

# **EXHIBIT HH**

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14 *Interim Co-Lead Counsel for Direct Purchaser Plaintiffs*

15 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
16 OAKLAND DIVISION

17  
18 IN RE: LITHIUM ION BATTERIES  
ANTITRUST LITIGATION

Case No. 13-md-02420-YGR  
MDL No. 2420

19  
20 This Document Relates to:  
21 ALL DIRECT PURCHASER CLASS  
22 ACTIONS

**DECLARATION OF ALLAN STEYER  
IN SUPPORT OF DIRECT PURCHASER  
PLAINTIFFS' MOTION FOR AN  
AWARD OF ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES,  
AND INCENTIVE AWARDS**

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28 Case No. 13-md-02420-YGR

DECLARATION OF ALLAN STEYER IN SUPPORT OF DIRECT PURCHASER PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND INCENTIVE AWARDS

1 I, Allan Steyer, declare and state as follows:

2 1. I am a partner of the law firm of Steyer Lowenthal Boodrookas Alvarez & Smith LLP.  
3 I submit this declaration in support of Direct Purchaser Plaintiffs (“DPP”) application for an award  
4 of attorneys’ fees and reimbursement of expenses in connection with the services rendered in this  
5 litigation. I make this Declaration based on my own personal knowledge, and if called as a witness,  
6 I could and would competently testify to the matters stated herein.

7 2. My firm has served as counsel to plaintiff Automation Engineering, LLC and plaintiff  
8 Edward Klugman and as counsel for the Direct Purchaser Class (“Class”) throughout the course of  
9 this litigation. The background and experience of Steyer Lowenthal Boodrookas Alvarez & Smith  
10 LLP and its attorneys are summarized in the *curriculum vitae* attached hereto as Exhibit 1.

11 3. Steyer Lowenthal Boodrookas Alvarez & Smith LLP has prosecuted this litigation  
12 solely on a contingent-fee basis, and has been at risk that it would not receive any compensation for  
13 prosecuting claims against the Defendants. While Steyer Lowenthal Boodrookas Alvarez & Smith  
14 LLP devoted its time and resources to this matter, it has foregone other legal work for which it  
15 could have been compensated.

16 4. During the pendency of the litigation, Steyer Lowenthal Boodrookas Alvarez &  
17 Smith LLP performed the following work: The work assigned to our firm was managed and  
18 supervised by Allan Steyer, the partner responsible for this case. The work described below was  
19 performed by Jill Manning, Sumeet Oh, D. Scott Macrae, Gabriel Zeldin, Cameron Weiss, and  
20 Micah Ludke. We performed the following work:

- 21 • reviewed and edited the consolidated complaint;
- 22 • performed legal research and drafted a section of the opposition brief to  
23 defendants’ motion to dismiss;
- 24 • worked on a motion to strike defendants’ affirmative defenses to the  
25 consolidated complaint;
- 26 • drafted interrogatories and Document Requests;
- 27 • drafted deposition notices for Toshiba witness depositions;

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- 1 • prepared for and deposed three Toshiba witnesses;
- 2 • performed legal research, and drafted the opposition brief to Toshiba’s summary
- 3 judgment motion;
- 4 • prepared for and presented oral argument (Jill Manning) in opposition to
- 5 Toshiba’s motion for summary judgment at the hearing;
- 6 • conducted legal and factual research in support of motion for class certification;
- 7 • research and drafted a legal memorandum regarding the Rule 23(f) appeal of
- 8 class certification decision;
- 9 • Sumee Oh, a bilingual senior attorney, reviewed, analyzed and classified
- 10 documents for six Samsung SDI custodians and for twelve LG Chem custodians;
- 11 translated and drafted summaries;
- 12 • Ms. Oh assisted lead counsel in preparing for the depositions of four LG Chem
- 13 witnesses; drafted translated summaries; and
- 14 • we discussed/consulted with co-lead counsel on various pleading, discovery,
- 15 class certification, and summary judgment issues during the litigation.

16 5. Attached hereto as Exhibit 2 is my firm’s total hours and lodestar, computed at  
17 historical rates, for the period of June 1, 2013 through August 31, 2017. This period reflects the  
18 time spent after the appointment of Interim Co-Lead Counsel and Liaison Counsel for Direct  
19 Purchaser Plaintiffs (“DPP”) in this litigation. The total number of hours spent by Steyer Lowenthal  
20 Boodrookas Alvarez & Smith LLP during this period of time was 6,031.8, with a corresponding  
21 lodestar of \$2,636,666.50. My firm’s lodestar figures are based on the firm’s historical billing rates  
22 which do not include charges for expense items. Expense items are billed separately and such  
23 charges are not duplicated in my firm’s billing rates. This summary was prepared from  
24 contemporaneous, daily time records regularly prepared and maintained by my firm. The lodestar  
25 amount reflected in Exhibit 2 is for work assigned by DPP Co-Lead Counsel, and was performed by  
26 professionals at my law firm for the benefit of the Class.

