

1 JULIAN HAMMOND (SBN 268489)
2 jhammond@hammondlawpc.com
3 POLINA BRANDLER (SBN 269086)
4 pbrandler@hammondlawpc.com
5 ARI CHERNIAK (SBN 290071)
6 acherniak@hammondlawpc.com
7 HAMMONDLAW, P.C.
8 1201 Pacific Avenue, Suite 600
9 Tacoma, WA 98402
10 (310) 601-6766
11 (310) 295-2385 (Fax)

12 *Attorneys for Plaintiffs and the Putative Classes*

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

14 **CHARLES CASTILLO** and **DEIDRE**
15 **BEAN**, individually and on behalf of all others
16 similarly situated,

16 Plaintiffs,

17 vs.

18 **HOLY NAMES UNIVERSITY**, a California
19 Non-Profit Corporation,

20
21 Defendant.

CASE NO. HG21097245

**DECLARATION OF JULIAN HAMMOND
IN SUPPORT OF PLAINTIFFS' MOTION
FOR ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND MOTION FOR
ATTORNEYS' FEES AND COSTS AND
SERVICE AWARDS FOR CLASS
REPRESENTATIVE**

Date: May 2, 2023

Time: 3:00 p.m.

Dept. 23

Reservation ID: 21097245-001, 002

1 I, Julian Hammond, declare as follows:

2 **I. INTRODUCTION**

3 1. I am over the age of 18 and have personal knowledge of the facts set forth in this
4 declaration and could and would testify competently to them.

5 2. I am a member in good standing of the Bar of the State of California. I am licensed to
6 practice before all courts in the State of California.

7 3. I am the principal of my own law firm HammondLaw, P.C. (“HammondLaw” or “Class
8 Counsel”) and counsel for the named Plaintiffs Charles Castillo and Deidre Bean (“Plaintiffs”) and three
9 settlement classes: (a) 453 “Part-time Faculty Class Members” who are current and former part-time
10 faculty employed by Holy Names University (“Defendant” or “HNU”) in California at any time during
11 the period from April 16, 2017 through October 4, 2022 (the “Class Period”); (b) 561 “Expense
12 Reimbursement Class Members” who are current and former employees of Defendant in California, other
13 than Part-time Faculty Class Members, who were required to work from home at any time during March
14 16, 2020 through October 4, 2022 (the “Expense Reimbursement Class Period”) and allegedly did not
15 receive proper expense reimbursement; and (c) 679 “General Class Members” who are current and former
16 employees of Defendant in California, other than Part-time Faculty Class Members employed between
17 April 16, 2022 to October 4, 2022 (“General Class Period”) who received wage statement(s) that did not
18 include the beginning date of each pay period. Part-time Faculty Class Members, Expense
19 Reimbursement Class Members, and General Class Members are collectively referred to as “Class
20 Members” or “CMs.” A copy of my firm’s resume is attached as **Exhibit 1**.

21 4. Plaintiffs are committed to representing the interests of the Classes, do not have any
22 conflicts with any CM, and their interests are virtually coextensive with those of the CMs.

23 5. I have no knowledge of the existence of any conflicting interests between my firm and
24 any of its attorneys, on the one hand, and Plaintiffs or any Class Member, on the other.

25 **PERCENTAGE OF THE FUND ANALYSIS**

26 6. Class Counsel seek an attorneys’ fee award that is 35% of the Gross Settlement (*i.e.*,
27 \$339,745.48). This amount is reasonable considering Class Counsel’s extensive experience in wage and
28 hour class actions, the work done by Class Counsel on this case, the manner in which Counsel effectuated
this result to ensure prompt payment to the Class by negotiating a Settlement within fourteen months of
filing this lawsuit, the risk of non-recovery after substantial investment of time and resources undertaken
by Class Counsel, and the continued time and expense that Class Counsel will incur by administering the
settlement fund should this Court grant approval.

