 8 (D.D.C. 2008). Society has a strong interest in incentivizing lawyers to bring complex litigation to protect consumer rights, particularly where the class members likely will not pursue litigation on their own for economic or personal reasons. Here, public policy considerations also favor Class Counsel's fee request because this case sought to hold Defendant accountable for shifting the entire financial burden of the COVID-19 pandemic onto its students. A one-third fee would, moreover, compensate Class Counsel at a level commensurate with the benefits they have conferred on the class, the large investment of time and money they devoted to litigating this unique case and bringing about the Settlement and the contingent nature of their representation. Kurowski Decl. ¶¶ 29-38. Public policy favors this fee request.

3. The requested attorneys' fees are also reasonable under a lodestar cross-check.

Although this Circuit has held that “a percentage-of-the-fund method is the appropriate mechanism for determining the attorney fees award in common fund cases,” courts may use a lodestar cross-check. *Swedish Hosp. Corp.*, 1 F.3d at 1271. A lodestar cross-check further supports the requested fee. Courts applying the lodestar method generally apply a multiplier to consider the contingent nature of the fee, the risks of non-payment, the quality of representation, and the results achieved. *See Lorazepam.*, 2003 WL 22037741, at *9 (noting multiples ranging up to four are frequently awarded in common fund cases when the lodestar method is applied); *In re Baan Co. Sec. Litig.*, 288 F. Supp. 2d at 19–20 (reviewing counsel's reported lodestar and finding “that a multiplier of 2.0 or less falls well within a range that is fair and reasonable”); *see also Swedish Hosp. Corp.*, 1 F.3d at 1263, 1272 (approving fee award approximately 3.3 times the lodestar amount). Applying a lodestar cross-check, therefore, confirms that the award sought by class counsel is neither unusual nor unreasonable, in light of the considerable time and expertise devoted to this case by class counsel.

To calculate lodestar, counsel’s reasonable hours spent on the litigation are multiplied by counsel’s reasonable rates. Under the lodestar method, “an attorney's usual billing rate is presumptively the reasonable rate, provided that the rate is ‘in line with those prevailing in the community for similar services by lawyers of reasonably comparable skill, experience and reputation.’” *Kattan by Thomas v. District of Columbia*, 995 F.2d 274, 278 (D.C. Cir.1993) (quoting *Blum v. Stenson*, 465 U.S. 886, 895–96 n. 11, 104 S. Ct. 1541, 79 L.Ed.2d 891 (1984)).

Here, the hourly rates used by Class Counsel are their standard billable rates. *See* Kurowski Decl. ¶ 34; Drake Decl. ¶ 14; Levetown Decl. ¶ 5.³

The hours worked, lodestar, and expenses for Class Counsel and all counsel are in the declarations of Mr. Kurowski, Ms. Drake and Mr. Levetown. These records confirm Class Counsel’s efficient billing, by, for example, striving to assign work to less senior lawyers or paralegals who bill at lower hourly rates to reduce the fees for the Class and avoiding overstaffing the case. Thus, even under the optional lodestar cross check, Class Counsel’s requested fees are reasonable given the unique circumstances of this case. Specifically:

- Class Counsel obtained an excellent Settlement, which will result in Class Members receiving substantial money quickly and automatically, without the need to submit a claim.
- The litigation was conducted, and the Settlement was obtained efficiently, by experienced and qualified counsel.
- The case involved complex and novel legal issues and factual theories, which involved significant litigation risks.
- Class Counsel devised a litigation and settlement strategy that factored in the complex and uncertain nature of the case.

In total, through February 2024, all counsel have devoted 1,616.2 hours to prosecuting this litigation. *See* Kurowski Decl. ¶ 35; Drake Decl. ¶ 13; Levetown Decl. ¶ 3. Their aggregate lodestar is \$1,111,428.00. *See id.* Therefore, the requested fee award represents a multiplier of about .62, which is well within the accepted range in this Circuit. In fact, a fee award of up to twice the lodestar amount has been recognized in this District as “unremarkable in common fund

³ The Supreme Court and other courts have held that the use of current rates is proper since such rates compensate for inflation and the loss of use of funds. *See Missouri v. Jenkins*, 491 U.S. 274, 283-84 (1989) (recognizing “an appropriate adjustment for delay in payment—whether by the application of current rather than historic hourly rates or otherwise”).

cases.” *Meyer v. Panera Bread Co.*, No. 17-cv-2565(EGS/GMH), 2019 WL 11271381, at *10 (D.D.C. Mar. 6, 2019).

The lodestar multiplier is also reasonable because it will decrease over time. *See* Kurowski Decl. ¶ 18. Class Counsel will continue to perform work on this matter after final approval is granted. In sum, Class Counsel’s efforts in this case resulted in an exceptional settlement of a complex and uncertain case. Class Counsel should be rewarded for achieving this result.

B. The Requested Service Award Reflects Plaintiffs’ Active Involvement in This Action And Should Be Approved.

Next, the Court should also approve service awards to each Plaintiff who came forward to represent the interests of other people who paid tuition for the Spring 2020 semester at George Washington. Service awards are routinely approved to compensate class representatives for actively participating in a case, as was the case here. *See Cobell v. Jewell*, 802 F.3d 12, 25 (D.C. Cir. 2015) (“Incentive awards have often been used to compensate a class representative....”) Courts often approve service awards “to compensate named plaintiffs for the services they provided and the risks they incurred during the course of the class action litigation.” *Lorazepam*, 2003 WL 22037741, at *10. Under the Settlement Agreement, the parties agreed that Class Representatives may request to receive awards not to exceed \$10,000. As the Settlement provides in relevant part:

Class Representatives shall each request to be paid a service award in the amount of Ten Thousand Dollars (\$10,000.00) from the Settlement Fund, in addition to any recovery pursuant to this Settlement Agreement and in recognition of their efforts on behalf of the Settlement Class, subject to Court approval. Should the Court award less than this amount, the difference in the amount sought and the amount ultimately awarded pursuant to this Paragraph shall remain in the Settlement Fund.

Settlement Agreement ¶ 8.3.

Here, the participation of Plaintiffs was critical to the ultimate success of the case. Kurowski Decl. ¶ 39. Plaintiffs spent significant time protecting the interests of the class through their involvement in this case. Plaintiffs assisted Class Counsel in investigating their claims by providing information to draft and file the complaint. *Id.* ¶ 40. During this litigation, Plaintiffs assisted with preliminary discovery and kept in regular contact with their lawyers to receive updates on the progress of the case and to discuss strategy particularly as those efforts related to responding to Defendant's document requests. *Id.* ¶ 41. Plaintiffs prepared for and testified at their depositions, including the non-party deposition of a Plaintiff Payor's student child. *Id.* ¶ 41. Finally, Plaintiffs conferred with Class Counsel during the settlement process. *Id.* ¶ 42. Equally important, Plaintiffs took on an enormous risk in filing this lawsuit. Indeed, at the time of filing, the Plaintiffs and their children were still active students at George Washington, and thus took on an added risk by suing George Washington, including potential adverse consequences to their educational pursuits.

On these facts, the \$10,000 service awards are appropriate due to the efforts made by Plaintiffs to protect the interests of the other Settlement Class Members, the time and effort they spent pursuing this matter, and the substantial benefit they helped achieve for the other Settlement Class members. Thus, a service award of \$10,000 for each Plaintiff is well-justified, reasonable, and less than other awards approved in this Circuit. *See, e.g., Lorazepam*, 2003 WL 22037741, at * 11 (approving \$20,000 incentive awards to named plaintiffs); *Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d 1, 9 (D.D.C. 2008) (approving \$10,000 service award). Further confirmation of the reasonableness of the requested award to each Plaintiff can be found by reviewing service awards approved in similar COVID-19 university litigation settlements. *See In re Columbia Univ. Tuition Refund Action*, No. 1:20-cv-03208 (JMF) (S.D.N.Y. Mar. 29, 2022)

(approving \$25,000 service award request); *Botts v. Johns Hopkins Univ.*, 1:20-cv-01335-JRR (D. Md. April 20, 2023) (approving \$12,500 service award request); *D’Amario v. Univ. of Tampa*, No. 7:20-cv-03744-CS (S.D.N.Y. Oct. 18, 2022) (approving \$10,000 service award request); *Faber v. Cornell Univ.*, 3:20-cv-00467-MAD-MIL (N.D.N.Y. Dec. 13, 2023) (approving \$10,000 service award request); *Wnorowski v. Univ. of New Haven*, 3:20-cv-01589 (D. Conn. Oct. 11, 2023) (approving \$10,000 service award request); *Ford v. Rensselaer Polytechnic Institute*, 1:20-cv-00470-DNH-CFH (N.Y.N.D. Jan. 9, 2024) (approving \$10,000 service award request)

III. CONCLUSION

For the reasons provided above and for good cause shown, Plaintiffs respectfully request that the Court (1) approve attorneys’ fees, costs, and expenses in the amount of one-third of the settlement fund (\$1,799,820.00) and (2) grant each Plaintiff a service award of \$10,000 each in recognition of their efforts on behalf of the class, and (3) grant Plaintiffs all such other relief that the Court deems necessary and appropriate.

Dated: February 23, 2024

Respectfully submitted,

/s/ Daniel J. Kurowski

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Whitney K. Siehl (*pro hac vice*)

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LCvR7 CERTIFICATION

Pursuant to LCvR 7(m), the undersigned certifies that on February 23, 2024, counsel for Plaintiff (Daniel Kurowski) met and conferred with counsel for Defendant (Ryenne Perio) in a good-faith effort to determine whether there is any opposition to the relief sought in this motion and, if there is, to narrow the areas of disagreement. Defendant takes no position on this motion.

/s/ Daniel J. Kurowski
Daniel J. Kurowski

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on February 23, 2024, a true and correct copy of the foregoing, together with all attachments thereto, was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

/s/ Daniel J. Kurowski
Daniel J. Kurowski

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MARK SHAFFER, MARGARET MAULDIN,
CHARAFEDDINE ZAITOUN, and MARC
LESSIN, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

THE GEORGE WASHINGTON
UNIVERSITY and THE BOARD OF
TRUSTEES OF GEORGE WASHINGTON
UNIVERSITY,

Defendants.

Civil No. 1:20-cv-01145-RJL

**DECLARATION OF DANIEL J. KUROWSKI IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS,
AND CLASS REPRESENTATIVE SERVICE AWARDS**

I, Daniel J. Kurowski, declare under penalty of perjury as follows:

1. I am a partner with the law firm Hagens Berman Sobol Shapiro LLP (“Hagens Berman”). I submit this declaration in support of Class Counsel’s motion for an award of attorney fees in connection with services rendered in this action, as well as for payment of expenses incurred by my firm in connection with the action. I have personal knowledge of the facts stated in this declaration and, if called upon, could and would truthfully testify to these facts.

2. Hagens Berman is currently serving as Class Counsel for the Settlement Class in this action under the Court’s Order Granting Preliminary Approval and has worked together with Berger Montague PC and Levetown Law, LLP in order to prosecute the claims of Plaintiffs and the Settlement Class. *See* ECF No. 67 at ¶ 8.

3. Hagens Berman was involved in all aspects of the litigation from its inception through settlement. Hagens Berman has decades of experience prosecuting large class actions such as this case.

4. Throughout the course of this litigation, Class Counsel (i.e., Hagens Berman) as well as Berger Montague PC, and Levetown Law, LLP conducted extensive work on behalf of the class.

5. Plaintiffs filed two separate lawsuits beginning in May 2020, which were ultimately consolidated in a Consolidated Class Action Complaint filed on July 15, 2020. ECF No. 17.

6. In advance of filing, Class Counsel conducted a detailed factual investigation, including (i) conducting research of the underlying allegations in the Complaint; (ii) reviewing public statements issued by George Washington; (iii) reviewing George Washington course

registration portals, various policy documents, the catalog, and handbooks; and (iv) reviewing other publicly available information on George Washington's website.

7. In response, GW moved to dismiss, which the district court granted on March 24, 2021, fully dismissing the case. ECF Nos. 18, 41-42.

8. However, Plaintiffs appealed the case to the D.C. Circuit and on March 8, 2022, the D.C. Circuit affirmed in part, reversed in part, and remanded the case for further proceedings.

9. With the remand, the parties proceeded to the discovery phase of the litigation.

10. To date, GW has produced approximately 45,000 pages, while Plaintiffs have produced approximately 1,900 pages. The Parties took depositions of all four named Plaintiffs, one non-party, and three corporate designees of Defendant under Fed. R. Civ. P. 30(b)(6).

11. This work culminated with Plaintiffs' Motion for Class Certification and Appointment of Class Counsel, which was supported by a fulsome expert analysis by Plaintiffs' damages expert, Hal J. Singer, Ph.D. ECF No. 57.

12. And on May 1, 2023, Defendants' counsel deposed Dr. Singer.

13. In addition, at various points during the litigation, the Parties discussed settlement without success.

14. To conserve the Parties' and court's resources, and to focus their energies on substantive settlement efforts, the Parties stipulated that the case be stayed for a short duration for the Parties to complete mediation. ECF No. 62.

15. The Court entered this stipulation on May 11, 2023. ECF No. 63.

16. On May 22, 2023, the Parties attended a full-day mediation with Judge Laporte and ultimately reached an agreement on the pertinent key terms. The Parties then diligently collaborated to memorialize the Settlement and notice documents.

17. After this Court granted Preliminary Approval, Class Counsel has worked with the Settlement Administrator and is currently helping the Plaintiffs and Class Members with the Settlement, including reviewing notice materials and supervising timely issuance of the requisite notice to Class Members.

18. In addition, Class Counsel will continue their efforts in this case by pursuing final approval of the Settlement, continuing to oversee the work of the claims administrator to ensure timely payment of settlement awards to the Class Members, and fielding any calls that Class Members may have regarding the Settlement and their rights thereunder. Based on Class Counsel's experience in other cases, this ongoing work will likely involve about 50-75 total more hours.

Credentials of Hagens Berman Sobol Shapiro LLP

19. With 89 lawyers firm-wide, Hagens Berman maintains nine offices across the United States. Since its founding in 1993, Hagens Berman has successfully represented plaintiffs in a broad spectrum of complex, and multi-party complex class action cases, including ones on behalf of injured students. Hagens Berman's victories have earned its legal team many awards and recognitions. For example, The National Law Journal named Hagens Berman to its "Plaintiffs' Hot List" in 2006–07, 2009–13, and 2015, its list of "Top 10 Plaintiffs' Firms in the Country" in 2012–13 and 2015, and its list of "Elite Trial Lawyers – Mass Tort Category" in 2019. Likewise, Law360 has repeatedly recognized the firm's successes, granting the firm its "Most Feared Plaintiffs Firm" award in 2015, its "MVP of the Year Award – Class Action" in 2016–19, "Practice Group of the Year – Class Action" for 2019, "Class Action Group of the Year" and "Competition Group of the Year" for 2023 and, for Mr. Berman, "Titan of the Plaintiffs Bar" in 2018 and 2020.

20. As detailed in the Firm's resume, attached hereto as **Exhibit A**, Hagens Berman has a notable history of case success. In *In re Electronic Books Antitrust Litigation*, No. 11-md-2293 (DLC) (S.D.N.Y.), Hagens Berman was appointed co-lead counsel in this complex litigation involving six defendants, 33 Attorneys General, and the U.S. Department of Justice. Settlements in the case totaled more than \$550 million, representing recovery of approximately 200% of class members' damages.

21. In *In re Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation*, No. 10-md-02151 (C.D. Cal.), Judge James V. Selna *sua sponte* identified me as a presumptive co-lead counsel. In that case, Hagens Berman secured a \$1.6 billion settlement, the largest automobile class settlement in history at the time.

22. And as noted in *In re Stericycle, Inc., Sterisafe Contract Litig.*, MDL No. 2455, No. 13-cv-5795 (N.D. Ill.), which ultimately settled for \$295 million, Judge Milton Shadur remarked:

But it must be said that the track record of Hagens Berman and its lead partner Steve Berman is even more impressive, having racked up such accomplishments as a \$1.6 billion settlement in the Toyota Unintended Acceleration Litigation and a substantial number of really outstanding big-ticket results.

It may be worth mentioning that to this Court's recollection it has had no first-hand judicial experience with either of the two finalist firms. . . . But that is not true of its colleagues in this District of more recent vintage, an email inquiry to whom brought in return some high praise of attorney Berman's skills.

In re Stericycle, Inc., Sterisafe Contract Litig., MDL No. 2455, No. 13-cv-5795 (N.D. Ill.)

(quoting Mem. Order dated October 11, 2013 (ECF No. 56) (footnotes omitted) (available upon request)).

Commitment to Representing College Students

23. Hagens Berman is also committed to bringing cases on behalf of college students.

24. For example, Hagens Berman served as co-lead counsel for the Plaintiffs in landmark litigation in *In re: USC Student Health Center Litigation*, No. 2:18-cv-04258-SWB-GJS (C.D. Cal.). In that case, the court granted final approval to a \$215 million settlement reached with USC and its former full-time gynecologist, Dr. George Tyndall, covering approximately 18,000 USC alumnae. The settlement also required USC to implement important institutional changes as well. The USC settlement is the largest-ever class resolution of sexual assault claims and first to incorporate equitable relief reforms ensuring institutional change and implemented a thoughtful, streamlined claims structure.

25. Hagens Berman also secured a \$208 million settlement on behalf of tens of thousands of current and former college-athletes in *In re: NCAA Grant-In-Aid Cap Antitrust Litigation*, No. 4:14-md-02541-CW (N.D. Cal.). There, Hagens Berman served as co-lead class counsel for the Consolidated Plaintiffs. Hagens Berman represented a class of student-athletes who received a scholarship package (referred to as a grant-in-aid, or GIA) and sought damages based on the difference in athletically related financial aid they could have received under new NCAA rules allowing for athletically related aid up to the full “cost of attendance,” typically a few thousand dollars more per academic year. In addition to securing the extensive settlement, the case included class-wide claims for injunctive relief, which Hagens Berman attorneys took to a successful bench trial.

26. Hagens Berman also served as co-lead counsel in *In re: NCAA Student-Athlete Concussion Litigation*, No. 13-cv-9116 (N.D. Ill.), brought on behalf of then-

current and former NCAA student-athletes which claimed that the NCAA had been negligent and had breached its duty to (1) protect current and former student-athletes by failing to adopt appropriate rules regarding concussions and/or (2) manage the risks from concussions. Hagens Berman sought and obtained medical monitoring relief for all qualifying current and former student-athletes, among other benefits. Hagens Berman secured a \$75 million settlement that implements a 50-year medical monitoring program for student-athletes to assess certain mid- to late-life onset brain diseases and disorders, and included injunctive relief provisions to be implemented at NCAA member schools regarding return-to-play guidelines schools must follow after an athlete's head injury.

27. More specific to the type of case before the Court, Hagens Berman has made a commitment to prosecuting cases against colleges and universities that closed their campuses and transitioned previously on-campus students to exclusively remote instruction in the wake of the COVID-19 pandemic. The firm has investigated and pursued many such cases including but not limited to: *See Schultz v. Emory University*, No. 1:20-cv-02002-TWT (N.D. Ga.); *In re Pepperdine University Tuition and Fees Covid-19 Refund Litigation*, No. 2:20-cv-04928-DMG (C.D. Cal.); *In re Univ. of S. California Tuition & Fees COVID-19 Refund Litig.*, No. 2:20-CV-04066 (C.D. Cal.); *Barry v. University of Washington*, No. 20-2-13924-6 SEA (King County, Wash.); among others.

28. Further, Hagens Berman has shepherded three other cases in this context through settlement, with all receiving final approval and a finding that the settlements presented were approved as fair, reasonable and adequate. *See, e.g., Rocchio v. Rutgers, the State Univ. of New Jersey*, No. MID-L-003039-20 (Middlesex County, NJ) (\$5MM common fund); *Metzner v.*

Quinnipiac Univ., No. 3:20-cv-00784-KAD (\$2.5MM common fund); *Choi v. Brown Univ.* 1:20-cv-00191 (D.R.I.) (\$1.5MM common fund).

Hagens Berman's Lodestar and Expenses

29. Since 2020, Hagens Berman has invested significant time, effort, and resources to the litigation with no compensation.

30. Cognizant of the risk of nonpayment, Hagens Berman still took this case on a pure contingency basis and committed substantial resources of attorney and staff time towards investigating and litigating this action.

31. The schedule attached hereto as **Exhibit B** is a true and correct copy of a detailed summary indicating the amount of time spent by each Hagens Berman Sobol Shapiro LLP attorney and professional support staff employee who devoted hours to the action from its inception through and including February 17, 2023, and the lodestar calculation for those individuals based on their current hourly rates. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by Hagens Berman Sobol Shapiro LLP.

32. As a partner responsible for supervising my firm's work on this case, I reviewed these time and expense records to prepare this declaration. The purpose of this review was to confirm both the accuracy of the time entries and expenses and the necessity for, and reasonableness of, the time and expenses committed to the litigation. Because of this review, reductions were made in the exercise of counsel's judgment. In addition, all time expended in preparing this application for fees and expenses has been excluded.

33. Following this review and the adjustments made, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as stated in this

declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, based on my experience in similar litigation, the expenses are all of a type that would normally be billed to a fee-paying client in the private legal marketplace.

34. The hourly rates for the Hagens Berman Sobol Shapiro LLP attorneys and professional support staff employees included in **Exhibit B** are their standard rates and are the same as, or comparable to, the rates submitted by my firm and accepted by courts for lodestar cross-checks in other class action fee applications. My firm's rates are set based on periodic analysis of rates used by firms performing comparable work and that have been approved by courts. Different timekeepers within the same employment category (*e.g.*, partners, associates, paralegals, etc.) may have different rates based on a variety of factors, including years of practice, years at the firm, year in the current position (*e.g.*, years as a partner), relevant experience, relative expertise, and the rates of similarly experienced peers at our firm or other firms.

35. The total number of hours expended on this action by my firm from the inception of the case through and including February 12, 2024, is 1082.30 hours. The total lodestar for Hagens Berman for that period is \$745,520.00. Hagens Berman's lodestar figures are based upon the firm's hourly rates described above, which do not include expense items. Expense items are recorded separately, and these amounts are not duplicated in Hagens Berman's hourly rates.

36. As detailed in **Exhibit C**, Hagens Berman also incurred a total of \$116,261.99 in expenses incurred in connection with this action.

37. The expenses reflected in **Exhibit C** are the expenses actually incurred by Hagens Berman. Further, with respect to charges for online research, charges reflected are for out-of-

pocket payments to the vendors for research done in connection with this litigation. Online research is billed to each case based on actual time usage at a set charge by the vendor. There are no administrative charges included in these figures.

38. The expenses incurred in this action are reflected in the records of my firm, which are regularly prepared and maintained in the ordinary course of business. These records are prepared from expense vouchers, check records, and other source materials and are an accurate record of the expenses incurred.

Plaintiffs' Participation In The Case

39. In addition, the participation of Plaintiffs Mark Shaffer, Margaret Mauldin, Charafeddine Zaitoun, and Marc Lessin was critical to the ultimate success of the case.

40. Plaintiffs assisted Class Counsel in investigating their claims by providing information to draft and file the complaints in this case.

41. Plaintiffs assisted with discovery and kept in regular contact with their lawyers to receive updates on the progress of the case and to discuss strategy, particularly as those efforts related to responding to Defendant's document requests and multiple rounds of interrogatories, and Plaintiffs prepared for and testified at their depositions, including the non-party deposition of a Plaintiff Payor's student child..

42. Plaintiffs also conferred with Class Counsel during the settlement process.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 23 day of February 2024, in Chicago, IL.

/s/ Daniel J. Kurowski
Daniel J. Kurowski

Exhibit A



HAGENS BERMAN

Auto Cases 1-888-381-2889 Email Tip Line

CASES ATTORNEYS NEWS & INSIGHT ABOUT PRACTICES SUCCESS BLOG

Trailblazer

Managing Partner, Steve Berman, recipient of the ABA's Trailblazer Award

... states that 14.7 million people have been





Hagens Berman is a leader in class-action litigation and an international law firm driven by a team of legal powerhouses. With a tenacious spirit, we are motivated to make a positive difference in people's lives.

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INTRODUCTION

The Firm

Hagens Berman Sobol Shapiro LLP was founded in 1993 with one purpose: to help victims with claims of fraud and negligence that adversely impact a broad group. The firm initially focused on class action and other types of complex, multi-party litigation, but we have always represented plaintiffs, victims and the underdog. As the firm grew, it expanded its scope while staying true to its mission of taking on important cases that implicate the public interest. The firm represents plaintiffs including investors, consumers, inventors, workers, the environment, governments, whistleblowers and others.

We are one of the nation's leading class-action law firms and have earned an international reputation for excellence and innovation in groundbreaking litigation against large corporations.

OUR FOCUS. Our focus is to represent plaintiffs/victims in product liability, tort, antitrust, consumer fraud, sexual harassment, securities and investment fraud, employment, whistleblower, intellectual property, environmental, and employee pension protection cases. Our firm is particularly skilled at managing multi-state and nationwide class actions through an organized, coordinated approach that implements an efficient and aggressive prosecutorial strategy to place maximum pressure on defendants.

WE WIN. We believe excellence stems from a commitment to try each case, vigorously represent the best interests of our clients, and obtain the maximum recovery. Our opponents know we are determined and tenacious and they respect our skills and recognize our track record of achieving top results.

WHAT MAKES US DIFFERENT. We are driven to return to the class every possible portion of its damages—our track record proves it. While many class action or individual plaintiff cases result in large legal fees and no meaningful result for the client or class, Hagens Berman finds ways to return real value to the victims of corporate fraud and/or malfeasance.

AN INTERNATIONAL REACH. The scope of our practice is truly nationwide. We have flourished through our network of offices in nine cities across the United States, including Seattle, Austin, Berkeley, Boston, Chicago, Los Angeles, New York, Phoenix and San Diego and one international office in London, and our eyes are always open to trends of fraud, negligence and wrongdoing that may be taking form anywhere in the world. Our reach is not limited to the cities where we maintain offices. We have cases pending in courts across the country and have a vested interest in fighting global instances of oppression, wrongdoing and injustice.

INTRODUCTION

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“...the track record of Hagens Berman[’s] **Steve Berman is... impressive**, having racked... a \$1.6 billion settlement in the Toyota Unintended Acceleration Litigation and a substantial number of really outstanding big-ticket results. ”

– Milton I. Shadur, Senior U.S. District Judge, naming Hagens Berman Interim Class Counsel in Stericycle Pricing MDL

“ Class counsel has **consistently demonstrated extraordinary skill and effort.** ”

– U.S. District Judge James Selna, Central District of California, In re Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices and Products Liability Litigation

“ Berman is considered **one of the nation’s top class-action lawyers.** ”

– Associated Press

Elite Trial Lawyers

The National Law Journal

The Plaintiffs’ Hot List: The Year’s Hottest Firms

The National Law Journal

Most Feared Plaintiffs Firms

Law360

“ **Landmark consumer cases are business as usual** for Steve Berman. ”

– *The National Law Journal*, naming Steve Berman one of the 100 most influential attorneys in the nation for the third time in a row

“ [A] **clear choice** emerges. That choice is the Hagens Berman firm. ”

– U.S. District Court for the Northern District of California, In re Optical Disk Drive Products Antitrust Litigation (appointing the firm lead counsel)

“ All right, I think I can conclude on the basis with my five years with you all, watching this litigation progress and seeing it wind to a conclusion, that **the results are exceptional...** You did an exceptionally good job at organizing and managing the case... ”

– U.S. District Court for the Northern District of California, In re Dynamic Random Access Memory Antitrust Litigation (Hagens Berman was co-lead counsel and helped achieve the \$325 million class settlement)

VISA-MASTERCARD ANTITRUST LITIGATION

The firm served as co-lead counsel in what was then the largest antitrust settlement in history – valued at **\$27 billion**.

VOLKSWAGEN FRANCHISE DEALERS LITIGATION

The firm served as lead counsel representing VW franchise dealers in this suit related to the automaker's Dieselgate scandal. A **\$1.6 billion** settlement was reached, and represents a result of nearly full damages for the class.

VOLKSWAGEN EMISSIONS LITIGATION

Hagens Berman was named a member of the Plaintiffs' Steering Committee and part of the Settlement Negotiating team in this monumental case that culminated in the largest automotive settlement in history – **\$17.4 billion**.

TOYOTA UNINTENDED ACCELERATION LITIGATION

Hagens Berman obtained the then largest automotive settlement in history in this class action that recovered **\$1.6 billion** for vehicle owners.

STATE OF WASHINGTON, ET AL. V. PHILIP MORRIS, ET AL.

Hagens Berman represented 13 states in the largest recovery in litigation history – **\$260 billion**.

E-BOOKS ANTITRUST LITIGATION

Hagens Berman served as co-lead counsel in this matter and secured a combined **\$560 million** settlement on behalf of consumers against Apple and five of the nation's largest publishing companies.

LCD ANTITRUST LITIGATION

Hagens Berman served as a member of the Executive Committee representing consumers against multiple defendants in multi-district litigation. The total settlements exceeded **\$470 million**.

MCKESSON DRUG LITIGATION

Hagens Berman was lead counsel in these racketeering cases against McKesson for drug pricing fraud that settled for more than **\$444 million** on the eve of trials.

DAVITA HEALTHCARE PERSONAL INJURY LITIGATION

A Denver jury awarded a monumental **\$383.5 million** jury verdict against GranuFlo dialysis provider DaVita Inc. on June 27, 2018, to families of three patients who suffered cardiac arrests and died after receiving dialysis treatments at DaVita clinics.

DRAM ANTITRUST LITIGATION

The firm was co-lead counsel, and the case settled for **\$345 million** in favor of purchasers of dynamic random access memory chips (DRAM).

AVERAGE WHOLESALE PRICE DRUG LITIGATION

Hagens Berman was co-lead counsel in this ground-breaking drug pricing case against the world's largest pharmaceutical companies, resulting in a victory at trial. The court approved a total of **\$338 million** in settlements.

ENRON ERISA LITIGATION

Hagens Berman was co-lead counsel in this ERISA litigation, which recovered in excess of **\$250 million**, the largest ERISA settlement in history.

CHARLES SCHWAB SECURITIES LITIGATION

The firm was lead counsel in this action alleging fraud in the management of the Schwab YieldPlus mutual fund; a **\$235 million** class settlement was approved by the court.

Practice Areas

PRACTICE AREAS

Anti-Terrorism

With a long track record of upholding the rights of the voiceless, Hagens Berman fights for justice on behalf of victims of international terrorism. Our anti-terrorism legal team builds on our robust history to forge innovative cases, bringing action against those that support terrorism.

Hagens Berman has always believed in fighting for the rights of those with no voice – those who are victims to tragic circumstances beyond their control. With our guiding principles driving our efforts, the firm has expanded its practice areas to include anti-terrorism litigation.

It's no secret that some businesses and individuals have pled guilty to violating United States laws that prohibit financial transactions with terrorist organizations and foreign states that support terrorism. We believe that the law is one of the most powerful tools to combat terrorism, and our renowned team of litigators brings a fresh perspective to the fight for victims' rights in this complex arena.

Through a deep understanding of both U.S. and international anti-terrorism laws, Hagens Berman builds on its foundation to investigate acts of terrorism and forge ironclad cases against anyone responsible, to help ensure that those at the mercy of the world's most egregious perpetrators of violence are represented with the utmost integrity and determination.

The firm's new practice area carries out our mission of building a safer world through novel applications of the law and steadfast dedication.

> Chiquita Bananas

Hagens Berman represents American citizens who were victims of terrorism in Colombia. The victims were harmed by Colombian terrorists that Chiquita Brands International Inc. paid so that it could grow bananas in Colombia in regions that were controlled by the terrorists. Chiquita is one of the world's largest producers and marketers of fruits and vegetables and admitted it paid Colombian terrorist organizations as part of a guilty plea to settle criminal charges brought by the U.S. Department of Justice

Chiquita was placed on corporate probation and paid a \$25 million dollar fine because of its conduct in Colombia.

Plaintiffs have sued Chiquita under the U.S. Anti-Terrorism Act, which allows American victims of international terrorism to sue anyone responsible and to recover treble damages and attorney's fees. The claims are pending in the U.S. District Court for the Southern District of Florida as part of the consolidated multi-district litigation to resolve claims related to Chiquita's payments to Colombian terrorist organizations.

PRACTICE AREAS

Antitrust

Hagens Berman works to preserve healthy marketplace competition and fair trade by protecting consumers and businesses that purchase goods and services from price fixing, market allocation agreements, monopolistic schemes and other trade restraints. The firm's lawyers have earned an enviable reputation as experts in this often confusing and combative area of commercial litigation. Our attorneys have a deep understanding of the legal and economic issues within the marketplace, allowing us to employ groundbreaking market theories that shed light on restrictive anti-competitive practices.

Hagens Berman represents millions of consumers in several high-profile class-action lawsuits, and takes on major antitrust litigation to improve market conditions for consumers, businesses and investors. We have represented plaintiffs in markets as diverse as debit and credit card services, personal computer components, electric and gas power, airlines, and internet services, and we have prevailed against some of the world's largest corporations.

The firm has also generated substantial recoveries on behalf of health plans and consumers in antitrust involving pharmaceutical companies abusing patent rights to block generic drugs from coming to market. Hagens Berman has served as lead or co-lead counsel in landmark litigation challenging anti-competitive practices, in the Paxil Direct Purchaser Litigation (\$100 million), Relafen Antitrust Litigation (\$75 million), Tricor Indirect Purchaser Antitrust Litigation (\$65.7 million), and Augmentin Antitrust Litigation (\$29 million). Representative antitrust successes on behalf of our clients include:

> **Visa/MasterCard**

Helped lead this record-breaking antitrust case against credit card giants Visa and MasterCard that challenged charges imposed in connection with debit cards.

RESULT: \$3.05 billion settlement and injunctive relief valued at more than \$20 billion.

> **NCAA: Scholarships/Grants-In-Aid (GIAs)**

In a first-of-its-kind antitrust action and potentially far-reaching case, Hagens Berman filed a class-action affecting approximately 40,000 Division I collegiate athletes who played men's or women's basketball, or FBS football, brought against the NCAA and its most powerful members, including the Pac-12, Big Ten, Big-12, SEC and ACC, claiming these entities violated federal antitrust laws by drastically reducing the number of scholarships and financial aid student-athletes receive to an amount below the actual cost of attendance and far below what the free market would bare.

The firm continues to fight on behalf of student-athletes to level the playing field and bring fairness to college sports and players.

RESULT: \$208.9 million settlement, bringing an estimated average amount of \$6,500 to each eligible class member who played his or her sport for four years.

> **Apple E-books**

With state attorneys general, the firm secured a \$166 million settlement with publishing companies that conspired with Apple to fix e-book prices. The firm then look on Apple for its part in the price-fixing conspiracy. In the final stage in the lawsuit, the Supreme Court denied appeal from Apple, bringing the consumer payback amount to more than twice the amount of losses suffered by the class of e-book purchasers. This represents one of the most successful recovery of damages in any antitrust lawsuit in the country.

RESULT: \$560 million total settlements.

PRACTICE AREAS

Antitrust

> Animation Workers Antitrust

Hagens Berman represents a nationwide class of animators and other artistic workers in an antitrust class-action case filed against defendants Pixar, Lucasfilm and its division Industrial Light & Magic, DreamWorks Animation, The Walt Disney Company, Sony Pictures Animation, Sony Pictures Imageworks, Blue Sky Studios, ImageMovers LLC, ImageMovers Digital LLC and others.

RESULT: Total settlements have reached \$168 million, resulting in a payment of more than \$13,000 per class member.

> TFT LCDs

Hagens Berman Sobol Shapiro filed a class-action lawsuit against several major manufacturers of TFT LCD products, claiming the companies engaged in a conspiracy to fix, raise, maintain and stabilize the price of televisions, desktop and notebook computer monitors, mobile phones, personal digital assistants (PDAs) and other devices. After years of representing consumers against multiple defendants in multi-district litigation, the case against Toshiba went to trial. Toshiba was found guilty of price-fixing in 2012, and settled.

RESULT: \$470 million in total settlements.

> DRAM

The suit claimed DRAM (Dynamic Random Access Memory) manufacturers secretly agreed to reduce the supply of DRAM, a necessary component in a wide variety of electronics which artificially raised prices. The class included equipment manufacturers, franchise distributors and purchasers.

RESULT: \$375 million settlement.

> Optical Disk Drives

Hagens Berman fought on behalf of consumers in a lawsuit filed against Philips, Pioneer and others for artificially inflating the price of ODDs for consumers.

RESULT: \$180 million in total settlements reclaimed for consumers.

> Lithium Ion Batteries

Hagens Berman filed a class-action lawsuit against some of the largest electronics manufacturers including Sony, Samsung and Panasonic for illegally fixing the price of lithium ion batteries, pushing costs higher for consumers. Defendants collectively controlled between 60 to 90 percent of the market for lithium-ion batteries between 2000 and 2011 and used that power to fix battery prices.

RESULT: \$65 million in total settlements against multiple defendants.

> AC Nielsen

Represented Information Resources, Inc. ("IRI"), in a suit claiming that AC Nielsen's anti-competitive practices caused IRI to suffer significant losses.

RESULT: \$55 million settlement.

> Dairy Products

The firm filed a class-action suit against several large players in the dairy industry, including the National Milk Producers Federation, Dairy Farmers of America, Land O'Lakes, Inc., Agri-Mark, Inc. and Cooperatives Working Together (CWT) that together produce nearly 70 percent of the milk consumed in the United States. The suit alleging that the groups conspired to fix the price of milk throughout the United States through an organized scheme to limit production, involving the needless and premature slaughtering of 500,000 cows.

RESULT: \$52 million settlement on behalf of consumers in 15 states and the District of Columbia who purchased dairy products.

> Toys "R" Us Baby Products

The firm brought this complaint on behalf of consumers claiming Toys "R" Us and several baby product manufacturers violated provisions of the Sherman Antitrust Act by conspiring to inflate prices of high-end baby products, including car seats, strollers, high chairs, crib bedding, breast pumps and infant carriers. The suit asked the court to end what it claims are anti-competitive activities and seeks damages caused by the company's actions.

RESULT: \$35.5 million settlement.

PRACTICE AREAS

Antitrust

> EA Madden

Class action claimed that video game giant Electronic Arts used exclusive licensing agreements with various football organizations to nearly double the price of several of its games.

RESULT: \$27 million settlement and imposed limits on EA's ability to pursue exclusive licensing agreements.

> Resistors Antitrust Litigation

Hagens Berman is co-lead lead counsel, representing direct purchasers of linear resistors (a device in electronics used to limit electric current) against an alleged cartel of manufacturers who conspired to limit linear resistor price competition for nearly a decade. The case is in its early stages and discovery is ongoing.

> Nespresso

Hagens Berman has assumed responsibility for a large antitrust case against Nespresso, a leading single-serve espresso and coffee maker, for its anticompetitive efforts to exclude environmentally friendly, biodegradable coffee capsules from the market.

In May 2010, our client Ethical Coffee Company ("ECC") sought to introduce an environmentally sound and more economical coffee capsule to be used in Nespresso's widely used coffee makers.

It manufactured a single-use coffee capsule that did not contain harmful aluminum found in Nespresso's capsules. Nespresso knew that ECC posed a formidable challenge to its business model, which relied on captive consumers buying coffee capsules only from Nespresso. With a captive market, Nespresso could continue to charge consumers an inflated price, and continue to use the aluminum capsules that harm the environment.

The U.S. Court has already ruled that these claims can proceed to discovery. Hagens Berman anticipates damages associated with Nespresso's actions to be in the hundreds of millions of dollars.

PRACTICE AREAS

Automotive - Non-Emissions Cases

In litigating cases we strive to make an impact for a large volume of consumers, especially those who fall victim to the gross negligence and oversight of some of the nation's largest entities: automakers. Hagens Berman's automotive litigation team has been named a 2016 Practice Group of the Year by Law360, highlighting its "eye toward landmark matters and general excellence," in this area of law.

The federal court overseeing the massive multi-district litigation against Toyota appointed the firm to co-lead one of the largest consolidations of class-action cases in U.S. history. The litigation combined more than 300 state and federal suits concerning acceleration defects tainting Toyota vehicles. Hagens Berman and its two co-lead firms were selected from more than 70 law firms applying for the role. Since then, the firm's automotive practice area has grown by leaps and bounds, pioneering new investigations into defects, false marketing and safety hazards affecting millions of drivers across the nation.

The firm was recently named to the National Law Journal's list of Elite Trial Lawyers for its work fighting corporate wrongdoing in the automotive industry. The firm's auto team members who worked on Toyota were also named finalists for Public Justice's Trial Lawyer of the Year award.

> General Motors Ignition Switch Litigation

Co-lead counsel in high-profile case on behalf of millions of owners of recalled GM vehicles affected by a safety defect linked to more than 120 fatalities. The suit alleges GM did not take appropriate measures, despite having prior knowledge of the defect. The case is pending, and most recently, the Supreme Court refused to hear GM's appeal regarding the pending suits when it claimed the cases were barred by its 2009 bankruptcy.

> Toyota Sudden, Unintended Acceleration Litigation

Co-lead counsel for the economic loss class in this lawsuit filed on behalf of Toyota owners alleging a defect causes vehicles to undergo sudden, unintended acceleration. In addition to safety risks, consumers suffered economic loss from decreased value of Toyota vehicles following media coverage of the alleged defect.

RESULT: Settlement package valued at up to \$1.6 billion, which was at the time the largest automotive settlement in history.

> MyFord Touch

Hagens Berman represents owners of Ford vehicles equipped with MyFord Touch, an in-car communication and entertainment package, who claim that the system is flawed, putting drivers at risk of an accident while causing economic hardship for owners. The complaint cites internal Ford documents that purportedly show that 500 of every 1,000 vehicles have issues involving MyFord Touch due to software bugs, and failures of the software process and architecture. Owners report that Ford has been unable to fix the problem, even after repeated visits. A federal judge overseeing the case recently certified nine subclasses of owners of affected vehicles in various states.

> Nissan Quest Accelerator Litigation

Represented Nissan Quest minivan owners who alleged that their vehicles developed deposits in a part of the engine, causing drivers to apply increased pressure to push the accelerator down. **RESULT:** Settlement providing reimbursement for cleanings or replacements and applicable warranty coverage.

> Hyundai Kia MPG

Hagens Berman sued Hyundai and Kia on behalf of owners after the car manufacturers overstated the MPG fuel economy ratings on 900,000 of its cars. The suit seeks to give owners the ability to recover a lump-sum award for the lifetime extra fuel costs, rather than applying every year for that year's losses.

RESULT: \$255 million settlement. Lump-sum payment plan worth \$400 million on a cash basis, and worth even more if owners opt for store credit (150 percent of cash award) or new car discount (200 percent of cash award) options.

PRACTICE AREAS

Automotive - Non-Emissions Cases

> BMW i3 REx

Hagens Berman is representing BMW owners in a national class-action lawsuit, following reports that BMW's i3 REx model electric cars contain a defect that causes them to suddenly and without warning lose speed and power mid-drive, putting drivers and passengers at risk of crash and injury.

> Fiat Chrysler Gear Shifter Rollaway Defect

Hagens Berman has filed a national class-action lawsuit representing owners of Jeep Grand Cherokee, Chrysler 300 and Dodge Charger vehicles. The lawsuit states that Fiat Chrysler fraudulently concealed and failed to remedy a design defect in 811,000 vehicles that can cause cars to roll away after they are parked, causing injuries, accidents and other serious unintended consequences.

> Ford Shelby GT350 Mustang Overheating

Hagens Berman represents owners of certain 2016 Shelby GT350 Mustang models in a case alleging that Ford has sold these vehicles as track cars built to reach and sustain high speeds, but failed to disclose that the absence of a transmission and differential coolers can greatly diminish the vehicle's reported track capabilities. Shelby owners are reporting that this defect causes the vehicle to overheat and go into limp mode, while in use, even when the car is not being tracked

> Tesla AP2 Defect

The firm represents Tesla owners in a lawsuit against the automaker for knowingly selling nearly 50,000 cars with nonfunctional Enhanced Autopilot AP2.0 software that still has not met Tesla's promises, including inoperative Standard Safety Features on affected models sold in Q4 2016 and Q1 2017.

PRACTICE AREAS

Automotive - Emissions Litigation

Having played a lead role in the record-breaking Volkswagen diesel emissions case, Hagens Berman knew the story wasn't over. Since the Dieselgate scandal began, the firm has uniquely dedicated resources to uncovering cheating devices used by other automakers. The firm has become a trailblazer in this highly specialized realm, outpacing federal agencies in unmasking fraud in emissions reporting.

When news broke in 2015 of Volkswagen's massive diesel emissions-cheating scandal, Hagens Berman was the first firm in the nation to file suit against the automaker for its egregious fraud, going on to represent thousands of owners in litigation and take a leading role on the Plaintiffs' Steering Committee that would finalize a \$14.7 billion, record-breaking settlement for owners. Since this case emerged, Hagens Berman has been on the forefront of emissions litigation, relying on our legal team's steadfast and intensive investigative skills to unearth many other emissions-cheating schemes perpetrated by General Motors, Fiat Chrysler, Mercedes and other automakers, staying one step ahead of government regulators in our pursuit of car manufacturers that have violated emissions standards and regulations, as well as consumer confidence.

Hagens Berman's managing partner, Steve Berman, has dedicated the firm's resources to upholding the rights of consumers and the environment, becoming a one-man EPA. The firm is uniquely dedicated to this cause, and is the only firm that has purchased an emission testing machine to determine if other diesel car manufacturers install similar cheating devices, bringing new cases based on the firm's own research, time and testing.

> Volkswagen Diesel Emissions Litigation

Hagens Berman was the first firm in the nation to file a lawsuit against Volkswagen for its emissions fraud, seeking swift remedies for consumers affected by Volkswagen's fraud and violation of state regulations. The firm was named to the Plaintiffs' Steering Committee leading the national fight against VW, Porsche and Audi on behalf of owners and lessors of affected vehicles, and also served as part of the Settlement Negotiating team.

RESULT: The largest automotive settlement in history, \$14.7 billion.

> Volkswagen Dealers Litigation

Hagens Berman served as lead counsel in a first-of-its-kind lawsuit brought by a franchise dealer. Three family-owned Volkswagen dealers filed a class action against VW stating that it intentionally defrauded dealers by installing so-called "defeat devices" in its diesel cars, and separately carried out a systematic, illegal pricing and allocation scheme that favored some dealers over others and illegally channeled financing business to VW affiliate, Volkswagen Credit, Inc. The settlement garnered nearly unanimous approval of dealers, with 99 percent participation in the settlement.

RESULT: \$1.67 billion in benefits to Volkswagen dealers.

> Mercedes BlueTEC Emissions Litigation

Judge Jose L. Linares appointed the firm as interim class counsel in this class-action case against Mercedes concerning emissions of its BlueTEC diesel vehicles. Hagens Berman currently represents thousands of vehicle owners who were told by Mercedes that their diesel cars were "the world's cleanest and most advanced diesel," when in fact testing at highway speeds, at low temperatures, and at variable speeds, indicate a systemic failure to meet emissions standards. Low temperature testing at highway speeds for example, produced emissions that were 8.1 to 19.7 times the highway emissions standard. The lawsuit adds that testing at low temperatures at variable speeds produced emissions as high as 30.8 times the standard.

PRACTICE AREAS

Automotive - Emissions Litigation

> Chevy Cruze Diesel Emissions Litigation

Hagens Berman filed a class-action lawsuit against Chevrolet (a division of General Motors) for installing emissions-cheating software in Cruze Clean Turbo Diesel cars, forcing consumers to pay high premiums for vehicles that pollute at illegal levels. While Chevy marketed these cars as a clean option, the firm's testing has revealed emissions released at up to 13 times the federal standard. In a recent ruling, U.S. District Judge Thomas L. Ludington upheld claims brought by owners.

> Audi Emissions Litigation

Hagens Berman unearthed additional emissions-cheating by Audi, affecting its gasoline 3.0-liter vehicles. The firm's investigation shows that the newly discovered defeat device is installed in gasoline engines and changes how the transmission operates when testing is detected to lower CO2 emissions, but otherwise allows excessive CO2 emissions in normal, on-road driving.

> Fiat Chrysler EcoDiesel Emissions Litigation

The firm is leading charges against Fiat Chrysler that it sold hundreds of thousands of EcoDiesel-branded vehicles that release illegally high levels of NOx emissions, despite explicitly selling these "Eco" diesels to consumers who wanted a more environmentally friendly vehicle. Hagens Berman was the first firm in the nation to uncover this scheme and file against Fiat Chrysler on behalf of owners of Dodge RAM 1500 and Jeep Grand Cherokee EcoDiesel vehicles. Following the firm's groundbreaking suit, the EPA took notice, filing formal accusations against Fiat Chrysler.

> Dodge RAM 2500/3500 Diesel Emissions Litigation

According to the firm's investigation, Dodge has sold hundreds of thousands of Dodge RAM 2500 and 3500 trucks equipped with Cummins diesel engines that release illegally high levels of NOx emissions at up to 14 times the legal limit. This defect causes certain parts to wear out more quickly, potentially costing owners between \$3,000 and 5,000 to fix. The firm is leading a national class action against Fiat Chrysler for knowingly inducing consumers to pay premium prices for vehicles that fail to comply with federal regulations, and ultimately lead to higher costs of repairs for purchasers.

> General Motors Duramax Emissions Litigation

Hagens Berman recently pioneered another instance of diesel emissions fraud. The firm's independent testing revealed that GM had installed multiple emissions-masking defeat devices in its Duramax trucks, including Chevy Silverado and GMC Sierra models, in a cover-up akin to Volkswagen's Dieselgate concealment. In real world conditions the trucks emit 2 to 5 times the legal limit of deadly NOx pollutants, and the emissions cheating devices are installed in an estimated 705,000 affected vehicles.

PRACTICE AREAS

Civil and Human Rights

Hagens Berman has represented individuals and organizations in difficult civil rights challenges that have arisen in the past two decades. In doing so, we have managed cases presenting complex legal and factual issues that are often related to highly charged political and historical events. Our clients have included such diverse communities as World War II prisoners of war, conscripted civilians and entire villages.

In this cutting-edge practice area, the firm vigilantly keeps abreast of new state and national legislation and case-law developments. We achieve positive precedents by zealously prosecuting in our clients' interests. Some examples of our work in this area include:

› **World Trade Organization Protests**

During the 1999 World Trade Organization (WTO) protests in Seattle, tens of thousands of Seattle citizens became targets after Seattle officials banned all forms of peaceful protest. Seattle police attacked anyone found in the designated "no protest" zones with rubber bullets and tear gas. Hundreds of peaceful protesters were arrested and incarcerated without probable cause for up to four days. The firm won a jury trial on liability and ultimately secured a settlement from Seattle officials after filing a class action alleging violations of the First and Fourth Amendments.

› **Hungarian Gold Train**

Following the firm's representation of former forced and enslaved laborers for German companies in the Nazi Slave Labor Litigation, Hagens Berman led a team of lawyers against the U.S. on behalf of Hungarian Holocaust survivors in the Hungarian Gold Train case. The suit claimed that, during the waning days of World War II, the Hungarian Nazi government loaded plaintiffs' valuable personal property onto a train, which the U.S. Army later seized, never returning the property to its owners and heirs.

› **Dole Bananas**

Hagens Berman filed suit against the Dole Food Company, alleging that it misled consumers about its environmental record. The complaint alleged that Dole purchased bananas from a grower in Guatemala that caused severe environmental damage and health risks to local residents. Dole ultimately agreed to take action to improve environmental conditions, collaborating with a non-profit group on a water filtration project for local communities.

PRACTICE AREAS

Consumer Protection - General Class Litigation

Hagens Berman is a leader in protecting consumers, representing millions in large-scale cases that challenge unfair, deceptive and fraudulent practices.

We realize that consumers suffer the brunt of corporate wrongdoing and have little power to hold companies responsible or to change those tactics. We believe that when backed by a tenacious spirit and determination, class action cases have the ability to serve as a powerful line of defense in consumer protection.

Hagens Berman pursues class litigation on behalf of clients to confront fraudulent practices that consumers alone cannot effectively dispute. We make consumers' concerns a priority, collecting consumer complaints against suspected companies and exploring all avenues for prosecution.

Hagens Berman's legacy of protecting consumer rights reflects the wide spectrum of scams that occur in the marketplace. The cases that we have led have challenged a variety of practices such as:

- › False, deceptive advertising of consumer products and services
- › False billing and over-charging by credit card companies, banks, telecommunications providers, power companies, hospitals, insurance plans, shipping companies, airlines and Internet companies
- › Deceptive practices in selling insurance and financial products and services such as life insurance and annuities
- › Predatory and other unfair lending practices, and fraudulent activities related to home purchases

A few case examples are:

› **Expedia Hotel Taxes and Service Fees Litigation**

Hagens Berman led a nationwide class-action suit arising from bundled "taxes and service fees" that Expedia collects when its consumers book hotel reservations. Plaintiffs alleged that by collecting exorbitant fees as a flat percentage of the room rates, Expedia violated both the Washington Consumer Protection Act

and its contractual commitment to charge as service fees only "costs incurred in servicing" a given reservation.

RESULT: Summary judgment in the amount of \$184 million. The case settled for cash and consumer credits totaling \$123.4 million.

› **Stericycle**

The firm served as court-appointed lead counsel in a class-action lawsuit against Stericycle alleging that the company violated contracts and defrauded them by hundreds of millions of dollars through an automatic price-increasing scheme. In February of 2017, a federal judge certified a nationwide consumer class. The class had more than 246,000 class members, with damages estimated preliminarily at \$608 million.

RESULT: \$295 million settlement

› **Tenet Healthcare**

In a pioneering suit filed by Hagens Berman, plaintiffs alleged that Tenet Healthcare charged excessive prices to uninsured patients at 114 hospitals owned and operated by Tenet subsidiaries in 16 different states.

RESULT: Tenet settled and agreed to refund to class members amounts paid in excess of certain thresholds over a four-and-a-half year period.

PRACTICE AREAS

Consumer Protection - General Class Litigation

> Wells Fargo Force-Placed Insurance

Hagens Berman brought a case against Wells Fargo alleging it used “force-placed” insurance clauses in mortgage agreements, a practice that enables the bank to charge homeowners insurance premiums up to 10 times higher than normal rates.

RESULT: Hagens Berman reached a settlement in this case, under which all class members will be sent checks for more than double the amount of commissions that Wells Fargo wrongfully extracted from the force placement of insurance on class members’ properties.

> Consumer Insurance Litigation

Hagens Berman has pioneered theories to ensure that in first- and third-party contexts consumers and health plans always receive the treatment and benefits to which they are entitled. Many of our cases have succeeded in expanding coverage owed and providing more benefits; recovering underpayments of benefits; and returning uninsured/underinsured premiums from the misleading tactics of the insurer.

PRACTICE AREAS

Consumer Protection - Drug and Supplement Litigation

Hagens Berman aggressively pursues pharmaceutical industry litigation, fighting against waste, fraud and abuse in healthcare. For decades, pharmaceutical manufacturers have been among the most profitable companies in America. But while pharmaceutical companies become richer, consumers, health plans and insurers pay higher costs for prescription and over-the-counter drugs and supplements. We shine the light of public scrutiny on this industry's practices and represent individuals, direct and indirect purchasers, and the nation's most forward-thinking public-interest groups.

The firm's pharmaceutical and dietary supplement litigation practice is second to none in the nation in terms of expertise, commitment and landmark results. Hagens Berman's attorneys have argued suits against dozens of major drug companies and the firm's aggressive prosecution of pharmaceutical industry litigation has recovered more than \$1 billion in gross settlement funds.

RECENT ANTITRUST RESOLUTIONS

In the last few years, Hagens Berman – as lead or co-lead class counsel – has garnered significant settlements in several antitrust cases involving prescription drugs. In each case, the plaintiffs alleged that a manufacturer of a brand-name drug violated federal or state antitrust laws by delaying generic competitors from coming to market, forcing purchasers to buy the more expensive brand name version instead of the generic equivalent. Examples of our recent successes include:

> Flonase Antitrust Litigation

Hagens Berman represented purchasers in this case alleging pharmaceutical giant GlaxoSmithKline filed petitions to prevent the emergence of generic competitors to its drug Flonase, all to overcharge consumers and purchasers of the drug, which would have been priced lower had a generic competitor been allowed to come to market.

RESULT: \$150 million class settlement.

> Prograf Antitrust Litigation

Hagens Berman represented purchasers who alleged Astellas Pharma US, Inc. unlawfully maintained its monopoly and prevented generic competition for Prograf, an immunosuppressant used to help prevent organ rejection in transplant patients, harming purchasers by forcing them to pay inflated brand name prices for longer than they should have absent the anticompetitive conduct.

RESULT: The parties' motion for final approval of the \$98 million class settlement is under advisement with the court.

> Relafen Antitrust Litigation

Hagens Berman filed a class-action lawsuit against GlaxoSmithKline, SmithKline Beecham Corporation, Beecham Group PLC and SmithKline Beecham PLC, on behalf of consumers and third-party payors who purchased the drug Relafen or its generic alternatives. The suit alleged that the companies who manufacture and sell Relafen unlawfully obtained a patent which allowed them to enforce a monopoly over Relafen and prevented competition by generic prescription drugs, causing consumers to pay inflated prices for the drug.

RESULT: Under the terms of the settlement, the defendants will pay damages of \$75 million to those included in the class. Of the total settlement amount, \$25 million will be allocated to consumers and \$50 million will be used to pay the claims of insurers and other third-party payors.

PRACTICE AREAS

Consumer Protection - Drug and Supplement Litigation

> Skelaxin Antitrust Litigation

The firm represented purchasers in this case alleging King Pharmaceuticals LLC and Mutual Pharmaceutical Company alleging conspired to suppress generic competition and preserve King's monopoly in the market for the brand name muscle relaxant Skelaxin.

RESULT: \$73 million class settlement.

> Tricor Antitrust

In June 2005, Hagens Berman filed an antitrust lawsuit on behalf of a class of consumers and third party payors against pharmaceutical manufacturers Abbott Laboratories and Fournier Industries concerning the brand name cholesterol drug Tricor. HBSS was appointed co-lead class counsel by the Court.

RESULT: \$65.7 million recovery for consumers and third party payers who sued Abbott Laboratories and Fournier Industries in an antitrust action concerning the cholesterol drug Tricor.

FRAUDULENT DRUG PRICING RESOLUTIONS

Hagens Berman has led many complex cases that take on fraud and inflated drug prices throughout the U.S. This includes sweeping manipulation of the average wholesale price benchmark used to set prices for prescription drugs nationwide, fraudulent marketing of prescription drugs and the rampant use of co-pay subsidy cards that drive up healthcare costs. These efforts have led to several significant settlements:

> McKesson and First DataBank Drug Litigation

The firm discovered a far-reaching fraud by McKesson and became lead counsel in this RICO case against McKesson and First DataBank, alleging the companies fraudulently inflated prices of more than 400 prescription drugs.

RESULT: \$350 million settlement and a four percent rollback on the prices of 95 percent of the nation's retail branded drugs, the net impact of which could be in the billions of dollars. The states and federal government then used Hagens Berman's work to bring additional suits. Hagens Berman represented several states and obtained settlements three to seven times more than that of the Attorneys General. Almost \$1 billion was recovered from the McKesson fraud.

> Average Wholesale Price Drug Litigation

Hagens Berman served as co-lead counsel and lead trial counsel in this sprawling litigation against most of the nation's largest pharma companies, which alleges defendants artificially inflated Average Wholesale Price.

RESULT: Approximately \$338 million in class settlements. Hagens Berman's work in this area led to many state governments filing suit and hundreds of millions in additional recovery.

FRAUDULENT MARKETING RESOLUTIONS

Hagens Berman also litigates against drug companies that fraudulently promote drugs for uses not approved by the Food and Drug Administration (FDA), commonly known as "off-label" uses. We also litigate cases against dietary supplement manufacturers for making false claims about their products. Recent successes include:

> Neurontin Third Party Payor Litigation

Hagens Berman served as co-lead trial counsel in this case alleging that Pfizer fraudulently and unlawfully promoted the drug Neurontin for uses unapproved by the FDA.

RESULT: A jury returned a \$47 million verdict in favor of a single third-party payor plaintiff, automatically trebled to \$142 million, and the court recently approved a \$325 million class settlement.

> Lupron

Hagens Berman prosecuted a lawsuit against TAP Pharmaceuticals Products, Inc. on behalf of a class of consumers and third-party payors who purchased the drug Lupron. The suit charged that TAP Pharmaceutical Products, Inc., Abbott Laboratories and Takeda Pharmaceutical Company Limited conspired to fraudulently market, sell and distribute Lupron, causing consumers to pay inflated prices for the drug.

RESULT: Judge Richard Stearns issued a preliminary approval of the proposed settlement between TAP Pharmaceuticals and the class. Under the terms of the settlement, \$150 million will be paid by TAP on behalf of all defendants.

PRACTICE AREAS

Consumer Protection - Drug and Supplement Litigation

> Celebrex/Bextra

Hagens Berman filed a class-action lawsuit against Pfizer on behalf of individual consumers and third-party payors who paid for the drug Bextra. The firm was praised by Judge Breyer for its “unstinting” efforts on behalf of the class, adding, “The attorneys on both sides were sophisticated, skilled, professional counsel whose object was to zealously pursue their clients’ interest, but not at the cost of abandoning the appropriate litigation goals, which were to see, whether or not, based upon the merits of the cases, a settlement could be achieved.”

RESULT: \$89 million settlement.

> Vioxx Third Party Payor Marketing and Sales Practices Litigation

The firm served as lead counsel for third party payors in the Vioxx MDL, alleging that Merck & Co. misled physicians, consumers and health benefit providers when it touted Vioxx as a superior product to other non-steroidal anti-inflammatory drugs. According to the lawsuit,

The drug had no benefits over less expensive medications, but carried increased risk of causing cardiovascular events.

RESULT: \$80 million settlement.

> Serono Drug Litigation

Hagens Berman served as lead counsel for a class of consumers and third party payors in a suit alleging that global biotechnology company Serono, Inc. schemed to substantially increase sales of the AIDS drug Serostim by duping patients diagnosed with HIV into believing they suffered from AIDS-wasting and needed the drug to treat that condition.

RESULT: \$24 million settlement.

> Bayer Combination Aspirin/Supplement Litigation

Hagens Berman served as lead counsel on behalf of consumers in a suit alleging that Bayer Healthcare LLC deceptively marketed Bayer® Women’s Low-Dose Aspirin + Calcium, an 81 mg aspirin pill combined with calcium, and Bayer® Aspirin With Heart Advantage, an 81 mg aspirin pill combined with phytosterols. Plaintiffs alleged that Bayer overcharged consumers for these products or that these products should not have been sold, because these products were not FDA-approved, could not provide all advertised health benefits, and were inappropriate for long-term use.

RESULT: \$15 million settlement.

OTHER LANDMARK CASES**> New England Compounding Center Meningitis Outbreak**

In 2012, the Center for Disease Control confirmed that New England Compounding Center sold at least 17,000 potentially tainted steroid shots to 75 clinics in 23 states across the country, resulting in more than 64 deaths and 751 cases of fungal meningitis, stroke or paraspinal/peripheral joint infection. HBSS attorneys Thomas M. Sobol and Kristen A. Johnson serve as Court-appointed Lead Counsel for the Plaintiffs’ Steering Committee on behalf of plaintiff-victims in MDL 2419 consolidated before The Honorable Ray W. Zobel in the United States District Court for the District of Massachusetts.

RESULT: \$100 million settlement.

PRACTICE AREAS

Employment Litigation

Hagens Berman takes special interest in protecting workers from exploitation or abuse. We take on race and gender discrimination, immigrant worker issues, wage and hour issues, on-the-job injury settlements and other crucial workplace issues.

Often, employees accept labor abuses or a curbing of their rights because they don't know the law, respect their superiors or fear for their jobs. We act on behalf of employees who may lack the individual power to bring about meaningful change in the workplace. We take a comprehensive approach to rooting out systemic employee abuses through in-depth investigation, knowledgeable experts and fervent exploration of prosecution strategies. Hagens Berman is a firm well-versed in taking on complicated employee policies and bringing about significant results. Representative cases include:

> CB Richard Ellis Sexual Harassment Litigation

Filed a class action against CB Richard Ellis, Inc., on behalf of 16,000 current and former female employees who alleged that the company fostered a climate of severe sexual harassment and discriminated against female employees by subjecting them to a hostile, intimidating and offensive work environment, also resulting in emotional distress and other physical and economic injuries to the class.

RESULT: An innovative and unprecedented settlement requiring changes to human resources policies and procedures, as well as the potential for individual awards of up to \$150,000 per class member. The company agreed to increase supervisor accountability, address sexually inappropriate conduct in the workplace, enhance record-keeping practices and conduct annual reviews of settlement compliance by a court appointed monitor.

> Costco Wholesale Corporation Wage & Hour Litigation

Filed a class action against Costco Wholesale Corporation on behalf of 2,000 current and former ancillary department employees, alleging that the company misclassified them as "exempt" executives, denying these employees overtime compensation, meal breaks and other employment benefits.

RESULT: \$15 million cash settlement on behalf of the class.

> Washington State Ferry Workers Wage Litigation

Represented "on-call" seamen who alleged that they were not paid for being "on call" in violation of federal and state law.

RESULT: Better working conditions for the employees and rearrangement in work assignments and the "on-call" system.

> SunDance Rehabilitation Corporation

Filed a class action against SunDance challenging illegal wage manipulation, inconsistent contracts and other compensation tricks used to force caregivers to work unpaid overtime.

RESULT: \$3 million settlement of stock to be distributed out of the company's bankruptcy estate.

> Schneider National Carriers - Regional Drivers

The firm represents a certified class of regional drivers in a suit filed against Schneider National Carriers, claiming that the company failed to pay its workers for all of their on duty time devoted to a variety of work tasks, including vehicle inspections, fueling, and waiting on customers and assignments. The suit also claims that the company does not provide proper meal and rest breaks and the company is liable for substantial penalties under the California Labor Code.

RESULT: A \$28 million settlement on behalf of drivers.

> Schneider National Carriers - Mechanics

Hagens Berman filed a class-action lawsuit alleging that Schneider National Carriers failed to provide mechanics with proper overtime compensation, meal and rest break premiums, and accurate wage statements as required by California law.

RESULT: In March of 2013, the case was settled on terms mutually acceptable to the parties.

PRACTICE AREAS

Employment Litigation

› **Swift Transportation Co. of Arizona LLC**

The firm represents a certified class of Washington-based truck drivers against Swift Transportation. The suit alleges that Swift failed to pay the drivers overtime and other earned wages in violation of Washington state law.

An agreement to settle the case was granted preliminary approval in October 2018. Final approval is pending.

PRACTICE AREAS

Environmental Litigation

Since Hagens Berman's founding, the firm has sought to work toward one simple goal: work for the greater good. Hagens Berman has established a nationally recognized environmental litigation practice, having handled several landmark cases in the Northwest, the nation and internationally.

Hagens Berman believes that protecting and restoring our environment from damage caused by irresponsible and illegal corporate action is some of the most rewarding work a law firm can do. As our firm has grown, we have established an internationally recognized environmental litigation practice.

SCIENCE AND THE LAW

Hagens Berman's success in environmental litigation stems from a deep understanding of the medical and environmental science that measures potential hazards. That expertise is translated into the courtroom as our attorneys explain those hazards to a judge or jury in easily understood terms.

ENVIRONMENTAL EXPERTS

Our firm's fostered deep relationships with top-notch environmental experts result in resonating arguments and court victories, as well as thoroughly researched and vetted investigations.

REAL IMPACTS

Environmental law is a priority at our firm and we have taken an active role in expanding this practice area. In 2003, Steve Berman and his wife Kathy worked with the University of Washington to create the Kathy and Steve Berman Environmental Law Clinic, giving law students the training and opportunities needed to become hands-on advocates for the environment.

Hagens Berman's significant environmental cases include:

> Exxon Valdez Oil Spill Litigation

Hagens Berman represented various classes of claimants, including fisherman and businesses located in Prince William Sound and other impacted areas who were damaged by one of the worst oil spills in United States history.

RESULT: A \$5 billion judgment was awarded by a federal jury, and a \$98 million settlement was achieved with Alyeska, the oil company consortium that owned the output of the pipeline.

> Chinook Ferry Litigation

The firm represented a class of property owners who challenged Washington State Ferries' high-speed operation of a new generation of fast ferries in an environmentally sensitive area of Puget Sound. Two of the ferries at issue caused environmental havoc and property damage, compelling property owners to act. A SEPA study conducted in response to the suit confirmed the adverse environmental impacts of the fast ferry service

RESULT: A \$4.4 million settlement resulted that is among the most favorable in the annals of class litigation in Washington state.

> Grand Canyon Litigation

The firm represented the Sierra Club in a challenge to a Forest Service decision to allow commercial development on the southern edge of the Grand Canyon National Park.

RESULT: The trial court enjoined the project.

> Kerr-McGee Radiation Case

The firm brought a class action on behalf of residents of West Chicago, Illinois who were exposed to radioactive uranium tailings from a rare earth facility operated by Kerr-McGee.

RESULT: A medical monitoring settlement valued in excess of \$5 million

> Skagit Valley Flood Litigation

Hagens Berman represented farmers, homeowners and businesses who claimed damages as a result of the 1990 flooding of this community. The case was in litigation for ten years and involved a jury trial of more than five months.

RESULT: Following the entry of 53 verdicts against Skagit County, the trial court entered judgments exceeding \$6.3 million. Ultimately, the State Supreme Court reversed this judgment. Despite this reversal, the firm is proud of this representation and believes that the Supreme Court erred.

PRACTICE AREAS

Environmental Litigation

> Idaho Grass Burning Case

In 2002, Hagens Berman brought a class-action lawsuit on behalf of Idaho residents who claimed grass-burning farmers released more than 785 tons of pollutants into the air, including concentrations of polycyclic aromatic hydrocarbons (PAHs), proven carcinogens. Burning the fields annually caused serious health problems, especially to those with respiratory ailments such as cystic fibrosis and asthma. The suit also asserted that Idaho's grass burning policies are far below the standards of other states such as neighboring Washington, where farmers use other techniques to remove grass residue from the fields.

RESULT: The lawsuit settled in 2006 under confidential terms.

> Dole Bananas Case

The firm took on Dole Food Company Inc. in a class-action lawsuit claiming the world's largest fruit and vegetable company lied to consumers about its environmental record and banana-growing practices. The suit alleged that Dole misrepresented its commitment to the environment in selling bananas from a Guatemalan banana plantation that did not comply with proper environmental practices.

RESULT: The suit culminated in 2013. Dole and non-profit organization Water and Sanitation Health, Inc. collaborated on a water filter project to assist local communities in Guatemala.

> Diesel Emissions Litigation

Second to none in uncovering emissions-cheating, the firm has dedicated its time and resources to breaking up the dirty diesel ring. After filing the first lawsuit in the country against Volkswagen, Audi and Porsche for its massive Dieselgate scandal in 2015, the firm went on to unmask emissions-cheating devices installed in vehicles made by Fiat Chrysler, Mercedes and General Motors and continues to investigate diesel cars for excessive, illegal and environmentally harmful levels of emissions.

RESULT: The firm's independently researched active cases have led to investigations by the EPA, DOJ and European authorities.

> San Francisco and Oakland Climate Change Litigation

Hagens Berman represents the cities of San Francisco and Oakland, Calif. in two lawsuits filed against BP, Chevron Corp., Exxon Mobil Corp., Royal Dutch Shell PLC and ConocoPhillips alleging that the Big Oil giants are responsible for the cities' costs of protecting themselves from global warming-induced sea level rise, including expenses to construct seawalls to protect the two cities' more than 5 million residents. The newly filed case

seek an order requiring defendants to abate the global warming-induced sea level rise by funding an abatement program to build sea walls and other infrastructure. Attorneys for the cities say this abatement fund will be in the billions.

> Florida Sugarcane Burning

Hagens Berman filed a class-action lawsuit against the sugar industry's largest entities on behalf of residents of various areas and townships of Florida that have long suffered from the corporations' wildly hazardous and damaging methods of harvesting sugarcane. The lawsuit states that this outdated method of harvesting has wreaked havoc on these Florida communities. The wildly archaic method of harvesting brings devastating toxic smoke and ash, often called "black snow," raining onto poor Florida communities for six months of the year. The lawsuit's defendants, commonly known as Big Sugar, farm sugarcane on approximately 400,000 acres in the area south and southeast of Lake Okeechobee.

> Kivalina Global Warming Litigation

A tiny impoverished Alaskan village of Inupiat Eskimos took action against some of the world's largest greenhouse gas offenders, claiming that contributions to global warming are leading to the destruction of their village and causing erosion to the land that will eventually put the entire community under water. Hagens Berman, along with five law firms and two non-profit legal organizations, filed a suit against nine oil companies and 14 electric power companies that emit large quantities of greenhouse gases into the atmosphere. The lawsuit alleged their actions resulted in the destruction of protective ice, exposing the village to severe storms that destroy the ground the village stands on. Relocating the village of Kivalina could cost between \$95 and \$400 million, an expense the community cannot afford.

> Cane Run Power Plant Coal Ash Case

In 2013, Hagens Berman filed a class-action lawsuit against Louisville Gas and Electric Company alleging it illegally dumped waste from a coal-fired power plant onto neighboring property and homes where thousands of Kentucky residents live. According to the complaint, Louisville Gas and Electric Company's Cane Run Power Plant is fueled by the burning of coal, which also produces coal combustion byproducts—primarily fly ash and bottom ash—that contain significant quantities of toxic materials, including arsenic, chromium and lead. The dust spewed by Cane Run contains known carcinogens, posing significant potential health hazards.

PRACTICE AREAS

Governmental Representation

Hagens Berman has been selected by public officials to represent government agencies and bring civil law enforcement and damage recoupment actions designed to protect citizens and the treasury. We understand the needs of elected officials and the obligation to impartially and zealously represent the interests of the public, are often chosen after competitive bidding and have been hired by officials from across the political spectrum.

Hagens Berman has assisted governments in recovering billions of dollars in damages and penalties from corporate wrongdoers and, in the process, helped reform how some industries do business.

In serving government, we are often able to leverage the firm's expertise and success in related private class-action litigation.

Successes on behalf of government clients include:

> **Big Tobacco**

We represented 13 states in landmark Medicaid-recoupment litigation against the country's major tobacco companies. Only two states took cases to trial – Washington and Minnesota. The firm served as trial counsel for the state of Washington, becoming only one of two private firms in the entire country to take a state case to trial.

Hagens Berman was instrumental in developing what came to be accepted as the predominant legal tactic to use against the tobacco industry: emphasizing traditional law enforcement claims such as state consumer protection, antitrust and racketeering laws. This approach proved to be nearly universally successful at the pleading stage, leaving the industry vulnerable to a profits-disgorgement remedy, penalties and double damages. The firm also focused state legal claims on the industry's deplorable practice of luring children to tobacco use.

RESULT: \$260 billion for state programs, the largest settlement in the history of civil litigation in the U.S.

> **McKesson Average Wholesale Price Litigation**

This litigation is yet another example of fraudulent drug price inflation impacting not just consumers and private health plans, but public health programs such as Medicaid and local government-sponsored plans as well.

RESULT: Hagens Berman has started the AWP class action, which resulted in many states filing cases. The firm represented several of those states in successful litigation.

> **McKesson Government Litigation**

On the heels of Hagens Berman's class action against McKesson, the firm led lawsuits by states (Connecticut, Utah, Virginia, Montana, Arizona).

RESULT: These states obtained recoveries three to seven times larger than states settling in the multi-state Attorneys General settlement. In addition, the firm obtained \$12.5 million for the City of San Francisco and \$82 million for a nationwide class of public payors.

> **Zyprexa Marketing & Sales Practices Litigation - Connecticut**

Hagens Berman served as outside counsel to then-Attorney General Richard Blumenthal in litigation alleging that Lilly engaged in unlawful off-label promotion of the atypical antipsychotic Zyprexa. The litigation also alleged that Lilly made significant misrepresentations about Zyprexa's safety and efficacy, resulting in millions of dollars in excess pharmaceutical costs borne by the State and its taxpayers.

RESULT: \$25 million settlement.

> **General Motors Ignition Switch Litigation**

Hagens Berman is pleased to be assisting the Arizona Attorney General in its law enforcement action versus GM, as well as the district attorney of Orange County, California who filed a consumer protection lawsuit against GM, claiming the automaker deliberately endangered motorists and the public by intentionally concealing widespread, serious safety defects.

PRACTICE AREAS

Governmental Representation

> State Opioid Litigation

Hagens Berman was hired to assist multiple municipalities in lawsuits brought against large pharmaceutical manufacturers including Purdue Pharma, Cephalon, Janssen Pharmaceuticals, Endo Health Solutions and Actavis charging that these companies and others deceived physicians and consumers about the dangers of prescription painkillers.

The firm was first hired by California governmental entities for the counties of Orange and Santa Clara. The state of Mississippi also retained the firm's counsel in its state suit brought against the manufacturer of opioids. The suit alleges that the pharma companies engaged in tactics to prolong use of opioids despite knowing that opioids were too addictive and debilitating for long-term use for chronic non-cancer pain.

In a third filing, Hagens Berman was retained as trial counsel for the state of Ohio. Filed on May 31, 2017, the firm is assisting the Ohio Attorney General's office in its case against five opioid makers. Ohio Attorney General Mike DeWine stated that "drug companies engaged in fraudulent marketing regarding the risks and benefits of prescription opioids which fueled Ohio's opioid epidemic," and that "these pharmaceutical companies purposely misled doctors about the dangers connected with pain meds that they produced, and that they did so for the purpose of increasing sales."

> Municipal Lending

Hagens Berman represents the cities of Los Angeles and Miami in a series of lawsuits filed against the nation's largest banks, including CitiGroup, JP Morgan, Wells Fargo and Bank of America alleging that they engage in systematic discrimination against minority borrowers, resulting in reduced property tax receipts and other damages to the cities. The suits seek damages for the City, claiming that the banks' alleged discriminatory behavior resulted in foreclosures, causing a reduction of property tax revenues and increased municipal service costs.

PRACTICE AREAS

Intellectual Property

The Hagens Berman intellectual property team has deep experience in all aspects of intellectual property litigation. We specialize in complex and significant damages cases against some of the world's largest corporations.

The firm is primarily engaged in patent infringement litigation at this time. We seek to represent intellectual property owners, including inventors, universities, non-practicing entities, and other groups whose patent portfolios represents a significant creative and capital investment.

Our current and recent engagements include the following:

> **Bombardier Inc.**

The firm represented Arctic Cat Inc. in patent infringement litigation against Bombardier Recreational Products and BRP U.S. Inc. The complaint alleges that Bombardier's Sea-Doo personal watercraft infringe Arctic Cat's patents covering temporary steerable thrust technology used when the rider turns in off-throttle situations.

RESULT: Florida U.S. District Judge Beth Bloom issued a final judgment of \$46.7 million against defendants, trebling initial damages of \$15.5 million awarded in a unanimous jury verdict.

> **Angry Birds**

Hagens Berman represented a Seattle artist who filed a lawsuit against Hartz Mountain Corporation – one of the nation's largest producers of pet-related products – claiming the company illegally sold the artist's trademarked Angry Birds pet toy line to video game giant Rovio Entertainment Ltd, robbing her of millions of dollars of royalty fees.

RESULT: The case settled under confidential terms, which the firm found to be extremely satisfactory for the plaintiff.

> **Samsung, LG, Apple**

The firm represents FlatWorld Interactives LLC in patent litigation against Samsung, LG and Apple. The complaints allege that the defendants' mobile handsets, tablets, media players and other devices infringe a FlatWorld patent covering the use of certain gestures to control touchscreen displays.

RESULT: The case settled.

> **Oracle**

The firm represents Thought Inc. against Oracle Corporation in a suit alleging infringement of seven patents covering various aspects of middleware systems providing application to database mapping, reading and persistence.

> **Salesforce**

The firm represents Applications in Internet Time LLC in patent litigation against Salesforce Inc. The suit alleges that our client's patents cover the core architecture of Salesforce's platform for developing, customizing, and updating cloud-based software applications.

> **Nintendo**

The firm represented Japan-based Shinsedai Company in patent infringement litigation against Nintendo. The suit alleged that our client's patents were infringed by various sports games for the Nintendo Wii.

Unlike other intellectual property firms, Hagens Berman only represents plaintiffs. This reduces the risk of potential conflicts of interest which often create delays in deciding whether or not to take a case at larger firms.

PRACTICE AREAS

Intellectual Property

> Electronic Arts

Hagens Berman represents the original software developer of the Electronic Arts (EA) NFL Madden Football video game series in a suit alleging that he is owed royalties on EA Madden NFL titles as well as other derivative products. We prevailed in two trials against EA, and the verdicts were designated as the Top Verdict of the Year (2013) by The Daily Journal. The judgment is on appeal and if upheld will return for a final damages phase.

Hagens Berman is also skilled in other aspects of intellectual property law, including trademark, trade dress, trade secret and copyright litigation.

PRACTICE AREAS

Investor Fraud - Individual and Class Action Litigation

Investing is a speculative business involving assessment of a variety of risks that can only be properly weighed with full disclosure of accurate information. No investor should suffer undue risk or incur losses due to misrepresentations related to their investment decisions.

Our attorneys work for institutional and individual investors defrauded by unscrupulous corporate insiders and mutual funds. The firm vigorously pursues fraud recovery litigation, forcing corporations and mutual funds to answer to deceived investors.

Hagens Berman is one of the country's leading securities litigation firms advising clients in both individual and class-action cases. The firm has experience, dedication and a team with the horsepower required to drive complex cases to exemplary outcomes. Our attorneys are authorities in an array of issues unique to federal and state securities statutes and related laws. We use a variety of highly experienced experts as an integral part of our prosecution team. Successes on behalf of our investor clients include:

> Charles Schwab Securities Litigation

Lead counsel, alleging fraud in the management of the Schwab YieldPlus mutual fund.

RESULT: \$235 million class settlement for investors.

> Oppenheimer

Additional counsel for lead plaintiffs in class action alleging Oppenheimer misled investors regarding its Champion and Core Bond Funds.

RESULT: \$100 million for the classes.

> Tremont

Co-lead counsel in a case alleging Tremont Group Holdings breached its fiduciary duties by turning over \$3.1 billion to Bernard Madoff. On Sept. 14, 2015, after nearly two years of negotiations and mediation, the court granted final approval of the plan of allocation and distribution of the funds which markets estimate could yield investors as much as \$1.45 billion.

RESULT: \$100 million settlement between investors, Tremont and its affiliates.

> Boeing

Uncovered critical production problems with the 777 airliner documented internally by Boeing, but swept under the rug until a pending merger with McDonnell Douglas was completed.

RESULT: Record-breaking settlement of more than \$92.5 million.

> J.P. Morgan – Madoff

Case alleges that banking and investment giant J.P. Morgan was complicit in aiding Bernard Madoff's Ponzi scheme. Investors claim that J.P. Morgan operated as Bernard L. Madoff Investment Securities LLC's primary banker for more than 20 years.

RESULT: \$218 million settlement amount for the class and a total of \$2.2 billion paid from JPMorgan that will benefit victims of Madoff's Ponzi scheme.

> Morrison Knudsen

Filed a shareholder class action, alleging that MK's senior officers concealed hundreds of millions in losses.

RESULT: More than \$63 million for investors.

> Raytheon/Washington Group

Charged Raytheon with deliberately misrepresenting the true financial condition of Raytheon Engineers & Constructors division in order to sell this division to the Washington Group at an artificially inflated price.

RESULT: \$39 million settlement.

> U.S. West

Represented shareholders of U.S. West New Vector in a challenge to the proposed buyout of minority shareholders by U.S. West.

RESULT: The proposed buyout was stayed, and a settlement was achieved, resulting in a \$63 million increase in the price of the buyout.

PRACTICE AREAS

Investor Fraud - Individual and Class Action Litigation

Our current casework includes:

› **Theranos Investor Litigation**

Hagens Berman represents Theranos investors in a lawsuit that states that Theranos and its officers set in motion a publicity campaign to raise billions of dollars for Theranos and themselves, and to induce investors to invest in Theranos, all the while knowing that its “revolutionary” blood test technology was essentially a hoax. The suit filed against the company, its CEO Elizabeth Holmes and Ramesh Balwani, alleges that Theranos’ statements to investors were built on false statements. At the crux of the court’s recent decision to uphold the investor case against Theranos was a finding that while plaintiffs did not directly purchase their securities from defendants, claims made by Theranos, Holmes and Balwani constituted fraud.

› **Aequitas Investor Litigation**

The firm represents a group of investors alleging that national law firm Sidley Austin LLP, Oregon law firm Tonkon Torp LLP and accounting firms Deloitte & Touche LLP and EisnerAmper LLP violated Oregon securities laws by participating or materially aiding in misrepresentations made by Aequitas Management LLC and contributing to a \$350 million Ponzi scheme. Investors state, amongst other allegations, that in 2011 Aequitas began purchasing loan receivables from Corinthian College Inc. and had bought the rights to collect \$444 million in loans. Investment managers hid the details of the transactions from investors, and deceived them when Corinthian’s business was hit with regulatory challenges in 2014. When Corinth collapsed in May 2015, the investment group and its managers continued to sell securities and used the money to pay off other investors and fund a lavish lifestyle, until Aequitas ultimately imploded in 2017, the investors claim.

› **China MediaExpress**

Hagens Berman represents investors in a case against China MediaExpress, which purported to be the owner of a network of advertising terminals on buses throughout China. The case alleges that the company and its auditor (Deloitte Touche Tohmatsu) participated in accounting fraud that ultimately led to the demise of the company. In early 2014, the court entered

a default judgment in the amount of \$535 million and certified a proposed class against China Media Express Holdings Inc. The case will proceed separately against Deloitte Touche Tohmatsu.

On May 6, 2015 Hagens Berman obtained a \$12 million settlement from Deloitte Touche Tohmatsu, one of the largest settlements against an auditor in a Chinese “reverse merger” case which is now awaiting final approval from the court.

› **Altisource Asset Management Corporation**

The firm was appointed lead counsel in this institutional investor lawsuit brought on behalf of purchasers of Altisource Asset Management Corporation (AAMC). The complaint alleges that AAMC misrepresented or outright concealed its relationship with these companies and the extent to which the interconnected entities engaged in conflicted transactions with themselves. Estimates of class-wide damages are in the hundreds of millions of dollars. The firm recently filed the consolidated complaint and motions to dismiss are pending before the U.S. District Court for the District of the Virgin Islands.