27 6. Steyer Lowenthal Boodrookas Alvarez & Smith LLP has reviewed the time and

1 expense records that form the basis of this declaration to correct any billing errors. In addition, my  
2 firm has removed all time entries and expenses related to the following:

3 a. time spent reading or reviewing pleadings, ECF notices or other papers  
4 unless a necessary part of performing a specific assignment from Co-Lead Counsel;

5 b. travel time unless the attorney or professional was actively engaged in  
6 preparation or work in connection with a particular assignment made by Co-Lead Counsel which  
7 necessitated travel;

8 c. billing for time connected with creating timekeeping records or for the time  
9 of attorneys or staff expended in preparation of audited time records and expenses in support of  
10 DPPs' application for an award of attorneys' fees and reimbursement of expenses.

11 7. The hourly rates for the attorneys and professional support staff in my firm included  
12 in Exhibit 2 are the same as the regular rates charged for their services in non-contingent matters  
13 and/or which have been accepted in other complex or class action litigation subject to the hourly  
14 rate caps established by DPP Co-Lead Counsel, including:

15 a. the highest hourly rates for Attorneys at the highest Partner level is capped at  
16 \$850 per hour;

17 b. the highest hourly rates for Attorneys at the Of-counsel/Special counsel level  
18 for substantive work is capped at \$650 per hour, which excludes document review;

19 c. the highest hourly rates for Attorneys at the highest Associate level for  
20 substantive work is capped at \$450 per hour, which excludes document review;

21 d. the highest hourly rates for Attorneys at the Associate level engaged in  
22 English-language document review is capped at \$350 per hour; a cap of \$400 per hour is permitted  
23 where the reviewer has special skill set, such as foreign language translation, and Lead Counsel has  
24 approved that work performed; and

25 e. the highest hourly rates for Paralegals and investigators is capped at \$175 per  
26 hour.

27 8. My firm has expended a total of \$7,204.74 in unreimbursed costs and expenses in  
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1 connection with the prosecution of this litigation. These costs and expenses are broken down in the  
2 chart attached hereto as Exhibit 3. They were incurred on behalf of Direct Purchaser Plaintiffs by  
3 my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this action  
4 are reflected on the books and records of my firm. These books and records are prepared from  
5 expense vouchers, check records and other source materials and represent an accurate recordation  
6 of the expenses incurred.

7 9. Steyer Lowenthal Boodrookas Alvarez & Smith LLP paid a total of \$85,000.00 in  
8 assessments for the joint prosecution of the litigation against the Defendants.

9 10. My firm has carefully reviewed the time and expenses that comprise its reported  
10 lodestar and out of pocket expenses and represents that such lodestar and expenses comply with all  
11 material applicable terms of the May 21, 2013 letter from Co-Lead Counsel regarding Protocols for  
12 Maintaining and Reporting Time and Expense as well as Modified Pretrial Order No. 1 with Exhibit  
13 A (Dkt. No. 202, May 24, 2013).

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct. Executed on this 31<sup>st</sup> day of January, 2018 at San Francisco,  
16 California.

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18 ALLAN STEYER

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# **Exhibit 1**

**STEYER LOWENTHAL BOODROOKAS  
ALVAREZ & SMITH LLP**

One California Street, Third Floor  
San Francisco, CA 94111  
Telephone: (415) 421-3400  
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Allan Steyer is an experienced trial attorney, having tried plaintiff and defense cases in federal and state courts. He has tried cases for the National Football League, Equity Office Properties, USS-POSCO Industries (a US Steel/Pohang Steel Joint Venture), the founders/creators of Ms. Pac Man, ACC Lincoln bondholders (the infamous case against Charles Keating and others), and Technical Equities, a famous Bay Area fraud case involving more than 1,000 investors, including professional athletes and prominent professionals.

In addition, he has represented prominent entrepreneurs including Eduardo Saverin, the cofounder of Facebook, and Kirk Perron, the founder of Jamba Juice.

Mr. Steyer has been co-lead counsel or played a prominent role in various class and representative cases including *Lipuma v. American Express* (SD Fla) – settled for \$75 million – arising from foreign currency conversion charges to cardholders) *Schwartz v. Visa International Corp, et al.* (achieved with several co-counsel firms a \$780 million judgment after a six month trial in California state court, which later settled for \$336 million as part of a nationwide settlement of a companion antitrust case, *in re Visa/MasterCard Currency Conversion Litigation* (SD NY 2006); and *in re TFT-LCD (Flat Panel/Antitrust Litigation)* (N.D. Cal) which settled for \$1.8 billion in 2012 on the eve of the trial, the largest ever indirect purchaser case settlement.

He recently successfully defended USS-POSCO Industries in an alleged market allocation antitrust case. The district court granted summary judgment to the defendants and the Ninth Circuit Court of Appeal affirmed. He has litigated more than 50 complex litigation matters including state and federal class actions.

Mr. Steyer has been chosen by his peers as a Super Lawyer in Northern California annually since 2004.