1 7. California courts award fees in the amount of 35% or more of the common fund in similar
2 wage and hour cases brought by class counsel including *Burleigh v. National University*, Case No.
3 MSC21-00939 (Contra Costa Cty. Sup. Ct.) (Aug. 26, 2022) (approving fees of 40% of \$925,000 class
4 settlement); *Mayton et al v. Konica Minolta Business Solutions USA, Inc.*, Case No. RG12657116 (Cal.
5 Sup. Ct. Alameda Cty. June 22, 2015) (June 22, 2015); *Glover v. 20/20 Companies, Inc.*, Case No.
6 RG14748879 (Cal. Sup. Ct. Alameda Cty. August 3, 2015) (approving fees of and other wage and hour
7 class settlement. 47% of a \$475,000 PAGA settlement); *Sands v. Gold's Gym*, Case No. BC660124 (Cal.
8 Sup. Ct. Los Angeles Cty. March 20, 2019) (approving fees of 36% of \$125,000 PAGA settlement); and
9 *Albanez v. Premium Retail Services Inc.*, Case No. RG1577982 (Cal. Sup. Ct. Alameda Cty. January 29,
10 2016) (approving fees of 37% of \$275,000 PAGA settlement).

11 8. In my professional experience, percentage-of-the-fund awards are frequently used as the
12 basis for awarding successful plaintiff's attorneys their fees in common fund settlements. My
13 understanding is that the courts' bases for favoring percentage-of-the-fund awards in common fund
14 settlements include (1) fairly compensating the attorneys based on the benefits brought to the class; (2)
15 providing an incentive for counsel to efficiently litigate cases, rather than spend excessive hours to
16 prolong litigation and justify a higher lodestar; (3) providing incentive for settlement, which is
17 particularly preferred in class actions; (4) equitably spreading the attorneys' fees among class members
18 who benefit from their work at a rate that closely mirrors percentages paid on individual contingency fees
19 cases; and (5) relieving some of the workload on an overtaxed judicial system while still providing
20 fairness to the class through judicial oversight of class settlements.

21 9. Class Counsel's fee request is justified under these factors. Class Counsel agreed to
22 represent Plaintiffs and the putative Class on a contingency basis, and further agreed to advance all
23 litigation costs. Class Counsel also took on this case despite the known risks associated with Plaintiffs'
24 claims and the Class allegations, as described in detail below, and the unpredictable risks that are common
25 to most complex employment class actions that develop only over the course of the litigation. Such
26 unpredictable factors include, of course, the possibilities of changes or developments in the law and
27 actions by defendants or defense counsel. Despite all of this, Class Counsel were able to obtain a very
28 favorable settlement in a relatively short time after filing this lawsuit.

10. The requested percentage of the distribution is in line with (or lower than) the fee that my
firm would have expected if we had negotiated individual retainer agreements with each Class Member.
Such an award ensures that we can receive an appropriate fee for the risks undertaken by our firm and

1 the benefit conferred to the Class, particularly when it would be impossible *ex ante* to enter a fair fee
2 arrangement with all the members of the Class.

3 LODESTAR-MULTIPLIER ANALYSIS

4 11. In this section of the declaration, I provide a summary of the general tasks performed by
5 HammondLaw, P.C. at each stage of the litigation in order to assist the Court in evaluating the
6 reasonableness of the hours submitted by Plaintiffs. I have divided the time spent litigating this case into
7 four separate phases. Phase I consists of pre-filing work including fact investigation, case analysis, and
8 drafting of pleadings. Phase II consists of discovery and preparation for mediation. Phase III consists of
9 attendance at mediation and negotiations up to the point the settlement agreement had been signed. Phase
10 IV consists of post settlement motions (preliminary and final approval), notice administration, and
11 correspondence with Class Members.