WHISTLEBLOWERS

In an effort to curb Wall Street excesses, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act, which built vigorous whistleblower protections into the legislation known as the “Wall Street Tip-Off Law.” The law empowers the U.S. Securities and Exchange Commission to award between 10 and 30 percent of any monetary sanctions recovered in excess of \$1 million to whistleblowers who provide information leading to a successful SEC enforcement. It also provides similar rewards for whistleblowers reporting fraud in the commodities markets.

Hagens Berman represents whistleblowers with claims involving violations of the Securities Exchange Act and the Commodities Exchange Act. Unlike traditional whistleblower firms who have pivoted into this area, Hagens Berman has a strong background and history of success in securities, antitrust and other areas of fraud enforcement, making us an ideal partner for these cases. Our matters before the SEC/CFTC include a range of claims, including market manipulation and fraudulent financial statements.

PRACTICE AREAS

Investor Fraud - Institutional Investor Portfolio Monitoring and Recovery Services

Hagens Berman is a leading provider of specialized securities litigation services to public, private and Taft-Hartley pension funds. We offer proprietary and unparalleled asset protection and recovery services to both foreign and domestic institutions. Our institutional services provide participants with the ability to identify, investigate and react to potential wrongdoing by companies in which the institution invests.

PORTFOLIO MONITORING. Timely information and analysis are the critical ingredients of a successful fraud recovery program. Institutions must receive quick, reliable determinations concerning the source and extent of their losses, the likelihood of recoupment and the best manner for pursuing it. Our Portfolio Monitoring Service provides these services at no cost to participating institutions. The Hagens Berman Portfolio Monitoring Service has three primary components:

TRACKING. Alerts clients of any significant portfolio losses due to suspected fraud.

ANALYSIS. Provide clients with necessary legal and factual analyses regarding possible recovery options, removing from the institution any burden connected with scrutinizing myriad instances of potential wrongdoing and attempt to decipher whether direct, recoverable injuries have resulted.

REPORTING. Attorneys and forensic accounting fraud experts deliver a concise monthly report that furnishes comprehensive answers to these inquiries. On a case-by-case basis, the report specifies each of the securities in which the client lost a significant amount of money, and matches those securities with an analysis of potential fraud likelihood, litigation options and an expert recommendation on how best to proceed for maximum recovery.

Our Portfolio Monitoring Service performs its functions with almost no inconvenience to participating institutions. A client's custodian bank provides us with records detailing the client's transactions from the prior several years and on a regular basis thereafter. Importantly, none of the institution's own personnel is required to share in this task, as we acquire the information directly from the custodian bank.

We provide our Portfolio Monitoring service with no strings attached and allow our clients to act without cost or commitment. In instances where a litigation opportunity arises, we believe our skills make us the ideal choice for such a role, although the client is free to choose others.

When a portfolio loses money because of corporate deception, our litigation services seek to recover a substantial percentage of those losses, thereby increasing a fund's performance metric. As fiduciaries, money managers may not have the ability or desire to risk funds on uncertain litigation using typical hourly-rate law firms. Hagens Berman seeks to minimize the burden on the money manager by pursuing cases on a contingent-fee basis.

PRACTICE AREAS

Personal Injury and Abuse

For nearly two decades, Hagens Berman's blend of professional expertise and commitment to our clients has made our firm one of the most well-respected and successful mass tort and personal injury law firms in the nation. We deliver exceptional results for our clients by obtaining impressive verdicts and settlements in personal injury litigation.

Our attorneys have experience in wrongful death, brain injury and other catastrophic injury cases, as well as deep experience in social work negligence, medical malpractice, nursing home negligence and sexual abuse cases.

Hagens Berman also has unparalleled experience in very specific areas of abuse law, recovering damages on behalf of some of the most vulnerable people in our society.

Sexual Abuse Litigation Hagens Berman has represented a wide spectrum of individuals who have been victims of sexual abuse, including children and developmentally disabled adults. We treat each case individually, with compassion and attention to detail and have the expertise, resources and track record to stand up to the toughest opponents. In the area of sexual abuse, our attorneys have obtained record-breaking verdicts, including the largest personal injury verdict ever upheld by an appellate court in the state of Washington. More about Hagens Berman's sexual abuse practice can be found on the following page.

Nursing Home Negligence Nursing home negligence is a growing problem throughout the nation. As our population ages, reports of elder abuse and nursing home negligence continue to rise. Today, elder abuse is one of the most rapidly escalating social problems in our society. Hagens Berman is uniquely qualified to represent victims of elder abuse and nursing home negligence. Our attorneys have secured outstanding settlements in this area of the law and have committed to holding nursing homes accountable for wrongdoing.

Social Work Negligence Social workers play a critical role in the daily lives of our nation's most vulnerable citizens. Social workers, assigned to protect children, the developmentally disabled and

elderly adults, are responsible for critical aspects of the lives of tens of thousands of citizens who are unable to protect themselves. Many social workers do a fine job. Tragically, many do not. The results are often catastrophic when a social worker fails to monitor and protect his or her vulnerable client. All too often, the failure to protect a child or disabled citizen leads to injury or sexual victimization by predators. With more than \$40 million in recoveries on behalf of vulnerable citizens who were neglected by social workers, Hagens Berman is the most experienced, successful and knowledgeable group of attorneys in this dynamic area of the law.

Workplace Injury While many workplace injury claims are precluded by workers compensation laws, many instances of workplace injury are caused by the negligence and dangerous oversight of third parties. In these instances, victims may have valid claims. Hagens Berman's personal injury legal team has successfully brought many workplace injury claims, holding third parties liable for our clients' serious bodily injuries.

Medical Malpractice Litigating a medical malpractice case takes acute specialization and knowledge of medical treatments and medicine. Notwithstanding these facts, Hagens Berman pursues meritorious medical malpractice claims in instances where clients have suffered life-altering personal injuries. Our firm's personal injury attorneys handle medical malpractice cases with the dedication and detail necessary to make victims whole. Hagens Berman is very selective in accepting medical malpractice cases and has been successful in recovering significant compensation for victims of medical error and negligence.

PRACTICE AREAS

Sexual Abuse and Harassment

Hagens Berman's attorneys recently achieved a nationwide sexual harassment settlement on behalf of 16,000 women and also tried the first ever sexual harassment case in Washington state, and has represented women violated by Harvey Weinstein, as well as USC alumnae abused by the university's former gynecologist, Dr. George Tyndall. Our firm is committed to protecting and empowering individuals.

At Hagens Berman, we believe no one is above the law, and that no position of power should shield someone from being held accountable.

Right now, we are witnessing the silencing, belittling and abuse that women everywhere in this nation are subjected to. They are subjected to a system that does not respect them. The backlash against the brave survivors who have stepped forward to report sexual assault is unacceptable.

We believe survivors. Our firm's sexual harassment attorneys have protected their rights for decades throughout their legal careers, and we are dedicated to upholding the rights of the most vulnerable. Women should be heard, respected and protected from systemic abuse.

Sexual harassment is present and pervasive in many workplaces, industries and professional environments, and has damaged the lives and careers of countless individuals. It affects hundreds of thousands of women and men in the U.S., 51 percent of which are harassed by an authority figure, making it harder to come forward for fear of retaliation.

All too often, acts of sexual harassment and sexual misconduct are protected by systemic cover-ups by companies and organized agreements between those in power. Particular industries are more susceptible to these cover-ups including: entertainment and sports media, STEM, law enforcement, food service, politics, military, tech, finance, hospitality and transportation. But sexual harassment is pervasive in many other environments and is often obscured from view for years.

In these industries, victims are routinely subjected to widespread policies and practices that create an environment promoting quid pro quo arrangements in which victims feel pressured to take part in sexual acts and feel powerless against unwanted advancements. Victims are also often punished for not taking part.

The firm has represented women violated by Harvey Weinstein, as well as USC alumnae abused by the university's former gynecologist, Dr. George Tyndall, tried the first ever sexual harassment case in Washington state, and achieved a nationwide sexual harassment settlement on behalf of 16,000 women.

Representative sexual harassment successes and cases on behalf of our clients include:

> **USC, Dr. Tyndall Sexual Harassment**

In May of 2018, Hagens Berman filed a class-action lawsuit against the University of Southern California (USC) and Dr. George Tyndall, the full-time gynecologist at USC's student health clinic. Tyndall sexually harassed, violated and engaged in wildly inappropriate behavior with female students who sought his medical care, according to news outlets, which stated he saw tens of thousands of female patients during his time at USC.

Official complaints of Dr. Tyndall's behavior began to surface at USC in the 1990s, but despite the university's knowledge of Dr. Tyndall's behavior, it did not report him to the agency responsible for protecting the public from problem doctors. USC did nothing, for decades, as more and more female students were sent into Dr. Tyndall's office.

The settlement's three-tier structure allows class members to

PRACTICE AREAS

Sexual Abuse and Harassment

choose how much they want to engage with the claims process. Those who do not want to revisit a private, traumatic event can simply keep the guaranteed Tier 1 payment of \$2,500. Those who choose to provide additional information in a claim form about their experience with Tyndall and how it affected them are eligible for up to \$20,000 and those who choose to provide an interview are eligible for up to \$250,000. The special master and her team of experts will evaluate claims and allocate awards to Tier 2 and Tier 3 claimants. This focus on choice ensures that all class members receive compensation while giving each class member the autonomy to decide for herself how involved she wants to be in the settlement process.

The class-action settlement also goes beyond monetary compensation and forces USC to implement real changes to their policies and procedures to help ensure that what happened at USC does not happen again.

RESULT: \$215 million settlement

> Harvey Weinstein Sexual Harassment

In a first-of-its-kind class-action lawsuit, Hagens Berman represented women on behalf of a class of all victims who were harassed or otherwise assaulted by Harvey Weinstein, seeking to hold him and his co-conspirators accountable for a years-long pattern of sexual harassment and cover-ups.

The lawsuit, filed Nov. 15, 2017, in the U.S. District Court for the Central District of California states that Miramax and The Weinstein Company (which Weinstein co-founded) facilitated Weinstein's organized pattern of predatory behavior, equating to an enterprise that violates the Racketeer Influenced and Corrupt Organizations Act, commonly referred to as the RICO Act, the same law brought against members of the Mafia for organized criminal behavior.

The lawsuit brought various charges against Weinstein and his companies for violating the RICO Act, mail and wire fraud, assault, civil battery, negligent supervision and retention, and intentional infliction of emotional distress.

RESULT: Settlement reached

> Fairfax Behavioral Health

Attorneys from Hagens Berman filed a class-action complaint on behalf of a proposed class of hundreds of patients that were arbitrarily strip-searched and video recorded while receiving treatment for mental illness at one of three Fairfax locations in Washington state.

The suit's named plaintiff recalls being ordered to undress for an invasive strip-search when she presented for inpatient admission, even after disclosing her history of sexual abuse to the staff member. She was not given a gown or towel to cover up during the search, and the staff member watched her undress and left the door open where other staff members could see her.

Video cameras were located in the hallway, the holding area outside bathroom, and the room where the strip search was conducted. The cameras recorded her undressing and the strip-search.

The complaint states that Fairfax's practices—and its failure to limit the discretion of its staff—means that a substantial number of its mental health patients do not have reasonable access to inpatient care for mental health disorders.

> CB Richard Ellis Sexual Harassment Litigation

Filed a class action against CB Richard Ellis, Inc., on behalf of 16,000 current and former female employees who alleged that the company fostered a climate of severe sexual harassment and discriminated against female employees by subjecting them to a hostile, intimidating and offensive work environment, also resulting in emotional distress and other physical and economic injuries to the class.

RESULT: An innovative and unprecedented settlement requiring changes to human resources policies and procedures, as well as the potential for individual awards of up to \$150,000 per class member. The company agreed to increase supervisor accountability, address sexually inappropriate conduct in the workplace, enhance record-keeping practices and conduct annual reviews of settlement compliance by a court appointed monitor.

PRACTICE AREAS

Sexual Abuse and Harassment

› King County Child Sex Abuse

Hagens Berman represented the victim of eight years of sexual abuse as a minor, at the hands of her brother-in-law. The lawsuit states that from 2005 to 2012, the case's defendant repeatedly sexually abused Hagens Berman's client. She was only eleven years old when the abuse began and was a minor during the entire duration of the abuse. In 2013, the state of Washington charged Willis with three counts of child molestation, to which he pled guilty. Court documents state, "Joshua Blaine Willis used his position of trust, confidence, or fiduciary responsibility to facilitate the commission of the ... offense[s]..."

Court documents in the civil case filed in June of 2017 detail Willis' highly disgusting and horrifying actions including groping and molestation, exposing himself and other highly sexual and inappropriate behavior.

Following the years of sexual abuse, Hagens Berman's client suffers from Post-Traumatic Stress Disorder and the court awarded damages for treatment of her condition and other emotional distress, as well as loss of earning capacity and other economic damages in her "struggle with consistency and stability."

RESULT: \$4,031,000 judgment awarded in a King County Superior Court

› State of Washington Sexual Assault, DSHS

Our client, a disabled Spokane, Wash. woman, was a patient at Eastern State Hospital. The hospital assigned a male nurse to provide one-on-one care and supervision for our client. The nurse trapped our client in a laundry room and raped her. Hagens Berman determined that the nurse, a state employee, had been reprimanded and accused on previous occasions of sexual assault of vulnerable patients. Hagens Berman initiated a negligence and civil rights lawsuit against the hospital and its administrators for failing to protect our client from a known sexual predator and for allowing that predator to remain on staff with the responsibility to care for vulnerable patients.

RESULT: \$2.5 million settlement

› Workplace Sexual Harassment & Other Investigations

Sexual harassment is present and pervasive in many workplaces. It affects hundreds of thousands of women and men in the U.S., 51 percent of which are harassed by a supervisor, making it harder to come forward for fear of retaliation.

All too often, sexual harassment in the workplace is protected by systemic cover-ups by companies and those in power. Particular industries are more susceptible to these cover-ups including: commercial real estate, law enforcement, politics, military, tech, entertainment, sports media, finance, restaurants and hospitality, advertising and trucking.

In these industries, employees are routinely subjected to widespread policies that create an environment promoting quid pro quo arrangements in which they feel pressured to take part in sexual acts and feel powerless against unwanted advancements. Employees are also often punished for not taking part.

Hagens Berman is also investigating sexual harassment and abuse in various specific areas of study, including STEM programs. The firm also maintains a keen watch over various work environments that are statistically prone to instances of misconduct. These include hospitality, college campuses and research labs, boarding schools and the entertainment industry, especially within the area of professional music.

The firm remains committed to uncovering instances of sexual harassment in the workplace, and within fields of study and areas prone to harboring misconduct and abusive behavior.

PRACTICE AREAS

Sports Litigation

Hagens Berman has one of the nation's most highly regarded sports litigation law practices. Our attorneys are the vanguard of new and innovative legal approaches to protect the rights of professional and amateur athletes in cases against large, well-financed interests, including the National Collegiate Athletic Association (NCAA), the National Football League (NFL), the Fédération Internationale de Football Association (FIFA) and other sports governing institutions.

> NCAA: Scholarships/Grants-In-Aid (GIAs)

In a first-of-its-kind antitrust action and potentially far-reaching case, Hagens Berman filed a class-action affecting approximately 40,000 Division I collegiate athletes who played men's or women's basketball, or FBS football, brought against the NCAA and its most powerful members, including the Pac-12, Big Ten, Big-12, SEC and ACC, claiming they violated federal antitrust laws by drastically reducing the number of scholarships and financial aid student-athletes receive to an amount below the actual cost of attendance and far below what the free market would bare.

The case resulted in a \$208.9 million settlement, bringing an estimated average amount of \$6,500 to each eligible class member who played his or her sport for four years.

In March of 2019, the firm as co-lead trial counsel on the injunctive aspect of the case which resulted in a change of NCAA rules limiting the financial treatment of athletes, and in a unanimous 9-0 Supreme Court Victory, the injunctive portion of the case also resulted in a monumental victory for plaintiffs. The Court ruled that NCAA college athletes should legally be able to receive compensation from schools or conferences for athletic services other than cash compensation untethered to education-related expenses, prohibiting the NCAA from enforcing rules limiting those payments. The media called the firm's victory in the scholarships case against the NCAA a "major ruling" (ABC World News Tonight), that "will change the game" (ABC Good Morning America), "...the highest court left the NCAA unhoused and naked, with nothing left but its pretensions," (The Washington Post), it "delivered a heavy blow," (AP), and leaves the NCAA "more vulnerable than ever."

> NCAA: Concussions

Cases of particular nationwide interest for fans, athletes and the general public involve numerous cases filed by Hagens Berman against the NCAA. Recently, the firm took on the NCAA for its failure to prevent concussions and protect student-athletes who suffered concussions. Steve Berman served as lead counsel in multi-district litigation and led the firm to finalize a settlement bringing sweeping changes to the NCAA's approach to concussion treatment and prevention. The core settlement benefits include a 50-year medical monitoring program overseen by a medical science committee appointed by the court that will screen and track concussions, funded by a \$70 million medical monitoring fund, paid by the NCAA and its insurers. Examinations include neurological and neurocognitive assessments to evaluate potential injuries.

The settlement also mandates significant changes to and enforcement of the NCAA's concussion management policies and return-to-play guidelines. All players will now receive a seasonal, baseline test to better assess concussions sustained during the season. All athletes who have sustained a concussion will now need to be cleared before returning to play. A medical professional trained in the diagnosis of concussions will be present at all games involving contact-sports. The settlement also creates reporting mandates for concussions and their treatment.

> Player Name, Image & Likeness Rights in Videogames

Hagens Berman attorneys represented student-athletes who claimed that the NCAA illegally used student-athletes' names, images and likenesses in Electronic Arts' popular NCAA Football, Basketball and March Madness video game series reached a

PRACTICE AREAS

Sports Litigation

combined \$60 million settlement with the NCAA and EA, marking the first time the NCAA has agreed to a settlement that pays student-athletes for acts related to their participation in athletics. Settlement checks were sent to about 15,000 players, with average amounts of \$1,100 and some up to \$7,600.

The firm began this case with the knowledge that the NCAA and member schools were resolute in keeping as much control over student-athletes as possible, and fought hard to ensure that plaintiffs would not be exploited for profit, especially by the organization that vowed to prevent the college athletes from exploitation.

The firm also represented NFL legend Jim Brown in litigation against EA for improperly using his likeness in its NFL video games, culminating in a \$600,000 voluntary judgment offered by the video game manufacturer.

› Continued NIL Litigation

Hagens Berman has continued efforts against the NCAA in an additional pending antitrust case regarding NIL rights. In June 2020, the firm filed its case against the NCAA claiming the institution had knowingly violated federal antitrust laws in abiding by a particular subset of NCAA amateurism rules that prohibit college-athletes from receiving anything of value in exchange for the commercial use of their name and likeness. The firm holds that the NCAA's regulations illegally limiting the compensation that Division I college athletes may receive for the use of their names, images, likenesses and athletic reputations.

In unanimously upholding the rights of NCAA athletes in *Alston*, Justice Gorsuch wrote the NCAA had sought "immunity from the normal operation of the antitrust laws," and Justice Kavanaugh stated, "The NCAA is not above the law." The firm looks forward to continuing to uphold that same sentiment in regard to NCAA athlete name, image and likeness rights.

In July 2021, following the firm's victory in the *Alston* case, the NCAA chose to temporarily lift rules restricting certain NIL deals in what the firm believes will be the first step in another massive change in college sports to support college athletes.

› FIFA/U.S. Soccer: Concussions

Several soccer players filed a class action against U.S. soccer's governing bodies, which led to life-changing safety measures brought to millions of U.S. youth soccer players. Players represented by Hagens Berman alleged these groups failed to adopt effective policies to evaluate and manage concussions, leaving millions of players vulnerable to long-lasting brain injury.

The settlement against six of the largest youth soccer organizations completely eliminates heading for youth soccer's youngest players, greatly diminishing risks of concussions and traumatic head injuries. Prior to the settlement, no rule limited headers in children's soccer.

It also sets new benchmarks for concussion measurement and safety protocols, and highlights the importance of on-staff medical personnel at youth tournaments. Under the settlement, youth players who have sustained a concussion during practice or a game will need to follow certain return-to-play protocols before they are allowed to play again. Steve Berman, a youth soccer coach, has seen first-hand the settlement's impacts and life-changing effects every time young athletes take to the field.

› NCAA: Transfer Antitrust

Hagens Berman has taken on the NCAA for several highly recruited college athletes whose scholarships were revoked after a coaching change, or after the student-athletes sought to transfer to another NCAA-member school. The suit claims the organization's limits and transfer regulations violate antitrust law.

The firm's case hinges on a destructive double-standard. While Non-student-athletes are free to transfer and are eligible for a new scholarship without waiting a year, and coaches often transfer to the tune of a hefty pay raise, student-athletes are penalized and forced to sit out a year before they can play elsewhere, making them much less sought after by other college athletic programs. Hagens Berman continues to fight for student-athletes' rights to be treated fairly and terminate the NCAA's anticompetitive practices and overbearing regulations that limit players' options and freedoms.

PRACTICE AREAS

Sports Litigation

> Pop Warner

Hagens Berman represented youth athletes who have suffered traumatic brain injuries due to gross negligence, and filed a lawsuit on behalf of former Pop Warner football player Donovan Hill and his mother Crystal Dixon. The suit claims that the league insisted Hill use improper and dangerous tackling techniques which left the then 13-year-old paralyzed from the neck down.

Hagens Berman sought to hold Pop Warner, its affiliates, Hill's coaches and members of the Lakewood Pop Warner board of directors accountable for the coaches' repeated and incorrect instruction that Hill and his teammates tackle opposing players by leading with the head. In January of 2016, the firm reached a settlement on behalf of Donovan and his mother, the details of which were not made public. Sadly, months later, 17-year-old Donovan passed away. The firm believes that his case will continue to have a lasting impact on young athletes for generations and will help ensure safety in youth sports.

> MLB Foul Ball Injuries

Hagens Berman filed a class-action lawsuit on behalf of baseball fans, seeking to extend safety netting to all major and minor league ballparks from foul pole to foul pole. The suit alleges that tens of millions attend an MLB game annually, and every year fans of all ages, but often children, suffer horrific and preventable injuries, such as blindness, skull fractures, severe concussions and brain hemorrhages when struck by a fast-moving ball or flying shrapnel from a shattered bat. The lawsuit was dismissed with the court ruling that the plaintiffs lacked standing because the chance of getting hit by a ball is remote.

In December of 2015, MLB's commissioner Rob Manfred issued a recommendation to all 30 MLB teams to implement extended safety measures, including additional safety netting at ballparks. While the firm commends the league for finally addressing the serious safety issue at stake, the firm continues to urge MLB and its commissioner to make these more than recommendations to help end senseless and avoidable injuries to baseball's biggest fans. We believe our case sparked the eventual move to netting. After one of the owners of the Mariners belittled Steve for having filed the case, the firm happily saw the addition of netting extended to the foul poles at T-Mobile Park in the firm's headquarters of Seattle.

> Other Cases

In addition to its class actions, Hagens Berman has filed several individual cases to uphold the rights of athletes and ensure a fair and safe environment. The firm has filed multiple individual cases to address concussions and other traumatic head injuries among student-athletes at NCAA schools and in youth sports. Hagens Berman continues to represent the interests of athletes and find innovative and effective applications of the law to uphold players' rights.

The firm has also brought many concussions cases on behalf of individual athletes, challenging large universities and institutions for the rights those who have suffered irreversible damage due to gross negligence and lack of even the most basic concussion-management guidelines.

PRACTICE AREAS

Whistleblower Litigation

Hagens Berman represents whistleblowers under various programs at both the state and federal levels. All of these whistleblower programs reward private citizens who blow the whistle on fraud. In many cases, whistleblowers report fraud committed against the government and may sue those individuals or companies responsible, helping the government recover losses.

Our depth and reach as a leading national plaintiffs' firm with significant success in varied litigation against industry leaders in finance, health care, consumer products, and other fields causes many whistleblowers to seek us to represent them in claims alleging fraud against the government.

Our firm also has several former prosecutors and other government attorneys in its ranks and has a long history of working with governments, including close working relationships with attorneys at the U.S. Department of Justice. The whistleblower programs under which Hagens Berman pursues cases include:

FALSE CLAIMS ACT

Under the federal False Claims Act, and more than 30 similar state laws, a whistleblower reports fraud committed against the government, and under the law's *Qui Tam* provision, may file suit on its behalf to recover lost funds. False claims acts are one of the most effective tools in fighting Medicare and Medicaid fraud, defense contractor fraud, financial fraud, under-payment of royalties, fraud in general services contracts and other types of fraud perpetrated against governments.

The whistleblower initially files the case under seal, giving it only to the government and not to the defendant, which permits the government to investigate. After the investigation, the government may take over the whistleblower's suit, or it may decline. If the government declines, the whistleblower can proceed alone on his or her behalf. In successful suits, the whistleblower normally receives between 15 and 30 percent of the government's recovery as a reward.

Since 1986, federal and state false claims act recoveries have totaled more than \$22 billion. Some examples of our cases brought under the False Claims Act include:

› In U.S. ex rel. Lagow v. Bank of America

Represented former District Manager at Landsafe, Countrywide Financial's mortgage appraisal arm, who alleged systematic abuse of appraisal guidelines as a means of inflating mortgage values.

RESULT: The case was successful, ultimately triggering a settlement of \$1 billion, and our client received a substantial reward.

› In U.S. ex rel. Mackler v. Bank of America

Represented a whistleblower who alleged that Bank of America failed to satisfy material conditions of its government contract to provide homeowners mortgage relief under the HAMP program.

RESULT: The case succeeded and was settled as part of the 2012 global mortgage settlement, resulting in an award to our client.

› In U.S. ex rel. Horwitz v. Amgen

Represented Dr. Marshall S. Horwitz, who played a key role in uncovering an illegal scheme to manipulate the scientific record regarding two of Amgen's blockbuster drugs.

RESULT: \$762 million in criminal and civil penalties levied by the U.S. Department of Justice and an award to our client.

› In U.S. ex rel. Thomas v. Sound Inpatient Physicians Inc. and Robert A. Bessler

Represented a former regional vice president of operations for Sound Physicians, who blew the whistle on Sound's alleged misconduct.

RESULT: Tacoma-based Sound Physicians agreed to pay the United States government \$14.5 million.

› In U.S. ex rel. Plaintiffs v. Center for Diagnostic Imaging Inc.

In May 2010, Hagens Berman joined as lead trial counsel a qui tam lawsuit on behalf of two whistleblowers against Center for

PRACTICE AREAS

Whistleblower Litigation

Diagnostic Imaging, Inc. (CDI), alleging that CDI violated anti-kickback laws and defrauded federally funded health programs by presenting false claims for payment.

RESULT: In 2011, the government intervened in the claims, which the company settled for approximately \$1.3 million. The government declined to intervene, however, in the no-written-orders and kickback claims, leaving those claims for the whistleblowers and their counsel to pursue on their own. The non-intervened claims settled for an additional \$1.5 million payment to the government.

> Medtronic

On Feb. 19, 2008 the court unsealed a qui tam lawsuit brought by Hagens Berman against Medtronic, one of the world's largest medical technology companies, for fraudulent medical device applications to the FDA and off-label promotion of its biliary devices.

RESULT: The case settled in 2012 for an amount that remained under seal.

**SECURITIES AND EXCHANGE COMMISSION /
COMMODITY FUTURES TRADING COMMISSION**

Since implementation of the SEC/CFTC Dodd Frank whistleblower programs in 2011, Hagens Berman has naturally transitioned into representation of whistleblowers with claims involving violations of the Securities Exchange Act and the Commodities Exchange Act.

Unlike the False Claims Act, whistleblowers with these new programs do not initially file a sealed lawsuit. Instead, they provide information directly to the SEC or the CFTC regarding violations of the federal securities or commodities laws. If the whistleblower's information leads to an enforcement action, they may be entitled to between 10 and 30 percent of the recovery.

The firm currently represents HFT whistleblower and market expert, Haim Bodek, in an SEC fraud whistleblower case that prompted the U.S. Securities and Exchange Commission to bring record-breaking fines against two exchanges formerly owned

by Direct Edge Holdings (and since acquired by Bats Global Markets, the second-largest financial exchange in the country). The exchanges agreed to pay \$14 million to settle charges that the exchanges failed to accurately and completely disclose how order types functioned on its exchanges and for selectively providing such information only to certain high-frequency trading firms.

Hagens Berman also represents an anonymous whistleblower who brought his concerns and original analysis related to the May 2, 2010 Flash Crash to the CFTC after hundreds of hours spent analyzing data and other information.

Both the U.S. Commodity Futures Trading Commission (CFTC) and the Department of Justice, in separate criminal and civil enforcement actions, brought charges of market manipulation and spoofing against Nav Sarao Futures Limited PLC (Sarao Futures) and Navinder Singh Sarao (Sarao) based on the whistleblower's information.

Hagens Berman has worked alongside government officials and regulators, establishing the credibility necessary to bring a case to the SEC or CFTC. When Hagens Berman brings a claim, we work hard to earn their respect and regulators pay attention.

A few of the firm's most recent whistleblower cases in this area include:

> EDGA Exchange Inc. and EDGX Exchange Inc.

Represented HFT whistleblower and market expert, Haim Bodek, in an SEC fraud whistleblower case against two exchanges formerly owned by Direct Edge Holdings and since acquired by Bats Global Markets, the second-largest financial exchange in the country for spoofing.

RESULT: The case prompted the U.S. Securities and Exchange Commission to bring record-breaking fine of \$14 million against defendants, the largest ever brought against a financial exchange.

PRACTICE AREAS

Whistleblower Litigation

> Nav Sarao Futures Limited PLC

Hagens Berman represents an anonymous whistleblower who brought his concerns and original analysis to the CFTC after hundreds of hours spent analyzing data and other information. The claim brought about legal action against a market manipulator who profited more than \$40 million from market fraud and contributed to the May 6, 2010 Flash Crash.

RESULT: Both the CFTC and the Department of Justice, in separate criminal and civil enforcement actions, brought charges of market manipulation and spoofing against Nav Sarao Futures Limited PLC and Navinder Singh Sarao based on the whistleblower's information. The case is still pending under seal.

INTERNAL REVENUE SERVICE

Hagens Berman also represents whistleblowers under the IRS whistleblower program enacted with the Tax Relief and Health Care Act of 2006.

The IRS program offers rewards to those who come forward with information about persons, corporations or any other entity that cheats on its taxes. In the event of a successful recovery of government funds, a whistleblower can be rewarded with up to 30 percent of the overall amount collected in taxes, penalties and legal fees.

Hagens Berman helps IRS whistleblowers present specific, credible tax fraud information to the IRS. Unlike some traditional False Claims Act firms, Hagens Berman has experience representing governments facing lost tax revenue due to fraud, making us well-positioned to prosecute these cases.

Appellate Victories

APPELLATE VICTORIES

Strengthening Consumer Law

At Hagens Berman, we distinguish ourselves not merely by the results we obtain, but by how we obtain them. Few class-action firms have our firm's combination of resources and acumen to see a case through as long as needed to obtain a favorable outcome. Our attorneys were instrumental in obtaining these federal appellate decisions that have shaped consumer law and bolstered the rights of millions nationwide:

- › **In Matter of Motors Liquidation Co.**, 829 F.3d 135 (2d Cir. 2016) (General Motors bankruptcy reorganization did not bar claims stemming from defective ignition switches)
- › **George v. Urban Settlement Servs.**, 833 F.3d 1242 (10th Cir. 2016) (complaint adequately alleged Bank of America's mortgage modification program violated RICO)
- › **In re Loestrin 24 Fe Antitrust Litig.**, 814 F.3d 538 (1st Cir. 2016) ("reverse payments" for antitrust purposes under **Actavis** are not limited to cash payments)
- › **Osborn v. Visa Inc.**, 797 F.3d 1057 (D.C. Cir. 2015) (complaint adequately alleged Visa and MasterCard unlawfully agreed to restrain trade in setting ATM access fees)
- › **Little v. Louisville Gas & Elec. Co.**, 805 F.3d 695 (6th Cir. 2015) (Clean Air Act did not preempt state nuisance claims against coal plant for polluting surrounding community)
- › **City of Miami v. Citigroup Inc.**, 801 F.3d 1268 (11th Cir. 2015) (reversing dismissal of complaint alleging Citigroup violated Fair Housing Act by pattern of discriminatory lending)
- › **Rajagopalan v. NoteWorld, LLC**, 718 F.3d 844 (9th Cir. 2013) (non-party could not invoke arbitration clause against plaintiff suing debt services provider)
- › **In re Neurontin Mktg. & Sales Practices Litig.**, 712 F.3d 21 (1st Cir. 2013) (affirming \$142 million verdict for injury suffered from RICO scheme by Neurontin manufacturer Pfizer)
- › **In re NCAA Student-Athlete Name & Likeness Licensing Litig.**, 724 F.3d 1268 (9th Cir. 2013) (First Amendment did not shield video game developer's use of college athletes' likenesses)
- › **Garcia v. Wachovia Corp.**, 699 F.3d 1273 (11th Cir. 2012) (Wells Fargo could not rely on **Concepcion** to evade waiver of any right to compel arbitration)
- › **Agnew v. Nat'l Collegiate Athletic Ass'n**, 683 F.3d 328 (7th Cir. 2012) (NCAA bylaws limiting scholarships per team and prohibiting multi-year scholarships are subject to antitrust scrutiny and do not receive pro-competitive justification at pleading stage)
- › **In re Lupron Mktg. & Sales Practices Litig.**, 677 F.3d 21, 24 (1st Cir. 2012) (approving cy pres provision in \$150 million settlement)
- › **In re Pharm. Indus. Average Wholesale Price Litig.**, 582 F.3d 156 (1st Cir. 2009) (AstraZeneca illegally published inflated average wholesale drug prices, thereby giving windfall to physicians and injuring patients who paid inflated prices)

We set ourselves apart not only by getting results but by litigating every case through to finish – to trial and appeal, if necessary. This tenacious drive has led our firm to generate groundbreaking precedents in consumer law.

Hagens Berman has also been active in state courts nationwide. Notable examples of our victories include:

- › **Garza v. Gama**, 379 P.3d 1004 (Ariz. Ct. App. 2016) (reinstating certified class in wage-and-hour action prosecuted by Hagens Berman since 2005)
- › **In re Farm Raised Salmon Cases**, 42 Cal. 4th 1077 (Cal. 2008) (Federal Food, Drug and Cosmetic Act did not preempt state claims for deceptive marketing of food products)
- › **Pickett v. Holland Am. Line-Westours, Inc.**, 35 P.3d 351 (Wash. 2001) (reversing state court of appeals and upholding class action settlement with cruise line)

Legal Team

**MANAGING PARTNER****Steve W. Berman**

Served as co-lead counsel against Big Tobacco, resulting in the largest settlement in world history, and at the time the largest automotive, antitrust, ERISA and securities settlements in U.S. history.

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YEARS OF EXPERIENCE

> 41

PRACTICE AREAS

- > Antitrust/Trade Law
- > Consumer Protection
- > Governmental Representation
- > Securities/Investment Fraud
- > Whistleblower/**Qui Tam**
- > Patent Litigation

BAR ADMISSIONS

- > Washington
- > Illinois Foreign
- > Registered Attorney in
England and Wales

COURT ADMISSIONS

- > Supreme Court of the United States
- > Supreme Court of Illinois
- > Supreme Court of Washington
- > U.S. District Court for the Eastern and Western Districts of Washington
- > U.S. District Court for the Northern and Central Districts of Illinois
- > U.S. District Court for the District of Colorado
- > U.S. District Court for the Eastern District of Michigan
- > First Circuit Court of Appeals

Steve Berman represents consumers, investors and employees in large, complex litigation held in state and federal courts. Steve's trial experience has earned him significant recognition and led The National Law Journal to name him one of the 100 most powerful lawyers in the nation, and to repeatedly name Hagens Berman one of the top 10 plaintiffs' firms in the country. Steve was named an MVP of the Year by Law360 in 2016 and 2017 for his class-action litigation and received the 2017 Plaintiffs' Trailblazer award. He was recognized for the third year in a row as an Elite Trial Lawyer by The National Law Journal.

Steve co-founded Hagens Berman in 1993 after his prior firm refused to represent several young children who consumed fast food contaminated with E. coli—Steve knew he had to help. In that case, Steve proved that the poisoning was the result of Jack in the Box's cost cutting measures along with gross negligence. He was further inspired to build a firm that vociferously fought for the rights of those unable to fight for themselves. Berman's innovative approach, tenacious conviction and impeccable track record have earned him an excellent reputation and numerous historic legal victories. He is considered one of the nation's most successful class-action attorneys, and has been praised for securing record-breaking settlements and tangible benefits for class members. Steve is particularly known for his tenacity in forging consumer settlements that return a high percentage of recovery to class members.

CURRENT ROLE

- > Managing Partner, Hagens Berman Sobol Shapiro LLP

RECENT CASES**> Emissions Litigation**

Steve has pioneered pursuing car manufacturers who have been violating emissions standards, including: Mercedes BlueTEC vehicles, GM Chevy Cruze, Dodge Ram 2500 and 3500 trucks, Dodge Ram 1500 and Jeep Cherokee EcoDiesel vehicles, Chevy Silverado, GMC Sierra as well as other models made by Ford, Audi and BMW. Steve and the firm's unmatched work in emissions-cheating investigations is often ahead of the EPA and government regulators.

> General Motors Ignition Switch Defect Litigation

Steve serves as lead counsel seeking to obtain compensation for the millions of GM car owners who overpaid for cars that had hidden safety defects.

> Climate Change – New York City, King County, Wash.

Steve has always been a fighter for the rights of the environment. In 2017, he began the firm's latest endeavor to combat global climate change through novel applications of the law. Steve currently represents the city of New York and Washington state's King County in lawsuits filed against the world's largest producers of oil: BP, Chevron Corp., Exxon Mobil Corp., Royal Dutch Shell PLC and ConocoPhillips. The cases seek to hold the Big Oil titans accountable for their brazen impact on global

- › Second Circuit Court of Appeals
- › Third Circuit Court of Appeals
- › Fifth Circuit Court of Appeals
- › Sixth Circuit Court of Appeals
- › Seventh Circuit Court of Appeals
- › Eighth Circuit Court of Appeals
- › Ninth Circuit Court of Appeals
- › Tenth Circuit Court of Appeals
- › Eleventh Circuit Court of Appeals
- › DC Circuit Court of Appeals
- › Federal Circuit Court of Appeals
- › U.S. Court of Federal Claims
- › Foreign Registered Attorney in England and Wales

EDUCATION

- › University of Chicago Law School, J.D., 1980
- › University of Michigan, B.A., 1976

MANAGING PARTNER

Steve W. Berman

warming-induced sea level rise and related expenses to protect the cities and their millions of residents.

› Opioids - Orange and Santa Clara County, Seattle

Steve has been retained by various municipalities, including the states of Ohio, Mississippi and Arkansas, Orange County, as well as the city of Seattle to serve as trial counsel in a recently filed state suit against five manufacturers of opioids seeking to recover public costs resulting from the opioid manufacturer's deceptive marketing.

› Antitrust Litigation

Corporate fraud has many faces, and Steve has taken on some of the largest perpetrators through antitrust law. Steve serves as co-lead counsel in Visa MasterCard ATM, Batteries, Optical Disc Drives and is in the leadership of a class-action lawsuit against Qualcomm for orchestrating a monopoly that led to purchasers paying significantly more for mobile devices. He serves as interim class counsel in a case against Tyson, Purdue and other chicken producers for conspiring to stabilize prices by reducing chicken production. Steve also filed a proposed class-action lawsuit against the world's largest manufacturers of Dynamic Random Access Memory (DRAM) for cornering the market and driving up DRAM prices. Most recently, Steve's antitrust case against the NCAA involving rights of college athletes to receive grant-in-aid scholarships saw a unanimous Supreme Court victory, in what media called a "major ruling" (ABC World News Tonight), that "will change the game" (ABC Good Morning America), and leaves the NCAA "more vulnerable than ever" (AP).

› Consumer Protection

Steve is a leader in protecting millions of consumers in large-scale cases that challenge unfair, deceptive and fraudulent practices. He leads a class action on behalf of owners of Ford vehicles equipped with MyFord Touch, an in-car entertainment system, who claim the system is flawed, putting drivers at risk of an accident while causing economic hardship. Steve recently filed a class-action lawsuit against Facebook for allowing personal data to be harvested for psychographic profiling.

RECENT SUCCESS

› Volkswagen Franchise Dealerships - \$1.6 billion

Lead counsel for VW franchise dealers suit, in which a settlement of \$1.6 billion has received final approval, and represents a substantial recovery for the class.

› Stericycle Sterisafe Contract Litigation - \$295 million

Hagens Berman's team, led by Steve Berman, filed a class-action lawsuit against Stericycle, a massive medical waste disposal company and achieved a sizable settlement for hundreds of thousands of its small business customers.

› NCAA Grant-in-Aid Scholarships - \$208 million

Served as co-lead counsel in the Alston case that successfully challenged the NCAA's limitations on the benefits college athletes can receive as part of a scholarship, culminating in a \$208 million settlement and injunction upheld by the Supreme Court. The recovery amounts to 100 percent of single damages in an exceptional result in an antitrust case. Steve also co-led the 2018 trial on the injunctive aspect of the case which resulted in a change of NCAA rules limiting the financial treatment of athletes.

The injunction, which was upheld in a unanimous Supreme Court decision in June 2021, prohibits the NCAA from enforcing any rules that fix or limit compensation provided to college athletes by schools or conferences in consideration for their athletic services other than cash compensation untethered to education-related expenses. According to the Ninth Circuit, the NCAA is "permanently restrained and enjoined from agreeing to fix or limit compensation or benefits related to education" that conferences

**PARTNER****Daniel J. Kurowski**

2020 "Rising Star" in Illinois, Super Lawyers

CONTACT

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Chicago, IL 60611

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(708) 628-4950 fax
dank@hbsslaw.com

YEARS OF EXPERIENCE

> 17

PRACTICE AREAS

- > Antitrust Litigation
- > Class Action
- > Consumer Rights
- > Pharmaceutical Fraud
- > Sports Litigation

CLERKSHIPS

- > Hon. Paul E. Plunkett,
Northern District of Illinois
- > Hon. Maria Valdez, Northern
District of Illinois

BAR ADMISSIONS

- > Illinois

COURT ADMISSIONS

- > U.S. Court of Appeals, Second
& Seventh Circuits
- > U.S. District Court, Northern,
Central & Southern Districts
of Illinois

EDUCATION

- > John Marshall Law School,
J.D., **cum laude**, 2005
- > Loyola University Chicago,
B.B.A., with Honors, 2002

CURRENT ROLE

- > Daniel J. Kurowski is a partner at Hagens Berman Sobol Shapiro LLP. Since 2006, Mr. Kurowski has focused his practice on protecting the interests of individuals and small companies prejudiced by large corporations and organizations. Based in Chicago, with cases located throughout the country, his current work with the firm covers a diverse variety of complex cases including:
 - > Representing individuals economically affected by COVID-19, including passengers denied refunds on flights cancelled by airlines as well as students/payors of tuition and fees in litigation against U.S. colleges and universities that closed and only offered online only courses due to the outbreak of COVID-19 but continued to charge full tuition and fees.
 - > Representing athletes in individual personal injury and class-action litigation arising out of concussions/traumatic brain injuries suffered during sporting activities, including in In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation (N.D. Ill.) and In Re NFL Players' Concussion Injury Litig. (E.D. Pa.).
 - > Representing consumers of electricity in certified class action alleging claims against nearly two dozen defendants for perpetuating an extensive fuel oil fraud, resulting in users of electricity in Puerto Rico being overcharged by more than \$1 billion dollars for electricity since 2002.
 - > Representing purchasers with antitrust, consumer fraud and/or unjust enrichment claims against sellers and manufacturers of retail products.

RECENT SUCCESS

- > In re Pre-Filled Propane Sales & Marketing Practices Litigation (W.D. Mo.) (\$35 million in settlements involving multiple defendants)
- > In re Bayer Combination Aspirin Sales & Marketing Practices Litigation (E.D.N.Y.) (\$15 million settlement)
- > In re Aurora Dairy Organic Milk Marketing & Sales Practices Litigation (E.D. Mo.) (\$7.5 million settlement)
- > Silk v. Bowling Green State University (Ohio Court of Claims) (\$712,500 individual settlement for student-athlete injured as a result of alleged failures to properly manage athlete's concussions)
- > In Re NFL Players' Concussion Injury Litigation (E.D. Pa.) (over \$6.1 million in approved claims for former NFL players)
- > In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation (N.D. Ill.) (creating a \$70 million 50-year medical monitoring program for former student-athletes to screen for and track head injuries, a \$5 million fund for concussion research, and implementing changes to NCAA concussion rules to protect current student-athletes)

RECOGNITION

- > Illinois Class Action/Mass Torts Rising Star, Super Lawyers Magazine, 2020
- > Illinois Rising Star, Super Lawyers Magazine, 2015 - 2020

PARTNER**Daniel J. Kurowski****EXPERIENCE**

- › Federal judicial law clerk, Hon. Paul E. Plunkett and Hon. Maria Valdez
- › Intern, U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity, the U.S. Attorney's Office for the Northern District of Illinois and with Hon. Ronald A. Guzman and his staff
- › During law school, Mr. Kurowski received multiple academic scholarships, served as a staff member and Lead Articles Editor for The John Marshall Law Review, and received an award for an appellate brief submitted in a national moot court competition

LEGAL ACTIVITIES

- › Seventh Circuit Council on eDiscovery and Digital Information
- › Member of American Association for Justice, Illinois State Bar Association, Chicago Bar Association
- › Investigator, Chicago Bar Association, Judicial Evaluation Committee

NOTABLE CASES

- › Aurora Dairy Corporation Organic Milk Marketing & Sales Practices Litigation (E.D. Mo.)
- › Bayer Corp. Combination Aspirin Product Marketing & Sales Practices Litigation (E.D.N.Y.)
- › Pre-Filled Propane Tank Marketing & Sales Practices Litigation (W.D. Mo.)
- › RC2 Corp. Toy Lead Paint Products Liability Litigation (N.D. Ill.)
- › In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation (N.D. Ill.)

PERSONAL INSIGHT

An avid cyclist, Dan enjoys staying active by competing in cyclocross races. Dan is also a board member for the DuPage Cycling Foundation, a 501(c)(3) non-profit corporation that raises fund for community non-profits through the hosting and promotion of cycling events.

**ASSOCIATE**

Whitney K. Siehl

Ms. Siehl works tirelessly and has achieved millions of dollars in settlements for her clients. Her passion and empathy is unmatched.

CONTACT

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YEARS OF EXPERIENCE

> 9

PRACTICE AREAS

- > Civil & Human Rights Litigation
- > Class Actions
- > Employment Litigation
- > Personal Injury Litigation
- > Sexual Abuse & Harassment

BAR ADMISSIONS

- > Illinois

COURT ADMISSIONS

- > United States District Court for the Northern District of Illinois
- > United States Court of Appeals for the Seventh Circuit
- > Supreme Court of the United States

CLERKSHIPS

- > Extern for Judge George C. Smith on the Southern District of Ohio

EDUCATION

- > The Ohio State University
Moritz College of Law, J.D.,
cum laude, 2013
- > Northwestern University, B.A.,
2009

CURRENT ROLE

- > Associate, Hagens Berman Sobol Shapiro LLP
- > Ms. Siehl's Plaintiffs' litigation practice focuses on complex class-action and individual cases in the areas of sexual abuse, sexual harassment, and sports law
- > Represents an actress and entertainment industry class against The Weinstein Company, Harvey Weinstein and related companies for racketeering and sexual assault
- > Represents students and alumnae of the University of Southern California in a class-action lawsuit against the university and Dr. George Tyndall for his alleged decades-long sexual abuse of patients

EXPERIENCE

- > Prior to joining Hagens Berman, Ms. Siehl was an associate in the Chicago office of a well-respected Plaintiffs' firm representing families and children in birth injury and birth trauma litigation nationwide.
- > She worked previously at another Chicago firm where she gained experience in all aspects of civil litigation with a focus on medical malpractice and professional liability matters.

RECENT SUCCESS

- > Ms. Siehl played a significant role in a \$4 million settlement for a child who suffered severe and permanent brain damage due to the medical providers' delay in recognizing a placental abruption.
- > Assisted in a \$3.5 million settlement for a child with a hypoxic-ischemic brain injury that resulted from too much Pitocin and a physician's failure to recognize fetal distress.

RECOGNITION

- > 2020, 2021 Rising Star, Super Lawyers Magazine for Class Actions
- > 2019 Rising Star, Super Lawyers Magazine for Plaintiffs' Personal Injury
- > 2017 Award for Excellence in Pro Bono Service from the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association
- > 2013 Member of National Champion Team for Sutherland Cup National Constitutional Law Moot Court Competition
- > CALI Award for Highest Grade in Legislation Clinic, Dispute Systems Design, and Comparative Legal Professions
- > Named a Public Service Fellow with Dean's Special Recognition

ASSOCIATE

Whitney K. Siehl

LEGAL ACTIVITIES

- › Women's Bar Association of Illinois
 - Officer Positions
 - Financial Secretary - 2020 - 2021
 - Recording Secretary - 2019 - 2020
 - Board of Directors - 2017 - Present
- › American Association for Justice Birth Trauma Litigation Group, Member
- › Illinois Trial Lawyers Association, Member

ACTIVITIES

- › Professional Board Member, PAWS Chicago – the Midwest's largest no-kill animal shelter; TEAM PAWS Marathon Team 2015-present

PRO BONO

- › In 2017, Ms. Siehl received an Award for Excellence in Pro Bono Service from the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association for her dedication to representing underserved individuals in employment discrimination matters.

PUBLICATIONS

- › **#Us Too: Gender Inequality in the Legal Profession**, American Association for Justice, Birth Trauma Litigation Group Newsletter, Lead Article, February 2018.

PERSONAL INSIGHT

Whitney is an avid golfer and chairs the annual golf outing for the Women's Bar Association of Illinois. She was previously a member of the Miami University cross country and track teams, where the cross country team was selected as NCAA Academic All-Americans. She serves as a pace group leader for Chicago Marathon training and with the 2021 Chicago Athlete Magazine Ambassador Team, helps inspire busy professionals to live healthier lives. To date, she has completed 10 marathons, a half Iron distance triathlon, and numerous short course triathlons including the 2019 Escape from Alcatraz Triathlon in San Francisco.

Exhibit B

Client: 000000010920-COVID-19 College Tuition
Matter: 00000000014-George Washington

Name	Date	Narrative	Hours	Rate	Amount
Kurowski, Daniel	4/30/2020	Began researching and drafting class action complaint.	5.30	800.00	\$4,240.00
Berman, Steve	5/1/2020	Work on complaint.	2.00	1350.00	\$2,700.00
Kurowski, Daniel	5/1/2020	Work finalizing class action complaint and related filings; correspondence regarding same.	3.00	800.00	\$2,400.00
Kurowski, Daniel	5/1/2020	Continued complaint research and drafting, correspondence regarding same.	2.50	800.00	\$2,000.00
Kurowski, Daniel	5/1/2020	Call with client Mark Shaffer regarding complaint allegations.	0.40	800.00	\$320.00
Meyers, Megan	5/1/2020	Proofread complaint; Draft civil cover sheet and summons; Draft pro hac vice motions and declarations in support of same for S. Berman, D. Kurowski, and W. Siehl.	3.20	400.00	\$1,280.00
Siehl, Whitney	5/1/2020	Analyze correspondence regarding draft complaint; Analyze complaint edits.	0.50	550.00	\$275.00
Berman, Steve	5/4/2020	Work on complaint.	1.00	1350.00	\$1,350.00
Kurowski, Daniel	5/4/2020	Correspondence with local counsel regarding judicial assignment.	0.10	800.00	\$80.00
Kurowski, Daniel	5/5/2020	Correspondence with Steve Berman, Andrew Levetown, client regarding press contact outreach.	0.10	800.00	\$80.00
Siehl, Whitney	5/6/2020	Review and respond to correspondence from potential client.	0.20	550.00	\$110.00
Andersen, Noreen	5/13/2020	Spoke to father about child's experience and tuition.	0.50	175.00	\$87.50
Kurowski, Daniel	5/13/2020	Correspondence with Andrew Levetown regarding service of summons.	0.10	800.00	\$80.00
Meyers, Megan	5/13/2020	Create case contact information sheet; Conference with D. Kurowski and W. Siehl re. service of summons and complaint.	0.30	400.00	\$120.00

Siehl, Whitney	5/13/2020	Multiple correspondences with potential client; Phone conference with potential client; Analyze correspondence regarding wavier of service.	1.10	550.00	\$605.00
Meyers, Megan	5/15/2020	Pull all pleadings from docket and save same to case file.	0.10	400.00	\$40.00
Siehl, Whitney	5/22/2020	Correspondence with potential class rep; Analyze documents sent by potential class rep.	0.50	550.00	\$275.00
Siehl, Whitney	5/23/2020	Analyze correspondence from potential class rep.	0.10	550.00	\$55.00
Siehl, Whitney	5/26/2020	Analyze correspondence to and from potential client.	0.10	550.00	\$55.00
Meyers, Megan	5/27/2020	Review case management order and docket deadlines pursuant to same.	0.30	400.00	\$120.00
Siehl, Whitney	5/27/2020	Analyze correspondence from potential client.	0.10	550.00	\$55.00
Kurowski, Daniel	6/3/2020	Correspondence with potential GWU representative Marc Lessin.	0.10	800.00	\$80.00
Siehl, Whitney	6/3/2020	Analyze correspondence from potential clients.	0.20	550.00	\$110.00
Kurowski, Daniel	6/4/2020	Call with defense counsel regarding plaintiff organization and complaint consolidation.	0.30	800.00	\$240.00
Siehl, Whitney	6/4/2020	Analyze memo from ND regarding potential clients.	0.20	550.00	\$110.00
Siehl, Whitney	6/4/2020	Conduct legal research regarding implied contracts and potential causes of action; Begin drafting memo regarding same.	0.30	550.00	\$165.00
Siehl, Whitney	6/9/2020	Continue conducting legal research regarding potential causes of action and claims.	0.20	550.00	\$110.00
Siehl, Whitney	6/12/2020	Review and respond to correspondence from potential client.	0.10	550.00	\$55.00
Meyers, Megan	6/16/2020	Update case contact information sheet.	0.30	400.00	\$120.00
Kurowski, Daniel	6/17/2020	Correspondence with Michelle Drake, Alan Schoenfeld regarding consolidation and amended filing timing.	0.20	800.00	\$160.00

Meyers, Megan	6/17/2020	Request CM/ECF access for D. Kurowski and W. Siehl.	0.10	400.00	\$40.00
Siehl, Whitney	6/23/2020	Team meeting to discuss case strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	6/24/2020	Work researching and drafting joint motion for consolidation; emailed draft to Michelle Drake.	1.20	800.00	\$960.00
Kurowski, Daniel	6/25/2020	Work finalizing joint motion to consolidate, emailed to defense counsel.	0.30	800.00	\$240.00
Meyers, Megan	6/25/2020	Draft appearances for S. Berman, D. Kurowski, and W. Siehl; Prepare and electronically file same.	0.30	400.00	\$120.00
Kurowski, Daniel	6/26/2020	Work finalizing Joint Unopposed Motion to Consolidate; drafted declaration in support of same.	1.00	800.00	\$800.00
Meyers, Megan	6/26/2020	Telephone conference with PACER re. D. Kurowski and W. Siehl's CM/ECF login credentials; Telephone calls to different numbers at the D.D.C.'s clerk's office re. same; Draft email correspondence to CM/ECF Help Desk re. same; Prepare and electronically file joint motion to consolidate related cases and set consolidated complaint deadlines.	1.10	400.00	\$440.00
Meyers, Megan	7/1/2020	Review and docket court order regarding deadlines to file a consolidated complaint.	0.20	400.00	\$80.00
Siehl, Whitney	7/1/2020	Analyze order granting motion to consolidate cases.	0.10	550.00	\$55.00
Siehl, Whitney	7/2/2020	Video conference with DJK regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	7/5/2020	Review and respond to correspondence from potential class representative.	0.20	550.00	\$110.00
Kurowski, Daniel	7/6/2020	Call with Glen Abramson regarding GWU strategy.	0.10	800.00	\$80.00
Siehl, Whitney	7/6/2020	Meeting with SWB, DJK, and EB to discuss case strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	7/8/2020	Call with Michelle Drake, Glen Abramson and Whitney Siehl regarding amended complaint strategy.	0.40	800.00	\$320.00

Siehl, Whitney	7/8/2020	Conduct legal research regarding contractual relationship of colleges and students and other potential causes of action for amended complaint.	0.30	550.00	\$165.00
Siehl, Whitney	7/8/2020	Additional correspondence with potential client.	0.10	550.00	\$55.00
Siehl, Whitney	7/8/2020	Review and respond to correspondence from potential client.	0.10	550.00	\$55.00
Siehl, Whitney	7/8/2020	Phone conference with potential client.	0.10	550.00	\$55.00
Siehl, Whitney	7/8/2020	Phone conference with co-counsel regarding case strategy, research, and amended complaint strategy.	0.40	550.00	\$220.00
Kurowski, Daniel	7/9/2020	Correspondence with potential class representative regarding interview scheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	7/13/2020	Work reviewing and revising draft consolidated complaint.	0.90	800.00	\$720.00
Kurowski, Daniel	7/13/2020	Prepare and attend call with class representative Marc Lessin.	0.40	800.00	\$320.00
Siehl, Whitney	7/13/2020	Analyze correspondence regarding consolidated amended complaint draft.	0.10	550.00	\$55.00
Siehl, Whitney	7/13/2020	Attend meeting with SWB and DJK regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	7/14/2020	Conduct legal research regarding implied contract counts to supplement amended complaint.	0.90	550.00	\$495.00
Siehl, Whitney	7/14/2020	Supplement and finalize amended complaint.	1.20	550.00	\$660.00
Siehl, Whitney	7/14/2020	Correspondence to DJK regarding amended complaint.	0.10	550.00	\$55.00
Siehl, Whitney	7/14/2020	Correspondence to co-counsel regarding amended complaint.	0.10	550.00	\$55.00
Berman, Steve	7/15/2020	Review FAC.	1.00	1350.00	\$1,350.00
Kurowski, Daniel	7/15/2020	Call with Andrew Levetown regarding ECF questions for filing of consolidated complaint.	0.10	800.00	\$80.00

Kurowski, Daniel	7/15/2020	Work regarding finalization of consolidated class action complaint for filing today.	1.70	800.00	\$1,360.00
Siehl, Whitney	7/15/2020	Analyze amended consolidated complaint.	0.40	550.00	\$220.00
Siehl, Whitney	7/15/2020	Analyze multiple correspondences from co-counsel regarding final edits to amended consolidated complaint.	0.20	550.00	\$110.00
Siehl, Whitney	7/16/2020	Analyze correspondence from potential class member.	0.10	550.00	\$55.00
Siehl, Whitney	7/16/2020	Analyze correspondence from potential class representative.	0.10	550.00	\$55.00
Kurowski, Daniel	7/28/2020	Correspondence with Glen Abramson, Michelle Drake regarding GWU tuition discount announcement.	0.10	800.00	\$80.00
Meyers, Megan	7/28/2020	Update case caption to reflect consolidated caption; Update case contact information sheet.	0.30	400.00	\$120.00
Siehl, Whitney	7/29/2020	Phone conference with ND regarding potential clients.	0.10	550.00	\$55.00
Siehl, Whitney	7/29/2020	Analyze additional correspondence from potential client regarding GW tuition policies for Fall 2020.	0.10	550.00	\$55.00
Siehl, Whitney	7/29/2020	Phone conference with potential client.	0.40	550.00	\$220.00
Siehl, Whitney	7/29/2020	Follow up correspondence with potential client.	0.10	550.00	\$55.00
Siehl, Whitney	7/29/2020	Phone conference with potential client.	0.10	550.00	\$55.00
Siehl, Whitney	8/1/2020	Correspondence to potential law student class representative.	0.10	550.00	\$55.00
Siehl, Whitney	8/1/2020	Review and respond to correspondence from potential class representative.	0.20	550.00	\$110.00
Meyers, Megan	8/3/2020	Conference with D. Kurowski re. timing of Rule 26 conference and filing Joint Statement.	0.30	400.00	\$120.00
Meyers, Megan	8/7/2020	Review local rules and judge's procedures re. Rule 16 & 26.	0.30	400.00	\$120.00

Meyers, Megan	8/12/2020	Docket briefing schedule re. Defendant's motion to dismiss.	0.20	400.00	\$80.00
Kurowski, Daniel	8/14/2020	Correspondence with Glen Abramson regarding MTD strategy call setting.	0.10	800.00	\$80.00
Byszewski, Elaine	8/17/2020	Review/analyze case status and strategy, including communications with D. Kurowski re same.	0.50	1100.00	\$550.00
Kurowski, Daniel	8/17/2020	Call with Glen Abramson, Whitney Siehl regarding MTD opposition assignments.	0.20	800.00	\$160.00
Siehl, Whitney	8/17/2020	Analyze successful briefing in Ball State matter from co-counsel to inform motion to dismiss strategy.	0.20	550.00	\$110.00
Siehl, Whitney	8/17/2020	Phone conference with co-counsel regarding motion to dismiss strategy.	0.30	550.00	\$165.00
Siehl, Whitney	8/17/2020	Meeting regarding strategy with SWB and DJK.	0.10	550.00	\$55.00
Siehl, Whitney	8/18/2020	Analyze multiple correspondences regarding motion to dismiss strategy.	0.10	550.00	\$55.00
Byszewski, Elaine	8/19/2020	Review/analyze docket, standing order, operative complaint, motion to dismiss, and exhibits in support, including various communications with J. Conte re same.	2.00	1100.00	\$2,200.00
Conte, Jennifer	8/19/2020	Fact Research, pulled requested documents, created shell, emailed with ETB re same.	1.00	400.00	\$400.00
Meyers, Megan	8/19/2020	Draft motion for extension of time to file response/reply to Defendant's motion to dismiss and proposed order; Finalize, prepare, and electronically file same.	1.50	400.00	\$600.00
Siehl, Whitney	8/19/2020	Analyze numerous correspondences regarding extension to file opposition to motion to dismiss.	0.10	550.00	\$55.00
Byszewski, Elaine	8/20/2020	Draft/revise opposition to motion to dismiss, including research re same.	8.00	1100.00	\$8,800.00
Meyers, Megan	8/20/2020	Review court order and revise docket accordingly.	0.20	400.00	\$80.00
Byszewski, Elaine	8/21/2020	Draft/revise opposition to motion to dismiss, including research re same.	5.00	1100.00	\$5,500.00

Siehl, Whitney	8/22/2020	Conduct internet research regarding potential expert witnesses based on interviews regarding value of colleges education versus online education; Correspondence to DJK and SWB regarding same.	0.10	550.00	\$55.00
Byszewski, Elaine	8/24/2020	Draft/revise opposition to motion to dismiss, including research re same.	7.50	1100.00	\$8,250.00
Conte, Jennifer	8/24/2020	Pulled and emailed documents, calendared events, e/w ETB re plan for MTD opp.	1.00	400.00	\$400.00
Siehl, Whitney	8/24/2020	Analyze numerous correspondences regarding Rule 26 conference.	0.10	550.00	\$55.00
Byszewski, Elaine	8/25/2020	Draft/revise opposition to motion to dismiss, including research re same.	9.00	1100.00	\$9,900.00
Meyers, Megan	8/25/2020	Update case tracker re. deadline for initial disclosures.	0.10	400.00	\$40.00
Byszewski, Elaine	8/26/2020	Draft/revise opposition to motion to dismiss, including research re same and review of pleadings and exhibits.	12.00	1100.00	\$13,200.00
Conte, Jennifer	8/26/2020	Various emails with ETB re plan for MTD opp. Pulled and sent requested documents. Performed ETB requested fact research, emailed with ETB re same.	1.00	400.00	\$400.00
Kurowski, Daniel	8/26/2020	Correspondence with co-counsel regarding timing of MTD opposition.	0.10	800.00	\$80.00
Byszewski, Elaine	8/27/2020	Draft/revise opposition to motion to dismiss, including review of cite checking, proof, and communications re same.	6.50	1100.00	\$7,150.00
Conte, Jennifer	8/27/2020	Formatted, legal cite checked, fact cite checked, entered redlines, fact research, emailed with ETB re same.	6.50	400.00	\$2,600.00
Kurowski, Daniel	8/28/2020	Correspondence with co-counsel regarding draft MTD opposition.	0.10	800.00	\$80.00
Byszewski, Elaine	8/31/2020	Review/analyze revisions to opposition to motion to dismiss, including communications re same.	2.00	1100.00	\$2,200.00
Kurowski, Daniel	8/31/2020	Correspondence with defense counsel regarding scheduling Rule 26(f) meet and confer.	0.10	800.00	\$80.00
Kurowski, Daniel	9/1/2020	Work drafting LCvR 16.3 joint statement on discovery planning issues.	1.00	800.00	\$800.00

Kurowski, Daniel	9/1/2020	Conference call with Berger Montague co-counsel regarding MTD draft and strategy.	0.30	800.00	\$240.00
Siehl, Whitney	9/1/2020	Analyze correspondence regarding motion to dismiss strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	9/2/2020	Work and correspondence regarding joint scheduling report.	0.90	800.00	\$720.00
Kurowski, Daniel	9/2/2020	Work regarding finalization of MTD opposition.	4.20	800.00	\$3,360.00
Meyers, Megan	9/2/2020	Proofread opposition to Defendants' motion to dismiss; Prepare and electronically file same.	5.60	400.00	\$2,240.00
Siehl, Whitney	9/2/2020	Analyze multiple correspondences regarding telephonic Rule 26 meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	9/2/2020	Analyze correspondence regarding draft opposition to motion to dismiss.	0.40	550.00	\$220.00
Conte, Jennifer	9/3/2020	Reviewed docket, pulled and emailed documents to ETB.	0.50	400.00	\$200.00
Kurowski, Daniel	9/3/2020	Follow up correspondence with co-counsel regarding scheduling report.	0.10	800.00	\$80.00
Kurowski, Daniel	9/3/2020	Prepare for Rule 26 scheduling meet and confer with defense counsel.	0.40	800.00	\$320.00
Kurowski, Daniel	9/3/2020	Correspondence with Megan O'Connell regarding docketing updates for scheduling issues.	0.10	800.00	\$80.00
Kurowski, Daniel	9/3/2020	Attended Rule 26 meet and confer on scheduling with Alan Schoenfeld, correspondence to co-counsel regarding same.	0.20	800.00	\$160.00
Meyers, Megan	9/3/2020	Conference with D. Kurowski re. deadline to file joint meet and confer statement and initial disclosures; Update case track re. same.	0.20	400.00	\$80.00
Kurowski, Daniel	9/8/2020	Correspondence with co-counsel and opposing counsel regarding joint scheduling report.	0.20	800.00	\$160.00
Siehl, Whitney	9/8/2020	Analyze correspondences from co-counsel regarding joint scheduling report deadlines and motion strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	9/10/2020	Forwarded defense counsel edits to joint scheduling report to co-counsel.	0.10	800.00	\$80.00

Kurowski, Daniel	9/11/2020	Work revising draft motion for extension of class certification schedule.	0.40	800.00	\$320.00
Kurowski, Daniel	9/11/2020	Continued work on joint scheduling report.	0.50	800.00	\$400.00
Kurowski, Daniel	9/14/2020	Correspondence with Andrew Levetown regarding additional client needs.	0.10	800.00	\$80.00
Kurowski, Daniel	9/14/2020	Correspondence with Alan Schoenfeld regarding joint statement questions.	0.10	800.00	\$80.00
Siehl, Whitney	9/14/2020	Analyze correspondences from co-counsel regarding motion to dismiss strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	9/17/2020	Follow-up correspondence with defense counsel regarding status of Defendants' proposed scheduling order.	0.10	800.00	\$80.00
Kurowski, Daniel	9/17/2020	Work regarding finalization of Joint Scheduling Report, drafted Plaintiffs' proposed order.	1.10	800.00	\$880.00
Meyers, Megan	9/17/2020	Proofread joint scheduling plan; Prepare and electronically file same.	0.80	400.00	\$320.00
Siehl, Whitney	9/17/2020	Analyze correspondence regarding proposed orders for scheduling report.	0.10	550.00	\$55.00
Siehl, Whitney	9/17/2020	Analyze correspondence from co-counsel regarding potential clients.	0.10	550.00	\$55.00
Kurowski, Daniel	9/22/2020	Correspondence with Nancy Duenez regarding class plaintiff additions to complaint.	0.10	800.00	\$80.00
Siehl, Whitney	9/29/2020	Analyze order granting motion for extension of time to move for class certification.	0.10	550.00	\$55.00
Meyers, Megan	9/30/2020	Review court order granting extension to file motion for class certification and docket same.	0.20	400.00	\$80.00
Kurowski, Daniel	10/1/2020	Work and correspondence executing Joint Prosecution Agreement.	0.20	800.00	\$160.00
Kurowski, Daniel	10/5/2020	Reviewed email from Alan Schoenfeld regarding service of RFPs, call with Glen Abramson to discuss responding to same.	0.20	800.00	\$160.00
Siehl, Whitney	10/5/2020	Analyze correspondence from co-counsel regarding response to defense counsel regarding discovery extension.	0.10	550.00	\$55.00

Siehl, Whitney	10/5/2020	Analyze correspondence from Alan Schoenfeld regarding requests for production.	0.10	550.00	\$55.00
Kurowski, Daniel	10/6/2020	Correspondence with Glen Abramson regarding notice of supplemental authority filed by defense counsel.	0.20	800.00	\$160.00
Byszewski, Elaine	10/7/2020	Review/revise response to supplemental authority, including communications with D. Kurowski.	0.50	1100.00	\$550.00
Kurowski, Daniel	10/7/2020	Additional correspondence with co and defense counsel regarding RFP extension.	0.20	800.00	\$160.00
Kurowski, Daniel	10/7/2020	Call with Alan Schoenfeld regarding RFP response timing.	0.10	800.00	\$80.00
Kurowski, Daniel	10/7/2020	Work researching and drafting response to GW's notice of supplemental authority.	2.90	800.00	\$2,320.00
Siehl, Whitney	10/7/2020	Analyze correspondence from Daniel Kurowski reporting on meet and confer with defense counsel regarding a discovery extension.	0.10	550.00	\$55.00
Conte, Jennifer	10/8/2020	Downloaded and saved documents, emailed to ETB.	0.30	400.00	\$120.00
Kurowski, Daniel	10/8/2020	Correspondence with Glen Abramson regarding response to motion to stay staffing.	0.10	800.00	\$80.00
Kurowski, Daniel	10/8/2020	Correspondence with Megan O'Connell regarding RFPs, responsive deadlines.	0.10	800.00	\$80.00
Kurowski, Daniel	10/8/2020	Began review and analysis of GWU's motion to stay discovery.	0.30	800.00	\$240.00
Kurowski, Daniel	10/8/2020	Work finalizing and filing response to GW's notice of supplemental authority.	0.50	800.00	\$400.00
Meyers, Megan	10/8/2020	Docket deadline for defendant to respond to first request for production of documents; Proofread response to defendant's notice of supplemental authority; Finalize and electronically file same.	0.80	400.00	\$320.00
Siehl, Whitney	10/8/2020	Analyze defendant's motion to stay discovery and supporting documentation.	0.40	550.00	\$220.00
Siehl, Whitney	10/8/2020	Analyze draft response to notice of supplemental authority.	0.10	550.00	\$55.00
Siehl, Whitney	10/8/2020	Analyze correspondences from Dan Kurowski and defense counsel Alan Schoenfeld regarding discovery extension.	0.10	550.00	\$55.00

Siehl, Whitney	10/8/2020	Analyze correspondence from Dan Kurowski and co-counsel Glen Abramson regarding defendant's request for discovery extension.	0.10	550.00	\$55.00
Meyers, Megan	10/14/2020	Update docket re. delete deadlines for briefing motion to stay discovery in light of court ruling discovery is stayed.	0.20	400.00	\$80.00
Siehl, Whitney	10/20/2020	Correspondence to Nancy Duenez regarding potential client.	0.10	550.00	\$55.00
Siehl, Whitney	10/22/2020	Correspondence to Nancy Duenez regarding potential client.	0.10	550.00	\$55.00
Siehl, Whitney	10/26/2020	Correspondence to client regarding case status.	0.10	550.00	\$55.00
Siehl, Whitney	10/28/2020	Phone conference with client regarding case status.	0.10	550.00	\$55.00
Siehl, Whitney	10/28/2020	Analyze case docket in preparation for phone conference with client.	0.20	550.00	\$110.00
Siehl, Whitney	10/28/2020	Review and respond to correspondence from client.	0.10	550.00	\$55.00
Kurowski, Daniel	11/4/2020	Drafted notice of supplemental authority.	0.50	800.00	\$400.00
Huerta, Nicolle	11/5/2020	Finalize and file motion for leave to file notice of supplemental authority, and research regarding same.	0.70	400.00	\$280.00
Kurowski, Daniel	11/5/2020	Drafted motion for leave to file notice of supplemental authority and proposed order; internal correspondence regarding finalization and filing of same.	1.00	800.00	\$800.00
Kurowski, Daniel	11/17/2020	Reviewed and organized case related correspondence.	0.30	800.00	\$240.00
Siehl, Whitney	11/17/2020	Analyze order granting leave to file supplemental authority.	0.10	550.00	\$55.00
Kurowski, Daniel	11/30/2020	Correspondence with Ariana Keiner regarding notice of supplemental authority.	0.10	800.00	\$80.00
Siehl, Whitney	11/30/2020	Analyze inquiry from potential client.	0.10	550.00	\$55.00
Kurowski, Daniel	12/1/2020	Correspondence with Alan Schoenfeld regarding supplemental filing.	0.10	800.00	\$80.00

Kurowski, Daniel	12/3/2020	Work finalizing second notice of supplemental authority.	0.30	800.00	\$240.00
Meyers, Megan	12/3/2020	Finalize motion for leave to file supplemental authority and file same.	0.20	400.00	\$80.00
Kurowski, Daniel	12/4/2020	Correspondence with Marc Lessin regarding status of case.	0.10	800.00	\$80.00
Kurowski, Daniel	12/15/2020	Correspondence with co-counsel regarding request for leave to submit supplemental authority request.	0.10	800.00	\$80.00
Conte, Jennifer	12/16/2020	Worked on response to supplemental authority, emailed with ETB re same.	0.50	400.00	\$200.00
Kurowski, Daniel	12/16/2020	Correspondence with Alan Schoenfeld regarding Defendant's supplemental authority request.	0.10	800.00	\$80.00
Siehl, Whitney	12/16/2020	Analyze motion for leave to file notice of supplemental authority.	0.10	550.00	\$55.00
Byszewski, Elaine	12/17/2020	Draft/revise response to notice of supplemental authority, including various communications with J. Conte and D. Kurowski.	3.00	1100.00	\$3,300.00
Conte, Jennifer	12/17/2020	Worked on response to supplemental authority, emailed with ETB re same.	1.00	400.00	\$400.00
Kurowski, Daniel	12/17/2020	Correspondence with Elaine Byszewski regarding defendant's notice of supplemental authority.	0.10	800.00	\$80.00
Byszewski, Elaine	12/18/2020	Draft/revise response to notice of supplemental authority to include additional recent authority, including communications with D. Kurowski.	0.50	1100.00	\$550.00
Kurowski, Daniel	12/18/2020	Correspondence with Glen Abramson regarding response to notice of supplemental authority.	0.10	800.00	\$80.00
Kurowski, Daniel	12/22/2020	Work reviewing updated response to notice of supplemental authorities and work regarding filing of same.	0.30	800.00	\$240.00
Meyers, Megan	12/22/2020	Edit response to supplemental authority; Finalize and electronically file same.	0.50	400.00	\$200.00
Kurowski, Daniel	1/12/2021	Correspondence with Glen Abramson regarding supplemental authorities, discovery hosting, and class certification timing.	0.10	800.00	\$80.00
Kurowski, Daniel	1/13/2021	Work and correspondence regarding plaintiff's third notice of supplemental authority.	0.30	800.00	\$240.00

Meyers, Megan	1/13/2021	Proofread motion to file third notice of supplemental authority; Finalize and file same.	0.90	400.00	\$360.00
Meyers, Megan	1/14/2021	Update case contact information sheet.	0.10	400.00	\$40.00
Kurowski, Daniel	1/22/2021	Prepare for upcoming hearing on defendants motion to dismiss.	2.10	800.00	\$1,680.00
Siehl, Whitney	1/22/2021	Analyze correspondence from Dan Kurowski and Alan Schoenfeld regarding motion to dismiss hearing.	0.10	550.00	\$55.00
Kurowski, Daniel	1/24/2021	Call with Glen Abramson regarding MTD hearing strategy.	0.50	800.00	\$400.00
Kurowski, Daniel	1/24/2021	Correspondence with Glen Abramson regarding MTD strategy.	0.10	800.00	\$80.00
Meyers, Megan	1/25/2021	Delete hearing for motion to dismiss.	0.10	400.00	\$40.00
Meyers, Megan	1/27/2021	Conference with D. Kurowski and W. Siehl re. status of case.	0.10	400.00	\$40.00
Siehl, Whitney	1/27/2021	Video conference with Dan Kurowski, Megan O'Connell, and Nancy Duenez regarding case strategy and next steps.	0.10	550.00	\$55.00
Kurowski, Daniel	1/28/2021	Correspondence with Glen Abramson, Alan Schoenfeld regarding request for supplemental authority position.	0.10	800.00	\$80.00
Kurowski, Daniel	2/2/2021	Drafted email to Alan Schoenfeld requesting availability to meet and confer on upcoming class certification deadline.	0.10	800.00	\$80.00
Kurowski, Daniel	2/2/2021	Correspondence with Glen Abramson regarding class deadline extension need.	0.10	800.00	\$80.00
Siehl, Whitney	2/2/2021	Analyze correspondence from Dan Kurowski and Glen Abramson regarding class certification deadline.	0.10	550.00	\$55.00
Kurowski, Daniel	2/3/2021	Correspondence with Glen Abramson regarding class certification timing correspondence with defense counsel.	0.10	800.00	\$80.00
Kurowski, Daniel	2/3/2021	Correspondence with Glen Abramson regarding class certification motion timing.	0.10	800.00	\$80.00
Siehl, Whitney	2/3/2021	Analyze additional correspondence from Dan Kurowski and Glen Abramson regarding class certification deadline.	0.10	550.00	\$55.00

Kurowski, Daniel	2/16/2021	Revised joint motion to strike class certification deadline following comments from Glen Abramson; forwarded draft joint motion to Alan Schoenfeld.	0.20	800.00	\$160.00
Kurowski, Daniel	2/16/2021	Drafted proposed joint motion to strike class certification deadline.	0.70	800.00	\$560.00
Siehl, Whitney	2/16/2021	Analyze correspondences from Dan Kurowski and Glen Abramson regarding joint motion resetting class certification deadline.	0.10	550.00	\$55.00
Siehl, Whitney	2/17/2021	Analyze correspondence from Glen Abramson and Dan Kurowski regarding demand letter strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	2/18/2021	Reviewed and commented on draft mediation letter and term sheet circulated by Glen Abramson.	0.50	800.00	\$400.00
Siehl, Whitney	2/18/2021	Analyze correspondence from Dan Kurowski and Adam Schoenfeld regarding joint motion to strike class certification deadline.	0.10	550.00	\$55.00
Siehl, Whitney	2/18/2021	Analyze correspondence from Dan Kurowski and Glen Abramson regarding settlement demand.	0.10	550.00	\$55.00
Kurowski, Daniel	2/22/2021	Correspondence with Megan O'Connell regarding finalization of unopposed motion to strike class certification.	0.10	800.00	\$80.00
Kurowski, Daniel	2/22/2021	Correspondence with Glen Abramson and Alan Schoenfeld regarding unopposed motion to strike current class certification deadline.	0.10	800.00	\$80.00
Meyers, Megan	2/22/2021	Proofread joint motion to strike class certification deadline; Draft proposed order re. same; Finalize and file same.	0.70	400.00	\$280.00
Siehl, Whitney	2/22/2021	Analyze correspondence from Glen Abramson and Dan Kurowski regarding joint motion to strike class certification deadlines.	0.10	550.00	\$55.00
Kurowski, Daniel	3/3/2021	Correspondence with Glen Abramson regarding status of unopposed motion to strike class deadline.	0.10	800.00	\$80.00
Kurowski, Daniel	3/18/2021	Reviewed court order striking class certification deadline, correspondence with Glen Abramson regarding same.	0.10	800.00	\$80.00
Meyers, Megan	3/18/2021	Review minute order and remove class certification briefing deadlines from calendar pursuant to same; Update Wiki in Teams re. same.	0.20	400.00	\$80.00
Kurowski, Daniel	3/22/2021	Correspondence with Alan Schoenfeld regarding notice of supplemental authority request.	0.10	800.00	\$80.00
Kurowski, Daniel	3/23/2021	Correspondence with Alan Schoenfeld regarding notice of supplemental authority.	0.10	800.00	\$80.00

Siehl, Whitney	3/23/2021	Analyze correspondence from Dan Kurowski and Glen Abramson regarding notice of supplemental authority.	0.10	550.00	\$55.00
Kurowski, Daniel	3/24/2021	Drafted emails to client informing them of MTD ruling.	0.30	800.00	\$240.00
Kurowski, Daniel	3/24/2021	Analyzed ruling on MTD, correspondence with co-counsel regarding same and identification of potential judicial conflict.	1.30	800.00	\$1,040.00
Kurowski, Daniel	3/24/2021	Work and correspondence regarding finalization of notice of supplemental authority.	0.30	800.00	\$240.00
Meyers, Megan	3/24/2021	Review rules re. appeal final decision deadlines and docket same.	0.30	400.00	\$120.00
Meyers, Megan	3/24/2021	Review and finalize motion for leave to file fourth notice of supplemental authority, fourth notice of supplemental authority, and proposed order; Prepare exhibits to same; File same.	0.50	400.00	\$200.00
Siehl, Whitney	3/24/2021	Analyze correspondence from client.	0.10	550.00	\$55.00
Siehl, Whitney	3/24/2021	Video conference with Dan Kurowski and Megan O'Connell regarding case status and next steps.	0.10	550.00	\$55.00
Siehl, Whitney	3/24/2021	Numerous correspondences with Dan Kurowski, Glen Abramson, and Michelle Drake regarding motion to dismiss ruling and strategy.	0.50	550.00	\$275.00
Siehl, Whitney	3/24/2021	Detailed analysis of motion to dismiss ruling.	0.50	550.00	\$275.00
Siehl, Whitney	3/24/2021	Analyze notice of supplemental authority.	0.10	550.00	\$55.00
Siehl, Whitney	4/2/2021	Analyze correspondence from Dan Kurowski and co-counsel regarding next steps strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	4/6/2021	Continued review of MTD order to evaluate/brainstorm potential avenues for appeal in advance of call with co-counsel tomorrow.	1.80	800.00	\$1,440.00
Green, Kevin	4/7/2021	TC w/ Dan Kurowski on appealing MTD order or post-judgment motion on disqualification, review DC record for same, and emails on same.	2.50	875.00	\$2,187.50
Kurowski, Daniel	4/7/2021	Research into conflict and disclosure requirements.	2.50	800.00	\$2,000.00
Kurowski, Daniel	4/7/2021	Call with Kevin Green regarding potential appeal considerations.	0.60	800.00	\$480.00

Kurowski, Daniel	4/7/2021	Correspondence with Kevin Green regarding MTD appeal.	0.10	800.00	\$80.00
Kurowski, Daniel	4/7/2021	Additional correspondence with Steve Berman regarding GWU allegations.	0.40	800.00	\$320.00
Kurowski, Daniel	4/7/2021	Drafted appeal for/against analysis to Steve Berman.	1.10	800.00	\$880.00
Kurowski, Daniel	4/7/2021	Continued review of Judge Leon's MTD ruling for evaluation of potential next steps.	1.50	800.00	\$1,200.00
Kurowski, Daniel	4/7/2021	Call with Glen Abramson and Ariana Kiener regarding potential appellate considerations.	0.40	800.00	\$320.00
Siehl, Whitney	4/7/2021	Analyze numerous detailed correspondences from Dan Kurowski and Steve Berman regarding appeals strategy.	0.40	550.00	\$220.00
Green, Kevin	4/8/2021	Emails w/ Dan Kurowski on possible motion to disqualify.	2.00	875.00	\$1,750.00
Kurowski, Daniel	4/8/2021	Continued legal research into conflict issues.	6.30	800.00	\$5,040.00
Kurowski, Daniel	4/12/2021	Continued appellate analysis including consideration of specific potential appeal grounds.	1.40	800.00	\$1,120.00
Kurowski, Daniel	4/12/2021	Correspondence with Glen Abramson regarding appellate strategy.	0.10	800.00	\$80.00
Siehl, Whitney	4/12/2021	Analyze correspondence from Glen Abramson and Dan Kurowski regarding appeal strategy.	0.10	550.00	\$55.00
Green, Kevin	4/15/2021	Emails w/ Dan Kurowski on the appeal.	0.50	875.00	\$437.50
Kurowski, Daniel	4/15/2021	Correspondence with Kevin Green regarding appeal timing.	0.10	800.00	\$80.00
Kurowski, Daniel	4/16/2021	Continued work on researching and analyzing potential appellate grounds.	4.10	800.00	\$3,280.00
Kurowski, Daniel	4/21/2021	Correspondence with co-counsel regarding notice of appeal draft.	0.10	800.00	\$80.00
Kurowski, Daniel	4/21/2021	Correspondence with clients providing update as to forthcoming notice of appeal.	0.10	800.00	\$80.00

Green, Kevin	4/22/2021	Emails w/ Dan Kurowski on appeal and review local DC rules and DC Circuit rules for preliminary steps.	1.00	875.00	\$875.00
Meyers, Megan	4/22/2021	Review local rules re. certain forms or documents re. notice of appeal.	0.40	400.00	\$160.00
Siehl, Whitney	4/22/2021	Analyze correspondence from Glen Abramson and Kevin Green regarding notice of appeal strategy.	0.10	550.00	\$55.00
Green, Kevin	4/23/2021	Emails w/ team on filing notice of appeal.	0.50	875.00	\$437.50
Kurowski, Daniel	4/23/2021	Call with Megan Meyers regarding need for refiling of notice of appeal.	0.10	800.00	\$80.00
Kurowski, Daniel	4/23/2021	Circulated finalized notice of appeal for filing.	0.10	800.00	\$80.00
Meyers, Megan	4/23/2021	File notice of appeal with the district court.	0.30	400.00	\$120.00
Kurowski, Daniel	4/28/2021	Correspondence with Megan Meyers regarding appellate docketing fees.	0.10	800.00	\$80.00
Meyers, Megan	4/28/2021	Telephone conference with finance department at the court re. duplicate payment re. notice of appeal and filing in both the federal and DC circuits; Draft email correspondence to Dan Kurowski re. same; Work on requesting a refund regarding same.	0.50	400.00	\$200.00
Green, Kevin	4/30/2021	Emails on the appeal and DC Circuit's docketing order requiring initial filings and setting dates.	1.30	875.00	\$1,137.50
Kurowski, Daniel	4/30/2021	Review of appellate court order regarding initial scheduling, docketed same.	0.20	800.00	\$160.00
Kurowski, Daniel	4/30/2021	Correspondence with Steve Berman, Kevin Green regarding appellate brief drafting.	0.10	800.00	\$80.00
Meyers, Megan	4/30/2021	Review Federal Rules of Appellate Procedure and the Circuit Rules; Check appellate court docket for any filings; Docket deadlines re. court order; Update Wiki in Teams re. same.	0.70	400.00	\$280.00
Siehl, Whitney	4/30/2021	Analyze correspondence from Kevin Green regarding appeal strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	5/4/2021	Work researching initial appeal requirements and timing, reviewed sample forms.	3.20	800.00	\$2,560.00