**STEYER LOWENTHAL BOODROOKAS  
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**PARTNERS**

**Jeffrey H. Lowenthal**, (Member) born Los Angeles, California, January 10, 1958; admitted to bar, 1983, California. **Education:** University of California at Los Angeles (B.A., 1980); Boalt Hall School of Law, University of California at Berkeley (J.D., 1983). **Activities:** Chairman, Boalt Hall Moot Court Board, 1982-1983. Northern California Super Lawyer, 2005-2017; Super Lawyer, Corporate Counsel, 2008-2013; Super Lawyer, Business Edition, 2010-2012. Instructor, Boalt Hall School of Law, University of California, 1985-1986. Author, "Evidence," California Litigation Review, April 1997. Board of Directors, Huckleberry Youth Programs, Inc., 2005-2009 Member, Kentfield Schools Foundation, 1999-2001. Panelist, Early Settlement Program, Bar Association of San Francisco, 2002—. **Member:** Bar Association of San Francisco; State Bar of California; Marin Trial Lawyers Association (Member, Board of Trustees, 2002); Association of Business Trial Lawyers; California Land Title Association. **Practice Areas:** Real Property; Title Insurance Law; Commercial Litigation. **E-mail:** [jlowenthal@steyerlaw.com](mailto:jlowenthal@steyerlaw.com)

**Allan Steyer**, (Member) born Brooklyn, New York, July 25, 1952; admitted to bar, 1981, California. **Education:** State University of New York at Buffalo (B.A., magna cum laude, 1973); University of San Francisco School of Law (J.D., 1981). **Activities:** Legal Externship, California Supreme Court, Justice Mathew O. Tobriner, 1980. Selected by peers, Northern California Super Lawyer, 2004-2017. Author: "Era of Accounting Irregularities," May, 2002; "Comprehensive General Liability Policies, 1993: Obligation of the Parties," Practicing Law Institute; "Insurance Claims and Coverage Litigation;" "The Unfair Settlement Practices Regulations: Issues Relating to Discovery, Admissibility of Evidence In Civil Actions, and Exhaustion of Administrative Remedies," June, 1993; "Cross-Examination: Seven Steps To Success," California Litigation, Spring Issue, 1991. Speaker: Hot Topics in Financial Institution Litigation, State Bar of California Convention, September 2005 and October 2004; Innovative Strategies for Pursuing Unfair Competition Claims, State Bar of California Antitrust and Unfair Competition Law Section, May 2004; 2003 Advanced Business Litigation Institute, California CPA Education Foundation - Admissibility of Expert Witness Testimony; Advanced Business Litigation Institute Conference, California CPA Education Foundation, Era of Accounting Irregularities, May 2002; Punitive Damages in California Courts: Post BMW v. Gore, CAOC Seminar, December, 1998; Punitive Damages: Post BMW v. Gore - An Update, CAOC Seminar, December 1997; Punitive Damages: BMW Case, CAOC Seminar, December, 1996; Mediating Wrongful Termination, Harassment and Discrimination Cases, CAOC Seminar, November 1995; The After-Acquired Evidence Defense - Alive and Well?, CAOC Seminar, November 1995; Punitive Damages: Current Status and Trends, CTLA Seminar, December 1993; California Unfair Claims Settlement Practices Regulations: Compliance, Enforcement and Beyond, San Francisco Bar Association Program, June 1993; PLI Program, Comprehensive General Liability Policies; Insurance Claims and Coverage Litigation, New York, May 1993; "The 'Lincoln Savings' Trial," CTLA Seminar, December 1992; "Handling Claims Against

Savings and Loan Officers and Directors,” ATLA Advanced Seminars, August 1991; “Securities Fraud: The Big Cases and the Small Cases,” Kansas Trial Lawyers Association Annual Meeting, 1988. Instructor, National Institute for Trial Advocacy, Berkeley, California, 1999, San Francisco, California, 2001. Judge Pro Tem, San Mateo Superior Court, 1994-1998. **Member:** San Francisco, San Mateo County (Member: Bench and Bar Committee, 1990, 1994, 1996-2004; ADR Committee, 1994-1996) and American Bar Associations; State Bar of California; Consumer Attorneys of California; San Mateo County Trial Lawyers Association (Member, Board of Directors, 1987-1996; President, 1995); San Francisco Trial Lawyers Association (Member, Board of Directors, 1996-2008); The American Association for Justice; Association of Business Trial Lawyers. **Practice Areas:** Antitrust; Commercial Litigation; Consumer Class Actions; Investment Fraud; Labor and Employment; Securities; Real Property. **E-mail:** [asteyer@steyerlaw.com](mailto:asteyer@steyerlaw.com)

**Nick A. Boodrookas**, (Member) born Modesto, California, June 3, 1958; admitted to bar, 1983, California. **Education:** University of California at Davis (A.B., with highest honors, 1980); Boalt Hall School of Law, University of California at Berkeley (J.D., 1983). **Activities:** Phi Beta Kappa. Lecturer, Continuing Education of the Bar of California. Northern California Super Lawyer, 2005 and 2006, Labor & Employment Law. Member, 1998-2004, and President, 1999-2001, Board of Trustees, Saint Mark’s School. Member, 2002-2008 and Chairman, 2004-2006 Board of Trustees, Marin Academy. **Member:** Bar Association of San Francisco; State Bar of California (Member, Labor and Employment Law Section). **Reported Cases:** *Laborers Health & Welfare v. Westlake Development*, 53 F.3d 979 (9th Cir. 1995). **Practice Areas:** Labor and Employment; Litigation; Nonprofit Organizations; Independent Schools. **E-mail:** [nboodrookas@steyerlaw.com](mailto:nboodrookas@steyerlaw.com)