12 PHASE I WORK

13 12. Phase I consisted of pre-filing fact investigation and drafting pleadings. The total time
14 expended by HammondLaw, P.C. on these tasks was 153 hours for a lodestar of \$114,645, as follows:

	Hammond	Cherniak	Brandler	Michelsohn	Barnes	Total
15 Fact Investigation	1.6	0.1	7.5	0.00	0.00	9.2
16 Pleadings	15.6	22.7	42.3	26.50	0.00	107.1
17 Hearings	5.6	16.3	11.5	1.40	1.60	36.4
	22.8	39.1	61.3	27.90	1.60	152.7

18 13. The “Fact Investigation” work included researching and analyzing Defendant’s policies
19 and relevant law to determine the validity of Plaintiffs’ claims prior to sending the PAGA Notice;
20 reviewing documents gathered from Defendant’s website and/or provided by Plaintiffs including course
21 contracts and pay stubs; and corresponding with Plaintiffs to obtain information necessary for the PAGA
22 Notices and Complaints.

23 14. The “Pleadings” work included drafting, reviewing and discussing the Plaintiffs’ PAGA
24 Notices; reviewing and discussing Defendant’s PAGA Cure Letter, drafting a response to the Cure Letter,
25 and reviewing the LWDA’s decision; drafting a Complaint and First Amended Complaint; drafting a
26 Motion for Leave to File First Amended Complaint; reviewing Defendant’s Answers; drafting a *Pro Hac*
27 *Vice* application for Dr. Arie Michelsohn; and meeting and conferring with Defendant on various
28 stipulations and tolling agreements.

1 15. The “Hearings” work included drafting case management conference statements and/or
2 stipulations; appearing at case management conferences throughout the case; reviewing and serving case
3 management conference orders; and arranging for Court appearances.

4 **PHASE II WORK**

5 16. Phase II consisted of discovery and mediation preparation. The total time expended by
6 Plaintiffs’ Counsel on these tasks was 81 hours for a lodestar of \$62,557.50, as follows:

	Hammond	Cherniak	Brandler	Michelsohn	Barnes	Total
7 Discovery / Data Analysis	11.1	6.4	27.5	5.00	0.00	50
8 Mediation Prep	4.9	1.8	21.6	0.30	2.10	30.7
9	16.0	8.2	49.1	5.30	2.10	80.7

10 17. The “Discovery and Data Analysis” work included drafting and serving formal discovery;
11 responding to formal discovery served by Defendant; reviewing and objecting to Defendant’s Notice of
12 Deposition on Plaintiff Castillo and drafting an *ex parte* application for protective order; preparing for
13 Plaintiff’s deposition (which ultimately came off calendar); drafting informal discovery prior to
14 mediation; meeting and conferring with Defendant regarding informal production and data points; and
15 reviewing and analyzing relevant data and documents including: (a) class sizes and number of aggrieved
16 employees; (b) Plaintiffs’ personnel files; (c) course data for Fall 2016 through Fall 2021; (d) the
17 Employee Handbook, Faculty Handbook, and Faculty Guidebook; (e) academic calendars; (f) expense
18 reimbursement policy; and (g) an exemplar 2022 part-time faculty employment contract. This work also
19 included Plaintiffs’ Counsel own investigation and gathering additional documents and information,
20 including the CBA applicable to part-time faculty instructors (effective January 2018 to June 30, 2020),
21 pre-Fall 2021 Part-Time Faculty Contracts, sample of wage statements, academic calendars, course
22 schedules, and communications regarding HNU’s directive to its employees to work from home during
23 the COVID-19 pandemic. It also includes time spent drafting and sending surveys regarding part-time
24 faculty claims; reviewing survey responses received from part-time faculty; and compiling summaries of
25 the survey results for inclusion in the mediation brief.