Meyers, Megan	5/4/2021	Research recently decided cases and pull samples of opening briefs.	0.60	400.00	\$240.00
Green, Kevin	5/5/2021	Emails on DC Cir. admission and application for Dan Kurowski.	0.70	875.00	\$612.50
Kurowski, Daniel	5/5/2021	Correspondence with Cecilia Huerta regarding DC Circuit admission papers.	0.20	800.00	\$160.00
Meyers, Megan	5/5/2021	Draft notice of appearance for Steve Berman; Finalize and electronically file same with the court.	0.30	400.00	\$120.00
Kurowski, Daniel	5/6/2021	Correspondence with Megan Meyers regarding timing of appearances.	0.10	800.00	\$80.00
Kurowski, Daniel	5/14/2021	Work reviewing requirements for early appellate filings.	0.90	800.00	\$720.00
Meyers, Megan	5/14/2021	Finalize notice of appearance for Steve Berman; Electronically file same with the court.	0.30	400.00	\$120.00
Meyers, Megan	5/17/2021	Draft docketing statement, transcript status report, certificate of parties, statement of issues, and statement of intent to defer joint appendix.	1.40	400.00	\$560.00
Kurowski, Daniel	5/18/2021	Work revising and drafting appellate forms and filings due on 5/28; circulated to co counsel for review.	1.30	800.00	\$1,040.00
Green, Kevin	5/21/2021	Review docketing and related DC Cir. forms and emails w/ team on same.	1.00	875.00	\$875.00
Kurowski, Daniel	5/21/2021	Began work in connection with drafting appeal brief, including review of model appellant briefs, analyzed practice and procedure handbook.	5.50	800.00	\$4,400.00
Kurowski, Daniel	5/21/2021	Correspondence with Steve Berman regarding appeal considerations.	0.10	800.00	\$80.00
Meyers, Megan	5/21/2021	Setup shell appellant's brief.	1.30	400.00	\$520.00
Siehl, Whitney	5/21/2021	Analyze numerous appellate forms for filing appeal.	0.50	550.00	\$275.00
Kurowski, Daniel	5/24/2021	Research and drafting of appellant's brief.	7.10	800.00	\$5,680.00
Green, Kevin	5/25/2021	Emails on revising DC Cir. issue statement.	0.80	875.00	\$700.00

Kurowski, Daniel	5/25/2021	Continued research and drafting of appellant's brief.	6.80	800.00	\$5,440.00
Meyers, Megan	5/25/2021	Prepare for teleconference with HBSS team re. status of case and next steps; Attend same.	0.20	400.00	\$80.00
Siehl, Whitney	5/25/2021	Analyze correspondence from Dan Kurowski and Kevin Green regarding appeal documents.	0.10	550.00	\$55.00
Siehl, Whitney	5/25/2021	Video conference regarding case strategy with Dan Kurowski, Megan Meyers, and Nancy Duenez.	0.10	550.00	\$55.00
Kurowski, Daniel	5/26/2021	Correspondence to co-counsel regarding finalized versions of May 28 appellate filings.	0.20	800.00	\$160.00
Siehl, Whitney	5/26/2021	Analyze appeal statement of issues and supporting documents.	0.40	550.00	\$220.00
Kurowski, Daniel	5/27/2021	Work finalizing tomorrow's appellate filings.	0.20	800.00	\$160.00
Meyers, Megan	5/27/2021	Update signature block on all May 28, 2021 filings for the appellate court.	0.10	400.00	\$40.00
Green, Kevin	5/28/2021	Review final docketing and issue statements and related DC Cir. filings and emails on same.	0.50	875.00	\$437.50
Kurowski, Daniel	5/28/2021	Correspondence with Megan Meyers finalizing today's appeal filings, forwarded finalized drafts to co-counsel.	0.20	800.00	\$160.00
Meyers, Megan	5/28/2021	Finalize today's filings re. appeal; Electronically file same.	0.80	400.00	\$320.00
Siehl, Whitney	5/28/2021	Analyze correspondences from Dan Kurowski and Glen Abramson regarding filings for appeal.	0.10	550.00	\$55.00
Kurowski, Daniel	6/1/2021	Finalization of DJK appearance filing.	0.10	800.00	\$80.00
Meyers, Megan	6/1/2021	Review and analyze local circuit rules and Federal Rules of Appellate Procedure re. deadline to file opening brief; Conference with Dan Kurowski re. same; Draft notice of appearance for Dan Kurowski; Finalize and electronically file same with the court.	0.70	400.00	\$280.00
Kurowski, Daniel	6/3/2021	Continued research and drafting of Appellant's Brief.	4.00	800.00	\$3,200.00

Kurowski, Daniel	6/4/2021	Continued research and drafting of Appellant's Brief.	6.10	800.00	\$4,880.00
Kurowski, Daniel	6/7/2021	Continued research and drafting of Appellants' Brief.	6.50	800.00	\$5,200.00
Kurowski, Daniel	6/8/2021	Continued research and drafting of Appellant's Brief.	6.80	800.00	\$5,440.00
Kurowski, Daniel	6/9/2021	Continued research and drafting of Appellant's Brief.	5.20	800.00	\$4,160.00
Kurowski, Daniel	6/10/2021	Continued researching and drafting of Appellant's Brief.	2.20	800.00	\$1,760.00
Kurowski, Daniel	6/11/2021	Continued work on Appellant's Brief.	5.50	800.00	\$4,400.00
Kurowski, Daniel	6/14/2021	Continued work researching and drafting appellant's brief.	5.00	800.00	\$4,000.00
Kurowski, Daniel	6/15/2021	Continued work researching and drafting appellant's brief.	5.50	800.00	\$4,400.00
Kurowski, Daniel	6/17/2021	Reviewed and calendared briefing schedule entered today by court of appeals.	0.10	800.00	\$80.00
Kurowski, Daniel	6/17/2021	Correspondence with Megan Meyers regarding briefing schedule.	0.10	800.00	\$80.00
Meyers, Megan	6/17/2021	Analyze court order re. appeal briefing schedule and docket dates re. same; Update case tracker re. same.	0.20	400.00	\$80.00
Siehl, Whitney	6/22/2021	Prepare for and attend meeting with Dan Kurowski and Megan Meyers regarding case strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	7/6/2021	Work analyzing MTD ruling and evaluating potential additional categories to opening appeal brief.	1.60	800.00	\$1,280.00
Kurowski, Daniel	7/7/2021	Continued research and drafting of opening appeal brief.	5.90	800.00	\$4,720.00
Kurowski, Daniel	7/8/2021	Continued research and drafting of appellant's brief.	3.40	800.00	\$2,720.00
Green, Kevin	7/9/2021	Read first draft of DC Circuit brief and review complaint and dismissal order for same.	1.30	875.00	\$1,137.50

Kurowski, Daniel	7/9/2021	Emailed draft appeal brief to co-counsel for review and comment.	0.10	800.00	\$80.00
Kurowski, Daniel	7/9/2021	Continued research and drafting of appellant's brief.	6.30	800.00	\$5,040.00
Siehl, Whitney	7/9/2021	Analyze Yale motion to dismiss ruling, UT appellant brief, and order in Catholic University.	0.30	550.00	\$165.00
Siehl, Whitney	7/9/2021	Analyze correspondence from Dan Kurowski regarding opening appellate brief.	0.10	550.00	\$55.00
Duenez, Nancy	7/12/2021	Analyze and review state and federal case law in connection with motion to dismiss orders.	2.40	125.00	\$300.00
Kurowski, Daniel	7/12/2021	Reviewed draft appendix prepared by Megan Meyers.	0.30	800.00	\$240.00
Meyers, Megan	7/12/2021	Research requirements for appendices to appeal briefs; Start preparing same.	1.50	400.00	\$600.00
Green, Kevin	7/16/2021	Review co-counsel's comments on DC Circuit brief and emails on same.	0.50	875.00	\$437.50
Kurowski, Daniel	7/16/2021	Review and incorporation of draft edits to appellant's brief received from Glen Abramson and additional potential argument development regarding amendment.	1.20	800.00	\$960.00
Siehl, Whitney	7/16/2021	Analyze correspondences regarding joint mediation strategy.	0.10	550.00	\$55.00
Siehl, Whitney	7/16/2021	Analyze correspondence regarding appeals strategy.	0.10	550.00	\$55.00
Siehl, Whitney	7/17/2021	Analyze additional correspondence regarding joint mediation.	0.10	550.00	\$55.00
Kurowski, Daniel	7/19/2021	Analysis of other briefing in Loyola and NYU for potential application in GWU appeal.	1.00	800.00	\$800.00
Siehl, Whitney	7/19/2021	Analyze correspondence regarding appeal.	0.10	550.00	\$55.00
Siehl, Whitney	7/19/2021	Analyze correspondence regarding all counsel mediation call.	0.10	550.00	\$55.00
Duenez, Nancy	7/20/2021	Sent emails to three potential clients on July 20, 2021.	0.10	125.00	\$12.50

Siehl, Whitney	7/20/2021	Review, analyze, and supplement appellant brief.	3.40	550.00	\$1,870.00
Siehl, Whitney	7/20/2021	Analyze numerous correspondences from counsel regarding appellate mediation teleconference with all counsel for American/Georgetown/George Washington.	0.10	550.00	\$55.00
Kurowski, Daniel	7/21/2021	Continued review and acceptance of Glen Abramson's edits to draft Appellants Brief.	0.30	800.00	\$240.00
Kurowski, Daniel	7/21/2021	Work and communications regarding logistics of opening appellate filings.	1.20	800.00	\$960.00
Kurowski, Daniel	7/21/2021	Work updating appendix and clean version of opening brief for sending to Glen Abramson.	1.50	800.00	\$1,200.00
Kurowski, Daniel	7/21/2021	Call with Glen Abramson regarding appellate brief strategy.	0.20	800.00	\$160.00
Meyers, Megan	7/21/2021	Telephone conference with clerk's office of the D.C. Circuit Court of Appeals re. courtesy copy requirement; Draft email correspondence to Dan Kurowski re. same; Telephone conference with Counsel Press re. courtesy copies of brief and appendix to the clerk's office; Draft email correspondence to same re. same.	1.30	400.00	\$520.00
Kurowski, Daniel	7/22/2021	Continued work regarding finalization of Appellant's Brief.	2.50	800.00	\$2,000.00
Meyers, Megan	7/22/2021	Analyze email correspondence from Counsel Press re. courtesy copies of brief and appendix; Draft email correspondence to same re. same; Conference with Dan Kurowski re. joint appendix.	0.30	400.00	\$120.00
Siehl, Whitney	7/22/2021	Additional analysis of appellate brief.	1.30	550.00	\$715.00
Green, Kevin	7/23/2021	Comment on DC Circuit opening brief and review dismissal order for same.	1.00	875.00	\$875.00
Kurowski, Daniel	7/23/2021	Correspondence with Kevin Green regarding appeal brief comments.	0.10	800.00	\$80.00
Kurowski, Daniel	7/23/2021	Continued work finalizing Appellant's Brief.	7.40	800.00	\$5,920.00
Meyers, Megan	7/23/2021	Start preparing joint appendix documents in the correct order; Start proofreading opening appeal brief.	3.00	400.00	\$1,200.00

Siehl, Whitney	7/23/2021	Analyze additional correspondence from Kevin Green regarding appellate brief.	0.10	550.00	\$55.00
Siehl, Whitney	7/23/2021	Analyze correspondence from Dan Kurowski and Kevin Green regarding appeal.	0.10	550.00	\$55.00
Kurowski, Daniel	7/26/2021	Work finalizing Appellants' Brief and related Joint Appendix.	6.90	800.00	\$5,520.00
Kurowski, Daniel	7/26/2021	Attended teleconference call with other plaintiff counsel regarding DC Circuit mediation program.	0.30	800.00	\$240.00
Meyers, Megan	7/26/2021	Finish proofreading opening brief; Make revisions to same; Conference with Dan Kurowski re. table of contents requirements for the joint appendix; Finalize table of contents to joint appendix and send same for final sign-off.	1.70	400.00	\$680.00
Siehl, Whitney	7/26/2021	Correspondence to Dan Kurowski regarding appellate brief.	0.10	550.00	\$55.00
Siehl, Whitney	7/26/2021	Review, analyze, and supplement appellate brief.	2.20	550.00	\$1,210.00
Kurowski, Daniel	7/27/2021	Correspondence to Dina Gold regarding potential DC tuition case mediation discussions.	0.10	800.00	\$80.00
Kurowski, Daniel	7/27/2021	Correspondence with Glen Abramson regarding DC Circuit admission.	0.10	800.00	\$80.00
Kurowski, Daniel	7/27/2021	Continued work regarding finalization and revisions to Appellants' Brief and Appendix in connection with today's filing of same.	6.10	800.00	\$4,880.00
Meyers, Megan	7/27/2021	Work on revisions to joint appendix; Analyze correspondence from Counsel Press re. deficiencies in joint appendix; Work on revising same; Multiple conferences with Dan Kurowski re. same and opening brief revisions; Finalize joint appendix and opening brief and electronically file same.	3.10	400.00	\$1,240.00
Siehl, Whitney	7/27/2021	Analyze correspondence from Dan Kurowski regarding mediation potential.	0.10	550.00	\$55.00
Siehl, Whitney	7/27/2021	Phone conference with Dan Kurowski regarding appeal.	0.10	550.00	\$55.00
Kurowski, Daniel	7/28/2021	Correspondence with Gary Chyi at Counsel Press regarding service of courtesy copies of appellants' brief/appendix on court and counsel.	0.10	800.00	\$80.00
Kurowski, Daniel	7/28/2021	Correspondence with Glen Abramson regarding DC Circuit admission forms.	0.10	800.00	\$80.00

Kurowski, Daniel	7/28/2021	Responded to follow-up request from DC Circuit clerk's office regarding amended volume for joint appendix.	1.10	800.00	\$880.00
Meyers, Megan	7/28/2021	Analyze email from court clerk re. Joint Appendix Vol. 4 not OCR'd; OCR same and resend to court clerk.	0.20	400.00	\$80.00
Kurowski, Daniel	7/30/2021	Correspondence with Kevin Green and Glen Abramson regarding DC Circuit admission sponsors.	0.10	800.00	\$80.00
Kurowski, Daniel	7/30/2021	Correspondence with staff, Glen Abramson regarding Counsel Press courtesy copy invoice payment.	0.40	800.00	\$320.00
Meyers, Megan	8/3/2021	Review and analyze email from co-counsel re. wet signature on application for admission to the D.C. Circuit Court of Appeals; Research rules re. same; Draft email correspondence to same re. same; Review rules re. binding requirements and draft email response to Ceci Huerta and Dan Kurowski re. same.	0.40	400.00	\$160.00
Kurowski, Daniel	8/5/2021	Correspondence with Glen Abramson, Dina Gold regarding potential mediation discussions, teleconferences.	0.20	800.00	\$160.00
Kurowski, Daniel	8/9/2021	Continued correspondence with Glen Abramson regarding Counsel Press invoice.	0.10	800.00	\$80.00
Kurowski, Daniel	8/12/2021	Preparation for Zoom mediation, reviewed prior proposed settlement demands for potential application in GWU.	1.00	800.00	\$800.00
Kurowski, Daniel	8/12/2021	Attended mediation videoconferencing with Mediator Dina Gold.	0.50	800.00	\$400.00
Siehl, Whitney	8/12/2021	Correspondence to Dan Kurowski regarding case strategy post mediation call.	0.10	550.00	\$55.00
Siehl, Whitney	8/12/2021	Analyze correspondence from Dan Kurowski regarding mediation call with all counsel.	0.10	550.00	\$55.00
Kurowski, Daniel	8/13/2021	Correspondence to defense counsel forwarding courtesy copy of corrected appellant's brief.	0.10	800.00	\$80.00
Kurowski, Daniel	8/13/2021	Work and correspondence regarding clerk's office request to update brief to remove passim reference.	0.60	800.00	\$480.00
Meyers, Megan	8/13/2021	Analyze email from court clerk's office re. TOC and the use of passim; Correct same and refile same with the Court; Send same Ceci Huerta to UPS to court clerk.	0.40	400.00	\$160.00
Duenez, Nancy	8/16/2021	Research in connection with George Washington University current attendance policy.	0.40	125.00	\$50.00

Duenez, Nancy	8/24/2021	Research in connection with George Washington University school data set searches regarding class size and distance learning.	0.60	125.00	\$75.00
Kurowski, Daniel	8/25/2021	Correspondence with Megan Meyers' regarding advanced planning for appellants' reply brief.	0.10	800.00	\$80.00
Meyers, Megan	8/25/2021	Review D.C. Circuit Court of Appeals rules re. briefs; Review FRAP re. same; Setup reply brief template.	0.50	400.00	\$200.00
Kurowski, Daniel	8/27/2021	Preliminary review and analysis of Defendant's Appellee's Brief.	1.00	800.00	\$800.00
Siehl, Whitney	8/27/2021	Begin analyzing appellee brief.	0.50	550.00	\$275.00
Duenez, Nancy	8/30/2021	Draft memorandum in connection with George Washington University school data set searches regarding class size and distance learning.	0.20	125.00	\$25.00
Kurowski, Daniel	8/30/2021	Continued analysis of GWU's brief and counter-argument development in preparation for reply drafting.	3.90	800.00	\$3,120.00
Kurowski, Daniel	8/30/2021	Correspondence with Steve Berman and Glen Abramson regarding ACE notice to submit amicus brief.	0.20	800.00	\$160.00
Siehl, Whitney	8/30/2021	Continue reviewing appellant brief.	0.90	550.00	\$495.00
Kurowski, Daniel	8/31/2021	Continued work responding to Defendant's brief and work drafting/outlining arguments for Plaintiffs' reply brief.	4.70	800.00	\$3,760.00
Kurowski, Daniel	9/2/2021	Preliminary review of ACE amicus brief.	0.50	800.00	\$400.00
Kurowski, Daniel	9/3/2021	Continued work on Appellants' Reply Brief.	2.50	800.00	\$2,000.00
Kurowski, Daniel	9/7/2021	Continued research and drafting of Appellants' Reply brief.	7.70	800.00	\$6,160.00
Kurowski, Daniel	9/8/2021	Continued research and drafting of Appellants' Reply Brief.	7.30	800.00	\$5,840.00
Kurowski, Daniel	9/9/2021	Continued research and drafting of Appellants' Reply Brief.	7.10	800.00	\$5,680.00
Kurowski, Daniel	9/10/2021	Circulated draft Appellants' Reply Brief to Steve Berman and Glen Abramson, requesting edits and comments.	0.10	800.00	\$80.00

Kurowski, Daniel	9/10/2021	Continued research and drafting of Appellants' Reply Brief.	7.60	800.00	\$6,080.00
Siehl, Whitney	9/10/2021	Analyze correspondence regarding appellate reply brief.	0.10	550.00	\$55.00
Green, Kevin	9/13/2021	Comment on DC Cir. reply brief and related emails.	0.50	875.00	\$437.50
Kurowski, Daniel	9/13/2021	Reviewed comment to reply brief received from Kevin Green; analysis of possible editing options in light of same.	0.70	800.00	\$560.00
Kurowski, Daniel	9/13/2021	Review information on reply brief samples collected by Megan Meyers.	0.40	800.00	\$320.00
Kurowski, Daniel	9/13/2021	Review of amicus brief submitted by ACE for possible incorporation into Reply brief.	1.90	800.00	\$1,520.00
Meyers, Megan	9/13/2021	Research sections to be included in reply brief; Conference with Ceci Huerta re. quote from Record Copy service re. preparation of same.	0.80	400.00	\$320.00
Siehl, Whitney	9/13/2021	Analyze correspondences regarding edits to reply in support of appeal.	0.10	550.00	\$55.00
Green, Kevin	9/14/2021	Emails on DC Cir. reply brief.	0.50	875.00	\$437.50
Kurowski, Daniel	9/14/2021	Continued work on reply brief in light of Glen Abramson's edits and comments.	4.00	800.00	\$3,200.00
Meyers, Megan	9/14/2021	Conference with Cecilia Huerta and Daniel J. Kurowski re. Record Copy Services and reply brief quote.	0.20	400.00	\$80.00
Kurowski, Daniel	9/15/2021	Continued work regarding finalization of Plaintiffs' Reply Brief.	3.00	800.00	\$2,400.00
Meyers, Megan	9/15/2021	Proofread and cite check appellate reply brief.	2.80	400.00	\$1,120.00
Siehl, Whitney	9/15/2021	Begin reviewing updated reply in support of appeal.	0.90	550.00	\$495.00
Kurowski, Daniel	9/16/2021	Work and correspondence regarding appellant's reply brief logistics and service.	0.70	800.00	\$560.00
Kurowski, Daniel	9/16/2021	Work finalizing Appellants' Reply brief.	4.90	800.00	\$3,920.00

Meyers, Megan	9/16/2021	Proofread and appellate reply brief; Finalize and file same with the court; Send same to Record Copy Services for printing courtesy copies for the court.	2.30	400.00	\$920.00
Siehl, Whitney	9/16/2021	Review, analyze, and edit reply in support of appeal.	2.10	550.00	\$1,155.00
Kurowski, Daniel	10/11/2021	Reviewed order scheduling appellate oral argument.	0.10	800.00	\$80.00
Meyers, Megan	10/11/2021	Review/analyze order setting oral argument; Docket same; Update master case tracker re. same.	0.30	400.00	\$120.00
Kurowski, Daniel	10/12/2021	Reviewed appellate court order entering oral argument date.	0.10	800.00	\$80.00
Kurowski, Daniel	10/21/2021	Analysis and work regarding oral argument preparation.	1.50	800.00	\$1,200.00
Kurowski, Daniel	10/21/2021	Correspondence exchanges with Steve Berman and Glen Abramson regarding planning for oral argument attendance and staffing.	0.40	800.00	\$320.00
Kurowski, Daniel	10/22/2021	Researched and drafted motion for continuance of oral argument date, correspondence related to same with defense and co-counsel as well as staff.	3.50	800.00	\$2,800.00
Kurowski, Daniel	10/25/2021	Work finalizing and submitting motion for continuance.	1.70	800.00	\$1,360.00
Meyers, Megan	10/25/2021	Proofread motion for continuance; Draft certificate of compliance for motion; Finalize and file same with the court.	0.60	400.00	\$240.00
Kurowski, Daniel	10/27/2021	Reviewed order granting oral argument continuance, correspondence with Steve Berman regarding same.	0.10	800.00	\$80.00
Kurowski, Daniel	11/15/2021	Correspondence with Steve Berman, Glen Abramson regarding new oral argument date.	0.10	800.00	\$80.00
Meyers, Megan	11/15/2021	Review/analyze court order setting oral argument and docket same; Update master case tracker re. same.	0.20	400.00	\$80.00
Kurowski, Daniel	12/20/2021	Began work on preparatory materials for Steve Berman's appellate oral argument.	2.10	800.00	\$1,680.00
Meyers, Megan	12/20/2021	Start working on case summaries in preparation for Appellate Court oral argument.	2.00	400.00	\$800.00

Meyers, Megan	12/21/2021	Continue working on case summaries in preparation for Appellate Court oral argument.	6.10	400.00	\$2,440.00
Meyers, Megan	12/22/2021	Finish working on case summaries in preparation for Appellate Court oral argument.	3.30	400.00	\$1,320.00
Kurowski, Daniel	12/23/2021	Drafted notice of argument counsel.	0.10	800.00	\$80.00
Kurowski, Daniel	12/23/2021	Correspondence with Steve Berman and Glen Abramson regarding oral argument assignment.	0.10	800.00	\$80.00
Meyers, Megan	12/23/2021	Review/analyze order and docket deadline re. same; Update master case tracker re. same.	0.10	400.00	\$40.00
Siehl, Whitney	12/28/2021	Analyze and organize factual research and voluminous file documents.	0.20	550.00	\$110.00
Meyers, Megan	12/29/2021	Finalize and submit Form 72.	0.10	400.00	\$40.00
Kurowski, Daniel	12/30/2021	Drafted preparation materials for upcoming oral argument.	4.00	800.00	\$3,200.00
Kurowski, Daniel	12/31/2021	Continued drafting of oral argument preparation materials.	3.00	800.00	\$2,400.00
Kurowski, Daniel	1/3/2022	Correspondence with Glen Abramson and Megan Meyers regarding Loyola appellate transcript.	0.20	800.00	\$160.00
Meyers, Megan	1/3/2022	Research oral argument audio file re. Loyola argument; Conference with D.Kurowski and N.Gruenich re. same; Review/analyze Everlaw's help page article re. media files review and transcription.	0.50	400.00	\$200.00
Kurowski, Daniel	1/4/2022	Correspondence with Steve Berman, Megan Meyers and Shelby Taylor regarding hearing prep materials.	0.20	800.00	\$160.00
Kurowski, Daniel	1/4/2022	Correspondence with Megan Meyers regarding Loyola appellate argument.	0.20	800.00	\$160.00
Meyers, Megan	1/4/2022	Listen to audio recording of hearing in Loyola appellate court case and draft document with question from Judges on the issues in preparation for oral argument.	2.30	400.00	\$920.00
Meyers, Megan	1/4/2022	Send appeal briefing and appendix to Steve Berman in preparation for oral argument.	0.10	400.00	\$40.00

Meyers, Megan	1/5/2022	Shorten joint appendix to only pages referenced in briefs; Send same to Shelby for preparing binder for S.Berman for oral argument.	0.80	400.00	\$320.00
Berman, Steve	1/7/2022	Attend zoom training session with the DC Circuit Court of Appeals.	0.70	1350.00	\$945.00
Berman, Steve	1/10/2022	Prepare for oral argument.	1.00	1350.00	\$1,350.00
Berman, Steve	1/11/2022	Prepare for oral argument.	3.00	1350.00	\$4,050.00
Berman, Steve	1/12/2022	Prepare for oral argument.	2.00	1350.00	\$2,700.00
Kurowski, Daniel	1/12/2022	Began preparation for DC Circuit oral argument per Steve Berman's request.	7.10	800.00	\$5,680.00
Kurowski, Daniel	1/12/2022	Attended DC Circuit Zoom oral argument training session.	0.30	800.00	\$240.00
Kurowski, Daniel	1/12/2022	Reviewed and approved arguing counsel notification form.	0.10	800.00	\$80.00
Meyers, Megan	1/12/2022	Research who the attorney is that will be arguing January 14 for plaintiffs on the case that was consolidated with ours for purposes of oral argument.	0.10	400.00	\$40.00
Meyers, Megan	1/12/2022	Conference with D.Kurowski re. oral argument; Telephone conference with D.C. Circuit Court of Appeals clerk's office re. switching attorney that will be arguing.	0.60	400.00	\$240.00
Kurowski, Daniel	1/13/2022	Continued preparation for DC Circuit oral argument.	9.40	800.00	\$7,520.00
Meyers, Megan	1/13/2022	Check status of Crawford v. Georgetown University appeal.	0.20	400.00	\$80.00
Kurowski, Daniel	1/14/2022	Oral argument summary email to Steve Berman and Glen Abramson.	0.20	800.00	\$160.00
Kurowski, Daniel	1/14/2022	Post-oral argument call with Roy Willey.	0.20	800.00	\$160.00
Kurowski, Daniel	1/14/2022	Continued preparation for DC Circuit oral argument.	3.50	800.00	\$2,800.00
Kurowski, Daniel	1/14/2022	Attended DC Circuit oral argument before Judges Millett, Jackson, and Edwards.	4.00	800.00	\$3,200.00

Siehl, Whitney	1/14/2022	Correspondence with Dan Kurowski regarding oral argument.	0.10	550.00	\$55.00
Siehl, Whitney	1/14/2022	Attend appellate oral argument in District of Columbia Circuit.	4.00	550.00	\$2,200.00
Byszewski, Elaine	1/18/2022	Review/analyze case status, including report of oral argument.	0.50	1100.00	\$550.00
Kurowski, Daniel	1/20/2022	Correspondence with Andrew Levetown regarding DC Circuit oral argument.	0.10	800.00	\$80.00
Kurowski, Daniel	2/2/2022	Call with Daily Record reporter regarding GWU appeal; correspondence related to same.	0.50	800.00	\$400.00
Kurowski, Daniel	2/2/2022	Call with Daily Record reporter regarding GWU appeal questions.	0.30	800.00	\$240.00
Kurowski, Daniel	2/25/2022	Correspondence to Steve Berman and Glen Abramson regarding judicial assignment.	0.10	800.00	\$80.00
Kurowski, Daniel	3/8/2022	Preliminary review of court of appeals decision reversing in part district court's dismissal; correspondence with co-counsel regarding same.	0.50	800.00	\$400.00
Meyers, Megan	3/8/2022	Send opinion of Appellate Court to D.Kurowski and W.Siehl re. appeal.	0.10	400.00	\$40.00
Siehl, Whitney	3/8/2022	Correspondences with Dan Kurowski regarding decision.	0.30	550.00	\$165.00
Siehl, Whitney	3/8/2022	Analyze DC Circuit appellate decision.	0.70	550.00	\$385.00
Kurowski, Daniel	3/9/2022	Email case updates to plaintiffs Mark Shaffer and Marc Lessin.	0.10	800.00	\$80.00
Kurowski, Daniel	3/9/2022	Correspondence with Steve Berman and Glen Abramson regarding considerations upon remand.	0.10	800.00	\$80.00
Kurowski, Daniel	3/9/2022	Correspondence with Ashley Klann regarding press contacts about D.C. Circuit decision.	0.10	800.00	\$80.00
Siehl, Whitney	3/9/2022	Analyze correspondence to clients regarding appellate opinion.	0.10	550.00	\$55.00
Siehl, Whitney	3/10/2022	Analyze correspondence regarding decision.	0.20	550.00	\$110.00

Kurowski, Daniel	3/11/2022	Correspondence with Glen Abramson regarding strategy call setting.	0.10	800.00	\$80.00
Kurowski, Daniel	3/11/2022	Correspondence with Glen Abramson regarding case strategy.	0.10	800.00	\$80.00
Kurowski, Daniel	3/17/2022	Prepared for and attended case strategy teleconference with Glen Abramson, Michelle Drake, Ellen Noteware and Ariana Kiener.	0.90	800.00	\$720.00
Kurowski, Daniel	3/28/2022	Reviewed docket to identify potential timing of remand to district court.	0.50	800.00	\$400.00
Kurowski, Daniel	4/8/2022	Correspondence with Ashley Klann and Heidi Waggoner regarding media contact response.	0.30	800.00	\$240.00
Kurowski, Daniel	4/8/2022	Reviewed GWU's request for rehearing en banc and correspondence with co-counsel regarding same.	1.10	800.00	\$880.00
Meyers, Megan	4/8/2022	Review/analyze federal rules of appellate procedure and the local rules of the Supreme Court of the United States re. time to file a petition for rehearing; Conference with D.Kurowski re. same.	0.90	400.00	\$360.00
Siehl, Whitney	4/11/2022	Analyze reconsideration request to the D.C. Circuit.	0.40	550.00	\$220.00
Siehl, Whitney	4/12/2022	Phone conference with Dan Kurowski regarding case strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	4/29/2022	Correspondence with Steve Berman and Glen Abramson regarding DC Circuit's denial of request for en banc rehearing.	0.10	800.00	\$80.00
Siehl, Whitney	4/29/2022	Analyze orders denying en banc rehearing.	0.10	550.00	\$55.00
Siehl, Whitney	4/29/2022	Review and respond to correspondence from Dan Kurowski regarding orders denying rehearing.	0.10	550.00	\$55.00
Siehl, Whitney	5/10/2022	Analyze mandate as to USCA.	0.10	550.00	\$55.00
Byszewski, Elaine	5/16/2022	Review/analyze opinion on appeal, including communications with J. Conte.	1.00	1100.00	\$1,100.00
Conte, Jennifer	5/18/2022	Researched appeal, Printed documents, emailed with ETB re same.	0.50	400.00	\$200.00
Kurowski, Daniel	5/24/2022	Correspondence with Glen Abramson regarding case next steps.	0.10	800.00	\$80.00

Meyers, Megan	5/24/2022	Review/analyze local rules re. timing for scheduling conference, to file scheduling order, and for Rule 26(f) conference and to file report.	0.20	400.00	\$80.00
Siehl, Whitney	5/24/2022	Analyze correspondences from Dan Kurowski and Glen Abramson regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	5/24/2022	Analyze correspondences from Dan Kurowski and Megan Meyers regarding next steps since answer was filed.	0.10	550.00	\$55.00
Siehl, Whitney	5/24/2022	Analyze answer to complaint.	0.20	550.00	\$110.00
Meyers, Megan	5/25/2022	Review/analyze court order re. deadline to file a joint meet and confer statement; Calendar same; Update master case tracker in Teams re. same.	0.30	400.00	\$120.00
Conte, Jennifer	5/26/2022	Reviewed docket, pulled documents, updated case list.	0.20	400.00	\$80.00
Conte, Jennifer	5/26/2022	Reviewed docket, pulled documents, updated case list.	0.20	400.00	\$80.00
Kurowski, Daniel	6/1/2022	Correspondence to Alan Schoenfeld requesting meet and confer.	0.10	800.00	\$80.00
Kurowski, Daniel	6/1/2022	Call with Glen Abramson and Ariana Kiener regarding scheduling conference strategy.	0.40	800.00	\$320.00
Siehl, Whitney	6/8/2022	Analyze correspondence from Dan Kurowski and Alan Schoenfeld regarding joint status report.	0.20	550.00	\$110.00
Kurowski, Daniel	6/9/2022	Reviewed and commented on Defendant's edits to proposed scheduling order.	0.40	800.00	\$320.00
Siehl, Whitney	6/10/2022	Analyze correspondences regarding joint status report scheduling.	0.10	550.00	\$55.00
Siehl, Whitney	6/12/2022	Analyze correspondence from Glen Abramson regarding joint scheduling report.	0.10	550.00	\$55.00
Kurowski, Daniel	6/13/2022	Correspondence with Alan Schoenfeld regarding edits to scheduling statement.	0.10	800.00	\$80.00
Kurowski, Daniel	6/13/2022	Work revising and updating joint scheduling statement; emailed draft to Glen Abramson for input.	0.50	800.00	\$400.00
Siehl, Whitney	6/13/2022	Analyze updated joint scheduling report.	0.10	550.00	\$55.00

Kurowski, Daniel	6/15/2022	Review and share internal comments on Defendants' edits to draft meet and confer statement.	0.30	800.00	\$240.00
Siehl, Whitney	6/15/2022	Analyze correspondences with co-counsel regarding scheduling order.	0.10	550.00	\$55.00
Siehl, Whitney	6/15/2022	Analyze correspondence from defense counsel regarding scheduling order.	0.10	550.00	\$55.00
Kurowski, Daniel	6/17/2022	Email to co-counsel regarding meet and confer notes and potential options for moving forward on summary judgment issue.	0.20	800.00	\$160.00
Kurowski, Daniel	6/17/2022	Prepare for and attend meet and confer on summary judgment issue raised in the parties' joint statement.	0.30	800.00	\$240.00
Kurowski, Daniel	6/17/2022	Correspondence with Ariana Kiener regarding meet and confer strategy.	0.10	800.00	\$80.00
Siehl, Whitney	6/17/2022	Analyze correspondence regarding summary of call with defense counsel.	0.10	550.00	\$55.00
Kurowski, Daniel	6/21/2022	Work and correspondence finalizing draft scheduling report.	0.50	800.00	\$400.00
Meyers, Megan	6/21/2022	Proofread joint scheduling plan.	1.00	400.00	\$400.00
Siehl, Whitney	6/21/2022	Analyze correspondences from co-counsel regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	6/21/2022	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Kurowski, Daniel	6/23/2022	Work finalizing and filing joint statement on scheduling.	0.40	800.00	\$320.00
Meyers, Megan	6/23/2022	Finalize and file the joint scheduling plan pursuant to local rule 16.3.	0.30	400.00	\$120.00
Meyers, Megan	6/24/2022	Review/analyze minute order re. discovery schedule and class certification briefing; Calendar deadlines in Outlook regarding same; Calendar deadlines in Time Matters regarding same; Update master case tracker re. same.	0.70	400.00	\$280.00
Meyers, Megan	6/27/2022	Conference with D.Kurowski re. deadline for filing motion for class certification falling on a holiday; Conference with C.Huerta re. same.	0.10	400.00	\$40.00
Siehl, Whitney	6/27/2022	Analyze case deadlines.	0.10	550.00	\$55.00

Kurowski, Daniel	6/28/2022	Correspondence to Mark Shaffer and Marc Lessin regarding case status update.	0.20	800.00	\$160.00
Kurowski, Daniel	6/28/2022	Work reviewing and revising draft RFP and ROGs.	1.00	800.00	\$800.00
Siehl, Whitney	6/28/2022	Analyze correspondence regarding draft initial disclosures.	0.10	550.00	\$55.00
Siehl, Whitney	6/28/2022	Analyze correspondences regarding draft discovery requests.	0.10	550.00	\$55.00
Siehl, Whitney	6/28/2022	Analyze correspondence to client.	0.10	550.00	\$55.00
Siehl, Whitney	6/29/2022	Analyze correspondence from Glen Abramson and Dan Kurowski regarding discovery.	0.10	550.00	\$55.00
Conte, Jennifer	6/30/2022	Reviewed docket, pulled documents, updated case list.	0.30	400.00	\$120.00
Meyers, Megan	6/30/2022	Calendar deadline for GWU to respond to first set of interrogatories and amended first set of requests for production of documents; Update master case tracker in Teams re. same.	0.10	400.00	\$40.00
Siehl, Whitney	6/30/2022	Analyze correspondence regarding plaintiffs discovery.	0.10	550.00	\$55.00
Siehl, Whitney	7/5/2022	Analyze correspondence regarding ESI protocol.	0.10	550.00	\$55.00
Siehl, Whitney	7/5/2022	Analyze correspondence regarding Rule 26 disclosures.	0.20	550.00	\$110.00
Kurowski, Daniel	7/11/2022	Edited draft Rule 26 initial disclosures per comments from co-counsel.	0.20	800.00	\$160.00
Siehl, Whitney	7/11/2022	Analyze initial disclosures.	0.10	550.00	\$55.00
Kurowski, Daniel	7/12/2022	Work revising updated draft initial disclosures.	0.10	800.00	\$80.00
Kurowski, Daniel	7/12/2022	Correspondence with Megan Meyers regarding finalization of initial disclosures.	0.10	800.00	\$80.00
Meyers, Megan	7/12/2022	Proofread plaintiffs' initial disclosures.	0.60	400.00	\$240.00

Siehl, Whitney	7/12/2022	Analyze correspondence regarding Rule 26(a)(1) disclosures.	0.10	550.00	\$55.00
Kurowski, Daniel	7/13/2022	Work and correspondence regarding finalization of draft Initial Disclosures.	0.30	800.00	\$240.00
Meyers, Megan	7/13/2022	Finalize plaintiffs' initial disclosures and serve same on all counsel of record.	0.70	400.00	\$280.00
Kurowski, Daniel	7/15/2022	Preliminary review of Defendant's Initial Disclosures and deficiency letter.	0.10	800.00	\$80.00
Kurowski, Daniel	7/15/2022	Correspondence to co-counsel regarding initial disclosure deficiency letter.	0.10	800.00	\$80.00
Siehl, Whitney	7/15/2022	Analyze correspondence regarding response to initial disclosure objections.	0.40	550.00	\$220.00
Siehl, Whitney	7/15/2022	Analyze correspondence from Alan Schoenfeld and initial disclosures.	0.40	550.00	\$220.00
Kurowski, Daniel	7/20/2022	Correspondence with Glen Abramson regarding defense counsel's request for extension.	0.10	800.00	\$80.00
Siehl, Whitney	7/20/2022	Analyze correspondence from Alan Shoenfeld.	0.10	550.00	\$55.00
Siehl, Whitney	7/21/2022	Analyze new college preliminary approval order.	0.10	550.00	\$55.00
Siehl, Whitney	7/21/2022	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Kurowski, Daniel	7/25/2022	Correspondence with defense counsel regarding discovery response extension.	0.10	800.00	\$80.00
Siehl, Whitney	7/25/2022	Analyze correspondence regarding extension request.	0.10	550.00	\$55.00
Meyers, Megan	7/28/2022	Read email correspondence between counsel re. 30-day extension for GWU to respond to interrogatories and requests for production of documents; Revise calendar according to same; Update master case tracker in Teams re. same.	0.10	400.00	\$40.00
Meyers, Megan	8/25/2022	Setup responses to defendant's requests for production of documents to plaintiffs.	1.00	400.00	\$400.00

Meyers, Megan	8/25/2022	Review GWU's first set of requests for production of documents; Calendar deadline for plaintiffs to respond to same; Update master case tracker on Teams re. same.	0.30	400.00	\$120.00
Kurowski, Daniel	9/1/2022	Correspondence with co-counsel regarding scheduling discovery strategy conference call.	0.10	800.00	\$80.00
Siehl, Whitney	9/1/2022	Analyze correspondence regarding discovery.	0.10	550.00	\$55.00
Kurowski, Daniel	9/6/2022	Discovery strategy conference call with co-counsel.	0.30	800.00	\$240.00
Siehl, Whitney	9/6/2022	Draft spreadsheet regarding objections, responses, and deficiencies for interrogatory responses.	2.50	550.00	\$1,375.00
Siehl, Whitney	9/6/2022	Attend Plaintiff counsel discovery strategy call.	0.40	550.00	\$220.00
Siehl, Whitney	9/6/2022	Review discovery responses and objections and propounded requests for production in preparation for strategy call.	0.50	550.00	\$275.00
Siehl, Whitney	9/6/2022	Correspondence with Dan Kurowski regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	9/9/2022	Analyze correspondence from Ryanne Perio regarding stipulated orders and subpoenas for Emma Shaffer and Iriana Lessin.	0.30	550.00	\$165.00
Kurowski, Daniel	9/12/2022	Work drafting discovery deficiency letter to defense counsel.	3.20	800.00	\$2,560.00
Kurowski, Daniel	9/12/2022	Work and correspondence related to subpoenas issued to Emma Shafer and Ana Lessin.	0.50	800.00	\$400.00
Siehl, Whitney	9/12/2022	Analyze redlines to Confidentiality and ESI orders.	0.20	550.00	\$110.00
Siehl, Whitney	9/12/2022	Analyze numerous correspondences regarding third party subpoenas.	0.40	550.00	\$220.00
Siehl, Whitney	9/12/2022	Analyze correspondence to defense counsel regarding subpoena meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	9/12/2022	Analyze correspondence regarding subpoenas to non-party students.	0.20	550.00	\$110.00
Kurowski, Daniel	9/13/2022	Work drafting discovery deficiency letter to defense counsel.	1.20	800.00	\$960.00

Kurowski, Daniel	9/13/2022	Work drafting discovery deficiency letter with respect to interrogatory responses and requests for production.	2.70	800.00	\$2,160.00
Kurowski, Daniel	9/13/2022	Call with Glen Abramson regarding today's meet and confer session with defense counsel.	0.10	800.00	\$80.00
Siehl, Whitney	9/13/2022	Analyze draft discovery deficiency correspondence.	0.40	550.00	\$220.00
Siehl, Whitney	9/13/2022	Analyze correspondence from co-counsel regarding ESI and confidentiality order.	0.10	550.00	\$55.00
Siehl, Whitney	9/13/2022	Analyze correspondence from Dan Kurowski to client.	0.10	550.00	\$55.00
Kurowski, Daniel	9/14/2022	Conducted IPEDS data research regarding student enrollment in Fall 2020.	0.30	800.00	\$240.00
Kurowski, Daniel	9/14/2022	Preliminary review and analysis of subpoenas to Emma Shaffer and Ana Lessin.	0.40	800.00	\$320.00
Kurowski, Daniel	9/14/2022	Correspondence with Ana Lessin regarding call scheduling on subpoena.	0.10	800.00	\$80.00
Kurowski, Daniel	9/14/2022	Correspondence with Mark Shaffer regarding Emma Shaffer subpoena.	0.10	800.00	\$80.00
Siehl, Whitney	9/14/2022	Analyze edits to deficiency letter and stipulations.	0.20	550.00	\$110.00
Siehl, Whitney	9/14/2022	Analyze correspondence with clients.	0.10	550.00	\$55.00
Siehl, Whitney	9/14/2022	Analyze correspondence regarding third party subpoenas.	0.10	550.00	\$55.00
Kurowski, Daniel	9/15/2022	Reviewed and commented on draft ESI and protective orders.	0.40	800.00	\$320.00
Kurowski, Daniel	9/15/2022	Revised draft discovery deficiency letter and served same on defense counsel.	0.40	800.00	\$320.00
Kurowski, Daniel	9/16/2022	Prepared for and held conference call with Ana Lessin; correspondence confirming representation.	0.50	800.00	\$400.00
Kurowski, Daniel	9/19/2022	Email to defense counsel requesting meet and confer availability and acceptance of Iriana Lessin subpoena.	0.10	800.00	\$80.00

Siehl, Whitney	9/19/2022	Analyze correspondences regarding meet and confer.	0.20	550.00	\$110.00
Siehl, Whitney	9/20/2022	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Kurowski, Daniel	9/21/2022	Began review of subpoenas to non-party students Lessin and Shaffer, preliminary formulation of potential objections/responses.	2.50	800.00	\$2,000.00
Kurowski, Daniel	9/21/2022	Correspondence to defense counsel requesting extension to respond to subpoena received.	0.10	800.00	\$80.00
Siehl, Whitney	9/21/2022	Analyze correspondence regarding subpoenas.	0.10	550.00	\$55.00
Kurowski, Daniel	9/23/2022	Attended meet and confer on Defendant's RFP responses.	1.00	800.00	\$800.00
Kurowski, Daniel	9/23/2022	Preparation for meet and confer on discovery issues with defense counsel.	0.50	800.00	\$400.00
Meyers, Megan	9/23/2022	Review document subpoenas issued to Ms. Lessin and Ms. Shaffer and docket extension to respond to same; Update master case tracker in Teams re. same.	0.20	400.00	\$80.00
Meyers, Megan	9/23/2022	Review correspondence re. 30-day extension to respond to first set of requests for production of documents and update master case tracker in Teams re. same.	0.10	400.00	\$40.00
Siehl, Whitney	9/23/2022	Analyze correspondence from Ryanne Perio regarding time to respond to subpoenas.	0.10	550.00	\$55.00
Siehl, Whitney	9/23/2022	Analyze correspondences regarding subpoenas.	0.10	550.00	\$55.00
Siehl, Whitney	9/23/2022	Correspondences with Dan Kurowski regarding meet and confer discovery next steps.	0.10	550.00	\$55.00
Kurowski, Daniel	9/26/2022	Continued meet and confer teleconference with defense counsel on interrogatories, ESI and protective order drafts.	0.70	800.00	\$560.00
Kurowski, Daniel	9/26/2022	Preparation for continued meet and confer teleconference with defense counsel on interrogatories, ESI and protective order drafts.	0.40	800.00	\$320.00
Siehl, Whitney	9/26/2022	Attend meet and confer with Ryanne Perio, Cassie Mitchell, and Dan Kurowski regarding interrogatory responses, ESI and confidentiality orders.	0.80	550.00	\$440.00

Siehl, Whitney	9/26/2022	Analyze correspondence from client and Dan Kurowski.	0.10	550.00	\$55.00
Kurowski, Daniel	9/27/2022	Conducted pending case status review and created case to-do list.	1.00	800.00	\$800.00
Kurowski, Daniel	9/27/2022	Follow-up work in light of meet and confer session with defense counsel.	0.90	800.00	\$720.00
Meyers, Megan	9/27/2022	Create a document production log; Update same re. GWU's first document production.	0.10	400.00	\$40.00
Siehl, Whitney	9/27/2022	Analyze correspondence regarding document production.	0.10	550.00	\$55.00
Kurowski, Daniel	9/28/2022	Correspondence with Marc Lessin regarding Iriana Lessin subpoena.	0.10	800.00	\$80.00
Kurowski, Daniel	9/28/2022	Work regarding document review platform management.	0.10	800.00	\$80.00
Kurowski, Daniel	9/30/2022	Work revising draft ESI and protective orders; circulated revised drafts to co-counsel for comment.	0.70	800.00	\$560.00
Siehl, Whitney	9/30/2022	Analyze correspondence from Dan Kurowski regarding meet and confer.	0.10	550.00	\$55.00
Kurowski, Daniel	10/3/2022	Finalized revisions to draft protective and ESI orders, emailed same to defense counsel.	0.20	800.00	\$160.00
Siehl, Whitney	10/3/2022	Analyze correspondences regarding protective order and ESI orders.	0.20	550.00	\$110.00
Kurowski, Daniel	10/4/2022	Prepared template responses and objections to non-party subpoenas for documents issued to Iriana Lessin and Emma Shaffer.	4.60	800.00	\$3,680.00
Siehl, Whitney	10/4/2022	Analyze correspondence regarding subpoena objections.	0.20	550.00	\$110.00
Siehl, Whitney	10/5/2022	Discussion with Dan Kurowski regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	10/5/2022	Review and respond to correspondence regarding requests for production.	0.30	550.00	\$165.00
Conte, Jennifer	10/6/2022	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00

Siehl, Whitney	10/6/2022	Correspondences with Ari Kiener regarding discovery.	0.20	550.00	\$110.00
Kurowski, Daniel	10/7/2022	Correspondence with Mark Lessin regarding Iriana Lessin objection letter.	0.10	800.00	\$80.00
Kurowski, Daniel	10/7/2022	Finalized and issued objection letters from non-parties Iriana Lessin and Emma Shaffer.	0.50	800.00	\$400.00
Siehl, Whitney	10/7/2022	Analyze correspondence from clients.	0.10	550.00	\$55.00
Siehl, Whitney	10/7/2022	Analyze correspondences to clients.	0.10	550.00	\$55.00
Siehl, Whitney	10/7/2022	Analyze correspondences regarding discovery and non party subpoena objections.	0.50	550.00	\$275.00
Kurowski, Daniel	10/11/2022	Call with Whitney Siehl regarding discovery response strategy.	0.10	800.00	\$80.00
Siehl, Whitney	10/11/2022	Begin drafting responses to requests for production.	2.40	550.00	\$1,320.00
Siehl, Whitney	10/11/2022	Prepare for and attend meeting with ARI Kiener regarding RFP responses strategy.	1.70	550.00	\$935.00
Siehl, Whitney	10/11/2022	Analyze Tulane Fifth Circuit decision.	0.10	550.00	\$55.00
Siehl, Whitney	10/11/2022	Analyze class cert decision in Suffolk case.	0.10	550.00	\$55.00
Siehl, Whitney	10/11/2022	Phone conference with Dan Kurowski regarding requests for production.	0.20	550.00	\$110.00
Siehl, Whitney	10/11/2022	Correspondences to Dan Kurowski regarding Requests for Production.	0.20	550.00	\$110.00
Meyers, Megan	10/13/2022	Review order re. granting motion for leave to appear pro hac vice for Ariana Kiener on behalf of plaintiffs; Update cast contact information sheet re. same.	0.10	400.00	\$40.00
Siehl, Whitney	10/13/2022	Correspondences to clients regarding discovery document productions.	0.50	550.00	\$275.00
Siehl, Whitney	10/14/2022	Analyze correspondences from Ari Kiener and draft RFP responses.	0.50	550.00	\$275.00

Siehl, Whitney	10/17/2022	Supplement responses to requests for production.	0.90	550.00	\$495.00
Siehl, Whitney	10/17/2022	Analyze template request for production responses.	0.80	550.00	\$440.00
Siehl, Whitney	10/17/2022	Analyze correspondence regarding discovery responses, ESI Order, and Protective Order edits.	0.50	550.00	\$275.00
Siehl, Whitney	10/20/2022	Review and respond to correspondences regarding case strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	10/21/2022	Drafted email to Ryanne Perio regarding miscellaneous discovery issues.	0.50	800.00	\$400.00
Kurowski, Daniel	10/21/2022	Prepared for and attended discovery strategy call with co-counsel.	0.50	800.00	\$400.00
Siehl, Whitney	10/21/2022	Analyze correspondence regarding ESI and Protective orders.	0.10	550.00	\$55.00
Siehl, Whitney	10/21/2022	Analyze spreadsheet regarding defendant document production.	0.60	550.00	\$330.00
Siehl, Whitney	10/21/2022	Analyze and supplement responses to requests for production.	0.90	550.00	\$495.00
Siehl, Whitney	10/21/2022	Attend all Plaintiff strategy call.	0.60	550.00	\$330.00
Kurowski, Daniel	10/24/2022	Correspondence and work regarding finalization of RFP objections to plaintiffs.	0.40	800.00	\$320.00
Meyers, Megan	10/24/2022	Proofread responses to defendants' first set of requests for production.	0.90	400.00	\$360.00
Siehl, Whitney	10/24/2022	Correspondences with clients.	0.40	550.00	\$220.00
Siehl, Whitney	10/24/2022	Analyze file to finalize document production.	0.80	550.00	\$440.00
Siehl, Whitney	10/24/2022	Correspondences with Megan Meyers regarding responses for requests for production for Mark Shaffer and Marc Lessin.	0.30	550.00	\$165.00
Siehl, Whitney	10/24/2022	Numerous correspondences with Ariana Kiener and David Filbert regarding discovery document production.	0.50	550.00	\$275.00

Siehl, Whitney	10/24/2022	Numerous correspondences with Dan Kurowski regarding discovery response strategy and document production.	0.30	550.00	\$165.00
Siehl, Whitney	10/24/2022	Supplement and finalize responses to requests for production for Mark Shaffer and Marc Lessin.	4.50	550.00	\$2,475.00
Meyers, Megan	10/25/2022	Review correspondence enclosing link to plaintiffs' initial document production; Download same and save to iManage; Update document production log re. same.	0.20	400.00	\$80.00
Siehl, Whitney	10/25/2022	Correspondences with Megan Meyers regarding discovery.	0.10	550.00	\$55.00
Kurowski, Daniel	10/26/2022	Call with Ryanne Perio regarding discovery and proposed order status.	0.10	800.00	\$80.00
Kurowski, Daniel	10/26/2022	Correspondence with Glen Abramson regarding discovery and proposed order status.	0.10	800.00	\$80.00
Kurowski, Daniel	10/27/2022	Prepared draft joint motion for entry of proposed orders; circulated to co- and defense counsel.	0.40	800.00	\$320.00
Siehl, Whitney	10/27/2022	Analyze order from DC universities motion for judgment on the pleadings.	0.20	550.00	\$110.00
Siehl, Whitney	10/27/2022	Analyze correspondences regarding protective orders.	0.10	550.00	\$55.00
Kurowski, Daniel	10/28/2022	Work finalizing and filing joint motion submitting ESI and protective orders.	0.60	800.00	\$480.00
Kurowski, Daniel	10/28/2022	Correspondence with Whitney Siehl regarding Marc Lessin call contact.	0.10	800.00	\$80.00
Meyers, Megan	10/28/2022	Proof/finalize joint motion for entry of protective order and ESI order; File same with the court.	0.80	400.00	\$320.00
Siehl, Whitney	10/28/2022	Analyze correspondence regarding ESI and confidentiality orders.	0.10	550.00	\$55.00
Siehl, Whitney	10/28/2022	Correspondences with clients.	0.40	550.00	\$220.00
Siehl, Whitney	10/28/2022	Phone calls to clients.	0.50	550.00	\$275.00
Siehl, Whitney	10/28/2022	Review and respond to correspondence from Dan Kurowski regarding document productions.	0.20	550.00	\$110.00

Siehl, Whitney	10/31/2022	Prepare for and attend phone conferences with clients regarding document production.	1.30	550.00	\$715.00
Siehl, Whitney	11/2/2022	Analyze 10th appellate decision in University of Toledo matter.	0.10	550.00	\$55.00
Siehl, Whitney	11/2/2022	Discuss case strategy with Dan Kurowski regarding document production.	0.10	550.00	\$55.00
Siehl, Whitney	11/9/2022	Analyze Staubus v. Minnesota order on class certification.	0.10	550.00	\$55.00
Siehl, Whitney	11/10/2022	Analyze correspondences from co-counsel regarding discovery strategy.	0.10	550.00	\$55.00
Siehl, Whitney	11/11/2022	Analyze correspondences from co-counsel regarding case strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	11/14/2022	Emailed Ryanne Perio regarding status of defendant's document production.	0.10	800.00	\$80.00
Kurowski, Daniel	11/14/2022	Discovery and case strategy conference call with Glen Abramson, Ari Kiener and Whitney Siehl.	0.30	800.00	\$240.00
Siehl, Whitney	11/14/2022	Analyze correspondence from Ari Kiener with quotes from documents regarding GW expectations for Spring 2020.	0.20	550.00	\$110.00
Siehl, Whitney	11/14/2022	Attend all plaintiff strategy call.	0.40	550.00	\$220.00
Siehl, Whitney	11/14/2022	Analyze correspondence from Dan Kurowski and Ryanne Perio regarding discovery document productions.	0.10	550.00	\$55.00
Siehl, Whitney	11/15/2022	Analyze preliminary approval motion in Arredonodo v. LaVerne.	0.10	550.00	\$55.00
Kurowski, Daniel	11/16/2022	Correspondence to co-counsel analyzing Defendant's proposed ESI searches.	0.30	800.00	\$240.00
Siehl, Whitney	11/16/2022	Analyze correspondences regarding search terms.	0.40	550.00	\$220.00
Siehl, Whitney	11/16/2022	Analyze correspondence regarding third party subpoenas.	0.20	550.00	\$110.00
Siehl, Whitney	11/17/2022	Analyze Smith v. OSU appellate decision.	0.10	550.00	\$55.00

Kurowski, Daniel	11/18/2022	Correspondence with Ryanne Perio regarding Defendant's proposed ESI searches.	0.10	800.00	\$80.00
Kurowski, Daniel	11/18/2022	Correspondence with Glen Abramson regarding Defendant's proposed ESI searches.	0.10	800.00	\$80.00
Siehl, Whitney	11/18/2022	Analyze correspondence from Ryanne Perio and Dan Kurowski regarding search terms and custodians.	0.20	550.00	\$110.00
Siehl, Whitney	11/30/2022	Analyze order on motion for stipulated protective order and discovery procedure.	0.10	550.00	\$55.00
Siehl, Whitney	12/1/2022	Analyze correspondence from Ryann Perio regarding discovery responses and third party subpoenas.	0.60	550.00	\$330.00
Siehl, Whitney	12/1/2022	Phone conference with Dan Kurowski regarding discovery strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	12/5/2022	Correspondence with Glen Abramson regarding discovery status.	0.10	800.00	\$80.00
Siehl, Whitney	12/5/2022	Analyze correspondences with co-counsel regarding discovery meet and confer strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	12/7/2022	Discovery status review.	0.30	800.00	\$240.00
Siehl, Whitney	12/7/2022	Analyze correspondence from Ryanne Perio regarding discovery.	0.10	550.00	\$55.00
Kurowski, Daniel	12/9/2022	Correspondence with class member regarding class information.	0.10	800.00	\$80.00
Kurowski, Daniel	12/9/2022	Correspondence to Ryanne Perio regarding call scheduling.	0.10	800.00	\$80.00
Siehl, Whitney	12/9/2022	Correspondences with Dan Kurowski regarding class member.	0.20	550.00	\$110.00
Siehl, Whitney	12/9/2022	Analyze correspondences between Dan Kurowski and class member.	0.10	550.00	\$55.00
Siehl, Whitney	12/9/2022	Review and analyze historical communications with class member.	0.30	550.00	\$165.00
Siehl, Whitney	12/9/2022	Analyze correspondence regarding discovery issues.	0.10	550.00	\$55.00

Siehl, Whitney	12/11/2022	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	12/12/2022	Correspondence regarding meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	12/14/2022	Additional correspondence with Dan Kurowski regarding discovery strategy.	0.10	550.00	\$55.00
Siehl, Whitney	12/14/2022	Correspondences with clients regarding discovery.	0.70	550.00	\$385.00
Siehl, Whitney	12/14/2022	Correspondences with Dan Kurowski regarding authorizations and discovery.	0.10	550.00	\$55.00
Siehl, Whitney	12/14/2022	Discuss discovery strategy with Dan Kurowski.	0.20	550.00	\$110.00
Kurowski, Daniel	12/15/2022	Correspondence with Ariana Kiener regarding strategy call scheduling.	0.10	800.00	\$80.00
Siehl, Whitney	12/15/2022	Discussion regarding discovery strategy with Dan Kurowski.	0.20	550.00	\$110.00
Siehl, Whitney	12/15/2022	Correspondences with plaintiff team regarding meet and confer strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	12/16/2022	Work drafting and finalizing deposition notices and second set of RFPs and interrogatories.	1.50	800.00	\$1,200.00
Kurowski, Daniel	12/16/2022	Drafted joint motion for an extension.	0.60	800.00	\$480.00
Kurowski, Daniel	12/16/2022	Prepare for and attend discovery meet and confer with defense counsel and co-counsel.	0.80	800.00	\$640.00
Kurowski, Daniel	12/16/2022	Prepare for and attend strategy call with co-counsel counsel.	0.50	800.00	\$400.00
Meyers, Megan	12/16/2022	Draft notice of rule 30(b)(6) deposition of defendant (.8); Draft second set of requests for production of documents (.3); Draft second set of interrogatories (.4).	1.60	400.00	\$640.00
Siehl, Whitney	12/16/2022	Analyze second requests for production and interrogatories.	0.20	550.00	\$110.00
Siehl, Whitney	12/16/2022	Analyze correspondences from co-counsel regarding case strategy and next steps regarding meet and confer.	0.20	550.00	\$110.00

Siehl, Whitney	12/16/2022	Analyze motion for extension.	0.20	550.00	\$110.00
Siehl, Whitney	12/16/2022	Analyze numerous correspondences regarding notices of depositions, discovery and extension motion.	0.40	550.00	\$220.00
Siehl, Whitney	12/16/2022	Meet and confer regarding discovery with defense counsel.	0.50	550.00	\$275.00
Siehl, Whitney	12/16/2022	Additional review of discovery responses and correspondence in preparation for meet and confer with defense counsel.	0.50	550.00	\$275.00
Siehl, Whitney	12/16/2022	Prepare for and attend meet and confer strategy call with co-counsel.	1.00	550.00	\$550.00
Siehl, Whitney	12/17/2022	Analyze correspondences and documents from client.	0.50	550.00	\$275.00
Kurowski, Daniel	12/19/2022	Work and correspondence regarding finalization of extension motion.	1.40	800.00	\$1,120.00
Meyers, Megan	12/19/2022	Calendar deadline for defendants to respond to second set of requests for production and second set of interrogatories, and calendar the placeholder date for the Rule 30(b)(6) deposition of The George Washington University (.1); Update master case tracker on Teams regarding same (.1).	0.20	400.00	\$80.00
Siehl, Whitney	12/19/2022	Analyze correspondence from Ryanne Perio regarding meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	12/19/2022	Analyze additional correspondences from defense counsel regarding motion to extend.	0.10	550.00	\$55.00
Siehl, Whitney	12/19/2022	Analyze correspondences regarding settlement demand strategy.	0.20	550.00	\$110.00
Siehl, Whitney	12/19/2022	Analyze numerous correspondences from plaintiff's team regarding edits to joint motion.	0.10	550.00	\$55.00
Siehl, Whitney	12/19/2022	Analyze edits to joint motion to extend the deadlines.	0.20	550.00	\$110.00
Siehl, Whitney	12/19/2022	Correspondence with co-counsel regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	12/19/2022	Analyze correspondence from defendants regarding extension of case deadlines.	0.10	550.00	\$55.00

Siehl, Whitney	12/20/2022	Analyze order on motion for extension of time.	0.10	550.00	\$55.00
Siehl, Whitney	12/20/2022	Correspondence to team regarding document production.	0.10	550.00	\$55.00
Siehl, Whitney	12/20/2022	Analyze correspondence from client.	0.10	550.00	\$55.00
Siehl, Whitney	12/20/2022	Correspondences to Ceci Huerta and Megan Meyers regarding document collection.	0.10	550.00	\$55.00
Siehl, Whitney	12/20/2022	Analyze correspondence from client.	0.10	550.00	\$55.00
Meyers, Megan	12/21/2022	Review court order granting the parties' joint motion for extension of case deadlines and revise calendar according to same (.4); Update master case tracker on Teams re. same (.1).	0.50	400.00	\$200.00
Conte, Jennifer	12/22/2022	Reviewed docket, pulled documents, updated case list.	0.20	400.00	\$80.00
Siehl, Whitney	12/27/2022	Analyze correspondence regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	12/30/2022	Analyze correspondence regarding document production.	0.10	550.00	\$55.00
Kurowski, Daniel	1/4/2023	Email to Ryanne Perio regarding individual and 30(b)(6) deposition scheduling.	0.10	800.00	\$80.00
Siehl, Whitney	1/4/2023	Analyze correspondences with defense counsel regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	1/6/2023	Analyze numerous correspondences regarding deposition scheduling and notices.	0.50	550.00	\$275.00
Siehl, Whitney	1/9/2023	Analyze plaintiff team correspondences regarding case and settlement strategy.	0.10	550.00	\$55.00
Siehl, Whitney	1/9/2023	Analyze additional strategy discussions from plaintiff team.	0.10	550.00	\$55.00
Siehl, Whitney	1/9/2023	Correspondence with Ari Kiener regarding client documents.	0.10	550.00	\$55.00
Siehl, Whitney	1/9/2023	Analyze additional correspondences regarding depositions.	0.10	550.00	\$55.00

Siehl, Whitney	1/9/2023	Review and respond to correspondence from co-counsel regarding deposition strategy.	0.20	550.00	\$110.00
Siehl, Whitney	1/9/2023	Analyze correspondences from Alan Schoenfeld and Ariana Kiener regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	1/10/2023	Correspondences to clients regarding discovery and depositions.	0.50	550.00	\$275.00
Siehl, Whitney	1/11/2023	Correspondence to client.	0.10	550.00	\$55.00
Siehl, Whitney	1/13/2023	Analyze correspondence regarding expert strategy.	0.10	550.00	\$55.00
Siehl, Whitney	1/13/2023	Analyze correspondence from defense counsel regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	1/13/2023	Analyze correspondence from Michelle Drake regarding strategy.	0.10	550.00	\$55.00
Siehl, Whitney	1/13/2023	Discuss case strategy via phone conference with Dan Kurowski.	0.30	550.00	\$165.00
Siehl, Whitney	1/13/2023	Prepare for and attend all plaintiff strategy call.	1.00	550.00	\$550.00
Siehl, Whitney	1/17/2023	Analyze correspondence regarding GW's objection's and responses to discovery.	0.60	550.00	\$330.00
Kurowski, Daniel	1/19/2023	Strategy call with co-counsel.	0.20	800.00	\$160.00
Meyers, Megan	1/19/2023	Log into defendant's secure share file and try to download all productions produced by defendant to-date (.2); Conference with Dan Kurowski regarding same (.1).	0.30	400.00	\$120.00
Siehl, Whitney	1/19/2023	Analyze correspondences regarding depositions.	0.20	550.00	\$110.00
Siehl, Whitney	1/19/2023	Analyze correspondences regarding documents productions.	0.10	550.00	\$55.00
Siehl, Whitney	1/19/2023	Numerous correspondences regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	1/23/2023	Analyze order approving Penn settlement.	0.10	550.00	\$55.00

Siehl, Whitney	1/24/2023	Analyze correspondences regarding case strategy and discovery strategy.	0.30	550.00	\$165.00
Siehl, Whitney	1/25/2023	Correspondences with clients.	0.30	550.00	\$165.00
Siehl, Whitney	1/25/2023	Discuss case strategy with Dan Kurowski.	0.20	550.00	\$110.00
Kerzan, Radha	1/27/2023	Emails with Dan Kurowski regarding transfer of data in co-counsel's Relativity database into an Everlaw database.	0.20	350.00	\$70.00
Kurowski, Daniel	1/27/2023	Correspondence with Radha Kerzan regarding database transfer.	0.10	800.00	\$80.00
Kurowski, Daniel	1/27/2023	Research and correspondence regarding Glen Abramson withdrawal.	0.40	800.00	\$320.00
Siehl, Whitney	1/27/2023	Correspondence regarding notice of withdrawal.	0.10	550.00	\$55.00
Siehl, Whitney	1/27/2023	Analyze additional correspondence regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	1/27/2023	Analyze correspondences regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	1/28/2023	Review and respond to correspondence from clients.	0.20	550.00	\$110.00
Conte, Jennifer	1/31/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kerzan, Radha	1/31/2023	Discussion with Dan Kurowski regarding transferring documents from co-counsel's Relativity database to Everlaw litigation database.	0.20	350.00	\$70.00
Kurowski, Daniel	1/31/2023	Correspondence with Alan Schoenfeld regarding scheduling discussion about deposition availabilities.	0.10	800.00	\$80.00
Kurowski, Daniel	2/3/2023	Correspondence with technical team regarding database transfer.	0.10	800.00	\$80.00
Kerzan, Radha	2/6/2023	Emails with Everlaw tech support, Ricoh project manager, and case team regarding migrating co-counsel's Relativity database into Everlaw database.	0.80	350.00	\$280.00
Siehl, Whitney	2/6/2023	Analyze correspondence regarding discovery.	0.20	550.00	\$110.00

Siehl, Whitney	2/6/2023	Analyze MSJ decision in RIT matter.	0.10	550.00	\$55.00
Siehl, Whitney	2/7/2023	Analyze correspondences from defense counsel regarding discovery and deposition disputes.	0.60	550.00	\$330.00
Kerzan, Radha	2/8/2023	Prepare for and attend call with Everlaw and Relativity project managers to facilitate migration of case litigation database [.9]; Open new database for Everlaw data to load data from Relativity database export [.3]; Emails with D. Kurowski regarding additional document production to be loaded into new database and quality control checks and modification of database after Everlaw loads data from Relativity database vendor [.2]; Follow up emails with Sophia Kahn with Everlaw regarding new database [1]	1.50	350.00	\$525.00
Kurowski, Daniel	2/8/2023	Calls and correspondence regarding database migration.	0.70	800.00	\$560.00
Siehl, Whitney	2/8/2023	Correspondences to co-counsel regarding discovery.	0.20	550.00	\$110.00
Siehl, Whitney	2/8/2023	Discuss case strategy with Dan Kurowski.	0.10	550.00	\$55.00
Kerzan, Radha	2/9/2023	Download and unzip document production received from opposing counsel [.6]; Load document production into litigation database and emails with database vendor regarding same.	0.60	350.00	\$210.00
Kurowski, Daniel	2/9/2023	Discovery strategy call with Whitney Siehl.	0.20	800.00	\$160.00
Siehl, Whitney	2/9/2023	Correspondences with co-counsel regarding discovery.	0.20	550.00	\$110.00
Siehl, Whitney	2/9/2023	Draft summary of meet and confer.	0.50	550.00	\$275.00
Siehl, Whitney	2/9/2023	Attend meet and confer regarding depositions and discovery issues.	0.50	550.00	\$275.00
Siehl, Whitney	2/9/2023	Additional prep for meet and confer.	1.00	550.00	\$550.00
Siehl, Whitney	2/9/2023	Phone conference with Dan Kurowski regarding meet and confer.	0.30	550.00	\$165.00

Siehl, Whitney	2/9/2023	Call with co-counsel regarding plaintiff discovery.	0.60	550.00	\$330.00
Siehl, Whitney	2/9/2023	Review and respond to correspondences from Dan Kurowski regarding meet and confer strategy.	0.40	550.00	\$220.00
Kerzan, Radha	2/13/2023	Upload document production to ShareFile to transfer to Megan Meyers in Chicago office.	0.30	350.00	\$105.00
Kurowski, Daniel	2/14/2023	Correspondence with staff regarding uploading of latest document production by Defendant.	0.10	800.00	\$80.00
Meyers, Megan	2/14/2023	Draft email correspondence to Radha Kerzan requesting access to the Everlaw database.	0.10	400.00	\$40.00
Siehl, Whitney	2/14/2023	Numerous emails to clients and co-counsel regarding case strategy.	0.50	550.00	\$275.00
Siehl, Whitney	2/14/2023	Lengthy phone conferences with clients.	0.60	550.00	\$330.00
Kurowski, Daniel	2/15/2023	Correspondence with Megan Meyers regarding supplemental defense production.	0.10	800.00	\$80.00
Meyers, Megan	2/15/2023	Download defendant's document production and upload same to Everlaw (.3); Update document production log regarding same (.2).	0.50	400.00	\$200.00
Siehl, Whitney	2/15/2023	Numerous correspondences with clients.	0.50	550.00	\$275.00
Kurowski, Daniel	2/16/2023	Correspondence with Megan Meyers regarding document review.	0.10	800.00	\$80.00
Siehl, Whitney	2/16/2023	Numerous correspondences with co counsel regarding client matters.	0.30	550.00	\$165.00
Siehl, Whitney	2/16/2023	Numerous correspondences with co-counsel.	0.20	550.00	\$110.00
Siehl, Whitney	2/16/2023	Numerous correspondences with clients.	0.50	550.00	\$275.00
Kurowski, Daniel	2/21/2023	Correspondence with Michelle Drake regarding expert strategy.	0.10	800.00	\$80.00
Siehl, Whitney	2/21/2023	Analyze correspondence from defense counsel.	0.10	550.00	\$55.00

Siehl, Whitney	2/21/2023	Analyze correspondence regarding expert discovery.	0.10	550.00	\$55.00
Kurowski, Daniel	2/22/2023	Reviewed and executed Everlaw statement of work.	0.10	800.00	\$80.00
Kurowski, Daniel	2/22/2023	Correspondence with Whitney Siehl regarding Plaintiff/non-party deposition scheduling.	0.10	800.00	\$80.00
Siehl, Whitney	2/22/2023	Correspondence with Radha Kerzan regarding plaintiff documents.	0.10	550.00	\$55.00
Siehl, Whitney	2/22/2023	Correspondence to Dan Kurowski regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	2/22/2023	Review past correspondences and draft correspondence to defense counsel.	0.60	550.00	\$330.00
Siehl, Whitney	2/22/2023	Phone conference with Dan Kurowski regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	2/22/2023	Phone conference with clients regarding document collections.	0.80	550.00	\$440.00
Siehl, Whitney	2/23/2023	Correspondence to clients.	0.20	550.00	\$110.00
Siehl, Whitney	3/1/2023	Correspondence to clients regarding case.	0.10	550.00	\$55.00
Siehl, Whitney	3/1/2023	Correspondence to Andrew Levetown regarding case.	0.10	550.00	\$55.00
Siehl, Whitney	3/1/2023	Phone conference with Dan Kurowski regarding case.	0.20	550.00	\$110.00
Kurowski, Daniel	3/3/2023	Correspondence with defense counsel regarding deposition scheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	3/3/2023	Correspondence with Whitney Siehl regarding discovery follow-ups.	0.10	800.00	\$80.00
Siehl, Whitney	3/3/2023	Correspondences with clients.	0.20	550.00	\$110.00
Siehl, Whitney	3/3/2023	Correspondences with co counsel Ari Kiener regarding discovery correspondence.	0.30	550.00	\$165.00

Siehl, Whitney	3/3/2023	Correspondences with Dan Kurowski regarding dissolves correspondence.	0.10	550.00	\$55.00
Siehl, Whitney	3/3/2023	Review documents and draft detailed discovery correspondences to Defendant.	3.00	550.00	\$1,650.00
Siehl, Whitney	3/4/2023	Analyze correspondence from A. Shoenfeld regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/4/2023	Correspondences with Dan Kurowski regarding case strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	3/7/2023	Correspondence with Whitney Siehl regarding deposition scheduling.	0.10	800.00	\$80.00
Siehl, Whitney	3/7/2023	Additional correspondences with Dan Kurowski regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/7/2023	Phone conference with A. Schoenfeld regarding proposal and depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/7/2023	Correspondences to A. Schoendeld regarding deposition notices and proposal.	0.10	550.00	\$55.00
Siehl, Whitney	3/7/2023	Correspondences with Ari Kiener regarding deposition notices.	0.20	550.00	\$110.00
Siehl, Whitney	3/7/2023	Analyze deposition notices.	0.20	550.00	\$110.00
Siehl, Whitney	3/7/2023	Discussion with Dan Kurowski regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	3/8/2023	Correspondence with co-counsel.	0.10	550.00	\$55.00
Siehl, Whitney	3/8/2023	Review and respond to numerous correspondences from clients.	0.30	550.00	\$165.00
Siehl, Whitney	3/8/2023	Analyze numerous correspondences and draft correspondence to defense counsel memorializing agreement regarding depositions.	0.50	550.00	\$275.00
Siehl, Whitney	3/9/2023	Analyze correspondence form defense counsel.	0.10	550.00	\$55.00
Siehl, Whitney	3/9/2023	Correspondences with co-counsel regarding document productions.	0.20	550.00	\$110.00

Kurowski, Daniel	3/10/2023	Email to defense counsel regarding status of responses to Second RFPs and interrogatories.	0.10	800.00	\$80.00
Kurowski, Daniel	3/10/2023	Correspondence with Cecilia Huerta regarding document review.	0.10	800.00	\$80.00
Siehl, Whitney	3/10/2023	Analyze correspondence to defense counsel regarding discovery.	0.10	550.00	\$55.00
Siehl, Whitney	3/10/2023	Phone conference with Ari Kiener regarding document production and deposition strategy.	0.40	550.00	\$220.00
Siehl, Whitney	3/14/2023	Correspondences with clients.	0.30	550.00	\$165.00
Siehl, Whitney	3/14/2023	Review additional documents for production.	0.50	550.00	\$275.00
Meyers, Megan	3/15/2023	Review client documents and confirm we have all retainer agreements for each plaintiff (.2); Conference with Whitney Siehl regarding plaintiffs' document production missing from Everlaw and research same (.2); Upload missing production to Everlaw (.1); Upload documents to be produced on behalf of plaintiffs and setup binders in Everlaw for Whitney Siehl to quality check the documents before being produced (.1); Conference with Whitney Siehl about adding documents to plaintiffs production set and sending to co-counsel Ariana Kiener at Berner Montague for final approval (.2)	1.40	400.00	\$560.00
Siehl, Whitney	3/15/2023	Correspondences with co-counsel regarding depositions and document production.	0.40	550.00	\$220.00
Siehl, Whitney	3/15/2023	Correspondence to Alan Schoenfeld regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/15/2023	Discuss case strategy with Dan Kurowski and Megan Meyers.	0.40	550.00	\$220.00
Siehl, Whitney	3/15/2023	Numerous correspondences to clients.	1.00	550.00	\$550.00
Siehl, Whitney	3/15/2023	Analyze additional documents and document production.	2.20	550.00	\$1,210.00

Meyers, Megan	3/16/2023	Work on plaintiffs' document production to be produced tomorrow and send to co-counsel Ariana Kiener at Berger Montague for approval (.5); Prepare documents with confidentiality designations and run for production (1.3).	1.80	400.00	\$720.00
Siehl, Whitney	3/16/2023	Final review of documents for production.	0.50	550.00	\$275.00
Siehl, Whitney	3/16/2023	Correspondences with Ari Kiener and Dan Kurowski regarding confidentiality designations.	0.30	550.00	\$165.00
Siehl, Whitney	3/16/2023	Review and prepare additional documents for production.	0.50	550.00	\$275.00
Meyers, Megan	3/17/2023	Draft email correspondence to all counsel of record enclosing links to plaintiffs' document productions.	0.50	400.00	\$200.00
Siehl, Whitney	3/17/2023	Correspondences with clients regarding FERPA waivers.	0.30	550.00	\$165.00
Siehl, Whitney	3/17/2023	Correspondences with Ari Kiener regarding FERPA waivers.	0.10	550.00	\$55.00
Siehl, Whitney	3/17/2023	Analyze correspondence to defense counsel regarding FERPA waivers.	0.10	550.00	\$55.00
Siehl, Whitney	3/18/2023	Numerous emails and correspondences with clients.	0.60	550.00	\$330.00
Meyers, Megan	3/20/2023	Upload to Everlaw additional documents for supplemental document productions for plaintiffs Mauldin, Shaffer, and Zaitoun (.2); Code each document with confidentiality designation and put into binders for Whitney Siehl's final review before running for production (.4).	0.60	400.00	\$240.00
Siehl, Whitney	3/20/2023	Discuss deposition strategy with Dan Kurowski.	0.10	550.00	\$55.00
Siehl, Whitney	3/20/2023	Analyze correspondence regarding document production.	0.10	550.00	\$55.00
Siehl, Whitney	3/20/2023	Additional correspondences regarding document production.	0.20	550.00	\$110.00
Siehl, Whitney	3/20/2023	Additional correspondences with clients.	0.30	550.00	\$165.00
Siehl, Whitney	3/20/2023	Correspondences regarding document productions.	0.30	550.00	\$165.00

Siehl, Whitney	3/20/2023	Correspondences with co-counsel and clients.	0.40	550.00	\$220.00
Siehl, Whitney	3/20/2023	Prepare for and attend deposition preparation of clients.	6.00	550.00	\$3,300.00
Meyers, Megan	3/21/2023	Send access to Everlaw binders of the documents that are queued for production today to Whitney Siehl for final sign-off (.2).	0.20	400.00	\$80.00
Meyers, Megan	3/21/2023	Update document production log with defendant's forthcoming document production (.1).	0.10	400.00	\$40.00
Kurowski, Daniel	3/22/2023	Correspondence with Alan Schoenfeld regarding Rule 30(b)(6) deposition topics by witness.	0.10	800.00	\$80.00
Meyers, Megan	3/22/2023	Download defendant's document production and upload to Everlaw.	0.30	400.00	\$120.00
Siehl, Whitney	3/22/2023	Analyze correspondence regarding rule 30(b)(6) depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/22/2023	Correspondence regarding FERPA waivers.	0.30	550.00	\$165.00
Siehl, Whitney	3/22/2023	Numerous correspondences with clients.	0.50	550.00	\$275.00
Kurowski, Daniel	3/23/2023	Calls with Whitney Siehl regarding discovery matters.	0.30	800.00	\$240.00
Meyers, Megan	3/23/2023	Work on plaintiffs Shaffer, Mauldin, and Zaitoun's supplemental document productions and serve same on all counsel of record (1.0); Update document production log re. same (.1).	1.10	400.00	\$440.00
Meyers, Megan	3/23/2023	Conference with Dan Kurowski regarding scheduling a court reporter for depositions that are taking place next week (.05); Schedule court reporters for the upcoming Rule 30(b)(6) depositions (.45).	0.50	400.00	\$200.00
Siehl, Whitney	3/23/2023	Numerous correspondences and detailed review of regarding document productions.	2.80	550.00	\$1,540.00
Siehl, Whitney	3/23/2023	Numerous correspondences with clients.	0.50	550.00	\$275.00
Siehl, Whitney	3/23/2023	Additional phone conference with Dan Kurowski regarding FERPA waiver issues.	0.10	550.00	\$55.00

Siehl, Whitney	3/23/2023	Phone conference with defense counsel regarding FERPA waiver.	0.20	550.00	\$110.00
Siehl, Whitney	3/23/2023	Review and respond to correspondences from defense counsel regarding FERPA waivers.	0.30	550.00	\$165.00
Siehl, Whitney	3/23/2023	Phone conference with Dan Kurowski regarding deposition meet and confer strategy.	0.30	550.00	\$165.00
Kurowski, Daniel	3/24/2023	Call with Whitney Siehl regarding plaintiff deposition preparation.	0.10	800.00	\$80.00
Meyers, Megan	3/24/2023	Prepare single document to be produced on behalf of non-party Irina Lessin (.1); Serve same on all counsel of record (.1); Download defendant's document production from March 20, 2023 and upload to Everlaw (.1); Update document production log re. same (.1).	0.40	400.00	\$160.00
Siehl, Whitney	3/24/2023	Review and respond to correspondences with defense counsel regarding depositions.	0.20	550.00	\$110.00
Siehl, Whitney	3/24/2023	Numerous correspondences with co-counsel regarding deposition strategy.	0.40	550.00	\$220.00
Siehl, Whitney	3/24/2023	Correspondence with co-counsel regarding FERPA waivers.	0.20	550.00	\$110.00
Siehl, Whitney	3/24/2023	Analyze FEPR and finalize for production.	0.40	550.00	\$220.00
Siehl, Whitney	3/24/2023	Numerous emails regarding document production.	0.30	550.00	\$165.00
Siehl, Whitney	3/24/2023	Correspondence to client regarding deposition preparation.	0.20	550.00	\$110.00
Siehl, Whitney	3/24/2023	Phone conference with Dan Kurowski regarding deposition preparation.	0.30	550.00	\$165.00
Siehl, Whitney	3/24/2023	Prepare for and attend client deposition preparation.	3.50	550.00	\$1,925.00
Siehl, Whitney	3/26/2023	Review and respond to correspondences from defense counsel regarding depositions.	0.10	550.00	\$55.00