**Carlos A. Alvarez**, (Member) born Los Angeles, California, April 1, 1964; admitted to bar, 1989, California. **Education:** University of San Francisco (B.A., 1986); Boalt Hall School of Law, University of California at Berkeley (J.D., 1989). Northern California Super Lawyer, 2014-2015 and 2017. **Member:** The Bar Association of San Francisco; State Bar of California (Member, Sections on: Litigation and Real Property); San Francisco La Raza Lawyers Association; California Land Title Association. **Practice Areas:** Commercial Litigation; Real Property; Consumer Class Actions. **E-mail:** [calvarez@steyerlaw.com](mailto:calvarez@steyerlaw.com)

**Edward Egan Smith**, (Member) born Williamsburg, Virginia, February 4, 1965; admitted to bar, 1994, California. **Education:** University of Virginia (B.A., 1987); University of California, Hastings College of the Law (J.D., 1991). **Activities:** Senior Research Editor, Editorial Board, Hastings Law Journal, 1990-1991. Law Clerk to The Honorable Ed Carnes, U.S. Circuit Judge, Eleventh Circuit Court of Appeals, 1992-1993, and The Honorable Robert E. Varner, Senior U.S. District Judge, U.S. District Court, Middle District of Alabama, 1991-1992. Author, “The Criminalization of Belief: When Free Exercise Isn’t,” 42 Hastings L.J. 1491 (1991). **Member:** State Bar of California; Bar Association of San Francisco. **Practice Areas:** Commercial Litigation; Appeals; Labor and Employment; Real Property. **E-mail:** [esmith@steyerlaw.com](mailto:esmith@steyerlaw.com)

**Jill M. Manning**, (Member) born Carmel, California, July 19, 1969; admitted to bar, 1995, California. **Education:** University of California at Davis (B.A., 1991); Cambridge University, Pembroke College (summer, 1990); University of San Francisco School of Law (J.D., 1995). Member (1993-1994) and Editor (1994-1995), USF Law Review. **Speaking Events:** “The UCL, FAL and CLRA ‘Go Viral’: Facebook, Google, Apple, Yahoo! Zynga and Other High Tech Cases,” 21st Annual Golden State Antitrust and Unfair Competition Law Institute (October, 2011);

“Hot Topics in Competition Law,” 86th Annual Meeting of the State Bar of California (October, 2013); Moderator, “Privacy and Cybersecurity: An Insider’s View of Government Enforcement and Private Litigation,” State Bar of California, Antitrust and Unfair Competition Law Section (Feb. 25, 2015). **Publications:** The Sedona Conference, “Defense of Process: General Principles” (August, 2013); *Competition*, The Journal of the Antitrust and Unfair Competition Law Section of the State Bar of California, “Plaintiff Perspective: Food Fights - Recent Developments in Consumer Class Actions Challenging Food Labels,” Vol. 23, No. 2 (Fall 2014). **Legal Affiliations:** Deputy Vice Chair (Treatise), State Bar of California Antitrust and Unfair Competition Executive Committee; Member, Bar Association of San Francisco, Antitrust Section; Member, American Bar Association, Antitrust Section, Agriculture and Food Committee; Women Antitrust Plaintiffs Attorneys (WAPA). **Professional Activities:** Board of Trustees, Shoreline Unified School District; Member, Marin Agricultural Land Trust; Member, Marin Organic. **Practice Areas:** Antitrust and Unfair Competition; Consumer Fraud; Business Disputes. **Email:** [jmanning@steyerlaw.com](mailto:jmanning@steyerlaw.com)

**Dana M. Andreoli**, (Member) born San Francisco, California, August 16, 1982; admitted to bar, 2008, California. **Education:** University of California, San Diego, CA (B.A., 2004); Dickinson School of Law at Pennsylvania State University (J.D., 2008). **Activities:** Senior Editor for the PSU Environmental Law Review; interned for the civil division of The United States Attorney’s Office in Washington, D.C. **Member:** State Bar of California; Bar Association of San Francisco; Marin Trial Lawyers Association; Association of Business Trial Lawyers. **Practice Areas:** Commercial Litigation; Real Property; Title Insurance; Construction Defect; Appeals; Commercial Transactions. **Email:** [dandreoli@steyerlaw.com](mailto:dandreoli@steyerlaw.com)

## SENIOR COUNSEL

**Donald Scott Macrae**, born Summit, New Jersey, 1956; admitted to bar, 1982, California. **Education:** Bowdoin College at Brunswick, Maine (B.A., 1978); Boalt Hall School of Law, University of California at Berkeley (J.D., 1982). **Activities:** Recipient: James Bowdoin Scholar; American Jurisprudence Award. **Practice Areas:** Antitrust; Commercial; Consumer Class Actions; Securities. **Email:** [smacrae@steyerlaw.com](mailto:smacrae@steyerlaw.com)

**Jayne A. Peeters**, born Neenah, Wisconsin, April 21, 1954; admitted to bar, 1983, California. **Education:** University of Wisconsin, Madison, Wisconsin (B.S. 1976); Hastings College of the Law, University of California (J.D. 1982). **Activities:** Legal Externship, Marin Superior Court, 1982; Settlement Panelist, Marin Superior Court, 2002-2003. **Member:** Bar Association of San Francisco; State Bar of California. **Practice areas:** Class Actions; Commercial Litigation; Real Property. **Email:** [jpeeters@steyerlaw.com](mailto:jpeeters@steyerlaw.com)