26 18. The “Mediation Preparation” work included meeting and conferring with Defendant
27 regarding mediators and mediation dates; drafting Plaintiffs’ 13-page single spaced mediation brief with
28 a detailed legal and factual analysis of Plaintiffs’ claims, discussion of Defendant’s actual and anticipated
contentions, and a detailed damages model based on Plaintiffs’ analysis of the class data, including class
sizes, number of courses taught by Part-Time Faculty CMs, number of classes that were at least 3.5 hours

1 long, average hourly rate paid to Part-Time Faculty CMs, and number of wage statements issued to them,
2 and remote work expensed incurred by them and other class members; selecting and assembling
3 supporting exhibits for these briefs; and discussing the scope of the case and mediation strategy among
4 Plaintiffs' Counsel.

5 **PHASE III WORK**

6 19. Phase III consisted of the mediation and settlement negotiations. The total time expended
7 by Plaintiffs' Counsel on these tasks was 49 hours for a lodestar of \$38,265 as follows:

	Hammond	Cherniak	Brandler	Barnes	Total
8 Mediation Attendance	9.4	0.20	5.5	0.0	15.1
9 Post-Mediation Settlement	3.2	6.00	24.4	0.20	33.8
	12.6	6.20	29.9	0.20	48.9

10 20. The "Mediation Attendance" work included preparing for the mediation immediately
11 prior to the start and attending the full-day mediation with Lou Marlin.

12 21. The "Post Mediation Settlement" work included reviewing and discussing the mediator's
13 proposal; negotiating the settlement structure, class definitions, escalator clause, allocation of the Gross
14 Settlement between the classes; the Release Language, other key terms; and reviewing, and drafting the
15 Settlement Agreement and Class Notice.

16 **PHASE IV WORK**

17 22. Phase IV consisted of obtaining approval of the Settlement and overseeing the
18 administration of Notice to the Class. The total time expended by Plaintiffs' Counsel on these tasks was
19 105 hours for a lodestar of \$75,070, as follows:

Hammond	Cherniak	Brandler	Barnes	Total
10.4	55.2	38.6	0.80	105.0

20
21 23. The "Settlement Approval" work included drafting a detailed preliminary approval
22 motion and supporting declaration with an in-depth analysis of each of Plaintiff's claims, the underlying
23 allegations, Defendant's defenses, the strength of each defense, and maximum and realistic liability on
24 each claim; meeting and conferring with Defendant on production of the class list and attending two
25 conferences with the Court regarding the same; reviewing the class data, settlement calculations, and the
26 Notice prior to mailing; reviewing the weekly reports circulated by the Settlement Administrator; drafting
27 the final approval motion and fees motion; drafting the instant declaration and declarations of Plaintiffs;
28 reviewing and editing the Settlement Administrator's Declaration; and compiling time and costs for

1 submitting to the Court.

2 **PLAINTIFFS' COUNSEL'S REASONABLE HOURLY RATES**

3 24. The following paragraphs summarize each attorney's qualifications, some of their
4 principal contributions to the case, and their hourly rate:

5 **a. Julian Hammond**

6 25. *Qualifications and Experience.* I have been practicing law since 2000. I was admitted as
7 a Solicitor in New South Wales in 2000. In 2002, I was admitted to the New York State Bar, and in 2002
8 I was admitted as a Barrister in New South Wales. As a Barrister, from approximately 2002 to 2008, I
9 first-chaired four cases and second-chaired at least 10 cases. I also advised high profile institutional
10 clients and advised and represented individuals and groups of individuals in a wide variety of matters,
11 including pharmaceutical product liability, oil-spill, eminent domain and other real estate matters, and
12 breach of contract. Thereafter and for the majority of my career I have represented plaintiffs in
13 employment and consumer cases. From 2008 until 2010, I worked with Ackermann & Tilajef, P.C. in
14 Los Angeles, California where I worked with employees in a number of wage and hour class actions, as
15 well as small groups of clients in sexual discrimination, FMLA discrimination, retaliation and similar
16 cases.