Siehl, Whitney	3/26/2023	Review and respond to numerous correspondences from clients.	1.50	550.00	\$825.00
Kurowski, Daniel	3/27/2023	Preparation for Terry Murphy Rule 30(b)(6) deposition.	4.70	800.00	\$3,760.00
Siehl, Whitney	3/27/2023	Phone conference with client.	0.30	550.00	\$165.00
Siehl, Whitney	3/27/2023	Correspondences regarding deposition of Charafeddine Zaitoun.	0.30	550.00	\$165.00
Siehl, Whitney	3/27/2023	Prepare for and attend deposition of Charafeddine Zaitoun.	5.40	550.00	\$2,970.00
Siehl, Whitney	3/27/2023	Discuss cases strategy with Dan Kurowski.	0.10	550.00	\$55.00
Siehl, Whitney	3/27/2023	Correspondences with Dan Kurowski regarding response to defense counsel regarding FERPA.	0.40	550.00	\$220.00
Siehl, Whitney	3/27/2023	Numerous correspondences with clients.	0.70	550.00	\$385.00
Siehl, Whitney	3/27/2023	Correspondence to defense counsel regarding FERPA.	0.20	550.00	\$110.00
Siehl, Whitney	3/27/2023	Analyze correspondence from defense counsel.	0.10	550.00	\$55.00
Kurowski, Daniel	3/28/2023	Continued preparation for Terry Murphy Rule 30(b)(6) deposition.	1.40	800.00	\$1,120.00
Kurowski, Daniel	3/28/2023	Case strategy meeting with Whitney Siehl.	0.50	800.00	\$400.00
Kurowski, Daniel	3/28/2023	Conducted Rule 30(b)(6) deposition of designee Teresa Murphy.	3.60	800.00	\$2,880.00
Siehl, Whitney	3/28/2023	Additional deposition prep.	1.40	550.00	\$770.00
Siehl, Whitney	3/28/2023	Analyze additional correspondence from Defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	3/28/2023	Analyze document production.	0.50	550.00	\$275.00

Siehl, Whitney	3/28/2023	Numerous additional correspondences with clients.	0.30	550.00	\$165.00
Siehl, Whitney	3/28/2023	Correspondences with co-counsel regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	3/28/2023	Discuss cases strategy with Dan Kurowski.	0.30	550.00	\$165.00
Siehl, Whitney	3/28/2023	Review and respond to correspondence from defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	3/28/2023	Prepare for and attend deposition preparation meeting with Mark Shaffer.	1.50	550.00	\$825.00
Meyers, Megan	3/29/2023	Review correspondence from defense counsel enclosing two document productions (.1); Download document productions and upload to Everlaw (.1); Update document production log (.1); Draft correspondence to Dan Kurowski and Whitney Siehl regarding missing production files for GW-MAULDIN001 and GW-ZAITOUN001 (.1).	0.40	400.00	\$160.00
Siehl, Whitney	3/29/2023	Correspondences regarding document production.	0.20	550.00	\$110.00
Siehl, Whitney	3/29/2023	Prepare for and attend phone conference with client regarding deposition preparation.	1.60	550.00	\$880.00
Siehl, Whitney	3/29/2023	Correspondences with co-counsel.	0.10	550.00	\$55.00
Siehl, Whitney	3/29/2023	Numerous correspondences and phone conferences with client.	0.50	550.00	\$275.00
Siehl, Whitney	3/29/2023	Prepare for and attend deposition of Mark Shaffer.	4.40	550.00	\$2,420.00
Siehl, Whitney	3/30/2023	Analyze correspondence from co-counsel regarding document productions.	0.10	550.00	\$55.00
Siehl, Whitney	3/30/2023	Numerous phone conferences and correspondences with client.	0.70	550.00	\$385.00
Siehl, Whitney	3/30/2023	Prepare for and attend deposition of Marc Lessin.	4.00	550.00	\$2,200.00

Siehl, Whitney	3/31/2023	Additional correspondence regarding Rule 30(b)(6) depositions.	0.10	550.00	\$55.00
Siehl, Whitney	3/31/2023	Analyze numerous correspondences with defense counsel.	0.20	550.00	\$110.00
Kurowski, Daniel	4/3/2023	Preparation for Thomas LeBlanc deposition.	7.20	800.00	\$5,760.00
Siehl, Whitney	4/3/2023	Additional correspondence with clients.	0.20	550.00	\$110.00
Siehl, Whitney	4/3/2023	Analyze numerous correspondences regarding depositions and case strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	4/4/2023	Continued preparation for Thomas LeBlanc deposition.	1.10	800.00	\$880.00
Kurowski, Daniel	4/4/2023	Conducted Rule 30(b)(6) and (b)(1) deposition of designee/witness Thomas LeBlanc.	4.50	800.00	\$3,600.00
Meyers, Megan	4/4/2023	Download defendant's document production volume five and upload to Everlaw (.1); Update document production log regarding same (.1).	0.20	400.00	\$80.00
Siehl, Whitney	4/4/2023	Correspondences with Dan Kurowski regarding case strategy.	0.20	550.00	\$110.00
Siehl, Whitney	4/4/2023	Analyze correspondence regarding document production.	0.20	550.00	\$110.00
Siehl, Whitney	4/4/2023	Additional analysis of Delaware opinion.	0.10	550.00	\$55.00
Siehl, Whitney	4/4/2023	Discuss depositions with Dan Kurowski.	0.50	550.00	\$275.00
Kurowski, Daniel	4/5/2023	Correspondence with expert team.	0.10	800.00	\$80.00
Siehl, Whitney	4/5/2023	Correspondence regarding expert strategy.	0.10	550.00	\$55.00
Siehl, Whitney	4/6/2023	Draft response for motion for class certification.	5.00	550.00	\$2,750.00
Siehl, Whitney	4/6/2023	Analyze correspondence regarding deposition transcripts.	0.10	550.00	\$55.00

Siehl, Whitney	4/6/2023	Correspondence with Dan Kurowski regarding expert strategy.	0.10	550.00	\$55.00
Kurowski, Daniel	4/7/2023	Call with expert team.	0.50	800.00	\$400.00
Kurowski, Daniel	4/7/2023	Call with Whitney Siehl regarding case strategy.	0.20	800.00	\$160.00
Kurowski, Daniel	4/7/2023	Call with expert team.	0.50	800.00	\$400.00
Siehl, Whitney	4/7/2023	Analyze correspondence regarding expert report strategy.	0.40	550.00	\$220.00
Siehl, Whitney	4/10/2023	Continue drafting class certification brief.	6.00	550.00	\$3,300.00
Kurowski, Daniel	4/11/2023	Work on expert and class certification strategy.	2.10	800.00	\$1,680.00
Meyers, Megan	4/11/2023	Conference with Whitney Siehl regarding the March 20, 2023 defendant productions of documents related to plaintiff Charafeddine Zaitoun and Margaret Mauldin.	0.10	400.00	\$40.00
Siehl, Whitney	4/11/2023	Analyze local rules for class certification.	0.50	550.00	\$275.00
Siehl, Whitney	4/11/2023	Analyze correspondence regarding expert report.	0.20	550.00	\$110.00
Siehl, Whitney	4/11/2023	Correspondences regarding discovery production.	0.30	550.00	\$165.00
Kurowski, Daniel	4/12/2023	Correspondence with expert team.	0.10	800.00	\$80.00
Kurowski, Daniel	4/12/2023	Email to defense counsel requesting meet and confer on class certification motion.	0.10	800.00	\$80.00
Siehl, Whitney	4/12/2023	Continue drafting class certification brief and analyze expert report.	6.50	550.00	\$3,575.00
Siehl, Whitney	4/12/2023	Analyze correspondences regarding expert report.	0.10	550.00	\$55.00
Siehl, Whitney	4/12/2023	Analyze correspondences with client.	0.10	550.00	\$55.00

Siehl, Whitney	4/12/2023	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	4/12/2023	Review and respond to correspondence from co-counsel regarding deposition scheduling.	0.20	550.00	\$110.00
Kurowski, Daniel	4/13/2023	Correspondence with Ryanne Perio regarding meet and confer scheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	4/13/2023	Expert work.	0.50	800.00	\$400.00
Siehl, Whitney	4/13/2023	Continue drafting class certification brief and analyze expert report.	7.50	550.00	\$4,125.00
Siehl, Whitney	4/13/2023	Correspondences with clients.	0.10	550.00	\$55.00
Siehl, Whitney	4/13/2023	Analyze correspondence regarding plaintiff deposition dates.	0.20	550.00	\$110.00
Siehl, Whitney	4/13/2023	Analyze correspondence regarding expert report.	0.40	550.00	\$220.00
Siehl, Whitney	4/13/2023	Analyze correspondence regarding meet and confer.	0.10	550.00	\$55.00
Siehl, Whitney	4/13/2023	Correspondences to clients regarding depositions.	0.20	550.00	\$110.00
Kurowski, Daniel	4/14/2023	Prepare for and attend meet and confer with defense counsel on forthcoming motion for class certification.	0.20	800.00	\$160.00
Meyers, Megan	4/14/2023	Download defendants' document productions served today and upload to Everlaw (.2); Update document production log regarding same (.1).	0.30	400.00	\$120.00
Meyers, Megan	4/14/2023	Download defendants recent document production and upload same to Everlaw (.1); Update document production log re. same (.1).	0.20	400.00	\$80.00
Siehl, Whitney	4/14/2023	Analyze correspondence regarding expert reports.	0.10	550.00	\$55.00
Siehl, Whitney	4/14/2023	Analyze correspondence regarding document productions.	0.10	550.00	\$55.00
Siehl, Whitney	4/14/2023	Discussion regarding meet and confer.	0.10	550.00	\$55.00

Siehl, Whitney	4/14/2023	Discussions regarding class certification brief.	0.30	550.00	\$165.00
Siehl, Whitney	4/14/2023	Continue drafting class certification brief.	8.70	550.00	\$4,785.00
Siehl, Whitney	4/15/2023	Continue drafting class certification brief and supporting documents.	4.80	550.00	\$2,640.00
Kurowski, Daniel	4/16/2023	Review and revise draft class certification memorandum.	1.10	800.00	\$880.00
Siehl, Whitney	4/16/2023	Continue drafting class certification brief and supporting documents.	2.00	550.00	\$1,100.00
Kurowski, Daniel	4/17/2023	Final review of expert report and correspondence regarding same.	0.50	800.00	\$400.00
Kurowski, Daniel	4/17/2023	Work finalizing expert disclosures; served same on defense counsel.	0.50	800.00	\$400.00
Kurowski, Daniel	4/17/2023	Correspondence with Alan Schoenfeld regarding Diaz deposition rescheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	4/17/2023	Work finalizing and reviewing class certification motion and related papers.	6.20	800.00	\$4,960.00
Meyers, Megan	4/17/2023	Proofread and cite check motion for class certification, declaration in support of same, and prepare exhibits to same and plaintiffs motion to seal (6.4); Finalize both motions and supporting papers and file with the court (.7); Serve sealed filings on all counsel of record (.1).	7.20	400.00	\$2,880.00
Meyers, Megan	4/17/2023	Update document production log with number of documents in each of defendant's productions from Friday.	0.10	400.00	\$40.00
Siehl, Whitney	4/17/2023	Finalize class certification brief, motion to seal, declarations, proposed order, identify and secure exhibits, and finalize filing.	12.50	550.00	\$6,875.00
Siehl, Whitney	4/18/2023	Analyze correspondence with clients.	0.20	550.00	\$110.00
Siehl, Whitney	4/18/2023	Correspondence to defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	4/18/2023	Correspondences to clients.	0.20	550.00	\$110.00

Siehl, Whitney	4/19/2023	Additional correspondence to clients.	0.20	550.00	\$110.00
Siehl, Whitney	4/19/2023	Review and respond to correspondence from defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	4/20/2023	Analyze numerous correspondences from defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	4/20/2023	Review and respond to correspondence from defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	4/20/2023	Analyze document production correspondence.	0.20	550.00	\$110.00
Siehl, Whitney	4/20/2023	Correspondences to clients.	0.10	550.00	\$55.00
Siehl, Whitney	4/20/2023	Review prior correspondence and correspondence to defense counsel.	0.30	550.00	\$165.00
Conte, Jennifer	4/21/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	4/21/2023	Correspondence regarding Singer deposition scheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	4/21/2023	Began preparing for Diaz deposition.	3.10	800.00	\$2,480.00
Meyers, Megan	4/21/2023	Download defendant's document production and upload same to Everlaw (.2); Update document production log regarding same (.1).	0.30	400.00	\$120.00
Siehl, Whitney	4/21/2023	Analyze correspondence regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	4/22/2023	Analyze correspondence regarding depositions.	0.10	550.00	\$55.00
Kurowski, Daniel	4/24/2023	Began preparations for Diaz deposition.	2.10	800.00	\$1,680.00
Kurowski, Daniel	4/25/2023	Continued preparation for Mark Diaz deposition.	5.40	800.00	\$4,320.00
Kurowski, Daniel	4/25/2023	Call with Alan Schoenfeld.	0.10	800.00	\$80.00

Siehl, Whitney	4/25/2023	Additional correpondence regarding depositions.	0.20	550.00	\$110.00
Siehl, Whitney	4/25/2023	Analyze correspondence regarding deposition strategy.	0.20	550.00	\$110.00
Siehl, Whitney	4/25/2023	Correspondence regarding depositions.	0.30	550.00	\$165.00
Siehl, Whitney	4/25/2023	Emails regarding GW settlement demand.	0.30	550.00	\$165.00
Kurowski, Daniel	4/26/2023	Preliminary preparation for Singer deposition defense.	1.10	800.00	\$880.00
Kurowski, Daniel	4/26/2023	Continued preparation for Diaz deposition.	4.40	800.00	\$3,520.00
Siehl, Whitney	4/26/2023	Correpondences with clients regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	4/26/2023	Analyze order on motion to seal.	0.10	550.00	\$55.00
Siehl, Whitney	4/26/2023	Analyze additional correpondence regarding expert deposition.	0.20	550.00	\$110.00
Siehl, Whitney	4/26/2023	Analyze class settlement chart regarding settlement demand.	0.30	550.00	\$165.00
Siehl, Whitney	4/26/2023	Discussion with Dan Kurowski regarding GW settlement discussions.	0.30	550.00	\$165.00
Conte, Jennifer	4/27/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	4/27/2023	Reviewed other settlements for potential use in settlement demand letter.	0.40	800.00	\$320.00
Kurowski, Daniel	4/27/2023	Continued preparation for Diaz deposition.	1.60	800.00	\$1,280.00
Kurowski, Daniel	4/27/2023	Post-Diaz deposition debriefing work and analysis.	0.60	800.00	\$480.00
Kurowski, Daniel	4/27/2023	Conducted deposition of Mark Diaz.	3.40	800.00	\$2,720.00

Siehl, Whitney	4/27/2023	Correpondences with clients regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	4/27/2023	Discussion regarding deposition.	0.30	550.00	\$165.00
Siehl, Whitney	4/27/2023	Numerous emails and correpondence with clients.	0.50	550.00	\$275.00
Siehl, Whitney	4/27/2023	Begin drafting settlement demand.	3.00	550.00	\$1,650.00
Kurowski, Daniel	4/28/2023	Preparation for Dr. Hal Singer's expert deposition.	1.40	800.00	\$1,120.00
Siehl, Whitney	4/28/2023	Correspondence with Dan Kurowski regarding deposition strategy.	0.20	550.00	\$110.00
Siehl, Whitney	4/28/2023	Numerous emails and correpondence with clients.	0.50	550.00	\$275.00
Siehl, Whitney	4/28/2023	Continue drafting settlement demand.	2.00	550.00	\$1,100.00
Siehl, Whitney	4/29/2023	Numerous emails and correpondence with clients.	0.30	550.00	\$165.00
Kurowski, Daniel	4/30/2023	Correspondence with defense counsel and Dr. Singer regarding deposition cut-off timing and access information.	0.30	800.00	\$240.00
Siehl, Whitney	4/30/2023	Analyze additional correspondences regarding depositions.	0.10	550.00	\$55.00
Siehl, Whitney	4/30/2023	Analyze correspondences regarding depositions.	0.20	550.00	\$110.00
Kurowski, Daniel	5/1/2023	Final preparations for Singer deposition defense.	0.40	800.00	\$320.00
Kurowski, Daniel	5/1/2023	Correspondence with defense counsel Noah Levine regarding closing Singer deposition.	0.10	800.00	\$80.00
Kurowski, Daniel	5/1/2023	Defended deposition of Dr. Hal Singer.	7.20	800.00	\$5,760.00
Siehl, Whitney	5/1/2023	Correspondences regarding subpoena and deposition notice.	0.20	550.00	\$110.00

Siehl, Whitney	5/1/2023	Analyze Florida appellate decision.	0.10	550.00	\$55.00
Siehl, Whitney	5/1/2023	Numerous correspondences with Emma Shaffer.	0.30	550.00	\$165.00
Siehl, Whitney	5/1/2023	Prepare for and lead deposition preparation of Emma Shaffer.	3.90	550.00	\$2,145.00
Kurowski, Daniel	5/2/2023	Reviewed, revised and issued settlement demand letter.	0.30	800.00	\$240.00
Kurowski, Daniel	5/2/2023	Settlement demand strategy and discussions with Whitney Siehl.	0.40	800.00	\$320.00
Siehl, Whitney	5/2/2023	Correspondences regarding demand letter strategy.	0.20	550.00	\$110.00
Siehl, Whitney	5/2/2023	Additional discussion with Dan Kurowski regarding demand letter strategy.	0.20	550.00	\$110.00
Siehl, Whitney	5/2/2023	Discussion with Dan Kurowski regarding demand letter strategy.	0.50	550.00	\$275.00
Siehl, Whitney	5/2/2023	Supplement and finalize demand letter.	3.00	550.00	\$1,650.00
Kurowski, Daniel	5/3/2023	Correspondence with Steve Berman regarding potential mediators.	0.10	800.00	\$80.00
Siehl, Whitney	5/3/2023	Analyze new class cert decision.	0.10	550.00	\$55.00
Siehl, Whitney	5/3/2023	Strategy discusison regarding mediators.	0.30	550.00	\$165.00
Siehl, Whitney	5/3/2023	Correspondences with defense counsel.	0.20	550.00	\$110.00
Siehl, Whitney	5/3/2023	Review and respond to correspondence from defense counsel regarding upcoming depositions.	0.20	550.00	\$110.00
Siehl, Whitney	5/3/2023	Review and respond to correspondence from defense counsel regarding upcoming depositions.	0.30	550.00	\$165.00
Siehl, Whitney	5/3/2023	Correspondences regarding GW mediation.	0.30	550.00	\$165.00

Conte, Jennifer	5/4/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	5/4/2023	Call and correspondence with Alan Schoenfeld regarding mediation.	0.10	800.00	\$80.00
Kurowski, Daniel	5/4/2023	Correspondence with Whitney Siehl regarding mediation scheduling.	0.10	800.00	\$80.00
Kurowski, Daniel	5/4/2023	Reviewed draft stipulation to stay proceedings pending mediation.	0.10	800.00	\$80.00
Kurowski, Daniel	5/4/2023	Correspondence with Andrew Levetown regarding case update.	0.10	800.00	\$80.00
Siehl, Whitney	5/4/2023	Review and respond to correspondence from defense counsel regarding upcoming depositions.	0.20	550.00	\$110.00
Siehl, Whitney	5/4/2023	Correspondences regarding GW mediation.	0.30	550.00	\$165.00
Siehl, Whitney	5/4/2023	Prepare for and lead deposition preparation of Emma Shaffer.	3.90	550.00	\$2,145.00
Siehl, Whitney	5/4/2023	Prepare for and lead deposition preparation of Maggie Mauldin.	3.20	550.00	\$1,760.00
Siehl, Whitney	5/5/2023	Analyze BYU decision.	0.40	550.00	\$220.00
Siehl, Whitney	5/5/2023	Correspondences with Dan Kurowski regarding deposition of Maggie Mauldin.	0.20	550.00	\$110.00
Siehl, Whitney	5/5/2023	Additional correspondences regarding deposition of Maggie Mauldin.	0.20	550.00	\$110.00
Siehl, Whitney	5/5/2023	Correspondence to co-counsel regarding deposition of Maggie Mauldin.	0.20	550.00	\$110.00
Siehl, Whitney	5/5/2023	Prepare for and attend deposition of Maggie Mauldin.	4.50	550.00	\$2,475.00
Siehl, Whitney	5/6/2023	Numerous correspondences with Emma Shaffer.	0.40	550.00	\$220.00
Siehl, Whitney	5/7/2023	Correspondence with defense counsel.	0.10	550.00	\$55.00

Siehl, Whitney	5/7/2023	Prepare for and attend deposition of Emma Shaffer.	3.70	550.00	\$2,035.00
Siehl, Whitney	5/7/2023	Numerous correspondences with Emma Shaffer.	0.30	550.00	\$165.00
Siehl, Whitney	5/7/2023	Prepare for and conduce additoinal deposition preparation with Emma Shaffer.	1.00	550.00	\$550.00
Kurowski, Daniel	5/8/2023	Correspondence with JAMS regarding mediation submission timeline.	0.10	800.00	\$80.00
Kurowski, Daniel	5/8/2023	Correspondence with expert team regarding Singer deposition transcript.	0.10	800.00	\$80.00
Kurowski, Daniel	5/8/2023	Meeting with Whitney Siehl regarding plaintiff/non-party student depositions.	0.30	800.00	\$240.00
Kurowski, Daniel	5/8/2023	Conducted research and analysis of current settlement landscape.	3.00	800.00	\$2,400.00
Siehl, Whitney	5/8/2023	Analyze settlment chart.	0.20	550.00	\$110.00
Siehl, Whitney	5/8/2023	Strategy discussion regarding mediation.	0.20	550.00	\$110.00
Siehl, Whitney	5/8/2023	Correpondences with clients.	0.30	550.00	\$165.00
Siehl, Whitney	5/8/2023	Discussion regarding deposition of Emma Shaffer.	0.50	550.00	\$275.00
Kurowski, Daniel	5/9/2023	Is correspondence with court reporter forwarding Singer deposition errata.	0.10	800.00	\$80.00
Kurowski, Daniel	5/9/2023	Correspondence with Cecilia Huerta regarding upcoming case deadlines.	0.10	800.00	\$80.00
Kurowski, Daniel	5/9/2023	Research and draft mediation statement.	5.10	800.00	\$4,080.00
Siehl, Whitney	5/9/2023	Analyze deposition testimony.	1.30	550.00	\$715.00
Kurowski, Daniel	5/10/2023	Continued research and drafting of mediation brief.	3.90	800.00	\$3,120.00

Siehl, Whitney	5/10/2023	Analyze recent decisions and case law from co-counsel to inform mediation statement.	1.20	550.00	\$660.00
Siehl, Whitney	5/10/2023	Analyze draft mediation brief.	0.60	550.00	\$330.00
Siehl, Whitney	5/10/2023	Discussion regarding mediation strategy.	0.30	550.00	\$165.00
Siehl, Whitney	5/10/2023	Strategy discussion with Dan Kurowski.	0.50	550.00	\$275.00
Conte, Jennifer	5/11/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	5/11/2023	Correspondence with accounts payable team regarding JAMS invoice for upcoming mediation.	0.10	800.00	\$80.00
Kurowski, Daniel	5/11/2023	Correspondence with Scott Schreiber regarding scheduling pre-mediation conference call with Judge Laporte.	0.10	800.00	\$80.00
Siehl, Whitney	5/11/2023	Analyze correspondence regarding mediation.	0.20	550.00	\$110.00
Kurowski, Daniel	5/12/2023	Correspondence with Ariana Kiener regarding scheduling mediation discussion call.	0.10	800.00	\$80.00
Siehl, Whitney	5/12/2023	Correspondences regarding mediation strategy.	0.30	550.00	\$165.00
Siehl, Whitney	5/12/2023	Begin supplementing mediation brief.	0.70	550.00	\$385.00
Siehl, Whitney	5/12/2023	Analyze deposition testimony to edit mediation brief.	3.50	550.00	\$1,925.00
Siehl, Whitney	5/14/2023	Analyze deposition testimony to continue supplementing mediation brief.	2.40	550.00	\$1,320.00
Kurowski, Daniel	5/15/2023	Mediation preparation.	1.00	800.00	\$800.00
Kurowski, Daniel	5/15/2023	Prepare for and attend mediation strategy call with co-counsel.	0.30	800.00	\$240.00
Kurowski, Daniel	5/15/2023	Finalization and service of Plaintiffs' Mediation Memorandum.	2.10	800.00	\$1,680.00

Meyers, Megan	5/15/2023	Proofread mediation brief.	1.00	400.00	\$400.00
Siehl, Whitney	5/15/2023	Analyze numerous correspondences regarding mediation briefs.	0.40	550.00	\$220.00
Siehl, Whitney	5/15/2023	Additional strategy correspondences regarding mediation.	0.50	550.00	\$275.00
Siehl, Whitney	5/15/2023	Correspondences with clients.	0.50	550.00	\$275.00
Siehl, Whitney	5/15/2023	Correspondences regarding mediation.	0.40	550.00	\$220.00
Siehl, Whitney	5/15/2023	Meeting with co-counsel regarding mediation.	0.50	550.00	\$275.00
Siehl, Whitney	5/15/2023	Analyze mediation brief.	1.20	550.00	\$660.00
Kurowski, Daniel	5/16/2023	Mediation related correspondence with JAMS and co-counsel.	0.30	800.00	\$240.00
Kurowski, Daniel	5/16/2023	Review and analysis of GW's mediation brief.	1.50	800.00	\$1,200.00
Siehl, Whitney	5/16/2023	Analyze GW's mediation brief.	1.20	550.00	\$660.00
Siehl, Whitney	5/16/2023	Correspondences regarding upcoming mediation.	0.50	550.00	\$275.00
Siehl, Whitney	5/16/2023	Discussion regarding mediation strategy.	0.60	550.00	\$330.00
Siehl, Whitney	5/16/2023	Phone conference with client.	1.00	550.00	\$550.00
Siehl, Whitney	5/17/2023	Additional correspondences regarding mediation strategy.	0.20	550.00	\$110.00
Siehl, Whitney	5/17/2023	Phone conference with client.	0.50	550.00	\$275.00
Siehl, Whitney	5/18/2023	Correspondences with clients.	0.30	550.00	\$165.00

Siehl, Whitney	5/18/2023	Analyze mediation brief and expert report in preparation for mediation.	1.50	550.00	\$825.00
Siehl, Whitney	5/18/2023	Correspondences with Dan Kurowski regarding mediation.	0.20	550.00	\$110.00
Siehl, Whitney	5/18/2023	Phone conference with Dan Kurowski regarding mediation strategy.	0.30	550.00	\$165.00
Siehl, Whitney	5/18/2023	Phone conference with mediator regarding upcoming mediation strategy.	0.50	550.00	\$275.00
Siehl, Whitney	5/18/2023	PHone conference with client.	0.40	550.00	\$220.00
Siehl, Whitney	5/18/2023	Correspondences with clients.	0.30	550.00	\$165.00
Conte, Jennifer	5/19/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	5/19/2023	Mediation preparation.	0.70	800.00	\$560.00
Kurowski, Daniel	5/21/2023	Pre-mediation call with Magistrate Judge Laporte.	0.10	800.00	\$80.00
Kurowski, Daniel	5/21/2023	Correspondence with Whitney Siehl and Ari Kiener regarding call with Judge Laporte.	0.10	800.00	\$80.00
Kurowski, Daniel	5/22/2023	Attended remote mediation with Magistrate Judge Laporte.	5.60	800.00	\$4,480.00
Kurowski, Daniel	5/22/2023	Work drafting and revising settlement term sheet; forwarded same to counsel.	0.60	800.00	\$480.00
Kurowski, Daniel	5/22/2023	Continued mediation preparation.	1.60	800.00	\$1,280.00
Kurowski, Daniel	5/22/2023	Post-mediation correspondence with Judge Laporte, co-counsel and defense counsel.	0.30	800.00	\$240.00
Siehl, Whitney	5/22/2023	Prepare for and attend mediation.	8.00	550.00	\$4,400.00
Kurowski, Daniel	5/23/2023	Correspondence with Alan Schoenfeld regarding term sheet.	0.20	800.00	\$160.00

Kurowski, Daniel	5/23/2023	Drafted Joint Status Report to court; emailed draft to Alan Schoenfeld.	0.40	800.00	\$320.00
Kurowski, Daniel	5/23/2023	Finalized and executed term sheet.	0.20	800.00	\$160.00
Siehl, Whitney	5/23/2023	Correspondences with clients.	0.50	550.00	\$275.00
Kurowski, Daniel	5/24/2023	Correspondence to Alan Schoenfeld regarding class membership confirmation.	0.10	800.00	\$80.00
Kurowski, Daniel	5/24/2023	Correspondence with Cecilia Huerta regarding case scheduling matters.	0.10	800.00	\$80.00
Kurowski, Daniel	5/24/2023	Work drafting settlement paperwork.	3.10	800.00	\$2,480.00
Meyers, Megan	5/26/2023	File joint status report and motion to continue stay of proceedings.	0.10	400.00	\$40.00
Kurowski, Daniel	5/30/2023	Continued work drafting settlement agreement and related papers; emailed drafts to defense counsel for review and comment.	1.20	800.00	\$960.00
Kurowski, Daniel	6/7/2023	Correspondence with Alan Schoenfeld regarding status of draft settlement paperwork review.	0.10	800.00	\$80.00
Meyers, Megan	6/9/2023	Draft email correspondence to Nicolle Huerta requesting suspension of Everlaw database.	0.10	400.00	\$40.00
Kurowski, Daniel	6/13/2023	Correspondence with Chris O'Hara regarding notice and claims administration bidding.	0.20	800.00	\$160.00
O'Hara, Chris	6/13/2023	Review term sheet and work on RFP for settlement administration and notice.	0.50	800.00	\$400.00
Kurowski, Daniel	6/14/2023	Correspondence with Chris O'Hara regarding notice administration bids.	0.20	800.00	\$160.00
Kurowski, Daniel	6/15/2023	Call with Alan Schoenfeld regarding settlement administration issues.	0.20	800.00	\$160.00
Kurowski, Daniel	6/15/2023	Call with AB Data regarding claims administration questions.	0.20	800.00	\$160.00
O'Hara, Chris	6/15/2023	Work on RFP for settlement administration and notice; discuss same with AB Data.	1.00	800.00	\$800.00

Williams, Chavay	6/15/2023	Draft shell pleadings regarding motion for preliminary approval; review filed pleadings.	1.50	400.00	\$600.00
Kurowski, Daniel	6/16/2023	Correspondence with Alan Schoenfeld regarding CAFA notice.	0.10	800.00	\$80.00
Kurowski, Daniel	6/16/2023	Follow up correspondence with claims administration companies regarding updated bid data.	0.10	800.00	\$80.00
O'Hara, Chris	6/16/2023	Work on RFP for settlement administration and notice.	1.50	800.00	\$1,200.00
Kurowski, Daniel	6/20/2023	Correspondence with claims administrators regarding bid questions.	0.20	800.00	\$160.00
O'Hara, Chris	6/20/2023	Work on RFP responses for administration and notice.	2.00	800.00	\$1,600.00
O'Hara, Chris	6/23/2023	Work on RFP responses for administration and notice.	1.00	800.00	\$800.00
Siehl, Whitney	6/27/2023	Discuss settlement strategy with Dan Kurowski.	0.30	550.00	\$165.00
Kurowski, Daniel	6/29/2023	Correspondence with potential claims administrators regarding publication notice.	0.30	800.00	\$240.00
Kurowski, Daniel	6/30/2023	Reviewed and revised draft settlement agreement.	1.60	800.00	\$1,280.00
Siehl, Whitney	6/30/2023	Analyze correspondences regarding settlement agreement.	0.30	550.00	\$165.00
O'Hara, Chris	7/3/2023	Review status of responses to RFP for administration and notice.	1.00	800.00	\$800.00
O'Hara, Chris	7/5/2023	Review status of responses to RFP for notice and administration.	1.00	800.00	\$800.00
Siehl, Whitney	7/6/2023	Draft preliminary approval brief.	2.60	550.00	\$1,430.00
Siehl, Whitney	7/7/2023	Draft preliminary approval brief.	1.50	550.00	\$825.00
Kurowski, Daniel	7/10/2023	Work regarding review of notice proposals submitted by notice/claims administrators.	0.50	800.00	\$400.00

O'Hara, Chris	7/10/2023	Work on settlement administration and RFP responses re same.	2.00	800.00	\$1,600.00
Siehl, Whitney	7/10/2023	Continue drafting preliminary approval brief.	1.40	550.00	\$770.00
Siehl, Whitney	7/10/2023	Correspondences regarding settlement strategy.	0.20	550.00	\$110.00
Kurowski, Daniel	7/11/2023	Work reviewing and revising settlement agreement exhibits in light of revisions to settlement agreement.	0.90	800.00	\$720.00
Kurowski, Daniel	7/11/2023	Continued review and analysis of notice/claims administrations bids.	0.40	800.00	\$320.00
O'Hara, Chris	7/11/2023	Work on settlement administration and RFP responses re same.	2.00	800.00	\$1,600.00
Kurowski, Daniel	7/12/2023	Correspondence with Alan Schoenfeld regarding settlement execution deadline.	0.10	800.00	\$80.00
Kurowski, Daniel	7/12/2023	Correspondence with Chris O'Hara regarding notice administrator selection.	0.10	800.00	\$80.00
O'Hara, Chris	7/12/2023	Work on settlement administration and discuss same with administrative bidders.	3.00	800.00	\$2,400.00
Siehl, Whitney	7/12/2023	Correspondences with clients and co-counsel regarding settlement agreement.	0.40	550.00	\$220.00
Kurowski, Daniel	7/14/2023	Correspondence with Epiq regarding draft settlement paperwork for their review.	0.10	800.00	\$80.00
O'Hara, Chris	7/14/2023	Work on settlement administration and discuss same with administrative bidders.	1.50	800.00	\$1,200.00
Siehl, Whitney	7/17/2023	Continue drafting motion for preliminary approval.	1.70	550.00	\$935.00
Williams, Chavay	7/17/2023	Review production documents.	6.00	400.00	\$2,400.00
Kurowski, Daniel	7/18/2023	Continued work revising and editing settlement agreement and related exhibits.	1.50	800.00	\$1,200.00
O'Hara, Chris	7/18/2023	Review all preliminary approval papers.	2.00	800.00	\$1,600.00

Siehl, Whitney	7/18/2023	Analyze additional correspondences and redlines to settlement documents.	1.20	550.00	\$660.00
Siehl, Whitney	7/18/2023	Supplement motion for preliminary approval.	1.30	550.00	\$715.00
Siehl, Whitney	7/18/2023	Analyze numerous correspondences regarding settlement.	0.20	550.00	\$110.00
Siehl, Whitney	7/18/2023	Analyze settlement agreement redlines and notice forms.	2.10	550.00	\$1,155.00
Kurowski, Daniel	7/19/2023	Follow up email to Epiq regarding status of settlement document review.	0.10	800.00	\$80.00
O'Hara, Chris	7/19/2023	Work on Notice.	2.00	800.00	\$1,600.00
Siehl, Whitney	7/19/2023	Analyze correspondence regarding settlement and discussion with Dan Kurowski regarding same.	0.40	550.00	\$220.00
Siehl, Whitney	7/19/2023	Analyze draft declaration in support of preliminary approval.	0.50	550.00	\$275.00
Siehl, Whitney	7/19/2023	Continue drafting motion for preliminary approval.	6.00	550.00	\$3,300.00
Kurowski, Daniel	7/20/2023	Work reviewing and revising draft settlement papers in response to edits from notice administrator.	2.90	800.00	\$2,320.00
O'Hara, Chris	7/20/2023	Work on Notice.	1.50	800.00	\$1,200.00
Siehl, Whitney	7/20/2023	Review and respond to numerous correspondences regarding settlement.	0.20	550.00	\$110.00
Siehl, Whitney	7/20/2023	Analyze correspondence regarding settlement.	0.20	550.00	\$110.00
Siehl, Whitney	7/20/2023	Review and respond to correspondence with defense counsel.	0.30	550.00	\$165.00
Siehl, Whitney	7/20/2023	Continue drafting motion for preliminary approval.	7.80	550.00	\$4,290.00
Kurowski, Daniel	7/21/2023	Continued work on settlement papers and motion for preliminary approval.	2.50	800.00	\$2,000.00

Siehl, Whitney	7/21/2023	Analyze correspondences and edits regarding preliminary approval.	0.50	550.00	\$275.00
Siehl, Whitney	7/21/2023	Analyze numerous correspondences from defense counsel regarding settlement.	0.20	550.00	\$110.00
Siehl, Whitney	7/23/2023	Analyze correspondence from defense counsel and claims administrator edits to notice documents.	0.50	550.00	\$275.00
Kurowski, Daniel	7/24/2023	Work revising settlement agreement exhibits.	0.80	800.00	\$640.00
Kurowski, Daniel	7/24/2023	Call with Alan Schoenfeld regarding settlement opt-out.	0.10	800.00	\$80.00
Siehl, Whitney	7/24/2023	Analyze additional edits to settlement agreement.	0.40	550.00	\$220.00
Siehl, Whitney	7/24/2023	Analyze correspondences regarding preliminary approval and settlement agreement.	0.40	550.00	\$220.00
Siehl, Whitney	7/24/2023	Analyze updated draft of settlement agreement and supporting documents.	0.50	550.00	\$275.00
Williams, Chavay	7/24/2023	Review case files and pleadings in preparation for upcoming filing; research local rules and judges requirements regarding same.	3.30	400.00	\$1,320.00
Kurowski, Daniel	7/25/2023	Continued editing of settlement agreement exhibits.	0.90	800.00	\$720.00
Siehl, Whitney	7/25/2023	Analyze updates to settlement agreement and exhibits.	0.40	550.00	\$220.00
Siehl, Whitney	7/25/2023	Analyze correspondence regarding edits and edits to settlement agreement and exhibits.	0.50	550.00	\$275.00
Kurowski, Daniel	7/26/2023	Continued review of settlement drafts, correspondence regarding same with defense counsel.	0.60	800.00	\$480.00
Siehl, Whitney	7/26/2023	Analyze correspondence from clients.	0.20	550.00	\$110.00
Siehl, Whitney	7/26/2023	Analyze edits to preliminary approval motion.	0.40	550.00	\$220.00
Siehl, Whitney	7/26/2023	Review and respond to numerous correspondences from Dan Kurowski regarding settlement agreement and preliminary approval motion.	0.30	550.00	\$165.00

Siehl, Whitney	7/26/2023	Review and supplement settlement agreement and supporting documents.	0.70	550.00	\$385.00
Siehl, Whitney	7/26/2023	Review and respond to numerous correpondences from defense counsel regarding settlement agreement and supporting documents.	0.60	550.00	\$330.00
Kurowski, Daniel	7/27/2023	Work revising draft preliminary approval brief and declaration.	0.60	800.00	\$480.00
Siehl, Whitney	7/27/2023	Analyze additional edits to preliminary approval and supporting documents.	0.90	550.00	\$495.00
Siehl, Whitney	7/27/2023	Additional correpondneces with clients regarding settlement.	0.50	550.00	\$275.00
Siehl, Whitney	7/27/2023	Additional correpondences with Dan Kurowski regarding settlement agreement and preliminary approval strategy.	0.30	550.00	\$165.00
Siehl, Whitney	7/27/2023	Draft declaration in support of motion for preliminary approval.	1.00	550.00	\$550.00
Siehl, Whitney	7/27/2023	Supplement settlement agreement and exhibits.	0.60	550.00	\$330.00
Siehl, Whitney	7/27/2023	Review, analyze and respond to numerous correspondences regarding preliminary approval and settlement exhibits.	0.50	550.00	\$275.00
Siehl, Whitney	7/27/2023	Correspondences with co-counsel.	0.40	550.00	\$220.00
Siehl, Whitney	7/27/2023	Numerous correspondences with Dan Kurowski regarding preliminary approval and settlement agreement.	0.50	550.00	\$275.00
Siehl, Whitney	7/27/2023	Numerous correspondences and conversations with clients.	0.80	550.00	\$440.00
Williams, Chavay	7/27/2023	Review settlement documents; review and revise motion for preliminary approval.	1.00	400.00	\$400.00
Kurowski, Daniel	7/28/2023	Work finalizing Settlement Agreement, correspondence regarding same.	0.50	800.00	\$400.00
O'Hara, Chris	7/28/2023	Work on settlement administration and preliminary approval.	1.00	800.00	\$800.00
Siehl, Whitney	7/28/2023	Analyze additional correpondence regarding preliminary approval and documents.	0.40	550.00	\$220.00

Siehl, Whitney	7/28/2023	Additional correspondences regarding settlement agreement.	0.70	550.00	\$385.00
Siehl, Whitney	7/28/2023	Correspondences with defense counsel regarding executed settlement agreement.	0.50	550.00	\$275.00
Siehl, Whitney	7/28/2023	Correspondences and phone conference with Dan Kurowski regarding settlement finalization.	0.40	550.00	\$220.00
Siehl, Whitney	7/28/2023	Numerous correspondences with Chavay Williams regarding preliminary approval and settlement agreement finalization.	0.60	550.00	\$330.00
Siehl, Whitney	7/28/2023	Numerous correspondences with co-counsel and clients regarding settlement agreement.	2.40	550.00	\$1,320.00
Siehl, Whitney	7/28/2023	Prepare settlement agreement for signature.	0.70	550.00	\$385.00
Siehl, Whitney	7/28/2023	Supplement settlement agreement and exhibits based on input from defense counsel.	1.30	550.00	\$715.00
Siehl, Whitney	7/28/2023	Review and respond to numerous correspondences regarding settlement agreement and exhibits.	0.60	550.00	\$330.00
Williams, Chavay	7/28/2023	Review, revise declaration in support of motion for preliminary approval; compile executed settlement agreements; internal correspondence regarding same.	1.20	400.00	\$480.00
Kurowski, Daniel	7/30/2023	Finalized draft preliminary approval papers, emailed to Alan Schoenfeld.	0.30	800.00	\$240.00
Kurowski, Daniel	7/31/2023	Work finalizing today's motion for preliminary approval and related documents.	2.70	800.00	\$2,160.00
O'Hara, Chris	7/31/2023	Review preliminary approval filing.	2.00	800.00	\$1,600.00
Siehl, Whitney	7/31/2023	Supplement and finalize preliminary approval brief and supporting documents.	5.50	550.00	\$3,025.00
Siehl, Whitney	7/31/2023	Numerous correspondences regarding defense counsel edits to preliminary approval motion.	0.50	550.00	\$275.00
Williams, Chavay	7/31/2023	Cite-check motion for preliminary approval; review and revise same; internal correspondence regarding same; finalize and electronically file same and supporting documents; compile filed documents and circulate same.	6.90	400.00	\$2,760.00

Kurowski, Daniel	8/1/2023	Correspondence with staff regarding settlement deadlines.	0.10	800.00	\$80.00
Williams, Chavay	8/2/2023	Review settlement agreement regarding deadlines; internal correspondence regarding same; update docket regarding same.	1.80	400.00	\$720.00
Siehl, Whitney	8/3/2023	Analyze recent settlement in Loyola.	0.10	550.00	\$55.00
Conte, Jennifer	8/4/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	8/8/2023	Reviewed correspondence from Alan Schoenfeld regarding CAFA notice draft; commented on same.	0.10	800.00	\$80.00
Siehl, Whitney	8/8/2023	Analyze geographic analysis from claims administrator.	0.40	550.00	\$220.00
Siehl, Whitney	8/8/2023	Analyze correspondence from claims administration and defense counsel and edits regarding CAFA notice letter.	0.40	550.00	\$220.00
Siehl, Whitney	8/9/2023	Analyze edits to CAFA correspondence from defense counsel and claims administrator.	0.20	550.00	\$110.00
Siehl, Whitney	8/9/2023	Analyze additional correspondence from defense counsel and claims administrator.	0.20	550.00	\$110.00
Siehl, Whitney	8/10/2023	Analyze correspondence regarding CAFA notice.	0.10	550.00	\$55.00
Siehl, Whitney	8/11/2023	Analyze Third Circuit Appellate Order in tuition matter.	0.20	550.00	\$110.00
Kurowski, Daniel	9/27/2023	Correspondence with Alan Schoenfeld regarding status of ruling on motion for preliminary approval.	0.10	800.00	\$80.00
Siehl, Whitney	9/27/2023	Analyze correspondence regarding preliminary approval.	0.20	550.00	\$110.00
Conte, Jennifer	10/5/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	10/18/2023	Correspondence with Alan Schoenfeld regarding court outreach on status of preliminary approval motion ruling.	0.10	800.00	\$80.00
Kurowski, Daniel	10/18/2023	Call to Judge Leon's courtroom deputy regarding status of preliminary approval motion ruling.	0.10	800.00	\$80.00

Kurowski, Daniel	10/19/2023	Correspondence with courtroom deputy and defense counsel regarding motion review status by court.	0.10	800.00	\$80.00
Siehl, Whitney	10/19/2023	Analyze correspondences regarding preliminary approval.	0.10	550.00	\$55.00
Siehl, Whitney	10/26/2023	Analyze correspondence from client.	0.10	550.00	\$55.00
Siehl, Whitney	11/12/2023	Respond to correspondence from client.	0.10	550.00	\$55.00
Siehl, Whitney	11/12/2023	Analyze correspondence from client.	0.10	550.00	\$55.00
Kurowski, Daniel	12/4/2023	Correspondence with Whitney Siehl regarding notice of additional settlements.	0.10	800.00	\$80.00
Kurowski, Daniel	12/5/2023	Researched and drafted supplement to motion for preliminary approval.	0.50	800.00	\$400.00
Kurowski, Daniel	12/5/2023	Correspondence to settlement administrator regarding status of preliminary approval.	0.10	800.00	\$80.00
Kurowski, Daniel	12/5/2023	Correspondence to Andrew Levetown regarding status of settlement approval.	0.10	800.00	\$80.00
Siehl, Whitney	12/5/2023	Analyze correspondence regarding case strategy.	0.10	550.00	\$55.00
Siehl, Whitney	12/5/2023	Analyze correspondence regarding notice.	0.10	550.00	\$55.00
Siehl, Whitney	12/6/2023	Analyze supplement in support of preliminary approval.	0.40	550.00	\$220.00
Siehl, Whitney	12/6/2023	Review and respond to case strategy correspondences.	0.20	550.00	\$110.00
Siehl, Whitney	12/6/2023	Analyze orders.	0.10	550.00	\$55.00
Williams, Chavay	12/6/2023	Review supplement to motion for preliminary approval; research regarding same.	1.10	400.00	\$440.00
Kurowski, Daniel	12/7/2023	Reviewed minute order regarding class certification motion entered by court today; correspondence with team regarding same.	0.10	800.00	\$80.00

Siehl, Whitney	12/7/2023	Correspondence in response to orders.	0.10	550.00	\$55.00
Siehl, Whitney	12/7/2023	Analyze orders.	0.10	550.00	\$55.00
Williams, Chavay	12/7/2023	Review court minute order; update working file regarding same; internal correspondence regarding same; review filed briefing regarding same.	0.60	400.00	\$240.00
Kurowski, Daniel	12/12/2023	Correspondence with cocounsel regarding entry of preliminary approval of settlement.	0.10	800.00	\$80.00
Kurowski, Daniel	12/12/2023	Correspondence with Andrew Levetown regarding status of action.	0.40	800.00	\$320.00
Kurowski, Daniel	12/12/2023	Reviewed preliminary approval order entered today.	0.20	800.00	\$160.00
O'Hara, Chris	12/12/2023	Review preliminary approval order and work on settlement administration and class notice.	1.00	800.00	\$800.00
Siehl, Whitney	12/12/2023	Analyze correspondence regrading preliminary approval and next steps.	0.20	550.00	\$110.00
Siehl, Whitney	12/12/2023	Analyze order regarding preliminary approval.	0.30	550.00	\$165.00
Kurowski, Daniel	12/13/2023	Client correspondence.	0.20	800.00	\$160.00
Kurowski, Daniel	12/13/2023	Correspondence to expert team regarding any unpaid invoice balances for services rendered.	0.20	800.00	\$160.00
Kurowski, Daniel	12/13/2023	Correspondence with accounts payable team regarding expert invoicing.	0.10	800.00	\$80.00
Siehl, Whitney	12/13/2023	Analyze numerous correspondences from clients and co-counsel regarding next steps.	0.30	550.00	\$165.00
Siehl, Whitney	12/13/2023	Analyze correspondence regarding notice administration.	0.10	550.00	\$55.00
Williams, Chavay	12/13/2023	Review order granting preliminary approval and settlement agreement and input all relevant dates into internal docketing system; internal correspondence regarding same.	2.70	400.00	\$1,080.00
Conte, Jennifer	12/14/2023	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00

Kurowski, Daniel	12/14/2023	Review and analysis of case deadlines per preliminary approval order and settlement agreement; correspondence to defense counsel regarding same.	0.40	800.00	\$320.00
O'Hara, Chris	12/14/2023	Work on settlement administration and deadlines.	1.00	800.00	\$800.00
Siehl, Whitney	12/14/2023	Additional correspondences about settlement administration.	0.10	550.00	\$55.00
Siehl, Whitney	12/14/2023	Analyze preliminary approval and settlement deadlines.	0.10	550.00	\$55.00
Kurowski, Daniel	12/15/2023	Prepare for and attend conference call with settlement administration representatives regarding notice kick off.	0.30	800.00	\$240.00
Kurowski, Daniel	12/15/2023	Reviewed and revised settlement website scripting circulated by settlement administrator's office; circulated revised draft.	1.00	800.00	\$800.00
Kurowski, Daniel	12/15/2023	Search for correspondence regarding production of class member contacts list, email to defense counsel regarding status of same.	0.20	800.00	\$160.00
O'Hara, Chris	12/15/2023	Work on settlement administration and deadlines and discuss same with Epiq.	1.50	800.00	\$1,200.00
Siehl, Whitney	12/15/2023	Additional correspondence regarding notice and settlement schedule.	0.10	550.00	\$55.00
Siehl, Whitney	12/15/2023	Analyze website information for settlement website.	0.20	550.00	\$110.00
Siehl, Whitney	12/15/2023	Analyze correspondence with defense counsel regarding class member list.	0.10	550.00	\$55.00
Siehl, Whitney	12/15/2023	Analyze correspondence regarding claims administration.	0.10	550.00	\$55.00
Kurowski, Daniel	12/18/2023	Correspondence with defense counsel regarding settlement administrator contact for emailing class list.	0.10	800.00	\$80.00
Kurowski, Daniel	12/18/2023	Reviewed edits to the webpage copy circulated by defense counsel, approved same.	0.10	800.00	\$80.00
O'Hara, Chris	12/18/2023	Work on notice and settlement administration.	1.00	800.00	\$800.00
Siehl, Whitney	12/18/2023	Analyze edits to settlement website script.	0.10	550.00	\$55.00

Siehl, Whitney	12/18/2023	Analyze correspondence from defense counsel regarding class member list.	0.10	550.00	\$55.00
Siehl, Whitney	12/18/2023	Analyze correspondences regarding notice.	0.20	550.00	\$110.00
Kurowski, Daniel	12/20/2023	Correspondence with Cam Anzari regarding postcard notice.	0.10	800.00	\$80.00
Kurowski, Daniel	12/20/2023	Viewed and responded to miscellaneous questions from settlement administrator.	0.20	800.00	\$160.00
O'Hara, Chris	12/20/2023	Work on class notice and settlement administration.	1.50	800.00	\$1,200.00
Siehl, Whitney	12/20/2023	Analyze correspondences regarding notice data.	0.10	550.00	\$55.00
Siehl, Whitney	12/20/2023	Analyze correspondence regarding notice administration.	0.10	550.00	\$55.00
Kurowski, Daniel	12/21/2023	Correspondence with settlement administrator regarding postcard notice.	0.10	800.00	\$80.00
Kurowski, Daniel	12/21/2023	Correspondence with settlement administrator regarding class member call line script.	0.10	800.00	\$80.00
O'Hara, Chris	12/21/2023	Work on class notice and settlement administration.	2.00	800.00	\$1,600.00
Siehl, Whitney	12/21/2023	Analyze additional correspondences regarding notice administration.	0.10	550.00	\$55.00
Siehl, Whitney	12/21/2023	Analyze correspondences regarding settlement administration and notice data.	0.10	550.00	\$55.00
Kurowski, Daniel	12/22/2023	Reviewed and revised draft class member call line script.	0.40	800.00	\$320.00
O'Hara, Chris	12/22/2023	Work on class notice and settlement administration.	1.50	800.00	\$1,200.00
Siehl, Whitney	12/22/2023	Analyze additional correspondence regarding settlement website.	0.10	550.00	\$55.00
Siehl, Whitney	12/22/2023	Analyze correspondence from defense counsel.	0.10	550.00	\$55.00

Siehl, Whitney	12/22/2023	Analyze correpondences regarding claims settlement administration.	0.10	550.00	\$55.00
O'Hara, Chris	12/27/2023	Work on class notice.	1.00	800.00	\$800.00
Siehl, Whitney	12/27/2023	Analyze correspondence regarding settlement claims administration and information for class members.	0.20	550.00	\$110.00
O'Hara, Chris	12/29/2023	Work on class notice and settlement administration.	2.00	800.00	\$1,600.00
Siehl, Whitney	12/29/2023	Analyze correspondences from defense counsel.	0.10	550.00	\$55.00
Siehl, Whitney	12/29/2023	Analyze numerous correspondences regarding email notice and forms.	0.20	550.00	\$110.00
Kurowski, Daniel	1/2/2024	Correspondence with Ryanne Perio regarding additional emails for direct notice.	0.10	800.00	\$80.00
O'Hara, Chris	1/2/2024	Work on notice documents and procedures.	2.50	800.00	\$2,000.00
Siehl, Whitney	1/2/2024	Further correspondence regarding notice.	0.10	550.00	\$55.00
Siehl, Whitney	1/2/2024	Analyze correspondence regarding notice.	0.10	550.00	\$55.00
Siehl, Whitney	1/2/2024	Analyze correspondence from defense counsel regarding notice forms.	0.20	550.00	\$110.00
Kurowski, Daniel	1/3/2024	Correspondence with settlement administrator regarding second email notice mailings.	0.10	800.00	\$80.00
Kurowski, Daniel	1/3/2024	Reviewed claim submission module preview forwarded by claims administrator, compiled and circulated proposed edits to same.	0.40	800.00	\$320.00
Kurowski, Daniel	1/3/2024	Correspondence to class member L. Goodfield.	0.10	800.00	\$80.00
O'Hara, Chris	1/3/2024	Work on notice documents and procedures.	2.00	800.00	\$1,600.00
Siehl, Whitney	1/3/2024	Correspondence with defense counsel regarding settlement class data.	0.10	550.00	\$55.00

Siehl, Whitney	1/3/2024	Correspondence regarding case strategy.	0.10	550.00	\$55.00
O'Hara, Chris	1/8/2024	Work on notice and settlement administration.	1.00	800.00	\$800.00
Siehl, Whitney	1/8/2024	Analyze correspondence regarding notice.	0.20	550.00	\$110.00
Siehl, Whitney	1/9/2024	Analyze correspondence regarding notice.	0.10	550.00	\$55.00
Siehl, Whitney	1/10/2024	Analyze correspondence regarding notice report.	0.20	550.00	\$110.00
Williams, Chavay	1/10/2024	Respond to attorney Daniel Kurowski request for documents.	0.50	400.00	\$200.00
O'Hara, Chris	1/16/2024	Work on settlement administration and class notice.	1.00	800.00	\$800.00
Siehl, Whitney	1/16/2024	Analyze correspondence regarding supplemental notice.	0.10	550.00	\$55.00
Kurowski, Daniel	1/22/2024	Correspondence with potential class member B. Reynolds regarding student ID question.	0.10	800.00	\$80.00
Kurowski, Daniel	1/22/2024	Correspondence with administrator team regarding class member B. Reynolds follow-up.	0.10	800.00	\$80.00
Siehl, Whitney	1/22/2024	Analyze correspondence regarding class member inquiries.	0.10	550.00	\$55.00
Kurowski, Daniel	1/23/2024	Correspondence with class member J. Levy.	0.10	800.00	\$80.00
Kurowski, Daniel	1/23/2024	Correspondence with administrator's office regarding class member J. Levy follow-up.	0.10	800.00	\$80.00
Siehl, Whitney	1/23/2024	Analyze correspondences regarding class member inquiry.	0.10	550.00	\$55.00
Kurowski, Daniel	1/25/2024	Correspondence with notice administrator regarding class member follow-up needed.	0.10	800.00	\$80.00
Siehl, Whitney	1/25/2024	Analyze correspondence regarding case inquiry.	0.10	550.00	\$55.00

O'Hara, Chris	1/26/2024	Work on class notice and settlement administration.	0.60	800.00	\$480.00
Kurowski, Daniel	2/5/2024	Correspondence with class member W. Ronalter regarding settlement question.	0.10	800.00	\$80.00
Siehl, Whitney	2/5/2024	Analyze correspondences regarding class settlement.	0.10	550.00	\$55.00
O'Hara, Chris	2/7/2024	Work on settlement administration and class notice.	1.00	800.00	\$800.00
Siehl, Whitney	2/7/2024	Analyze weekly report regarding settlement.	0.10	550.00	\$55.00
Conte, Jennifer	2/8/2024	Reviewed docket, pulled documents, updated case list.	0.10	400.00	\$40.00
Kurowski, Daniel	2/9/2024	Correspondence with class member L. Habrovsky regarding settlement questions.	0.10	800.00	\$80.00
Siehl, Whitney	2/9/2024	Analyze correspondence regarding settlement.	0.10	550.00	\$55.00
Kurowski, Daniel	2/11/2024	Correspondence with class member S. Soll regarding settlement questions.	0.10	800.00	\$80.00
Kurowski, Daniel	2/11/2024	Correspondence with class member S. Rabb regarding settlement questions.	0.10	800.00	\$80.00
O'Hara, Chris	2/12/2024	Work on settlement administration, notice and costs for same.	1.00	800.00	\$800.00
			1082.30		\$745,520.00

Shaffer et al. v. George Washington Univ. et al.
Hagens Berman Sobol Shapiro LLP
LODESTAR TOTALS - INCEPTION THROUGH FEBRUARY 15, 2024

ATTORNEY	STATUS	CURRENT HOURLY RATE	TOTAL HOURS	LODESTAR AT CURRENT RATES
Steve Berman	Partner	\$1,350.00	10.70	\$14,445.00
Elaine Byszewski	Partner	\$1,100.00	58.00	\$63,800.00
Chris O'Hara	Partner	\$800.00	46.60	\$37,280.00
Daniel Kurowski	Partner	\$800.00	464.10	\$371,280.00
Kevin Green	Senior Counsel	\$875.00	14.60	\$12,775.00
Whitney Siehl	Associate	\$550.00	346.20	\$190,410.00
		ATTORNEY TOTAL	940.20	\$689,990.00
PARALEGAL/LEGAL ASSISTANTS	STATUS	CURRENT HOURLY RATE	TOTAL HOURS	LODESTAR AT CURRENT RATES
Chavay Williams	Paralegal	\$400.00	26.60	\$10,640.00
Nicolle Huerta	Paralegal	\$400.00	0.70	\$280.00
Jennifer Conte	Paralegal	\$400.00	14.30	\$5,720.00
Megan Meyers	Paralegal	\$400.00	92.70	\$37,080.00
Radha Kerzan	Paralegal	\$350.00	3.60	\$1,260.00
Noreen Andersen	Law Clerk	\$175.00	0.50	\$87.50
Nancy Duenez	Law Clerk	\$125.00	3.70	\$462.50
		PARALEGAL TOTAL	142.10	\$55,530.00
		GRAND TOTAL	1082.30	\$745,520.00

Exhibit C

Shaffer et al. v. George Washington Univ. et al.
Hagens Berman Sobol Shapiro LLP
EXPENSE TOTALS - INCEPTION THROUGH JANUARY 31, 2024

CATEGORY	AMOUNT
Court Fees/Filing Fees	\$743.00
Online Services/Legal Research (LexisNexis/Westlaw/PACER)	\$7,202.89
Court Reporters/Transcripts	\$9,498.33
Experts/Consultants	\$87,007.36
Outside Copy Service	\$3,532.67
In-House Copying/Printing (\$0.25/per page)	\$960.75
Overnight Shipping	\$200.14
Mediation Fees	\$6,975.00
Hotels	\$124.85
Parking	\$17.00
	\$116,261.99

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

MARK SHAFFER, MARGARET MAULDIN,
CHARAFEDDINE ZAITOUN, and MARC
LESSIN, Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

THE GEORGE WASHINGTON UNIVERSITY
and THE BOARD OF TRUSTEES OF GEORGE
WASHINGTON UNIVERSITY,

Defendants.

No. 1:20-cv-01145-RJL

**DECLARATION OF E. MICHELLE
DRAKE**

I, E. Michelle Drake, hereby declare as follows:

1. I am an Executive Shareholder at the law firm Berger Montague PC (“Berger Montague”) and am co-counsel to Class Counsel in the above-captioned matter.
2. I submit this Declaration in support of the Motion for Attorneys’ Fees, Costs, and Class Representative Awards. I have personal knowledge of the facts stated in this Declaration and, if called upon, could and would truthfully testify to these facts.

BACKGROUND ON BERGER MONTAGUE

3. As set forth further in Berger Montague’s firm resume, attached hereto as **Exhibit 1**, Berger Montague is a full-spectrum class action and complex civil litigation firm with offices across the country and in Canada. The firm is routinely recognized by courts for its ability and experience in handling major complex litigation, particularly in the fields of consumer protection, antitrust, securities, mass torts, civil and human rights, whistleblower cases, and employment.

4. More specific to the instant case area, the firm has made a commitment to prosecuting cases against colleges and universities that closed their campuses and transitioned

previously on-campus students to exclusively remote instruction in the wake of the COVID-19 pandemic. The firm has investigated and pursued many such cases, including several which are currently being actively litigated. *See Vakilzadeh v. The Trustees of the California State University*, No. 20STCV23134 (Los Angeles Cnty.); *In re University of Southern California Tuition and Fees COVID-19 Refund Litigation*, No. 2:20CV04066 (C.D. Cal.); *In re Bos. Univ. COVID-19 Refund Litig.*, No. CV 20-10827-RGS (D. Mass.). In the firm's cases in this area, Berger Montague has defeated five motions to dismiss, successfully moved for class certification in two cases, and won an appellate victory not only in the instant matter, but also in *Gociman v. Loyola Univ. of Chicago*, 41 F.4th 873 (7th Cir. 2022). In the Loyola case, the firm went on to secure a class action settlement, which was recently granted final approval. *Gociman v. Loyola University Chicago*, No. 1:20CV03116, ECF No. 79 (N.D. Ill. Jan. 23, 2024). In connection with the firm's investigation and prosecution of the above matters, Berger Montague attorneys and staff have spoken with hundreds of aggrieved students at colleges and universities. As the track record detailed above demonstrates, the firm is committed to zealously representing these students.

5. In addition to these matters, Berger Montague's commitment to representing college students is further demonstrated by its current role as co-lead counsel in an antitrust class action lawsuit against several elite universities, in which plaintiffs allege that these institutions colluded in the calculation and provision of financial aid, and artificially inflated the "net price" of attendance. *Corzo v. Brown Univ.*, No. 1:22-cv-125 (N.D. Ill.).

BERGER MONTAGUE'S INVOLVEMENT IN THIS ACTION

6. With respect to the present action, Berger Montague has served as co-counsel to Class Counsel. *See* ECF No. 66 at 13, 18. Berger Montague was involved in all aspects of the litigation from its inception through settlement.

7. Beginning in spring 2020, Berger Montague began a pre-suit investigation of Defendants' practices related to the transition to online learning and campus closures in light of the COVID-19 pandemic. Ultimately, Berger Montague was retained by two GWU students—Plaintiffs Margaret Mauldin and Charafeddine Zaitoun—who agreed to have Berger Montague represent them on a contingency fee basis.

8. Before filing suit, Berger Montague conducted a thorough investigation of both the facts and the law. The former involved conducting extensive research on Defendants' response to the pandemic, as well as GWU's historical practices (e.g., the pricing of online v. in-person programs). The latter involved analyzing numerous novel legal issues implicated by the unprecedented nature of the pandemic, as well as the contractual nature between students and universities.

9. On May 28, 2020, Berger Montague filed a class action complaint on behalf of Plaintiffs Mauldin and Zaitoun. *See Mauldin et al v. Board of Trustees of The George Washington University*, No. 1:20CV01417 (D.D.C.). On June 26, 2020, Berger Montague and Class Counsel jointly moved to consolidate the *Mauldin* action with the above-captioned matter, which had been filed by Class Counsel. That motion was granted, and the operative Consolidated Class Action Complaint was filed on July 15, 2020.

10. As discussed further herein, Berger Montague has vigorously prosecuted this matter, assisting Class Counsel in everything from the pleadings to discovery to settlement.

BERGER MONTAGUE'S FEES

11. Berger Montague's time records are maintained in accordance with industry standards to ensure reliability and transparency. The firm's formal policy requires all timekeepers—including attorneys and support staff—to keep records of time worked

contemporaneously and to provide sufficient detail to convey the nature and merit of the work performed. To ensure each time entry contains sufficient detail, Berger Montague requires time entries to include both matter numbers (corresponding to the specific case) and task codes (corresponding to the type of work performed). BMPC uses the widely accepted ABA Litigation Code Set, which includes 29 task codes spread across 5 stages of litigation (e.g., Pre-Trial Pleadings and Motions, Discovery, etc.) to allocate time to particular tasks. This model, regularly endorsed by courts,¹ ensures that time is billed in a uniform and task-oriented manner.² Timekeepers are also required to provide narrative descriptions setting forth the case-specific tasks associated with each time entry.

12. This manner of timekeeping, with contemporaneous records and detailed descriptions broken down by task, provides a level of accountability that courts nationwide routinely recommend when scrutinizing applications for attorneys' fees. *Deary v. City of Gloucester*, 9 F.3d. 191, 197-98 (1st Cir. 1993) ("In order to recover fees, attorneys must submit a full and precise accounting of their time, including specific information about number of hours, dates, and the nature of the work performed."); *Bode v. United States*, 919 F.2d 1044, 1047 (5th Cir. 1990) (collecting cases) ("[C]ourts customarily require the applicant to produce contemporaneous billing records or other sufficient documentation so that the district court can fulfill its duty to examine the application....").

¹ See *Yahoo!, Inc. v. Net Games, Inc.*, 329 F. Supp. 2d 1179, 1189 (N.D. Cal. 2004) ("The ABA template commends itself to parties applying for fee awards."); *Albion Pac. Prop. Res., LLC v. Seligman*, 329 F. Supp. 2d 1163, 1174 (N.D. Cal. 2004) (same).

² American Bar Association, Uniform Task-Based Management System, available at https://www.americanbar.org/groups/litigation/resources/uniform_task_based_management_system/ ("The Litigation Code Set has formed the basis for most, if not all, schemes to record and bill time on an hourly basis.").

13. To date, Berger Montague has expended 503.2 hours on this matter, resulting in \$346,028.00 in lodestar.

14. A summary table of Berger Montague timekeepers on this matter, with hourly rate information, is below, and true and correct copies of detailed time entries from Berger Montague is attached as **Exhibit 2**, with redactions for privilege and work product.

Timekeeper	Position	Atty. Yrs. of Experience	Hourly Rate	Hours Worked	Lodestar
Glen Abramson	Shareholder (former)	27	\$760	229.5	\$174,420.00
Ariana Kiener	Associate	3	\$610	179.1	\$109,251.00
David Filbert	Paralegal		\$420	48.2	\$20,244.00
E. Michelle Drake	Executive Shareholder	23	\$1,180	15.2	\$17,936.00
Ellen Noteware	Shareholder	26	\$1,100	12.1	\$13,310.00
Jacob Polakoff	Senior Counsel	18	\$785	6.6	\$5,181.00
Max Brandy	Paralegal		\$430	5	\$2,150.00
Jean Hibray	Paralegal		\$450	2.9	\$1,305.00
Joseph Hashmall	Senior Counsel	15	\$770	1	\$770.00
Daniel Walker	Shareholder	12	\$975	0.5	\$487.50
Julie Gionnette	Legal Assistant		\$285	1.4	\$399.00
Donna Giovanetti	Legal Assistant		\$285	1.1	\$313.50
Peter Hamner	Counsel	12	\$685	0.2	\$137.00
Mai Xiong	Paralegal (former)		\$310	0.4	\$124.00
<i>Grand Total</i>				<i>503.2</i>	<i>\$346,028.00</i>

15. Berger Montague's time and resources spent on this matter include: (1) thoroughly investigating the claims and drafting the original class action complaint filed by Plaintiffs Mauldin and Zaitoun in the *Mauldin* matter; (2) researching and drafting the Consolidated Class Action Complaint; (3) researching and briefing Defendants' motion to dismiss; (4) researching and briefing an appeal before the D.C. Circuit; (5) drafting and pursuing discovery, including

reviewing Defendants' voluminous production; (6) preparing discovery responses for Plaintiffs Mauldin and Zaitoun, and assisting in the preparation of their depositions; (7) participating in mediation; (8) consulting with Plaintiffs Mauldin and Zaitoun throughout the course of the litigation; (9) reviewing and approving the Settlement Agreement and Exhibits; (10) conducting significant research regarding the legal questions at issue in this case; (11) monitoring the legal landscape for class action lawsuits involving requests for tuition and fee refunds in the aftermath of COVID-19; and (12) regularly conferring with Class Counsel on litigation strategy, from consolidation through settlement.

16. Each attorney who worked on this case has a wealth of experience. Additional details on the firm's and attorneys' qualification are outlined in Exhibit 1.

17. My firm's hourly rates are regularly accepted by courts throughout the country for purposes of class action fee awards. *See, e.g., Soto v. O.C. Commc'ns, Inc.*, No. 3:17-CV-00251-VC, 2019 WL 13151723, at *3 (N.D. Cal. Oct. 23, 2019) (holding that "the hourly rates of...Berger Montague PC are reasonable"); *Shaw v. AMN Servs., LLC*, No. 3:16-CV-02816 JCS, 2019 WL 12340201, at *2 (N.D. Cal. May 31, 2019) ("The Court further finds that the hourly rates of Class Counsel's co-counsel, Berger Montague PC, also are within the prevailing range of hourly rates charged..."); *In re Domestic Drywall Antitrust Litig.*, No. 13-md-2437, 2018 WL 3439454, *20 (E.D. Pa. July 17, 2018) (holding that the hourly rates claimed by Berger Montague, among other firms, were "well within the range of rates charged by counsel in this district in complex cases"); *Devlin v. Ferrandino & Son, Inc.*, No. 15-4976, 2016 WL 7178338, *10 (E.D. Pa. Dec. 9, 2016) ("[T]he hourly rates for Class Counsel [including Berger Montague] are well within the range of what is reasonable and appropriate in this market").

BERGER MONTAGUE'S COSTS

18. My firm has additionally incurred \$6,067.58 in out-of-pocket expenses. My firm has received no reimbursement of costs to date in this matter. These costs were primarily expended on copying and printing, legal research, and filing fees. All of these costs were reasonably incurred in furtherance of this litigation and settlement. A breakdown of these costs by category is as follows:

Expense Type	Expense Amount
Commercial Copying and Printing	\$3,532.67
Computer Research	\$1,656.93
Filing & Misc. Fees	\$803.15
Delivery & freight	\$39.36
DocuSign	\$17.36
E-Discovery Hosting	\$7.13
Telephone	\$6.98
Reproduction Prints	\$2.50
Research	\$1.30
Reproduction costs scans	\$0.20
<i>Grand Total</i>	<i>\$6,067.58</i>

CLASS REPRESENTATIVE AWARDS

19. Finally, Plaintiffs Mauldin and Zaitoun have each played a valuable and active role in this litigation, and devoted significant time and attention to the case. Each responded to written discovery requests; produced documents, including those involving sensitive financial and academic information; assisted with the investigation of the facts of the case; reviewed their original complaint, as well as the Consolidated Class Action Complaint; prepared and sat for their deposition; reviewed and approved the Settlement Agreement; and consulted with Berger Montague throughout the litigation. *See, e.g., Hubbard v. Donahoe*, 958 F. Supp. 2d 116, 123 (D.D.C. 2013) (granting final approval of class action settlement under which each class representative would receive \$10,000 where class representatives had “spent hours working on

behalf of absent class members and made valuable contributions”); *Wells v. Allstate Ins. Co.*, 557 F. Supp. 2d 1, 9 (D.D.C. 2008) (awarding \$10,000 service award to each plaintiff who had been deposed and produced documents).

20. Moreover, in participating in this action—which repeatedly garnered media attention—Plaintiffs Mauldin and Zaitoun “opened themselves up to notoriety.” *Figueroa v. Cap. One, N.A.*, No. 18CV692 JM(BGS), 2021 WL 211551, at *12 (S.D. Cal. Jan. 21, 2021) (awarding \$10,000 service award to each of two named plaintiffs where “Class Counsel declare that the two named Plaintiffs expended hours advancing this litigation, disclosed their personal financial difficulties, and opened themselves up to notoriety”).

21. By suing their university, they also faced the very real risk of retaliation by Defendants (for example, Plaintiffs’ involvement in the litigation might have impaired their ability to solicit Defendants’ employees for letters of recommendation), as well as the possibility that future employers, or institutions of higher education, might perceive them as “troublemakers.” *See, e.g., Binotti v. Duke Univ.*, No. 1:20-CV-470, 2021 WL 5366877, at *5 (M.D.N.C. Aug. 30, 2021) (granting \$65,000 service award to class representative who “put her professional career on the line when she came forward” and sued her employer); *In re High-Tech Emp. Antitrust Litig.*, No. 11-CV-02509-LHK, 2015 WL 5158730, at *17 (N.D. Cal. Sept. 2, 2015) (approving \$100,000 service awards where named plaintiffs received media coverage and were likely to be viewed as “troublemakers” by future employers); *Cook v. Niedert*, 142 F.3d 1004, 1016 (7th Cir. 1998) (affirming \$25,000 incentive award to class representative who “reasonably feared workplace retaliation”).

The foregoing statement is made under penalty of perjury, and is true and correct to the best of my knowledge and belief.

Date: February 23, 2024

/s/E. Michelle Drake

E. Michelle Drake

Exhibit 1



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About Berger Montague

Berger Montague is a full-spectrum class action and complex civil litigation firm, with nationally known attorneys highly sought after for their legal skills. The firm has been recognized by courts throughout the country for its ability and experience in handling major complex litigation, particularly in the fields of antitrust, securities, mass torts, civil and human rights, whistleblower cases, employment, and consumer litigation. In numerous precedent-setting cases, the firm has played a principal or lead role.

The *National Law Journal* selected Berger Montague in 12 out of 14 years (2003-2005, 2007-2013, 2015-2016) for its "Hot List" of top plaintiffs-oriented litigation firms in the United States. The select group of law firms recognized each year had done "exemplary, cutting-edge work on the plaintiffs' side." The *National Law Journal* ended its "Hot List" award in 2017 and replaced it with "Elite Trial Lawyers," which Berger Montague has won from 2018-2021. The firm has also achieved the highest possible rating by its peers and opponents as reported in *Martindale-Hubbell* and was ranked as a 2021 "Best Law Firm" by *U.S. News - Best Lawyers*.

Currently, the firm consists of over 90 lawyers; 18 paralegals; and an experienced support staff. Few firms in the United States have our breadth of practice and match our successful track record in such a broad array of complex litigation.

History of the Firm

Berger Montague was founded in 1970 by the late David Berger to concentrate on the representation of plaintiffs in a series of antitrust class actions. David Berger helped pioneer the use of class actions in antitrust litigation and was instrumental in extending the use of the class action procedure to other litigation areas, including securities, employment discrimination, civil and human rights, and mass torts. The firm's complement of nationally recognized lawyers has represented both plaintiffs and defendants in these and other areas and has recovered billions of dollars for its clients. In complex litigation, particularly in areas of class action litigation, Berger Montague has established new law and forged the path for recovery.

The firm has been involved in a series of notable cases, some of them among the most important in the last 50 years of civil litigation. For example, the firm was one of the principal counsel for

plaintiffs in the *Drexel Burnham Lambert/Michael Milken* securities and bankruptcy litigation. Claimants in these cases recovered approximately \$2 billion in the aftermath of the collapse of the junk bond market and the bankruptcy of *Drexel* in the late 1980's. The firm was also among the principal trial counsel in the *Exxon Valdez Oil Spill* litigation in Anchorage, Alaska, a trial resulting in a record jury award of \$5 billion against Exxon, later reduced by the U.S. Supreme Court to \$507.5 million. Berger Montague was lead counsel in the *School Asbestos Litigation*, in which a national class of secondary and elementary schools recovered in excess of \$200 million to defray the costs of asbestos abatement. The case was the first mass tort property damage class action certified on a national basis. Berger Montague was also lead class counsel and lead trial counsel in the *Cook v. Rockwell International Corporation* litigation arising out of a serious incident at the Rocky Flats nuclear weapons facility in Colorado.

Additionally, in the human rights area, the firm, through its membership on the executive committee in the *Holocaust Victim Assets Litigation*, helped to achieve a \$1.25 billion settlement with the largest Swiss banks on behalf of victims of Nazi aggression whose deposits were not returned after the Second World War. The firm also played an instrumental role in bringing about a \$4.37 billion settlement with German industry and government for the use of slave and forced labor during the Holocaust.

Diversity, Equity and Inclusion Initiatives

Berger Montague not only supports the idea of its Diversity, Equity and Inclusion (“DEI”) initiatives, it is a part of the DNA and fabric of the firm—internally amongst the Berger Montague family and in the way we practice law with co-counsel, opposing counsel, the courts, and with our clients. Through our DEI initiatives, Berger Montague actively works to increase diversity at all levels of our firm and to ensure that professionals of all races, religions, national origins, gender identities, ethnicities, sexual orientations, and physical abilities feel supported and respected in the workplace.

Berger Montague has a DEI Task Force with the leadership of the DEI Coordinator, Camille Fundora Rodriguez, and including, Candice J. Enders, Caitlin G. Coslett, Sophia Rios. Berger Montague has enacted a broad range of diversity and inclusion projects, including successful efforts to hire and retain attorneys and non-attorneys from diverse backgrounds and to foster an inclusive work environment, including through firmwide trainings on implicit bias issues that may impact the workplace.

Additionally, at Berger Montague women lead. Women comprise over 30% of Berger Montague's shareholders, well above the national average as reported by the National Association of Women Lawyers. Moreover, women at the firm are encouraged and have taken advantage of professional development support to bolster their trajectories into key participation and leadership roles, both within and outside the firm, including mentoring, networking, and educational opportunities for women across all career levels. As a result of these intentional policies and initiatives, women attorneys at Berger Montague are managing departments, running offices, overseeing major

administrative programs, generating new business, serving as first chair in trials, handling large matters, and holding numerous other leadership positions firmwide.

Berger Montague's commitment to DEI activities extends beyond our firm. For example, DEI Task Force members are involved in numerous community and professional activities outside of the firm. Representative activities include membership in and/or board or leadership positions with the Hispanic Bar Association, the Barristers' Association of Philadelphia, the Philadelphia Public School Board of Education, Court Appointed Special Advocates (CASA) of Philadelphia, Philadelphia Bar Association's Business Law Section's Antitrust Committee, Community Legal Services of Philadelphia, the Greater Philadelphia Chapter of the Pennsylvania ACLU, AccessMatters, After School Activities Partnerships, and Leadership Council on Legal Diversity. As such, Berger Montague's commitment to DEI has created an atmosphere in which the attorneys can share their gifts with the legal and greater communities from which they come.

Commitment to *Pro Bono*

Berger Montague attorneys commit their most valuable resource, their time, to charities, nonprofit organizations, and *pro bono* legal work. For over 50 years, Berger Montague has encouraged its attorneys to support charitable causes and volunteer in the community. Our lawyers understand that participating in *pro bono* representation is an essential component of their professional and ethical responsibilities.

Berger Montague is strongly committed to numerous charitable causes. Over his lengthy career, David Berger, the firm's founding partner, was prominent in a great many philanthropic and charitable enterprises, including serving as Honorary Chairman of the American Heart Association; a Trustee of the American Cancer Society; and a member of the Board of Directors of the American Red Cross. This tradition continues to the present.

Community Legal Services of Philadelphia, an organization that provides free legal advice and representation to low-income residents of Philadelphia, honored Berger Montague with its 2021 Champion of Justice Award for the firm's work leading a case against the IRS that succeeded in getting unemployed people their rightful benefits during the COVID-19 pandemic.

In prior years, Berger Montague received the Chancellor's Award presented by the Philadelphia Volunteers for the Indigent Program ("VIP"), which provides crucial legal services to more than 1,000 low-income Philadelphia residents each year. VIP relies on volunteer attorneys to provide *pro bono* representation for families and individuals. In 2009 and 2010, Berger Montague also received an award for our volunteer work with the VIP Mortgage Foreclosure Program.

Today, Berger Montague attorneys engage in *pro bono* work for many organizations, including:

- Public Interest Law Center of Philadelphia ("PILCOP")
- Community Legal Services of Philadelphia ("CLS")
- Philadelphia Legal Assistance
- Education Law Center

- Legal Clinic for the Disabled
- Support Center for Child Advocates
- Veterans Pro Bono Consortium
- AIDS Law Project of Philadelphia
- Center for Literacy
- National Liberty Museum
- Philadelphia Volunteers for the Indigent Program
- Philadelphia Mortgage Foreclosure Program

We are proud of our written *pro bono* policy that encourages and strongly supports our attorneys to get involved in this important and rewarding work. Many attorneys at Berger Montague have been named to the First District of Pennsylvania's Pro Bono Honor Roll.

Berger Montague also makes annual contributions to the Philadelphia Bar Foundation, an umbrella charitable organization dedicated to promoting access to justice for all people in the community, particularly those struggling with poverty, abuse, and discrimination.

The firm also has held numerous clothing drives, toy drives, food drives, and blood drives. Through these efforts, Berger Montague professional and support staff have donated thousands of items of clothing, toys, and food to local charities including the Salvation Army, Toys for Tots, and Philabundance, a local food bank. Blood donations are made to the American Red Cross. Berger Montague attorneys also volunteer on an annual basis at MANNA, which prepares and delivers nourishing meals to those suffering with serious illnesses.

Practice Areas and Case Profiles

Antitrust

In antitrust litigation, the firm has served as lead, co-lead or co-trial counsel on many of the most significant civil antitrust cases over the last 50 years, including *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* (settlement of approximately \$5.6 billion), *In re Namenda Direct Purchaser Antitrust Litigation* (recovery of \$750 million), *In re Loestrin 24 Fe Antitrust Litigation* (recovery of \$120 million), and *In re Domestic Drywall Antitrust Litigation* (settlements totaling \$190.7 million).

Once again, Berger Montague has been selected by *Chambers and Partners* for its 2021 *Chambers USA* Guide as one of Pennsylvania's top antitrust firms. *Chambers USA 2021* states that Berger Montague's antitrust practice group is "a preeminent force in the Pennsylvania antitrust market, offering expert counsel to clients from a broad range of industries."

The Legal 500, a guide to worldwide legal services providers, ranked Berger Montague as a Top Tier Law Firm for Antitrust: Civil Litigation/Class Actions: Plaintiff in the United States in its 2021 guide and states that Berger Montague's antitrust department "has a flair for handling high-stakes plaintiff-side cases, regularly winning high-value settlements for clients following antitrust law violations."

- ***In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation:*** Berger Montague served as co-lead counsel for a national class including millions of merchants in the *Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* against Visa, MasterCard, and several of the largest banks in the U.S. (e.g., Chase, Bank of America, and Citi). The lawsuit alleged that merchants paid excessive fees to accept Visa and MasterCard cards because the payment cards, individually and together with their respective member banks, violated the antitrust laws. The challenged conduct included, *inter alia*, the collective fixing of interchange fees and adoption of rules that hindered any competitive pressure by merchants to reduce those fees. The lawsuit further alleged that defendants maintained their conspiracy even after both Visa and MasterCard changed their corporate forms from joint ventures owned by member banks to publicly-owned corporations following commencement of this litigation. On September 18, 2018, after thirteen years of hard-fought litigation, Visa and MasterCard agreed to pay as much as approximately \$6.26 billion, but no less than approximately \$5.56 billion, to settle the case. This result is the largest-ever class action settlement of an antitrust case. The settlement received preliminary approval on January 24, 2019. The settlement received final approval on December 16, 2019, for approximately \$5.6 billion.

- ***Contant, et al. v. Bank of America Corp., et al.:*** Berger Montague served as lead class counsel in the multistate indirect purchaser antitrust class action *Contant, et al. v. Bank of America Corp., et al.*, against 16 of the world's largest dealer banks. Plaintiffs alleged that the defendants colluded to manipulate prices on foreign currency ("FX") instruments, using a number of methods to carry out their conspiracies, including sharing confidential price and order information through electronic chat rooms, thereby enabling the defendants to coordinate pricing and eliminate price competition. As with prior bank rigging scandals involving conspiracies to manipulate prices on other financial instruments, the defendants' alleged conspiracy to manipulate FX prices was the subject of numerous governmental investigations as well as direct purchaser class actions brought under antitrust federal law. However, the *Contant* action was the first of such cases to bring claims under state indirect purchaser antitrust laws on behalf of state-wide classes of retail investors of those financial instruments and whose claims have never been redressed. On July 29, 2019, U.S. District Judge Lorna G. Schofield granted preliminary approval of a \$10 million settlement with Citigroup and a \$985,000 settlement with MUFG Bank Ltd. On July 17, 2020, the Court granted preliminary approval of three settlements with all remaining defendants for a combined \$12.695 million. Each of the five settlements, totaling \$23.63 million, received final approval on November 19, 2020.

- ***In re Dental Supplies Antitrust Litigation:*** Berger Montague served as co-lead counsel for a class of dental practices and dental laboratories in *In re Dental Supplies Antitrust Litigation*, a suit brought against Henry Schein, Inc., Patterson Companies, Inc., and Benco Dental Supply Company, the three largest distributors of dental supplies in the United States. On September 7, 2018, co-lead counsel announced that they agreed with defendants to settle on a classwide basis for \$80 million. The settlement received final

approval on June 24, 2019. The suit alleged that the defendants, who collectively control close to 90 percent of the dental supplies and equipment distribution market, conspired to restrain trade and fix prices at anticompetitive levels, in violation of the Sherman Act. In furtherance of the alleged conspiracy, plaintiffs claimed that the defendants colluded to boycott and pressure dental manufacturers, dental distributors, and state dental associations that did business with or considered doing business with the defendants' lower-priced rivals. The suit claimed that, because of the defendants' anticompetitive conduct, members of the class were overcharged on dental supplies and equipment. In the 2019 Fairness Hearing, Judge Brian M. Cogan of the U.S. District Court for the Eastern District of New York said: "This is a substantial recovery that has the deterrent effect that class actions are supposed to have, and I think it was done because we had really good Plaintiffs' lawyers in this case who were running it."

