

EXHIBIT KK

1 R. Alexander Saveri (Bar No. 173102)
Geoffrey C. Rushing (Bar No. 126910)

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8 San Francisco, CA 94104
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Todd A. Seaver (Bar No. 271067)
10 Jessica Moy (Bar No. 272941)

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

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

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

1 I, Qianwei Fu, declare and state as follows:

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

7 2. My firm has served as counsel to The Stereo Shop and as Interim Liaison Counsel
8 for the Direct Purchaser Class ("Class") throughout the course of this litigation. The background
9 and experience of Zelle LLP and its attorneys are summarized in the *curriculum vitae* attached
10 hereto as Exhibit 1.

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

15 4. During the pendency of the litigation, Zelle LLP performed the following work:

- 16 • Liaison Counsel duties, specifically: (i) upon the Court's direct request, collected and
17 filed lists of counsel's appearances on behalf of all parties (class plaintiffs, direct action
18 plaintiffs, and defendants) in advance of significant hearings and case management
19 conferences; (ii) responded to direct requests from the Court to confer with counsel on
20 particular issues and provide the Court with counsel's answers or input; (iii) served as the
21 contact between DPP counsel and the Court for administrative and scheduling purposes;
22 (iv) maintained an up-to-date service list; (v) assisted in the coordination of DPP
23 counsel's pretrial activities throughout the litigation; (vi) collected monetary
24 contributions from DPP counsel; (vii) established, monitored and administered a
25 litigation cost fund for the prosecution of the DPP case; and (viii) monitored DPP counsel
26 activities and litigation expenses and consulted with Co-Lead Counsel to ensure efficient
27 expenditures of time and funds;

- 1 • Assisted Co-Lead Counsel in the development of case scheduling and management
2 strategies and plans;
- 3 • Assisted in the research, preparation and drafting of the Consolidated Amended
4 Complaint filed on July 2, 2013, and the Second Consolidated Amended Complaint filed
5 on April 8, 2014;
- 6 • Analyzed defendants' motions to dismiss the complaints, assisted in the development of
7 strategies for responding to same, and drafted portions of DPPs' oppositions thereto;
- 8 • Assisted Co-Lead Counsel in the preparation of motion to dismiss hearings and
9 demonstratives, and consulted with Co-Lead Counsel on hearing strategies;
- 10 • Assisted Co-Lead Counsel in developing the discovery plan and consulted with DPP
11 experts and consultants regarding needed information and transactional data issues;
- 12 • Contributed to the drafting of DPP-IPP joint motion to compel worldwide transactional
13 data letter brief;
- 14 • Worked with Co-Lead Counsel on the drafting of written discovery requests to
15 defendants, and on DPPs' written responses to defendants' discovery requests;
- 16 • Worked with Co-Lead Counsel on discovery meet and confers with defendants Hitachi,
17 LG Chem, NEC TOKIN, Panasonic, Sony and Toshiba regarding transactional data
18 production and drafted detailed meet-and-confer correspondences;
- 19 • Consulted with Co-Lead Counsel on the strategy and plan regarding Sony's settlement
20 cooperation, prepared for and attended Sony cooperation meetings, and conducted further
21 investigation on various issues of interest;
- 22 • Consulted with Co-Lead Counsel on the discoverability of foreign regulatory
23 investigation materials and participated in the meet-and-confer with SDI regarding DPPs'
24 discovery requests for same;
- 25 • Collaborated with IPP Co-Lead Counsel to plan third-party discovery and subpoenas;
- 26 • Coordinated with IPP Co-Lead Counsel on foreign language translations;
- 27 • Conducted the second-level review of documents produced by defendants and selected
28

1 documents for use at depositions;

- 2 • Maintained a detailed grid of conspiratorial evidence of meetings between and among
3 defendants, which included: review, analysis, and selection of the best evidence for
4 inclusion, and summarizing same;
- 5 • Researched, interviewed and assessed the qualifications of potential industry expert
6 candidates, made recommendations to Co-Lead Counsel, and facilitated with the
7 retention of industry expert witness James L. Kaschmitter;
- 8 • Communicated with DPP industry expert and non-testifying industry consultants
9 regarding class certification work and strategy;
- 10 • Worked with DPP industry expert on the preparation of his industry report in support of
11 DPPs' class certification motion;
- 12 • Took primarily responsibility for industry expert discovery, including working with Mr.
13 Kaschmitter for his deposition and defending same, taking the deposition of defendants'
14 industry expert on behalf of DPPs, and opposing defendants' motion to compel
15 production of certain information in connection with Mr. Kaschmitter's report;
- 16 • Reviewed and analyzed defendants' industry expert report and worked with DPP industry
17 expert on preparation of his rebuttal report addressing defenses and counterpoints raised
18 in defendants' industry expert report;
- 19 • Assisted Co-Lead Counsel in defending the deposition of DPP economic expert Dr.
20 Roger G. Noll;
- 21 • Consolidated and analyzed potential evidence for inclusion in the class certification
22 motion (including motion papers and expert analyses) on the topics of: defendants'
23 conspiracy, fraudulent concealment, traceability of cells, cell-pack ratio, packing process,
24 cell maker-pack assembler relationships, and ownership or control of the defendant
25 entities;
- 26 • Served as team leaders in designing searches, supervising teams of document reviewers,
27 and performing second-level review of documents identified by teams, on the above-

1 mentioned class certification and potential Rule 30(b)(6) deposition topics;

- 2 • Assisted with Co-Lead Counsel in the drafting and finalization of the class certification
- 3 papers and preparation of related supporting documents;
- 4 • Took primary responsibility for opposing defendants' motion to strike certain proposed
- 5 testimony of DPP expert Mr. Kaschmitter;
- 6 • Consulted with Co-Lead Counsel on the strategy and arguments of class certification
- 7 motion and participated in preparation of class certification hearing and drafting of
- 8 hearing demonstratives; and
- 9 • Supervised refiling of class certification motion papers and sealing motions pursuant to
- 10 the Court's direction.

11 5. Attached hereto as Exhibit 2 is my firm's total hours and lodestar, computed at
12 historical rates, for the period of June 1, 2013 through August 31, 2017. This period reflects the
13 time spent after the appointment of Interim Co-Lead Counsel and Liaison Counsel for Direct
14 Purchased Plaintiffs ("DPP") in this litigation. The total number of hours spent by Zelle LLP
15 during this period of time was **4,894.60 hours**, with a corresponding lodestar of **\$2,296,433.50**.
16 My firm's lodestar figures are based on the firm's historical billing rates which do not include
17 charges for expense items. Expense items are billed separately and such charges are not
18 duplicated in my firm's billing rates. This summary was prepared from contemporaneous, daily
19 time records regularly prepared and maintained by my firm. The lodestar amount reflected in
20 Exhibit 2 is for work assigned by DPP Co-Lead Counsel, and was performed by professionals at
21 my law firm for the benefit of the Class.