17 26. In 2010 I founded my firm HL, P.C. Since the founding of my firm, I was the lead or co-
18 lead counsel in over 50 employment and consumer class actions in state and federal courts in California
19 and Washington state. I represented employees across a variety of industries, including outside
20 salespersons in the liquor distribution industry and in the photocopier distribution industry securing
21 settlements against major players in both industries for violations of Labor Code § 2802 and securing
22 significant increases in the amount of money they received for expense reimbursement. I also represented
23 thousands of truck drivers in California, securing settlements and compensation changes going forward
24 against the largest trucking companies in the United States for unpaid wages and premium pay. I have
25 also represented employees who have worked as pet groomers, fitness instructors, and most recently,
26 adjunct instructors.

27 27. My firm was also the first firm in the country to bring cases and secure settlements
28 pursuant to the Automatic Renewal Law § 17600 *et seq.* ("ARL") and the UCL. As lead or co-lead
counsel we secured the largest settlement thus far under the ARL and UCL in *Siciliano, et al. v. Apple, Inc.*, Case No. 1:13-CV-257676 (Santa Clara County Superior Court, November 5, 2018) (\$16,500,000 settlement on behalf of approximately 4,000,000 consumers). We also secured settlements under the ARL and the UCL in *Goldman v. Lifelock*, Case No. 1-15-cv-276235 (Santa Clara County Superior Court

1 Feb. 5, 2016) (\$2,500,000 settlement on behalf of approximately 320,000 consumers); *Davis v. Birchbox*
2 *Inc.*, Case No. 3:15-cv-498-BEN-BSG (S.D. Cal. Oct 17, 2016) (settlement in form of Birchbox credits
3 for approximately 150,000 consumers); *Kruger v. Kiwi Crate*, Case No. 1-13-CV-254550 (Santa Clara
4 County Superior Court July 2, 2015)) (claims made settlements on behalf of consumers); and *Gargir v.*
5 *SeaWorld Inc.*, Case No. 37-2015-00008175-CU-MC-CTL (San Diego County Superior Court October
6 21, 2016) (\$500,000 settlement on behalf of 88,000 subscribers).

7 28. My firm was also on the Executive Committee in the MDL case titled *In re Ashley*
8 *Madison Customer Data Security Breach Litigation*, Case No. MDL 2669 (E.D. Mis. Dec. 9, 2015)
9 (\$11.2 million claims-made settlement on behalf of approximately 39 million Ashley Madison users
10 alleging privacy violation).

11 29. Since 2016, my firm has been the leader in prosecuting adjunct instructor cases in the
12 state. My firm has successfully recovered over \$41 million dollars in damages and statutory and civil
13 penalties on behalf of 26,500 instructors in twenty-eight class actions. My firm also recently litigated
14 one adjunct class action all the way through to trial in which the Class prevailed. *Gola v. University of*
15 *San Francisco*, No. CGC-18-565018 (San Francisco County Superior Court March 3, 2021).

16 30. *Billing Rate.* My current billing rate is \$925 per hour. Surveys I have reviewed and
17 experts I have consulted demonstrate to me that this rate is similar to the rates charged by comparable
18 attorneys for class action work and complex litigation.

19 31. *Significant Responsibilities on this Case.* As the principal of HammondLaw I managed
20 every aspect of the litigation. I supervised, edited, and /or approved pleadings, PAGA notices, discovery,
21 mediation brief, settlement negotiations, settlement agreement, and preliminary and final approval
22 motion. I oversaw and actively participated in the analysis of the data produced by Defendant in informal
23 discovery; and was the lead negotiator in the full-day mediation.