**Alexander D. Kullar**, born San Francisco, California, July 16, 1983; admitted to bar, 2008, California; admitted to bar, 2009, District of Columbia. **Education:** University of California, Los Angeles, CA (B.A., 2005); Georgetown University Law Center, Washington, D.C. (J.D., 2008). **Member:** State Bar of California. **Practice area:** Litigation. **Email:** [akullar@steyerlaw.com](mailto:akullar@steyerlaw.com)

**Sumeet Oh**, born Seoul, Republic of Korea, January 31, 1964; admitted to bar, 2001, New York and New Jersey. **Education:** Brooklyn College, Brooklyn, NY (B.S., 1989); School of Hotel Administration, Cornell University; (M.P.S., 1993); Rutgers Law School, Rutgers University-

Newark (J.D., 2001). **Activities:** Judicial Intern for Judge Philip J. Cummis, NJ State Superior Court; Board Agent/Field Attorney-Intern, National Labor Relation Board, Region 22. **Member:** New York City Bar Association. **Practice Areas:** Antitrust, Class Action, Labor, Employment, Finance, Intellectual Property, Communications, Manufacturing, Product Liability, Technology. **Email:** [soh@steyerlaw.com](mailto:soh@steyerlaw.com)

## ASSOCIATES

**Jill K. Cohoe**, born New Westminster, B.C., Canada, February 10, 1987; admitted to bar, 2013, California. **Education:** University of California, Berkeley, CA (B.A., 2008); University of California, Hastings College of the Law (J.D., 2013). **Activities:** Senior Symposium Editor for the Hastings Law Journal, organized the Spring 2013 symposium, "From Bench to Society: Law and Ethics at the Frontier of Genomic Technology; Legal extern for the Hon. Marla J. Miller at the San Francisco Superior Court. **Member:** State Bar of California; Bar Association of San Francisco; Association of Business Trial Lawyers. **Practice Areas:** Business Litigation, Real Property, Construction, Title Insurance, Escrow, Civil Appeals. **Email:** [jcohoe@steyerlaw.com](mailto:jcohoe@steyerlaw.com)

**Cameron L. Weiss**, born San Diego, CA September 29, 1985; admitted to bar, 2013, California. **Education:** University of Southern California, Los Angeles, CA (B.S., 2008); University of San Diego School of Law (J.D., 2012). **Practice Areas:** Antitrust, Corporate, Contract. **Email:** [cweiss@steyerlaw.com](mailto:cweiss@steyerlaw.com)

**Kristopher M. Di Giovanni**, born Attleboro, Massachusetts, June 3, 1986; admitted to bar, 2012, California. **Education:** University of Miami, Coral Gables, FL (B.B.A., 2007); University of San Diego School of Law (J.D., 2012). **Activities:** Vice President of Phi Alpha Delta Legal Fraternity; certified legal intern for the civil division of University of San Diego School of Law's Pro Bono Legal Clinic. **Member:** State Bar of California; Los Angeles County Bar Association. **Practice Areas:** Class Action Litigation. **Email:** [kdigiovanni@steyerlaw.com](mailto:kdigiovanni@steyerlaw.com)

**Thomas J. Lloyd**, born Long Beach, CA, November 1, 1985; admitted to bar, 2015, California. **Education:** University of California, Santa Cruz, CA (B.A., 2007); University of California Hastings College of the Law (J.D., magna cum laude, 2015). **Practice Areas:** Commercial Litigation; Real Property; Antitrust Class Actions. **Email:** [tjlloyd@steyerlaw.com](mailto:tjlloyd@steyerlaw.com)

**Laura L. Gildengorin**, born Sacramento, CA, August 6, 1987; admitted to bar, 2016, California. **Education:** University of California, Berkeley, CA (B.A., 2009); University of California Hastings College of the Law (J.D., magna cum laude, 2016). **Practice Areas:** Commercial Litigation; Real Property; Antitrust Class Actions. **Email:** [lgildengorin@steyerlaw.com](mailto:lgildengorin@steyerlaw.com)

**Suneel Jain**, born Santa Clara, CA, October 8, 1988; admitted to bar 2017, California. **Education:** University of California, Berkeley (B.A., 2010); Georgetown University Law Center (J.D., 2015). **Practice Areas:** Antitrust Class Actions, Commercial Litigation. **Email:** [sjain@steyerlaw.com](mailto:sjain@steyerlaw.com)

**STEYER LOWENTHAL BOODROOKAS  
ALVAREZ & SMITH LLP  
CLASS ACTION AND OTHER COMPLEX LITIGATION MATTERS**

**A. Antitrust**

Ace Delivery & Moving, Inc. v. Horizon Lines, LLC, et al. - served as plaintiff's co-lead counsel for direct purchasers in a horizontal price fixing conspiracy putative class action (D. AK).

In Re: Aluminum Warehousing Antitrust Litigation - one of four firms representing opt outs (S.D. NY). (Case is on appeal to Second Circuit.)

In Re: Visa/Mastercard Currency Conversion Litigation - one of core firms that represented certified class of plaintiffs in massive MDL antitrust/Truth In Lending Act action arising from imposition of foreign currency conversion fees by Visa, MasterCard, and banks (S.D. NY). (\$336 million settlement approved.)