22 6. Zelle LLP has reviewed the time and expense records that form the basis of this
23 declaration to correct any billing errors. In addition, my firm has removed all time entries and
24 expenses related to the following:

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

27 b. travel time unless the attorney or professional was actively engaged in

1 preparation or work in connection with a particular assignment made by Co-Lead Counsel which
2 necessitated travel;

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

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

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

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

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

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

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

22 8. My firm has expended a total of **\$16,403.07** in unreimbursed costs and expenses
23 in connection with the prosecution of this litigation. These costs and expenses are broken down
24 in the chart attached hereto as Exhibit 3. They were incurred on behalf of Direct Purchaser
25 Plaintiffs by my firm on a contingent basis, and have not been reimbursed. The expenses
26 incurred in this action are reflected on the books and records of my firm. These books and
27 records are prepared from expense vouchers, check records and other source materials and

1 represent an accurate recordation of the expenses incurred.

2 9. Zelle LLP paid a total of **\$115,000.00** in assessments for the joint prosecution of
3 the litigation against the Defendants.

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

9 I declare under penalty of perjury under the laws of the United States of America that the
10 foregoing is true and correct. Executed on this 31st day of January 2018 at San Francisco, CA.

11
12 
13 _____
14 **QIANWEI FU**

15
16
17
18 4840-2136-6106

Exhibit 1



BOSTON | DALLAS | LONDON | MIAMI | MINNEAPOLIS
NEW YORK | PHILADELPHIA | SAN FRANCISCO | WASHINGTON, DC



SNAPSHOT

Zelle is a boutique litigation firm with an emphasis on resolving complex, high-stakes disputes including competition and commercial matters. With collaborative teams of 70 client-centered litigators and skillful negotiators practicing in various national and foreign jurisdictions, the firm represents businesses across the U.S., the EU, and in other parts of the world.

Our attorneys practice in jurisdictions across the country, and are or were involved in:

In re TFT-LCD (Flat Panel) Antitrust Litigation
In re LIBOR-Based Financial Instruments Antitrust Litigation
In re German Automotive Manufacturers Antitrust Litigation
UnitedHealth Services, Inc. v. Cephalon, et al.
In re Linerboard Antitrust Litigation

In re Vitamins Antitrust Litigation
In re Urethanes Antitrust Litigation
In re Cathode Ray Tube (CRT) Antitrust Litigation
In re Static Random Access Memory (SRAM) Antitrust Litigation
In re Automotive Parts Antitrust Litigation

E-Discovery In-House – Our advanced technology and experienced staff increase efficiencies and reduce E-Discovery costs to clients

60% Defense / 40% Plaintiff

Defense: Commercial disputes (e.g., contract disputes)
 Complex insurance coverage (e.g., 9/11 World Trade Center coverage)
 Securities litigation (e.g., securities lending/derivatives)
 Insurance/reinsurance recovery
 Antitrust / Competition
 International trade (China vitamin C antitrust class action)
 Class action defense
 Trademark / Copyright

Plaintiff: Antitrust / Competition (e.g., price-fixing, anti-competitive business)
 Subrogation (e.g., 9/11 Recovery)
 Uninsured loss recovery

Industries: Banking Technology
 Energy Telecommunications
 Construction Transportation
 Consumer Goods Minerals
 Financial Pharmaceuticals

Clients (sample list):

Allianz	General Mills	Pet Food Express	Swiss Re
Carlisle	Munich Re	Freddie Mac	Travelers
Emercon Electric	Liberty Mutual Group	FDIC	US Bank
FM Global	Nationwide	UnitedHealthcare	Wells Fargo & Co.



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Qianwei Fu
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Heather T. Rankie
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 hrankie@zelle.com



Firm Overview

Zelle attorneys are proud to represent clients in their most challenging insurance-related disputes, antitrust/competition and other complex business litigation in venues across the United States and around the world. Our experience in successfully resolving high-profile, high-exposure cases and our commitment to efficient and responsive service supports everything we do.

Because we represent both defendants and plaintiffs, our attorneys have developed keen insights and experience from practicing on both sides of the aisle. We can better understand and anticipate the objectives and tactics of opposing counsel, giving our clients a number of distinct advantages. Since our contingency practice obligates us to fund many of our clients' cases, we are particularly adept in avoiding unnecessary tasks and expenses while doing everything to achieve the most favorable outcomes. Our clients appreciate this ability to efficiently staff cases while still delivering exceptional service and consistent results.

We believe – and our clients agree – that the way we approach litigation is key to our success in building solid relationships and implementing effective strategies. Our attorneys offer experience and in-depth knowledge across a wide range of industries, and probe to determine our clients' specific needs and the broader implications of any dispute. Zelle attorneys quickly assess the facts, balance the intangibles, and deliver legal counsel that is creative and realistic.

While the scope of our practice is focused, the diverse talents, intellectual knowledge and technological resources we offer are vast. Zelle's collaborative teams of attorneys, multiple offices and international presence assure that we are always prepared to meet your needs, even in the most challenging, sensitive or catastrophic of circumstances.



Judith A. Zahid
Partner



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PRACTICE AREAS

- Antitrust and Unfair Competition
- Business Disputes and Commercial Litigation
- Class Actions

BAR AND COURT ADMISSIONS

- State Court: California
- U.S. Circuit Court of Appeals: Ninth Circuit
- U.S. District Court: Northern District of California; Central District of California

EDUCATION

- Boalt Hall School of Law, Berkeley, J.D., Environmental Specialization Certificate, 2001; Prosser Prize in Torts; *Berkeley Women's Law Journal*, Article Editor
- University of California, Berkeley, B.A. Environmental Science, *high honors*, 1995

Judith is Managing Partner of the San Francisco office and co-chair of the Firm's Antitrust group. Judith's practice is focused on assessing complex antitrust claims and pursuing recoveries on behalf of both individual corporate clients and class plaintiffs in many different industries. She has represented plaintiffs in numerous high-stakes price-fixing and monopolization cases, with recoveries from those cases totaling well over \$2 billion. While Judith is involved in all aspects of the cases she litigates, she places particular emphasis on her work with industry and damages experts.

Judith is a frequent speaker on several aspects of plaintiff antitrust recovery and active in the leadership of the ABA Antitrust Section.