- ***In re Domestic Drywall Antitrust Litigation:*** Berger Montague served as co-lead counsel on behalf of a class of direct purchasers of drywall, in a case alleging that the dominant manufacturers of drywall engaged in a conspiracy to fix drywall prices in the U.S. and to abolish the industry's long-standing practice of limiting price increases for the duration of a construction project through "job quotes." Berger Montague represented a class of direct purchasers of drywall from defendants for the period from January 1, 2012 to January 31, 2013. USG Corporation and United States Gypsum Company (collectively, "USG"), New NGC, Inc., Lafarge North America Inc., Eagle Materials, Inc., American Gypsum Company LLC, TIN Inc. d/b/a Temple-Inland Inc., and PABCO Building Products, LLC were named as defendants in this action. On August 20, 2015, the district court granted final approval of two settlements—one with USG and the other with TIN Inc.—totaling \$44.5 million. On December 8, 2016, the district court granted final approval of a \$21.2 million settlement with Lafarge North America, Inc. On February 18, 2016, the district court denied the motions for summary judgment filed by American Gypsum Company, New NGC, Inc., Lafarge North America, Inc., and PABCO Building Products. On August 23, 2017, the district court granted direct purchaser plaintiffs' motion for class certification. On January 29, 2018, the district court granted preliminary approval of a joint settlement with the remaining defendants, New NGC, Inc., Eagle Materials, Inc., American Gypsum Company LLC, and PABCO Building Products, LLC, for \$125 million. The settlement received final approval on July 17, 2018, bringing the total amount of settlements for the class to \$190.7 million.
- ***In re Currency Conversion Fee Antitrust Litigation:*** Berger Montague, as one of two co-lead counsel, spearheaded a class action lawsuit alleging that the major credit cards had conspired to fix prices for foreign currency conversion fees imposed on credit card transactions. After eight years of litigation, a settlement of \$336 million was approved in October 2009, with a Final Judgment entered in November 2009. Following the resolution of eleven appeals, the District Court, on October 5, 2011, directed distribution of the settlement funds to more than 10 million timely filed claimants, among the largest class of claimants in an antitrust consumer class action. A subsequent settlement with American Express increased the settlement amount to \$386 million. (MDL No. 1409 (S.D.N.Y)).

- ***In re Marchbanks Truck Service Inc., et al. v. Comdata Network, Inc.***: Berger Montague was co-lead counsel in this antitrust class action brought on behalf of a class of thousands of Independent Truck Stops. The lawsuit alleged that defendant Comdata Network, Inc. had monopolized the market for specialized Fleet Cards used by long-haul truckers. Comdata imposed anticompetitive provisions in its agreements with Independent Truck Stops that artificially inflated the fees Independents paid when accepting the Comdata's Fleet Card for payment. These contractual provisions, commonly referred to as anti-steering provisions or merchant restraints, barred Independents from taking various competitive steps that could have been used to steer fleets to rival payment cards. The settlement for \$130 million and valuable prospective relief was preliminary approved on March 17, 2014, and finally approved on July 14, 2014. In its July 14, 2014 order approving Class Counsel's fee request, entered contemporaneously with its order finally approving the settlement, the Court described this outcome as "substantial, both in absolute terms, and when assessed in light of the risks of establishing liability and damages in this case."
- ***Ross, et al. v. Bank of America (USA) N.A., et al.***: Berger Montague, as lead counsel for the cardholder classes, obtained final approval of settlements reached with Chase, Bank of America, Capital One and HSBC, on claims that the defendant banks unlawfully acted in concert to require cardholders to arbitrate disputes, including debt collections, and to preclude cardholders from participating in any class actions. The case was brought for injunctive relief only. The settlements remove arbitration clauses nationwide for 3.5 years from the so-called "cardholder agreements" for over 100 million credit card holders. This victory for consumers and small businesses came after nearly five years of hard-fought litigation, including obtaining a decision by the Court of Appeals reversing the order dismissing the case, and will aid consumers and small businesses in their ability to resist unfair and abusive credit card practices. In June 2009, the National Arbitration Forum (or "NAF") was added as a defendant. Berger Montague also reached a settlement with NAF. Under that agreement, NAF ceased administering arbitration proceedings involving business cards for a period of three and one-half (3.5) years, which relief is in addition to the requirements of a Consent Judgment with the State of Minnesota, entered into by the NAF on July 24, 2009.
- ***Johnson, et al. v AzHHA, et al.***: Berger Montague was co-lead counsel in this litigation on behalf of a class of temporary nursing personnel, against the Arizona Hospital and Healthcare Association, and its member hospitals, for agreeing and conspiring to fix the rates and wages for temporary nursing personnel, causing class members to be underpaid. The court approved \$24 million in settlements on behalf of this class of nurses. (Case No. 07-1292 (D. Ariz.)).

The firm has also played a leading role in cases in the pharmaceutical arena, especially in cases involving the delayed entry of generic competition, having achieved over \$2 billion in settlements in such cases over the past decade, including:

- ***In re: Namenda Direct Purchaser Antitrust Litigation:*** Berger Montague is co-lead counsel for the class in this antitrust action brought on behalf of a class of direct purchasers of branded and/or generic Namenda IR and/or branded Namenda XR. It settled for \$750 million on the very eve of trial. The \$750 million settlement received final approval on May 27, 2020, and is the largest single-defendant settlement ever for a case alleging delayed generic competition. (Case No. 15-cv-7488 (S.D.N.Y.)).
- ***King Drug Co. v. Cephalon, Inc.:*** Berger Montague played a major role (serving on the executive committee) in this antitrust class action on behalf of direct purchasers of the prescription drug Provigil (modafinil). After nine years of hard-fought litigation, the court approved a \$512 million partial settlement, then the largest settlement ever for a case alleging delayed generic competition. (Case No. 2:06-cv-01797 (E.D. Pa.)). Subsequent non-class settlements pushed the total settlement figure even higher.
- ***In re Aggrenox Antitrust Litigation:*** Berger Montague represented a class of direct purchasers of Aggrenox in in an action alleging that defendants delayed the availability of less expensive generic Aggrenox through, *inter alia*, unlawful reverse payment agreements. The case settled for \$146 million. (Case No. 14-02516 (D. Conn.)).
- ***In re Asacol Antitrust Litigation:*** The firm served as class counsel for direct purchasers of Asacol HS and Delzicol in a case alleging that defendants participated in a scheme to block generic competition for the ulcerative colitis drug Asacol. The case settled for \$15 million. (Case No. 15-cv-12730-DJC (D. Mass.)).
- ***In re Celebrex (Celecoxib) Antitrust Litigation:*** The firm represented a class of direct purchasers of brand and generic Celebrex (celecoxib) in an action alleging that Pfizer, in violation of the Sherman Act, improperly obtained a patent for Celebrex from the U.S. Patent and Trademark Office in a scheme to unlawfully extend patent protection and delay market entry of generic versions of Celebrex. The case settled for \$94 million. (Case No. 14-cv-00361 (E.D. VA.)).
- ***In re DDAVP Direct Purchaser Antitrust Litigation:*** Berger Montague served as co-lead counsel in a case that charged defendants with using sham litigation and a fraudulently obtained patent to delay the entry of generic versions of the prescription drug DDAVP. Berger Montague achieved a \$20.25 million settlement only after winning a precedent-setting victory before the United States Court of Appeals for the Second Circuit that ruled that direct purchasers had standing to recover overcharges arising from a patent-holder's misuse of an allegedly fraudulently obtained patent. (Case No. 05-2237 (S.D.N.Y.)).
- ***In re K-Dur Antitrust Litigation:*** Berger Montague served as co-lead counsel for the class in this long-running antitrust litigation. Berger Montague litigated the case before the Court of Appeals and won a precedent-setting victory and continued the fight before the Supreme Court. On remand, the case settled for \$60.2 million. (Case No. 01-1652 (D.N.J.)).

- ***In re Loestrin 24 Fe Antitrust Litigation:*** Berger Montague served as co-lead counsel for the class of direct purchasers of brand Loestrin, generic Loestrin, and/or brand Minastrin. The direct purchaser class alleged that defendants violated federal antitrust laws by unlawfully impairing the introduction of generic versions of the prescription drug Loestrin 24 Fe. The case settled shortly before trial for \$120 million (Case No. 13-md-2472) (D.R.I.).
- ***Meijer, Inc., et al. v. Abbott Laboratories:*** Berger Montague served as co-lead counsel in a class action on behalf of pharmaceutical wholesalers and pharmacies charging Abbott Laboratories with illegally maintaining monopoly power and overcharging purchasers in violation of the federal antitrust laws. Plaintiffs alleged that Abbott had used its monopoly with respect to its anti-HIV medicine Norvir (ritonavir) to protect its monopoly power for another highly profitable Abbott HIV drug, Kaletra. This antitrust class action settled for \$52 million after four days of a jury trial in federal court in Oakland, California. (Case No. 07-5985 (N.D. Cal.)).
- ***Mylan Pharmaceuticals, Inc. v. Warner Chilcott Public Ltd. Co.:*** Berger Montague served as co-lead counsel in a case challenging Warner Chilcott's alleged anticompetitive practices with respect to the branded drug Doryx. The case settled for \$15 million. (Case No. 2:12-cv-03824 (E.D. Pa.)).
- ***In re Oxycontin Antitrust Litigation:*** Berger Montague served as co-lead counsel on behalf of direct purchasers of the prescription drug Oxycontin. The case settled in 2011 for \$16 million. (Case No. 1:04-md-01603 (S.D.N.Y.)).
- ***In re Prandin Direct Purchaser Antitrust Litigation:*** Berger Montague served as co-lead counsel and recovered \$19 million on behalf of direct purchasers of the diabetes medication Prandin. (Case No. 2:10-cv-12141 (E.D. Mich.)).
- ***Rochester Drug Co-Operative, Inc. v. Braintree Labs., Inc.:*** Berger Montague served as co-lead counsel on behalf of direct purchasers alleging sham litigation led to the delay of generic forms of the brand drug Miralax. The case settled for \$17.25 million. (Case No. 07-142 (D. Del.)).
- ***In re Skelaxin Antitrust Litigation:*** Berger Montague was among a small group of firms litigating on behalf of direct purchasers of the drug Skelaxin. The case settled for \$73 million. (Case No. 2:12-cv-83 / 1:12-md-02343) (E.D. Tenn.)).
- ***In re Solodyn Antitrust Litigation:*** Berger Montague served as co-lead counsel representing a class of direct purchasers of brand and generic Solodyn (extended-release minocycline hydrochloride tablets) alleging that defendants entered into agreements not to compete in the market for extended-release minocycline hydrochloride tablets in violation of the Sherman Act. With a final settlement on the eve of trial, the case settled for a total of more than \$76 million. (Case No. 14-MD-2503-DJC (D. Mass.)).

- ***In re Tricor Antitrust Litigation:*** Berger Montague was one of a small group of counsel in a case alleging that the manufacturer of this drug was paying its competitors to refrain from introducing less expensive generic versions of Tricor. The case settled for \$250 million. (No. 05-340 (D. Del.)).
- ***In re Wellbutrin XL Antitrust Litigation:*** Berger Montague served as co-lead counsel for a class of direct purchasers of the antidepressant Wellbutrin XL. A settlement of \$37.5 million was reached with Valeant Pharmaceuticals (formerly Biovail), one of two defendants in the case. (Case No. 08-cv-2431 (E.D. Pa.)).

Commercial Litigation

Berger Montague helps business clients achieve extraordinary successes in a wide variety of complex commercial litigation matters. Our attorneys appear regularly on behalf of clients in high stakes federal and state court commercial litigation across the United States. We work with our clients to develop a comprehensive and detailed litigation plan, and then organize, allocate and deploy whatever resources are necessary to successfully prosecute or defend the case.

- ***Robert S. Spencer, et al. v. The Arden Group, Inc., et al.:*** Berger Montague represented an owner of limited partnership interests in several commercial real estate partnerships in a lawsuit against the partnerships' general partner. The terms of the settlement are subject to a confidentiality agreement. (Aug. Term, 2007, No. 02066 (Pa. Ct. Com. Pl., Phila. Cty. - Commerce Program)).
- ***Forbes v. GMH:*** Berger Montague represented a private real estate developer/investor who sold a valuable apartment complex to GMH for cash and publicly-held securities. The case which claimed securities fraud in connection with the transaction settled for a confidential sum which represented a significant portion of the losses experienced. (No. 07-cv-00979 (E.D. Pa.)).

Commodities & Financial Instruments

Berger Montague ranks among the country's preeminent firms for managing and trying complex Commodities & Financial Instruments related cases on behalf of individuals and as class actions. The firm's commodities clients include individual hedge and speculation traders, hedge funds, energy firms, investment funds, and precious metals clients.

- ***In re Peregrine Financial Group Customer Litigation:*** Berger Montague served as co-lead counsel in a class action which helped deliver settlements worth more than \$75 million on behalf of former customers of Peregrine Financial Group, Inc., in litigation against U.S. Bank, N.A., and JPMorgan Chase Bank, N.A., arising from Peregrine's collapse in July 2012. The lawsuit alleges that both banks breached legal duties by allowing Peregrine's owner to withdraw and put millions of dollars in customer funds to non-customer use. (No. 1:12-cv-5546)

- ***In re MF Global Holdings Ltd. Investment Litigation:*** Berger Montague is one of two co-lead counsel that represented thousands of commodities account holders who fell victim to the alleged massive theft and misappropriation of client funds at the former major global commodities brokerage firm MF Global. Berger Montague reached a variety of settlements, including with JPMorgan Chase Bank, the MF Global SIPA Trustee, and the CME Group, that collectively helped to return approximately \$1.6 billion to the class. Ultimately, class members received more than 100% of the funds allegedly misappropriated by MF Global even after all fees and expenses. (No. 11-cv-07866 (S.D.N.Y.)).
- ***In re Commodity Exchange, Inc., Gold Futures and Options Trading Litigation:*** Berger Montague is one of two co-lead counsel representing traders of gold-based derivative contracts, physical gold, and gold-based securities against The Bank of Nova Scotia, Barclays Bank plc, Deutsche Bank AG, HSBC Bank plc, Société Générale and the London Gold Market Fixing Limited. Plaintiffs allege that the defendants, members of the London Gold Market Fixing Limited, which sets an important benchmark price for gold, conspired to manipulate this benchmark for their collective benefit. (1:14-md-02548 (S.D.N.Y.)).
- ***In re Libor-Based Financial Instruments Antitrust Litigation:*** Berger Montague represents exchange-based investors in this sprawling litigation alleging a conspiracy among many of the world's largest banks to manipulate the key LIBOR benchmark rate. LIBOR plays an important role in valuing trillions of dollars of financial instruments worldwide. The case, filed in 2011, alleges that the banks colluded to misreport and manipulate LIBOR rates for their own benefit. The banks' conduct damaged, among others, exchange-based investors who transacted in Eurodollar futures and options on the CME between 2005 and 2010. Eurodollar futures and options are keyed to LIBOR and are the world's most heavily traded short-term interest rate contracts. Following years of hotly contested litigation on behalf of these exchange-based investors, Berger Montague and its co-counsel achieved settlements with seven banks totaling more than \$180 million. In September 2019, the Court granted preliminary approval of a plan of distribution for these settlement funds. A final approval hearing on the settlement is scheduled in September 2020. (No. 1:11-md-02262-NRB (S.D.N.Y.)).

Consumer Protection

Berger Montague's Consumer Protection Group protects consumers when they are injured by false or misleading advertising, defective products, data privacy breaches, and various other unfair trade practices. Consumers too often suffer the brunt of corporate wrongdoing, particularly in the area of false or misleading advertising, defective products, and data or privacy breaches.

- ***In re Public Records Fair Credit Reporting Act Litigation:*** Berger Montague is class counsel in three class action settlements involving how the big three credit bureaus, Experian, TransUnion, and Equifax, report public records, including tax liens and civil judgments. The settlements provide groundbreaking injunctive relief valued at over \$100 billion and provide a streamlined process for consumers to receive uncapped monetary payments for claims related to inaccurate reporting of public records.
- ***In re: CertainTeed Fiber Cement Siding Litigation:*** The firm, as one of two Co-Lead Counsel firms obtained a settlement of more than \$103 million in this multidistrict products liability litigation concerning CertainTeed Corporation's fiber cement siding, on behalf of a nationwide class. (MDL No. 2270 (E.D. Pa.)).
- ***Countrywide Predatory Lending Enforcement Action:*** Berger Montague advised the Ohio Attorney General (and several other state attorneys general) regarding predatory lending in a landmark law enforcement proceeding against *Countrywide* (and its parent, Bank of America) culminating in 2008 in mortgage-related modifications and other relief for borrowers across the country valued at some \$8.6 billion.
- ***In re Experian Data Breach Litigation:*** Berger Montague served on the Executive Committee of this class action lawsuit that arose from a 2015 data breach at Experian in which computer hackers stole personal information including Social Security numbers and other sensitive personal information for approximately 15 million consumers. The settlement is valued at over \$170 million. It consisted of \$22 million for a non-reversionary cash Settlement Fund; \$11.7 million for Experian's remedial measures implemented in connection with the lawsuit; and two years of free credit monitoring and identity theft insurance. The aggregate value of credit monitoring claimed by class members during the claims submission process exceeded \$138 million, based on a \$19.99 per month retail value of the service.
- ***In re Pet Foods Product Liability Litigation:*** The firm served as one of plaintiffs' co-lead counsel in this multidistrict class action suit seeking to redress the harm resulting from the manufacture and sale of contaminated dog and cat food. The case settled for \$24 million. Many terms of the settlement are unique and highly beneficial to the class, including allowing class members to recover up to 100% of their economic damages without any limitation on the types of economic damages they may recover. (1:07-cv-02867 (D.N.J.), MDL Docket No. 1850 (D.N.J.)).
- ***In re TJX Companies Retail Security Breach Litigation:*** The firm served as co-lead counsel in this multidistrict litigation brought on behalf of individuals whose personal and financial data was compromised in the then-largest theft of personal data in history. The breach involved more than 45 million credit and debit card numbers and 450,000 customers' driver's license numbers. The case was settled for benefits valued at over \$200 million. Class members whose driver's license numbers were at risk were entitled to 3 years of credit monitoring and identity theft insurance (a value of \$390 per person based

on the retail cost for this service), reimbursement of actual identity theft losses, and reimbursement of driver's license replacement costs. Class members whose credit and debit card numbers were at risk were entitled to cash of \$15-\$30 or store vouchers of \$30-\$60. (No. 1:07-cv-10162-WGY, (D. Mass.)).

- ***In re: Heartland Payment Systems, Inc. Customer Data Security Breach Litigation:*** The firm served on the Executive Committee of this multidistrict litigation and obtained a settlement of cash and injunctive relief for a class of 130 million credit card holders whose credit card information was stolen by computer hackers. The breach was the largest known theft of credit card information in history. (No. 4:09-MD-2046 (S.D. Tex. 2009)).
- ***In re: Countrywide Financial Corp. Customer Data Security Breach Litigation:*** The firm served on the Executive Committee of this multidistrict litigation and obtained a settlement for a class of 17 million individuals whose personal information was at risk when a rogue employee sold their information to unauthorized third parties. Settlement benefits included: (i) reimbursement of several categories of out-of-pocket costs; (ii) credit monitoring and identity theft insurance for 2 years for consumers who did not accept Countrywide's prior offer of credit monitoring; and (iii) injunctive relief. The settlement was approved by the court in 2010. (3:08-md-01998-TBR (W.D. Ky. 2008)).
- ***In re Educational Testing Service Praxis Principles of Learning and Teaching: Grades 7-12 Litigation:*** The firm served on the plaintiffs' steering committee and obtained an \$11.1 million settlement in 2006 on behalf of persons who were incorrectly scored on a teacher's licensing exam. (MDL No. 1643 (E.D. La.)).
- ***Salvucci v. Volkswagen of America, Inc. d/b/a Audi of America, Inc.:*** The firm served as co-lead counsel in litigation brought on behalf of a nationwide class alleging that defendants failed to disclose that its vehicles contained defectively designed timing belt tensioners and associated parts and that defendants misrepresented the appropriate service interval for replacement of the timing belt tensioner system. After extensive discovery, a settlement was reached. (Docket No. ATL-1461-03 (N.J. Sup. Ct. 2007)).

Corporate Governance and Shareholder Rights

Berger Montague protects the interests of individual and institutional investors in shareholder derivative actions in state and federal courts across the United States. Our attorneys help individual and institutional investors reform poor corporate governance, as well as represent them in litigation against directors of a company for violating their fiduciary duty or provide guidance on shareholder rights.

- ***Emil Rossdeutscher and Dennis Kelly v. Viacom:*** The firm, as lead counsel, obtained a settlement resulting in a fund of \$14.25 million for the class. (C.A. No. 98C-03-091 (JEB) (Del. Super. Ct.)).

- ***Fox v. Riverview Realty Partners, f/k/a Prime Group Realty Trust, et al.***: The firm, as lead counsel, obtained a settlement resulting in a fund of \$8.25 million for the class.

Employee Benefits & ERISA

Berger Montague represents employees who have claims under the federal Employee Retirement Income Security Act. We litigate cases on behalf of employees whose 401(k) and pension investments have suffered losses as a result of the breach of fiduciary duties by plan administrators and the companies they represent. Berger Montague has recovered hundreds of millions of dollars in lost retirement benefits for American workers and retirees, and also gained favorable changes to their retirement plans.

- ***Diebold v. Northern Trust Investments, N.A.***: As co-lead counsel in this ERISA breach of fiduciary duty case, the firm secured a \$36 million settlement on behalf of participants in retirement plans who participated in Northern Trust's securities lending program. Plaintiffs alleged that defendants breached their ERISA fiduciary duties by failing to manage properly two collateral pools that held cash collateral received from the securities lending program. The settlement represented a recovery of more than 25% of alleged class member losses. (No. 1:09-cv-01934 (N.D. Ill.)).
- ***Glass Dimensions, Inc. v. State Street Bank & Trust Co.***: The firm served as co-lead counsel in this ERISA case that alleged that defendants breached their fiduciary duties to the retirement plans it managed by taking unreasonable compensation for managing the securities lending program in which the plans participated. After the court certified a class of the plans that participated in the securities lending program at issue, the case settled for \$10 million on behalf of 1,500 retirement plans that invested in defendants' collective investment funds. (No. 1:10-cv-10588-DPW (D. Mass)).
- ***In re Eastman Kodak ERISA Litigation***: The firm served as class counsel in this ERISA breach of fiduciary duty class action which alleged that defendants breached their fiduciary duties to Kodak retirement plan participants by allowing plan investments in Kodak common stock. The case settled for \$9.7 million. (Master File No. 6:12-cv-06051-DGL (W.D.N.Y.)).
- ***Lequita Dennard v. Transamerica Corp. et al.***: The firm served as counsel to plan participants who alleged that they suffered losses when plan fiduciaries failed to act solely in participants' interests, as ERISA requires, when they selected, removed and monitored plan investment options. The case settled for structural changes to the plan and \$3.8 million monetary payment to the class. (Civil Action No. 1:15-cv-00030-EJM (N.D. Iowa)).

Employment & Unpaid Wages

The Berger Montague Employment & Unpaid Wages Department works tirelessly to safeguard the rights of employees and devotes all of their energies to helping the firm's clients achieve their goals. Our attorneys' understanding of federal and state wage and hour laws, federal and state civil rights and discrimination laws, ERISA, the WARN Act, laws protecting whistleblowers, such

as federal and state False Claims Acts, and other employment laws, allows us to develop creative strategies to vindicate our clients' rights and help them secure the compensation to which they are entitled.

Berger Montague is at the forefront of class action litigation, seeking remedies for employees under the Fair Labor Standards Act, state wage and hour law, breach of contract, unjust enrichment, and other state common law causes of action.

Berger Montague's Employment & Unpaid Wages Group, which is chaired by Executive Shareholder Shanon Carson, is repeatedly recognized for outstanding success in effectively representing its clients. In 2015, *The National Law Journal* selected Berger Montague as the top plaintiffs' law firm in the Employment Law category at the Elite Trial Lawyers awards ceremony. Portfolio Media, which publishes *Law360*, also recognized Berger Montague as one of the eight Top Employment Plaintiffs' Firms in 2009.

Representative cases include the following:

- ***Fenley v. Wood Group Mustang, Inc.***: The firm served as lead counsel and obtained a settlement of \$6.25 million on behalf of a class of oil and gas inspectors who allegedly did not receive overtime compensation for hours worked in excess of 40 per week. (Civil Action No. 2:15-cv-326 (S.D. Ohio)).
- ***Sanders v. The CJS Solutions Group, LLC***: The firm served as co-lead counsel and obtained a settlement of \$3.24 million on behalf of a class of IT healthcare consultants who allegedly did not receive overtime premiums for hours worked in excess of 40 per week. (Civil Action No. 17-3809 (S.D.N.Y.)).
- ***Gundrum v. Cleveland Integrity Services, Inc.***: The firm served as lead counsel and obtained a settlement of \$4.5 million on behalf of a class of oil and gas inspectors who allegedly did not receive overtime compensation for hours worked in excess of 40 per week. (Civil Action No. 4:17-cv-55 (N.D. Okl.)).
- ***Fenley v. Applied Consultants, Inc.***: The firm served as lead counsel and obtained a settlement of \$9.25 million on behalf of a class of oil and gas inspectors who allegedly did not receive overtime compensation for hours worked in excess of 40 per week. (Civil Action No. 2:15-cv-259 (W.D. Pa.)).
- ***Acevedo v. Brightview Landscapes, LLC***: The firm served as co-lead counsel and obtained a settlement of \$6.95 million on behalf of a class of landscaping crew members who allegedly did not receive proper overtime premiums for hours worked in excess of 40 per week. (Civil Action No. 3:13-cv-02529 (M.D. Pa.)).
- ***Jantz v. Social Security Administration***: The firm served as co-lead counsel and obtained a settlement on behalf of employees with targeted disabilities ("TDEs") alleged

that SSA discriminated against TDEs by denying them promotional and other career advancement opportunities. The settlement was reached after more than ten years of litigation, and the Class withstood challenges to class certification on four separate occasions. The settlement includes a monetary fund of \$9.98 million and an unprecedented package of extensive programmatic changes valued at approximately \$20 million. (EEOC No. 531-2006-00276X (2015)).

- ***Ciamillo v. Baker Hughes, Incorporated:*** The firm served as lead counsel and obtained a settlement of \$5 million on behalf of a class of oil and gas workers who allegedly did not receive any overtime compensation for working hours in excess of 40 per week. (Civil Action No. 14-cv-81 (D. Alaska)).
- ***Salcido v. Cargill Meat Solutions Corp.:*** The firm served as co-lead counsel and obtained a settlement of \$7.5 million on behalf of a class of thousands of employees of Cargill Meat Solutions Corp. alleging that they were forced to work off-the-clock and during their breaks. This is one of the largest settlements of this type of case involving a single plant in U.S. history. (Civil Action Nos. 1:07-cv-01347-LJO-GSA and 1:08-cv-00605-LJO-GSA (E.D. Cal.)).
- ***Chabrier v. Wilmington Finance, Inc.:*** The firm served as co-lead counsel and obtained a settlement of \$2,925,000 on behalf of loan officers who worked in four offices to resolve claims for unpaid overtime wages. A significant opinion issued in the case is *Chabrier v. Wilmington Finance, Inc.*, 2008 WL 938872 (E.D. Pa. April 04, 2008) (denying the defendant's motion to decertify the class). (No. 06-4176 (E.D. Pa.)).
- ***Bonnette v. Rochester Gas & Electric Co.:*** The firm served as co-lead counsel and obtained a settlement of \$2 million on behalf of a class of African American employees of Rochester Gas & Electric Co. to resolve charges of racial discrimination in hiring, job assignments, compensation, promotions, discipline, terminations, retaliation, and a hostile work environment. (No. 07-6635 (W.D.N.Y.)).

Environment & Public Health

Berger Montague lawyers are trailblazers in the fields of environmental class action litigation and mass torts. Our attorneys have earned their reputation in the fields of environmental litigation and mass torts by successfully prosecuting some of the largest, most well-known cases of our time. Our Environment & Public Health Group also prosecutes significant claims for personal injury, commercial losses, property damage, and environmental response costs. In 2016, Berger Montague was named an Elite Trial Lawyer Finalist in special litigation (environmental) by *The National Law Journal*.

- ***Cook v. Rockwell International Corporation:*** In February 2006, the firm won a \$554 million jury verdict on behalf of thousands of property owners whose homes were exposed to plutonium from the former Rocky Flats nuclear weapons site northwest of Denver, Colorado. Judgment in the case was entered by the court in June 2008 which, with

interest, totaled \$926 million. Recognizing this tremendous achievement, the Public Justice Foundation bestowed its prestigious Trial Lawyer of the Year Award for 2009 on Merrill G. Davidoff, David F. Sorensen, and the entire trial team for their “long and hard-fought” victory against “formidable corporate and government defendants.” (No. 90-cv-00181-JLK (D. Colo.)). The jury verdict in that case was vacated on appeal in 2010, but on a second trip to the Tenth Circuit, Plaintiffs secured a victory in 2015, with the case then being sent back to the district court. A \$375 million settlement was reached in May 2016, and final approval by the district court was obtained in April 2017.

- ***In re Exxon Valdez Oil Spill Litigation:*** On September 16, 1994, a jury trial of several months duration resulted in a record punitive damages award of \$5 billion against the Exxon defendants as a consequence of one of the largest oil spills in U.S. history. The award was reduced to \$507.5 million pursuant to a Supreme Court decision. David Berger was co-chair of the plaintiffs’ discovery committee (appointed by both the federal and state courts). Harold Berger served as a member of the organizing case management committee. H. Laddie Montague was specifically appointed by the federal court as one of the four designated trial counsel. Both Mr. Montague and Peter Kahana shared (with the entire trial team) the 1995 “Trial Lawyer of the Year Award” given by the Trial Lawyers for Public Justice. (No. A89-0095-CVCHRH (D. Alaska)).
- ***Drayton v. Pilgrim’s Pride Corp.:*** The firm served as counsel in a consolidation of wrongful death and other catastrophic injury cases brought against two manufacturers of turkey products, arising out of a 2002 outbreak of *Listeria Monocytogenes* in the Northeastern United States, which resulted in the recall of over 32 million pounds of turkey – the second largest meat recall in U.S. history at that time. A significant opinion issued in the case is *Drayton v. Pilgrim’s Pride Corp.*, 472 F. Supp. 2d 638 (E.D. Pa. 2006) (denying the defendants’ motions for summary judgment and applying the alternative liability doctrine). All of the cases settled on confidential terms in 2006. (No. 03-2334 (E.D. Pa.)).
- ***In re Three Mile Island Litigation:*** As lead/liason counsel, the firm successfully litigated the case and reached a settlement in 1981 of \$25 million in favor of individuals, corporations and other entities suffering property damage as a result of the nuclear incident involved. (C.A. No. 79-0432 (M.D. Pa.)).

Insurance Fraud

When insurance companies and affiliated financial services entities engage in fraudulent, deceptive or unfair practices, Berger Montague helps injured parties recover their losses. We focus on fraudulent, deceptive and unfair business practices across all lines of insurance and financial products and services sold by insurers and their affiliates, which include annuities, securities and other investment vehicles.

- ***Spencer v. Hartford Financial Services Group, Inc.:*** The firm, together with co-counsel, prosecuted this national class action against The Hartford Financial Services Group, Inc. and its affiliates in the United States District Court for the District of Connecticut (*Spencer*

v. Hartford Financial Services Group, Inc., Case No. 05-cv-1681) on behalf of approximately 22,000 claimants, each of whom entered into structured settlements with Hartford property and casualty insurers to settle personal injury and workers' compensation claims. To fund these structured settlements, the Hartford property and casualty insurers purchased annuities from their affiliate, Hartford Life. By purchasing the annuity from Hartford Life, The Hartford companies allegedly were able to retain up to 15% of the structured amount of the settlement in the form of undisclosed costs, commissions and profit - all of which was concealed from the settling claimants. On March 10, 2009, the U.S. District Court certified for trial claims on behalf of two national subclasses for civil RICO and fraud (256 F.R.D. 284 (D. Conn. 2009)). On October 14, 2009, the Second Circuit Court of Appeals denied The Hartford's petition for interlocutory appeal under Federal Rule of Civil Procedure 23(f). On September 21, 2010, the U.S. District Court entered judgment granting final approval of a \$72.5 million cash settlement.

- ***Nationwide Mutual Insurance Company v. O'Dell***: The firm, together with co-counsel, prosecuted this class action against Nationwide Mutual Insurance Company in West Virginia Circuit Court, Roane County (*Nationwide Mutual Insurance Company v. O'Dell*, Case No. 00-C-37), on behalf of current and former West Virginia automobile insurance policyholders, which arose out of Nationwide's failure, dating back to 1993, to offer policyholders the ability to purchase statutorily-required optional levels of underinsured ("UIM") and uninsured ("UM") motorist coverage in accordance with West Virginia Code 33-6-31. The court certified a trial class seeking monetary damages, alleging that the failure to offer these optional levels of coverage, and the failure to provide increased first party benefits to personal injury claimants, breached Nationwide's insurance policies and its duty of good faith and fair dealing, and violated the West Virginia Unfair Trade Practices Act. On June 25, 2009, the court issued final approval of a settlement that provided a minimum estimated value of \$75 million to Nationwide auto policyholders and their passengers who were injured in an accident or who suffered property damage.

Predatory Lending and Borrowers' Rights

Berger Montague's attorneys fight vigorously to protect the rights of borrowers when they are injured by the practices of banks and other financial institutions that lend money or service borrowers' loans. Berger Montague has successfully obtained multi-million-dollar class action settlements for nationwide classes of borrowers against banks and financial institutions and works tirelessly to protect the rights of borrowers suffering from these and other deceptive and unfair lending practices.

- ***Coonan v. Citibank, N.A.***: The firm, as Co-Lead Counsel, prosecuted this national class action against Citibank and its affiliates in the United States District Court for the Northern District of New York concerning alleged kickbacks Citibank received in connection with its force-placed insurance programs. The firm obtained a settlement of \$122 million on behalf of a class of hundreds of thousands of borrowers.

- ***Arnett v. Bank of America, N.A.***: The firm, as Co-Lead Counsel, prosecuted this national class action against Bank of America and its affiliates in the United States District Court for the District of Oregon concerning alleged kickbacks received in connection with its force-placed flood insurance program. The firm obtained a settlement of \$31 million on behalf of a class of hundreds of thousands of borrowers.
- ***Clements v. JPMorgan Chase Bank, N.A.***: The firm, as Co-Lead Counsel, prosecuted this national class action against JPMorgan Chase and its affiliates in the United States District Court for the Northern District of California concerning alleged kickbacks received in connection with its force-placed flood insurance program. The firm obtained a settlement of \$22,125,000 on behalf of a class of thousands of borrowers.
- ***Holmes v. Bank of America, N.A.***: The firm, as Co-Lead Counsel, prosecuted this national class action against Bank of America and its affiliates in the United States District Court for the Western District of North Carolina concerning alleged kickbacks received in connection with its force-placed wind insurance program. The firm obtained a settlement of \$5.05 million on behalf of a class of thousands of borrowers.

Securities & Investor Protection

In the area of securities litigation, the firm has represented public institutional investors – such as the retirement funds for the States of Pennsylvania, Connecticut, New Hampshire, New Jersey, Louisiana and Ohio, as well as the City of Philadelphia and numerous individual investors and private institutional investors. The firm was co-lead counsel in the *Melridge Securities Litigation* in the Federal District Court in Oregon, in which jury verdicts of \$88.2 million and a RICO judgment of \$239 million were obtained. Berger Montague has served as lead or co-lead counsel in numerous other major securities class action cases where substantial settlements were achieved on behalf of investors.

- ***In re Merrill Lynch Securities Litigation***: Berger Montague, as co-lead counsel, obtained a recovery of \$475 million for the benefit of the class in one of the largest recoveries among the recent financial crisis cases. (No. 07-cv-09633 (S.D.N.Y.)).
- ***In re: Oppenheimer Rochester Funds Group Securities Litigation***: The firm, as co-lead counsel, obtained a \$89.5 million settlement on behalf of investors in six tax-exempt bond mutual funds managed by OppenheimerFunds, Inc. (No. 09-md-02063-JLK (D. Col.)).
- ***In re KLA Tencor Securities Litigation***: The firm, as a member of Plaintiffs' Counsel's Executive Committee, obtained a cash settlement of \$65 million in an action on behalf of investors against KLA-Tencor and certain of its officers and directors. (No. 06-cv-04065 (N.D. Cal.)).
- ***In re NetBank, Inc. Securities Litigation***: The firm served as lead counsel in this certified class action on behalf of the former common shareholders of NetBank, Inc. The \$12.5

million settlement, which occurred after class certification proceedings and substantial discovery, is particularly noteworthy because it is one of the few successful securities fraud class actions litigated against a subprime lender and bank in the wake of the financial crisis. (No. 07-cv-2298-TCB (N.D. Ga.)).

- ***The City Of Hialeah Employees' Retirement System v. Toll Brothers, Inc.***: The firm, as co-lead counsel, obtained a class settlement of \$25 million against Home Builder Toll Brothers, Inc. (No. 07-cv-1513 (E.D. Pa.)).
- ***In re Alcatel Alsthom Securities Litigation***: The firm, as co-lead counsel, obtained a class settlement for investors of \$75 million cash. (MDL Docket No. 1263 (PNB) (E.D. Tex.)).
- ***Qwest Securities Action***: The firm represented New Jersey in an opt-out case against Qwest and certain officers, which was settled for \$45 million. (C.A. No. L-3838-02 (Superior Court New Jersey, Law Division)).

Whistleblower, Qui Tam, and False Claims Act

Berger Montague has represented whistleblowers in matters involving healthcare fraud, defense contracting fraud, IRS fraud, securities fraud, and commodities fraud, helping to return more than \$3 billion to federal and state governments. In return, whistleblower clients retaining Berger Montague to represent them in state and federal courts have received more than \$500 million in rewards. Berger Montague's time-tested approach in whistleblower/*qui tam* representation involves cultivating close, productive attorney-client relationships with the maximum degree of confidentiality for our clients.

Judicial Praise for Berger Montague Attorneys

Berger Montague's record of successful prosecution of class actions and other complex litigation has been recognized and commended by judges and arbitrators across the country. Some remarks on the skill, efficiency, and expertise of the firm's attorneys are excerpted below.

Antitrust Cases

From **Judge Lorna G. Schofield**, of the U.S. District Court for the Southern District of New York:

"I'm not sure I've ever seen a case without a single objection or opt-out, so congratulations on that."

Transcript of the November 19, 2020 Hearing in ***Contant, et al. v. Bank of America Corp., et al.***, No. 1:17-cv-03139 (S.D.N.Y.).

From **Judge William E. Smith**, of the U.S. District Court for the District of Rhode Island:

“The degree to which you all litigated the case is – you know, I can’t imagine attorneys litigating a case more rigorously than you all did in this case. It seems like every conceivable, legitimate, substantive dispute that could have been fought over was fought over to the max. So you, both sides, I think litigated the case as vigorously as any group of attorneys could. The level of representation of all parties in terms of the sophistication of counsel was, in my view, of the highest levels. I can’t imagine a case in which there was really a higher quality of representation across the board than this one.”

Transcript of the August 27, 2020 Hearing in *In re Loestrin 24 Fe Antitrust Litigation*, No. 13-md-02472 (D.R.I.).

From **Judge Margo K. Brodie**, of the U.S. District Court for the Eastern District of New York:

“Class counsel has without question done a tremendous job in litigating this case. They represent some of the best plaintiff-side antitrust groups in the country, and the size and skill of the defense they litigated against cannot be overstated. They have also demonstrated the utmost professionalism despite the demands of the extreme perseverance that this case has required...”

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, No. 1:05-md-01720 (E.D.N.Y. 2019) (Mem. & Order).

From **Judge Brian M. Cogan**, of the U.S. District Court of the Eastern District of New York:

“This is a substantial recovery that has the deterrent effect that class actions are supposed to have, and I think it was done because we had really good Plaintiffs’ lawyers in this case who were running it.”

Transcript of the June 24, 2019 Fairness Hearing in *In re Dental Supplies Antitrust Litigation*, No. 16-cv-696 (E.D.N.Y.).

From **Judge Michael M. Baylson**, of the U.S. District Court of the Eastern District of Pennsylvania:

“[C]ounsel...for direct action plaintiffs have done an outstanding job here with representing the class, and I thought your briefing was always very on point. I thought the presentation of the very contentious issues on the class action motion was very well done, it was very well briefed, it was well argued.”

Transcript of the June 28, 2018 Hearing in *In re Domestic Drywall Antitrust Litigation*, No. MD-13-2437 at 11:6-11.

From **Judge Madeline Cox Arleo**, of the U.S. District Court for the District of New Jersey praising the efforts of all counsel:

“I just want to thank you for an outstanding presentation. I don’t say that lightly . . . it’s not lost on me at all when lawyers come very, very prepared. And really, your clients should be very proud to have such fine lawyering. I don’t see lawyering like this every day in the federal courts, and I am very grateful. And I appreciate the time and the effort you put in, not only to the merits, but the respect you’ve shown for each other, the respect you’ve shown for the Court, the staff, and the time constraints. And as I tell my law clerks all the time, good lawyers don’t fight, good lawyers advocate. And I really appreciate that more than I can express.”

Transcript of the September 9 to 11, 2015 Daubert Hearing in *Castro v. Sanofi Pasteur*, No. 11-cv-07178 (D.N.J.) at 658:14-659:4.

From **Judge William H. Pauley, III**, of the U.S. District Court of the Southern District of New York:

“Class Counsel did their work on their own with enormous attention to detail and unflagging devotion to the cause. Many of the issues in this litigation . . . were unique and issues of first impression.”

* * *

“Class Counsel provided extraordinarily high-quality representation. This case raised a number of unique and complex legal issues The law firms of Berger Montague and Coughlin Stoia were indefatigable. They represented the Class with a high degree of professionalism, and vigorously litigated every issue against some of the ablest lawyers in the antitrust defense bar.”

In re Currency Conversion Fee Antitrust Litigation, 263 F.R.D. 110, 129 (2009).

From **Judge Faith S. Hochberg**, of the United States District court for the District of New Jersey:

“[W]e sitting here don’t always get to see such fine lawyering, and it’s really wonderful for me both to have tough issues and smart lawyers ... I want to congratulate all of you for the really hard work you put into this, the way you presented the issues, ... On behalf of the entire federal judiciary I want to thank you for the kind of lawyering we wish everybody would do.”

In re Remeron Antitrust Litig., Civ. No. 02-2007 (Nov. 2, 2005).

From U.S. District **Judge Jan DuBois**, of the U.S. District Court of the Eastern District of Pennsylvania:

“[T]he size of the settlements in absolute terms and expressed as a percentage of total damages evidence a high level of skill by petitioners ... The Court has repeatedly stated that the lawyering in the case at every stage was superb, and does so again.”

In re Linerboard Antitrust Litig., 2004 WL 1221350, at *5-*6 (E.D. Pa. 2004).

From **Judge Nancy G. Edmunds**, of the U.S. District Court of the Eastern District of Michigan:

“[T]his represents an excellent settlement for the Class and reflects the outstanding effort on the part of highly experienced, skilled, and hard working Class Counsel...[T]heir efforts were not only successful, but were highly organized and efficient in addressing numerous complex issues raised in this litigation[.]”

In re Cardizem CD Antitrust Litig., MDL No. 1278 (E.D. Mich., Nov. 26, 2002).

From **Judge Charles P. Kocoras**, of the U.S. District Court for the Northern District of Illinois:

“The stakes were high here, with the result that most matters of consequence were contested. There were numerous trips to the courthouse, and the path to the trial court and the Court of Appeals frequently traveled. The efforts of counsel for the class has [sic] produced a substantial recovery, and it is represented that the cash settlement alone is the second largest in the history of class action litigation. . . . There is no question that the results achieved by class counsel were extraordinary [.]”

Regarding the work of Berger Montague in achieving more than \$700 million in settlements with some of the defendants in ***In Re Brand Name Prescription Drugs Antitrust Litigation***, 2000 U.S. Dist. LEXIS 1734, at *3-*6 (N.D. Ill. Feb. 9, 2000).

From **Judge Peter J. Messitte**, of the U.S. District Court for the District of Maryland:

“The experience and ability of the attorneys I have mentioned earlier, in my view in reviewing the documents, which I have no reason to doubt, the plaintiffs’ counsel are at the top of the profession in this regard and certainly have used their expertise to craft an extremely favorable settlement for their clients, and to that extent they deserve to be rewarded.”

Settlement Approval Hearing, Oct. 28, 1994, in ***Spawd, Inc. and General Generics v. Bolar Pharmaceutical Co., Inc.***, CA No. PJM-92-3624 (D. Md.).

From **Judge Donald W. Van Artsdalen**, of the U.S. District Court for the Eastern District of Pennsylvania:

“As to the quality of the work performed, although that would normally be reflected in the not immodest hourly rates of all attorneys, for which one would expect to obtain excellent quality work at all times, the results of the settlements speak for themselves. Despite the extreme uncertainties of trial, plaintiffs’ counsel were able to negotiate a cash settlement of a not insubstantial sum, and in addition, by way of equitable relief, substantial concessions by the defendants which, subject to various condition, will afford the right, at least, to lessee-dealers to obtain gasoline supply product from major oil companies and suppliers other than from their respective lessors. The additional benefits obtained for the classes by way of equitable relief would, in and of itself, justify some upward adjustment of the lodestar figure.”

Bogosian v. Gulf Oil Corp., 621 F. Supp. 27, 31 (E.D. Pa. 1985).

From **Judge Krupansky**, who had been elevated to the Sixth Circuit Court of Appeals:

“Finally, the court unhesitatingly concludes that the quality of the representation rendered by counsel was uniformly high. The attorneys involved in this litigation are extremely experienced and skilled in their prosecution of antitrust litigation and other complex actions. Their services have been rendered in an efficient and expeditious manner, but have nevertheless been productive of highly favorable result.”

In re Art Materials Antitrust Litigation, 1984 CCH Trade Cases ¶65,815 (N.D. Ohio 1983).

From **Judge Joseph Blumenfeld**, of the U.S. District Court for the District of Connecticut:

“The work of the Berger firm showed a high degree of efficiency and imagination, particularly in the maintenance and management of the national class actions.”

In re Master Key Antitrust Litigation, 1977 U.S. Dist. LEXIS 12948, at *35 (Nov. 4, 1977).

Securities & Investor Protection Cases

From **Judge Brantley Starr** of the U.S. District Court for the Northern District of Texas, Dallas Division:

“I think y’all have been a model on how to handle a case like this. So I appreciate the diligence y’all have put in separating the fee negotiations until after the main event is resolved...Everything I see here is in great shape, and really a testament to y’all’s diligence and professionalism. So hats off to y’all...So thanks again for your professionalism in handling this case and handling the stipulated settlement. Y’all are model citizens, and so I wish I could send everyone to y’all’s school of litigation management.”

Howell Family Trust DTD 1/27/2004 v. Hollis Greenlaw, et al., No. 3:18-cv-02864-X (N.D. Tex., March 25, 2021).

From **Judge Jed Rakoff** of the U.S. District Court for the Southern District of New York:

Court stated that lead counsel had made “very full and well-crafted” and “excellent submissions”; that there was a “very fine job done by plaintiffs’ counsel in this case”; and that this was “surely a very good result under all the facts and circumstances.”

In re Merrill Lynch & Co., Inc. Securities, Derivative & ERISA Litigation, Master File No. 07-cv-9633(JSR)(DFE) (S.D.N.Y., July 27, 2009).

From **Judge Michael M. Baylson** of the U.S. District Court for the Eastern District of Pennsylvania:

“The Court is aware of and attests to the skill and efficiency of class counsel: they have been diligent in every respect, and their briefs and arguments before the Court were of the highest quality. The firm of Berger Montague took the lead in the Court proceedings; its attorneys were well prepared, articulate and persuasive.”

In re CIGNA Corp. Sec. Litig., 2007 U.S. Dist. LEXIS 51089, at *17-*18 (E.D. Pa. July 13, 2007).

From **Judge Stewart Dalzell** of the U.S. District Court for the Eastern District of Pennsylvania:

“The quality of lawyering on both sides, but I am going to stress now on the plaintiffs’ side, simply has not been exceeded in any case, and we have had some marvelous counsel appear before us and make superb arguments, but they really don’t come any better than Mrs. Savett... [A]nd the arguments we had on the motion to dismiss [Mrs. Savett argued the motion], both sides were fabulous, but plaintiffs’ counsel were as good as they come.”

In re U.S. Bioscience Secs. Litig., No. 92-0678 (E.D. Pa. April 4, 1994).

From **Judge Wayne Andersen** of the U.S. District Court for the Northern District of Illinois:

“[Y]ou have acted the way lawyers at their best ought to act. And I have had a lot of cases...in 15 years now as a judge and I cannot recall a significant case where I felt people were better represented than they are here...I would say this has been the best representation that I have seen.”

In re: Waste Management, Inc. Secs. Litig., No. 97-C 7709 (N.D. Ill. 1999).

From **Chancellor William Chandler, III** of the Delaware Chancery Court:

“All I can tell you, from someone who has only been doing this for roughly 22 years, is that I have yet to see a more fiercely and intensely litigated case than this case. Never in 22 years have I seen counsel going at it, hammer and tong, like they have gone at it in this case. And I think that’s a testimony – Mr. Valihura correctly says that’s what they are supposed to do. I recognize that; that is their job, and they were doing it professionally.”

Ginsburg v. Philadelphia Stock Exchange, Inc., No. 2202 (Del. Ch., Oct. 22, 2007).

From **Judge Stewart Dalzell** of the U.S. District Court for the Eastern District of Pennsylvania:

“Thanks to the nimble class counsel, this sum, which once included securities worth \$149.5 million is now all cash. Seizing on an opportunity Rite Aid presented, class counsel first renegotiated what had been stock consideration into Rite Aid Notes and then this year monetized those Notes. Thus, on February 11, 2003, Rite Aid redeemed those Notes from the class, which then received \$145,754,922.00. The class also received \$14,435,104 in interest on the Notes.”

“Co-lead counsel ... here were extraordinarily deft and efficient in handling this most complex matter... they were at least eighteen months ahead of the United States Department of Justice in ferreting out the conduct that ultimately resulted in the write down of over \$1.6 billion in previously reported Rite Aid earnings. In short, it would be hard to equal the skill class counsel demonstrated here.”

In re Rite Aid Corp. Securities Litigation, 269 F. Supp. 2d 603, 605, n.1, 611 (E.D. Pa. 2003).

From **Judge Helen J. Frye**, United States District Judge for the U.S. District Court for the District of Oregon:

“In order to bring about this result [partial settlements then totaling \$54.25 million], Class Counsel were required to devote an unusual amount of time and effort over more than eight years of intense legal litigation which included a four-month long jury trial and full briefing and argument of an appeal before the Ninth Circuit Court of Appeals, and which produced one of the most voluminous case files in the history of this District.”

* * *

“Throughout the course of their representation, the attorneys at Berger Montague and Stoll, Stoll, Berne, Lokting & Shlachter who have worked on this case have exhibited an unusual degree of skill and diligence, and have had to contend with opposing counsel who also displayed unusual skill and diligence.”

In Re Melridge, Inc. Securities Litigation, No. CV 87-1426-FR (D. Ore. April 15, 1996).

From **Judge Marvin Katz** of the U.S. District Court for the Eastern District of Pennsylvania:

“[T]he co-lead attorneys have extensive experience in large class actions, experience that has enabled this case to proceed efficiently and professionally even under short deadlines and the pressure of handling thousands of documents in a large multi-district action... These counsel have also acted vigorously in their clients’ interests....”

* * *

“The management of the case was also of extremely high quality.... [C]lass counsel is of high caliber and has extensive experience in similar class action litigation.... The submissions were of consistently high quality, and class counsel has been notably diligent in preparing filings in a timely manner even when under tight deadlines.”

Commenting on class counsel, where the firm served as both co-lead and liaison counsel in ***In re Ikon Office Solutions, Inc. Securities Litigation***, 194 F.R.D. 166, 177, 195 (E.D. Pa. 2000).

From **Judge William K. Thomas**, Senior District Judge for the United States District Court for the Northern District of Ohio:

“In the proceedings it has presided over, this court has become directly familiar with the specialized, highly competent, and effective quality of the legal services performed by Merrill G. Davidoff, Esq. and Martin I. Twersky, Esq. of Berger Montague....”

* * *

“Examination of the experience-studded biographies of the attorneys primarily involved in this litigation and review of their pioneering prosecution of many class actions in antitrust, securities, toxic tort matters and some defense representation in antitrust and other litigation, this court has no difficulty in approving and adopting the hourly rates fixed by Judge Aldrich.”

Commenting in *In re Revco Securities Litigation*, Case No. 1:89CV0593, Order (N.D. Oh. September 14, 1993).

Consumer Protection Cases

From **Judge Paul A. Engelmayer** of the U.S. District Court for the Southern District of New York:

“I know the diligence of counsel and dedication of counsel to the class...Thank you, Ms. Drake. As always I appreciate the – your extraordinary dedication to your – to the class and the very obvious backwards and forwards familiarity you have with the case and level of preparation and articulateness today. It’s a pleasure always to have you before me...Class Counsel [] generated this case on their own initiative and at their own risk. Counsel’s enterprise and ingenuity merits significant compensation...Counsel here are justifiably proud of the important result that they achieved.”

Sept. 22, 2020, Final Approval Hearing, *Gambles v. Sterling Info., Inc.*, No. 15-cv-9746.

From **Judge Joel Schneider** of the U.S. District Court for the District of New Jersey:

“I do want to compliment all counsel for how they litigated this case in a thoroughly professional manner. All parties were zealously represented in the highest ideals of the profession, legitimately and professionally, and not the usual acrimony we see in these cases...I commend the parties and their counsel for a very workmanlike professional effort.”

Transcript of the September 10, 2020 Final Fairness Hearing in *Somogyi, et al. v. Freedom Mortgage Corp.*

From **Judge Harold E. Kahn** of the Superior Court of California County of San Francisco:

“You are extraordinarily impressive. And I thank you for being here, and for your candid, non-evasive response to every question I have. I was extremely skeptical at the outset of this morning. You have allayed all of my concerns and have persuaded me that this is an important issue, and that you have done a great service to the class. And for that reason, I am going to approve your settlement in all respects, including the motion for attorneys’ fees. And I congratulate you on your excellent work.”

Transcript of the November 7, 2017 Hearing in *Loretta Nesbitt v. Postmates, Inc.*, No. CGC-15-547146

Civil/Human Rights Cases

From **Deputy Treasury Secretary Stuart E. Eizenstat**:

“We must be frank. It was the American lawyers, through the lawsuits they brought in U.S. courts, who placed the long-forgotten wrongs by German companies during the Nazi era on the international agenda. It was their research and their work which highlighted these old injustices and forced us to confront them. Without question, we would not be here without them.... For this dedication and commitment to the victims, we should always be grateful to these lawyers.”

In his remarks at the July 17, 2000, signing ceremony for the international agreements which established the German Foundation to act as a funding vehicle for the payment of claims to Holocaust survivors.

Insurance Litigation

From **Judge Janet C. Hall**, of the U.S. District Court of the District of Connecticut:

Noting the “very significant risk in pursuing this action” given its uniqueness in that “there was no prior investigation to rely on in establishing the facts or a legal basis for the case....[and] no other prior or even now similar case involving parties like these plaintiffs and a party like these defendants.” Further, “the quality of the representation provided to the plaintiffs ... in this case has been consistently excellent.... [T]he defendant[s] ... mounted throughout the course of the five years the case pended, an extremely vigorous defense.... [B]ut for counsel’s outstanding work in this case and substantial effort over five years, no member of the class would have recovered a penny.... [I]t was an extremely complex and substantial class ... case ... [with an] outstanding result.”

Regarding the work of Berger Montague attorneys Peter R. Kahana and Steven L. Bloch, among other co-class counsel, in *Spencer, et al. v. The Hartford Financial Services Group, Inc., et al.*, in the Order approving the \$72.5 million final settlement of this action, dated September 21, 2010 (No. 3:05-cv-1681, D. Conn.).

Customer/Broker Arbitrations

From **Robert E. Conner**, Public Arbitrator with the National Association of Securities Dealers, Inc.:

“[H]aving participated over the last 17 years in 400 arbitrations and trials in various settings, ... the professionalism and the detail and generally the civility of everyone involved has been not just a cause for commentary at the end of these proceedings but between ourselves [the arbitration panel] during the course of them, and ... the detail and the intellectual rigor that went into the documents was fully reflective of the effort that was made in general. I wanted to make that known to everyone and to express my particular respect and admiration.”

About the efforts of Berger Montague shareholders Merrill G. Davidoff and Eric L. Cramer, who achieved a \$1.1 million award for their client, in ***Steinman v. LMP Hedge Fund, et al.***, NASD Case No. 98-04152, at Closing Argument, June 13, 2000.

Employment & Unpaid Wages Cases

From **Judge Timothy R. Rice**, United States Magistrate Judge for the U.S. District Court for the Eastern District of Pennsylvania:

Describing Berger Montague as “some of the finest legal representation in the nation,” who are “ethical, talented, and motivated to help hard working men and women.”

Regarding the work of Berger Montague attorney Camille F. Rodriguez in ***Gonzalez v. Veritas Consultant Group, LLC, d/b/a Moravia Health Network***, No. 2:17-cv-1319-TR (E.D. Pa. March 13, 2019).

From **Judge Malachy E. Mannion**, United States District Judge for the U.S. District Court for the Middle District of Pennsylvania:

“At the final approval hearing, class counsel reiterated in detail the arguments set forth in the named plaintiffs’ briefing. ... The court lauded the parties for their extensive work in reaching a settlement the court deemed fair and reasonable.

* * *

“The court is confident that [class counsel] are highly skilled in FLSA collective and hybrid actions, as seen by their dealings with the court and the results achieved in both negotiating and handling the settlement to date.”

Acevedo v. Brightview Landscapes, LLC, No. 3:13-cv-2529, 2017 WL 4354809 (M.D. Pa. Oct. 2, 2017).

From **Judge Joseph F. Bataillon**, United States District Judge for the U.S. District Court for the District of Nebraska:

[P]laintiffs' counsel succeeded in vindicating important rights. ... The court is familiar with "donning and doffing" cases and based on the court's experience, defendant meat packing companies' litigation conduct generally reflects "what can only be described as a deeply-entrenched resistance to changing their compensation practices to comply with the requirements of FLSA." (citation omitted). Plaintiffs' counsel perform a recognized public service in prosecuting these actions as a 'private Attorney General' to protect the rights of underrepresented workers.

The plaintiffs have demonstrated that counsel's services have benefitted the class. ... The fundamental policies of the FLSA were vindicated and the rights of the workers were protected.

Regarding the work of Berger Montague among other co-counsel in ***Morales v. Farmland Foods, Inc.***, No. 8:08-cv-504, 2013 WL 1704722 (D. Neb. Apr. 18, 2013).

From **Judge Jonathan W. Feldman**, United States Magistrate Judge for the U.S. District Court for the Western District of New York:

"The nature of the instant application obliges the Court to make this point clear: In my fifteen years on the bench, no case has been litigated with more skill, tenacity and legal professionalism than this case. The clients, corporate and individual, should be proud of the manner in which their legal interests were brought before and presented to the Court by their lawyers and law firms."

and

"...the Court would be remiss if it did not commend class counsel and all those who worked for firms representing the thousands of current and former employees of Kodak for the outstanding job they did in representing the interests of their clients. For the last several years, lead counsel responsibilities were shared by Shanon Carson Their legal work in an extraordinarily complex case was exemplary, their tireless commitment to seeking justice for their clients was unparalleled and their conduct as officers of the court was beyond reproach."

Employees Committed For Justice v. Eastman Kodak, (W.D.N.Y. 2010) (\$21.4 million settlement).

Other Cases

From **Stephen M. Feiler, Ph.D.**, Director of Judicial Education, Supreme Court of Pennsylvania, Administrative Office of Pennsylvania Courts, Mechanicsburg, PA *on behalf of the Common Pleas Court Judges (trial judges) of Pennsylvania*:

“On behalf of the Supreme Court of Pennsylvania and AOPC’s Judicial Education Department, thank you for your extraordinary commitment to the *Dealing with Complexities in Civil Litigation* symposia. We appreciate the considerable time you spent preparing and delivering this important course across the state. It is no surprise to me that the judges rated this among the best programs they have attended in recent years.”

About the efforts of Berger Montague attorneys Merrill G. Davidoff, Peter Nordberg and David F. Sorensen in planning and presenting a CLE Program to trial judges in the Commonwealth of Pennsylvania.

Our Founding Partner and Attorneys

Founding Partner

David Berger – 1912-2007

David Berger was the founder and the Chairman of Berger Montague. He received his A.B. *cum laude* in 1932 and his LL.B. *cum laude* in 1936, both from the University of Pennsylvania. He was a member of The Order of the Coif and was an editor of the *University of Pennsylvania Law Review*. He had a distinguished scholastic career including being Assistant to Professor Francis H. Bohlen and Dr. William Draper Lewis, Director of the American Law Institute, participating in the drafting of the first Restatement of Torts. He also served as a Special Assistant Dean of the University of Pennsylvania Law School. He was a member of the Board of Overseers of the Law School and Associate Trustee of the University of Pennsylvania. In honor of his many contributions, the Law School established the David Berger Chair of Law for the Improvement of the Administration of Justice.

David Berger was a law clerk for the Pennsylvania Supreme Court. He served as a deputy assistant to Director of Enemy Alien Identification Program of the United States Justice Department during World War II.

Thereafter he was appointed Lt.j.g. in the U.S. Naval Reserve and he served in the South Pacific aboard three aircraft carriers during World War II. He was a survivor of the sinking of the U.S.S. Hornet in the Battle of Santa Cruz, October 26, 1942. After the sinking of the Hornet, Admiral Halsey appointed him a member of his personal staff when the Admiral became Commander of the South Pacific. Mr. Berger was ultimately promoted to Commander. He was awarded the Silver Star and Presidential Unit Citation.

After World War II, he was a law clerk in the United States Court of Appeals. The United States Supreme Court appointed David Berger a member of the committee to draft the Federal Rules of Evidence, the basic evidentiary rules employed in federal courts throughout the United States.

David Berger was a fellow of the American College of Trial Lawyers, the International Society of Barristers, and the International Academy of Trial Lawyers, of which he was a former Dean. He was a Life Member of the Judicial Conference of the Third Circuit and the American Law Institute.

A former Chancellor (President) of the Philadelphia Bar Association, he served on numerous committees of the American Bar Association and was a lecturer and author on various legal subjects, particularly in the areas of antitrust, securities litigation, and evidence.

David Berger served as a member of President John F. Kennedy's committee which designed high speed rail lines between Washington and Boston. He drafted and activated legislation in the Congress of the United States which resulted in the use of federal funds to assure the continuance of freight and passenger lines throughout the United States. When the merger of the Pennsylvania Railroad and the New York Central Railroad, which created the Penn Central Transportation Company, crashed into Chapter 11, David Berger was counsel for Penn Central and a proponent of its reorganization. Through this work, Mr. Berger ensured the survival of the major railroads in the Northeastern section of the United States including Penn Central, New Jersey Central, and others.

Mr. Berger's private practice included clients in London, Paris, Dusseldorf, as well as in Philadelphia, Washington, New York City, Florida, and other parts of the United States. David Berger instituted the first class action in the antitrust field, and for over 30 years he and the Berger firm were lead counsel and/or co-lead counsel in countless class actions brought to successful conclusions, including antitrust, securities, toxic tort and other cases. He served as one of the chief counsel in the litigation surrounding the demise of Drexel Burnham Lambert, in which over \$2.6 billion was recovered for various violations of the securities laws during the 1980s. The recoveries benefitted such federal entities as the FDIC and RTC, as well as thousands of victimized investors.

In addition, Mr. Berger was principal counsel in a case regarding the Three Mile Island accident near Harrisburg, Pennsylvania, achieving the first legal recovery of millions of dollars for economic harm caused by the nation's most serious nuclear accident. As part of the award in the case, David Berger established a committee of internationally renowned scientists to determine the effects on human beings of emissions of low-level radiation.

In addition, as lead counsel in *In re Asbestos School Litigation*, he brought about settlement of this long and vigorously fought action spanning over 13 years for an amount in excess of \$200 million.

David Berger was active in Democratic politics. President Clinton appointed David Berger a member of the United States Holocaust Memorial Council, in which capacity he served from 1994-2004. In addition to his having served for seven years as the chief legal officer of Philadelphia, he was a candidate for District Attorney of Philadelphia, and was a Carter delegate in the Convention which nominated President Carter.

Over his lengthy career David Berger was prominent in a great many philanthropic and charitable enterprises some of which are as follows: He was the Chairman of the David Berger Foundation and a long time honorary member of the National Commission of the Anti-Defamation League. He was on the Board of the Jewish Federation of Philadelphia and, at his last place of residence, Palm Beach, as Honorary Chairman of the American Heart Association, Trustee of the American Cancer Society, a member of the Board of Directors of the American Red Cross, and active in the Jewish Federation of Palm Beach County.

David Berger's principal hobby was tennis, a sport in which he competed for over 60 years. He was a member of the Board of Directors of the International Tennis Hall of Fame and other related organizations for assisting young people in tennis on a world-wide basis.

Firm Chair

Eric L. Cramer – Chairman

Eric L. Cramer is Chairman of Berger Montague and Co-Chair of its antitrust department. He has a national practice in the field of complex litigation, primarily in the area of antitrust class actions. He is currently co-lead counsel in multiple significant antitrust class actions across the country in a variety of industries and is responsible for winning numerous significant settlements for his clients totaling well over \$3 billion. Most recently, he has focused on representing workers claiming that anticompetitive practices have suppressed their pay, including cases on behalf of mixed-martial-arts fighters, healthcare and luxury retail workers, and chicken growers. Further, in late 2021, Mr. Cramer served as one of the main trial counsel in an antitrust class action relating to an alleged international cartel of capacitors' suppliers, which was tried to a jury and settled after nearly three weeks of trial.

In 2020, Law360 named Mr. Cramer a Titan of the Plaintiffs Bar, and Who's Who Legal identified him as a Global Elite Thought Leader, stating that he "comes recommended by peers as a top name for antitrust class action proceedings." In 2019, The National Law Journal awarded Mr. Cramer the Keith Givens Visionary Award, which was developed to honor an outstanding trial lawyer who has moved the industry forward through his or her work within the legal industry ecosystem, demonstrating excellence in all aspects of work from client advocacy to peer education and mentoring. In 2018, he was named Philadelphia antitrust "Lawyer of the Year" by Best Lawyers, and in 2017, he won the American Antitrust Institute's Antitrust Enforcement Award for Outstanding Antitrust Litigation Achievement in Private Law Practice for his work in *Castro v. Sanofi Pasteur Inc.*, No. 11-cv-07178 (D.N.J.). In that case, Mr. Cramer represented a national class of physicians challenging Sanofi Pasteur with anticompetitive conduct in the market for meningitis vaccines, resulting in a settlement of more than \$60 million for the class. He has also been identified as a top tier antitrust lawyer by Chambers & Partners in Pennsylvania and nationally. In 2020, Chambers & Partners observed that Mr. Cramer is "a fantastic lawyer...He has real trial experience and is very capable and super smart." He has been highlighted annually since 2011 by The Legal 500 as one of the country's top lawyers in the field of complex antitrust litigation and repeatedly deemed one of the "Best Lawyers in America," including for 2021.

Mr. Cramer is also a frequent speaker at antitrust and litigation related conferences and a leader of multiple non-profit advocacy groups. He is a past President of the Board of Directors of Public Justice, a national public interest advocacy group and law firm; a former Vice President of the Board of Directors of the American Antitrust Institute; a past President of COSAL (Committee to

Support the Antitrust Laws), a leading industry group; and a member of the Advisory Board of the Institute of Consumer Antitrust Studies of the Loyola University Chicago School of Law.

He has written widely in the fields of class certification and antitrust law. Among other writings, Mr. Cramer has co-authored *Antitrust as Antiracism: Antitrust as a Partial Cure for Systemic Racism (and Other Systemic "Isms")*, Vol. 66(3) *The Antitrust Bulletin* 359-393 (2021) and *Antitrust, Class Certification, and the Politics of Procedure*, 17 *George Mason Law Review* 4 (2010), the latter of which was cited by both the First Circuit in *In re Nexium Antitrust Litig.*, 777 F.3d 9, 27 (1st Cir. 2015), and the Third Circuit in *Behrend v. Comcast Corp.*, 655 F.3d 182, 200, n.10 (3d Cir. 2011), *rev'd on other grounds*, 133 S. Ct. 1426 (2013). He has also co-written a number of other pieces, including: *Of Vulnerable Monopolists?: Questionable Innovation in the Standard for Class Certification in Antitrust Cases*, 41 *Rutgers Law Journal* 355 (2009-2010); *A Questionable New Standard for Class Certification in Antitrust Cases*, published in the ABA's *Antitrust Magazine*, Vol. 26, No. 1 (Fall 2011); a Chapter of American Antitrust Institute's *Private International Enforcement Handbook* (2010), entitled "Who May Pursue a Private Claim?;" and a chapter of the American Bar Association's *Pharmaceutical Industry Handbook* (July 2009), entitled "Assessing Market Power in the Prescription Pharmaceutical Industry."

Mr. Cramer is a *summa cum laude* graduate of Princeton University (1989), where he earned membership in Phi Beta Kappa. He graduated *cum laude* from Harvard Law School with a J.D. in 1993.

Executive Shareholders

Sherrie R. Savett – Executive Shareholder, Chair Emeritus

Sherrie R. Savett, Chair *Emeritus* of the Firm, Co-Chair of the Securities Litigation Department and *Qui Tam*/False Claims Act Department, and member of the Firm's Management Committee, has practiced in the areas of securities litigation, class actions, and commercial litigation since 1975.

Ms. Savett serves or has served as lead or co-lead counsel or as a member of the executive committee in a large number of important securities and consumer class actions in federal and state courts across the country, including:

- ***In re Alcatel Alsthom Securities Litigation***: The firm, as co-lead counsel, obtained a class settlement for investors of \$75 million cash. (MDL Docket No. 1263 (PNB) (E.D. Tex.));
- ***In re CIGNA Corp. Securities Litigation***: The firm, as co-lead counsel, obtained a settlement of \$93 million for the benefit of the class. (Master File No. 2:02-cv-8088 (E.D. Pa.));
- ***In re Fleming Companies, Inc. Securities Litigation***: The firm, as lead counsel, obtained a class settlement of \$94 million for the benefit of the class. (No. 5-03-MD-1530 (TJW) (E.D. Tex.));
- ***In re KLA Tencor Securities Litigation***: The firm, as a member of Plaintiffs' Counsel's Executive Committee, obtained a cash settlement of \$65 million in an action on behalf of

investors against KLA-Tencor and certain of its officers and directors. (No. 06-cv-04065 (N.D. Cal.));

- **Medaphis/Deloitte & Touche** (class settlement of \$96.5 million) (No. 1:96-CV-2088-FMH (N.D. GA));
- **In re Rite Aid Corp. Securities Litigation:** The firm, as co-lead counsel, obtained settlements totaling \$334 million against Rite Aid's outside accounting firm and certain of the company's former officers. (No. 99-cv-1349) (E.D. Pa.);
- **In re Sotheby's Holding, Inc. Securities Litigation:** The firm, as lead counsel, obtained a \$70 million settlement, of which \$30 million was contributed, personally, by an individual defendant (No. 00-cv-1041 (DLC) (S.D.N.Y.));
- **In re Waste Management, Inc. Securities Litigation:** In 1999, the firm, as co-lead counsel, obtained a class settlement for investors of \$220 million cash, which included a settlement against Waste Management's outside accountants. (No. 97-cv-7709 (N.D. Ill.)); and
- **In re Xcel Inc. Securities, Derivative & "ERISA" Litigation:** The firm, as co-lead counsel in the securities actions, obtained a cash settlement of \$80 million on behalf of investors against Xcel Energy and certain of its officers and directors. (No. 02-cv-2677 (DSD/FLN) (D. Minn.)).

Ms. Savett has helped establish several significant precedents. Among them is the holding (the first ever in a federal appellate court) that municipalities are subject to the anti-fraud provisions of SEC Rule 10b-5 under § 10(b) of the Securities Exchange Act of 1934, and that municipalities that issue bonds are not acting as an arm of the state and therefore are not entitled to immunity from suit in the federal courts under the Eleventh Amendment. *Sonnenfeld v. City and County of Denver*, 100 F.3d 744 (10th Cir. 1996).

In the *U.S. Bioscience* securities class action, a biotechnology case where critical discovery was needed from the federal Food and Drug Administration, the court ruled that the FDA may not automatically assert its administrative privilege to block a subpoena and may be subject to discovery depending on the facts of the case. *In re U.S. Bioscience Secur. Litig.*, 150 F.R.D. 80 (E.D. Pa. 1993).

In the *CIGNA Corp. Securities Litigation*, the Court denied defendants' motion for summary judgment, holding that a plaintiff has a right to recover for losses on shares held at the time of a corrective disclosure and his gains on a stock should not offset his losses in determining legally recoverable damages. *In re CIGNA Corp. Securities Litigation*, 459 F. Supp. 2d 338 (E.D. Pa. 2006).

Additionally, Ms. Savett has become increasingly well-known in the area of consumer litigation, achieving a groundbreaking \$24 million settlement in 2008 in the *Menu Foods* case brought by pet owners against manufacturers of allegedly contaminated pet food. (*In re Pet Food Products Liability Litigation*, MDL Docket No. 1850 (D.N.J. 2007).

In the data breach area, she was co-lead counsel in *In re TJX Retail Securities Breach Litigation*, MDL Docket No. 1838 (D. Mass.), the first very large data breach case where hackers stole personal information from 45 million consumers. The settlement, which became the template for future data breach cases, consisted of providing identity theft insurance to those whose social security or driver's license numbers were stolen, a cash fund for actual damages and time spent mitigating the situation, and injunctive relief.

Ms. Savett also litigated a case on behalf of the City of Philadelphia titled *City of Philadelphia v. Wells Fargo & Co.*, No. 17-cv-02203 (E.D. Pa.), involving alleged violations of the Fair Housing Act. The case was resolved in 2019 with a settlement providing \$10 million to go to citizens of Philadelphia for down payment assistance, to local agencies to assist homeowners in foreclosure, and for greening and cleaning foreclosed properties in Philadelphia which blight neighborhoods.

In the past decade, she has also actively worked in the False Claims Act arena. She was part of the team that litigated over more than a decade and settled the Average Wholesale Price *qui tam* cases, which collectively settled for more than \$1 billion.

Ms. Savett speaks and writes frequently on securities litigation, consumer class actions and False Claims Act litigation. She is a lecturer and panelist at the University of Pennsylvania Law School on the subjects of Securities Law and the False Claims Act/*Qui Tam* practice from the whistleblower's perspective. She has also lectured at the Wharton School of the University of Pennsylvania and at the Stanford Law School on prosecuting shareholder class actions and on False Claims Act Litigation. She is frequently invited to present and serve as a panelist in American Bar Association, American Law Institute/American Bar Association and Practising Law Institute (PLI) conferences on securities class action litigation and the use of class actions in consumer litigation. She has been a presenter and panelist at PLI's Securities Litigation and Enforcement Institute annually from 1995 to 2010. She has also spoken at major institutional investor and insurance industry conferences, and DRI – the Voice of the Defense Bar. In February 2009, she was a member of a six-person panel who presented an analysis of the current state of securities litigation before more than 1,000 underwriters and insurance executives at the PLUS (Professional Liability Underwriting Society) Conference in New York City. She has presented at the Cyber-Risk Conference in 2009, as well as the PLUS Conference in Chicago on November 16, 2009 on the subject of litigation involving security breaches and theft of personal information.

Most recently, in April 2019, she spoke as a panelist at PLI's Securities Litigation 2019: From Investigation to Trial program. Her panel was titled "Commencement of a Civil Action: Filing the Complaint, Preparing the Motion to Dismiss, Coordinating Multiple Securities Litigation Actions." Ms. Savett also co-authored an article for the program that was published in PLI's *Corporate Law and Practice Court Handbook Series*. The article is titled "After the Fall—A Plaintiff's Perspective."

In 2015 and 2016, she served as a panelist in American Law Institute programs held in New York City called "Securities and Shareholder Litigation: Cutting-Edge Developments, Planning and Strategy." Ms. Savett also spoke at the 2013 ABA Litigation Section Annual Conference in Chicago on two panels. One program on securities litigation was entitled "The Good, The Bad,

and *The Ugly: Ethical Issues in Class Action Settlements and Opt Outs.*” The other program focused on consumer class actions in the real estate area and was entitled “*The Foreclosure Crisis Puzzle: Navigating the Changing Landscape of Foreclosure.*”

In May 2007, Ms. Savett spoke in Rome, Italy at the conference presented by the Litigation Committee of the Dispute Resolution Section of the International Bar Association and the Section of International Law of the American Bar Association on class certification. Ms. Savett participated in a mock hearing before a United States Court on whether to certify a worldwide class action that includes large numbers of European class members.

Ms. Savett has written numerous articles on securities and complex litigation issues in professional publications, including:

- “After the Fall – A Plaintiff’s Perspective,” with Phyllis M. Parker, *PLI Corporate Law and Practice Course Handbook Series No. B-2475*, pg. 73-105, April 2019
- “Plaintiffs’ Vision of Securities Litigation: Current Trends and Strategies,” 1762 *PLL* October 2009
- “Primary Liability of ‘Secondary’ Actors Under the PSLRA,” I *Securities Litigation Report*, (Glasser) November 2004
- “Securities Class Actions Since the 1995 Reform Act: A Plaintiffs Perspective,” 1442 *PLI/Corp.13*, September – October 2004
- “Securities Class Actions Since the 1995 Reform Act: A Plaintiffs Perspective,” SJ084 ALI-ABA 399, May 13-14, 2004
- “The ‘Indispensable Tool’ of Shareholder Suits,” *Directors & Boards*, Vol. 28, February 18, 2004
- “Plaintiffs Perspective on How to Obtain Class Certification in Federal Court in a Non-Federal Question Case,” 679 *PLI*, August 2002
- “Hurdles in Securities Class Actions: The Impact of Sarbanes-Oxley From a Plaintiffs Perspective,” 9 *Securities Litigation and Regulation Reporter* (Andrews), December 23, 2003
- “Securities Class Actions Since the 1995 Reform Act: A Plaintiffs Perspective,” SG091 ALI-ABA, May 2-3, 2002
- “Securities Class Actions Since the 1995 Reform Act: A Plaintiffs Perspective,” SF86 ALI-ABA 1023, May 10, 2001
- “Greetings From the Plaintiffs’ Class Action Bar: We’ll be Watching,” SE082 ALI-ABA739, May 11, 2000
- “Preventing Financial Fraud,” B0-00E3 *PLJB0-00E3* April – May 1999
- “Shareholders Class Actions in the Post Reform Act Era,” SD79 ALI-ABA 893, April 30, 1999
- “What to Plead and How to Plead the Defendant’s State of Mind in a Federal Securities Class Action,” with Arthur Stock, *PLI*, ALI/ABA 7239, November 1998
- “The Merits Matter Most: Observations on a Changing Landscape Under the Private Securities Litigation Reform Act of 1995,” 39 *Arizona Law Review* 525, 1997

- “Everything David Needs to Know to Battle Goliath,” ABA Tort & Insurance Practice Section, *The Brief*, Vol. 20, No.3, Spring 1991
- “The Derivative Action: An Important Shareholder Vehicle for Insuring Corporate Accountability in Jeopardy,” *PLIH4-0528*, September 1, 1987
- “Prosecution of Derivative Actions: A Plaintiffs Perspective,” *PLIH4-5003*, September 1, 1986

Ms. Savett is widely recognized as a leading litigator and a top female leader in the profession by local and national legal rating organizations.

In 2019, *The Legal Intelligencer* named Ms. Savett a “Distinguished Leader,” and in 2018 she was named to the *Philadelphia Business Journal's* 2018 Best of the Bar: Philadelphia's Top Lawyers.

The Legal Intelligencer and *Pennsylvania Law Weekly* named her one of the “56 Women Leaders in the Profession” in 2004.

In 2003-2005, 2007-2013, and 2015-2016, Berger Montague was named to the *National Law Journal's* “Hot List” of 12-20 law firms nationally “who specialize in plaintiffs’ side litigation and have excelled in their achievements.” The firm is on the *National Law Journal's* “Hall of Fame,” and Ms. Savett’s achievements were mentioned in many of these awards.

Ms. Savett was named a “Pennsylvania Top 50 Female Super Lawyer” and/or a “Pennsylvania Super Lawyer” from 2004 through 2021 by Thomson Reuters after an extensive nomination and polling process among Pennsylvania lawyers.

In 2006 and 2007, she was named one of the “500 Leading Litigators” and “500 Leading Plaintiffs’ Litigators” in the United States by *Lawdragon*. In 2008, Ms. Savett was named as one of the “500 Leading Lawyers in America.” Also in 2008, she was named one of 25 “Women of the Year” in Pennsylvania by *The Legal Intelligencer* and *Pennsylvania Law Weekly*, which stated on May 19, 2008 in the *Women in the Profession* in *The Legal Intelligencer* that she “has been a prominent figure nationally in securities class actions for years, and some of her recent cases have only raised her stature.” In June 2008, Ms. Savett was named by *Lawdragon* as one of the “100 Lawyers You Need to Know in Securities Litigation.”

Unquestionably, it is because of Ms. Savett, who for decades has been in the top leadership of the firm, that the firm has a remarkably high proportion of women lawyers and shareholders.

Ms. Savett has aggressively sought to hire women, without regard to age or whether they are “right out of law school.” Several of the women who have children are able to continue working at the firm because Ms. Savett has instituted a policy of flexible work time and fosters an atmosphere of cooperation, teamwork and mutual respect. As a result, the women attorneys stay on and have long and productive careers while still maintaining a balanced life. Ms. Savett has a personal understanding of the challenges and satisfactions that women experience in practicing law while

raising a family. Ms. Savett has three children and five grandchildren. One of her daughters and her daughter-in-law are lawyers.

Ms. Savett has taught those around her more than good lawyering. She places great emphasis in her own life on devotion to family, community service and involvement in charitable organizations. She teaches others by her example and her obvious interest in their efforts and achievements.

Ms. Savett is a well-known leader of the Philadelphia legal, business, cultural and Jewish community. She is an exemplary citizen who spends endless hours of her after-work time helping others in the community.

From 2011 – 2014, Ms. Savett served as President and Board Chair of the Jewish Federation of Greater Philadelphia (JFGP), a community of over 215,000 Jewish people. She is only the third woman to serve as the President, the top lay leader of the Federation, in the 117 years of its existence.

Ms. Savett also serves on the Board of the National Liberty Museum, The National Museum of American Jewish History, and the local and national boards of American Associates of Ben Gurion University of the Negev. She had previously served as Chairperson of the Southeastern Pennsylvania State of Israel Bonds Campaign and has served as a member of the National Cabinet of State of Israel Bonds. In 2005, Ms. Savett received The Spirit of Jerusalem Medallion, the State of Israel Bonds' highest honor.

Ms. Savett has used her positions of leadership in the community to identify and help promote women as volunteer leaders. Ms. Savett has selected a few worthy causes to which she tirelessly dedicates herself. According to leaders of The Jewish Federation of Greater Philadelphia, Ms. Savett is viewed by many women in the philanthropic world as a role model.

Ms. Savett earned her J.D. from the University of Pennsylvania Law School and a B.A. *summa cum laude* from the University of Pennsylvania. She is a member of Phi Beta Kappa.

Ms. Savett has three married children, four grandsons, and two granddaughters. She enjoys tennis, biking, physical training, travel, and collecting art, especially glass and sculpture.

Daniel Berger – Executive Shareholder

Daniel Berger graduated with honors from Princeton University and Columbia Law School, where he was a Harlan Fiske Stone academic scholar. He is a senior member and Executive Shareholder. Over the last two decades, he has been involved in complicated commercial litigation including class action securities, antitrust, consumer protection and bankruptcy cases. In addition, he has prosecuted important environmental, mass tort and civil rights cases during this period. He has led the Firm's practice involving improprieties in the marketing of prescription drugs and the abuse of marketing exclusivities in the pharmaceutical industry, including handling

landmark cases involving the suppression of generic competition in the pharmaceutical industry. For this work, he has been recognized by the *Law360* publication as a "titan" of the plaintiffs' Bar ("Titan of the Plaintiffs Bar: Daniel Berger" *Law360*, September 23, 2014).

In the civil rights area, he has been counsel in informed consent cases involving biomedical research and human experimentation by federal and state governmental entities. He also leads the firm's representation of states and other public bodies and agencies.

Mr. Berger has frequently represented public institutional investors in securities litigation, including representing the state pension funds of Pennsylvania, Ohio and New Jersey in both individual and class action litigation. He also represents Pennsylvania and New Jersey on important environmental litigation involving contamination of groundwater by gasoline manufacturers and marketers.

Mr. Berger has a background in the study of economics, having done graduate level work in applied microeconomics and macroeconomic theory, the business cycle, and economic history. He has published law review articles in the *Yale Law Journal*, the *Duke University Journal of Law and Contemporary Problems*, the *University of San Francisco Law Review* and the *New York Law School Law Review*. Mr. Berger is also an author and journalist who has been published in *The Nation* magazine, reviewed books for *The Philadelphia Inquirer* and authored a number of political blogs, including in *The Huffington Post* and the Roosevelt Institute's *New Deal 2.0*. He has also appeared on MSNBC as a political commentator.

Mr. Berger has been active in city government in Philadelphia and was a member of the Mayor's Cultural Advisory Council, advising the Mayor of Philadelphia on arts policy, and the Philadelphia Cultural Fund, which was responsible for all City grants to arts organizations. Mr. Berger was also a member of the Pennsylvania Humanities Council, one of the State organizations through which the NEA makes grants. Mr. Berger also serves on the board of the Wilma Theater, Philadelphia's pre-eminent theater for new plays and playwrights.

Shanon J. Carson – Executive Shareholder

Shanon J. Carson is an Executive Shareholder of the firm. He Co-Chairs the Employment & Unpaid Wages, Consumer Protection, Defective Products, and Defective Drugs and Medical Devices Departments and is a member of the Firm's Commercial Litigation, Employee Benefits & ERISA, Environment & Public Health, Insurance Fraud, Predatory Lending and Borrowers' Rights, and Technology, Privacy & Data Breach Departments.

Mr. Carson has achieved the highest peer-review rating, "AV," in Martindale-Hubbell, and has received honors and awards from numerous publications. In 2009, Mr. Carson was selected as one of 30 "Lawyers on the Fast Track" in Pennsylvania under the age of 40. In both 2015 and 2016, Mr. Carson was selected as one of the top 100 lawyers in Pennsylvania, as reported by Thomson Reuters. In 2018, Mr. Carson was named to the *Philadelphia Business Journal's* "2018 Best of the Bar: Philadelphia's Top Lawyers."