Mayor and City Counsel of Baltimore, Maryland v. Citigroup, Inc., et al. - one of three firms which represented purchasers of auction rate securities in a putative class action antitrust case (S.D. NY). Argued appeal in Second Circuit Court of Appeal.

Sidibe, et al. vs. Sutter Health, et al. - one of four firms representing putative class of consumers of hospital/medical services in tying case (N.D. CA). (Appeal pending in Ninth Circuit.)

In Re: German Automotive Manufacturers Antitrust Litigation - member of plaintiffs' steering committee. Putative class action by purchasers of German cars in horizontal price fixing case. (N.D.CA).

In Re: DRAM Antitrust Litigation - member of executive committee - represented indirect purchasers of DRAM in putative class action involving price fixing conspiracy (N.D. CA).

In Re: Flash Memory Antitrust Litigation - member of executive committee - represented putative class of indirect purchasers of flash memory against major electronic companies in a price fixing conspiracy (N.D. CA).

In Re Broiler Chicken Antitrust Litigation - representing putative class of direct purchasers in a horizontal price fixing conspiracy (N.D. IL).

In Re: Fresh and Processed Potatoes Antitrust Litigation - member of executive committee - representing plaintiff direct purchasers in a putative class action price fixing conspiracy (settlement preliminarily approved) (E.D. ID).

In Re: International Air Transportation Surcharge Antitrust Litigation - member of executive committee - representing putative class of ticket purchasers against major airline carriers (N.D. CA). (Partial settlements approved.)

In Re: Lithium Ion Batteries Antitrust Litigation - representing putative class of direct purchaser plaintiffs (N.D. CA). (Partial settlements obtained.)

In Re: Municipal Derivatives Antitrust Litigation - member of executive committee - represented class of purchasers of municipal securities in a price fixing conspiracy (S.D. NY).

In Re: NASDAQ Market-Makers Antitrust Litigation - represented plaintiffs in a national class action price fixing case against 33 broker-dealer defendants (S.D. NY).

In Re: NCAA Student-Athlete Name & Likeness Licensing Litigation - member of executive committee - representing class of plaintiffs in a price fixing conspiracy regarding current and former student athletes (N.D. CA). (Settlement approved.) (Defendant NCAA's Ninth Circuit appeal regarding fee award pending.)

In Re: Packaged Seafood Products Antitrust Litigation - representing putative plaintiff class of purchasers of packaged seafood in a horizontal price fixing case (S.D. CA).

In Re: Payment Card Interchange Fee and Merchant Discount Antitrust Litigation - representing putative plaintiff class in a price fixing case against Visa, Mastercard and major banks regarding interchange fees (E.D. NY). (Reversed by Second Circuit. Case is ongoing.)

In Re: Processed Egg Products Antitrust Litigation - representing putative plaintiff class in a price fixing conspiracy (E.D. PA). (Partial settlements approved/trial scheduled – 2018)

In Re: TFT-LCD (Flat Panel) Antitrust Litigation - represented class of indirect purchasers in a price fixing conspiracy against manufacturers of flat panels for televisions, computer monitors, and laptop computers (N.D. CA). (\$1,080 billion settlement approved.)

In Re: CD Antitrust Litigation - represented plaintiffs in a consolidated nationwide federal class action and antitrust/price fixing case involving the music industry (D. ME).

In Re: Graphics Processing Units Antitrust Litigation - represented putative class of indirect purchasers of graphic cards against major electronic companies in a price fixing conspiracy (N.D. CA).

In Re: Korean Air Lines Co., Ltd. Antitrust Litigation - represented plaintiff class in a price fixing conspiracy (C.D. CA). (Settlement approved.)

In Re: Optical Disk Drive Products Antitrust Litigation - represented putative plaintiff class of purchasers in a price fixing conspiracy (N.D. CA). (Settlement approved.)

In Re: Static Random Access Memory (SRAM) Antitrust Litigation - represented class of indirect purchasers in a price fixing conspiracy case against multiple SRAM manufacturers (N.D. CA).

In Re: Air Cargo Shipping Services Antitrust Litigation - represented putative classes of direct purchasers of air cargo services against numerous airline defendants in a price fixing conspiracy (E.D. NY).

In Re: Aftermarket Automotive Lighting Products Antitrust Litigation - represented plaintiff class of direct purchasers in a horizontal price fixing conspiracy (C.D. CA).

In Re: Cathode Ray Tube (CRT) Antitrust Litigation - represented class of direct purchaser plaintiffs (N.D. CA).

## **B. Consumer**

Christina Grace v. Apple, Inc. - one of four firms representing putative class of consumers in case regarding FaceTime feature on iPhones (N.D. CA).

In Re ConAgra Foods, Inc. – representing a certified class of plaintiffs in a false advertising case (C.D. CA).

Schwartz v. Visa International Corp., et al. - represented plaintiffs in nationwide consumer representative action regarding imposition on credit card users of hidden, foreign currency conversion fees (one of three firms that successfully tried six month trial and obtained \$780 million judgment) (Alameda County Superior Court). (Settlement approved.)