REPRESENTATIVE MATTERS

Antitrust and Unfair Competition

Represents UnitedHealthcare Services, Inc. in an individual antitrust matter against the makers of the branded pharmaceutical drug, Provigil, and its generic equivalents. The suit alleges a successful pay-for delay scheme that kept the lower priced generics off the market for several years, allowing the brand manufacturer to continue charging inflated monopoly prices that caused UnitedHealthcare Services, Inc. substantial damages. (*UnitedHealthcare Services, Inc. v. Cephalon, Inc., et al.*, No. 2:17-cv-00555-MSG.)

Represented the end-user plaintiffs and served on the lead counsel team to help secure a record-breaking \$1.1 billion all-cash settlement, in one of the nation's largest antitrust cartel cases. Judith was responsible for managing all of the day-to-day aspects of the litigation, working alongside experts, opposing the *Daubert* motion, taking several merits depositions of executives, and providing substantial support for getting and keeping the classes certified. (*In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827.)

Represents the end-user plaintiffs and closely assisted lead counsel on class certification, opposing the *Daubert* motion, working closely with plaintiffs' economic experts, and taking multiple defense expert and merits depositions of executives to help reach a \$576.75 million all-cash settlement for the end-user plaintiffs. (*In re Cathode Ray Tubes (CRT) Antitrust Litigation*, MDL No. 1917.)



Judith A. Zahid

Represents the direct-purchaser business and other members of the proposed plaintiff class and assists the co-lead counsel team by providing assistance on projects involving the economic and industry experts and consultants. The Multidistrict Litigation Court recognized Judith by appointing her as Interim Liaison Counsel for the direct-purchaser plaintiffs. (*In re Lithium Ion Batteries Antitrust Litigation*, MDL No. 2420.)

Represents the end-user plaintiffs and assists the co-lead counsel team by providing support on projects involving the economic experts and consultants. (*In re Automotive Parts Antitrust Litigation*, MDL No. 2311.)

Represented a regional pet food retailer in obtaining a denial of defendant's summary judgment motion, brought under Section 17045 of California Unfair Practices Act regarding a secret agreement to pay marketing allowances. (*Pet Food Express Ltd v. Royal Canin USA, Inc.*, No. C 09-01483.)

ARTICLES & PRESENTATIONS

"Global Private Settlements: Preferred Paths to Resolution," ABA Section of Antitrust Law Annual Spring Meeting, April 6-8, 2016, moderator

"The Un-Usual Suspects: Maximizing Value Out of Little-Known Bankruptcy Assets," 2016 Bankruptcy Battleground West Conference, March 11, 2016, panelist

"So Now You've Pleaded Guilty: Implications of Criminal Pleas in Civil Litigation," American Bar Association Section of Antitrust Law, December 16, 2015, co-presenter

"The Use of Experts at Class Certification," Class Action Litigation Conference, September 25, 2015, presenter

"International Collective Actions: What Is And Isn't Working?," American Bar Association Section of Antitrust Law Spring Meeting, April 16, 2015

"Opt-Out Litigation: Practical Considerations for Corporate and Outside Counsel," American Bar Association Section of Antitrust Law, February 25, 2015, panelist



Judith A. Zahid

"How States Can Effectively Analyze and Pursue Recovery Opportunities," National Association of Attorneys General Antitrust Litigation Training Seminar, October 9, 2014, panelist

"Behind the Scenes with In-House Antitrust Counsel," Bar Association of San Francisco's Antitrust Section, October 3, 2014, moderator

"Depositions: Tips and Strategy for Antitrust Litigators," ABA Trial Practice Committee Program, June 25, 2014, panelist

"Finding Peace When Settling U.S. and EU Price-Fixing Claims," *Competition Law360*, April 28, 2014, co-author

"Corporations & Cartels: When Should You Be A Plaintiff?", 62nd ABA Section of Antitrust Law Spring Meeting, March 26-28, 2014, moderator

"Where To Bring Damages Claims In EU Int'l Cartel Cases?" *Competition Law360*, February 28, 2014, co-author

"*Who Can Make the Claim?* The Who, What, and Where of International Private Antitrust Actions," Antitrust Section of the American Bar Association, February 13, 2014, moderator

"Unique Discovery Challenges In International Cartel Cases," *Competition Law360*, January 31, 2014, co-author

"Survival of the Fittest: Thriving in a Culture of Change," Women in Law Empowerment Forum (WILEF), March 20, 2013, moderator

"Hypothetical in Action – Class Certification, FTAIA and CAFA," CLE International Group's Antitrust Conference, February 22, 2013, co-presenter

"Selecting and Working with Experts in Antitrust," Antitrust Section of the American Bar Association, January 14, 2013, co-presenter

"Antitrust & Price-Fixing Attorneys Panel," Hastings Law Trial Association, October 29, 2012, panelist



Judith A. Zahid

"Complex Case Management: An In-Depth Survey of Best Practices for Managing Antitrust Class Actions," Women Antitrust Plaintiffs' Attorneys annual conference, October 12, 2012, panelist

"Pre-complaint activities," American Antitrust Institute's "*Private Enforcement of Antitrust Law in the United States: A Handbook*," September 2012, chapter co-author

"A Plaintiff and Defense Lawyer's How To on Working With Economists in Antitrust Cases," Antitrust Section of the Bar Association of San Francisco, July 16, 2012, co-presenter

PROFESSIONAL AFFILIATIONS

American Bar Association, Antitrust Section, Global Private Litigation Committee (formerly known as Civil Redress Committee), Vice-Chair (2014-present)

American Bar Association, Antitrust Section, International Civil Redress Task Force (2011-2013)

Bar Association of San Francisco, Antitrust Section, Chair (2011-2014)

California Bar Association, Antitrust and Unfair Competition Law Section, Member

Women in Law Empowerment Forum (WILEF), National Advisory Board Member

Women Antitrust Plaintiffs' Attorneys (WAPA), Advisory Member

American Antitrust Institute (AAI), Antitrust Private Enforcement Awards Judging Committee (2015-present)

Antitrust Litigation Forum, Steering Committee (2017)



Judith A. Zahid

NOTEWORTHY

Judith was named a "Super Lawyer" in antitrust litigation, class action/mass torts and business litigation for 2012, 2013, 2014, 2015, 2016 and 2017 by *San Francisco* magazine. She was also named among the Top 50 Women Northern California "Super Lawyers" for 2014, 2015, 2016 and 2017 and among the Top 100 Northern California "Super Lawyers" for 2015, 2016 and 2017. She was also named a Northern California "Rising Star" for 2009, 2010 and 2011 (Antitrust Litigation) by *San Francisco* magazine. She was also named among Who's Who Legal: Competition 2015, 2016 and 2017 by *Global Competition Review*. Judith was selected by her peers for inclusion in *The Best Lawyers in America*® for 2018.