Mr. Carson is often retained to represent plaintiffs in employment cases, wage and hour cases for minimum wage violations and unpaid overtime, ERISA cases, consumer cases, insurance cases, construction cases, automobile defect cases, defective drug and medical device cases, product liability cases, breach of contract cases, invasion of privacy cases, false advertising cases, excessive fee cases, and cases involving the violation of state and federal statutes. Mr. Carson represents plaintiffs in all types of litigation including class actions, collective actions, multiple plaintiff litigations, and single plaintiff litigation. Mr. Carson is regularly appointed by federal courts to serve as lead counsel and on executive committees in class actions and mass torts.

Mr. Carson is frequently asked to speak at continuing legal education seminars and other engagements and is active in nonprofit and professional organizations. Mr. Carson currently serves on the Board of Directors of the Philadelphia Trial Lawyers Association (PTLA) and as a Co-Chair of the PTLA Class Action/Mass Tort Committee. Mr. Carson is also a member of the American Association for Justice, the American Bar Foundation, Litigation Counsel of America, the National Trial Lawyers - Top 100, and the Pennsylvania Association for Justice.

While attending the Dickinson School of Law of the Pennsylvania State University, Mr. Carson was senior editor of the Dickinson Law Review and clerked for a U.S. District Court Judge. Mr. Carson currently serves on the Board of Trustees of the Dickinson School of Law of the Pennsylvania State University.

Michael Dell'Angelo – Executive Shareholder

Michael Dell'Angelo is an Executive Shareholder in the Antitrust, Commercial Litigation, Commodities & Financial Instruments practice groups, and Co-Chair of the Securities department. He serves as co-lead counsel in a variety of complex antitrust cases, including *Le, et al. v. Zuffa, LLC*, No. 15-1045 (D. Nev.) (alleging the Ultimate Fighting Championship (“UFC”) obtained illegal monopoly power of the market for Mixed Martial Arts promotions and suppressed the compensation of MMA fighters).

Mr. Dell'Angelo is responsible for winning numerous significant settlements for his clients and class members. Mr. Dell'Angelo helped to reach settlements totaling more than \$190 million in the multidistrict litigation *In re Domestic Drywall Antitrust Litig.*, No. 13-md-2437 (E.D. Pa.). There, in granting final approval to the last settlement, the court observed about Mr. Dell'Angelo and his colleagues that “Plaintiffs’ counsel are experienced antitrust lawyers who have been working in this field of law for many years and have brought with them a sophisticated and highly professional approach to gathering persuasive evidence on the topic of price-fixing.” *In re Domestic Drywall Antitrust Litig.*, No. 13-md-2437, 2018 WL 3439454, at *18 (E.D. Pa. July 17, 2018). “[I]t bears repeating,” the court emphasized, “that the result attained is directly attributable to having highly skilled and experienced lawyers represent the class in these cases.” *Id.*

Mr. Dell'Angelo also serves or has recently served as co-lead counsel or class counsel in numerous cases alleging price-fixing or other wrongdoing affecting a variety of financial

instruments, including *In re Commodity Exchange, Inc., Gold Futures and Options Trading Litig.*, 1:14-MD-2548-VEC (S.D.N.Y.) (\$152 million settlements); *In re Platinum and Palladium Antitrust Litig.*, No. 14-cv-09391-GHW (S.D.N.Y.); *Contant, et al. v. Bank of America Corp., et al.*, 1:17-cv-03139-LGS (S.D.N.Y.) (\$23.6 million in settlements); *In re Libor-Based Financial Instruments Antitrust Litig.*, No. 11-md-2262 (S.D.N.Y.) (\$187 million in settlements pending final approval); *Alaska Elec. Pension Fund, et al. v. Bank of Am. Corp., et al.*, No. 14 Civ. 7126-JMF (S.D.N.Y.) (\$504.5 million in settlements); *In re Crude Oil Commodity Futures Litig.*, No. 11-cv-3600 (S.D.N.Y.); and *In re London Silver Fixing, Ltd. Antitrust Litig.*, No. 14-md-2573 (S.D.N.Y.) (\$38 million partial settlement).

Mr. Dell'Angelo also serves as lead counsel in numerous individual antitrust cases on behalf of purchasers of rail freight services from the four major rail carriers in the United States.

The National Law Journal featured Mr. Dell'Angelo in its profile of Berger Montague for a special annual report entitled "Plaintiffs' Hot List." The National Law Journal's Hot List identifies the top plaintiff practices in the country. The Hot List profile focused on Mr. Dell'Angelo's role in the MF Global litigation (*In re MF Global Holding Ltd. Inv. Litig.*, No. 12-MD-2338-VM (S.D.N.Y.)). In MF Global, Mr. Dell'Angelo represented former commodity account holders seeking to recover approximately \$1.6 billion of secured customer funds after the highly publicized collapse of MF Global, a major commodities brokerage. At the outset of this high-risk litigation, the odds appeared grim: MF Global had declared bankruptcy, leaving the corporate officers, a bank, and a commodity exchange as the only prospect for the recovery of class's misappropriated funds. Nonetheless, four years later, a result few would have believed possible was achieved. Through a series of settlements, the former commodity account holders recovered more than 100 percent of their missing funds, totaling over \$1.6 billion.

Mr. Dell'Angelo has been recognized consistently as a Pennsylvania Super Lawyer, a distinction conferred upon him annually since 2007. He is regularly invited to speak at Continuing Legal Education (CLE) and other seminars and conferences, both locally and abroad. In response to his recent CLE, "How to Deal with the Rambo Litigator," Mr. Dell'Angelo was singled out as "One of the best CLE speakers [attendees] have had the pleasure to see."

E. Michelle Drake – Executive Shareholder

E. Michelle Drake is an Executive Shareholder in the Firm's Minneapolis office. With career settlements and verdicts valued at more than \$150 million, Michelle has had great success in a wide variety of cases.

Michelle focuses her practice primarily on consumer protection, improper credit reporting, and financial services class actions. Michelle is empathetic towards her clients and unyielding in her desire to win. Possessing a rare combination of an elite academic pedigree and real-world trial skills, Michelle has successfully gone toe-to-toe with some of the world's most powerful companies.

Michelle helped achieve one of the largest class action settlements in a case involving improper mortgage servicing practices associated with force-placed insurance, resulting in a settlement valued at \$110 million for a nationwide class of borrowers who were improperly force-placed with overpriced insurance. Michelle also served as liaison counsel and part of the Plaintiffs' Steering Committee on behalf of consumers harmed in the Target data breach, a case she helped successfully resolve on behalf of over ninety million consumers whose data was affected by the breach. In 2015, Michelle resolved a federal class action on behalf of a group of adult entertainers in New York for \$15 million. Most recently, Michelle has been successful in litigating numerous cases protecting consumers' federal privacy rights under the Fair Credit Reporting Act, securing settlements valued at over \$10 million on behalf of tens of thousands of consumers harmed by improper background checks and inaccurate credit reports in the last two years alone.

Michelle was admitted to the bar in 2001 and has since served as lead class counsel in over fifty class and collective actions alleging violations of the Fair Credit Reporting Act, the Fair Debt Collection Practices Act, the Fair Labor Standards Act, various states' unfair and deceptive trade practices acts, breach of contract and numerous other pro-consumer and pro-employee causes of action.

Michelle serves on the Board of the National Association of Consumer Advocates, is a member of the Partner's Council of the National Consumer Law Center, and is an At-Large Council Member for the Consumer Litigation Section for the Minnesota State Bar Association. She was named as a Super Lawyer in 2013-2018 and was named as a Rising Star prior to that. Michelle was also appointed to the Federal Practice Committee in 2010 by the United States District Court for the District of Minnesota. She has been quoted in the New York Times and the National Law Journal, and her cases were named as "Lawsuits of the Year" by Minnesota Law & Politics in both 2008 and 2009.

Michelle began her practice of law by defending high stakes criminal cases as a public defender in Atlanta. Michelle has never lost her desire to litigate on the side of the "little guy."

David F. Sorensen – Executive Shareholder

David Sorensen is an Executive Shareholder and Co-Chair of the Firm's antitrust department. He graduated from Duke University (A.B. 1983) and Yale Law School (J.D. 1989), and clerked for the Hon. Norma L. Shapiro (E.D. Pa.). He concentrates his practice on antitrust and environmental class actions.

Mr. Sorensen co-tried *Cook v. Rockwell Int'l Corp.*, No. 90-181 (D. Colo.) and received, along with the entire trial team, the "Trial Lawyer of the Year" award in 2009 from the Public Justice Foundation for their work on the case, which resulted in a jury verdict of \$554 million in February 2006, after a four-month trial, on behalf of thousands of property owners near the former Rocky Flats nuclear weapons plant located outside Denver, Colorado. The jury verdict was then the largest in Colorado history, and was the first time a jury has awarded damages to property owners living near one of the nation's nuclear weapons sites. In 2008, after extensive post-trial motions,

the District Court entered a \$926 million judgment for the plaintiffs. The jury verdict in the case was vacated on appeal in 2010. In 2015, on a second trip to the Tenth Circuit Court of Appeals, Plaintiffs secured a victory with the case being sent back to the district court. In 2016, the parties reached a \$375 million settlement, which received final approval in 2017.

Mr. Sorensen played a major role in the Firm's representation of the State of Connecticut in *State of Connecticut v. Philip Morris, Inc., et al.*, in which Connecticut recovered approximately \$3.6 billion (excluding interest) from certain manufacturers of tobacco products. And he served as co-lead class counsel in *Johnson v. AzHHA, et al.*, No. 07-1292 (D. Ariz.), representing a class of temporary nursing personnel who had been underpaid because of an alleged conspiracy among Arizona hospitals. The case settled for \$24 million.

Mr. Sorensen also has played a leading role in numerous antitrust cases representing direct purchasers of prescription drugs. Many of these cases have alleged that pharmaceutical manufacturers have wrongfully kept less expensive generic drugs off the market, in violation of the antitrust laws. Many of these cases have resulted in substantial cash settlements, including *In re: Namenda Direct Purchaser Antitrust Litigation*, (S.D.N.Y.) (\$750 million settlement – largest single-defendant settlement ever for a case alleging delayed generic competition); *King Drug Co. v. Cephalon, Inc.*, (E.D. Pa.) (\$512 million partial settlement); *In re: Aggrenox Antitrust Litigation* (\$146 million settlement); *In re Loestrin 24 Fe Antitrust Litigation* (\$120 million); *In re: K-Dur Antitrust Litigation* (\$60.2 million); *In re: Prandin Direct Purchaser Antitrust Litigation* (\$19 million); *In re: Doryx Antitrust Litigation* (\$15 million); *In re: Skelaxin Antitrust Litigation* (\$73 million); *In re: Wellbutrin XL Antitrust Litigation* (\$37.50 million); *In re: Oxycontin Antitrust Litigation* (\$16 million); *In re: DDAVP Direct Purchaser Antitrust Litigation* (\$20.25 million settlement following precedent-setting victory in the Second Circuit, which Mr. Sorensen argued, see 585 F.3d 677 (2d Cir. 2009)); *In re: Nifedipine Antitrust Litigation* (\$35 million); *In re: Terazosin Hydrochloride Antitrust Litigation*, MDL 1317 (S.D. Fla.) (\$74.5 million); and *In re: Remeron Antitrust Litigation* (\$75 million). Mr. Sorensen is serving as co-lead counsel or on the executive committee of numerous similar, pending cases.

In 2017, the American Antitrust Institute presented its Antitrust Enforcement Award to Mr. Sorensen and others for their work on the *K-Dur* case. In 2019, Mr. Sorensen and others were recognized again by the AAI for their work on the *King Drug* case, being awarded the Outstanding Antitrust Litigation Achievement in Private Law Practice. Mr. Sorensen and his team received the same award in 2020 for their work on the *Namenda* case. Also in 2020, *Law360* named Mr. Sorensen a Competition MVP of the Year.

Shareholders

John G. Albanese – Shareholder

John Albanese is a Shareholder in the Minneapolis office. Mr. Albanese concentrates his practice on consumer protection with a focus on Fair Credit Reporting Act violations related to criminal background checks. Mr. Albanese has also prosecuted class actions related to illegal online lending, unfair debt collection, privacy breaches, and other consumer law issues. Mr. Albanese is

regularly invited to speak on consumer law and litigation issues. Mr. Albanese has obtained favorable decisions for consumers in state and federal courts all over the country. He also frequently represents consumer advocacy groups as *amici curiae* at the appellate level.

Mr. Albanese is a graduate of Columbia Law School and Georgetown University. At Columbia, he was a managing editor of the Columbia Law Review and was elected to speak at graduation by his classmates. Mr. Albanese clerked for Magistrate Judge Geraldine Brown in the Northern District of Illinois.

Zachary Caplan – Shareholder

Zach Caplan is a Shareholder at Berger Montague. Recently, Zach was in service with the U.S. Department of Justice Antitrust Division in Washington, DC. While at the Justice Department, he led teams investigating anticompetitive conduct in the healthcare space, engaged with senior Division leadership on a statement of interest arguing that the American Red Cross is subject to antitrust law, and assisted with fast-paced monopolization litigation against a major tech company. He also served on the Division-wide Discovery and Technology Working Group where he contributed to guidelines for all attorneys on cutting-edge issues such as technology assisted review and ephemeral messaging. Prior to his work at the Justice Department, Zach was an attorney in the Antitrust Department at Berger Montague for a decade.

Joy P. Clairmont – Shareholder

Joy Clairmont is a Shareholder in the Whistleblower, *Qui Tam* & False Claims Act Group, which has recovered more than \$3 billion for federal and state governments, as well as over \$500 million for the firm's whistleblower clients. Ms. Clairmont also has experience practicing in the area of securities fraud litigation.

Ms. Clairmont has been investigating and litigating whistleblower cases for over fifteen years and has successfully represented whistleblower clients in federal and state courts throughout the United States. On behalf of her whistleblower clients, Ms. Clairmont has pursued fraud cases involving a diverse array of companies: behavioral health facilities, a national retail pharmacy chain, a research institution, pharmaceutical manufacturers, skilled nursing facilities, a national dental chain, mortgage lenders, hospitals and medical device manufacturers.

Most notably, Ms. Clairmont has participated in several significant and groundbreaking cases involving fraudulent drug pricing:

United States ex rel. Streck v. AstraZeneca, LP, et al., C.A. No. 08-5135 (E.D. Pa.): a Medicaid rebate fraud case which settled in 2015 for a total of \$55.5 million against three pharmaceutical manufacturers, AstraZeneca, Cephalon, and Biogen. The case alleged that the defendants did not properly account for millions of dollars of payments to wholesalers for drug distribution and other services. As a result, the defendants underpaid the government in rebates owed under the Medicaid Drug Rebate Program.

United States ex rel. Kieff and LaCorte v. Wyeth and Pfizer, Inc., Nos. 03-12366 and 06-11724-DPW (D. Mass.): a Medicaid rebate fraud case involving Wyeth's acid-reflux drug, Protonix, which settled for \$784.6 million in April 2016.

"AWP" Cases: a series of cases in federal and state courts against many of the largest pharmaceutical manufacturers, including Bristol-Myers Squibb, Boehringer Ingelheim, and GlaxoSmithKline, for defrauding the government through false and inflated price reports for their drugs, which resulted in more than \$2 billion in recoveries for the government.

Earlier in her career, Ms. Clairmont gained experience litigating securities fraud class actions including, most notably, *In Re Sunbeam Securities Litigation*, a class action which led to the recovery of over \$142 million for the class of plaintiffs in 2002.

Ms. Clairmont graduated in 1995 with a B.A. *cum laude* from George Washington University and in 1998 with a J.D. from George Washington University Law School.

Caitlin G. Coslett – Shareholder

Caitlin G. Coslett is a Shareholder and Co-Chair of the Firm's Antitrust Department. She also serves on the Firm's Diversity, Equity, and Inclusion Task Force and as the Work Assignment Coordinator. Ms. Coslett concentrates her practice on complex litigation, including antitrust and mass tort litigation.

Ms. Coslett represents classes of direct purchasers of pharmaceutical drugs who allege that drug manufacturers have violated federal antitrust law by wrongfully keeping less-expensive generic drugs off the market and/or by wrongfully impeding generic competition. Her work on generic suppression cases has contributed to significant settlements totaling hundreds of millions of dollars, including in the cases of *In re Solodyn (Minocycline Hydrochloride) Antitrust Litigation* (for which Ms. Coslett served as Co-Lead Counsel), *In re Lidoderm Antitrust Litigation*, and *In re Skelaxin (Metaxalone) Antitrust Litigation*. Ms. Coslett is currently litigating several similar antitrust pharmaceutical cases, such as *In re Effexor XR Antitrust Litigation*, *In re Bystolic Antitrust Litigation*, *In re Intuniv Antitrust Litigation*, *In re Lamictal Antitrust Litigation*, *In re Novartis and Par Antitrust Litigation*, *In re Opana ER Antitrust Litigation*, and *In re Suboxone (Buprenorphine Hydrochloride and Naloxone) Antitrust Litigation*. She was honored for "Outstanding Antitrust Litigation Achievement by a Young Lawyer" for her work in *In re Lidoderm Antitrust Litigation*.

Ms. Coslett's experience litigating antitrust class actions also includes *In re CRT Antitrust Litigation*, *In re Domestic Drywall Antitrust Litigation*, *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, *In re Steel Antitrust Litigation*, and *In re Urethane [Polyether Polyols] Antitrust Litigation*.

Ms. Coslett also played a significant role in the post-trial litigation in *Cook v. Rockwell International Corporation*, a mass tort class action brought on behalf of thousands of property owners near the Rocky Flats nuclear plant in Colorado. The case settled for \$375 million following a successful appeal to the Tenth Circuit and, in ruling for the plaintiffs on appeal, then-Judge Neil Gorsuch

(who is now a Supreme Court Justice) praised Class Counsel's successful "judicial jiu jitsu" in litigating the case through the second appeal.

Ms. Coslett was named a "Next Generation Lawyer" by The Legal 500 United States 2019 in the Civil Litigation/Class Actions: Plaintiff category and was selected as a Rising Star by Super Lawyers every year from 2014 – 2021. She has served as pro bono counsel for clients referred by the AIDS Law Project of Pennsylvania and Philly VIP and is a member of the National LGBT Bar Association.

A Philadelphia native, Ms. Coslett graduated magna cum laude from Haverford College with a B.S. in mathematics and economics and graduated cum laude from New York University School of Law. At NYU Law, Ms. Coslett was a Lederman/Milbank Fellow in Law and Economics and an articles selection editor for the NYU Review of Law and Social Change. Prior to law school, she was an economics research assistant at the Federal Reserve Board in Washington, D.C. Ms. Coslett was formerly one of the top 75 rated female chess players in the U.S.

Andrew C. Curley – Shareholder

Andrew C. Curley is a Shareholder in the Antitrust practice group. He concentrates his practice in the area of complex antitrust litigation.

Mr. Curley served as Co-Lead Class Counsel on behalf of a class of independent truck stops and other retail merchants in *Marchbanks Truck Service, Inc. v. Comdata Network, Inc.*, Case No. 07-1078 (E.D. Pa.). The *Marchbanks* litigation settled in January 2014 for \$130 million and significant prospective relief in the form of, among other things, meaningful and enforceable commitments by the largest over-the-road trucker fleet card issuer in the United States to modify or not to enforce those portions of its merchant services agreements that plaintiffs challenged as anticompetitive, and that an expert economist has determined to be worth an additional \$260 million to \$491 million (bringing the total value of the settlement to between \$390 and \$621 million).

Mr. Curley is also involved in a number of antitrust cases representing direct purchasers of prescription drugs. These cases have alleged that pharmaceutical manufacturers have wrongfully kept less expensive generic drugs off the market, in violation of the antitrust laws. Those cases include: *In re Solodyn Antitrust Litig.*, 14 MD 2503 (D. Mass.) (\$76 million settlements); and *In re Aggrenox Antitrust Litig.*, No. 3:14-md-02516 (D. Conn.) (\$146 million settlement); *In re Skelaxin (Metaxalone) Antitrust Litig.*, No. 12-MD-2343 (E.D. Tenn.) (\$73 million settlement); *In re Wellbutrin XL Antitrust Litig.*, No. 08-2431 (E.D. Pa.) (\$37.5 million settlement with one of two defendants); *In re Opana ER Antitrust Litig.*, No. 14-cv-10150 (N.D. Ill.) and *In re Niaspan Antitrust Litig.*, No. 12-MD-2460 (E.D. Pa.).

Prior to joining the firm, Mr. Curley practiced in the litigation department of a large Philadelphia law firm where he represented clients in a variety of industries in complex commercial litigation in both state and federal court.

Josh P. Davis – Shareholder

Josh supervises the Firm’s San Francisco Bay Area Office. He focuses his practice on antitrust, appeals, class certification, and class action and complex litigation ethics. He is one of the leading scholars in the nation on antitrust procedure, class certification, and ethics in class actions and complex litigation.

Josh is currently a Research Professor at the University of California, Hastings College of the Law, where he is associated with the Center for Litigation and Courts, and the Director of the Center for Law and Ethics at the University of San Francisco School of Law. He has also taught at the Willamette University College of Law and the Georgetown University Law Center. He has testified before Congress on matters related to civil procedure and presented on matters related to private antitrust enforcement before the U.S. Department of Justice and the Federal Trade Commission.

Josh received a CLAY California Attorney of the Year Award in Antitrust in 2016. His law review article, “Defying Conventional Wisdom: The Case for Private Antitrust Enforcement,” 48 Ga. L. Rev. 1 (2013), won the 2014 award for best academic article from George Washington University School of Law and Institute on Competition Law. His scholarship has been cited by multiple federal appellate and trial courts. He has published dozens of articles and book chapters on antitrust, civil procedure, class certification, legal ethics, and legal philosophy, among other topics. He regularly presents throughout the country and the world at scholarly and professional conferences and symposia on aggregate litigation, civil procedure, and ethics. Recently, he has written various articles and book chapters on artificial intelligence (AI) and the law and is completing his first book, “Unnatural Law: AI, Consciousness, Ethics, and Legal Theory” (forthcoming in Cambridge University Press 2022/23).

Josh graduated from N.Y.U. School of Law in 1993, where he won the Frank H. Sommer Memorial Award for top general scholarship and achievement in his class, served as the Articles Editor for the N.Y.U. Law Review, and was admitted to the Order of the Coif. After law school, he was a law clerk for Patrick E. Higginbotham of the U.S. Court of Appeals for the Fifth Circuit. He was a partner at Lieff, Cabraser, Heimann & Bernstein, LLP, until 2000, when he entered full-time legal academia until joining the Firm in 2022.

Lawrence Deutsch – Shareholder

Mr. Deutsch has been involved in numerous major shareholder class action cases. He served as lead counsel in the Delaware Chancery Court on behalf of shareholders in a corporate governance litigation concerning the rights and valuation of their shareholdings. Defendants in the case were the Philadelphia Stock Exchange, the Exchange’s Board of Trustees, and six major Wall Street investment firms. The case settled for \$99 million and also included significant corporate governance provisions. Chancellor Chandler, when approving the settlement allocation and fee awards on July 2, 2008, complimented counsel’s effort and results, stating, “Counsel, again, I want to thank you for your extraordinary efforts in obtaining this result for the class.” The Chancellor had previously described the intensity of the litigation when he had approved the settlement, “All I can tell you, from someone who has only been doing this for roughly 22 years,

is that I have yet to see a more fiercely and intensely litigated case than this case. Never in 22 years have I seen counsel going at it, hammer and tong like they have gone at it in this case.”

Mr. Deutsch was one of principal trial counsel for plaintiffs in *Fred Potok v. Floorgraphics, Inc., et al.* (Phila Co. CCP 080200944 and Phila Co. CCP 090303768) resulting in an \$8 million judgment against the directors and officers of the company for breach of fiduciary duty.

Over his 25 years working in securities litigation, Mr. Deutsch has been a lead attorney on many substantial matters. Mr. Deutsch served as one of lead counsel in the *In Re Sunbeam Securities Litigation* class action concerning “Chainsaw” Al Dunlap (recovery of over \$142 million for the class in 2002). As counsel on behalf of the City of Philadelphia he served on the Executive Committee for the securities litigation regarding *Frank A. Dusek, et al. v. Mattel Inc., et al.* (recovery of \$122 million for the class in 2006).

Mr. Deutsch served as lead counsel for a class of investors in Scudder/Deutsche Bank mutual funds in the nationwide *Mutual Funds Market Timing* cases. Mr. Deutsch served on the Plaintiffs’ Omnibus Steering Committee for the consortium of all cases. These cases recovered over \$300 million in 2010 for mutual fund purchasers and holders against various participants in widespread schemes to “market time” and late trade mutual funds, including \$14 million recovered for Scudder/Deutsche Bank mutual fund shareholders.

Mr. Deutsch has been court-appointed Lead or a primary attorney in numerous complex litigation cases: *NECA-IBEW Pension Trust Fund, et al. v. Precision Castparts Corp., et al.* (Civil Case No. 3:16-cv-01756-YY); *Fox et al. v. Prime Group Realty Trust, et al.* United States District Court Northern District of Illinois (Civil Case No. 1:12-cv-09350) (\$8.25 million settlement pending); served as court-appointed lead counsel in *In Re Inergy LP Unitholder Litigation* (Del. Ch. No. 5816-VCP) (\$8 million settlement).

Mr. Deutsch served on a team of lead counsel in *In Re: CertainTeed Fiber Cement Siding Litigation*, E.D.Pa. MDL NO. 11-2270 (\$103.9 million settlement); *Tim George v. Uponor, Inc., et al.*, United States District Court, District of Minnesota, Case No. 12-CV-249 (ADM/JJK) (\$21 million settlement); *Batista, et al. v. Nissan North America, Inc.*, United States District Court, Southern District of Florida, Miami Division, Case No 1;14-cv-24728 (settlement valued at \$65,335,970.00).

In addition to his litigation work, Mr. Deutsch has been a member of the firm’s Executive Committee and also manages the firm’s paralegals. He has also regularly represented indigent parties through the Bar Association’s VIP Program, including the Bar’s highly acclaimed representation of homeowners facing mortgage foreclosure.

Prior to joining the firm, Mr. Deutsch served in the Peace Corps from 1973-1976, serving in Costa Rica, the Dominican Republic, and Belize. He then worked for ten years at the United States General Services Administration.

Mr. Deutsch is a graduate of Boston University (B.A. 1973), George Washington University's School of Government and Business Administration (M.S.A. 1979), and Temple University's School of Law (J.D. 1985). He became a member of the Pennsylvania Bar in 1986 and the New Jersey Bar in 1987. He has also been admitted to practice in Eastern District of Pennsylvania, the First Circuit Court of Appeals, the Second Circuit Court of Appeals, the Third Circuit Court of Appeals, the Fourth Circuit Court of Appeals, Eleventh Circuit Court of Appeals and the U.S. Court of Federal Claims as well as various jurisdictions across the country for specific cases.

William H. Ellerbe – Shareholder

William H. Ellerbe is a Shareholder in the Philadelphia office and practices in the firm's Whistleblower, *Qui Tam* & False Claims Act group, which has collectively recovered more than \$3 billion for federal and state governments, as well as over \$500 million for the firm's whistleblower clients. Mr. Ellerbe represents whistleblowers in litigation across the country and also actively assists in investigating and evaluating potential whistleblower claims before a lawsuit is filed.

Mr. Ellerbe received an A.B. in English from Princeton University. He graduated *magna cum laude* from the University of Michigan Law School and also received a certificate in Science, Technology, and Public Policy from the Ford School of Public Policy. During law school, Mr. Ellerbe was an Associate Editor of the *Michigan Telecommunications and Technology Law Review* and an active member of both the Environmental Law Society and the Native American Law Students Association.

Prior to joining the firm, Mr. Ellerbe clerked for the Honorable Anne E. Thompson of the United States District Court for the District of New Jersey. He also worked as a white collar and commercial litigation associate at two large corporate defense firms.

Mr. Ellerbe is admitted to practice in the state courts of Pennsylvania, New Jersey, and New York, as well as the Third and Fourth Circuit Courts of Appeals and the United State District Courts for the Eastern District of Pennsylvania, the Middle District of Pennsylvania, the District of New Jersey, the Southern District of New York, and the Eastern District of New York.

Candice J. Enders – Shareholder

Candice J. Enders is a Shareholder in the Antitrust practice group. She concentrates her practice in complex antitrust litigation.

Ms. Enders has significant experience investigating and developing antitrust cases, navigating complex legal and factual issues, negotiating discovery, designing large-scale document reviews, synthesizing and distilling conspiracy evidence, and working with economic experts to develop models of antitrust impact and damages. Her work on antitrust conspiracy cases has contributed to significant settlements totaling hundreds of millions of dollars, including in *In re Domestic Drywall Antitrust Litigation*, No. 13-2437 (E.D. Pa.) (\$190 million in total settlements); *In re Commodity Exchange, Inc. Gold Futures & Options Trading Litigation*, No. 14-2548 (S.D.N.Y.) (\$60 million settlement with Deutsche Bank preliminarily approved; preliminary approval of \$42

million settlement with Defendant HSBC pending; litigation continuing against remaining defendants); *In re Microcrystalline Cellulose Antitrust Litigation*, No. 01-111 (E.D. Pa.) (\$50 million settlement achieved shortly before trial).

In addition to her case work, Ms. Enders contributes to the administration of the firm by serving as the firm's Attorney Recruitment Coordinator, Paralegal Coordinator, and a member of the Diversity, Equity & Inclusion Task Force.

Michael T. Fantini – Shareholder

Michael T. Fantini is a Shareholder in the Consumer Protection and Commercial Litigation practice groups. Mr. Fantini concentrates his practice on consumer class action litigation.

Mr. Fantini has considerable experience in notable consumer cases such as: *In re TJX Companies Retail Security Breach Litigation*, Master Docket No. 07-10162 (D. Mass) (class action brought on behalf of persons whose personal and financial data were compromised in the largest computer theft of personal data in history - settled for various benefits valued at over \$200 million); *In re Educational Testing Service Praxis Principles of Learning and Teaching: Grade 7-12 Litigation*, MDL No. 1643 (E.D. La. 2006) (settlement of \$11.1 million on behalf of persons who were incorrectly scored on a teachers' licensing exam); *Block v. McDonald's Corporation*, No: 01CH9137 (Cir. Ct. Of Cook County, Ill.) (settlement of \$12.5 million where McDonald's failed to disclose beef fat in french fries); *Fitz, Inc. v. Ralph Wilson Plastics Co.*, No. 1-94-CV-06017 (D. N.J.) (claims-made settlement whereby fabricators fully recovered their losses resulting from defective contact adhesives); *Parker v. American Isuzu Motors, Inc.*; No: 3476 (CCP, Philadelphia County) (claims-made settlement whereby class members recovered \$500 each for their economic damages caused by faulty brakes); *Crawford v. Philadelphia Hotel Operating Co.*, No: 04030070 (CCP Phila. Cty. 2005) (claims-made settlement whereby persons with food poisoning recovered \$1,500 each); *Melfi v. The Coca-Cola Company* (settlement reached in case involving alleged misleading advertising of Enviga drink); *Vaughn v. L.A. Fitness International LLC*, No. 10-cv-2326 (E.D. Pa.) (claims made settlement in class action relating to failure to cancel gym memberships and improper billing); *In re Chickie's & Pete's Wage and Hour Litigation*, Master File No. 12-cv-6820 (E.D. Pa.) (settled class action relating to failure to pay proper wage and overtime under FLSA).

Notable security fraud cases in which Mr. Fantini was principally involved include: *In re PSINet Securities Litigation*, No: 00-1850-A (E.D. Va.) (settlement in excess of \$17 million); *Ahearn v. Credit Suisse First Boston, LLC*, No: 03-10956 (D. Mass.) (settlement of \$8 million); and *In re Nesco Securities Litigation*, 4:01-CV-0827 (N.D. Okla.).

Mr. Fantini has represented the City of Chicago in an action against certain online travel companies, such as Expedia, Hotels.com, and others, for their alleged failure to pay hotel taxes. He also represented the City of Philadelphia in a similar matter.

Prior to joining the firm, Mr. Fantini was a litigation associate with Dechert LLP. At George Washington University Law School, he was a member of the Moot Court Board. From 2017 - 2021, Mr. Fantini was named a Pennsylvania Super Lawyer by Thomson Reuters.

Michael J. Kane – Shareholder

Michael J. Kane, a Shareholder of the firm, is a graduate of Rutgers University and Ohio Northern University School of Law, with distinction, where he was a member of the Law Review. Mr. Kane is admitted to practice in Pennsylvania and various federal courts.

Mr. Kane joined the antitrust practice in 2005. Prior to joining the firm, Mr. Kane was affiliated with Mager, White & Goldstein, LLP where he represented clients in complex commercial litigation involving alleged unlawful business practices including: violations of federal and state antitrust and securities laws, breach of contract and other unfair and deceptive trade practices. Mr. Kane has extensive experience working with experts on economic issues in antitrust cases, including impact and damages. Mr. Kane has served in prominent roles in high profile antitrust, securities, and unfair trade practice cases filed in courts around the country.

Currently, Mr. Kane is one the lead attorneys actively litigating and participating in all aspects of the *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL No. 1720 (E.D.N.Y.) alleging, *inter alia*, that certain of Visa and MasterCard rules, including anti-steering restraints and default interchange fees, working in tandem have caused artificially inflated interchange fees paid by Merchants on credit and debit card transactions. After over a decade of litigation, a settlement of as much as \$6.24 billion and no less than \$5.54 billion was preliminary approved in January 2019. He is also one of the lead counsel in *Contant, et al. v. Bank of America Corp., et al.*, 1:17-cv-03139-LGS (S.D.N.Y.) alleging a conspiracy among horizontal competitors to fix the prices of foreign currencies and certain foreign currency instruments to recover damages caused by defendants on behalf of plaintiffs and members of a proposed class of indirect purchasers of FX instruments from defendants.

Mr. Kane was also one of the lead lawyers in *Castro v. Sanofi Pasteur, Inc.*, No. 2:11-cv-07178-JMV-MAH (D.N.J.), a certified class action of over 26,000 physician practices, other healthcare providers, and vaccine distributors direct purchasers, alleging that defendant Sanofi engaged in anticompetitive conduct to maintain its monopoly in the market for MCV4 vaccines resulting in artificially inflated prices for Sanofi's MCV4 vaccine Menactra and the MCV4 vaccine Menveo. In October 2017 the court granted final approval the \$61.5 million settlement.

Mr. Kane also had a leading role in *Ross v. American Express Company* (S.D.N.Y.) (\$49.5 million settlement achieved after more than 7 years of litigation and after summary judgment was denied). In the related matter *Ross v. Bank of America* (S.D.N.Y.) involving claims that the defendant banks and American Express unlawfully acted in concert to require cardholders to arbitrate disputes, including debt collections, and to preclude cardholders from participating in any class actions, Mr. Kane was one of the primary trial counsel in the five week bench trial. Mr. Kane also has had a prominent role in several antitrust cases against pharmaceutical companies challenging so-called pay for delay agreements wherein the brand drug company allegedly seeks

to delay competition from generic equivalents to the brand drug through payments by the brand drug company to the generic drug company. Mr. Kane served as co-lead counsel in *In re Microsoft Corporation Massachusetts Consumer Protection Litigation* (Mass. Super. Ct., Middlesex Cty.), in which plaintiffs alleged that as a result of Microsoft Corporation's anticompetitive practices, Massachusetts consumers paid more than they should have for Microsoft's operating systems and software. The case was settled for \$34 million. Other cases in which Mr. Kane has had a prominent role include: *In re Currency Conversion Fee Antitrust Litig.* (S.D.N.Y.) (settlement for \$336 million and injunctive relief); *In re Nasdaq Market Makers Antitrust Litig.* (S.D.N.Y.); *In re Compact Disc Antitrust Litig.* (C.D. Cal.); *In re WorldCom, Inc. Securities Litig.* (S.D.N.Y.); *In re Lucent Technologies, Inc. Securities Litig.* (D.N.J.); *City Closets LLC v. Self Storage Assoc., Inc.* (S.D.N.Y.); *Rolite, Inc. v. Wheelabrator Environmental Sys. Inc.*, (E.D. Pa.); and *Amin v. Warren Hospital* (N.J. Super.).

Robert Litan – Shareholder

Robert Litan is a Shareholder in the Antitrust practice group. Litan is one of the few practicing lawyers (in any field, including antitrust) with a PhD in economics and an extensive research and testimonial career in economics. During his legal career, Litan has specialized in administrative and antitrust litigation, concentrating on economic issues, working closely with economic experts (having been a testimonial witness in more than 20 legal and administrative proceedings himself). He previously was a partner with Powell, Goldstein, Frazier and Murphy (Washington, D.C and Atlanta) and Korein Tillery (St. Louis Chicago). He began his legal career as an Associate at Arnold & Porter (Washington, D.C.)

Litan has directed economic research at three leading national organizations: the Brookings Institution, the Kauffman Foundation and Bloomberg Government.

Litan has held several appointed positions in the federal government. In 1993, he was appointed Principal Deputy Assistant Attorney General in the Antitrust Division of the Justice Department, where he oversaw civil non-merger litigation and the Department's positions on regulatory matters, primarily in telecommunications. During his tenure, he settled the Department's antitrust lawsuit against the Ivy League and MIT for fixing financial aid awards, oversaw the Department's first monopolization case against Microsoft (resulting in 1994 consent decree) and the initial stages of the Antitrust Division's price fixing case against Nasdaq (also resulting in a consent decree). In 1995, Litan was appointed Associate Director of the Office of Management and Budget, where he oversaw the budgets of five cabinet level agencies.

Litan has co- chaired two panels of studies for the National Academy of Sciences (Measuring Innovation and Disaster Loan Estimation), has served on one other NAS Committee (Use of Scientific Evidence), and consulted for NAS (on energy modeling). He has also been a member of the Presidential-Congressional Commission on the Causes of the Savings and Loan Crisis (1991-93).

Litan has consulted for a broad range of private and governmental organizations, including the U.S. Justice Department (antitrust division), the U.S. Treasury Department, the Federal Reserve

Bank of New York, the Federal Home Loan Bank of San Francisco, and the Financial Institutions Subcommittee of the House Banking Committee, the Monetary Authority of Singapore and the World Bank.

Litan has been adjunct professor teaching banking law at the Yale Law School and a Lecturer in Economics at Yale University. He also has taught economics and counter-insurgency at the U.S. Army Command General Staff College, Ft. Leavenworth

Hans Lodge – Shareholder

Hans Lodge is a zealous advocate and is dedicated to protecting the rights of consumers in and out of court. Hans assists consumers who have been denied jobs or housing due to inaccurate criminal history information reporting in their employment/tenant background check reports. Hans also assists consumers who have been denied credit due to inaccurate information reporting in their credit reports and have suffered harm due to unlawful debt collection behavior.

Hans is an aggressive and strategic litigator who has a reputation of working tirelessly to get favorable outcomes for his clients. Hans understands how frustrating it can be trying to deal with background check companies, credit reporting agencies, credit bureaus, and debt collectors, and has a passion for helping clients navigate these areas of the law during their times of need.

Prior to joining the firm, Hans combined his passions for fighting for the little guy and oral advocacy by representing consumers in individual and class action litigation where he held businesses, banks, background check companies, credit bureaus, and debt collectors accountable for illegal practices. As an Associate Attorney at a consumer rights law firm, Hans represented consumers who had trouble paying their bills and were abused and harassed by debt collection agencies, some of whom had their motor vehicles wrongfully repossessed, bringing numerous individual and class action claims under the Fair Debt Collection Practices Act (FDCPA).

Hans also represented consumers who had trouble obtaining credit, employment, and housing due to inaccuracies in their credit reports and background check reports, bringing numerous individual and class action claims under the Fair Credit Reporting Act (FCRA). As an Associate Attorney at a national employment and consumer protection law firm, Hans represented consumers who purchased defective products and employees misclassified as independent contractors, bringing class action claims under consumer protection statutes and the Fair Labor Standards Act (FLSA).

Hans grew up in the Twin Cities and received his Bachelor's Degree from Gustavus Adolphus College in St. Peter, Minnesota, where he double-majored in Political Science and Communication Studies and graduated with honors. His first experience resolving quasi-legal disputes began as a Student Representative on the Campus Judicial Board, where he served for three years and resolved numerous complex disputes between students and the College. His interests in sports and ethics took him to New Zealand, Australia, and Fiji, where he studied Sports Ethics.

During his time at Marquette University Law School, Hans concentrated his legal studies on civil litigation and sports law. As a second-year law student, Hans gained valuable experience working as a law clerk for the Honorable Joan F. Kessler at the Wisconsin Court of Appeals. He also served as a member of the Marquette Sports Law Review where he wrote and edited articles about legal issues impacting the sports industry.

As a member of Marquette Law's moot court team, his brief writing and oral advocacy skills earned him a regional championship and an appearance in the national competition at the New York City Bar Association. Hans was also a member of Marquette's mock trial team, finishing in third place at the regional competition at the Daley Center in Chicago, Illinois.

Mr. Lodge is admitted to practice law in the United States District Court, District of Minnesota; United States District Court, Western District of Wisconsin; and both Minnesota and Wisconsin state courts.

In addition to practicing law, Hans is an Adjunct Professor at Concordia University, St. Paul, where he teaches a sports law course in the Master of Arts in Sports Management program.

Patrick F. Madden – Shareholder

Patrick F. Madden is a Shareholder in the Antitrust, Consumer Protection, Insurance Fraud, and Predatory Lending and Borrowers' Rights practice groups. His practice principally focuses on class actions concerning antitrust violations, financial practices, and insurance products.

Mr. Madden has served in key roles in multiple nationwide consumer class actions. For example, he represented homeowners whose mortgage loan servicers force-placed extraordinarily high-priced insurance on them and allegedly received a kickback from the insurer in exchange. Collectively, Mr. Madden's force-placed insurance settlements have made more than \$175 million in recoveries available to class members.

He has also represented plaintiffs in antitrust class actions. For example, Mr. Madden represents a proposed class of elite mixed martial arts fighters in an antitrust lawsuit against the Ultimate Fighting Championship. *Le, et al. v. Zuffa, LLC*, No. 15-cv-1045 (D. Nev.). Mr. Madden also represents a proposed class of broiler chicken farmers in an antitrust suit against the major chicken processing companies for colluding to suppress compensation to the farmers.

Prior to attending law school, Mr. Madden worked at the United States Department of Labor, Office of Labor-Management Standards as an investigator during which time he investigated allegations of officer election fraud and financial crimes by union officers and employees. While at Temple Law School, Mr. Madden was the Executive Editor of Publications for the Temple Journal of Science, Technology & Environmental Law.

Ellen T. Noteware – Shareholder

Ms. Noteware has successfully represented investors, retirement plan participants, employees, consumers, and direct purchasers of prescription drug products in a variety of class action cases. She currently chairs the firm's Pro Bono Committee.

Ms. Noteware served on the trial team for *Cook v. Rockwell Int'l Corp.* No. 90-181 (D. Colo.) and received, along with the entire trial team, the "Trial Lawyer of the Year" award in 2009 from the Public Justice Foundation for their work on the case, which resulted in a jury verdict of \$554 million in February 2006, after a four-month trial, on behalf of thousands of property owners near the former Rocky Flats nuclear weapons plant located outside Denver, Colorado. The jury verdict was then the largest in Colorado history, and was the first time a jury has awarded damages to property owners living near one of the nation's nuclear weapons sites. In 2008, after extensive post-trial motions, the District Court entered a \$926 million judgment for the plaintiffs. The jury verdict in the case was vacated on appeal in 2010. In 2015, on a second trip to the Tenth Circuit Court of Appeals, Plaintiffs secured a victory with the case being sent back to the district court. In 2016, the parties reached a \$375 million settlement, which received final approval in 2017.

Ms. Noteware also has played a leading role in numerous antitrust cases representing direct purchasers of prescription drugs. Many of these cases have alleged that pharmaceutical manufacturers have wrongfully kept less expensive generic drugs off the market, in violation of the antitrust laws. Many of these cases have resulted in substantial cash settlements, including *In re: Namenda Direct Purchaser Antitrust Litigation*, (S.D.N.Y.) (\$750 million settlement – largest single-defendant settlement ever for a case alleging delayed generic competition); *In re Loestrin 24 Fe Antitrust Litigation*, (D.R.I.) (\$120 million settlement 3 weeks before trial was set to begin); *In re Ovcon Antitrust Litigation*, (D.D.C.) (\$22 million settlement); *In re Tricor Direct Purchaser Antitrust Litigation*, (D. Del.) (\$250 million settlement); *Meijer, Inc. v. Abbott Laboratories*, (N.D. Cal.) (Norvir) (\$52 million); and *In re Celebrex*, No. 14-cv-00361 (E.D. Va.) (\$95 million).

Ms. Noteware is also extensively involved in litigating breach of fiduciary duty class action cases under the Employee Retirement Income Securities Act ("ERISA"). Her ERISA settlements include: *In re Nortel Networks Corp. ERISA Litigation* (M.D. Tenn.) (\$21 million settlement); *In re Lucent Technologies, Inc. ERISA Litigation* (D.N.J.) (\$69 million settlement); *In re SPX Corporation ERISA Litigation* (W.D.N.C.) (\$3.6 million settlement); *Short v. Brown University*, (D.R.I.) (\$3.5M settlement plus requirement that independent adviser for ERISA plans be retained); *Dougherty v. The University of Chicago*, No. 1:17-cv-03736 (N.D. Ill.) (\$6.5M settlement); and *Nicolas v. The Trustees of Princeton University*, No. 3:17-cv-03695 (D.N.J.) (settlement announced).

Ms. Noteware is a graduate of Cornell University (B.S. 1989) and the University of Wisconsin-Madison Law School (J.D. *cum laude* 1993) where she won the Daniel H. Grady Prize for the highest grade point average in her class, served as Managing Editor of the Law Review, and earned Order of the Coif honors. She is currently a member of the Pennsylvania, New York, and District of Columbia bars.

Russell D. Paul – Shareholder

Russell Paul is a Shareholder in the Consumer Protection, Qui Tam/Whistleblower, and Securities/Governance/Shareholder Rights practice groups and heads the Automobile Defect practice area. He concentrates his practice on consumer class actions, securities class actions and derivative suits, complex securities, and commercial litigation matters, and False Claims Act suits.

Mr. Paul has successfully litigated and led consumer protection and product defect actions in the automotive, pet food, soft drink, and home products industries. He has been appointed to a leadership position in several automotive defect cases. See *Francis v. General Motors, LLC*, No. 2:19-cv-11044-DML-DRG (E.D. Mich.), ECF No. 40 (appointed as member of Plaintiffs' Steering Committee); *Weston v. Subaru of America, Inc.*, No. 1:20-cv-05876 (D.N.J.), ECF No. 49 (appointed as Interim Co-Lead Counsel); *Miller v. Ford Motor Co.*, No. 2:20-cv-01796 (E.D. Cal.) ECF No. 60 (appointed to Interim Class Counsel Executive Committee) and *Powell v. Subaru of America, Inc.*, No. 1:19-cv-19114 (D.N.J.), ECF No. 26 (appointed as Interim Co-Lead Counsel). Mr. Paul has litigated securities class actions against Tyco International Ltd., Baxter Healthcare Corp., ALSTOM S.A., Able Laboratories, Inc., Refco Inc., Toll Brothers and the Federal National Mortgage Association (Fannie Mae). He has also litigated derivative actions in various state courts around the country, including in the Delaware Court of Chancery. Mr. Paul has also briefed and argued several federal appeals, including in the Third, Sixth and Ninth Circuits.

In addition to securities litigation, Mr. Paul has broad corporate law experience, including mergers and acquisitions, venture capital financing, proxy contests, and general corporate matters. He began his legal career in the New York office of Skadden, Arps, Slate, Meagher & Flom.

Mr. Paul has been designated a "Pennsylvania Super Lawyer" and a "Top Attorney in Pennsylvania."

Mr. Paul graduated from the Columbia University School of Law (J.D. 1989) where he was a Harlan Fiske Stone Scholar, served on the Moot Court Review Board, was an editor of Pegasus (the law school's catalog) and interned at the United States Attorneys' Office for the Southern District of New York. He completed his undergraduate studies at the University of Pennsylvania, earning a B.S. in Economics from the Wharton School (1986) and a B.A. in History from the College of Arts and Sciences (1986). He was elected to the Beta Gamma Sigma Honors Society.

Alexandra Koropey Piazza – Shareholder

Alexandra Koropey Piazza, Shareholder, is a member of the firm's Employment Law, Consumer Protection and Lending Practices & Borrowers' Rights practice groups. In the Employment Law practice group, Ms. Piazza primarily focuses on wage and hour class and collective actions arising under state and federal law. Ms. Piazza's work in the Consumer Protection and Lending Practices & Borrowers' Rights practice groups involves consumer class actions concerning financial practices.

Ms. Piazza is a graduate of the University of Pennsylvania and Villanova University School of Law. During law school, Ms. Piazza served as a managing editor of the Villanova Sports and Entertainment Law Journal and as president of the Labor and Employment Law Society. Ms. Piazza also interned at the United States Attorney's Office and served as a summer law clerk for the Honorable Eduardo C. Robreno of the United States District Court for the Eastern District of Pennsylvania.

Barbara A. Podell – Shareholder

Barbara A. Podell is a Shareholder in the Securities practice group at the firm. She concentrates her practice on securities class action litigation.

Ms. Podell graduated from the University of Pennsylvania (*cum laude*) and the Temple University School of Law (*magna cum laude*), where she was Editor-in-Chief of the Temple Law Quarterly.

Ms. Podell was one of the firm's senior attorneys representing the Pennsylvania State Employees' Retirement System ("SERS") as the lead plaintiff in the *In re CIGNA Corp. Sec. Litig.*, No. 02-CV-8088 (E.D. Pa.), a federal securities fraud class action in which SERS moved for, and was appointed, lead plaintiff. CIGNA allegedly concealed crucial operational problems, which, once revealed, caused the company's stock price to fall precipitously. The firm obtained a \$93 million settlement. This was a remarkable recovery because there were no accounting restatements, government investigations, typical indicators of financial fraud, or insider trading. Moreover, the case was settled on the eve of trial (22.7% of losses recovered).

Before joining the firm, Ms. Podell was a founding member of Savett Frutkin Podell & Ryan, P.C., and before that, a shareholder at Kohn, Savett, Klein & Graf and an associate at Dechert LLP, all in Philadelphia.

Camille Fundora Rodriguez – Shareholder

Ms. Rodriguez is a Shareholder in the firm's Employment & Unpaid Wages, Consumer Protection, and Lending Practices & Borrowers' Rights practice groups. Ms. Rodriguez primarily focuses on wage and hour class and collective actions arising under the Fair Labor Standards Act and state laws. She is also the Diversity, Equity, and Inclusion Coordinator and leads the Firm's DEI Task Force, which enacts a broad range of diversity efforts, including efforts to hire and retain attorneys and non-attorneys from diverse backgrounds and to foster an inclusive work environment, including through Firmwide trainings on implicit bias issues that may impact the workplace.

Prior to joining the firm, Ms. Rodriguez practiced in the litigation department at a boutique Philadelphia law firm where she represented clients in a variety of personal injury, disability, and employment discrimination matters. Ms. Rodriguez is a graduate of Widener University School of Law.

Ms. Rodriguez was recently named a 2023 The Best Lawyers in America: Ones to Watch. She was also a Pennsylvania Super Lawyer "Rising Star" in 2022. In 2021, Ms. Rodriguez was named a "Rising Star" by *Law360*, a "Rising Star of the Plaintiffs Bar" by the *National Law Journal*, and

“Lawyer on the Fast Track” by *The Legal Intelligencer*. She also has been a Pennsylvania Super Lawyer “Rising Star” between 2017 and 2021.

Ms. Rodriguez is an active member of the Pennsylvania, Philadelphia, and Hispanic Bar Associations.

Y. Michael Twersky – Shareholder

Y. Michael Twersky concentrates his practice primarily on representing plaintiffs in complex litigation, including on insurance, antitrust, and environmental matters.

In the past, Mr. Twersky has worked on a wide variety of insurance matters including an insurance case in which a Federal District Court found on Summary Judgement that a large insurance company had breached its policy when it denied benefits under an accidental death insurance plan. Mr. Twersky has also worked on a number of antitrust class actions alleging that pharmaceutical manufacturers wrongfully kept less expensive generic drugs off the market, in violation of the antitrust laws, including: *In re Skelaxin (Metaxalone) Antitrust Litigation*, 1:12-md-02343 (E.D. Tenn.) (\$73 million settlement in 2014), and *In re Solodyn Antitrust Litig.*, 14 MD 2503 (D. Mass.) (combined settlements in excess of \$76 million in 2018). Mr. Twersky has also represented inmates in connection with allegations that various inmate calling services charged unreasonable rates and fees in violation of the Federal Communication Act.

Currently, Mr. Twersky is litigating a number of complex class actions related to insurance products, including proposed class actions in multiple forums against a workers’ compensation insurance company alleging that the company deceptively sold illegal workers’ compensation programs that were not properly filed with state regulators. *E.g.*, *Shasta Linen Supply, Inc. v Applied Underwriters et al.*, No. 2:16-cv-0158 (N.D. Cal.). Mr. Twersky is also involved in a proposed class action in Federal Court brought on behalf of Alaska-enrolled Medicaid Healthcare Providers against the developers of the Alaska Medicaid Management Information System Company alleging that providers were harmed as a result of the negligent and faulty design and implementation of the MMIS system. *See South Peninsula Hospital et al v. Xerox State Healthcare, LLC*, 3:15-cv-00177 (D. Alaska). Mr. Twersky is also involved in environmental litigation on behalf of various states to recover the costs of remediation for contamination to groundwater resources.

Mr. Twersky graduated from Temple University Beasley School of Law in 2011, where he was a member of the Rubin Public Interest Law Honors Society and a Class Senator. In addition, Mr. Twersky advised various clients in business matters as part of Temple University’s Business Law Clinic.

Daniel J. Walker – Shareholder

Dan Walker is a Shareholder of the firm, which he rejoined in July 2017 after serving three years in the Health Care Division at the Federal Trade Commission. Mr. Walker practices in the firm’s Washington, D.C. office.

While at the Federal Trade Commission, Mr. Walker investigated and litigated antitrust matters in the health care industry. In addition to leading various nonpublic investigations in the pharmaceutical and health information technology sectors, Mr. Walker litigated *Federal Trade Commission v. AbbVie Inc., et al.*, a case alleging that a brand pharmaceutical manufacturer engaged in sham patent litigation to delay generic competition, and *Federal Trade Commission v. Cephalon Inc.*, a "pay-for-delay" lawsuit over a brand pharmaceutical manufacturer's payment to four generic competitors in return for the generics' agreement to delay entry into the market. The Cephalon case settled shortly before trial for \$1.2 billion-the largest equitable monetary relief ever secured by the Federal Trade Commission-as well as significant injunctive relief.

During his time in private practice, Mr. Walker has litigated cases on behalf of plaintiffs and defendants in many areas of law, including antitrust, financial fraud, breach of contract, bankruptcy, and intellectual property. Mr. Walker has helped recover hundreds of millions of dollars on behalf of plaintiffs, including in *In re Titanium Dioxide Antitrust Litigation* (with settlements totaling \$163.5 million for purchasers of titanium dioxide), *In re High Tech Employee Antitrust Litigation* (with settlements totaling \$435 million for workers in the high tech industry), and *Adriana Castro, M.D., P.A., et al. v. Sanofi Pasteur Inc.*, No. 11-cv-07178 (D.N.J.) (with a \$61.5 million settlement pending court approval for purchasers of pediatric vaccines). Mr. Walker was also a member of the team that recovered the funds lost by account holders during MF Global's collapse and a member of the trial team that successfully represented the Washington Mutual stockholders seeking to recover investments lost in the bankruptcy.

In addition, Mr. Walker has spoken frequently on antitrust issues, including on the intersection of antitrust and intellectual property in the health care industry.

Mr. Walker is a *magna cum laude* graduate of Amherst College and Cornell University Law School, where he was an Articles Editor for the Cornell Law Review. Before entering private practice, Mr. Walker clerked for the Honorable Richard C. Wesley of the United States Court of Appeals for the Second Circuit.

Michaela Wallin – Shareholder

Michaela Wallin is a Shareholder in the Antitrust and Employment Law practice groups. Ms. Wallin's work in the Antitrust group involves complex class actions, including those alleging that pharmaceutical manufacturers have wrongfully kept less expensive drugs off the market, in violation of the antitrust laws. In the Employment Law Group, Ms. Wallin focuses on wage and hour class and collective actions arising under federal and state law.

Prior to joining the firm, Ms. Wallin served as a law clerk for the Honorable James L. Cott of the United States District Court of the Southern District of New York. She also completed an Equal Justice Works Fellowship at the ACLU Women's Rights Project, where she worked to challenge local laws that target domestic violence survivors for eviction and impede tenants' ability to call the police.

Ms. Wallin is a graduate of Columbia Law School, where she was a Harlan Fiske Stone Scholar. Ms. Wallin graduated *magna cum laude* from Bowdoin College, where she was Phi Beta Kappa and a Sarah and James Bowdoin Scholar.

Alfred W. Zaher – Shareholder

Alfred Zaher is a Shareholder with the firm's Intellectual Property Department and he focuses his practice on patent, trademark, and trade secret litigation, licensing, and counseling. He has experience representing clients before the U.S. Patent and Trademark Office and the U.S. Copyright Office. He counsels companies in the biotechnology, pharmaceuticals, medical devices, electronics, and software industries. Having close relationships with Chinese officials and law firms, Alfred has a particular focus on managing clients' patent and trademark portfolios in China, including securing and prosecuting infringers in the Chinese court system. In his role as the firm's Chief Diversity & Inclusion Officer, Alfred is responsible for overseeing, implementing, and providing leadership to Montgomery McCracken's diversity initiatives. Prior to his legal career, Alfred was a research engineer and electrical engineer with more than 10 years of technical experience with companies like The Boeing Company and Litton Industries.

Senior Counsel

Andrew Abramowitz – Senior Counsel

Andrew Abramowitz, Senior Counsel in the Securities Department, concentrates his practice in shareholder litigation, representing investors in matters under the federal securities laws and state law governing breach of fiduciary duty. Prior to joining the firm, Mr. Abramowitz was a partner with a prominent Philadelphia law firm where he practiced for more than twenty years.

Mr. Abramowitz has served as one of the lead counsel in numerous cases, including, of note, *In re Parmalat Securities Litigation* (S.D.N.Y.), often referred to as "the Enron of Europe," which was a worldwide securities fraud involving an international dairy conglomerate; *In re SCOR Holding (Switzerland) AG Litigation* (S.D.N.Y.), the first case ever to secure recovery for investors in both a U.S. jurisdiction and a foreign forum; and *In re Abbott Depakote Shareholder Derivative Litigation* (N.D. Ill.), involving the off-label marketing of an anti-seizure drug.

Other notable cases in which Mr. Abramowitz played a significant role include: *Howard v. Liquidity Services, Inc.* (D.D.C.); *In re The Bancorp, Inc. Securities Litigation* (D. Del.); *In re Life Partners Holdings, Inc. Derivative Litigation* (W.D. Tex.); *In re Synthes Inc. Shareholder Litigation* (Del. Ch.); *In re Atheros Communications, Inc. Shareholder Litigation* (Del. Ch.); *Utah Retirement Systems v. Strauss* (American Home Mortgage) (E.D.N.Y.); *In re PSINet, Inc. Securities Litigation* (E.D. Va.); *Penn Federation BMW v. Norfolk Southern Corp.* (E.D. Pa.); *Inter-Local Pension Fund of the Graphic Communications Conference of the International Brotherhood of Teamsters v. Cybersource Corp.* (Del. Ch.).

He previously served as Legal Counsel to Tradeoffs, a popular health policy podcast launched by a prominent Philadelphia journalist.

Mr. Abramowitz graduated *cum laude* from Franklin & Marshall College (1993) where he earned membership in Phi Beta Kappa. He earned a J.D. from the University of Maryland School of Law (1996), where he was Assistant Editor for *The Business Lawyer*, published jointly with the American Bar Association.

He was a long-standing member of the Corporate Advisory Board of the Pennsylvania Association of Public Employee Retirement Systems (PAPERS), an organization dedicated to educating trustees and fiduciaries of public pension funds throughout Pennsylvania. He has also participated for more than fifteen years in the University of Pennsylvania School of Law's Mentoring Program, in which he mentors international students in the L.L.M. program about the practice of law in the U.S. He has written and spoken extensively on matters relating to securities litigation and corporate governance.

Mr. Abramowitz is also the author of two novels, *A Beginner's Guide to Free Fall* (Lake Union Publishing, 2019), and *Thank You, Goodnight* (Touchstone/Simon & Schuster, 2015).

Natisha Aviles – Senior Counsel

Natisha Aviles is Senior Counsel in the firm's Antitrust practice group. She concentrates her practice on complex antitrust litigation.

Stephanie K. Benecchi – Senior Counsel

Stephanie K. Benecchi is Senior Counsel with the firm's Intellectual Property Department in Philadelphia. Prior to joining Berger Montague, Stephanie was a partner at Montgomery McCracken Walker & Rhoads in their Philadelphia and Cherry Hill, NJ offices, where she focused her practice on commercial litigation, including class action defense, as well as white collar defense and government investigations. Prior to her time at MMWR, Stephanie was an associate at Kasowitz Benson Torres in New York.

Stephanie manages an interdisciplinary litigation team representing a medical device manufacturer in multiple patent infringement suits. Stephanie's experience focuses on health care, where she represents both entities and individuals from health systems, medical practices, and medical device and pharmaceutical manufacturers in conjunction with government investigations including billing, labeling and monitoring of medical devices, and pharmaceutical sales practices.

Stephanie is a member of the Legal Ethics and Professional Responsibility committee for the Pennsylvania Bar Association, and has devoted time to speaking and writing on legal ethics issues. Her presentations have yielded "wow" reviews from attendees impressed with her ability to tackle difficult issues like mental health services on campus. Her publications regarding the ethics of representing clients at risk of suicide provided valuable guidance to the bar. Stephanie co-wrote articles on the merits of removing "zeal" from the ABA model rules of professional conduct, published by the ABA Section of Litigation Ethics and Professionalism ("Exploring the Bounds of Professionalism: Is it Time to Remove 'Zeal' from the ABA Model Rules of Professional

Conduct?") and the Pennsylvania Lawyer ("The Pennsylvania Supreme Court Should Remove the 'Z' Words from the Rules of Professional Conduct").

Stephanie is a graduate of Fordham Law School, where she served as a staff member on the Fordham Journal of Corporate & Financial Law, and received the Archibald R. Murray Public Service Award for externing at the NYSE. Stephanie also graduated from Columbia University with a B.A. in Psychology, where she was a member of the Varsity Women's Swim Team.

Mark DeSanto – Senior Counsel

Mark B. DeSanto is Senior Counsel in the Firm's Consumer Protection department in Philadelphia. Prior to joining Berger Montague, Mark was an associate at Sauder Schelkopf where he litigated various consumer class actions with a particular emphasis on automotive defect cases, Chimicles Schwartz Kriner & Donaldson-Smith where he litigated various consumer, data breach, and ERISA class actions that helped recover over \$82 million for aggrieved class members and was a member of the firm's securities financial institution marketing committee, and Kessler Topaz Meltzer & Check where he worked as an associate in the securities department and helped secure over \$220 million for investors in securities fraud class actions. In April 2023, Mark was selected by the Legal Intelligencer as a "Lawyer on the Fast Track."

Mark graduated from the University of Miami School of Law, cum laude, in 2013, where he was a member of the National Security and Armed Conflict Law Review and earned President's Honor Roll and Dean's List distinction in multiple semesters. Mark also earned his Bachelor of Business Administration in Finance from the University of Miami in 2009. Mark is admitted to practice law in Florida, Pennsylvania, and New Jersey.

Jennifer Elwell – Senior Counsel

Jennifer Elwell is Senior Counsel in the firm's Consumer Protection group. She concentrates her practice in complex civil litigation involving actions brought on behalf of consumers for corporate wrongdoing and consumer fraud.

Patrick J. Farley – Senior Counsel

Patrick J. Farley is Senior Counsel in the firm's Intellectual Property Department. Mr. Farley has over 20 years of international experience in intellectual property law and concentrates his practice on all aspects of intellectual property, including patent drafting, patent prosecution, patent litigation, patent and trademark portfolio management, and licensing. Patrick counsels companies in the biotechnology and pharmaceuticals industries with a particular focus on patent and trademark portfolios, agreements, and due diligence. Prior to joining Berger Montague, Patrick was a partner at a Philadelphia law firm.

Abigail J. Gertner – Senior Counsel

Abigail J. Gertner is an attorney in the firm's Philadelphia office and practices in the firm's Consumer Protection and ERISA Litigation practice groups.

Before joining the firm, Ms. Gertner worked at both plaintiff and defense firms, where she gained experience in complex litigation, including consumer fraud, ERISA, toxic tort, and antitrust matters. She concentrates her current practice on automotive defect, consumer fraud, and ERISA class actions.

Ms. Gertner graduated from Santa Clara University School of Law in 2003, where she interned for the Santa Clara County District Attorney's Office in the Child and Elder Abuse Unit. She completed her undergraduate studies at Tulane University in 2000, earning a B.S. in Psychology and a B.A. in Classics.

She is also active in her community, formerly serving as a Youth Aid Panel chairperson for Upland in Delaware County. She now serves on the Upland Borough Council, beginning her four-year term in January 2020.

Ms. Gertner is admitted to practice in state courts in Pennsylvania and New Jersey; and the United States District Courts for the Eastern District of Pennsylvania, the District of New Jersey, and the Eastern District of Michigan.

Aaron Haleva – Senior Counsel

Aaron Haleva is Senior Counsel in the firm's Intellectual Property Department where he focuses his practice on intellectual property litigation, trademarks, and patent preparation and prosecution in various industries including healthcare, pharmaceuticals and immunology, chemical preparations and manufacture, computing systems and architectures, digital technology and coding, memory devices and interfaces, large data mining and artificial intelligence. Aaron has developed on-board interactive vision systems for mobile autonomous robots, created big data analytical tools for immunology-based patient data to predict onset of disease and severity of conditions, and has navigated the patent procurement process both as an inventor and as an attorney. Prior to joining Berger Montague, Aaron was an attorney at a national law firm.

Karen L. Handorf – Senior Counsel

Karen L. Handorf is Senior Counsel at Berger Montague and a member of the firm's Employee Benefits & ERISA practice group, where she represents the interests of employees, retirees, plan sponsors, plan participants and beneficiaries in employee benefit and ERISA cases in the district court and on appeal. Ms. Handorf brings four decades of ERISA knowledge to Berger Montague's practice, where she will focus on emergent issues in health care, with a particular focus on the actions of insurance carrier TPAs that exercise fiduciary duties under ERISA-covered health plans. Ms. Handorf also advises employers and other plan sponsors on the provisions in their administrative service agreements that might cause them to unwittingly violate ERISA or other employee benefit laws. Ms. Handorf is also focused on other legal violations related to patient health care under other (non-ERISA) federal statutes and state consumer statutes in her efforts to address the exorbitant health care costs facing most Americans.

Prior to joining Berger Montague, Ms. Handorf was a partner at another prominent plaintiffs' class action firm and the immediate-past chair and then co-chair of that firm's Employee Benefits/ERISA practice group, where she led efforts in identifying, litigating, and when necessary, appealing often

novel employee benefits issues. In that role, Ms. Handorf was one of the pioneers of the church plan litigation against organizations claiming to be exempt from ERISA due to their affiliation with or status as religious organizations.

Prior to that, Ms. Handorf had a distinguished career in government service. She spent 25 years at the Department of Labor, where, among other senior positions, she was the Deputy Associate Solicitor in the Plan Benefits Security Division. During her tenure at the Department of Labor, Ms. Handorf played a major role in formulating and litigating the Government's position on a wide variety of ERISA issues, from conception through expression in amicus briefs filed by the United States Solicitor General in the United States Supreme Court.

Matthew Hartman – Senior Counsel

Matthew Hartman is Senior Counsel in the firm's San Diego office. He primarily practices in complex litigation.

Joseph C. Hashmall – Senior Counsel

Joe Hashmall, Senior Counsel, is a member of the firm's Consumer Protection practice group. In that practice group, Mr. Hashmall primarily focuses on consumer class actions concerning financial and credit reporting practices.

Mr. Hashmall is a graduate of the Grinnell College and the Cornell University School of Law. During law school, Mr. Hashmall served as the Executive Editor of the Cornell Legal Information Institute's Supreme Court Bulletin and as an Editor for the Cornell International Law Journal. Mr. Hashmall has also worked as law clerk for President Judge Bonnie B. Leadbetter of the Pennsylvania Commonwealth Court and for the Honorable David J. Ten Eyck of the Minnesota District Court.

Mariyam Hussain – Senior Counsel

Mariyam Hussain is Senior Counsel with the Firm's Employment department. Before joining Berger Montague, Mariyam was counsel at Justice Catalyst Law, where she developed interdisciplinary impact litigation cases and legal strategies to advance economic and social justice. Prior to that, Mariyam served as a supervising attorney with Legal Aid Chicago's Immigrant and Workers' Rights Practice Group, managing a team of attorneys and paralegals in complex multi-plaintiff litigation on behalf of migrant farmworkers in Illinois. During her time with Legal Aid Chicago, Mariyam played a leading role in the filing of a federal complaint in U.S. Bankruptcy Court alleging racketeering, human trafficking, forced labor, and FLSA violations and other wrongful conduct against H-2A employers doing business under various names. Mariyam also previously worked as a senior associate doing class-action and wage-and-hour litigation at a plaintiff side law firm in New York, and as staff attorney with the New York City Commission on Human Rights.

Mariyam received her Juris Doctorate and undergraduate degrees from DePaul University and a Masters in Comparative Literature from the University of London.

J. Quinn Kerrigan – Senior Counsel

J. Quinn Kerrigan is Senior Counsel in the firm's Consumer Protection practice group. He concentrates his practice in the area of complex consumer litigation, prosecuting actions against corporate defendants and other institutions for violations of state and federal law, including state causes of action challenging unfair and deceptive practices.

Before joining the firm, Mr. Kerrigan gained notable experience litigating antitrust and consumer class actions, corporate mergers, derivative claims, and insurance coverage disputes.

Mr. Kerrigan is admitted to practice in state courts in Pennsylvania and New Jersey, the United States District Courts for the Eastern District of Pennsylvania, the Middle District of Pennsylvania, and the District of New Jersey.

Mr. Kerrigan is a graduate of Temple University's Beasley School of Law and John Hopkins University.

Joseph P. Klein – Senior Counsel

Joseph Klein is Senior Counsel in the Antitrust practice group and focuses his work on complex antitrust litigation.

David A. Langer – Senior Counsel

David A. Langer is Senior Counsel in the Antitrust practice group. He concentrates his practice in complex antitrust litigation.

Mr. Langer has had a primary role in the prosecution of the following antitrust class actions: *In re Currency Conversion Fee Antitrust Litigation* (S.D.N.Y.) (after 5½ years of litigation, through the close of fact and expert discovery, achieved a settlement consisting of \$336 million and injunctive relief for a class of U.S. Visa and MasterCard cardholders; extraordinary settlement participation from class members drawing more than 10 million claimants in one of the largest consumer antitrust class actions); *Ross and Wachsmuth v. American Express Co., et al.* (S.D.N.Y.) (\$49.5 million settlement achieved after more than 7 years of litigation and after summary judgment was denied); *Ross, et al. v. Bank of America, N.A. (USA), et al.* (S.D.N.Y.) (obtained settlements with four of the nations' largest card issuers (Bank of America, Capital One, Chase and HSBC) to drop their arbitration clauses for their credit cards for 3.5 years, and a settlement with the non-bank defendant arbitration provider (NAF), who agreed to cease administering arbitration proceedings involving business cards for 3.5 years); and *In re Linerboard Antitrust Litigation* (E.D. Pa.) (helped obtain settlements of more than \$200 million dollars).

Mr. Langer was one of the trial team chairs in the 5-week consolidated bench trial of arbitration antitrust claims in *Ross v. American Express* and *Ross v. Bank of America*, where the Honorable William H. Pauley, III of the United States District Court for the Southern District of New York, commended the "extraordinary talents of Plaintiffs' counsel."

Mr. Langer has also had a primary role in appellate proceedings, obtaining relief for his clients in a number of matters, including *Ross, et al. v. American Express Co., et al.*, 547 F.3d 137 (S.D.N.Y. 2008) (precluding an alleged co-conspirator from relying on the doctrine of equitable estoppel to invoke arbitration clauses imposed by its competitor co-conspirators); *Ross, et al. v. Bank of America, N.A. (USA), et al.*, 524 F.3d 217 (S.D.N.Y. 2008) (holding that antitrust plaintiffs possess Article III standing to challenge the defendants' collusive imposition of arbitration clauses barring participation in class actions); *In re Pharmacy Benefit Managers Antitrust Litig.*, 700 F.3d 109 (3d Cir. 2012) (finding opposing party waived the right to compel arbitration and reversing district court).

While at Vermont Law School, Mr. Langer was Managing Editor and a member of the Vermont Law Review.

Natalie Lesser – Senior Counsel

Natalie Lesser is Senior Counsel in the firm's Consumer Protection and Employee Benefits & ERISA practice groups. She concentrates her practice on automotive defect, consumer fraud, and ERISA class actions.

Before joining the firm, Ms. Lesser gained experience at both plaintiff and defense firms, litigating complex matters involving consumer fraud, securities fraud, and managed care disputes.

Ms. Lesser is admitted to practice in state courts in Pennsylvania and New Jersey, the United States District Courts for the Eastern District of Pennsylvania, the District of New Jersey, and the Eastern District of Michigan, and the United States Courts of Appeals for the Third Circuit and the Ninth Circuit.

Ms. Lesser received her law degree from the University of Pittsburgh School of Law in 2010 and her undergraduate degree in English from the State University of New York at Albany in 2007. While attending the University of Pittsburgh School of Law, Ms. Lesser was Editor in Chief of the University of Pittsburgh Law Review.

Shawn S. Li – Senior Counsel

Dr. Shawn Li is Senior Counsel in the firm's Intellectual Property Department. Dr. Li has developed global protection strategies, drafted, and prosecuted U.S. and international patent applications, prosecuted patent reexaminations, and negotiated and prepared complex licenses and related agreements. Relying on his education in the medical sciences, he provides counsel to clients in biotechnology, pharmaceutical, chemical, medical device, and other technology related industries. He also advises U.S. and multinational clients on issues related to protecting intellectual property in China, including patent, trademark, and trade secret enforcement actions, as well as cross border technology transfers and joint ventures. Prior to joining Berger Montague, Shawn gained experience working for nationally recognized law firms in Philadelphia. He has conducted patent infringement, validity, and inequitable conduct analysis and assisted in preparation for expert reports and prepared expert witnesses. Shawn worked as a postdoctoral research fellow in the department of physiology at the University of Pennsylvania School of

Medicine and as a graduate research assistant at the Skirball Institute of Biomolecular Medicine at the New York University School of Medicine.

James Maro – Senior Counsel

James Maro is Senior Counsel with the Firm's Securities department in Philadelphia. Prior to joining Berger Montague, Jim was a partner at Kessler Topaz Meltzer & Check, LLP, where he focused his practice on securities fraud and consumer protection class action litigation. Jim also represented investors in derivative, as well as mergers and acquisitions litigation. Most recently, Jim managed Kessler Topaz's "startup" department where he developed policies and practices regarding the firm's marketing efforts, potential investor and client communications, and client retention.

Jim graduated from Villanova University School of Law and received his undergraduate degree from the Johns Hopkins University.

Richard L. Moss – Senior Counsel

Richard L. Moss is Senior Counsel in the firm's Intellectual Property Department. He focuses his practice on U.S. and foreign patent prosecution matters in electrical, electromechanical, general mechanical, medical device, computer software, and process technology areas. Richard also represents and counsels clients in intellectual property litigation matters and post-grant proceedings before the U.S. Patent and Trademark Office Patent Trial and Appeal Board, as well as in business transactions involving intellectual property assets, including licensing and corporate due diligence matters.

Prior to joining Berger Montague, Richard was a Partner at a Philadelphia law firm and, before that, a Special Counsel at a prominent New York City based international law firm.

Jeffrey L. Osterwise – Senior Counsel

Mr. Osterwise pursues relief for consumers and businesses in a broad array of matters.

Mr. Osterwise litigates class actions on behalf of consumers who have been damaged by automobile manufacturers that conceal known defects in their vehicles and refuse to fulfill their warranty obligations. His experience includes actions against General Motors, Nissan North America, American Honda Motor Company, among others.

Mr. Osterwise also has substantial experience advising consumers and businesses of their rights with respect to a variety of other defective products. He has helped injured parties pursue their claims arising from defects in pharmaceuticals, solar panels, riding lawn tractors, and HVAC and plumbing products.

In addition to defective product claims, Mr. Osterwise has fought to protect consumers from unfair business practices. For example, he has represented clients deceived by their auto insurance carriers and consumers improperly billed by a national health club chain.

Mr. Osterwise also has significant experience representing the interests of shareholders in securities fraud and corporate governance matters. And, he represented the City of Philadelphia

and the City of Chicago in separate actions against certain online travel companies for their failure to pay hotel taxes.

Kerri Petty – Senior Counsel

Kerri Petty is Senior Counsel for the firm and concentrates her practice on complex litigation.

Jacob M. Polakoff – Senior Counsel

Since joining the firm in 2006, Mr. Polakoff has concentrated his practice on the prosecution of class actions and other complex litigation, including the representation of plaintiffs in consumer protection, securities, and commercial cases.

Mr. Polakoff currently represents homeowners throughout the country in various product liability actions concerning defective construction products, including plumbing and roofing. He served on the teams of co-lead counsel in two nationwide class action plumbing lawsuits: (i) against NIBCO, Inc., claiming that NIBCO's cross-linked polyethylene (PEX) plumbing tubes and component parts were defective and prematurely failed (\$43.5 million settlement), and (ii) in *George v. Uponor, Inc., et al.*, a class action about Uponor's high zinc yellow brass PEX plumbing fittings (\$21 million settlement).

He represented the shareholders of the Philadelphia Stock Exchange in *Ginsburg v. Philadelphia Stock Exchange, Inc., et al.*, in the Delaware Court of Chancery, which settled for in excess of \$99 million in addition to significant corporate governance provisions. He also is on the team of co-lead counsel representing the shareholders of Patriot National, Inc., and helped secure a \$6.5 million settlement with the bankrupt company's directors and officers.

Mr. Polakoff's experience also includes representing entrepreneurs and small businesses in actions against Fortune 500 companies.

Mr. Polakoff was selected as a Pennsylvania Super Lawyer in 2021, an honor conferred upon only the top 5% of attorneys in Pennsylvania. He was previously selected as a Pennsylvania Super Lawyer – Rising Star in 2010 and 2013-2019.

Mr. Polakoff is a 2006 graduate of the joint J.D./M.B.A. program at the University of Miami, where he was the recipient of the Dean's Certificate of Achievement in Legal Research & Writing, was awarded a Graduate Assistantship and was honored with the Award for Academic Excellence in Graduate Studies.

He holds a 2002 B.S.B.A. from Boston University's School of Management, where he concentrated in finance.

Mr. Polakoff is the Judge of Election for Philadelphia's 30th Ward, 1st Division. He was also a member of the planning committee and the sponsorship sub-committee for the Justice for All 5K from its inception. The event benefited Community Legal Services of Philadelphia, which provides free legal services, in civil matters, to low-income Philadelphians.

Geoffrey C. Price – Senior Counsel

Geoffrey C. Price is Senior Counsel in the firm's antitrust division, specializing in complex litigation related to pharmaceuticals, investment fraud, and general anti-competitive business practices.

Richard Schwartz – Senior Counsel

Richard Schwartz is Senior Counsel in the Antitrust practice group. Mr. Schwartz concentrates his practice in the area of complex antitrust litigation with a focus on representation of direct purchasers of prescription drugs.

Prior to joining the firm, Mr. Schwartz was an attorney in the New York and Philadelphia offices of a firm where he represented plaintiffs in a variety of matters before trial and appellate courts with a focus on antitrust and shareholder class actions.

Mr. Schwartz is a member of the teams prosecuting a number of antitrust class actions on behalf of direct purchasers of prescription drugs in which the purchasers allege that generic drugs have been illegally kept off the market. Those cases include *In re Opana ER Antitrust Litigation*, No. 14-cv-10151 (N.D. Ill.); *In re Suboxone*, No. 13-MD-2445 (E.D. Pa.); *In re Solodyn*, No. 14-MD-2503 (D. Mass.) and *In re Celebrex*, No. 14-cv-00361 (E.D. Va.).

Mr. Schwartz is admitted to practice in New York, Pennsylvania, and Illinois.

Julie Selesnick – Senior Counsel

Julie S. Selesnick is Senior Counsel at Berger Montague and a member of the firm's Employee Benefits & ERISA practice group, where she represents the interests of employees, retirees, plan sponsors, plan participants and beneficiaries in employee benefit and ERISA cases in the district court and on appeal. Ms. Selesnick's practice is focused on health care, where she brings more than a decade of insurance coverage experience to good use focusing on the behaviors of insurance carrier TPAs that exercise fiduciary duties under ERISA-covered health plans and counseling employers and other plan sponsors on provisions in their administrative service agreements that might cause them to unwittingly violate ERISA or other employee benefit laws. Ms. Selesnick is also focused on other legal violations related to patient health care under various federal statutes and state consumer statutes to help everyday American's bring down the out-of-control health care costs they face.

Prior to joining Berger Montague, Ms. Selesnick was of counsel at another prominent plaintiffs' class action firm, where she practiced primarily in the ERISA group representing plaintiffs in class cases related to 401K excessive fee disputes, actuarial equivalence pension issues, church plan litigation, and cases against third-party administrators for breach of fiduciary duty in connection with their administration of ERISA-covered group health plans. Ms. Selesnick also worked in that firm's Consumer Protection group litigating consumer class action lawsuits and policyholder insurance coverage actions on behalf of individual and class plaintiffs.

Prior to that, Ms. Selesnick was a partner at a Washington D.C. law firm in both the insurance coverage and employment law groups, where she represented carriers in insurance coverage litigation and subrogation litigation in state and federal courts throughout the United States, and represented both employers and employees in employment litigation, as well as negotiating severance agreements and reviewing and updating employee handbooks. Ms. Selesnick has first chair trial experience in jury and bench trials and has experience with arbitration and mediation of complex disputes.

Ms. Selesnick is an accomplished writer and has written numerous legal and non-legal articles and blog posts. She has also contributed to ERISA Litigation textbooks and cumulative supplements, and written materials for use in health-care litigation conferences.

Ms. Selesnick graduated with a B.A., cum laude, from the San Diego State University and was elected Phi Beta Kappa and Pi Sigma Alpha, and she received her J.D., from the George Washington University School of Law, where she was a member of the George Washington University Law Review and was inducted into the Order of the Coif.

John Timmer – Senior Counsel

John Timmer is senior counsel in the Firm's Commercial Litigation Department. Prior to joining Berger Montague, John was a partner at Schnader Harrison Segal & Lewis LLP where he focused on commercial litigation matters. John represented a manufacturer of roofing shingles and a truck manufacturer in numerous matters involving product defect claims, and also represented the School District of Philadelphia in various matters alleging breaches of contract. John also successfully represented the Philadelphia District Attorney's Office in litigation relating to an alleged "Do Not Call" list that went to trial in June 2023 in which a nonsuit was entered at the close of plaintiff's case.

Prior to working at Schnader Harrison, John worked at the Hoyle Law Firm, where he represented defendants in class actions involving defective roofing shingles and violations of the Driver's Privacy Protection Act, and where he was counsel for a receiver charged with recovering money for defrauded investors in a Ponzi scheme. John started his career at Pepper Hamilton (now Troutman Pepper) where he represented pharmaceutical and medical device companies.

John has represented numerous pro bono clients, including on behalf of incarcerated individuals asserting civil rights claims and on behalf of tenants in landlord-tenant court. John graduated from Wake Forest University and Vanderbilt Law School.

Zachary M. Vaughan – Senior Counsel

Zach Vaughan is Senior Counsel who works with the Firm's consumer department remotely from New York. Prior to joining Berger Montague, Zach was an associate at Scott+Scott Attorneys at Law LLP in New York, where he represented institutional and retail investors in securities class actions under the '33 and '34 Acts. Prior to that, Zach

was a general commercial litigator at Patterson Belknap Webb & Tyler LLP, also in New York.

Zach graduated from the Georgetown University Law Center in 2011. Before beginning his career as a litigator, he served as a law clerk to Judge D. Michael Fisher of the U.S. Court of Appeals for the Third Circuit in Pittsburgh and to Judge Colleen McMahon of the U.S. District Court for the Southern District of New York.

Lane L. Vines – Senior Counsel

Lane L. Vines's practice is concentrated in the areas of securities/investor fraud, consumer and *qui tam* litigation. For more than 17 years, Mr. Vines has prosecuted both class action and individual opt-out securities cases for state government entities, public pension funds, and other large investors. Mr. Vines also represents consumers in class actions involving unlawful and deceptive practices, as well as relators in *qui tam*, whistleblower and False Claims Act litigations. Mr. Vines is admitted to practice law in Pennsylvania, New Jersey and numerous federal courts.

Mr. Vines also has experience in the defense of securities and commercial cases. For example, he was one of the firm's principal attorneys defending a public company which obtained a pre-trial dismissal in full of a proposed securities fraud class action against a gold mining company based in South Africa. See *In re DRDGold Ltd. Securities Litigation*, 05-cv-5542 (VM), 2007 U.S. Dist. LEXIS 7180 (S.D.N.Y. Jan. 31, 2007).

During law school, Mr. Vines was a member of the Villanova Law Review and served as a Managing Editor of *Outside Works*. In that role, he selected outside academic articles for publication and oversaw the editorial process through publication.

Prior to law school, Mr. Vines worked as an auditor for a Big 4 public accounting firm and a property controller for a commercial real estate development firm, and served as the Legislative Assistant to the Minority Leader of the Philadelphia City Council.

Mr. Vines has achieved the highest peer rating, "AV Preeminent" in Martindale-Hubbell for legal abilities and ethical standards. Mr. Vines is admitted to practice law in Pennsylvania, New Jersey and several federal courts.

William Walsh – Senior Counsel

William Walsh is Senior Counsel within the Environmental Department. Prior to joining Berger Montague, he was part of the environmental team at Weitz & Luxenberg for 16 years. There, Will played a significant role representing several states and municipal water providers in actions against polluters for groundwater contamination. He was also directly involved in PFOA/PFOS litigation and the Roundup litigation, representing individuals who developed non-Hodgkin's lymphoma from their exposure to glyphosate.

Will graduated from Haverford College with a degree in political science and worked as a legislative assistant on a Senate staff for two years before attending law school. At the University of Minnesota Law School, Will assisted in the rewriting of the law school's Honor Code and was a member of the Minnesota Law Review and served as a moot court director.