Shrieve v. Visa U.S.A. Inc., et al. - co-lead counsel - represented plaintiffs in putative nationwide consumer class action regarding imposition on debit card users of hidden, foreign currency conversion fees (Alameda County Superior Court). (Settlement approved.)

Mattingly v. Visa U.S.A. Inc., et al. - co-lead counsel - represented plaintiffs in putative nationwide consumer class action regarding imposition on credit card users of hidden, foreign currency conversion fees (Alameda County Superior Court). (Settlement approved.)

Lipuma v. American Express - co-lead counsel - represented plaintiffs in nationwide consumer class action regarding deceptive business practices involving foreign currency conversion fees imposed on cardholders (S.D. FL). (Settlement approved.)

Green v. Chase Manhattan Bank USA, N.A., et al. - co-lead counsel - represented plaintiffs in putative consumer class action against home equity line lenders regarding failure to comply with statutory requirements for reconveyance of deeds of trust (San Francisco County Superior Court). (Settlement approved.)

Silva, et al. v. Provident Funding Associates, L.P., et al. - co-lead counsel - represented plaintiffs in consumer class action regarding late fees charged by a mortgage service company (San Mateo County Superior Court). (Settlement approved.)

Marshall, et al. v. H&R Block, Inc., et al. - one of four firms that represented putative nationwide class of tax preparation clients in deceptive business practices case (S.D. IL).

Mulligan v. Pacific Bell - co-lead counsel - represented plaintiffs in California consumer class action alleging violations of Bus. & Prof. Code § 17200 and California Consumer Legal Remedies Act (Alameda County Superior Court). (Settlement approved.)

Citigroup Loan Cases - represented plaintiffs in nationwide consumer class alleging Bus. & Prof. Code § 17200 claims against lenders regarding deceptive and illegal lending practices to consumers (San Francisco County Superior Court). (Settlement approved.)

Gordon v. Apple Computer - represented plaintiffs in consumer nationwide class action arising from sale of alleged defective computers (Bus. & Prof. Code § 17200) (Santa Clara County Superior Court). (Settlement approved.)

Castro v. Providian - co-lead counsel - represented class of borrowers alleging Bus. & Prof. Code § 17200 claims arising from lender's imposition of unconscionable terms and interest charges on credit card lines (San Mateo County Superior Court). (Settlement approved.)

Lavie v. Procter & Gamble - co-lead counsel - represented plaintiffs in consumer representative action - false advertising, Bus. & Prof. Code § 17200 claims regarding OTC drug, including three week trial and appeal. (San Francisco County Superior Court).

Littau v. Circuit City - co-lead counsel - represented plaintiffs in consumer class action - false advertising, Bus. & Prof. Code § 17200 claims against major electronics retailers (San Francisco County Superior Court). (Settlement approved.)

### **C. Investment Fraud/Securities**

In Re: American Continental Corporation/Lincoln Savings & Loan Securities Litigation - co-lead counsel - represented class of bond purchasers against three Big 5 accounting firms, Charles Keating and many other defendants - including a four month jury trial (D. AZ).

In Re: Technical Equities Coordinated Litigation - represented hundreds of plaintiffs in fraud case against Bear Stearns, Big 5 accounting firms, Security Pacific National Bank and other defendants - including a three month jury trial - obtained \$153 million judgement (Santa Clara County Superior Court).

Represented two hedge funds in securities litigation against public company (ND CA).  
Represented four hedge funds in securities litigation against public company (public/private offering) (S.D. NY).

In Re: Asia Pulp & Paper Securities Litigation - represented class of investors in a securities fraud action (S.D. NY). (Settlement approved.)

William A. Brandt, Jr. v. Gordon A. Campbell, et al. - represented former CFO of bankrupt technology company in action brought by bankruptcy trustee against company's directors and officers (San Mateo County Superior Court).

In Re: General Instrument Securities Litigation - MDL proceeding - represented group of investors including money managers who suffered multi-million dollar losses arising out of 1995 merger of private company with publicly traded company; action was coordinated with national



securities class actions (N.D. IL). (Settlement approved.)

In Re: TMI Limited Partnership Litigation - one of two firms that represented approximately 20,000 school teachers who invested in 35 real estate limited partnerships in class action for fraud, breach of fiduciary duty, against general partners and Big 5 accounting firm (Orange County Superior Court). (Settlement approved.)

Smith v. Merrill Lynch - represented plaintiffs in Orange County bond holder class action litigation (Orange County Superior Court and federal district court).

Klein v. Sacks - co-lead counsel - represented investors in real estate limited partnerships fraud scheme in class action against general partners and attorneys (Los Angeles County Superior Court).

In Re: Executive Life Litigation - represented plaintiffs in consolidated policy holder class actions against directors and officers and Big 5 accounting firm in fraud action (Los Angeles County Superior Court). (Settlement approved.)

ZZZZBest Litigation - represented Union Bank against Big 5 accounting firm that audited ZZZZBest (Los Angeles County Superior Court and C.D. CA).

#### **D. Other Complex Litigation**

Represented cofounder of Facebook in breach of fiduciary duty/fraud case (Santa Clara County Superior Court). (Case settled in 2008. Featured in movie “The Social Network.”)