The Legal 500 has recognized Judith multiple times in the antitrust class action field as "one to watch" (2012), an "up-and-comer," "great case organizer and determined advocate" (2013), and a "first-rate case manager," "up-and-comer who does much of the actual work needed in big cartel cases" (2014), "thoughtful" in representing consumers and businesses affected by price-fixing agreements between various electronics manufacturers, including Samsung, Panasonic and Hitachi (2015), and "able to bring people together on both sides of a case to get things done" (2016).



Qianwei Fu
Partner



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PRACTICE AREAS

- Antitrust and Unfair Competition
- Business Disputes and Commercial Litigation
- Class Actions
- Insurance Coverage
- Intellectual Property
- "Rest of World"
(Re)Insurance: Coverage and Recovery Matters in Latin America, China and Other Jurisdictions
- International Competition
- Trade Regulation

BAR AND COURT ADMISSIONS

- State Court: California
- U.S. Circuit Court of Appeals: Ninth Circuit
- U.S. District Court: Northern District of California
- Chinese Bar

EDUCATION

- U.C. Davis, School of Law, J.D., 2005; Articles Editor, *U.C. Davis Law Review*

Qianwei is a Partner in the Firm's Antitrust and Unfair Competition Group. Qianwei has in-depth experience in litigating high-stakes antitrust matters with an emphasis on representing consumers and opt-out claimants in class actions involving price-fixing and monopolization claims. She has played a primary role in discovery, class certification, and trial preparation in some of the nation's largest antitrust cases. She routinely works with economic and industry experts on damages and pass-on issues. Qianwei takes pride in her antitrust experience across a wide array of industries, including gemstone, energy, automotive, transportation, and consumer electronics. Qianwei also has unique practice experience in China and expertise in handling EU private antitrust recovery actions. Her international background and training give her the broad scope and a sophisticated mix of skills necessary to navigate the unique legal and practical challenges that arise in cross-border antitrust disputes. Qianwei has also represented Fortune 500 companies in arbitration proceedings and pre-litigation negotiations in various complex commercial disputes.

REPRESENTATIVE MATTERS

Antitrust and Unfair Competition

Represented end users in the *Cathode Ray Tube* antitrust litigation and worked closely with lead counsel on case discovery, management, prosecution and settlement strategies, resulting in a \$576.8 million cash settlement (*In re: Cathode Ray Tube (CRT) Antitrust Litig.*, No. C-07-5944-SC (N.D. Cal.)).

Played a primary role in key aspects of the *TFT-LCD* antitrust litigation as part of the core team that represented consumer class members, which resulted in a record-breaking \$1.082 billion all-cash settlement (*In re TFT-LCD (Flat Panel) Antitrust Litig.*, No. M 07-1827 SI (N.D. Cal.)).

Represented indirect purchasers of rough and polished diamonds against De Beers for fixing diamond wholesale prices, which resulted in a \$295 million cash settlement (*Sullivan v. DB Investments, Inc.*, 667 F.3d 273 (3d Cir. 2011), *cert. denied*, 132 S. Ct. 1876 (U.S. 2012)).

Represented consumer class members in the *Static Random Access Memory* antitrust litigation as part of the lead counsel team, resulting in settlements of



Qianwei Fu

- University of Maryland, M.A. in Criminology and Criminal Justice, 2002
- Xiamen University, School of Law, China, LL.B. (with honor), 1996

\$41.3 million (*In re: Static Random Access Memory (SRAM) Antitrust Litig.*, No. C 07-01819 CW (N.D. Cal.)).

Business & Commercial Disputes

Advised a multinational food company in an antitrust recovery action on litigation and settlement strategies in the European Union.

Represented a multinational energy corporation in an environmental dispute involving remediation cost allocation and obtained favorable result in arbitration.

Consulted on cash-out settlement strategies in a dispute involving environmental remediation liabilities between two multinational energy companies.

ARTICLES & PRESENTATIONS

California State Antitrust & Unfair Competition Law (Matthew Bender 2017), Executive Editor and co-author

“Judges Panel: Managing Antitrust and Complex Business Trials”, 27th Annual Golden State Antitrust, UCL and Privacy Law Institute, October 2017, moderator

“Private Antitrust Actions in China: Statute of Limitations”, *ABA Antitrust Section Global Private Litigation Bulletin*, July 2017, co-author

“Understanding and Navigating Cross-Border Privilege Issues”, State Bar of California, May 18, 2017, presenter

“Cross-Border Discovery – A Big Chess Game?”, America Bar Association, April 27, 2017, panelist

“Discovery in International Antitrust Litigation – How to Cross the Border?”, State Bar of California, March 30, 2016, panelist

ABA Section of Antitrust Law, *Indirect Purchaser Litigation Handbook*, Second Edition (2016), contributing author



Qianwei Fu

“Insurance Chain Reaction from the Tianjin Port Explosion,” *Insurance Law360*, September 29, 2015, co-author

“A Primer on Insurance Dispute Resolution in China,” *Insurance Law360*, July 14, 2015, co-author

“A Primer on Insurance Underwriting in China,” *Insurance Law360*, June 10, 2015, co-author

“Thinking Globally about Recovery Actions in International Cartel Cases,” *Journal of Antitrust Enforcement*, 3, 363-390 (Oxford University Press 2015), co-author

“Finding Peace When Settling U.S. and EU Price-Fixing Claims,” *Competition Law360*, April 28, 2014, co-author

“Recent Developments: CAFA, Class Certification, and Class Arbitration,” paper for the Second Annual Judicial Education Conference, Dana Point, California, March 16-18, 2014, co-author

“Where to Bring Damages Claims in EU Int’l Cartel Cases?” *Competition Law360*, February 28, 2014, co-author

“International Cooperation in Private Antitrust Litigation,” paper for the 10th International Cartel Workshop, Rome, Italy, February 19-21, 2014, co-author

“Unique Discovery Challenges in International Cartel Cases,” *Competition Law360*, January 31, 2014, co-author

“Ongoing Tension between Filed-Rate and State-Action Doctrines,” *Competition Law360*, July 10, 2013, co-author

PROFESSIONAL AFFILIATIONS

American Bar Association, Antitrust Section

California State Bar Antitrust, UCL and Privacy Section, Executive Committee

Chinese Bar Association



Qianwei Fu

NOTEWORTHY

Qianwei was named a Northern California "Rising Star" in 2011-2016 six consecutive years and "Super Lawyer" in 2017 (Antitrust Litigation, Business Litigation and International) by *San Francisco* magazine.