Dena Young – Senior Counsel

Dena Young is Senior Counsel in the firm's Consumer Protection practice group. She concentrates her practice in the area of complex consumer litigation, prosecuting actions against pharmaceutical and product manufacturers for violations of state and federal law.

Before joining the firm, Dena worked for prominent law firms in the Philadelphia region where she worked on personal injury and mass tort cases involving dangerous and defective medical devices, pharmaceutical, and consumer products including Talcum Powder, Transvaginal Mesh, Roundup, Risperdal, Viagra, Zofran, and Xarelto. She also assisted in the prosecution of cases on behalf of the U.S. Government and other government entities for violations of federal and state false claims acts and anti-kickback statutes.

Recently, the Honorable Brian R. Martinotti appointed Dena to serve on the plaintiffs' steering committee (PSC) of MDL 2921 in the *Allergan BIOCELL Textured Breast Implant Products Liability Litigation*, situated in the United States District Court for the District of New Jersey. In this case, Dena represents plaintiffs diagnosed with breast implant associated anaplastic large cell lymphoma (BIA-ALCL), a deadly form of cancer caused by Allergan's textured breast implants.

Early in her legal career, Dena represented clients diagnosed with devastating asbestos-related diseases, including mesothelioma and lung cancer. Cases she handled resulted in millions of dollars in settlements for her clients.

During law school, Dena represented defendants in preliminary hearings and misdemeanor trials while working for the Defender Association of Philadelphia. She also clerked for the Animal Protection Litigation section of the United States Humane Society. In 2008-2009, Young worked for the Honorable Renee Cardwell Hughes of Philadelphia's Court of Common Pleas.

In 2010, she received her Juris Doctor degree, with honors, from Drexel University's Thomas R. Kline School of Law where she founded the School's Student Animal Legal Defense Fund chapter.

Dena is admitted to practice in state courts in Pennsylvania and New Jersey, the U.S. District Court for the Eastern District of Pennsylvania, and the U.S. District Court for the District of New Jersey.

Associates

Michael Anderson – Associate

Michael Anderson is an Associate in the Wage and Hour department based out of the Firm's Philadelphia office. Michael graduated cum laude from William & Mary Law School and was recognized for his work in public service. Michael represented his third-year class on the Student Bar Association, participated in the Leadership Institute, and served as a member of the William & Mary Journal of Race, Gender, and Social Justice.

During law school, Michael completed two federal judicial externships with the Hon. Raymond A. Jackson and the Hon. John A. Gibney in the Eastern District of Virginia. In his final year, Michael spent much of his time advocating for students with disabilities through William & Mary's Special Education Advocacy Clinic. In the clinic, Michael counseled families, represented clients at special education meetings, and negotiated with school districts to provide appropriate special education services under the Individuals with Disabilities Education Act (IDEA). Michael also worked as a law clerk at Victor M. Glasberg & Associates, where he assisted the firm with litigating complex civil rights cases involving law enforcement misconduct, police brutality, and employment discrimination under federal laws.

Prior to law school, Michael worked as the Director of Auxiliary Programs and taught a high school philosophy course at a nationally recognized charter school in southern Arizona.

Robert Berry – Associate*

**not yet admitted, pending admission*

Robert Berry is with the Firm's Antitrust department in Philadelphia. Robert graduated Magna Cum Laude from the University of Pennsylvania Carey Law School in May 2022. At Penn, Robert served on the editorial board of the University of Pennsylvania Journal of Law and Public Affairs as Research Editor. Robert was heavily engaged in clinic programs, directly representing clients in landlord-tenant disputes, social security matters, and asylum-seeking matters with the Civil Practice Clinic and the Transnational Legal Clinic. Robert also worked heavily with Professor Herbert Hovenkamp on antitrust matters, taking two separate antitrust classes from the professor, serving as the professor's antitrust TA during the summer of 2021, and working with the professor on an independent study project examining the current state of horizontal merger law.

Prior to law school, Robert graduated from Cornell University with a bachelor's degree in history with a minor in classical civilizations. While at Cornell Robert was inducted into the Phi Beta Kappa honor society for academic excellence.

Laurel Boman – Associate

Laurel Boman is an associate with the Firm's antitrust department in Philadelphia. Laurel returned to Berger Montague after being a summer associate at the Firm in 2020. Upon graduating from NYU School of Law in 2021, Laurel clerked for the Honorable Richard G. Andrews in the District of Delaware and the Honorable Timothy B. Dyk at the U.S. Court of Appeals for the Federal Circuit.

At NYU, Laurel was involved in the Law Review as an Executive Editor, the Herman Biggs Society (a health policy lecture series), and the Technology Law & Policy Clinic. With the Clinic, Laurel co-authored the white paper Clinical Trial Cost Transparency at the National Institutes of Health: Law and Policy Recommendations, which sets forth recommendations to achieve greater transparency into the costs of pharmaceutical research and development. During law school, Laurel also worked as a research assistant for Rhochelle Dreyfuss and interned with Knowledge Ecology International in Washington, D.C. At NYU, Laurel was a Pomeroy Scholar, a Florence Allen Scholar, and graduated magna cum laude.

Laurel received her Bachelor's degree in Classics from Gustavus Adolphus College in St. Peter, MN.

Grace Ann Brew – Associate

Grace Ann Brew is an Associate in the Antitrust group at the Firm's Philadelphia office. Before joining the Firm, Grace Ann clerked for the Honorable Maryellen Noreika in the United States District Court for the District of Delaware. Grace Ann is a graduate of Stanford Law School, where she received high pro bono distinction for her work with various organizations including Legal Aid at Work and the ACLU of Pennsylvania. She earned the Judge Thelton E. Henderson Prize for Outstanding Performance for her work in Stanford's Juelsgaard Intellectual Property and Innovation Clinic. While in law school, Grace Ann worked as a summer associate at a civil rights litigation firm specializing in prisoners' rights class actions and interned for the Los Angeles City Attorney's Civil Litigation Branch. Grace Ann served as a member of the Stanford Law Review and a managing editor of the Stanford Journal of Civil Rights & Civil Liberties.

Grace Ann completed her undergraduate degree at Pomona College, where she studied English and Classics.

Hope Brinn – Associate

Hope Brinn is an Associate in the firm's Antitrust group. Prior to joining the firm, Ms. Brinn clerked for the Honorable Janet Bond Arterton in the District of Connecticut. Ms. Brinn graduated from the University of Michigan Law School, where she was a senior editor for the Michigan Law Review, and the executive notes editor for the Michigan Journal of Race & the Law.

Prior to law school, Ms. Brinn worked at The Philadelphia School and Breakthrough of Greater Philadelphia.

William H. Fedullo – Associate

William H. Fedullo is an Associate in the firm's Philadelphia office, practicing in the Whistleblower, *Qui Tam* & False Claims Act group, which has collectively recovered more than \$3 billion for federal and state governments, as well as over \$500 million for the firm's whistleblower clients. Mr. Fedullo represents whistleblowers in active litigation throughout the country. He also assists in the pre-litigation investigation and evaluation of potential whistleblower claims.

Prior to joining the firm, Mr. Fedullo was a commercial litigation associate at a large full-service Philadelphia law firm. His practice there focused on protecting small businesses that had been the victims of usurious “merchant cash advance” lending practices. He also took an active role in franchisee rights litigation in the hospitality industry. He served as lead associate in numerous state and federal litigations as well as AAA and JAMS arbitrations. His accomplishments included primarily authoring briefs that obtained critical injunctive relief in bet-the-business arbitration; primarily authoring dispositive and appellate briefs in parallel state and federal actions against one of the largest debt collection companies in the world, resulting in a federal court denying a motion to dismiss a consumer’s Fair Debt Collections Practices Act claims; and authoring a complaint brought by over ninety hotel franchisees against a prominent international hotel franchisor. Additionally, Mr. Fedullo played key roles in several other cases that resulted in favorable verdicts or settlements for his clients.

Mr. Fedullo received a Bachelor of Arts from Swarthmore College with High Honors, with a major in Philosophy and minor in English Literature. He graduated from the University of Pennsylvania Law School *cum laude*. In law school, he was an executive editor of the Penn Law Journal of Constitutional Law, where he published a Comment, “Classless and Uncivil.” He also worked as a research assistant for the reporter for the forthcoming Restatement (Third) of Conflicts of Law, and as a teaching assistant at the Wharton School of Business for the undergraduate class “Constitutional Law and Free Enterprise.” He was the recipient of the 2019 Penn Law Fred G. Leebron Memorial Prize for Best Paper in Constitutional Law for his paper “Original Public Meaning Originalism and Women Presidents.” Finally, he received honors from both the Philadelphia Bar Association and Penn Law for his involvement in pro bono activities, which included serving as a board member for the Custody and Support Assistance Clinic, a student-run organization that provides legal assistance to low-income Philadelphians facing family law issues; working on low-income housing and utility issues at Community Legal Services; and working as a certified legal intern in the Civil Practice Clinic, litigating several cases for low-income Philadelphians before the Philadelphia Court of Common Pleas.

Mr. Fedullo is admitted to practice law in the state courts of the Commonwealth of Pennsylvania as well as the United States District Court for the Eastern District of Pennsylvania.

Jeremy Gradwohl – Associate

Jeremy is an Associate in the Antitrust group at the Firm’s Philadelphia office.

Before joining the Firm, Jeremy clerked for Judge Harvey Bartle III of the United States District Court for the Eastern District of Pennsylvania.

Jeremy is a graduate of Temple University Beasley School of Law’s evening program. During law school, he served as an intern with the American Civil Liberties Union of Pennsylvania as well as for Judges Michael A. Shipp of the United States District Court for the District of New Jersey and Cheryl Ann Krause of the United States Court of Appeals for the Third Circuit. He represented noncitizens in Third Circuit immigration appeals through the Federal Appellate Litigation Clinic. He was also a member of the Temple Law Review editorial board.

Before law school, Jeremy worked as a constituent services representative for a member of Philadelphia City Council.

Taylor Hollinger – Associate*

**not yet admitted, pending admission*

Taylor is in the Firm's Antitrust group in the Philadelphia office. Taylor is a recent graduate of Georgetown Law. There, Taylor was an Articles Editor with The Georgetown Law Journal and Treasurer for the First Generation Student Union. During her time as a law student in D.C., Taylor externed with the Division of Enforcement of the CFTC, the Bureau of Competition of the FTC, and the Antitrust Division of the DOJ. Taylor received her undergraduate degree from Pitzer College in Claremont, California, with a major in Creative Writing.

Najah Jacobs – Associate

Ms. Jacobs is an Associate in the firm's Consumer Protection & ERISA Departments.

Prior to joining Berger Montague, Najah Jacobs was an associate at Stevens & Lee, P.C., where she focused her practice on commercial litigation matters with an emphasis on litigation involving financial products and representation of broker-dealers in FINRA arbitration matters related to the purchase and sale of securities and insurance products. Prior to that, Najah was an associate at a large New Jersey law firm, where she defended large oil companies in complex statewide environmental litigation. During her time there, Najah played a major role in formulating a defense strategy and obtaining a favorable disposition for the City of Philadelphia in a constitutional rights case brought by the Fraternal Order of Police over an alleged "do not call list."

Najah graduated from Drexel University Thomas R. Kline School of Law, where she was an active leader. Najah served as the President of the Black Law Students Association, a Law School Ambassador, a Diversity and Inclusion Fellow, and as a Marshall Brennan Constitutional Literacy Fellow, where she taught high school students about their constitutional rights. Najah was also the Executive Symposium Editor of the Drexel Law Review and a competitor on Drexel's nationally recognized Trial Team, leading the group to back-to-back victories in national mock trial competitions against some of the nation's top law schools. During law school, Najah served as a judicial extern for the Honorable Robert B. Kugler of the United States District Court for the District of New Jersey and also served as an intern for the Philadelphia District Attorney's Office. At graduation, Najah received the Faculty Award for Contributions to the Intellectual Life of the Law School and the Thomas R. Kline School of Law Trial Team Award for Outstanding Advocacy.

Najah is currently an adjunct faculty member at the Kline School of Law, serving as a coach and mentor for teams competing in national trial advocacy competitions. In her spare time, Najah enjoys playing basketball, mentoring high school and college students, and hosting events for her non-profit organization, which focuses on giving back to underserved communities.

Ariana B. Kiener – Associate

Ariana B. Kiener is an Associate in the firm's Minneapolis office and practices in the firm's Consumer Protection group.

Before joining the firm, Ms. Kiener worked for several years in education, first as a classroom teacher (through a Fulbright Scholarship in Northeastern Thailand) and eventually as the communications director for an education advocacy nonprofit organization. While in law school, she clerked at the Firm and served as a Certified Student Attorney and Student Director with the Mitchell Hamline Employment Discrimination Mediation Representation Clinic.

Olivia Lanctot – Associate

Olivia Lanctot is an Associate with the Firm's Wage and Hour department in Philadelphia. Prior to joining Berger Montague, she was an associate at Comegno Law Group in Moorestown, NJ, where she focused her practice on education and employment law.

Olivia received her law degree from William & Mary Law School and her B.A. from Gettysburg College.

During law school, she was heavily involved with William & Mary's Special Education Advocacy Clinic, where she negotiated with school districts to provide students with the appropriate accommodations and services necessary to access their education. During her final year, Olivia also worked as a law clerk for a plaintiffs' employment litigation firm, assisting with employee rights violations and discrimination cases before the Equal Employment Opportunity Commission (EEOC) and the Merit Systems Protection Board (MSPB).

Julia McGrath – Associate

Julia McGrath is an Associate in the firm's Antitrust practice group. She represents consumers, businesses, and public entities in complex class action litigation, prosecuting anticompetitive conduct such as price-fixing, bid-rigging, and illegal monopolization.

Ms. McGrath has challenged anticompetitive conduct in a variety of industries, including the single-serve coffee industry in *In Re Keurig Green Mountain Single-Serve Antitrust Litigation*; the pharmaceutical industry in *In Re: Ranbaxy Generic Drug Application Antitrust Litigation* (D. Mass) and *In Re: Generic Pharmaceuticals Pricing Antitrust Litigation* (E.D. Pa.); and the financial industry in *In re London Silver Fixing Ltd. Antitrust Litigation* (S.D.N.Y.) and *In re: GSE Bonds Antitrust Litigation* (S.D.N.Y.).

Prior to law school, Ms. McGrath had a successful career in government and politics. She worked on political campaigns at the local, state, and federal level. She's advised top-tier congressional, gubernatorial, and U.S. Senate candidates in Pennsylvania and New Jersey and served as the Finance Director for U.S. Senator Bob Casey. In 2013, she was appointed by President Obama to serve as Special Assistant to the Mid-Atlantic Regional Administrator of the U.S. General Services Administration.

Ms. McGrath earned her J.D., *cum laude*, from Temple University Beasley School of Law and her B.A. in History from Boston University.

Marika O'Connor Grant – Associate

Marika O'Connor Grant is an Associate with the Firm's consumer department in its Minneapolis office. Prior to joining Berger Montague, Marika worked as an Associate at Tycko & Zavareei LLP, where she focused on consumer, appellate, and False Claims Act cases. Most notably, while at TZ, Marika worked on a class-action suit against Facebook for tracking users' location without their consent; a case brought by the District of Columbia against major oil companies for deceiving DC consumers regarding the existence of climate change and for misrepresenting the environmental friendliness of the companies' products; and a case against USC for misrepresenting its online graduate program. Prior to joining TZ, Marika served as a Law Clerk for the Honorable Wilhelmina M. Wright on the United States District Court for the District of Minnesota, worked as an Associate in Cooley LLP's general litigation practice group, and served as a Vetting Attorney for the Biden-Harris Administration's Transition Team.

Marika graduated from Stanford Law School with high pro bono distinction. While at Stanford, Marika worked in the Immigrants' Rights Clinic and volunteered with the Economic Advancement Pro Bono Project. While at SLS, Marika also served as a Research Assistant to Professor Michelle Wilde Anderson, analyzing local governments' novel efforts to address poverty, and as a Teaching Assistant to Professor Keith Hennessey at the Stanford Graduate School of Business. While in law school, Marika served as a board member of Women of Stanford Law and as the Technical Managing Editor of the Stanford Journal of Civil Rights and Civil Liberties. Marika spent her 2L summer working at Debevoise & Plimpton LLP, where she contributed to abortion impact litigation cases, assisted on data-privacy and cybersecurity matters, and first-chaired the appeal of the Social Security Administration's denial of disability benefits for a pro bono client. Marika spent her 1L summer as the Janet D. Steiger Fellow in the Consumer Protection Division at the Massachusetts Attorney General's Office, where she worked on data-breach enforcement actions and investigations; fair-lending investigations; enforcement actions against for-profit schools; and the MA AGO's response to the Department of Education's Borrower Defense rulemaking.

Before law school, Marika worked as a paralegal for three years. Marika first worked as a paralegal for two years at the civil rights impact litigation firm Relman Colfax PLLC and then spent another year working as a paralegal at what was then Harvard Law School's Project on Predatory Student Lending. Marika earned her undergraduate degree at Carleton College.

Amey J. Park – Associate

Amey J. Park is an Associate in the firm's Philadelphia office and practices in the firm's Consumer Protection and Commercial Litigation practice groups.

Before joining the firm, Ms. Park was an associate in the litigation department of a large corporate defense firm. She represented corporate and individual clients in complex commercial litigation, product liability, and personal injury matters in a wide variety of industries, including financial services, insurance, trust administration, and real estate. Ms. Park also represented clients *pro*

bono, serving as first-chair counsel in a federal jury trial for violations of an inmate's constitutional rights by law enforcement officers and assisting a young refugee seeking asylum in federal immigration court.

Ms. Park is admitted to practice in state courts in Pennsylvania and New Jersey; the United States District Courts for the Eastern District of Pennsylvania, the Middle District of Pennsylvania, and the District of New Jersey; and the United States Court of Appeals for the Third Circuit.

Julie Pollock – Associate*

Julie Pollock is part of the Firm's San Francisco Bay Area office in the Antitrust Department.

Julie graduated summa cum laude from USF School of Law. While in law school, Julie clerked in the Firm's Antitrust Department, and served as a judicial extern to Chief Justice Cantil-Sakauye of the California Supreme Court. Julie also served on the Board of Directors for the Legal Aid Association of California, advocating to expand access to critical legal services for low-income Californians.

Julie is passionate about social and economic justice. Prior to joining the firm, she earned a Master's Degree in Social Welfare from UCLA, and started her career doing policy work to improve healthcare and housing access for low-income older adults. Julie believes in aggressive antitrust enforcement as a tool to combat the excessive concentration of economic power and its resulting structural inequities.

Radha Raghavan – Associate

Radha Raghavan is an associate with the Firm's Consumer Department. Prior to joining Berger Montague, Radha was an associate at Wolf Popper LLP, where she focused her practice on consumer fraud, healthcare and securities class action litigation representing clients in state and federal courts across the country. Prior to that, Radha worked with well-respected dispute resolution firms in India and New York focusing on international disputes. At these firms, she represented clients in both international commercial and investor-state arbitrations under the ICC and UNCITRAL rules respectively.

Radha graduated from University Law College, Bangalore University with a law degree (BA.L., LL.B.) in 2014, where she was valedictorian for the Bachelor of Academic Law (BA.L.) program. Subsequently, Radha received her masters of law degree (LL.M.) from NYU in 2015. After her LL.M., Radha served as a judicial extern for Judge Gerald Lebovits at the New York State Supreme Court.

Sophia Rios – Associate

Sophia Rios is an associate in the firm's San Diego office and practices in the Consumer Protection and Antitrust practice groups.

Before joining the firm, Sophia was an associate in the litigation department of a large international law firm. She represented corporate and individual clients in consumer protection, complex

commercial litigation, securities, and Americans with Disabilities Act (ADA) matters. In her pro bono practice, Sophia assisted refugees seeking asylum in the United States.

Sophia is committed to furthering diversity and inclusion in law firms. She serves on the firm's Diversity, Equity & Inclusion Task Force. Sophia has also participated in the Leadership Council on Legal Diversity's Pathfinder Program.

While at Stanford Law School, Sophia served as an extern Legal Adviser in the Office of Commissioner Julie Brill at the Federal Trade Commission in Washington, DC. Sophia co-founded the Stanford Critical Law Society, which serves as a student forum for the discussion of the relationship between law and race. Sophia was a Lead Article Editor for the Stanford Environmental Law Journal.

Before beginning law school, Sophia attended UC Berkeley and served as an intern on the White House Council of Environmental Quality. She is a first-generation college student and a San Diego native.

Joseph Samuel – Associate

Joseph Samuel is an Associate in the Intellectual Property department, where he focuses his practice on patent, trademark, copyright, and trade secret litigation.

Joe is licensed to practice in Pennsylvania and California. He earned his J.D. degree, magna cum laude, from Villanova University Charles Widger School of Law, where he was elected to the Order of the Coif. Joe served as an editor and staff writer of the Villanova Law Review and as a judicial extern to the Honorable Elizabeth T. Hey in the Eastern District of Pennsylvania. He also worked in Villanova's Federal Tax Clinic, where he represented low-income taxpayers in IRS assessment and collections matters before the United States Tax Court.

Before becoming a lawyer, Joe worked as a political consultant for campaigns at the federal, state, and local level. He has experience advising clients on Pennsylvania election law issues.

Counsel

Zubair Ahmad – Counsel

Zubair Ahmad is Counsel with the Antitrust department in the Philadelphia office. He has extensive experience with e-discovery in large scale litigation and has also spent time as associate in-house counsel with a developer of ambulatory surgical centers as well as a large regional hospital.

Mr. Ahmad graduated from the University of Michigan Law School where he was a member of the Journal of Law Reform. He received his undergraduate degree from Franklin & Marshall College where he was pre-med with a physics and sociology double major.

Caitlin Adorni – Counsel

Caitlin works at the Firm as Counsel. Prior to joining the team at Berger Montague, her professional experience included work at JP Morgan Chase as well as CBS/Showtime Networks in New York City. Her professional background is focused on corporate and securities litigation. Additionally, with the rise in AI technology being utilized within the legal profession, she recently completed a professional certification in Artificial Intelligence (AI) Strategy and utilizes this education and knowledge with the Firm's Antitrust group.

Alexandra Antoniou – Counsel

Alexandra Antoniou is an attorney in the firm's Philadelphia office, and works in the firm's Auto Defect practice area.

David Catherine – Counsel

David M. Catherine is Counsel with the Firm's Antitrust department in Philadelphia. Prior to joining Berger Montague, David was an Attorney in a boutique law firm, representing numerous plaintiffs in class-action pharmaceutical antitrust litigation, specializing in electronic discovery as well as legal research and deposition preparation. Prior to that, David was a Project Attorney at a large American multinational firm, representing clients in pharmaceutical products liability multi-district litigation, specializing in discovery and evidentiary preparation. Before that, David spent several years assisting several firms throughout the Philadelphia region with various aspects of discovery, legal research and litigation preparation.

David graduated from Syracuse University College of Law, where he also served in the Criminal Law Clinic, representing indigent clients in Syracuse City Court. David also graduated from Duquesne University, earning a Bachelor of Arts with a major in English while also serving in the Student Government Association and as an Officer in the National Service Fraternity, Alpha Phi Omega.

James Christensen – Counsel

James Christensen is Counsel in the Firm's Antitrust department. He possesses expertise across various legal domains, with a particular focus on eDiscovery. In this capacity, he offers solutions for complex managed reviews and litigation preparation, with a specific emphasis on antitrust/M&A, financial and securities regulations, internal investigations, and FTC/DOJ 2nd Requests.

Previously, during his tenure as Enforcement Counsel at the Chicago Stock Exchange (CSE), Jim conducted investigations into potential violations of federal securities laws, prosecuted disciplinary matters, and oversaw the arbitration program, which included the issuance of Wells Notices. Before his time at the CSE, Jim served as an Associate Attorney at a mid-sized firm, where his practice revolved around general civil litigation.

Jim obtained his Juris Doctor from the John Marshall Law School in Chicago, Illinois, and during his time there, he served as a Staff Editor on the Journal of Information Technology & Privacy Law. He also holds a Bachelor of Arts in Economics and English from the University of Wisconsin-Madison.

Carl Copenhaver – Counsel

Carl Copenhaver is Counsel in the Firm's Antitrust Department. Carl has almost 18 years of experience in complex securities and antitrust class action litigation as a discovery specialist. Over that span, he has worked independently, and later through his own discovery firm, with a wide variety of firms on a range of cases assisting in discovery and evidentiary-related matters.

Mr. Copenhaver received his Bachelor of Arts with Scholastic Distinction in History and a concentration in African American Studies from Carleton College, graduating magna cum laude. He was a member of the Mortar Board National Honor Society and was a nationally ranked member of the tennis team while winning multiple All-Conference Awards.

Mr. Copenhaver attended The George Washington University Law School where he was a Murray Snyder Public Interest Fellow and worked with local and national civil rights organizations on Fair Housing issues.

Cate Crowe – Counsel

Cate Crowe is Counsel in the Firm's antitrust department. She joined Berger Montague from Lockridge Grindal Nauen P.L.L.P. where her practice focused on private enforcement of antitrust laws against price fixing cartels and pay-for-delay schemes. Cate has supported plaintiff-side discovery and trial teams in complex consumer fraud, data breach, and antitrust litigations. She has experience identifying and vetting damages experts, mining evidence from document databases and phone records, and synthesizing evidence to develop narratives of overarching conspiracies for depositions and trial.

Cate also managed large-scale document reviews and is comfortable drafting coding instructions, administering document databases, and supervising coders. Before that, she operated a general litigation practice in Iowa where she practiced family law, juvenile law, and criminal defense.

Cate is active in Complex Litigation E-Discovery Forum and with the Committee to Support the Antitrust Laws.

Stephen Farese – Counsel

Stephen Farese is Counsel in the Firm's Antitrust Department.

Stephen has over eighteen years of solid e-discovery experience and has developed significant technical skills on various e-discovery software platforms. Since 2004, he has helped large and small firms with their e-discovery needs including document productions, witness preparation, and quality control. He has interfaced with and assisted partners and associates in finding optimal ways to cull large document collections and has assisted them in the development of protocols setting the rules upon which the remaining documents are to be coded by reviewers.

Stephen has significant document review experience and is fully capable of handling a review from its initial stage (raw document collection) through to the use of legally supportable search terms to cull the initial population of documents into a subset to be reviewed by reviewers for responsiveness and privilege. He has an in-depth knowledge of attorney-client privilege and work product rules and has been instrumental in 2nd level (QC) and privilege reviews including privilege log creation.

Stephen has been hired as an E-discovery Subject Matter Expert on the document review side of the e-discovery equation. He is proficient in dealing with clients in answering their questions and presenting PowerPoint presentations illustrating costs and workflow. His legal background also positions him in a unique position of being able to assist in the writing of substantive review protocols and have the technical expertise to design and implement the necessary review coding panels.

Stephen Received his JD from Widener University School of Law in 1998. He is actively licensed in the Commonwealth of Pennsylvania and the State of New York.

Stephen Federbusch – Counsel

Stephen Federbusch is counsel in the Antitrust department, with a focus on eDiscovery. Prior to joining Berger Montague, Stephen was a Staff Attorney at Simpson Thacher & Bartlett, LLP, where he worked in Discovery on numerous high-profile cases, specifically on shareholder class action suits and DOJ Second Requests. Prior to that, Stephen worked as a Family Law and Real Estate Attorney at Federbusch & Weinstein in New Jersey. Additionally, he has been an attorney for various independent production companies, writers, and actors, having negotiated licensing agreements, partnership agreements, option agreements and other entertainment related contracts.

Stephen graduated from Yeshiva University's Cardozo School of law. During law school, Stephen interned at the Legal Department for BBC American, and worked as a Contract Analyst for Universal Music Group, where he reviewed recording agreements and producer agreements, specifically focusing on Universal's rights in new digital formats.

Stephen graduated from New York University's Tisch School of the Arts, with a degree in Film/Theater.

Dominic Gallucci – Counsel

Dominic Gallucci is Counsel with the Firm's Antitrust Department. Prior to joining Berger Montague, Dominic worked contractually on many discovery matters, serving in leadership and fact development roles; these included several 2nd Request merger productions and complex antitrust litigations. Prior to that, Dominic conducted research for and edited two books for Judge Scott Hempling, pertaining to public utility mergers and regulation. Before that, Dominic worked with a small DC-based practice, gaining experience with class action and consumer protection matters.

At Georgetown University Law Center, Dominic co-founded and served as Treasurer for Georgetown Law Students for Democratic Reform, and contributed to the American Constitutional Society and National Lawyers Guild. There he also took significant antitrust coursework, including: Antitrust Economics and Law, International Antitrust Law, Advanced Antitrust Economics and Law Seminar, and Hot Topics in Antitrust Seminar.

Dominic is currently providing pro bono assistance to U-visa applicants with the Northwest Immigration Rights Project, and detained asylum-seekers with the Immigration Justice Project.

Clare Kirui – Counsel

Clare Kirui is Counsel practicing in the Firm's Antitrust practice group. Clare has extensive experience working in eDiscovery. Prior to joining Berger Montague, she worked on eDiscovery reviews and managed complex review projects. Clare has extensive experience conducting fact development for large-scale litigations, culling through large volumes of documents and analyzing and summarizing pertinent factual findings for relevance to legal issues.

Clare has served in an eDiscovery project management role during various phases of litigation. Clare has worked on multiple Antitrust matters conducting fact development for depositions, expert discovery, and trial preparation.

Clare is a California licensed attorney. She received her undergraduate degree from UCLA and earned her J.D. from the George Washington University Law School.

Daniel E. Listwa – Counsel

Daniel E. Listwa has worked on a number of antitrust matters, with a focus on the suppression of generic competition by major pharmaceutical manufacturers. Before joining the firm, Mr. Listwa clerked for the Honorable J. Brian Johnson of the Lehigh County Court of Common Pleas, and was an associate at a medical malpractice defense firm in Blue Bell, PA. While in law school, Mr. Listwa was a staff writer for the Boston College Environmental Affairs Law Review, and interned at the U.S. District Court for the Eastern District of Pennsylvania.

Ivy Marsnik – Counsel

Ivy L. Marsnik is a litigation attorney based out of the Firm's Minneapolis office where she focuses her current practice on representing individuals who have been harmed by violations of the Fair Credit Reporting Act.

Prior to joining Berger Montague, Ms. Marsnik worked on behalf of individual plaintiffs at a premier employment and civil rights law firm and in several legal counsel positions at the Minnesota state legislature. She has also provided legal services to individual clients at Tubman, a nonprofit serving survivors of domestic violence, and at a University of Minnesota Law School clinic where she worked primarily as an advocate for tenants' rights.

Elaine Oldenettel – Counsel

Elaine Oldenettel is Counsel with the Firm's Antitrust department. Prior to joining the Firm, Elaine was a staff attorney at Kessler Topaz Meltzer & Check, LLC, where she focused her practice on pharmaceutical antitrust litigation.

Elaine received her law degree from University of Maryland Francis King Carey School of Law and her undergraduate degree from University of Oregon. While in law school, she interned at the United States Court of Federal Claims and the Circuit Court for Baltimore City.

Bryan Plaster – Counsel

Bryan L. Plaster is based out of the Firm's Minneapolis office and serves as Counsel to the Credit Reporting and Background Checks practice group. Prior to joining Berger Montague, Bryan was employed as in-house counsel through a fellowship with SICK, Inc., an international manufacturer of industrial sensor technology. During his time at the University of Minnesota Law School, he served as a Student Attorney in the Consumer Protection Clinic, clerked at a mid-sized commercial litigation firm, and completed two judicial internships.

Bryan graduated cum laude from the University of Minnesota Law School and completed a B.A. with distinction in Economics and Geography at the University of Wisconsin-Madison. Prior to embarking on a career in law, he spent five years in a variety of positions in the technology industry, including leadership roles in a late-stage startup where, in part, he assisted in guiding the company through various stages of growth and acquisition.

Lara Sawczuk – Counsel

Lara Sawczuk has joined the Firm as counsel within the Antitrust practice group. Lara has extensive experience with e-discovery, and brings with her a dedicated and thoughtful approach to all stages of the discovery process. She served as a discovery staff attorney at a prominent law firm in New York City, where she worked on large scale litigation including antitrust cases, bankruptcy cases, and class action lawsuits. She has helped firms with a wide range of discovery needs, including document productions, witness preparation, and quality control.

Lara received her undergraduate degree from New York University and earned her J.D. from Brooklyn Law School. Upon graduating from Brooklyn Law, she began her career with a judicial clerkship in the New York State Supreme Court, Civil Term. She is admitted to practice in New Jersey and New York.

Shannon Sawyer – Counsel

Shannon is Counsel with the Firm's Antitrust department. She earned her undergraduate degree from Purdue University and her Juris Doctorate degree from Loyola New Orleans College of Law. While in law school, Shannon worked at the Louisiana Supreme Court Office of Special Counsel and the United States Attorney's Office (EDLA) in New Orleans, Louisiana. She also clerked for the Allen County Public Defender's Office in Fort Wayne, Indiana.

Shannon's practice has included numerous complex litigations nationwide, including: In re Taxotere (Docetaxel) Products Liability Litigation (E.D. LA), and In re Broiler Chicken Grower Litigation (E.D. Okla.). Shannon is licensed to practice in Louisiana and Indiana and focuses her practice on securities fraud and antitrust litigation.

Alston Slay – Counsel

Prior to joining Berger Montague, Alston was an eDiscovery Attorney at Motley Rice, where he worked on multiple large-scale eDiscovery projects, including the ongoing litigation between states and major opioid manufacturers and distributors. Alston concurrently assisted a small law firm in Greensboro, North Carolina, with a diverse range of personal injury matters. Over the course of his career, Alston has developed extensive knowledge of eDiscovery tools, expertise in

constructing case narratives through document review and analysis, and best practices in the use of legal technology in large, complex case settings.

Alston graduated from Charleston School of Law in Charleston, South Carolina, where he was active in the Maritime Law Society, Family Law Society, and other groups. He clerked at law firms of various sizes and areas of law throughout his law school career. Prior to law school, Alston studied History and Political Science at the College of Charleston in Charleston, South Carolina.

Richa Sprung – Counsel

Richa Sprung is Counsel with the Firm's Antitrust department. Prior to joining Berger Montague, Richa was an eDiscovery Review Manager at Consilio where she focused her practice on large-scale eDiscovery projects ranging in various civil actions. Prior to that, Richa was involved in eDiscovery client services ranging from in-house to vendor positions. During her eDiscovery career, Richa has developed extensive knowledge into tools, best practices to gather and produce ESI, and expert level communication with clients to achieve the optimal discovery process while minimizing costs.

Richa graduated from The Catholic University of America, Columbus School of Law, where she was active in various clubs as well as the Health Law Journal. Richa served as the President of the South Asian Law School Association, Secretary of the Federalist Society, Vice-President of the Criminal Law society, and had active membership in additional groups. Richa was also a member of the National Moot Trial Team where she competed throughout the states and received high praises for her advocacy skills.

Francine D. Wilensky - Counsel

Francine D. Wilensky is Counsel in the Firm's Philadelphia Office in the Antitrust Department. She has more than fifteen years of experience in discovery, trial preparation and litigation. Ms. Wilensky has experience in Antitrust, Commercial Litigation, Pharmaceutical Litigation, Securities Litigation, Construction Litigation and Real Estate Law.

Prior to joining the firm, most recently, Fran practiced as a public interest attorney for a legal aid organization representing tenants facing eviction and homelessness and was Co-Chair of the City of Philadelphia's Committee to prevent Illegal Evictions. She also served on the Philadelphia Court of Common Pleas Committee for Real Estate Working Professionals.

Ms. Wilensky graduated from Temple University School of Law with Honors in Real Estate Law. Fran received her undergraduate degree from Temple University with a Bachelor of Arts Degree in History and an Accounting Minor, Summa Cum Laude, Phi Beta Kappa.

Fran is admitted to practice law in the Federal and State Courts in Pennsylvania and New Jersey.

Of Counsel

H. Laddie Montague Jr. – Chair *Emeritus* & Of Counsel

H. Laddie Montague Jr. is Chairman *Emeritus* of the firm, in addition to his continuing work as Of Counsel. Mr. Montague was Chairman of the firm from 2003 to 2016 and served as a member of the firm's Executive Committee for decades, having joined the firm's predecessor David Berger, P.A., at its inception in 1970.

In addition to being one of the courtroom trial counsel for plaintiffs in the mandatory punitive damage class action in the *Exxon Valdez Oil Spill Litigation*, Mr. Montague has served as lead or co-lead counsel in many class actions, including, among others, *High Fructose Corn Syrup Antitrust Litigation* (2006), *In re Infant Formula Antitrust Litigation* (1993) and *Bogosian v. Gulf Oil Corp.* (1984), a nationwide class action against thirteen major oil companies. Mr. Montague was co-lead counsel for the State of Connecticut in its litigation against the tobacco industry. He is currently co-lead counsel in several pending class actions. In addition to the *Exxon Valdez Oil Spill Litigation*, he has tried several complex and protracted cases to the jury, including three class actions: *In re Master Key Antitrust Litigation* (1977), *In re Corrugated Container Antitrust Litigation* (1980) and *In re Brand Name Prescription Drugs Antitrust Litigation*, M.D.L. (1997-1998). For his work as trial counsel in the *Exxon Valdez Oil Spill Litigation*, Mr. Montague shared the Trial Lawyers for Public Justice 1995 Trial Lawyer of the Year Award.

Mr. Montague has been repeatedly singled out by *Chambers USA: America's Leading Lawyers for Business* as one of the top antitrust attorneys in the Commonwealth of Pennsylvania. He is lauded for his stewardship of the firm's antitrust department, referred to as "the dean of the Bar," stating that his peers in the legal profession hold him in the "highest regard," and explicitly praised for, among other things, his "fair minded[ness]." He also is or has been listed in *Lawdragon*, *An International Who's Who of Competition Lawyers*, and *The Legal 500: United States (Litigation)*. He has repeatedly been selected by *Philadelphia Magazine* as one of the top 100 lawyers in Pennsylvania. Mr. Montague has also been one of the only two inductees in the American Antitrust Institute's inaugural Private Antitrust Enforcement Hall of Fame.

He has been invited and made a presentation at the Organization for Economic Cooperation and Development (Paris, 2006); the European Commission and International Bar Association Seminar (Brussels, 2007); the Canadian Bar Association, Competition Section (Ottawa, 2008); and the 2010 Competition Law & Policy Forum (Ontario).

Mr. Montague is a graduate of the University of Pennsylvania (B.A. 1960) and the Dickinson School of Law (L.L.B. 1963), where he was a member of the Board of Editors of the Dickinson Law Review. He is the former Chairman of the Board of Trustees of the Dickinson School of Law of Penn State University and current Chairman of the Dickinson Law Association.

Harold Berger –Of Counsel, Executive Shareholder *Emeritus*

Judge Berger is an Executive Shareholder *Emeritus* & Of Counsel. He participated in many complex litigation matters, including the *Exxon Valdez Oil Spill Litigation*, No. A89-095, in which he served on the case management committee and as Co-Chair of the national discovery team. He also participated in the *Three Mile Island Litigation*, No. 79-0432 (M.D. Pa.), where he acted as liaison counsel, and in the nationwide school asbestos property damage class action, *In*

re Asbestos School Litigation, Master File No. 83-0268 (E.D. Pa.), where the firm served as co-lead counsel.

A former Judge of the Court of Common Pleas of Philadelphia, he has long given his service to the legal community and the judiciary. He is also active in law and engineering alumni affairs at the University of Pennsylvania and in other philanthropic endeavors. He serves as a member of Penn's Board of Overseers and as Chair of the Friends of Penn's Biddle Law Library, having graduated from both the engineering and law schools at Penn. Judge Berger also serves on the Executive Board of Penn Law's Center for Ethics and Rule of Law. In 2017, he was the recipient of Penn Law's Inaugural Lifetime Commitment Award, which recognizes graduates "who through a lifetime of service and commitment to Penn Law have truly set a new standard of excellence."

He is past Chair of the Federal Bar Association's National Committee on the Federal and State Judiciary and past President of the Federal Bar Association's Eastern District Chapter. He is the author of numerous law review articles, has lectured extensively before bar associations and at universities, and has served as Chair of the International Conferences on Global Interdependence held at Princeton University. Judge Berger has served as Chair of the Aerospace Law Committees of the American, Federal and Inter-American Bar Associations and, in recognition of the importance and impact of his scholarly work, was elected to the International Academy of Astronautics in Paris.

As his biographies in *Who's Who in America*, *Who's Who in American Law* and *Who's Who in the World* outline, he is the recipient of numerous awards, including the Special Service Award of the Pennsylvania Conference of State Trial Judges, a Special American Bar Association Presidential Program Award and Medal, and a Special Federal Bar Association Award for distinguished service to the Federal and State Judiciary. He has been given the highest rating (AV Preeminent) for legal ability as well as the highest rating for ethical standards by Martindale-Hubbell. Judge Berger was also presented with a Lifetime Achievement Award in 2014 by *The Legal Intelligencer* in recognition of figures who have helped shape the law in Pennsylvania and who had a distinct impact on the legal profession in the Commonwealth.

He is a permanent member of the Judicial Conference of the United States Court of Appeals for the Third Circuit and has served as Chair of both the Judicial Liaison and International Law Committees of the Philadelphia Bar Association. He has also served as National Chair of the FBA's Alternate Dispute Resolution Committee.

Recipient of the Alumnus of the Year Award of the Thomas McKean Law Club of the University of Pennsylvania Law School, he was further honored by the University's School of Engineering and Applied Science by the dedication of the Harold Berger Biennial Distinguished Lecture and Award given to a technical innovator who has made a lasting contribution to the quality of our lives. He was also honored by the University by the dedication of an auditorium and lobby bearing his name and by the dedication of a student award in his name for engineering excellence.

Long active in diverse, philanthropic, charitable, community and inter-faith endeavors Judge Berger serves as a Lifetime Honorary Trustee of the Federation of Jewish Charities of Greater Philadelphia, as a Director of the National Museum of Jewish History, as a National Director of the Hebrew Immigrant Aid Society (HIAS) in its endeavors to assist refugees and indigent souls of all faiths, as A Charter Fellow of the Foundation of the Federal Bar Association and as a member of the Hamilton Circle of the Philadelphia Bar Foundation.

Among other honors and awards, as listed above, Judge Berger was honored by the University of Pennsylvania Law School at its annual Benefactors' Dinner and is the recipient of the "Children of the American Dream" award of HIAS for his leadership in the civic, legal, academic and Jewish communities.

Gary E. Cantor – Of Counsel

Gary E. Cantor is Of Counsel in the Philadelphia office. He concentrates his practice on securities and commercial litigation and derivatives valuations.

Mr. Cantor served as co-lead counsel in *Steiner v. Phillips, et al. (Southmark Securities)*, Consolidated C.A. No. 3-89-1387-X (N.D. Tex.), (class settlement of \$82.5 million), and *In re Kenbee Limited Partnerships Litigation*, Civil Action No. 91-2174 (GEB), (class settlement involving 119 separate limited partnerships resulting in cash settlement, oversight of partnership governance and debt restructuring (with as much as \$100 million in wrap mortgage reductions)). Mr. Cantor also represented plaintiffs in numerous commodity cases.

In recent years, Mr. Cantor played a leadership role in *In re Oppenheimer Rochester Funds Group Securities Litigation* (\$89.5 million settlement on behalf of investors in six tax-exempt bond mutual funds managed by OppenheimerFunds, Inc.), No. 09-md-02063-JLK (D. Col.); *In re KLA-Tencor Corp. Securities Litigation*, Master File No. C-06-04065-CRB (N.D. Cal.) (\$65 million class settlement); *In re Sepracor Inc. Securities Litigation*, Civil Action no. 02-12235-MEL (D. Mass.) (\$52.5 million settlement.); *In re Sotheby's Holding, Inc. Securities Litigation*, No. 00 Civ. 1041 (DLC) (S.D.N.Y.) (\$70 million class settlement). He was also actively involved in the *Merrill Lynch Securities Litigation* (class settlement of \$475 million) and *Waste Management Securities Litigation* (class settlement of \$220 million).

For over 20 years, Mr. Cantor also has concentrated on securities valuations and the preparation of event or damage studies or the supervision of outside damage experts for many of the firm's cases involving stocks, bonds, derivatives, and commodities. Mr. Cantor's work in this regard has focused on statistical analysis of securities trading patterns and pricing for determining materiality, loss causation and damages as well as aggregate trading models to determine class-wide damages.

Mr. Cantor was a member of the Moot Court Board at University of Pennsylvania Law School where he authored a comment on computer-generated evidence in the University of Pennsylvania Law Review. He graduated from Rutgers College with the highest distinction in economics and was a member of Phi Beta Kappa.

Peter R. Kahana –Of Counsel

Peter R. Kahana is Of Counsel in the Insurance and Antitrust practice groups. He concentrates his practice in complex civil and class action litigation involving relief for insurance policyholders and consumers of other types of products or services who have been victimized by fraudulent conduct and unfair business practices.

Significant class cases vindicating the rights of insurance policyholders or consumers in which Mr. Kahana was appointed as co-class counsel have included: settlement in 2012 for \$90 million of breach of fiduciary duty and negligence claims (certified for trial in 2009) on behalf of a class of former policyholder-members of Anthem Insurance Companies, Inc. ("Anthem") alleging the class was paid insufficient cash compensation in connection with Anthem's conversion from a mutual insurance company to a publicly-owned stock insurance company (a process known as "demutualization") (*Ormond v. Anthem, Inc., et al.*, USDC, S.D. Ind., Case No. 1:05-cv-01908 (S.D. Ind. 2012)); settlement in 2010 for \$72.5 million of a nationwide civil RICO and fraud class action (certified for trial in 2009) against The Hartford and its affiliates on behalf of a class of personal injury and workers compensation claimants for the Hartford's alleged deceptive business practices in settling these injury claims for Hartford insureds with the use of structured settlements (*Spencer, et al. v. The Hartford Financial Services Group, Inc., et al.*, 256 F.R.D. 284 (D. Conn. 2009)); settlement in 2009 for \$75 million of breach of contract, Unfair Trade Practices Act and insurance bad faith tort claims on behalf of a class of West Virginia automobile policyholders (certified for trial in 2007) alleging that Nationwide Mutual Insurance Company failed to properly offer and provide them with state-required optional levels of uninsured and underinsured motorist coverage (*Nationwide Mutual Insurance Company v. O'Dell, et al.*, Circuit Court of Roane County, W. Va., Civ. Action No. 00-C-37); and, settlement in 2004 for \$20 million on behalf of a class of cancer victims alleging that their insurer refused to pay for health insurance benefits for chemotherapy and radiation treatment (*Bergonzi v. CSO, USDC, D.S.D.*, Case No. C2-4096). For his efforts in regard to the Bergonzi matter, Mr. Kahana was named as the recipient of the American Association for Justice's Steven J. Sharp Public Service Award, which is presented annually to those attorneys whose cases tell the story of American civil justice and help educate state and national policymakers and the public about the importance of consumers' rights.

Mr. Kahana has also played a leading role in major antitrust and environmental litigation, including cases such as *In re Brand Name Prescription Drugs Antitrust Litigation* (\$723 million settlement), *In re Ashland Oil Spill Litigation* (\$30 million settlement), and *In re Exxon Valdez* (\$287 million compensatory damage award and \$507.5 million punitive damage award). In connection with his work as a member of the trial team that prosecuted *In re The Exxon Valdez*, Mr. Kahana was selected in 1995 to share the Trial Lawyer of the Year Award by the Public Justice Foundation.

Maryellen Madden – Of Counsel

Maryellen Madden focuses her practice on complex litigation and commercial disputes, including securities, corporate governance, real estate, commercial contracts, health care and the sale and

distribution of goods. She has handled litigation, including complex, multi-district litigation, in 22 states, as well as before domestic and international arbitration panels, administrative agencies and industry self-regulatory organizations. Prior to joining Berger Montague, she was an attorney with a national law firm.

Susan Schneider Thomas – Of Counsel

Susan Schneider Thomas concentrates her practice on *qui tam* litigation.

Ms. Thomas has substantial complex litigation experience. Before joining the firm, she practiced law at two Philadelphia area firms, Schnader, Harrison, Segal & Lewis and Greenfield & Chimicles, where she was actively involved in the litigation of complex securities fraud and derivative actions.

Upon joining the firm, Ms. Thomas concentrated her practice on complex securities and derivative actions. In 1986, she joined in establishing Zlotnick & Thomas where she was a partner with primary responsibility for the litigation of several major class actions including *Geist v. New Jersey Turnpike Authority*, C.A. No. 92-2377 (D.N.J.), a bond redemption case that settled for \$2.25 million and *Burstein v. Applied Extrusion Technologies*, C.A. No. 92-12166-PBS (D. Mass.), which settled for \$3.4 million.

Upon returning to the firm, Ms. Thomas has had major responsibilities in many securities and consumer fraud class actions, including *In re CryoLife Securities Litigation*, C.A. No. 1:02-CV-1868 BBM (N.D.Ga.), which settled in 2005 for \$23.25 million and *In re First Alliance Mortgage Co.*, Civ. No. SACV 00-964 (C.D.Cal.), a deceptive mortgage lending action which settled for over \$80 million in cooperation with the FTC. More recently, Ms. Thomas has concentrated her practice in the area of healthcare *qui tam* litigation. As co-counsel for a team of whistleblowers, she worked extensively with the U.S. Department of Justice and various State Attorney General offices in the prosecution of False Claims Act cases against pharmaceutical manufacturers that recovered more than \$2 billion for Medicare and Medicaid programs and over \$350 million for the whistleblowers. She has investigated or is litigating False Claims Act cases involving defense contractors, off-label marketing by drug and medical device companies, federal grant fraud, upcoding and other billing issues by healthcare providers, drug pricing issues and fraud in connection with for-profit colleges and student loan programs.

Tyler E. Wren – Of Counsel

Mr. Wren is a trial lawyer with over 35 years of experience in both the public and private sectors.

Mr. Wren has represented both plaintiffs and defendants in a broad spectrum of litigation matters, including class actions, environmental, civil rights, commercial disputes, personal injury, insurance coverage, election law, zoning and historical preservation matters and other government affairs. Mr. Wren routinely appears in both state and federal courts, as well as before local administrative agencies.

Following his graduation from law school, Mr. Wren served as staff attorney to the Committee of Seventy, a local civic watchdog group. Mr. Wren then spent a decade in the Philadelphia City Solicitor's Office in various positions in which his litigation and counseling skills were developed: Chief Assistant City Solicitor for Special Litigation and Appeals, Divisional Deputy City Solicitor for the Environment, Counsel to the Philadelphia Board of Ethics and Counsel to the Philadelphia Planning Commission. After leaving government employ and before joining the Firm in 2010, Mr. Wren was in private practice, including nine years with the Sprague and Sprague firm, headed by nationally recognized litigator Richard Sprague.

Exhibit 2

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	5/12/2020	\$760.00	0.9	\$ 684.00	Analyze intake re [REDACTED]. Disc w M. Hudak. Tel call w [REDACTED].
Abramson, Glen	5/13/2020	\$760.00	1.4	\$ 1,064.00	Tel call w client re [REDACTED]. Disc w M.Hudak. Investigation re GW COVID response.
Abramson, Glen	5/15/2020	\$760.00	1.1	\$ 836.00	Analyze correspondence re leads. Tel call w Charafeddine Zaitoun re [REDACTED]. Investigation re potential claims.
Abramson, Glen	5/18/2020	\$760.00	1.5	\$ 1,140.00	Research re [REDACTED].
Abramson, Glen	5/19/2020	\$760.00	3.3	\$ 2,508.00	Draft complaint.
Abramson, Glen	5/20/2020	\$760.00	4.5	\$ 3,420.00	Research and investigation re [REDACTED]. Analyze and revise complaint.
Abramson, Glen	5/21/2020	\$760.00	0.6	\$ 456.00	Analyze and revise complaint. Correspondence w clients re [REDACTED].
Abramson, Glen	5/22/2020	\$760.00	0.5	\$ 380.00	Disc w M. Hudak re client docs. Analyze client docs.
Abramson, Glen	5/24/2020	\$760.00	1.1	\$ 836.00	Analyze and revise complaint. Analyze correspondence re Charaf Zaitoun
Abramson, Glen	5/26/2020	\$760.00	1.4	\$ 1,064.00	Analyze correspondence from clients re [REDACTED]. Analyze and revise complaint.
Abramson, Glen	5/27/2020	\$760.00	0.5	\$ 380.00	Correspondence w clients [REDACTED].
Abramson, Glen	5/28/2020	\$760.00	1.5	\$ 1,140.00	Analyze and revise complaint. Analyze correspondence re filing complaint. Disc w Dan Walker.
Filbert, David	5/28/2020	\$420.00	0.3	\$ 126.00	Reimbursement GW contact with MB
Noteware, Ellen	5/28/2020	\$1,100.00	1	\$ 1,100.00	Review complaint and related correspondence for filing.
Brandy, Max	5/28/2020	\$430.00	4	\$ 1,720.00	Prepare and file complaint, concurrent documents.
Abramson, Glen	5/29/2020	\$760.00	1.8	\$ 1,368.00	Analyze correspondence re waiver of service. Disc w clients re [REDACTED]. Interview w GW Hatchet.
Abramson, Glen	6/1/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re press coverage. Analyze GW Hatchet blog re complaint.
Abramson, Glen	6/2/2020	\$760.00	0.2	\$ 152.00	Analyze correspondence re pro hac vice application
Kiener, Ariana	6/3/2020	\$610.00	0.4	\$ 244.00	Prepare client [REDACTED]
Abramson, Glen	6/3/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re pro hac vice application.
Abramson, Glen	6/3/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re complaint, [REDACTED].
Drake, Eleanor Michelle	6/3/2020	\$1,180.00	0.1	\$ 118.00	meet with team re next steps in litigation
Kiener, Ariana	6/4/2020	\$610.00	1	\$ 610.00	Collect [REDACTED]; send these materials, a [REDACTED]
Brandy, Max	6/4/2020	\$430.00	1	\$ 430.00	E-file Waiver of Service; emails with D. Filbert.
Abramson, Glen	6/4/2020	\$760.00	0.7	\$ 532.00	Analyze and revise [REDACTED].
Abramson, Glen	6/7/2020	\$760.00	0.2	\$ 152.00	Analyze standing order.
Abramson, Glen	6/8/2020	\$760.00	0.2	\$ 152.00	Analyze correspondence re standing order.
Filbert, David	6/8/2020	\$420.00	0.3	\$ 126.00	Reimbursement - GWU update on the filings.
Abramson, Glen	6/10/2020	\$760.00	0.3	\$ 228.00	Analyze status of related cases.
Abramson, Glen	6/12/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re pro hacs, appearance.
Xiong, Mai	6/17/2020	\$310.00	0.1	\$ 31.00	Review email from Donna re EMD phv granted, need to register EMD for ECF filing.
Abramson, Glen	6/19/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re case status, tracking.
Kiener, Ariana	6/22/2020	\$610.00	0.1	\$ 61.00	Email with C. Simon about status of PHV for E. Drake
Xiong, Mai	6/22/2020	\$310.00	0.3	\$ 93.00	Emails with Donna re status of EMD request for ECF registration docs. Emails with EMD re same. Save and print same. Mail ECF form.
Hamner, Peter H	6/23/2020	\$685.00	0.1	\$ 68.50	Set up docket alert of case
Abramson, Glen	6/23/2020	\$760.00	1	\$ 760.00	Analyze and revise RFPs.
Kiener, Ariana	6/23/2020	\$610.00	2.1	\$ 1,281.00	Draft RFPs for GWU; send to G. Abramson for his feedback
Hamner, Peter H	6/24/2020	\$685.00	0.1	\$ 68.50	Set up docket alert of competitor case
Abramson, Glen	6/24/2020	\$760.00	2	\$ 1,520.00	Analyze and revise RFPs. Correspondence w Dan Kurowski re co-counsel agreement, RFPs, motion to consolidate. Analyze and revise ESI protocol, motion to consolidate.
Kiener, Ariana	6/24/2020	\$610.00	0.4	\$ 244.00	Draft ESI protocols for GWU
Kiener, Ariana	6/24/2020	\$610.00	0.1	\$ 61.00	Review [REDACTED]
Abramson, Glen	6/25/2020	\$760.00	0.8	\$ 608.00	Analyze correspondence re motion to consolidate, protective order, RFPs.
Kiener, Ariana	6/25/2020	\$610.00	0.1	\$ 61.00	Edit instructions in GWU RFPs

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	6/25/2020	\$610.00	1.9	\$ 1,159.00	Research [REDACTED] draft protective order; send to G. Abramson for his feedback
Hashmall, Joseph	6/26/2020	\$770.00	0.1	\$ 77.00	Internal call regarding next steps in case
Abramson, Glen	6/26/2020	\$760.00	0.7	\$ 532.00	Disc w EMD re status. Analyze correspondence re motion to consolidate. Analyze and revise motion, declaration.
Drake, Eleanor Michelle	6/26/2020	\$1,180.00	0.2	\$ 236.00	call with team to discuss litigation strategy, case status, and next steps in litigation
Kiener, Ariana	6/29/2020	\$610.00	1.9	\$ 1,159.00	Revise draft protective order for GWU; send to G. Abramson for his feedback
Kiener, Ariana	6/30/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for updates [REDACTED]; update master case spreadsheet; delegate research project to D. Filbert [REDACTED]; research [REDACTED] s
Abramson, Glen	6/30/2020	\$760.00	0.5	\$ 380.00	Analyze articles re [REDACTED] Update master case spreadsheet; continue to research [REDACTED]
Kiener, Ariana	7/1/2020	\$610.00	0.2	\$ 122.00	[REDACTED] send email summarizing findings to higher ed attorneys
Abramson, Glen	7/1/2020	\$760.00	0.5	\$ 380.00	Analyze order consolidating cases. Disc w A. Kiener. Review all Westlaw docket alerts for updates [REDACTED]
Kiener, Ariana	7/2/2020	\$610.00	0.1	\$ 61.00	[REDACTED] email with R. Gebo and M. Hudak to coordinate plans [REDACTED]
Kiener, Ariana	7/2/2020	\$610.00	1.9	\$ 1,159.00	Research D.C. law regarding [REDACTED]
Abramson, Glen	7/2/2020	\$760.00	1.3	\$ 988.00	Analyze correspondence re [REDACTED]. Research re [REDACTED].
Abramson, Glen	7/6/2020	\$760.00	1.5	\$ 1,140.00	Disc w Dan Kurowski re status, consolidated complaint. Analyze [REDACTED] Analyze AK [REDACTED]
Kiener, Ariana	7/6/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for updates [REDACTED] download [REDACTED] and share with higher ed attorney team
Kiener, Ariana	7/6/2020	\$610.00	0.4	\$ 244.00	Read [REDACTED] prepare a memo [REDACTED] share memo with higher ed attorney team
Abramson, Glen	7/7/2020	\$760.00	1	\$ 760.00	Correspondence w clients re [REDACTED]. Disc w EMD. Research re consolidated complaint.
Kiener, Ariana	7/7/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for updates [REDACTED] update master case spreadsheet; share [REDACTED] with higher ed attorney team; talk to D. Filbert re: [REDACTED]; participate in phone call to discuss [REDACTED] with M. Hudak, R. Gebo, and D. Filbert
Abramson, Glen	7/8/2020	\$760.00	5.3	\$ 4,028.00	Conf call w EMD, Dan Kurowski re consolidated complaint. Research re consolidated complaint, [REDACTED] Disc w AK re consolidated complaint.
Filbert, David	7/8/2020	\$420.00	1.8	\$ 756.00	Reimbursement - GWU research on web. [REDACTED].
Drake, Eleanor Michelle	7/8/2020	\$1,180.00	0.5	\$ 590.00	call with cocounsel re consolidating complaint
Kiener, Ariana	7/8/2020	\$610.00	0.4	\$ 244.00	Review all Westlaw docket alerts for updates [REDACTED]; check dockets for remaining related cases and all state related cases; download [REDACTED] and share with higher ed attorney team; review [REDACTED] and provide edits to R. Gebo; update [REDACTED] send summary email to lead attorney
Abramson, Glen	7/9/2020	\$760.00	1.5	\$ 1,140.00	Disc w AK re consolidated complaint. Analyze correspondence, research re same.
Filbert, David	7/9/2020	\$420.00	2.4	\$ 1,008.00	Reimbursement case - GWU document for AK for amended complaint. WBM work on older versions of [REDACTED].
Kiener, Ariana	7/9/2020	\$610.00	6.2	\$ 3,782.00	Research case law and facts for GW consolidated complaint
Kiener, Ariana	7/9/2020	\$610.00	1.5	\$ 915.00	Continue researching for GW amended complaint; research [REDACTED]
Abramson, Glen	7/10/2020	\$760.00	1	\$ 760.00	Analyze correspondence re consolidated complaint, [REDACTED]. Research re [REDACTED].

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	7/10/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; download and review [REDACTED]; send summary of [REDACTED] to higher ed attorney team; further research [REDACTED]
Kiener, Ariana	7/10/2020	\$610.00	5.1	\$ 3,111.00	Begin drafting GW consolidated complaint; send updated version to G. Abramson
Drake, Eleanor Michelle	7/10/2020	\$1,180.00	0.1	\$ 118.00	team meeting re next steps in litigation
Drake, Eleanor Michelle	7/10/2020	\$1,180.00	0.1	\$ 118.00	review [REDACTED], email team with thoughts re same
Abramson, Glen	7/11/2020	\$760.00	3	\$ 2,280.00	Analyze and revise consolidated complaint. Correspondence w EMD re same.
Kiener, Ariana	7/13/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets in competing state cases; download and read [REDACTED]
Kiener, Ariana	7/13/2020	\$610.00	0.2	\$ 122.00	Begin reading cases on [REDACTED] begin compiling list and summaries of cases for [REDACTED]
Abramson, Glen	7/13/2020	\$760.00	1.2	\$ 912.00	Analyze correspondence re consolidated complaint. Analyze and revise complaint.
Kiener, Ariana	7/14/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; continue to read cases on [REDACTED]
Abramson, Glen	7/14/2020	\$760.00	1	\$ 760.00	Analyze and revise consolidated complaint.
Abramson, Glen	7/15/2020	\$760.00	1.5	\$ 1,140.00	Analyze correspondence re Charaf Zaitoun. Analyze revise and file consolidated complaint.
Kiener, Ariana	7/16/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; download and read [REDACTED] update [REDACTED], to higher ed attorneys for final chance to review; edit [REDACTED]
Drake, Eleanor Michelle	7/16/2020	\$1,180.00	0.1	\$ 118.00	review [REDACTED]
Kiener, Ariana	7/17/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; download and review [REDACTED]; email [REDACTED] to the higher ed attorneys; update master case spreadsheet; review Goolge Alerts for [REDACTED]
Kiener, Ariana	7/17/2020	\$610.00	1.2	\$ 732.00	Research [REDACTED]; draft summary of findings
Abramson, Glen	7/17/2020	\$760.00	0.7	\$ 532.00	Analyze memo re [REDACTED] claims. Research re same.
Drake, Eleanor Michelle	7/17/2020	\$1,180.00	0.1	\$ 118.00	call with team re next steps in litigation
Abramson, Glen	7/22/2020	\$760.00	0.5	\$ 380.00	Disc w A.Kiener re [REDACTED]. Analyze and revise [REDACTED]
Kiener, Ariana	7/22/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; update the survey [REDACTED]
Kiener, Ariana	7/24/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; download and review [REDACTED]; email all [REDACTED] to the higher ed attorneys
Abramson, Glen	7/27/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re [REDACTED]. Analyze article re same.
Kiener, Ariana	7/27/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	7/28/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re [REDACTED]
Kiener, Ariana	7/28/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; download and read [REDACTED] update master case spreadsheet; review Google Alerts for [REDACTED] compile them, and email them to the higher education team; update [REDACTED]
Kiener, Ariana	7/29/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; update [REDACTED]; draft [REDACTED] and email to D. Filbert, M. Hudak, and R. Gebo for questions and additions
Kiener, Ariana	7/30/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; download and read [REDACTED]; clean up [REDACTED]; review Google Alerts for [REDACTED]
Kiener, Ariana	7/31/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; download and review [REDACTED]; finalize [REDACTED]; send [REDACTED] and final instructions to M. Hudak
Abramson, Glen	8/3/2020	\$760.00	0.7	\$ 532.00	Disc w EMD, AK re [REDACTED], discovery. Analyze correspondence re 26f conference, schedule.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	8/3/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] update master case spreadsheet; [REDACTED]; review Google Alerts and send email to higher ed attorneys, [REDACTED] participate in weekly higher ed attorney call
Drake, Eleanor Michelle	8/3/2020	\$1,180.00	0.2	\$ 236.00	call with team re: case status and next steps in litigation
Kiener, Ariana	8/5/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; review Google Alerts [REDACTED] share with the higher ed attorney team
Abramson, Glen	8/6/2020	\$760.00	0.6	\$ 456.00	Analyze and revise [REDACTED] Disc w EMD, AK re status.
Kiener, Ariana	8/6/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] read new motions to dismiss [REDACTED]
Kiener, Ariana	8/6/2020	\$610.00	0.4	\$ 244.00	Prepare [REDACTED]; send to G. Abramson and E. Drake for their review
Hashmall, Joseph	8/7/2020	\$770.00	0.1	\$ 77.00	Litigation team call
Abramson, Glen	8/7/2020	\$760.00	0.3	\$ 228.00	Disc w AK re RFPs.
Kiener, Ariana	8/7/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] review Google Alerts for [REDACTED]; [REDACTED] share with the higher ed attorney team; update master case spreadsheet and share with higher ed attorney team
Kiener, Ariana	8/7/2020	\$610.00	2.3	\$ 1,403.00	Update draft RFPs; send to G. Abramson for his review
Drake, Eleanor Michelle	8/7/2020	\$1,180.00	0.2	\$ 236.00	call with team re: case status and next steps in litigation
Abramson, Glen	8/12/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re [REDACTED]. Disc w EMD re [REDACTED].
Kiener, Ariana	8/14/2020	\$610.00	0.3	\$ 183.00	Begin to review all Westlaw docket alerts [REDACTED]; [REDACTED] higher ed attorney team; begin to review Google Alerts [REDACTED] to share with the higher ed attorney team
Abramson, Glen	8/14/2020	\$760.00	1	\$ 760.00	Analyze motion to dismiss. Analyze correspondence re same. Analyze and revise [REDACTED].
Drake, Eleanor Michelle	8/14/2020	\$1,180.00	0.1	\$ 118.00	call with litigation team re next steps in litigation
Abramson, Glen	8/17/2020	\$760.00	1	\$ 760.00	Analyze mtd. Disc w Dan Kurowski re opposition, schedule.
Abramson, Glen	8/18/2020	\$760.00	0.8	\$ 608.00	Disc w A.Kiener re mtd. Analyze correspondence re extension.
Kiener, Ariana	8/18/2020	\$610.00	0.4	\$ 244.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] review all remaining Google Alerts [REDACTED]; [REDACTED] send an email to the higher ed attorneys, [REDACTED]; [REDACTED] update the master case spreadsheet
Kiener, Ariana	8/18/2020	\$610.00	0.5	\$ 305.00	Talk with G. Abramson about next steps and research projects for responding to the motion to dismiss; [REDACTED]
Abramson, Glen	8/19/2020	\$760.00	0.5	\$ 380.00	Analyze and revise motion for extension, proposed order.
Kiener, Ariana	8/19/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Kiener, Ariana	8/19/2020	\$610.00	3.2	\$ 1,952.00	Review cases cited in motion to dismiss; start compiling notes
Kiener, Ariana	8/20/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] review dockets of all cases filed to date [REDACTED]
Hashmall, Joseph	8/21/2020	\$770.00	0.1	\$ 77.00	Litigation team call
Kiener, Ariana	8/21/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] review dockets of all cases filed to date [REDACTED]; [REDACTED] review Google Alerts for [REDACTED] share with the higher ed attorney team
Kiener, Ariana	8/24/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Abramson, Glen	8/24/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re Rule 26 conference.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	8/26/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Abramson, Glen	8/26/2020	\$760.00	2.3	\$ 1,748.00	Analyze correspondence re motion to dismiss, 26f conference. Analyze AK memos re [REDACTED]. Research re history of GW [REDACTED]
Kiener, Ariana	8/27/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Hashmall, Joseph	8/28/2020	\$770.00	0.1	\$ 77.00	Call with litigation team regarding case status
Noteware, Ellen	8/28/2020	\$1,100.00	0.6	\$ 660.00	Review motion to dismiss and discuss status with group.
Kiener, Ariana	8/28/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]; [REDACTED]; conduct a weekly search of all state docket cases to [REDACTED]
Abramson, Glen	8/28/2020	\$760.00	1.3	\$ 988.00	Analyze draft mtd opposition. Analyze [REDACTED]. Disc w EMD, AK.
Drake, Eleanor Michelle	8/28/2020	\$1,180.00	0.1	\$ 118.00	call with litigation team re next steps in litigation
Abramson, Glen	8/30/2020	\$760.00	1.4	\$ 1,064.00	Analyze and revise motion to dismiss opposition brief. Disc w EMD re same.
Abramson, Glen	8/31/2020	\$760.00	8.3	\$ 6,308.00	Analyze and revise motion to dismiss opposition brief.
Kiener, Ariana	8/31/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]; review Google alerts [REDACTED]
Abramson, Glen	9/1/2020	\$760.00	6	\$ 4,560.00	Analyze and revise mtd opposition. Conf call w co-counsel, EMD, AK re mtd opposition. Disc w EMD, AK. Analyze and revise joint 26f report.
Kiener, Ariana	9/1/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; download, review, and organize substantive filings [REDACTED]
Kiener, Ariana	9/1/2020	\$610.00	2.5	\$ 1,525.00	Review and edit the draft response to GW's motion to dismiss
Kiener, Ariana	9/1/2020	\$610.00	1.2	\$ 732.00	Research [REDACTED] our response to GW's motion to dismiss; compile summary of findings for G. Abramson
Kiener, Ariana	9/1/2020	\$610.00	1.3	\$ 793.00	Research and draft parentheticals for [REDACTED] to include in our response to GW's motion to dismiss
Kiener, Ariana	9/1/2020	\$610.00	0.3	\$ 183.00	Participate in call with co-counsel regarding our response to GW's motion to dismiss; send updated draft to E. Drake
Noteware, Ellen	9/1/2020	\$1,100.00	1.2	\$ 1,320.00	Work on motion to dismiss briefing.
Drake, Eleanor Michelle	9/1/2020	\$1,180.00	0.6	\$ 708.00	call re motion to dismiss opposition
Drake, Eleanor Michelle	9/1/2020	\$1,180.00	1.8	\$ 2,124.00	review redline and revise response to motion to dismiss
Drake, Eleanor Michelle	9/1/2020	\$1,180.00	0.3	\$ 354.00	email team re joint status report, copy P. Madden [REDACTED]
Drake, Eleanor Michelle	9/1/2020	\$1,180.00	0.5	\$ 590.00	second round of edits on motion to dismiss response
Abramson, Glen	9/2/2020	\$760.00	5.3	\$ 4,028.00	Analyze and revise mtd opposition. Disc w EMD, AK, D. Kurowski re mtd opposition. Analyze correspondence re 26f report. Research re class cert deadline. Analyze correspondence re same.
Kiener, Ariana	9/2/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]; check state court dockets for [REDACTED]; circulate recently filed order in related case
Kiener, Ariana	9/2/2020	\$610.00	0.9	\$ 549.00	Conduct research on [REDACTED]
Drake, Eleanor Michelle	9/2/2020	\$1,180.00	0.4	\$ 472.00	email re scheduling order in case
Kiener, Ariana	9/4/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Kiener, Ariana	9/8/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]
Kiener, Ariana	9/8/2020	\$610.00	7.2	\$ 4,392.00	Draft motion to extend deadline for motion for class certification
Abramson, Glen	9/8/2020	\$760.00	1.5	\$ 1,140.00	Analyze correspondence re 26f report, class cert deadline. Disc w EMD, AK re motion to extend deadline. Research re [REDACTED]
Kiener, Ariana	9/9/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]; check state dockets for [REDACTED]; review Google Alerts [REDACTED], to the higher ed attorneys
Abramson, Glen	9/9/2020	\$760.00	2.2	\$ 1,672.00	Analyze and revise motion to extend class cert deadline. Research re [REDACTED], [REDACTED]. Analyze case management order.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	9/10/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] clean up the master case spreadsheet and share with the higher ed team
Abramson, Glen	9/10/2020	\$760.00	2.8	\$ 2,128.00	Analyze and revise motion to extend class cert deadline. Research re [REDACTED]. Analyze case management order. Analyze and revise Joint 26f Report.
Kiener, Ariana	9/11/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED] update master case spreadsheet; participate in weekly attorney call
Abramson, Glen	9/11/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re Joint Meet and Confer Report. Analyze and revise report.
Drake, Eleanor Michelle	9/11/2020	\$1,180.00	0.1	\$ 118.00	team meeting re next steps in litigation
Abramson, Glen	9/13/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re motion to extend class certification deadline. Analyze and revise motion, order.
Walker, Daniel	9/14/2020	\$975.00	0.5	\$ 487.50	Reviewing filing and researching in local rules re same
Abramson, Glen	9/14/2020	\$760.00	0.9	\$ 684.00	Analyze correspondence re meet and confer report. Analyze and revise motion to extend class certification deadline. Disc w D.Walker.
Kiener, Ariana	9/14/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; have phone call with E. Drake regarding [REDACTED]
Abramson, Glen	9/15/2020	\$760.00	0.5	\$ 380.00	Analyze correspondence re motion to extend class cert deadline.
Kiener, Ariana	9/15/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	9/17/2020	\$760.00	0.7	\$ 532.00	Analyze correspondence re joint meet and confer report.
Kiener, Ariana	9/17/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED] clean up master case tracker
Kiener, Ariana	9/17/2020	\$610.00	0.3	\$ 183.00	Read defendant's reply to our response to the motion to dismiss
Hashmall, Joseph	9/18/2020	\$770.00	0.1	\$ 77.00	Litigation team call
Kiener, Ariana	9/18/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED] clean up master case tracker; review Google alerts [REDACTED] share with the higher ed team; participate in weekly attorney call
Drake, Eleanor Michelle	9/18/2020	\$1,180.00	0.1	\$ 118.00	call with team re case status and next steps in litigation
Kiener, Ariana	9/22/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	9/22/2020	\$610.00	1	\$ 610.00	Draft notice of supplemental authority regarding Salerno decision
Abramson, Glen	9/22/2020	\$760.00	0.8	\$ 608.00	Analyze and revise notice of supplemental authority. Disc w AK.
Kiener, Ariana	9/23/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	9/24/2020	\$610.00	0.4	\$ 244.00	Review all Westlaw docket alerts for [REDACTED]; begin conducting research to identify [REDACTED]
Kiener, Ariana	9/25/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts [REDACTED]
Kiener, Ariana	9/29/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED] re-organize and update master case spreadsheet
Abramson, Glen	9/29/2020	\$760.00	0.2	\$ 152.00	Analyze order granting extension of class cert deadline.
Kiener, Ariana	10/1/2020	\$610.00	0.6	\$ 366.00	Review all Westlaw docket alerts for [REDACTED] continue conducting research to identify [REDACTED]; finish updating master case spreadsheet and send to E. Drake for her feedback
Abramson, Glen	10/1/2020	\$760.00	0.7	\$ 532.00	Correspondence w co-counsel re [REDACTED]. Analyze and revise first set of RFPs.
Hashmall, Joseph	10/2/2020	\$770.00	0.1	\$ 77.00	Litigation team call

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	10/2/2020	\$610.00	0.5	\$ 305.00	Review all Westlaw docket alerts for [REDACTED]; continue conducting research to identify [REDACTED]; participate in weekly check-in call with higher ed attorney team; read [REDACTED] draft and send takeaways to higher ed attorneys
Drake, Eleanor Michelle	10/2/2020	\$1,180.00	0.1	\$ 118.00	call with team re case status and next steps in litigation
Abramson, Glen	10/5/2020	\$760.00	0.8	\$ 608.00	Analyze correspondence re RFPs. Tel call w Dan Kurowski re RFPs, motion to stay. Correspondence w Alan Schonefeld re same.
Kiener, Ariana	10/5/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	10/6/2020	\$760.00	1.5	\$ 1,140.00	Analyze notice of supplemental authority. Research re [REDACTED] motion to dismiss opinion. Disc w Dan Kurowski. Analyze and revise Salerno supplemental authority.
Kiener, Ariana	10/6/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	10/7/2020	\$760.00	0.6	\$ 456.00	Analyze correspondence re discovery, motion to stay.
Abramson, Glen	10/8/2020	\$760.00	1.2	\$ 912.00	Analyze correspondence re discovery extension. Disc w Dan Kurowski. Analyze and revise response to notice of supplemental authority.
Hashmall, Joseph	10/9/2020	\$770.00	0.1	\$ 77.00	Litigation team meeting
Abramson, Glen	10/9/2020	\$760.00	0.7	\$ 532.00	Analyze motion to stay discovery. Disc w Dan Kurowski re same.
Kiener, Ariana	10/9/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; participate in weekly team meeting with higher ed attorneys; update master case spreadsheet
Drake, Eleanor Michelle	10/9/2020	\$1,180.00	0.1	\$ 118.00	weekly call with team to discuss next steps in litigation
Kiener, Ariana	10/10/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Drake, Eleanor Michelle	10/12/2020	\$1,180.00	0.3	\$ 354.00	call with H. Singer re [REDACTED]
Kiener, Ariana	10/12/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets in state higher education cases to [REDACTED]
Abramson, Glen	10/14/2020	\$760.00	0.2	\$ 152.00	Analyze order granting motion to stay discovery. Correspondence re same.
Kiener, Ariana	10/15/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts [REDACTED]; review Google alerts [REDACTED] and schedule call with R. Gebo and J. Lynch to discuss next steps [REDACTED]
Abramson, Glen	10/15/2020	\$760.00	0.2	\$ 152.00	Disc w AK re stay of discovery.
Abramson, Glen	10/15/2020	\$760.00	0.3	\$ 228.00	Correspondence w clients re [REDACTED]
Hashmall, Joseph	10/16/2020	\$770.00	0.1	\$ 77.00	Litigation team meeting
Drake, Eleanor Michelle	10/16/2020	\$1,180.00	0.1	\$ 118.00	call with team re case status and next steps in litigation
Kiener, Ariana	10/16/2020	\$610.00	0.4	\$ 244.00	Review all Westlaw docket alerts for [REDACTED]; review all [REDACTED] send finished product to attorney team; participate in weekly team meeting with higher ed attorneys; participate in call with J. Lynch and R. Gebo regarding next steps for [REDACTED]
Kiener, Ariana	10/19/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets for [REDACTED] compile materials and directions for J. Lynch to take over [REDACTED]
Kiener, Ariana	10/22/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	10/23/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets for [REDACTED] track down new Michigan order; update spreadsheet to [REDACTED] review Google alerts from [REDACTED]

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	10/27/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	10/28/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; track down and write summary for [REDACTED]; email with J. Lynch [REDACTED]
Abramson, Glen	10/29/2020	\$760.00	0.8	\$ 608.00	Research re motio to dismiss, [REDACTED]
Kiener, Ariana	10/29/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED] share reminders about [REDACTED] with higher ed litigation team
Drake, Eleanor Michelle	10/30/2020	\$1,180.00	0.1	\$ 118.00	draft memo to H. Singer re [REDACTED]
Drake, Eleanor Michelle	10/30/2020	\$1,180.00	0.1	\$ 118.00	call with team re next steps in litigation
Kiener, Ariana	10/30/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED] participate in weekly check-in call with attorney team
Kiener, Ariana	11/1/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; track down and read [REDACTED] draft and send a summary to the higher ed litigation team
Abramson, Glen	11/2/2020	\$760.00	0.5	\$ 380.00	Analyze motion to dismiss opinions in related cases. Analyze correspondence re supplemental authority.
Kiener, Ariana	11/3/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	11/4/2020	\$610.00	0.3	\$ 183.00	Review draft notice of supplemental authority from co-counsel to determine whether to add any additional and recently decided cases
Abramson, Glen	11/4/2020	\$760.00	0.5	\$ 380.00	Analyze and revise notice of supplemental authority
Drake, Eleanor Michelle	11/4/2020	\$1,180.00	0.1	\$ 118.00	internal meeting with litigation team re schedule and next steps in litigation
Kiener, Ariana	11/5/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	11/5/2020	\$760.00	0.4	\$ 304.00	Analyze correspondence re supplemental authority.
Hashmall, Joseph	11/6/2020	\$770.00	0.1	\$ 77.00	Litigation team meeting
Kiener, Ariana	11/6/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets in related cases for [REDACTED]; review Google alerts [REDACTED]
Drake, Eleanor Michelle	11/6/2020	\$1,180.00	0.1	\$ 118.00	call with lit. team re schedule and next steps in litigation
Kiener, Ariana	11/9/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets in related cases for [REDACTED]
Kiener, Ariana	11/11/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	11/12/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Hashmall, Joseph	11/13/2020	\$770.00	0.1	\$ 77.00	Call with potential expert witnesses regarding [REDACTED]
Kiener, Ariana	11/13/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts for [REDACTED]; conduct a weekly search of all state docket cases [REDACTED]; participate in weekly call with higher ed litigation team, plus two potential damages experts
Drake, Eleanor Michelle	11/13/2020	\$1,180.00	0.1	\$ 118.00	case team meeting to discuss case status, deadlines, and next steps in litigation
Drake, Eleanor Michelle	11/13/2020	\$1,180.00	0.4	\$ 472.00	call with Hal Singer and Tatos re [REDACTED]
Kiener, Ariana	11/15/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; review Google alerts [REDACTED] share with the litigation team
Kiener, Ariana	11/17/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; conduct a weekly search of all state docket cases to [REDACTED]
Abramson, Glen	11/18/2020	\$760.00	0.8	\$ 608.00	Analyze supplemental authority. Respond to class member inquiries.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	11/18/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	11/19/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re supplemental authority.
Kiener, Ariana	11/20/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; review all Google alerts [REDACTED]; participate in weekly call with higher education attorney team
Abramson, Glen	11/23/2020	\$760.00	0.2	\$ 152.00	Analyze correspondence re notice of supplemental authority.
Kiener, Ariana	11/24/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts [REDACTED]
Kiener, Ariana	11/30/2020	\$610.00	0.3	\$ 183.00	Review all Westlaw docket alerts [REDACTED]; conduct a weekly search of all state docket cases [REDACTED]
Kiener, Ariana	11/30/2020	\$610.00	1.9	\$ 1,159.00	Prepare motion, notice, and proposed order for notice of supplemental authority of favorable and recently decided motion to dismiss rulings in other cases
Abramson, Glen	11/30/2020	\$760.00	0.8	\$ 608.00	Analyze supplemental authority. Analyze correspondence re same.
Kiener, Ariana	12/1/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	12/1/2020	\$760.00	0.6	\$ 456.00	Analyze correspondence re supplemental authority, initial disclosures, damages.
Kiener, Ariana	12/2/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; review recent Google alerts for [REDACTED] C. [REDACTED]
Kiener, Ariana	12/3/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	12/3/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re supplemental authority
Abramson, Glen	12/3/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re supplemental authority. Analyze and revise motion.
Kiener, Ariana	12/4/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; participate in weekly call with higher education attorney team
Noteware, Ellen	12/4/2020	\$1,100.00	0.1	\$ 110.00	Team call.
Abramson, Glen	12/4/2020	\$760.00	0.2	\$ 152.00	Disc w EMD, AK re status.
Kiener, Ariana	12/7/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	12/11/2020	\$610.00	0.2	\$ 122.00	[REDACTED] conduct a weekly search of all state docket cases to [REDACTED]
Noteware, Ellen	12/14/2020	\$1,100.00	0.1	\$ 110.00	Call re status update.
Abramson, Glen	12/14/2020	\$760.00	0.3	\$ 228.00	Disc w EMD, AK re status, supplemental authority. Analyze [REDACTED].
Kiener, Ariana	12/14/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; participate in weekly team meeting with higher ed litigation team; track down, read, and circulate [REDACTED]
Abramson, Glen	12/15/2020	\$760.00	0.3	\$ 228.00	Analyze correspondence re supplemental authority.
Kiener, Ariana	12/15/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	12/16/2020	\$760.00	0.5	\$ 380.00	Analyze correspondence re supplemental authority.
Kiener, Ariana	12/17/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Noteware, Ellen	12/18/2020	\$1,100.00	0.1	\$ 110.00	Call re: status.
Abramson, Glen	12/18/2020	\$760.00	1	\$ 760.00	Analyze and revise response to GW supplemental authority. Analyze [REDACTED]
Kiener, Ariana	12/18/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; check state dockets for [REDACTED]; participate in weekly team meeting with higher ed litigation team
Drake, Eleanor Michelle	12/18/2020	\$1,180.00	0.1	\$ 118.00	case team meeting to discuss case status, deadlines, and next steps in litigation

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	12/22/2020	\$760.00	0.6	\$ 456.00	Analyze and revise opposition to supplemental authority.
Kiener, Ariana	12/22/2020	\$610.00	0.2	\$ 122.00	Review all Westlaw docket alerts for [REDACTED]; review recent Google alerts to [REDACTED]
Kiener, Ariana	12/28/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]; [REDACTED]; review state dockets to check [REDACTED]
Kiener, Ariana	12/29/2020	\$610.00	0.1	\$ 61.00	Participate in weekly team meeting with higher ed litigation team; review all Westlaw docket alerts for [REDACTED]
Kiener, Ariana	12/31/2020	\$610.00	0.1	\$ 61.00	Review all Westlaw docket alerts for [REDACTED]
Abramson, Glen	1/6/2021	\$760.00	1.5	\$ 1,140.00	Research re [REDACTED]
Noteware, Ellen	1/8/2021	\$1,100.00	0.2	\$ 220.00	Review new case law and discussions with team re: strategy.
Abramson, Glen	1/8/2021	\$760.00	0.5	\$ 380.00	Analyze supplemental authorities. Disc w EMD re supplemental authority, status, experts.
Drake, Eleanor Michelle	1/8/2021	\$1,180.00	0.1	\$ 118.00	case team meeting to discuss case status, deadlines, and next steps in litigation
Abramson, Glen	1/12/2021	\$760.00	1.3	\$ 988.00	Disc w EN re discovery platform. Disc w Dan Kurowski re supplemental authority, class certification deadline, discovery. Draft notice of supplemental authority.
Noteware, Ellen	1/15/2021	\$1,100.00	0.1	\$ 110.00	Call re: case status.
Abramson, Glen	1/22/2021	\$760.00	0.8	\$ 608.00	Analyze correspondence re motion to dismiss hearing.
Noteware, Ellen	1/22/2021	\$1,100.00	0.5	\$ 550.00	Call re: case status and prepare for MTD.
Noteware, Ellen	1/24/2021	\$1,100.00	0.6	\$ 660.00	Review briefing on motion to dismiss re: upcoming MTD hearing.
Noteware, Ellen	1/24/2021	\$1,100.00	1.5	\$ 1,650.00	Review docket and prepare for upcoming hearing and moot argument hearing.
Abramson, Glen	1/24/2021	\$760.00	4	\$ 3,040.00	Prep for motion to dismiss hearing. Disc w Dan Kurowski.
Abramson, Glen	1/25/2021	\$760.00	1.8	\$ 1,368.00	Prep for motion to dismiss hearing. Disc w Dan Kurowski. Analyze Loyola, Emory decisions.
Abramson, Glen	1/28/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re supplemental authority
Noteware, Ellen	1/29/2021	\$1,100.00	0.1	\$ 110.00	Conference call with team to discuss strategy.
Abramson, Glen	1/29/2021	\$760.00	0.3	\$ 228.00	Discussion w team re status.
Abramson, Glen	2/2/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re class cert schedule
Abramson, Glen	2/10/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re [REDACTED].
Abramson, Glen	2/12/2021	\$760.00	0.3	\$ 228.00	Disc w EMD re status, [REDACTED]
Drake, Eleanor Michelle	2/12/2021	\$1,180.00	0.1	\$ 118.00	call with team re next steps in litigation and upcoming deadlines
Noteware, Ellen	2/12/2021	\$1,100.00	0.1	\$ 110.00	Conference call with team to discuss strategy.
Abramson, Glen	2/15/2021	\$760.00	0.2	\$ 152.00	Disc w Dan Kurowski re schedule, settlement.
Abramson, Glen	2/16/2021	\$760.00	0.4	\$ 304.00	Analyze and revise motion to extend class certification deadline. Disc w Dan Kurowski re same.
Abramson, Glen	2/17/2021	\$760.00	0.8	\$ 608.00	Analyze and revision [REDACTED]. Disc w Dan Kurowski re same.
Abramson, Glen	2/18/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re schedule, [REDACTED].
Abramson, Glen	2/21/2021	\$760.00	0.7	\$ 532.00	Analyze [REDACTED]. Analyze and revise [REDACTED]
Abramson, Glen	2/22/2021	\$760.00	0.5	\$ 380.00	Analyze and revise motion re class cert deadline. Conf call w team re status.
Drake, Eleanor Michelle	2/22/2021	\$1,180.00	0.1	\$ 118.00	call with team re next steps in litigation and upcoming deadlines
Abramson, Glen	2/25/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re supplemental authority.
Drake, Eleanor Michelle	3/1/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Abramson, Glen	3/3/2021	\$760.00	0.4	\$ 304.00	Analyze [REDACTED]. Disc w D.Kurowski.
Abramson, Glen	3/4/2021	\$760.00	0.4	\$ 304.00	Analyze correspondence re [REDACTED], class certification deadline.
Kiener, Ariana	3/8/2021	\$610.00	0.1	\$ 61.00	Participate in weekly strategy call with higher education attorney team
Drake, Eleanor Michelle	3/8/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Abramson, Glen	3/9/2021	\$760.00	1	\$ 760.00	Analyze Hal Singer [REDACTED].