Crown Paper Liquidating Trust v. PriceWaterhouseCoopers LLP - represented bankruptcy trustee in fraudulent conveyance and business tort action against multiple defendants (N.D. CA). (Settlement approved after trial commenced.)

Peinado v. Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun - co-lead counsel - represented plaintiffs in national origins class action discrimination lawsuit (San Francisco County Superior Court).

Meris Labs v. Long Beach Memorial Hospital - represented subsidiary of nonprofit hospital in breach of contract/fraud case, including twelve week jury trial (Santa Clara County Superior Court).

dZine v. Hyundai - represented Belgian company in breach of contract/fraud case arising from failure of computer chip, a component processing part of digital satellite transmission system, including six week trial (Santa Clara County Superior Court).

Bank of America v. Lloyds of London - represented bank in multimillion dollar insurance coverage case (San Francisco County Superior Court).

Ferguson v. National Football League - represented NFL in three week jury trial of wrongful termination suit filed by referee (Santa Clara County Superior Court).

# **Exhibit 2**

**EXHIBIT 2*****In re Lithium Ion Batteries Antitrust Litigation, Case No. 13-MD-2420 YGR***

STEYER LOWENTHAL BOODROOKAS ALVAREZ &amp; SMITH LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
<b>ATTORNEYS</b>					
ALLAN STEYER	P	2017	13.30	\$850.00	\$11,305.00
ALLAN STEYER	P	2016	64.80	\$850.00	\$55,080.00
ALLAN STEYER	P	2015	155.10	\$850.00	\$131,835.00
ALLAN STEYER	P	2014	105.50	\$850.00	\$89,675.00
ALLAN STEYER	P	2013	41.70	\$840.00	\$35,028.00
JILL M. MANNING	P	2017	1.80	\$800.00	\$1,440.00
JILL M. MANNING	P	2016	199.60	\$750.00	\$149,700.00
JILL M. MANNING	P	2015	462.00	\$720.00	\$332,640.00
JILL M. MANNING	OC	2014	117.20	\$650.00	\$76,180.00
D. SCOTT MACRAE	A	2017	9.20	\$650.00	\$5,980.00
D. SCOTT MACRAE	A	2014	0.20	\$650.00	\$130.00
SUMEE OH	A	2017	188.00	\$400.00	\$75,200.00
SUMEE OH	A	2016	1,363.40	\$400.00	\$545,360.00
SUMEE OH	A	2015	857.20	\$400.00	\$342,880.00
GABRIEL D. ZELDIN	A	2016	73.50	\$450.00	\$33,075.00
GABRIEL D. ZELDIN	A	2015	552.40	\$350.00	\$193,340.00
GABRIEL D. ZELDIN	A	2014	91.60	\$350.00	\$32,060.00
GABRIEL D. ZELDIN	A	2013	46.40	\$340.00	\$15,776.00
CAMERON L. WEISS	A	2016	289.40	\$350.00	\$101,290.00
CAMERON L. WEISS	A	2015	882.50	\$295.00	\$260,337.50
MICAH G. LUDKE	A	2014	333.00	\$350.00	\$116,550.00
<b>NON-ATTORNEYS</b>					
MICHAEL MCCREE	PL	2015	126.00	\$175.00	\$22,050.00
ADISON MARSHALL	PL	2017	14.90	\$175.00	\$2,607.50
ADISON MARSHALL	PL	2016	9.00	\$175.00	\$1,575.00
BRITTANY WEBB	PL	2016	18.30	\$175.00	\$3,202.50
HUGO THOMMASSON	PL	2015	15.80	\$150.00	\$2,370.00

**EXHIBIT 2**

***In re Lithium Ion Batteries Antitrust Litigation, Case No. 13-MD-2420 YGR***

**STEYER LOWENTHAL BOODROOKAS ALVAREZ & SMITH LLP**

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

<b>NAME</b>	<b>STATUS</b>	<b>YEAR</b>	<b>TOTAL HOURS</b>	<b>HISTORICAL HOURLY RATE</b>	<b>LODESTAR</b>
<b>TOTAL:</b>			<b>6,031.80</b>		<b>\$2,636,666.50</b>

(P) Partner

(A) Associate

(INV) Investigator

(PL) Paralegal

# **Exhibit 3**

*In re Lithium Ion Batteries Antitrust Litigation, Case No. 13-MD-2420 YGR***EXHIBIT 3**

STEYER LOWENTHAL BOODROOKAS ALVAREZ &amp; SMITH LLP

Expenses Incurred

June 1, 2013 through August 31, 2017

<b>CATEGORY</b>	<b>AMOUNT INCURRED</b>
Court Fees (filing, etc.)	\$0.00
Computer Research (Lexis, Westlaw, PACER, etc.)	\$3,375.34
Document Production	\$0.00
Experts / Consultants	\$0.00
Messenger Delivery	\$36.18
Photocopies - In House	\$0.00
Photocopies - Outside	\$0.00
Postage	\$0.00
Service of Process	\$0.00
Overnight Delivery (Federal Express, etc.)	\$19.30
Telephone / Facsimile	\$27.09
Transcripts (Hearings, Depositions, etc.)	\$0.00
Travel (Airfare, Ground Travel)	\$205.63
Travel (Meals and Lodging)	\$3,541.20
<b>TOTAL</b>	<b>\$7,204.74</b>