Qianwei, along with the other Zelle attorneys who serve as co-lead class counsel in *TFT-LCD*, received 2013 American Antitrust Institute's Honorable Mention for Outstanding Antitrust Litigation Achievement in Private Law Practice.



Heather T. Rankie
Senior Associate



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PRACTICE AREAS

- Antitrust and Unfair Competition
- Business Disputes and Commercial Litigation
- Class Actions
- Financial Services Class Action Litigation

BAR AND COURT ADMISSIONS

- State Court: California
- U.S. District Court: Northern District of California
- U.S. Court of Appeals: Ninth Circuit

EDUCATION

- University of Washington School of Law, J.D., 2009
- Middlebury College, B.A., *cum laude*, 2003

Heather's practice is devoted to complex civil litigation, with a focus on antitrust and unfair competition, financial services, and class actions. In the antitrust area, she has represented consumers or businesses in actions involving price fixing, price discrimination, and product tying. Through this, Heather has gained experience in all phases of pre-trial litigation including: pre-complaint investigation, pleading, factual discovery (including electronic discovery), motion practice, trial preparation, and settlement. Heather has also successfully briefed and argued complex issues at the appellate level. She brings a steadfast commitment to achieving the best result for each client, and attention to the details vital to successful resolutions of high-stakes matters.

Prior to joining Zelle, Heather attended the University of Washington School of Law where she served as the Editor-in-Chief for the *Shidler Journal of Law, Commerce & Technology*. She also served as a judicial extern to the Honorable John C. Coughenour, former Chief Judge of the U.S. District Court for the Western District of Washington.

REPRESENTATIVE MATTERS

TFT-LCD (Flat Panel) Antitrust Litigation (U.S. District Court, Northern District of California) — lead counsel team in multidistrict litigation on behalf of nationwide class of indirect purchasers involving claims of price fixing in the TFT-LCD panel market, resulting in a record-breaking \$1.1 billion in all-cash settlements with ten defendants

Lithium Ion Batteries Antitrust Litigation (U.S. District Court, Northern District of California) — liaison counsel team in multidistrict litigation on behalf of nationwide class of direct purchasers involving claims of price fixing in the lithium ion battery market

Credit/Debit Card Tying Cases (California Superior Court, San Francisco) — lead counsel team in coordinated class action lawsuit on behalf of California consumers involving antitrust and unfair competition claims arising from the defendants' rules regarding acceptance of their credit and debit cards

Transpacific Air Passenger Antitrust Litigation (U.S. District Court, Northern District of California) — litigation team in multidistrict litigation on behalf of a nationwide putative class involving claims of price fixing in the transpacific air passenger market.



Heather T. Rankie

PUBLICATIONS & PRESENTATIONS

"Incentive Award Guidance From Recent Class Actions," *Competition Law360*, September 6, 2013, co-author

"Indirect-Purchaser Actions," *California Antitrust and Unfair Competition Law*, 2012 edition, chapter co-author

"Why Class Counsel Should Obtain Discovery From Objectors," *Competition Law360*, November 6, 2012, co-author

PROFESSIONAL AFFILIATIONS

Executive Committee Member, Antitrust and Business Regulation Section of the Bar Association of San Francisco

Member, American Bar Association

Member, Bar Association of San Francisco

PRO BONO ACTIVITIES

Heather has served as a mentor with Upwardly Global, an organization serving immigrant, refugee, and asylee lawyers and other professionals seeking employment in the Bay Area. She has also represented plaintiffs in pro bono litigation to secure rights for low-wage workers' and for disabled youth.

NOTEWORTHY

Named a Northern California Rising Star in 2017 as a top-rated antitrust litigation attorney by Super Lawyers, a list issued by Thomson Reuters.

Received Honorable Mention in 2013 from the American Antitrust Institute (AAI) for "outstanding antitrust litigation achievement in private law practice" along with the other members of the Zelle litigation team for work in *In re TFT-LCD Antitrust Litigation* at AAI's first annual Antitrust Enforcement Awards.



Antitrust and Unfair Competition

Our approach to antitrust matters is decidedly different from other firms because we commonly represent clients – multi-national corporations, small businesses and consumers – on either side of the docket. We are selective in the litigation we pursue and consistently position that litigation for success in the courtroom. We have found this approach yields the best results for our clients, whether at the settlement table or at trial. We carefully consider the objectives and economic realities of each client, looking for the best way to achieve an outcome that meets those needs.

The experience and track record of Zelle attorneys in antitrust is recognized in courts across the nation every day. We have recovered billions of dollars for our clients who are plaintiffs, and we have successfully mitigated other clients' most significant exposures. We have substantial experience not just settling antitrust matters, but trying them. Martindale-Hubbell consistently ranks Zelle as one of the most active antitrust firms in the United States. Our lawyers are often named to lead counsel positions in class action and multi-district matters, but we are also highly effective in representing antitrust defendants and opt-out plaintiffs.

Zelle recognizes that many antitrust matters are increasingly international in scope. We routinely work with clients and foreign counsel in the **United Kingdom, European Union, Canada** and **China** to coordinate and fully protect our clients' legal and business interests in a global context.

Because of the breadth and depth of our litigation experience, clients often call on us in counseling situations – including consultation on antitrust compliance programs, mergers and acquisitions, and the formation of joint ventures.



Antitrust Cases

Examples of Antitrust Cases

***In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262, No. 1:11-md-02262 (S.D.N.Y.).** Representing Freddie Mac and the FDIC as Receiver for 39 Closed Banks and serves as liaison counsel for more than two dozen DAPs (represented by, among others, Lief Cabraser, Keller Rohrback, and Quinn Emanuel). Freddie Mac and the FDIC allege, among other things, that defendants' horizontal conspiracy reduced product quality in the market for interest-rate benchmarks.

***UnitedHealthcare Services, Inc. v. Cephalon, Inc., et al.*, No. 2:17-cv-00555 (E.D. Pa.).** Representing UnitedHealthcare Services, Inc. in an individual antitrust matter against the makers of the branded pharmaceutical drug Provigil and its generic equivalents. The suit alleges a successful pay-for-delay scheme that kept lower-priced generics off the market for several years, allowing the brand manufacturer to continue charging inflated monopoly prices that caused UnitedHealthcare Services, Inc. substantial damages.

***In re Vitamins Antitrust Litigation*, MDL No. 1285, Misc. No. 99-197 (D.D.C.).** Represented more than 150 direct action plaintiffs, including Kraft Foods and GNC, alleging a 15-year international cartel covering more than a dozen vitamins. The case involved German Defendants BASF, Degussa, and Merck. Recoveries exceeded \$2 billion. Served as liaison counsel for DAPs.