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	3/9/2021	\$610.00	0.3	\$ 183.00	Begin to review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	3/10/2021	\$610.00	0.3	\$ 183.00	Continue to review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	3/11/2021	\$610.00	0.1	\$ 61.00	Continue to review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	3/12/2021	\$610.00	0.4	\$ 244.00	Research [REDACTED] compile summary, [REDACTED] and send to higher education attorney team
Abramson, Glen	3/15/2021	\$760.00	0.5	\$ 380.00	Disc w EMD, EN, AK re status, supplemental authority. Analyze correspondence re class cert deadline. Tel call w clerk re motion to adjourn class cert deadline.
Kiener, Ariana	3/15/2021	\$610.00	0.3	\$ 183.00	Continue to review Westlaw docket alerts for [REDACTED] participate in weekly strategy call with higher education attorney team
Noteware, Ellen	3/15/2021	\$1,100.00	0.2	\$ 220.00	Discussion with team re: case status and review new opinions.
Drake, Eleanor Michelle	3/15/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Abramson, Glen	3/16/2021	\$760.00	0.5	\$ 380.00	Analyze supplemental authority.
Kiener, Ariana	3/16/2021	\$610.00	0.3	\$ 183.00	Continue to review Westlaw docket alerts for [REDACTED]
Abramson, Glen	3/18/2021	\$760.00	0.5	\$ 380.00	Analyze order re class cert deadline. Analyze correspondence re same. Disc w Hal Singer re conjoint survey.
Kiener, Ariana	3/18/2021	\$610.00	0.2	\$ 122.00	Continue to review Westlaw docket alerts for [REDACTED] participate in strategy call with potential damages expert
Noteware, Ellen	3/18/2021	\$1,100.00	0.1	\$ 110.00	Review correspondence.
Abramson, Glen	3/19/2021	\$760.00	0.5	\$ 380.00	Analyze supplemental authority.
Kiener, Ariana	3/19/2021	\$610.00	0.1	\$ 61.00	Continue to review Westlaw docket alerts for [REDACTED] update master document of [REDACTED] in tuition refund cases
Abramson, Glen	3/21/2021	\$760.00	0.4	\$ 304.00	Analyze correspondence re supplemental authority. Disc w AK.
Kiener, Ariana	3/22/2021	\$610.00	0.1	\$ 61.00	Continue to review Westlaw docket alerts for [REDACTED] participate in weekly strategy call with higher education attorney team
Kiener, Ariana	3/22/2021	\$610.00	0.5	\$ 305.00	Begin reviewing [REDACTED] for possible reference during motion to dismiss oral arguments
Abramson, Glen	3/22/2021	\$760.00	0.4	\$ 304.00	Disc w D.Kurowski re supplemental authority, class certification deadline.
Drake, Eleanor Michelle	3/22/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Kiener, Ariana	3/23/2021	\$610.00	0.2	\$ 122.00	Continue to review Westlaw docket alerts for [REDACTED] update master document of [REDACTED] in tuition refund cases
Kiener, Ariana	3/23/2021	\$610.00	1.3	\$ 793.00	Continue reviewing [REDACTED] for possible reference during motion to dismiss oral arguments

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	3/23/2021	\$610.00	2.3	\$ 1,403.00	Review all notices of supplemental authority filed to date and compile list of favorable motion to dismiss orders not yet provided to the court; prepare draft notice of supplemental authority; send draft to G. Abramson for his review
Abramson, Glen	3/23/2021	\$760.00	0.8	\$ 608.00	Analyze correspondence re supplemental authority. Disc w AK. Analyze and revise NOSA.
Kiener, Ariana	3/24/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	3/24/2021	\$610.00	2.2	\$ 1,342.00	Begin researching law on [REDACTED]; send initial findings to E. Drake and G. Abramson
Abramson, Glen	3/24/2021	\$760.00	2.3	\$ 1,748.00	Analyze correspondence re supplemental authority. Analyze motion to dismiss opinion. Disc w D.Kurowski. Disc w EMD, AK re [REDACTED]
Kiener, Ariana	3/25/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	3/25/2021	\$610.00	2.5	\$ 1,525.00	Finish researching law on [REDACTED]; send summary of findings to E. Drake and G. Abramson
Abramson, Glen	3/25/2021	\$760.00	0.6	\$ 456.00	Analyze correspondence re appeal, [REDACTED] issue.
Abramson, Glen	3/29/2021	\$760.00	0.5	\$ 380.00	Correspondence w clients re motion to dismiss opinion.
Kiener, Ariana	3/29/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	3/30/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] alerts for [REDACTED]; review Google
Kiener, Ariana	3/31/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] review
Kiener, Ariana	4/1/2021	\$610.00	0.2	\$ 122.00	Google alerts for [REDACTED] Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	4/1/2021	\$610.00	0.2	\$ 122.00	[REDACTED] review Google alerts for [REDACTED]
Drake, Eleanor Michelle	4/5/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Kiener, Ariana	4/5/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] participate in weekly strategy meeting with higher education attorney team
Abramson, Glen	4/5/2021	\$760.00	0.2	\$ 152.00	Analyze correspondence re appeal.
Abramson, Glen	4/6/2021	\$760.00	0.2	\$ 152.00	Analyze correspondence re appeal.
Kiener, Ariana	4/7/2021	\$610.00	0.5	\$ 305.00	Participate in strategy call with G. Abramson and co-counsel regarding [REDACTED]
Abramson, Glen	4/7/2021	\$760.00	0.8	\$ 608.00	Disc w Dan Kurowski, AK re [REDACTED]. Analyze correspondence re appeal.
Kiener, Ariana	4/8/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]
Abramson, Glen	4/8/2021	\$760.00	0.5	\$ 380.00	Analyze motion to dismiss decisions in related cases.
Drake, Eleanor Michelle	4/9/2021	\$1,180.00	1	\$ 1,180.00	call re [REDACTED]
Kiener, Ariana	4/9/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED]
Drake, Eleanor Michelle	4/12/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Kiener, Ariana	4/12/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED] review Google alerts for [REDACTED] [REDACTED] participate in weekly strategy meeting with higher education attorney team
Abramson, Glen	4/12/2021	\$760.00	0.7	\$ 532.00	Disc w EMD re appeal. Disc w D.Kurowski re appeal. Research re [REDACTED]
Kiener, Ariana	4/14/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] review Google alerts for [REDACTED]
Abramson, Glen	4/14/2021	\$760.00	0.5	\$ 380.00	Analyze Syracuse mtd re [REDACTED]. Analyze Brandies mtd opinion.
Kiener, Ariana	4/16/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	4/19/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	4/20/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Abramson, Glen	4/21/2021	\$760.00	0.5	\$ 380.00	Correspondence w clients, co-counsel re [REDACTED]
Kiener, Ariana	4/21/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Abramson, Glen	4/22/2021	\$760.00	0.5	\$ 380.00	Analyze and revise notice of appeal. Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	4/22/2021	\$610.00	0.2	\$ 122.00	[REDACTED] review Google alerts for [REDACTED]
Abramson, Glen	4/23/2021	\$760.00	0.6	\$ 456.00	Analyze correspondence re notice of appeal. Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	4/24/2021	\$610.00	0.1	\$ 61.00	[REDACTED] review Google alerts for [REDACTED]
Abramson, Glen	4/25/2021	\$760.00	0.2	\$ 152.00	Analyze correspondence re docketing of appeal.
Drake, Eleanor Michelle	4/26/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Kiener, Ariana	4/26/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] participate in weekly strategy meeting with higher education attorney team
Kiener, Ariana	4/29/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	5/3/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	5/5/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]
Kiener, Ariana	5/7/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for updates [REDACTED] [REDACTED] review Google alerts for news [REDACTED]
Kiener, Ariana	5/8/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	5/10/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] review Google alerts for [REDACTED] [REDACTED] participate in weekly strategy call with higher ed attorney team
Drake, Eleanor Michelle	5/10/2021	\$1,180.00	0.1	\$ 118.00	call with case team re schedule and next steps in litigation
Kiener, Ariana	5/12/2021	\$610.00	0.3	\$ 183.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED] add newly discovered related cases and review those dockets for [REDACTED]
Kiener, Ariana	5/14/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct another review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]
Kiener, Ariana	5/17/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and finish conducting weekly review of state dockets for [REDACTED] [REDACTED] review Google alerts for [REDACTED]; participate in weekly strategy call with higher ed attorney team
Abramson, Glen	5/18/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re appeal. Disc w AK.
Abramson, Glen	5/19/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re appeal, DC Circuit appearances.
Kiener, Ariana	5/19/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	5/19/2021	\$610.00	0.6	\$ 366.00	Research D.C. Circuit local rules regarding appearances; send findings to G. Abramson
Abramson, Glen	5/21/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re appeal
Kiener, Ariana	5/21/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	5/24/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for news [REDACTED]
Kiener, Ariana	5/26/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	5/27/2021	\$760.00	0.8	\$ 608.00	Analyze and revise statement of issues for appeal. Disc w Dan Kurowski
Kiener, Ariana	5/27/2021	\$610.00	0.4	\$ 244.00	Review draft filings for appeal from co-counsel
Kiener, Ariana	5/28/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/1/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and finish conducting weekly review of state dockets for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/3/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/4/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts and conduct weekly review of state dockets for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	6/7/2021	\$760.00	0.5	\$ 380.00	Analyze mtd in American Univ case; appeal.
Kiener, Ariana	6/7/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; finish conducting weekly sweep of state court dockets [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	6/8/2021	\$760.00	0.5	\$ 380.00	Analyze mtd in Georgetown; appeal
Kiener, Ariana	6/9/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/11/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/14/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; conduct weekly sweep of state court dockets [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/16/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	6/17/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re briefing schedule for appeal.
Kiener, Ariana	6/20/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/21/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; begin weekly sweep of state court dockets [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/22/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; complete weekly sweep of state court dockets [REDACTED]; review Google alerts for [REDACTED]
Noteware, Ellen	6/22/2021	\$1,100.00	0.3	\$ 330.00	Review correspondence re: case status.
Abramson, Glen	6/23/2021	\$760.00	0.5	\$ 380.00	Analyze supplemental authority.
Kiener, Ariana	6/24/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	6/25/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; conduct weekly sweep of all state dockets for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	6/25/2021	\$760.00	1.8	\$ 1,368.00	Analyze supplemental authority. Research re [REDACTED]
Noteware, Ellen	6/28/2021	\$1,100.00	0.1	\$ 110.00	Review correspondence re: case status.
Kiener, Ariana	6/28/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	6/28/2021	\$760.00	0.5	\$ 380.00	Research re related mtd opinions
Kiener, Ariana	6/30/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	7/2/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	7/4/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	7/8/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; circulate [REDACTED] to the internal litigation team
Kiener, Ariana	7/9/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	7/14/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	7/16/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	7/16/2021	\$760.00	2.3	\$ 1,748.00	Analyze and revise appeal brief. Disc w Dan Kurowski. Analyze correspondence re additional DC Circuit appeals.
Kiener, Ariana	7/17/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED] cases; review Google alerts for [REDACTED]
Kiener, Ariana	7/19/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; conduct weekly review of state dockets [REDACTED]
Kiener, Ariana	7/19/2021	\$610.00	0.9	\$ 549.00	Review and annotate latest draft of appellate brief ahead of call with co-counsel
Abramson, Glen	7/19/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re appeals
Abramson, Glen	7/20/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re appeal, brief.
Kiener, Ariana	7/21/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; read [REDACTED] and circulate [REDACTED] to litigation team
Abramson, Glen	7/21/2021	\$760.00	0.8	\$ 608.00	Analyze and revise appeal brief. Disc w Dan Kurowski. Draft motion for DC Circuit admission.
Kiener, Ariana	7/22/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; read [REDACTED] and circulate [REDACTED] to litigation team
Kiener, Ariana	7/25/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	7/26/2021	\$760.00	2.3	\$ 1,748.00	Analyze and revise appeal brief. Conf call w counsel in other D.C. cases re mediation program
Abramson, Glen	7/26/2021	\$760.00	0.6	\$ 456.00	Draft application for D.C. Circuit admission
Abramson, Glen	7/27/2021	\$760.00	0.8	\$ 608.00	Analyze correspondence re appeal brief. Disc w Dan Kurowski re same.
Abramson, Glen	7/27/2021	\$760.00	0.4	\$ 304.00	Analyze correspondence re D.C. Circuit motion for admission. Analyze and revise same.
Kiener, Ariana	7/28/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; read [REDACTED] and circulate [REDACTED] to litigation team; conduct weekly review of state dockets for [REDACTED]
Abramson, Glen	7/28/2021	\$760.00	0.4	\$ 304.00	Analyze and revise motion for admission
Kiener, Ariana	7/30/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; create table, [REDACTED], and send to higher ed litigation team,
Kiener, Ariana	8/2/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; read new [REDACTED] and share [REDACTED] with higher ed litigation team; conduct weekly review of state dockets for [REDACTED]
Kiener, Ariana	8/4/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; read [REDACTED] and share [REDACTED] with higher ed litigation team

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	8/5/2021	\$760.00	0.4	\$ 304.00	Analyze correspondence re mediation.
Kiener, Ariana	8/6/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for news [REDACTED]
Kiener, Ariana	8/9/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED] and share [REDACTED]; read [REDACTED] with higher ed litigation team; conduct weekly review of state dockets
Abramson, Glen	8/9/2021	\$760.00	0.3	\$ 228.00	Disc w Dan Kurowski re appeal brief.
Kiener, Ariana	8/12/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED] read ne [REDACTED] and share [REDACTED] with higher education litigation team
Abramson, Glen	8/12/2021	\$760.00	0.3	\$ 228.00	Analyze correspondence re 4th Circuit mediation call
Kiener, Ariana	8/16/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] summary and highlights with higher ed litigation team; conduct weekly review of state dockets for [REDACTED]
Kiener, Ariana	8/17/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED]; read [REDACTED] and share [REDACTED] with higher ed litigation team
Kiener, Ariana	8/24/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Abramson, Glen	8/27/2021	\$760.00	1.5	\$ 1,140.00	Analyze GW opposition brief. Analyze correspondence re reply.
Kiener, Ariana	8/30/2021	\$610.00	1.9	\$ 1,159.00	Research D.C. Circuit Rules regarding [REDACTED]
Abramson, Glen	8/30/2021	\$760.00	0.8	\$ 608.00	Analyze correspondence re [REDACTED]. Disc w AK re same.
Abramson, Glen	9/1/2021	\$760.00	0.8	\$ 608.00	Analyze [REDACTED] Disc w AK re same.
Kiener, Ariana	9/8/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED]; review state dockets for [REDACTED]
Abramson, Glen	9/8/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re related appeals.
Abramson, Glen	9/10/2021	\$760.00	1.3	\$ 988.00	Correspondence w Dan Kurowski re reply brief. Analyze amicus brief. Research re [REDACTED]
Abramson, Glen	9/13/2021	\$760.00	3.5	\$ 2,660.00	Analyze and revise reply. Research re [REDACTED]
Abramson, Glen	9/14/2021	\$760.00	1.5	\$ 1,140.00	Analyze and revise reply. Analyze and revise PHV motion.
Abramson, Glen	9/15/2021	\$760.00	0.7	\$ 532.00	Analyze and revise reply. Analyze correspondence re same.
Abramson, Glen	9/17/2021	\$760.00	0.7	\$ 532.00	Analyze reply brief.
Kiener, Ariana	9/17/2021	\$610.00	0.2	\$ 122.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED] review state dockets for [REDACTED]; read and circulate new [REDACTED]
Kiener, Ariana	9/21/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED]; read and circulate summary of [REDACTED] to higher ed litigation team
Kiener, Ariana	10/1/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]
Kiener, Ariana	10/11/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED]; conduct weekly review of state dockets; review Google alerts for [REDACTED]
Abramson, Glen	10/11/2021	\$760.00	0.2	\$ 152.00	Analyze correspondence re oral argument schedule.
Kiener, Ariana	10/12/2021	\$610.00	0.1	\$ 61.00	Participate in check-in call on all higher ed cases with E. Drake and J. Hibray
Drake, Eleanor Michelle	10/12/2021	\$1,180.00	0.1	\$ 118.00	meet with J. Hibray and A Kiener to touch base on upcoming deadlines and coverage
Kiener, Ariana	10/15/2021	\$610.00	0.1	\$ 61.00	Review Westlaw docket alerts for [REDACTED]; review Google alerts for [REDACTED] [REDACTED]; review [REDACTED] and alert higher education team
Abramson, Glen	10/21/2021	\$760.00	0.5	\$ 380.00	Analyze correspondence re oral argument.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	10/22/2021	\$760.00	0.8	\$ 608.00	Analyze correspondence re oral argument, schedule change. Analyze stipulation re same.
Abramson, Glen	10/25/2021	\$760.00	0.4	\$ 304.00	Analyze correspondence re oral argument schedule, motion for continuance.
Abramson, Glen	10/27/2021	\$760.00	0.3	\$ 228.00	Analyze order re motion for continuance. Analyze correspondence re same.
Kiener, Ariana	10/28/2021	\$610.00	0.1	\$ 61.00	Review recent docket alerts for [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]
Drake, Eleanor Michelle	11/1/2021	\$1,180.00	0.1	\$ 118.00	team meeting re next steps on cases
Kiener, Ariana	11/4/2021	\$610.00	0.1	\$ 61.00	Review recent docket alerts for [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]
Kiener, Ariana	11/24/2021	\$610.00	0.1	\$ 61.00	Review recent docket alerts for [REDACTED]; review Google Alerts for [REDACTED] circulate to internal litigation team, along with summary
Kiener, Ariana	12/1/2021	\$610.00	0.1	\$ 61.00	Review recent docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; read [REDACTED] and send summaries to internal litigation team [REDACTED]
Drake, Eleanor Michelle	12/2/2021	\$1,180.00	0.1	\$ 118.00	team meeting to discuss case status, deadlines, and next steps in litigation
Kiener, Ariana	12/13/2021	\$610.00	0.4	\$ 244.00	Catch up on week's worth of docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Kiener, Ariana	12/16/2021	\$610.00	0.1	\$ 61.00	Review recent docket alerts [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]; send [REDACTED]
Kiener, Ariana	12/27/2021	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases [REDACTED]
Noteware, Ellen	1/3/2022	\$1,100.00	1	\$ 1,100.00	Work on argument prep and review briefing.
Abramson, Glen	1/3/2022	\$760.00	1.8	\$ 1,368.00	Analyze correspondence re appellate argument. Analyze [REDACTED]. Disc w EN, AK re argument.
Kiener, Ariana	1/4/2022	\$610.00	0.1	\$ 61.00	Review docket alerts [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases [REDACTED]
Drake, Eleanor Michelle	1/4/2022	\$1,180.00	0.1	\$ 118.00	team meeting to discuss next steps in litigation
Abramson, Glen	1/6/2022	\$760.00	0.2	\$ 152.00	Correspondence w Charrafeddine Zaitoun re [REDACTED]
Kiener, Ariana	1/7/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; send email [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Abramson, Glen	1/12/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re appellate argument. Disc w Dan Kurowski re same.
Noteware, Ellen	1/12/2022	\$1,100.00	1.2	\$ 1,320.00	Review opposition to motion and complaint.
Abramson, Glen	1/13/2022	\$760.00	0.3	\$ 228.00	Disc w AK re oral argument.
Kiener, Ariana	1/14/2022	\$610.00	2.6	\$ 1,586.00	Virtually attend appellate oral orgaument; debrief afterwards with E. Noteware
Noteware, Ellen	1/14/2022	\$1,100.00	0.5	\$ 550.00	Listen to DC Circuit argument.
Abramson, Glen	1/14/2022	\$760.00	0.8	\$ 608.00	Analyze correspondence re appellate argument.
Abramson, Glen	1/15/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re oral argument.
Kiener, Ariana	1/21/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED] state dockets of related and competitor cases [REDACTED]
Kiener, Ariana	1/25/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Abramson, Glen	1/26/2022	\$760.00	0.4	\$ 304.00	Analyze rulings in related cases

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	2/7/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Drake, Eleanor Michelle	2/9/2022	\$1,180.00	0.1	\$ 118.00	team meeting to discuss next steps in litigation
Kiener, Ariana	2/14/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; read [REDACTED]; send same to same; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Kiener, Ariana	2/21/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]
Kiener, Ariana	2/24/2022	\$610.00	0.4	\$ 244.00	Conduct routine maintenance of case tracking spreadsheet for [REDACTED]; send relevant discoveries to team [REDACTED]
Abramson, Glen	2/25/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re appeal, panel.
Kiener, Ariana	3/1/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; read [REDACTED]; send [REDACTED] and summary thereof to internal team; review Google Alerts for [REDACTED]
Kiener, Ariana	3/7/2022	\$610.00	0.2	\$ 122.00	Review docket alerts for [REDACTED]; read [REDACTED]; review Google Alerts for [REDACTED]; have check-in with E. Drake about the status of this case and next steps
Noteware, Ellen	3/8/2022	\$1,100.00	1.2	\$ 1,320.00	Review DC circuit decision and related correspondence.
Kiener, Ariana	3/8/2022	\$610.00	0.5	\$ 305.00	Read appellate opinion; email with internal team about same
Kiener, Ariana	3/8/2022	\$610.00	0.4	\$ 244.00	Search for news coverage of appellate opinion; [REDACTED]
Abramson, Glen	3/8/2022	\$760.00	2	\$ 1,520.00	Analyze order reversing motion to dismiss opinion. Analyze correspondence re same. Disc w clients re [REDACTED].
Drake, Eleanor Michelle	3/8/2022	\$1,180.00	0.8	\$ 944.00	review order, email with team about next steps
Kiener, Ariana	3/9/2022	\$610.00	0.2	\$ 122.00	Search for additional news coverage of recent appellate order; [REDACTED]
Abramson, Glen	3/9/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re discovery. Disc w Dan Kurowski.
Abramson, Glen	3/11/2022	\$760.00	0.4	\$ 304.00	Analyze correspondence re appeal, status.
Abramson, Glen	3/14/2022	\$760.00	0.5	\$ 380.00	Disc w D.Filbert re paralegal assignment, case file management. Analyze correspondence re same.
Giovanetti, Donna	3/14/2022	\$285.00	0.2	\$ 57.00	download missing docket entries and review
Filbert, David	3/14/2022	\$420.00	0.2	\$ 84.00	GW Covid tuition - iManage - Follow-up with DG.
Filbert, David	3/15/2022	\$420.00	0.2	\$ 84.00	GW Covid tuition - iManage - Update to GA
Noteware, Ellen	3/15/2022	\$1,100.00	0.1	\$ 110.00	Review correspondence re: case strategy.
Abramson, Glen	3/17/2022	\$760.00	1.3	\$ 988.00	Prep for and attend conf call re discovery, case status. Research re [REDACTED]
Kiener, Ariana	3/17/2022	\$610.00	0.7	\$ 427.00	Participate in strategy call with internal litigation team and co-counsel regarding next steps in the case following appellate order
Noteware, Ellen	3/17/2022	\$1,100.00	1	\$ 1,100.00	Call with D. Kurkowski, G. Abramson, E. Drake, A. Kriedler re: case status.
Drake, Eleanor Michelle	3/17/2022	\$1,180.00	0.1	\$ 118.00	check in meeting with team re upcoming deadlines and next steps
Drake, Eleanor Michelle	3/17/2022	\$1,180.00	0.8	\$ 944.00	call with cocounsel re next steps in litigation
Abramson, Glen	3/23/2022	\$760.00	0.8	\$ 608.00	Analyze [REDACTED]
Drake, Eleanor Michelle	4/6/2022	\$1,180.00	0.1	\$ 118.00	team meeting to discuss next steps in litigation
Abramson, Glen	4/8/2022	\$760.00	1.5	\$ 1,140.00	Analyze correspondence re petition for rehearing en banc. Analyze petition. Research re same.
Kiener, Ariana	4/26/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; review state dockets for [REDACTED]
Abramson, Glen	4/29/2022	\$760.00	0.3	\$ 228.00	Analyze order denying rehearing en banc. Analyze correspondence re same.
Kiener, Ariana	5/2/2022	\$610.00	0.1	\$ 61.00	Review D.D.C.'s order denying defendant's petition for rehearing; send to internal team
Abramson, Glen	5/2/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re denial of rehearing en banc
Drake, Eleanor Michelle	5/3/2022	\$1,180.00	0.1	\$ 118.00	team meeting re next steps in litigation

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Abramson, Glen	5/9/2022	\$760.00	0.2	\$ 152.00	Analyze correspondence re issuance of mandate.
Abramson, Glen	5/10/2022	\$760.00	0.2	\$ 152.00	Analyze correspondence re mandate.
Kiener, Ariana	5/11/2022	\$610.00	0.1	\$ 61.00	Review recent docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; conduct routine sweep of state dockets of related cases for [REDACTED]
Abramson, Glen	5/19/2022	\$760.00	0.2	\$ 152.00	Disc w Dan Kurowski re status
Abramson, Glen	5/23/2022	\$760.00	0.3	\$ 228.00	Analyze answer to complaint.
Abramson, Glen	5/24/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re discovery, status.
Abramson, Glen	6/1/2022	\$760.00	1.5	\$ 1,140.00	Analyze correspondence re 26f report. Analyze and revise same. Disc w Dan Kurowski, AK re report.
Kiener, Ariana	6/1/2022	\$610.00	0.4	\$ 244.00	Participate in call with co-counsel re: meet and confer, schedule, discovery requests
Abramson, Glen	6/2/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re meet and confer.
Drake, Eleanor Michelle	6/3/2022	\$1,180.00	0.1	\$ 118.00	call with entire litigation team re case status, upcoming deadlines and next steps in litigation
Abramson, Glen	6/6/2022	\$760.00	0.8	\$ 608.00	Disc w PFM. Analyze BU summary judgment brief, discovery requests.
Abramson, Glen	6/7/2022	\$760.00	0.5	\$ 380.00	Analyze revised document requests.
Kiener, Ariana	6/7/2022	\$610.00	3.6	\$ 2,196.00	Update old requests for production; send to G. Abramson for his review
Abramson, Glen	6/8/2022	\$760.00	1	\$ 760.00	Analyze correspondence re joint discovery report. Analyze revised report. Analyze and revise document requests. Disc w AK re interrogatories, requests for admission.
Abramson, Glen	6/9/2022	\$760.00	0.8	\$ 608.00	Analyze and revise joint discovery report. Analyze correspondence re same.
Kiener, Ariana	6/9/2022	\$610.00	3.1	\$ 1,891.00	Draft interrogatories; send to G. Abramson for his review
Abramson, Glen	6/12/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re interrogatories
Kiener, Ariana	6/13/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]; review Google Alerts for [REDACTED]; check state dockets of related and competitor cases for [REDACTED]
Kiener, Ariana	6/13/2022	\$610.00	0.3	\$ 183.00	Review draft joint report; send proofing and formatting redlines to co-counsel
Abramson, Glen	6/13/2022	\$760.00	0.5	\$ 380.00	Analyze and revise joint schedule/discovery report.
Abramson, Glen	6/15/2022	\$760.00	0.7	\$ 532.00	Analyze and revise joint report. Disc w Dan Kurowski re same. Analyze correspondence re same.
Kiener, Ariana	6/16/2022	\$610.00	2.1	\$ 1,281.00	Edit draft requests for production and interrogatories to address edits and comments from G. Abramson; clean up and send to co-counsel for their review
Abramson, Glen	6/16/2022	\$760.00	1.4	\$ 1,064.00	Analyze correspondence re meet and confer on joint scheduling report. Analyze and revise interrogatories. Disc w AK
Kiener, Ariana	6/17/2022	\$610.00	0.2	\$ 122.00	Participate in meet and confer re: summary judgment briefing deadlines for joint status report
Abramson, Glen	6/17/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re meet and confer, joint report.
Abramson, Glen	6/21/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re scheduling order. Disc w Dan Kurowski re same.
Abramson, Glen	6/22/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re joint report.
Kiener, Ariana	6/23/2022	\$610.00	0.3	\$ 183.00	Read [REDACTED]; send summary to internal team [REDACTED]
Abramson, Glen	6/27/2022	\$760.00	0.5	\$ 380.00	Disc w AK re initial disclosures.
Kiener, Ariana	6/29/2022	\$610.00	0.8	\$ 488.00	Review draft initial disclosures from co-counsel; participate in call with G. Abramson about initial disclosures, outreach to clients; draft [REDACTED] to clients for G. Abramson to send
Abramson, Glen	6/29/2022	\$760.00	1.2	\$ 912.00	Analyze and revise RFPs, interrogatories. Disc w Dan Kurowski re same. Disc w AK re initial disclosures. Analyze and revise client email re [REDACTED]
Kiener, Ariana	7/5/2022	\$610.00	0.1	\$ 61.00	Review docket alerts for [REDACTED]
Abramson, Glen	7/5/2022	\$760.00	0.5	\$ 380.00	Analyze and revise initial disclosures. Correspondence w Dan Kurowski re same.
Kiener, Ariana	7/6/2022	\$610.00	0.6	\$ 366.00	Search for prior ESI protocol shared with defense counsel; email with G. Abramson regarding same; begin preparing ESI protocol; email with J. Hibray about same
Abramson, Glen	7/6/2022	\$760.00	0.4	\$ 304.00	Disc w AK re ESI protocol
Kiener, Ariana	7/8/2022	\$610.00	0.6	\$ 366.00	Finish preparing ESI protocol; email to G. Abramson
Abramson, Glen	7/11/2022	\$760.00	0.4	\$ 304.00	Analyze initial disclosures. Analyze correspondence re same.
Abramson, Glen	7/12/2022	\$760.00	0.3	\$ 228.00	Disc w Dan Kurowski re initial disclosures

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	7/13/2022	\$610.00	0.2	\$ 122.00	Review draft initial disclosures from co-counsel and provide approval for filing
Kiener, Ariana	7/15/2022	\$610.00	0.6	\$ 366.00	Review correspondence and initial disclosures from opposing counsel; begin researching for response to same; review email from co-counsel about same
Kiener, Ariana	7/15/2022	\$610.00	0.1	\$ 61.00	Conduct periodic review of docket alerts for related and competitor cases [REDACTED]
Abramson, Glen	7/27/2022	\$760.00	1	\$ 760.00	Analyze correspondence re extension, initial disclosure deficiencies.
Kiener, Ariana	8/1/2022	\$610.00	0.1	\$ 61.00	Email with G. Abramson and D. Giovanetti re: docketing/calendaring needs
Abramson, Glen	8/2/2022	\$760.00	0.3	\$ 228.00	Disc w AK re schedule. Analyze scheduling order.
Abramson, Glen	8/2/2022	\$760.00	0.5	\$ 380.00	Analyze [REDACTED].
Kiener, Ariana	8/2/2022	\$610.00	0.1	\$ 61.00	Review pro hac vice materials
Kiener, Ariana	8/2/2022	\$610.00	0.1	\$ 61.00	Email with D. Giovanetti re: docketing/calendaring needs
Giovanetti, Donna	8/2/2022	\$285.00	0.3	\$ 85.50	getting pleadings up to date and downloading to iM; calendar deadlines from scheduling order
Giovanetti, Donna	8/2/2022	\$285.00	0.6	\$ 171.00	prepare draft of Pro hac motion for Ariana Kiener; send to Ari for review;
Hibray, Jean	8/18/2022	\$450.00	0.1	\$ 45.00	Call with D Giovenetti re Kiener pro hac
Abramson, Glen	8/18/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re AK pro hac vice motion.
Kiener, Ariana	8/24/2022	\$610.00	0.4	\$ 244.00	Talk to G. Abramson re: upcoming discovery needs; draft Ricoh agreement for co-counsel
Abramson, Glen	8/24/2022	\$760.00	0.5	\$ 380.00	Disc w AK re discovery status, anticipated document production. Analyze document hosting co-counsel agreement.
Abramson, Glen	8/29/2022	\$760.00	2.2	\$ 1,672.00	Analyze and revise Ricoh-Relativity Partner Counsel agreement. Analyze correspondence re same. Analyze defendants' responses to discovery requests
Kiener, Ariana	8/29/2022	\$610.00	0.5	\$ 305.00	Edit RICOH agreement; send same to G. Abramson; email with D. Filbert re: setting up Ricoh workspace
Abramson, Glen	8/30/2022	\$760.00	0.5	\$ 380.00	Research re [REDACTED]
Abramson, Glen	8/31/2022	\$760.00	0.5	\$ 380.00	Disc w AK re discovery responses.
Filbert, David	8/31/2022	\$420.00	0.5	\$ 210.00	GWU Ricoh-Relativity agreement for Hagens. Check GWU current file structure.
Abramson, Glen	9/1/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re discovery responses, defendants' RFPs
Kiener, Ariana	9/6/2022	\$610.00	0.4	\$ 244.00	Participate in call with co-counsel regarding defendant's discovery requests and responses
Abramson, Glen	9/6/2022	\$760.00	0.4	\$ 304.00	Conf call w co-counsel, AK re discovery, deficiencies.
Abramson, Glen	9/6/2022	\$760.00	1.9	\$ 1,444.00	Analyze objections and responses to document requests. Draft [REDACTED].
Abramson, Glen	9/7/2022	\$760.00	0.5	\$ 380.00	Analyze [REDACTED]. Correspondence w defense counsel re ESI protocol, RFP responses.
Filbert, David	9/7/2022	\$420.00	0.8	\$ 336.00	George Washington University - review pleadings and docket for status of case. Review templates for new database.
Abramson, Glen	9/12/2022	\$760.00	0.8	\$ 608.00	Disc w Dan Kurowski, Whitney Siehl re subpoenas, deficiencies. Analyze correspondence re meet and confer.
Abramson, Glen	9/13/2022	\$760.00	1.8	\$ 1,368.00	Meet and confer call w defense counsel re subpoenas, document production, ESI protocol, protective order. Analyze and revise draft ESI protocol, protective order.
Filbert, David	9/14/2022	\$420.00	0.3	\$ 126.00	George Washington University -Relativity Database Structure Template discussed with Koster.
Abramson, Glen	9/14/2022	\$760.00	1.9	\$ 1,444.00	Analyze and revise deficiency letter re document request and interrogary responses. Disc w Dan Kurowski re same. Disc w JMP, J.Hibray re ESI protocol.
Abramson, Glen	9/15/2022	\$760.00	0.8	\$ 608.00	Analyze and revise deficiency letter re document request and interrogary responses. Disc w Dan Kurowski re same. Analyze correspondence re subpoenas, extension for Plaintiffs' RFP responses.
Polakoff, Jacob	9/15/2022	\$785.00	0.9	\$ 706.50	ESI Protocol review, comment
Abramson, Glen	9/19/2022	\$760.00	0.8	\$ 608.00	Analyze correspondence re deficiencies, ESI protocol, protective order
Abramson, Glen	9/20/2022	\$760.00	0.2	\$ 152.00	Analyze correspondence re meet and confer.
Kiener, Ariana	9/23/2022	\$610.00	1	\$ 610.00	Participate in meet and confer regarding defendant's discovery responses
Abramson, Glen	9/23/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re meet and confer.
Abramson, Glen	9/27/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re document production. Disc w AK, D.Filbert re same.
Abramson, Glen	9/27/2022	\$760.00	0.4	\$ 304.00	Analyze and revise Relativity intake form for document review. Disc w AK, Dfilbert re same.
Filbert, David	9/27/2022	\$420.00	0.3	\$ 126.00	George Washington University - Ricoh-Relativity agreement for Hagens
Filbert, David	9/27/2022	\$420.00	0.7	\$ 294.00	George Washington University - BMPC_Ricoh-eDiscovery_Project-Intake-Form_v9-Shaffer v GWU 20140

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Filbert, David	9/27/2022	\$420.00	0.1	\$ 42.00	Shaffer v. George Washington Production - Access
Filbert, David	9/27/2022	\$420.00	0.3	\$ 126.00	Shaffer v. George Washington - Production examined.
Filbert, David	9/27/2022	\$420.00	0.3	\$ 126.00	George Washington University - Document Production 1 processed.
Abramson, Glen	9/28/2022	\$760.00	0.3	\$ 228.00	Disc w D.Filbert re document review, coding sheet.
Filbert, David	9/28/2022	\$420.00	2.6	\$ 1,092.00	George Washington University - Document Production 1 and set up coding and issue sheet [REDACTED] Contact with Koster for new database.
Abramson, Glen	9/29/2022	\$760.00	0.3	\$ 228.00	Disc w D.Filbert re document review, coding sheet.
Filbert, David	9/29/2022	\$420.00	0.3	\$ 126.00	George Washington University Database - Document Review "View" has been added
Filbert, David	9/29/2022	\$420.00	0.8	\$ 336.00	George Washington University plaintiffs' discovery responses
Kiener, Ariana	9/30/2022	\$610.00	0.3	\$ 183.00	Email with G. Abramson, D. Filbert re: responding to defendant's RFPs; review deadlines for and communications on same
Filbert, David	9/30/2022	\$420.00	0.4	\$ 168.00	George Washington University plaintiffs' discovery responses
Filbert, David	10/3/2022	\$420.00	0.7	\$ 294.00	George Washington University - Pre-production for client documents
Abramson, Glen	10/3/2022	\$760.00	2.3	\$ 1,748.00	Analyze correspondence re plaintiffs' document production. Analyze client docs. Analyze revised ESI protocol and protective order
Filbert, David	10/4/2022	\$420.00	0.3	\$ 126.00	George Washington University plaintiffs' discovery responses
Filbert, David	10/4/2022	\$420.00	1.7	\$ 714.00	George Washington University Database - Client document to Relativity
Kiener, Ariana	10/4/2022	\$610.00	0.6	\$ 366.00	Review and edit third-party subpoena objections from co-counsel
Abramson, Glen	10/4/2022	\$760.00	1.5	\$ 1,140.00	Disc w AK, DF re RFP responses. Analyze docs. Analyze objections to subpoenas
Filbert, David	10/5/2022	\$420.00	0.8	\$ 336.00	George Washington University Database - View of metadata. Call with Abramson and Kiener.
Filbert, David	10/6/2022	\$420.00	0.7	\$ 294.00	GWU Production 1 initial review reported to Abramson and Kiener. Create export Excel report.
Kiener, Ariana	10/6/2022	\$610.00	0.7	\$ 427.00	Review RFPs to our plaintiffs; review summary from D. Filbert re: defendant's production to date; participate in strategy call with D. Filbert and G. Abramson on discovery next steps
Kiener, Ariana	10/6/2022	\$610.00	0.2	\$ 122.00	Email with E. Drake and G. Abramson re: conjoint; email Econ One about same
Abramson, Glen	10/6/2022	\$760.00	1.5	\$ 1,140.00	Analyze correspondence re client docs. Disc w AK, DF re document review, RFP responses. Analyze spreadsheet re GW docs.
Abramson, Glen	10/6/2022	\$760.00	0.3	\$ 228.00	Disc w AK re conjoint analysis, damages. Analyze correspondence re same.
Kiener, Ariana	10/10/2022	\$610.00	0.5	\$ 305.00	Email with D. Filbert, G. Abramson re: clients' document production; draft and send follow-up emails to clients re: [REDACTED]
Kiener, Ariana	10/10/2022	\$610.00	3.8	\$ 2,318.00	Draft [REDACTED]; send draft to G. Abramson for his review
Abramson, Glen	10/10/2022	\$760.00	0.9	\$ 684.00	Analyze correspondence re responses to RFPs. Disc w AK, DF re same.
Filbert, David	10/10/2022	\$420.00	0.2	\$ 84.00	George Washington University Covid-19 case - Question about email acquisition w/ Hibray
Filbert, David	10/10/2022	\$420.00	0.8	\$ 336.00	George Washington University Covid-19 case - email acquisition experience w/ Kiener and contact with Zaitoun
Filbert, David	10/10/2022	\$420.00	0.7	\$ 294.00	George Washington - call with Charaf Zaitoun re email. Email to Abramson and Kiener.
Filbert, David	10/10/2022	\$420.00	0.3	\$ 126.00	George Washington - contact with Mauldin re email. Report to attorneys.
Filbert, David	10/10/2022	\$420.00	1.2	\$ 504.00	George Washington - Start reviewing and acquiring Zaitoun email
Kiener, Ariana	10/11/2022	\$610.00	0.4	\$ 244.00	Participate in call with co-counsel re: [REDACTED]
Filbert, David	10/11/2022	\$420.00	0.1	\$ 42.00	GWMail - Follow-up Mauldin
Abramson, Glen	10/13/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re RFP responses, client docs. Disc w D.Filbert re same.
Filbert, David	10/13/2022	\$420.00	1.6	\$ 672.00	George Washington University - Charaf Zaitoun's GW email
Filbert, David	10/13/2022	\$420.00	0.2	\$ 84.00	GWMail - Follow-up with Mauldin.
Filbert, David	10/13/2022	\$420.00	0.1	\$ 42.00	GW email - Follow-up with Zaitoun
Kiener, Ariana	10/14/2022	\$610.00	1.9	\$ 1,159.00	Revise [REDACTED]; send revised draft to G. Abramson; start addressing comments from G. Abramson; create and send clean version of template to co-counsel
Abramson, Glen	10/14/2022	\$760.00	1.5	\$ 1,140.00	Analyze and revise RFP objections and responses. Disc w AK re same. Analyze client correspondence re [REDACTED]
Filbert, David	10/14/2022	\$420.00	0.8	\$ 336.00	GW Email - Follow-up with Mauldin. Call and start reviewing GW email.
Filbert, David	10/14/2022	\$420.00	0.8	\$ 336.00	George Washington University - Client email to Relativity

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Filbert, David	10/15/2022	\$420.00	1.8	\$ 756.00	George Washington - Collect Mauldin emails.
Filbert, David	10/17/2022	\$420.00	0.4	\$ 168.00	George Washington University - Client email to Relativity
Filbert, David	10/17/2022	\$420.00	0.2	\$ 84.00	George Washington University - Zaitoun's email loaded to database
Filbert, David	10/17/2022	\$420.00	0.2	\$ 84.00	George Washington University - Second client's email to Relativity
Abramson, Glen	10/17/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re Defendants' document production. Disc w DF, AK re Plaintiffs' document production.
Abramson, Glen	10/17/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re ESI protocol, protective order. Analyze and revise same.
Gionnette, Julie	10/18/2022	\$285.00	0.5	\$ 142.50	draft appearance of counsel for A. Kiener; register A. Kiener for ECF privileges in D. Columbia
Kiener, Ariana	10/18/2022	\$610.00	0.1	\$ 61.00	Review and approve draft notice of appearance
Abramson, Glen	10/18/2022	\$760.00	0.5	\$ 380.00	Analyze [REDACTED]
Gionnette, Julie	10/19/2022	\$285.00	0.2	\$ 57.00	review email notice rejected A. Kiener ECF filing credentials for D. Columbia; resubmit ECF application for PHV
Kiener, Ariana	10/19/2022	\$610.00	2.6	\$ 1,586.00	Continue to work on [REDACTED]; begin reviewing production; email with G. Abramson about same
Abramson, Glen	10/19/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re [REDACTED]. Disc w AK re same.
Gionnette, Julie	10/20/2022	\$285.00	0.3	\$ 85.50	filed appearance of counsel for A. Kiener in D. Columbia
Kiener, Ariana	10/20/2022	\$610.00	0.4	\$ 244.00	Check in with G. Abramson about upcoming discovery responses; email co-counsel to schedule call
Kiener, Ariana	10/20/2022	\$610.00	0.7	\$ 427.00	Continue to revise [REDACTED]; talk to client on the phone
Abramson, Glen	10/20/2022	\$760.00	1.5	\$ 1,140.00	Disc w AK re [REDACTED] Analyze correspondence re same. Analyze client docs.
Kiener, Ariana	10/21/2022	\$610.00	4.9	\$ 2,989.00	Finish reviewing and tagging client's documents for production; talk to client [REDACTED]; talk to D. Filbert [REDACTED]
Kiener, Ariana	10/21/2022	\$610.00	1.4	\$ 854.00	Finalize [REDACTED] and send same to G. Abramson for review
Kiener, Ariana	10/21/2022	\$610.00	0.7	\$ 427.00	Participate in strategy call with co-counsel re: discovery, ESI and protective orders, etc.; send follow-up materials
Kiener, Ariana	10/21/2022	\$610.00	0.2	\$ 122.00	Email with E. Drake and G. Abramson about next step on experts
Filbert, David	10/21/2022	\$420.00	1.2	\$ 504.00	George Washington - Margaret Mauldin additional documents
Filbert, David	10/21/2022	\$420.00	0.3	\$ 126.00	George Washington University - Client email with syllabi to Relativity
Filbert, David	10/21/2022	\$420.00	1.6	\$ 672.00	GWU - Revised GWU plaintiffs' RFP objections and responses, document update. Prepare documents for database.
Abramson, Glen	10/21/2022	\$760.00	1.5	\$ 1,140.00	Analyze and revise [REDACTED]. Analyze correspondence re Plaintiffs' [REDACTED]. Disc w AK, DF re same. Conf call w co-counsel re ESI order, protective order, discovery.
Abramson, Glen	10/21/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re damages experts, conjoint analysis
Abramson, Glen	10/21/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re [REDACTED].
Kiener, Ariana	10/24/2022	\$610.00	3.4	\$ 2,074.00	Review and address edits and comments from G. Abramson on [REDACTED]; email with team and co-counsel regarding [REDACTED]; talk to clients re: [REDACTED]; coordinate and talk with D. Filbert re: production
Abramson, Glen	10/24/2022	\$760.00	1	\$ 760.00	Analyze and revise RFP objections and responses. Analyze correspondence re same. Disc w AK
Filbert, David	10/24/2022	\$420.00	1.8	\$ 756.00	George Washington - Plaintiffs Production
Filbert, David	10/24/2022	\$420.00	0.6	\$ 252.00	George Washington University Plaintiffs' Document Production - Follow-up on redacted documents
Filbert, David	10/24/2022	\$420.00	0.6	\$ 252.00	GWU: [REDACTED]
Filbert, David	10/24/2022	\$420.00	0.3	\$ 126.00	George Washington 2 more documents - Rush to Ricoh
Filbert, David	10/24/2022	\$420.00	0.3	\$ 126.00	George Washington University - First Production(s)
Filbert, David	10/24/2022	\$420.00	0.2	\$ 84.00	George Washington University - First Production(s) - follow-up note to Koster.
Filbert, David	10/24/2022	\$420.00	0.8	\$ 336.00	GWU: Tuition docs will need to be in supplement. Email with Kiener.
Filbert, David	10/24/2022	\$420.00	0.7	\$ 294.00	GW Final RFPs for Lessin and Shaffer
Filbert, David	10/24/2022	\$420.00	2.6	\$ 1,092.00	George Washington Production - Responsive documents - Production.
Filbert, David	10/25/2022	\$420.00	0.3	\$ 126.00	George Washington - Mauldin Tuition Documents to Relativity - for tomorrow
Filbert, David	10/25/2022	\$420.00	1.2	\$ 504.00	George Washington - Mauldin tuition documents loaded to Relativity
Abramson, Glen	10/26/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re discovery, ESI and protective orders.
Filbert, David	10/26/2022	\$420.00	0.4	\$ 168.00	GWU - Save 2022 10 10 GWU Charaf Zaitoun - Raw emails to iManage.

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	10/27/2022	\$610.00	0.4	\$ 244.00	Read and circulate summary of [REDACTED] to litigation team
Abramson, Glen	10/27/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re [REDACTED]
Abramson, Glen	10/28/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re [REDACTED].
Abramson, Glen	11/3/2022	\$760.00	0.3	\$ 228.00	Disc w D.Filbert.
Abramson, Glen	11/3/2022	\$760.00	0.7	\$ 532.00	Analyze docs.
Abramson, Glen	11/4/2022	\$760.00	0.2	\$ 152.00	Disc w D.Filbert.
Filbert, David	11/4/2022	\$420.00	0.1	\$ 42.00	GWU - Tuition docs for Second Production - Reminder to Kiener.
Kiener, Ariana	11/10/2022	\$610.00	0.1	\$ 61.00	Schedule call with co-counsel to discuss discovery next steps
Abramson, Glen	11/10/2022	\$760.00	0.6	\$ 456.00	Disc w AK re discovery strategy. Analyze correspondence re same.
Abramson, Glen	11/11/2022	\$760.00	0.4	\$ 304.00	Analyze correspondence re discovery strategy, schedule.
Filbert, David	11/14/2022	\$420.00	1.2	\$ 504.00	GWU - Tuition docs for Second Production - Follow-up. Review content. Review overall productions so far and production Bates numbering.
Filbert, David	11/14/2022	\$420.00	1	\$ 420.00	GWU - Review the claims in complaint and review deadlines. Move files from desktop to iManage.
Abramson, Glen	11/14/2022	\$760.00	0.6	\$ 456.00	Conf call w AK, co-counsel re status, discovery strategy, class cert, experts.
Noteware, Ellen	11/15/2022	\$1,100.00	0.2	\$ 220.00	Emails with team re: supplemental authority and case strategy.
Filbert, David	11/15/2022	\$420.00	1.2	\$ 504.00	George Washington University - Mauldin Second Production
Abramson, Glen	11/15/2022	\$760.00	0.8	\$ 608.00	Analyze correspondence re [REDACTED]
Abramson, Glen	11/15/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re subpoenas
Filbert, David	11/16/2022	\$420.00	0.6	\$ 252.00	George Washington University - Mauldin Second Production final prep and send.
Abramson, Glen	11/16/2022	\$760.00	0.4	\$ 304.00	Analyze correspondence re ESI search terms
Kiener, Ariana	11/18/2022	\$610.00	0.8	\$ 488.00	Begin reviewing and coding defendant's production
Abramson, Glen	11/18/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re search terms
Kiener, Ariana	11/21/2022	\$610.00	1.1	\$ 671.00	Continue reviewing and coding defendant's production
Filbert, David	11/22/2022	\$420.00	0.6	\$ 252.00	George Washington University - files in iManage and check docket.
Filbert, David	11/22/2022	\$420.00	0.8	\$ 336.00	George Washington University - review GWU production for overview.
Kiener, Ariana	11/22/2022	\$610.00	3.1	\$ 1,891.00	Finish reviewing and coding defendant's production
Kiener, Ariana	11/22/2022	\$610.00	0.5	\$ 305.00	Review discovery requests to date; draft and send email to G. Abramson [REDACTED]
Abramson, Glen	11/23/2022	\$760.00	0.6	\$ 456.00	Analyze correspondence re GW production, financial reports. Analyze docs.
Abramson, Glen	11/23/2022	\$760.00	0.4	\$ 304.00	Analyze correspondence re expert damages report. Disc w AK re same.
Filbert, David	12/1/2022	\$420.00	0.2	\$ 84.00	George Washington letter on discovery reviewed.
Abramson, Glen	12/2/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re discovery, subpoenas, client documents.
Abramson, Glen	12/9/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re discovery, plaintiff depositions.
Abramson, Glen	12/9/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re damages expert. Analyze [REDACTED]
Abramson, Glen	12/12/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re meet and confer.
Abramson, Glen	12/13/2022	\$760.00	0.3	\$ 228.00	Analyze correspondence re [REDACTED]
Kiener, Ariana	12/15/2022	\$610.00	0.8	\$ 488.00	Review status of discovery, etc.; send email on same to E. Drake
Kiener, Ariana	12/15/2022	\$610.00	0.6	\$ 366.00	Review [REDACTED]; participate in call with Econ One and team on same
Drake, Eleanor Michelle	12/16/2022	\$1,180.00	0.5	\$ 590.00	call with cocounsel re positions for meet and confer, need extension, notice depositions.
Kiener, Ariana	12/16/2022	\$610.00	1.1	\$ 671.00	Review correspondence to prepare for meet and confer; participate in strategy call with team about meet and confer
Kiener, Ariana	12/16/2022	\$610.00	1.5	\$ 915.00	Email with J. Hibray re: deposition notices; review notices for 30(b)(1) and 30(b)(6) deposition notices; review and edit draft discovery requests
Kiener, Ariana	12/16/2022	\$610.00	1.3	\$ 793.00	Participate in meet and confer; send summary of [REDACTED] to team
Kiener, Ariana	12/16/2022	\$610.00	0.4	\$ 244.00	Talk to client re: [REDACTED]
Kiener, Ariana	12/16/2022	\$610.00	1.3	\$ 793.00	Edit joint motion for extension
Hibray, Jean	12/16/2022	\$450.00	0.4	\$ 180.00	Prepare 30b1 NODs (4)

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Hibray, Jean	12/16/2022	\$450.00	0.1	\$ 45.00	Prepare autho form, send DocuSign
Abramson, Glen	12/19/2022	\$760.00	0.5	\$ 380.00	Analyze correspondence re schedule, extension, discovery, expert reports.
Kiener, Ariana	12/19/2022	\$610.00	0.1	\$ 61.00	Email with co-counsel re [REDACTED]
Kiener, Ariana	12/20/2022	\$610.00	0.1	\$ 61.00	Discuss [REDACTED] with J. Albanese
Filbert, David	12/21/2022	\$420.00	0.7	\$ 294.00	GWU docketing and calendaring
Filbert, David	12/22/2022	\$420.00	0.7	\$ 294.00	George Washington University docketing and calendaring to team
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Kiener, Ariana	1/4/2023	\$610.00	0.1	\$ 61.00	Leave voicemails with both clients to [REDACTED]
Polakoff, Jacob	1/6/2023	\$785.00	0.2	\$ 157.00	Correspondence re depositions, meeting planning
Kiener, Ariana	1/6/2023	\$610.00	0.1	\$ 61.00	Review notice of withdrawal for G. Abramson; email with G. Abramson and D. Walker about same
Kiener, Ariana	1/6/2023	\$610.00	0.1	\$ 61.00	Follow up with clients via text, email to [REDACTED]
Kiener, Ariana	1/6/2023	\$610.00	0.5	\$ 305.00	Email with E. Drake and co-counsel re: deposition scheduling; draft and send response to defense counsel re: same
Filbert, David	1/6/2023	\$420.00	0.1	\$ 42.00	George Washington - docketing and calendaring from Kiener
Filbert, David	1/6/2023	\$420.00	0.2	\$ 84.00	George Washington University case - Notice of Withdrawal to Abramson. Follow-up.
Kiener, Ariana	1/9/2023	\$610.00	0.5	\$ 305.00	Talk to Charaf re: [REDACTED]
Kiener, Ariana	1/9/2023	\$610.00	2.2	\$ 1,342.00	Start researching [REDACTED]; send initial findings to E. Drake
Polakoff, Jacob	1/9/2023	\$785.00	0.2	\$ 157.00	Correspondence re [REDACTED]
Drake, Eleanor Michelle	1/9/2023	\$1,180.00	0.3	\$ 354.00	email re [REDACTED]
Polakoff, Jacob	1/10/2023	\$785.00	0.3	\$ 235.50	Investigation for [REDACTED]
Kiener, Ariana	1/11/2023	\$610.00	0.5	\$ 305.00	Talk to Maggie re: [REDACTED]
Kiener, Ariana	1/11/2023	\$610.00	0.7	\$ 427.00	Review notes from calls with clients; [REDACTED] to E. Drake and J. Polakoff
Kiener, Ariana	1/11/2023	\$610.00	1.6	\$ 976.00	Review status of discovery to date, correspondence with Defendants on same, case deadlines etc.; draft [REDACTED] send to E. Drake and J. Polakoff and set up internal meeting to discuss case strategy
Kiener, Ariana	1/11/2023	\$610.00	2.1	\$ 1,281.00	Continue researching and analyzing [REDACTED]; send revised findings to E. Drake
Filbert, David	1/11/2023	\$420.00	0.2	\$ 84.00	George Washington - Calendaring discovery response deadlines for GW
Filbert, David	1/11/2023	\$420.00	0.1	\$ 42.00	George Washington University - Defendants' Answer to Second Set of Interrogatories and Second Request for Production due sent.
Polakoff, Jacob	1/11/2023	\$785.00	3.6	\$ 2,826.00	Investigation for [REDACTED], Correspondence re case status, discovery
Kiener, Ariana	1/13/2023	\$610.00	0.4	\$ 244.00	Participate in internal strategy call
Kiener, Ariana	1/13/2023	\$610.00	0.3	\$ 183.00	Participate in call with co-counsel
Polakoff, Jacob	1/13/2023	\$785.00	1.1	\$ 863.50	Review of task list, open items, Call prep, Calls w EMD, AK, co-counsel
Drake, Eleanor Michelle	1/13/2023	\$1,180.00	1	\$ 1,180.00	internal meeting re next steps in litigation, [REDACTED]
Kiener, Ariana	1/19/2023	\$610.00	0.3	\$ 183.00	Participate in call with co-counsel re: delegation of work moving forward
Kiener, Ariana	1/19/2023	\$610.00	0.1	\$ 61.00	Text with client M. Mauldin re: [REDACTED]
Kiener, Ariana	1/19/2023	\$610.00	0.7	\$ 427.00	Revise [REDACTED] agreements with co-counsel [REDACTED]; send drafts to E. Drake
Polakoff, Jacob	1/19/2023	\$785.00	0.3	\$ 235.50	Call w EMD, AK, co-counsel
Drake, Eleanor Michelle	1/19/2023	\$1,180.00	0.8	\$ 944.00	call re next steps in litigation; follow up with team
Hibray, Jean	1/31/2023	\$450.00	0.3	\$ 135.00	Send DocuSign of [REDACTED] to clients. Finalize for A Kiener
Kiener, Ariana	1/31/2023	\$610.00	0.2	\$ 122.00	Email with J. Hibray re: sending [REDACTED] to clients; reach out to clients re [REDACTED]
Hibray, Jean	2/3/2023	\$450.00	0.3	\$ 135.00	Call with A Kiener re [REDACTED], next steps
Hibray, Jean	2/3/2023	\$450.00	0.3	\$ 135.00	Finalize JPA, email co counsel, send DocuSign
Hibray, Jean	2/3/2023	\$450.00	0.3	\$ 135.00	Draft [REDACTED], send Docusigns of same
Drake, Eleanor Michelle	2/3/2023	\$1,180.00	0.3	\$ 354.00	emails with oc re [REDACTED]
Filbert, David	2/7/2023	\$420.00	0.4	\$ 168.00	George Washington University - DRAFT Notice of Entry of Appearance for Drake - Circling back. Check with Kiener

Timekeeper	Date	Hourly Rate	Hours Worked	Lodestar	Narrative
Kiener, Ariana	2/9/2023	\$610.00	0.7	\$ 427.00	Participate in call with co-counsel re: [REDACTED]
Kiener, Ariana	3/7/2023	\$610.00	0.1	\$ 61.00	Talk to client C. Zaitoun re: [REDACTED]
Kiener, Ariana	3/10/2023	\$610.00	0.4	\$ 244.00	Participate in call with co-counsel regarding [REDACTED]
Kiener, Ariana	3/10/2023	\$610.00	0.2	\$ 122.00	Reach out to clients; talk to client Zaitoun regarding [REDACTED]
Kiener, Ariana	3/13/2023	\$610.00	0.2	\$ 122.00	Review [REDACTED]; discuss [REDACTED] with M. Mauldin
Kiener, Ariana	3/13/2023	\$610.00	0.2	\$ 122.00	Compile and send client documents to co-counsel for supplemental production
Kiener, Ariana	3/15/2023	\$610.00	0.2	\$ 122.00	Email with client and co-counsel to [REDACTED]
Kiener, Ariana	3/16/2023	\$610.00	0.3	\$ 183.00	Review production for clients; email with co-counsel regarding same
Hibray, Jean	3/17/2023	\$450.00	0.2	\$ 90.00	Update DocuSigns to clients for forms
Kiener, Ariana	3/17/2023	\$610.00	0.2	\$ 122.00	Email, text with clients regarding [REDACTED]; email regarding same with co-counsel and J. Hibray
Kiener, Ariana	3/20/2023	\$610.00	2	\$ 1,220.00	Participate in deposition prep session with Charaf, co-counsel
Hibray, Jean	3/23/2023	\$450.00	0.2	\$ 90.00	Review file, email re request for docs
Filbert, David	3/29/2023	\$420.00	0.6	\$ 252.00	George Washington University productions calls to Hibray and Kiener. Contact with Koster. Check on how the documents are getting loaded.
Kiener, Ariana	4/12/2023	\$610.00	0.2	\$ 122.00	Email with co-counsel re: deposition scheduling; text and email client
Gionnette, Julie	4/18/2023	\$285.00	0.4	\$ 114.00	download and review 25 docket entries
Kiener, Ariana	4/27/2023	\$610.00	0.1	\$ 61.00	Email with client, co-counsel re: [REDACTED]
Kiener, Ariana	5/3/2023	\$610.00	1.9	\$ 1,159.00	Participate in deposition prep of client M. Mauldin
Kiener, Ariana	5/15/2023	\$610.00	0.4	\$ 244.00	Participate in call with co-counsel regarding mediation, outreach to clients
Kiener, Ariana	5/15/2023	\$610.00	0.4	\$ 244.00	Have phone calls with each client to discuss [REDACTED]
Kiener, Ariana	5/15/2023	\$610.00	0.6	\$ 366.00	Review mediation statements of the parties
Drake, Eleanor Michelle	5/16/2023	\$1,180.00	0.1	\$ 118.00	team meeting re schedule and next steps
Kiener, Ariana	5/22/2023	\$610.00	5.2	\$ 3,172.00	Attend mediation; conduct legal research for mediation; review and edit term sheet; talk to clients re: [REDACTED]
Drake, Eleanor Michelle	6/26/2023	\$1,180.00	0.1	\$ 118.00	team meeting to touch base on case status
Kiener, Ariana	7/12/2023	\$610.00	0.1	\$ 61.00	Send update to clients re: [REDACTED]
Kiener, Ariana	7/27/2023	\$610.00	0.1	\$ 61.00	Email clients update re: [REDACTED]
Kiener, Ariana	7/28/2023	\$610.00	0.2	\$ 122.00	Text and email clients [REDACTED]; talk to Charaf on the phone regarding [REDACTED]; email with co-counsel regarding same
Kiener, Ariana	7/31/2023	\$610.00	0.1	\$ 61.00	Participate in call with E. Drake and J. Hibray re: [REDACTED]
Kiener, Ariana	7/31/2023	\$610.00	0.6	\$ 366.00	Conduct initial review of [REDACTED]; email with J. Hibray regarding same
Hibray, Jean	7/31/2023	\$450.00	0.4	\$ 180.00	Discuss [REDACTED] pull and circulate same
Hibray, Jean	8/1/2023	\$450.00	0.1	\$ 45.00	Email re [REDACTED] Drake review
Drake, Eleanor Michelle	8/7/2023	\$1,180.00	0.1	\$ 118.00	team meeting re case status and moving forward
Kiener, Ariana	8/8/2023	\$610.00	3.8	\$ 2,318.00	Review and clean up [REDACTED]; send to E. Drake for her review
Hibray, Jean	8/9/2023	\$450.00	0.1	\$ 45.00	Pull [REDACTED] and email re same
Hibray, Jean	8/14/2023	\$450.00	0.1	\$ 45.00	Email [REDACTED] summary to co counsel
Filbert, David	9/19/2023	\$420.00	0.4	\$ 168.00	George Washington University Database - Question re [REDACTED]
Drake, Eleanor Michelle	10/5/2023	\$1,180.00	0.1	\$ 118.00	team meeting to discuss case status
Kiener, Ariana	10/10/2023	\$610.00	0.1	\$ 61.00	Reply to Charaf re: [REDACTED]
Drake, Eleanor Michelle	11/9/2023	\$1,180.00	0.1	\$ 118.00	call with team to discuss deadlines and next steps
Kiener, Ariana	12/13/2023	\$610.00	0.1	\$ 61.00	Send updates to clients re [REDACTED]

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MARK SHAFFER, MARGARET MAULDIN,
CHARAFEDDINE ZAITOUN, and MARC
LESSIN, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

THE GEORGE WASHINGTON
UNIVERSITY and THE BOARD OF
TRUSTEES OF GEORGE WASHINGTON
UNIVERSITY,

Defendants.

Civil No. 1:20-cv-01145-RJL

**DECLARATION OF ANDREW S. LEVETOWN IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS AND CLASS
REPRESENTATIVE SERVICE AWARDS**

I, Andrew S. Levetown, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I, Andrew S. Levetown, am a Partner of the law firm Levetown Law, LLP, with an office in the District of Columbia. I am admitted to practice in the District of Columbia and in the Commonwealth of Virginia. I am also admitted to practice in federal court in the District of Columbia and before the United States Court of Appeals for the D.C. and Fourth Circuits. I graduated from law school in 1988 and have served as an Assistant United States Attorney in the District of Columbia.

2. I respectfully submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and Expenses. I have personal knowledge of the matters set forth herein and I am competent to testify with respect thereto.

3. I served as local counsel in this matter, and I gathered facts relevant to this matter, communicated with the Class Representatives and other witnesses and I performed legal research. From April 2020 through February 22, 2024, I expended 30.7 hours on this matter. My expenses total \$400.00, which was the cost of the filing fee. **See Exhibits A and B.**

4. My work on this case was performed on a wholly-contingent fee basis. My firm has not received any compensation in connection with this case, either as a fee or as an expense reimbursement.

5. I have billed my time at an hourly rate of \$650 per hour. My hourly rate according to the Laffey Matrix, based on my 20+ years of experience, is \$1057 per hour.¹

6. My billed hours are derived from contemporaneous daily time records. The \$400 expense item is part of the court record in this case.

¹ <http://www.laffeymatrix.com/see.html>

7. My work on this case was done at the direction of Hagens Berman attorneys.

8. I have significant experience in prosecuting actions including class actions in state and federal courts and I have worked with Hagens Berman on numerous class action cases since 2009. In my opinion, the work I performed was reasonable and necessary in prosecuting this action.

9. I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 23, 2024

Respectfully submitted,

/s/ Andrew S. Levetown
ANDREW S. LEVETOWN
Levetown Law, LLP

Exhibit A

Time Entries**Levetown Law, LLP**

Professional = All (Active Only)
 Group By Professional Group
 Client - Engagement = Shaffer v. GWU Board of
 Trustees (Active Only)
 Task Code = All
 View = Original
 From 01-01-2020 To 02-22-2024

Date	Status	Approval	BillableType	Task	Professional	Start	Stop	Duration	Rate	Amount
Mark Shaffer										
Shaffer v. GWU Board of Trustees										
04-24-2020	Approved		Billable	C100 - Fact Gathering	Levetown, Andrew			0.800	650.00	520.00
C100 - Fact Gathering: talking to GWU students re tuition refund issues; call with Mark Shaffer										
04-27-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	650.00	325.00
B110 - Case Administration: setting up call with Dan Krowski and client; also discussion with former client who wants to join class.										
05-01-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			2.500	650.00	1,625.00
Review and edit, checking local rules; filing Complaint; emails to co-counsel										
05-06-2020	Approved		Billable	L410 - Fact Witnesses	Levetown, Andrew			1.800	650.00	1,170.00
Call from father of student at GWU; calls about press inquiries wanting to talk to counsel and plaintiffs										
05-06-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			1.300	650.00	845.00
C400 - Third Party Communication: Handling press inquiries from local and national press.										
05-07-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.800	650.00	520.00
Draft Op-Ed written by client; review, edits										
05-07-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	650.00	325.00
Review and filing pro hac applications for Hagens Berman										
05-11-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			1.500	650.00	975.00
Legal research and answering press questions; writing summary for partner interview										
05-11-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.800	650.00	520.00
Correspondence with GWU re service of summons and waiver by email because of COVID. Emails and discussions re this issue with co-counsel										
05-12-2020	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			0.800	650.00	520.00
C300 - Analysis and Advice: Reviewing and editing suggestions for Op-Ed draft written by client.										
05-12-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.500	650.00	325.00
Responding to press inquiry and discussion about same with partner.										
05-13-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.400	650.00	260.00
Correspondence with opposing counsel re service of summons.										
05-14-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			3.300	650.00	2,145.00

02-22-2024 18:21:33

Page 1 of 4

Time Entries**Levetown Law, LLP**

Professional = All (Active Only)
 Group By Professional Group
 Client - Engagement = Shaffer v. GWU Board of
 Trustees (Active Only)
 Task Code = All
 View = Original
 From 01-01-2020 To 02-22-2024

Date	Status	Approval	BillableType	Task	Professional	Start	Stop	Duration	Rate	Amount
Mark Shaffer										
Shaffer v. GWU Board of Trustees										
Reviewing Op-Ed written by client and discussion with staff at Wash Post										
05-17-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.300	650.00	195.00
Reviewing press request for info on refunds										
05-27-2020	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			0.300	650.00	195.00
Review of case management order and advising on contacting GWU										
06-03-2020	Approved		Billable	L110 - Fact Investigation / Development	Levetown, Andrew			1.000	650.00	650.00
Discussion with father of student at GWU. email to co-counsel re same										
06-25-2020	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			0.500	650.00	325.00
Reviewing motion and sending edits to co-counsel										
07-14-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.200	650.00	130.00
Emails re: review and filing of complaint										
07-15-2020	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			1.800	650.00	1,170.00
Reviewing draft complaint; editing document; sending to co-counsel and discussions about same.										
09-11-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.200	650.00	130.00
Advising client re response to press inquiries										
09-14-2020	Approved		Billable	C100 - Fact Gathering	Levetown, Andrew			0.300	650.00	195.00
C100 - Fact Gathering: discussion with client re call from fact witness at GWU. Emails to co-counsel re: same.										
09-16-2020	Approved		Billable	C100 - Fact Gathering	Levetown, Andrew			0.800	650.00	520.00
C100 - Fact Gathering: Call with fact witness from GWU and emails to co-counsel re same.										
10-01-2020	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.100	650.00	65.00
B110 - Case Administration: Responding to email re JPA										
10-13-2020	Approved		Billable	L120 - Analysis / Strategy	Levetown, Andrew			0.500	650.00	325.00
Responding to client re status of case and discussion re responding to press inquiry.										
10-20-2020	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.300	650.00	195.00
B110 - Case Administration: Responding to email from putative class member.										
05-18-2021	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			1.300	650.00	845.00
Reviewing draft filing package and responding to Dan Kurowski.										

Time Entries**Levetown Law, LLP**

Professional = All (Active Only)
 Group By Professional Group
 Client - Engagement = Shaffer v. GWU Board of
 Trustees (Active Only)
 Task Code = All
 View = Original
 From 01-01-2020 To 02-22-2024

Date	Status	Approval	BillableType	Task	Professional	Start	Stop	Duration	Rate	Amount
Mark Shaffer										
Shaffer v. GWU Board of Trustees										
05-28-2021	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	500.00	250.00
				Reviewing filing package and responding to Dan Kurowski.						
10-20-2021	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.100	650.00	65.00
				Receiving update from Dan Kurowski and updating client.						
11-19-2021	Approved		Billable	L530 - Oral Argument	Levetown, Andrew			0.400	650.00	260.00
				L530 - Oral Argument: Calls and emails with client and co-counsel regarding status of oral argument.						
01-19-2022	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			0.500	650.00	325.00
				C300 - Analysis and Advice: email and discussion with co-counsel about oral argument at Court of Appeals						
03-08-2022	Approved		Billable	C300 - Analysis and Advice	Levetown, Andrew			1.500	650.00	975.00
				Reviewing Court Of Appeals decision; sending to client; discussion with client re same. Email thoughts to Dan Kurowski						
06-29-2022	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.200	650.00	130.00
				Responding to email from Dan Kurowski re identification of witness.						
07-13-2022	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.200	650.00	130.00
				C400 - Third Party Communication: Responding to inquiry from putative class member.						
10-24-2022	Approved		Billable	C400 - Third Party Communication	Levetown, Andrew			0.300	650.00	195.00
				C400 - Third Party Communication: Reviewing proposed communication with GW; responding to Dan Kurowski.						
10-27-2022	Approved		Billable	L200 - Pre-Trial Pleadings and Motions	Levetown, Andrew			0.500	650.00	325.00
				Reviewing proposed orders and emails to Dan Kurowski re edits.						
11-16-2022	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	650.00	325.00
				B110 - Case Administration: Reviewing subpoenas to Emma Shaffer and discussion with client re same.						
01-27-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	650.00	325.00
				B110 - Case Administration: Discussion with client re desire to go forward and deposition options - remote or in person.						
01-31-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.300	650.00	195.00
				B110 - Case Administration: Discussion with client re his costs associated with attending a deposition. Email to Dan Kurowski regarding facts needed to argue for a remote deposition.						

Time Entries

Levetown Law, LLP

Professional = All (Active Only)
 Group By Professional Group
 Client - Engagement = Shaffer v. GWU Board of
 Trustees (Active Only)
 Task Code = All
 View = Original
 From 01-01-2020 To 02-22-2024

Date	Status	Approval	BillableType	Task	Professional	Start	Stop	Duration	Rate	Amount
Mark Shaffer										
Shaffer v. GWU Board of Trustees										
02-03-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.300	650.00	195.00
B110 - Case Administration: Reviewing modified JPA; signing document and discussion with Dan Kurowski.										
03-01-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.300	650.00	195.00
B110 - Case Administration: helping get dates for depositions of Emma Shaffer; calls to client and responding to co-counsel with dates.										
03-15-2023	Approved		Billable	C100 - Fact Gathering	Levetown, Andrew			0.300	650.00	195.00
C100 - Fact Gathering: Helping co-counsel respond to discovery request; responding to email from co-counsel and correspondence with client.										
03-23-2023	Approved		Billable		Levetown, Andrew			0.200	650.00	130.00
Reviewing answer to interrogatory and responding to Whitney Siehl, Hagens Berman										
03-26-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.200	650.00	130.00
B110 - Case Administration: calling client and sending FERPA waiver for signature.										
05-04-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.300	650.00	195.00
B110 - Case Administration: email with Dan Kurowski and updating client on case status										
05-16-2023	Approved		Billable	B110 - Case Administration	Levetown, Andrew			0.500	650.00	325.00
B110 - Case Administration: reviewing medication brief and sending brief to client.										
								Engagement Total	30.700	19,880.00
								Client Total	30.700	19,880.00
								Grand Total	30.700	19,880.00

Exhibit B

Time and Expense Entries

Levetown Law, LLP

Professional = All (Active Only)
 Client - Engagement = Shaffer v. GWU Board of
 Trustees (Active Only)
 Resp Professional = All (Inactive Included)
 Status = All
 Billable Type = All
 View = Original
 From 01-01-2020 To 02-22-2024

Date	Status	Type	Code	Professional	Amount
Mark Shaffer					
Shaffer v. GWU Board of Trustees					
Time					
04-24-2020	Approved	Billable	C100 - Fact Gathering	Levetown, Andrew	520.00
			C100 - Fact Gathering: talking to GWU students re tuition refund issues; call with Mark Shaffer		
04-27-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	325.00
			B110 - Case Administration: setting up call with Dan Krowski and client; also discussion with former client who wants to join class.		
05-01-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	1,625.00
			Review and edit, checking local rules; filing Complaint; emails to co-counsel		
05-06-2020	Approved	Billable	L410 - Fact Witnesses	Levetown, Andrew	1,170.00
			Call from father of student at GWU; calls about press inquiries wanting to talk to counsel and plaintiffs		
05-06-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	845.00
			C400 - Third Party Communication: Handling press inquiries from local and national press.		
05-07-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	520.00
			Draft Op-Ed written by client; review, edits		
05-07-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	325.00
			Review and filing pro hac applications for Hagens Berman		
05-11-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	975.00
			Legal research and answering press questions; writing summary for partner interview		
05-11-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	520.00
			Correspondence with GWU re service of summons and waiver by email because of COVID. Emails and discussions re this issue with co-counsel		
05-12-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	325.00
			Responding to press inquiry and discussion about same with partner.		
05-12-2020	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	520.00
			C300 - Analysis and Advice: Reviewing and editing suggestions for Op-Ed draft written by client.		
05-13-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	260.00
			Correspondence with opposing counsel re service of summons.		
05-14-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	2,145.00
			Reviewing Op-Ed written by client and discussion with staff at Wash Post		
05-17-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	195.00
			Reviewing press request for info on refunds		
05-27-2020	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	195.00
			Review of case management order and advising on contacting GWU		
06-03-2020	Approved	Billable	L110 - Fact Investigation / Development	Levetown, Andrew	650.00
			Discussion with father of student at GWU. email to co-counsel re same		
06-25-2020	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	325.00

Time and Expense Entries

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Date	Status	Type	Code	Professional	Amount
Mark Shaffer					
Shaffer v. GWU Board of Trustees					
Time					
			Reviewing motion and sending edits to co-counsel		
07-14-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	130.00
			Emails re: review and filing of complaint		
07-15-2020	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	1,170.00
			Reviewing draft complaint; editing document; sending to co-counsel and discussions about same.		
09-11-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	130.00
			Advising client re response to press inquiries		
09-14-2020	Approved	Billable	C100 - Fact Gathering	Levetown, Andrew	195.00
			C100 - Fact Gathering: discussion with client re call from fact witness at GWU. Emails to co-counsel re: same.		
09-16-2020	Approved	Billable	C100 - Fact Gathering	Levetown, Andrew	520.00
			C100 - Fact Gathering: Call with fact witness from GWU and emails to co-counsel re same.		
10-01-2020	Approved	Billable	B110 - Case Administration	Levetown, Andrew	65.00
			B110 - Case Administration: Responding to email re JPA		
10-13-2020	Approved	Billable	L120 - Analysis / Strategy	Levetown, Andrew	325.00
			Responding to client re status of case and discussion re responding to press inquiry.		
10-20-2020	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	195.00
			B110 - Case Administration: Responding to email from putative class member.		
05-18-2021	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	845.00
			Reviewing draft filing package and responding to Dan Kurowski.		
05-28-2021	Approved	Billable	B110 - Case Administration	Levetown, Andrew	250.00
			Reviewing filing package and responding to Dan Kurowski.		
10-20-2021	Approved	Billable	B110 - Case Administration	Levetown, Andrew	65.00
			Receiving update from Dan Kurowski and updating client.		
11-19-2021	Approved	Billable	L530 - Oral Argument	Levetown, Andrew	260.00
			L530 - Oral Argument: Calls and emails with client and co-counsel regarding status of oral argument.		
01-19-2022	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	325.00
			C300 - Analysis and Advice: email and discussion with co-counsel about oral argument at Court of Appeals		
03-08-2022	Approved	Billable	C300 - Analysis and Advice	Levetown, Andrew	975.00
			Reviewing Court Of Appeals decision; sending to client; discussion with client re same. Email thoughts to Dan Kurowski		
06-29-2022	Approved	Billable	B110 - Case Administration	Levetown, Andrew	130.00
			Responding to email from Dan Kurowski re identification of witness.		
07-13-2022	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	130.00
			C400 - Third Party Communication: Responding to inquiry from putative class member.		

Time and Expense Entries
Levetown Law, LLP

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 From 01-01-2020 To 02-22-2024

Date	Status	Type	Code	Professional	Amount
Mark Shaffer					
Shaffer v. GWU Board of Trustees					
Time					
10-24-2022	Approved	Billable	C400 - Third Party Communication	Levetown, Andrew	195.00
			C400 - Third Party Communication: Reviewing proposed communication with GW; responding to Dan Kurowski.		
10-27-2022	Approved	Billable	L200 - Pre-Trial Pleadings and Motions	Levetown, Andrew	325.00
			Reviewing proposed orders and emails to Dan Kurowski re edits.		
11-16-2022	Approved	Billable	B110 - Case Administration	Levetown, Andrew	325.00
			B110 - Case Administration: Reviewing subpoenas to Emma Shaffer and discussion with client re same.		
01-27-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	325.00
			B110 - Case Administration: Discussion with client re desire to go forward and deposition options - remote or in person.		
01-31-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	195.00
			B110 - Case Administration: Discussion with client re his costs associated with attending a deposition. Email to Dan Kurowski regarding facts needed to argue for a remote deposition.		
02-03-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	195.00
			B110 - Case Administration: Reviewing modified JPA; signing document and discussion with Dan Kurowski.		
03-01-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	195.00
			B110 - Case Administration: helping get dates for depositions of Emma Shaffer; calls to client and responding to co-counsel with dates.		
03-15-2023	Approved	Billable	C100 - Fact Gathering	Levetown, Andrew	195.00
			C100 - Fact Gathering: Helping co-counsel respond to discovery request; responding to email from co-counsel and correspondence with client.		
03-23-2023	Approved	Billable		Levetown, Andrew	130.00
			Reviewing answer to interrogatory and responding to Whitney Siehl, Hagens Berman		
03-26-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	130.00
			B110 - Case Administration: calling client and sending FERPA waiver for signature.		
05-04-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	195.00
			B110 - Case Administration: email with Dan Kurowski and updating client on case status		
05-16-2023	Approved	Billable	B110 - Case Administration	Levetown, Andrew	325.00
			B110 - Case Administration: reviewing medication brief and sending brief to client.		
Time Total					19,880.00
Expense					
05-01-2020	Approved	Billable	E112 - Court fees	Levetown, Andrew	400.00
			E112 - Court fees		
Expense Total					400.00
Engagement Total					20,280.00
Client Total					20,280.00
Grand Total					20,280.00

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MARK SHAFFER, MARGARET MAULDIN,
CHARAFEDDINE ZAITOUN, and MARC
LESSIN, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

THE GEORGE WASHINGTON
UNIVERSITY and THE BOARD OF
TRUSTEES OF GEORGE WASHINGTON
UNIVERSITY,

Defendants.

Civil No. 1:20-cv-01145-RJL

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES,
COSTS, AND CLASS REPRESENTATIVE SERVICE AWARDS**

This matter comes before the Court on Plaintiffs' Motion for Attorneys' Fees, Costs, and Class Representative Service Awards ("Motion"). Upon consideration of the Motion, and the declarations and exhibits submitted in support, and following the final approval hearing held by the Court on April 2, 2024, it is hereby ORDERED:

1. The Settlement confers a substantial benefit on Class Members.
2. Counsel effectively pursued claims on behalf of Class Members before this Court in this complex case and reasonably expended 1616.2 hours, resulting in a total lodestar of \$1,111,428.00 at the normal and customary hourly rates of those law firms, and costs of \$122,729.57 which were expended with no guarantee they would be compensated.
3. The Settlement was obtained as a direct result of Counsel's skillful advocacy.

4. Class Counsel moved for an award of attorneys' fees and costs in an amount not to exceed 33.3% of the total Settlement Fund and an award of \$10,000 to each of the certified Class Representatives.

5. Counsel who recovers a common fund for the benefit of persons other than themselves or their clients are entitled to a reasonable attorneys' fee from the fund as a whole. *Boeing Co. v. Van Gemert*, 444 U.S. 472, 478 (1980); *Blum v. Stenson*, 465 U.S. 886, 900 n.16 (1984).

6. The requested 33.3% fee award is well within the applicable range of reasonable percentage fund awards; and the Class Representatives have actively fulfilled their obligations.

7. Accordingly, the Court grants the requested attorneys' fees and costs in the amount of 33.3% of the Settlement Fund, for a total fee and cost award of \$1,799,820.00. The Court finds this award to be fair and reasonable.

8. The Court approves service awards for each of the Class Representatives in the amount of \$10,000 out of the Settlement Fund, in addition to their recovery from the Settlement. The Court finds these awards to be fair and reasonable.

9. Without affecting the finality of this Order, the Court shall retain continuing jurisdiction over this matter to resolve disputes, if any, that may arise from the provisions of this Order.

IT IS SO ORDERED.

Dated: _____

By: _____
HON. RICHARD J. LEON
UNITED STATES DISTRICT JUDGE