***In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827, No. 3:07-md-01827 (N.D. Cal.).** Served as court-appointed co-lead counsel for end-user consumers and businesses that purchased TVs, computer monitors, and laptop computers containing LCD screens alleged to have been the subject of one of the largest antitrust cartels in history. All-cash settlements totaling nearly \$1.1 billion were reached with the defendants just before trial, leading to one of the largest consumer antitrust recoveries ever obtained.

***In re Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917, No. 3:07-cv-05944 (N.D. Cal.).** Represented plaintiffs in this antitrust class action on behalf of consumers and businesses in 22 states that bought television and



computer monitor products containing Cathode Ray Tubes made by electronics manufacturing giants Samsung, LG, Panasonic, Hitachi, Toshiba and others. Zelle attorneys took the lead on researching, briefing and arguing plaintiffs' class certification motion, which was granted and certified 22 statewide damages classes covering an 11-year class period. Zelle's attorneys also handled all of the work with the economic experts and defeated the motion to exclude the expert's testimony. Plaintiffs ultimately secured a \$576.75 million all-cash settlement for the end-user plaintiffs.

ZF Meritor LLC v. Eaton Corp., No. 06-623-SLR (D. Del.). Represented a manufacturer of heavy-duty transmissions in a case alleging the dominant producer excluded it from the relevant market. The case went to trial and resulted in a liability verdict for violations of Sections 1, 2, and 3 of the Sherman Act. The Third Circuit upheld the verdict and the case settled for \$500 million prior to the damages trial.

In re Urethane Antitrust Litigation, MDL No. 1616, No. 2:08-cv-05169 (D.N.J.). Represented 11 plaintiff families in an international price-fixing case involving three chemicals. The case involved German Defendants BASF and Bayer. Despite a lack of direct evidence, successfully defeated summary judgment motions challenging the existence of a conspiracy and its duration (the parallel class action alleged a shorter conspiracy period). Defeated three *Daubert* motions and handled all experts at trial. Defendant Dow settled during the defense case for \$400 million.

In re Methionine Antitrust Litigation, MDL No. 1311, No. 3:00-md-01311 (N.D. Cal.). Represented, as liaison counsel, more than three dozen DAPs, including Tyson Foods, alleging an international cartel involving, *inter alia*, German Defendant Degussa AG. Recoveries exceed \$400 million.

In re Linerboard Antitrust Litigation, MDL No. 1261, No. CIV.A. 98-5055 (E.D. Pa.). Represented more than 50 Fortune 500 companies, including names such as PepsiCo and Coca-Cola, in a conspiracy among containerboard producers to take "market downtime" to restrict output and cause price increases. Successfully defeated summary judgment motions despite the lack of direct evidence. Served as liaison counsel for direct action plaintiffs. Recoveries exceeded \$200 million.



In re Lithium Ion Batteries Antitrust Litigation, MDL No. 2420, No. 4:13-md-02420 (N.D. Cal.). Serving as court-appointed liaison counsel for a proposed class of direct purchasers of lithium-ion batteries, the dominant form of rechargeable battery found in a variety of consumer electronics. The defendant manufacturers are alleged to have formed a cartel to fix the prices of certain lithium-ion battery cells, in violation of federal antitrust law. The case has recently settled, with public announcements to date of almost \$70 million in cash to the direct purchaser class, and additional settlements soon to be announced.

In re Automotive Parts Antitrust Litigation, MDL No. 2311, No. 12-md-02311 (E.D. Mich.). Serving on the Plaintiffs' Executive Committee for the End-Payor Plaintiffs in this antitrust class action on behalf of consumers and businesses that bought vehicles containing auto parts systems made by defendant auto parts manufacturers. These cases involve alleged price fixing and bid rigging conspiracies pertaining to 28 different part systems and over 30 defendant company groups; it is one of the largest criminal antitrust investigations in the history of the U.S. Department of Justice. Zelle attorneys were tasked to handle the economic experts for the plaintiffs. Settlements to date are currently over \$1 billion.

Smokeless Tobacco Antitrust Litigation - Smokeless Tobacco Cases I-IV, J.C.C.P. Nos. 4250, 4258, 4259 & 4262 (Cal. Super. Ct., San Francisco Cty.). Served as a member of Plaintiffs' Executive Committee in this action on behalf of a class of California indirect purchasers of moist snuff products. Plaintiffs alleged that U.S. Smokeless Tobacco monopolized the moist snuff market and engaged in restrictive and exclusionary acts in violation of California state antitrust laws. The case settled for \$96 million. Under the settlement, class member claimants received cash payments of up to \$585. This settlement was one of the largest consumer class action settlements in California state court history, and provided a substantially better recovery to class members than court-approved settlements in related actions against U.S. Smokeless in Wisconsin, Michigan, Minnesota, Kansas, and a 13-state consolidated settlement in Tennessee. Those cases all settled for coupons for U.S. Smokeless moist snuff products rather than for cash payments to class members.



In re Static Random Access Memory (SRAM) Antitrust Litigation, MDL No. 1819, No. 4:07-cv-01819 (N.D. Cal.). Appointed as lead counsel for 25 litigated indirect-purchaser classes with settlements totaling \$41.3 million.

United States, et al., v. Anthem Inc., et al., No. 1:16-cv-01493 (D.D.C.). As a trial attorney with the Department of Justice's Antitrust Division, Miriam R. Vishio helped defeat Anthem's attempted merger with its next largest competitor. In 2017, the Attorney General bestowed on Ms. Vishio its Distinguished Service Award for her work on the case.

Novell Inc. v. Microsoft Corp., No. 2:04-cv-01045 (D. Utah). Represented the owners of WordPerfect in a long-running case alleging monopolization of the market for PC operating systems. At trial, the jury split 11-1 in favor of liability. The trial judge granted Microsoft's JMOL, which was upheld by the 10th Circuit (Gorsuch J.).

In re Marine Hose Antitrust Litigation, MDL No. 1888, No. 1:08-md-01888 (S.D. Fla.). Represented, as liaison counsel, Defendant Dunlop Oil & Marine in an international cartel case.

In re Packaged Seafood Products Antitrust Litigation, MDL No. 2670, No. 3:15-md-02670 (S.D. Cal.). Representing class representatives and a putative plaintiff class of indirect, end-payor purchasers of packaged seafood products, including canned tuna, in this price-fixing action against the major manufacturers of packaged seafood products, including StarKist, Chicken of the Sea, and Bumble Bee and their affiliated entities.

In re German Automotive Manufacturers Antitrust Litigation, MDL No. 2796, No. 3:17-md-02796 (N.D. Cal.). Representing class representatives and a putative plaintiff class of direct purchasers of luxury German automobiles.

Air Cargo Antitrust Litigation – Between Emerald Supplies Limited & Others and British Airways Plc, Claim No. HC08C2648 (High Court of Justice, Chancery Div., London). Representing a major international engineering and manufacturing company, shipping goods by air freight all over the world, in an antitrust lawsuit filed in the United Kingdom to recover the overcharges paid by the company as a result of a conspiracy by several of the world's biggest airlines to fix the prices for international air cargo shipping services.



Diamonds - Sullivan, et al. v. DB Investments, Inc., et al., No.

2:04-cv-02819 (D.N.J.). Represented plaintiffs in a class action lawsuit brought on behalf of purchasers of diamonds and diamond jewelry in the United States, alleging that the De Beers group of companies unlawfully monopolized the gem diamonds market. The court approved a class action settlement on April 14, 2008. The settlement created a \$295 million Settlement Fund for resellers and consumers who purchased diamonds from January 1, 1994 through March 31, 2006. In addition, as part of the settlement, De Beers agreed to a stipulated injunction, which provides that De Beers will abide by federal and state antitrust laws, will not engage in certain specific conduct to control prices or restrict supply, and will submit to the court's jurisdiction for the purpose of enforcement of the injunction. The settlement was upheld by the Third Circuit's December 20, 2011 en banc decision. On May 21, 2012, the U.S. Supreme Court denied the objectors' final petition for review.

Microsoft Antitrust Litigation - California Microsoft Cases, J.C.C.P. No. 4106 (Cal. Super. Ct., San Francisco Cty.); Microsoft Antitrust Litigation, No. 00-5994 (Minn. Dist. Ct., Hennepin Cty.); Comes v. Microsoft Corp., No. CL 82311 (Iowa Dist. Ct., Polk Cty.); Microsoft Antitrust Litigation, No. 05-CV-010927 (Wis. Dist. Ct., Milwaukee Cty.). Brought indirect-purchaser antitrust class actions in state courts in California, Minnesota, Iowa and Wisconsin, alleging that Microsoft illegally maintained a monopoly in the market for personal computer operating systems, and word processing and spreadsheet software. Zelle was co-lead counsel in the Minnesota and Iowa cases, both of which were settled in the middle of trial. We were liaison counsel and chair of the Executive Committee in the California case, and principal counsel in Wisconsin. These cases collectively settled for nearly \$1.7 billion, a substantial portion of which went to provide computers and related products to lower-income school districts, in addition to compensating class members. These were the largest settlements of private state court antitrust cases in history.

DRAM Antitrust Litigation, MDL No. 1486, No. M:02-cv-01486 (N.D. Cal.).

Served as a member of plaintiffs' Executive Committee in a nationwide class action brought by indirect purchasers of DRAM. Plaintiffs alleged that DRAM



manufacturers conspired to fix prices from April 1, 1999 through December 31, 2002. The case settled for almost \$310 million in cash, plus injunctive relief.

Natural Gas Antitrust Cases - In re Western States Wholesale Natural Gas Antitrust Litigation, MDL No. 1566, No. 2:03-cv-01431 (D. Nev.); ***California Natural Gas Antitrust Litigation***, J.C.C.P. Nos. 4221, 4224, 4226 & 4228 (Cal. Super. Ct., San Diego Cty.). Appointed co-lead counsel in the federal class action and served as a member of the Executive Committee in the state class action against marketers of natural gas in California, alleging violations of the Sherman Act, California Cartwright Act and the Unfair Competition Act. The actions were brought on behalf of persons and entities in California that indirectly and directly purchased natural gas between January 1, 2000 and December 31, 2001, i.e., during the California Energy Crisis. The actions alleged that, among other things, the defendants and their co-conspirators engaged in a variety of anticompetitive practices which raised interstate natural gas transportation prices, the bundled price of natural gas, spot natural gas prices, and natural gas market basis swap derivative settlement amounts in and for California. The federal class action ended with settlements totaling approximately \$26 million, while the state class action resulted in settlements totaling almost \$165 million.

Credit/Debit Card Tying Cases, J.C.C.P. No. 4335, No. CJC-03-004335 (Cal. Super. Ct., San Francisco Cty.). Served as lead counsel for a class of California consumers of products and services from retail businesses that accepted and/or issued Visa and MasterCard payment cards, alleging that defendants' violations of the California state antitrust and unfair competition laws resulted in higher prices for consumers. In April 2013, the Superior Court granted final approval to settlements totaling \$31 million in cash with defendants.

Pet Food Express Ltd. v. Royal Canin USA Inc., No. 3:09-cv-01483 (N.D. Cal.). Represented Pet Food Express, a regional pet-supply retailer, in a breach of contract dispute with supplier Royal Canin where the supplier asserted counter-claims based on California unfair competition law. Zelle successfully obtained the district court's dismissal of the counter-claims on a motion for summary judgment.



Transpacific Passenger Air Transportation Antitrust Litigation, MDL No. 1913, No. 3:07-cv-05634 (N.D. Cal.). Representing purchasers of passenger air transportation services for international flights involving at least one flight segment between the United States and Asia/Oceania. Plaintiffs allege that defendant airlines conspired to fix the price of air passenger travel, including associated surcharges, beginning no later than January 1, 2000.



Class Actions

Zelle attorneys have represented classes of consumers, investors, and businesses and have also defended corporations in class actions in many areas of the law, including antitrust, securities fraud, financial services, consumer rights, unfair competition, unfair business practices, product liability, mass tort, property rights, and ERISA claims.

Our practice is unusual because we have a significant practice on both sides of the aisle. This experience gives us a unique perspective and insights on approaching cases. While a significant portion of our class action cases are part of multi-district litigation proceedings, we are also commonly involved in state court class actions across the country.



Class Action Cases

Examples of Class Action Defense Cases

Flores v. Chevron Corp. (California Superior Court, Los Angeles). Zelle is defending ConocoPhillips in a class action case involving claimed violations of California's Song-Beverly Credit Card Act, arising from the practice of requesting cardholders' zip codes in connection with pay-at-the-pump credit card transactions.

Leeseberg v. Converted Organics Inc. (D. Del.). Zelle is defending a manufacturer of organic fertilizers in a class action lawsuit for breach of contract and other common law claims pending in federal court in Delaware. Plaintiff alleges that Converted Organics breached a Financing Terms Agreement, and that investors were damaged because they were precluded from selling securities of the company as a result. Converted Organics successfully defeated plaintiff's motion for class certification.

Motor Fuel Temperature Sales Practices Litigation (MDL No. 1840, D. Kan.). Zelle is defending ConocoPhillips in this consumer class action involving claimed violations of consumer protection statutes and various common law claims under the laws of 25 states. In this multidistrict litigation pending in federal court in Kansas, plaintiffs allege that it is deceptive to sell motor fuel at retail in uniform volumetric gallons without adjusting for the effect of temperature on the energy content of the fuel.

Chinese Vitamin C Antitrust Litigation (MDL No. 1738, E.D.N.Y.). Zelle represents a major Chinese manufacturer of Vitamin C in this multidistrict litigation pending in federal court in New York. The case involves antitrust actions filed on behalf of putative classes of direct and indirect purchasers of Vitamin C. The federal direct purchaser case was filed in the Eastern District of New York. Indirect purchaser cases have been filed in California and Massachusetts. All of the complaints allege a price-fixing conspiracy among four Chinese manufacturers.

Alvarez v. Chevron Corp. (C.D. Cal., Ninth Circuit Court of Appeals). Zelle is defending ConocoPhillips in this case involving claimed violations of



California's Consumers Legal Remedies Act, Unfair Competition Law and False Advertising Law, as well as common law claims. These claims arise from dispensing practices at retail service stations involving multi-grade, single hose dispensers.

Smith v. Kellogg Company (Superior Court of California, Orange County). Zelle defended Kellogg Company in this class action case involving claimed violations of California's Consumers Legal Remedies Act and Unfair Competition Law arising from alleged misleading or deceptive statements in connection with a video game promotion.

Exhibit 2

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

Zelle 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
ATTORNEYS					
Francis O. Scarpulla*	P	2015	0.40	\$850.00	\$340.00
Francis O. Scarpulla*	P	2014	4.80	\$850.00	\$4,080.00
Francis O. Scarpulla*	P	2013	12.40	\$850.00	\$10,540.00
Daniel S. Mason	P	2013	0.30	\$850.00	\$255.00
Christopher T. Micheletti	P	2017	0.50	\$840.00	\$420.00
Christopher T. Micheletti	P	2014	0.30	\$800.00	\$240.00
Christopher T. Micheletti	P	2013	0.70	\$800.00	\$560.00
Judith A. Zahid	P	2017	45.10	\$750.00	\$33,825.00
Judith A. Zahid	P	2016	572.00	\$700.00	\$400,400.00
Judith A. Zahid	P	2015	155.40	\$675.00	\$104,895.00
Judith A. Zahid	P	2014	194.80	\$675.00	\$131,490.00
Judith A. Zahid	P	2013	252.60	\$675.00	\$170,505.00
Qianwei Fu	P	2017	1.10	\$615.00	\$676.50
Qianwei Fu	A	2016	936.30	\$450.00	\$421,335.00
Qianwei Fu	A	2015	464.20	\$450.00	\$208,890.00
Qianwei Fu	A	2014	0.80	\$450.00	\$360.00
Qianwei Fu	A	2013	5.20	\$450.00	\$2,340.00
Patrick B. Clayton	A	2015	6.50	\$450.00	\$2,925.00
Patrick B. Clayton (Doc. Review Rate)	A	2015	35.50	\$350.00	\$12,425.00
Patrick B. Clayton	A	2014	54.00	\$450.00	\$24,300.00
Patrick B. Clayton (Doc. Review Rate)	A	2014	41.50	\$350.00	\$14,525.00
Patrick B. Clayton	A	2013	58.50	\$450.00	\$26,325.00
Eric W. Buetzow	A	2017	1.00	\$450.00	\$450.00
Heather T. Rankie	A	2017	7.80	\$450.00	\$3,510.00
Heather T. Rankie	A	2016	297.60	\$450.00	\$133,920.00
Heather T. Rankie	A	2015	584.10	\$450.00	\$262,845.00
Heather T. Rankie (Doc. Review Rate)	A	2015	39.20	\$350.00	\$13,720.00

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

Zelle 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
Heather T. Rankie	A	2014	358.30	\$450.00	\$161,235.00
Christina Tabacco	A	2016	2.70	\$395.00	\$1,066.50
Menzies, Jubilee D.	A	2013	34.40	\$395.00	\$13,588.00
SUBTOTAL:			4,168.00		\$2,161,986.00
NON-ATTORNEYS					
Bergquist, Judy H.	LS	2016	2.80	\$325.00	\$910.00
Rongitsch, Janet L.	LS	2013	1.10	\$250.00	\$275.00
James S. Dugan	LC	2016	135.80	\$225.00	\$30,555.00
Robert Newman	PL	2017	17.70	\$175.00	\$3,097.50
Robert Newman	PL	2016	133.80	\$175.00	\$23,415.00
Robert Newman	PL	2015	40.90	\$175.00	\$7,157.50
Robert Newman	PL	2014	63.90	\$175.00	\$11,182.50
Robert Newman	PL	2013	56.30	\$175.00	\$9,852.50
Marie J. Babione	PL	2016	91.30	\$175.00	\$15,977.50
Marie J. Babione	PL	2015	90.50	\$175.00	\$15,837.50
Monica J. Steele	PL	2015	9.90	\$175.00	\$1,732.50
Monica J. Steele	PL	2014	1.70	\$175.00	\$297.50
Monica J. Steele	PL	2013	7.90	\$175.00	\$1,382.50
Denise M. Lamb	PL	2013	73.00	\$175.00	\$12,775.00
SUBTOTAL:			726.60		\$134,447.50
GRAND TOTAL:			4,894.60		\$2,296,433.50

(P) Partner
(A) Associate
(LC) Law Clerk
(LS) Litigation Support
(INV) Investigator
(PL) Paralegal

* Fran Scarpulla's time herein reflects 50% of his total time during his tenure at Zelle. Zelle has assigned the other 50% of his time to the Law Offices of Francis O. Scarpulla.

Exhibit 3

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

Zelle LLP

Expenses Incurred

June 1, 2013 through August 31, 2017

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	\$ 133.00
Computer Research (Lexis, Westlaw, PACER, etc.)	\$ 1,826.46
Document Production	\$ -
Experts / Consultants	\$ 1,094.90
Messenger Delivery	\$ 1,200.62
Photocopies - In House	\$ 7,318.75
Photocopies - Outside	\$ -
Postage	\$ 12.60
Service of Process	\$ 468.55
Overnight Delivery (Federal Express, etc.)	\$ -
Telephone / Facsimile	\$ 538.89
Transcripts (Hearings, Depositions, etc.)	\$ 181.15
Travel (Airfare, Ground Travel)	\$ 3,117.05
Travel (Meals and Lodging)	\$ 511.10
TOTAL	\$ 16,403.07