24 **b. Polina Brandler**

25 32. *Qualifications and Experience.* Polina Brandler received her B.A. in history cum laude
26 from the Macaulay Honors College at the City University of New York in 2005, and her J.D. from the
27 Benjamin N. Cardozo School of law in 2009. While in law school, Ms. Brandler was an intern for the
28 Honorable Sandra L. Townes of the Southern District of New York. After graduation, she clerked for the
Honorable Anita H. Dymant of the Appellate Division of the Los Angeles Superior Court from 2009 to
2012. During her time at HL, which is approximately the last decade, Ms. Brandler's practice has focused
on wage and hour and consumer class actions. Ms. Brandler has been responsible for all facets of wage
and hour actions, from pre-filing investigation, discovery, and motion practice, appeal and/or settlement

1 approval. Ms. Brandler served as class counsel on multiple wage and hour class and representative
2 actions, including multiple adjunct instructor wage and hour cases.

3 33. *Billing Rate.* Ms. Brandler's current billing rate is \$750 per hour. Surveys I have reviewed
4 and experts I have consulted demonstrate to me that this rate is similar to the rates charged by comparable
5 attorneys for class action work and complex litigation.

6 34. *Significant Responsibilities on this Case.* Ms. Brandler was assigned responsibilities in all
7 aspects of the case, including case investigation, drafting and/or reviewing drafts from other attorneys of
8 the PAGA notices, PAGA Cure response, complaints, discovery, mediation brief, settlement agreement,
9 preliminary approval motion, and attending mediation.

10 **c. Ari Cherniak**

11 35. *Qualifications and Experience.* Mr. Cherniak received his B.S. in Philosophy cum laude
12 from Towson University in 2007, and his J.D. from Tulane Law School in 2011. Mr. Cherniak joined
13 HL in 2012. Mr. Cherniak's practice has focused on wage and hour and consumer class actions. Mr.
14 Cherniak served as class counsel on the firm's wage and hour class and representative actions, including
15 many adjunct instructor wage and hour cases listed above.

16 36. *Billing Rate.* Mr. Cherniak's current billing rate is \$650 per hour. Surveys I have reviewed
17 and experts I have consulted demonstrate to me that this rate is similar to rates charged by comparable
18 attorneys for similar class action work and complex litigation.

19 37. *Significant Responsibilities on this Case.* Mr. Cherniak was assigned responsibilities in
20 all aspects of the case, including drafting complaints, discovery, stipulations, case management
21 conference statements, motions for preliminary and final approval, and attending case management
22 conferences and hearings. Mr. Cherniak also assisted with document and data review and oversaw the
23 case calendar.

24 **d. Adrian Barnes**

25 38. *Qualifications and Experience.* Mr. Barnes graduated from the University of California,
26 Berkeley, in 2001, and from Columbia Law School, in 2007, where he was a member of the *Columbia*
27 *Law Review* and received the Emil Schlesinger Labor Law Prize. Mr. Barnes joined HL in 2021. Since
28 graduating from law school, Mr. Barnes spent the majority of his career representing the interests of
employees and union members in labor and employment cases.

39. *Billing Rate.* Mr. Barnes' current billing rate is \$775. Surveys I have reviewed and
experts I have consulted demonstrate to me that this rate is similar to rates charged by comparable
attorneys for similar class action work and complex litigation.

1 40. *Significant Responsibilities on this Case.* Mr. Barnes time was spent reviewing and
2 editing the mediation brief; reviewing and discussing case management conference statements; and
3 reviewing and discussing emails and statements related to the class notice.

4 e. **Dr. Arie Michelsohn**

5 41. *Qualifications and Experience:* Dr. Michelsohn earned his Bachelor's Degree from
6 Columbia University in 1982, his Ph.D. from the California Institute of Technology in 1992, and his
7 J.D., with High Honors, Order of the Coif, from the George Washington University Law School in 1998.
8 He is a former law clerk to the Honorable Raymond C. Clevenger, III, Circuit Judge, United States Court
9 of Appeals for the Federal Circuit. Since 1999, Dr. Michelsohn's law practice has primarily focused on
10 complex litigation.

11 42. *Billing Rate.* Dr. Michelsohn's current billing rate is \$750 per hour. Surveys I have
12 reviewed and experts I have consulted demonstrate to me that this rate is similar to rates charged by
13 comparable attorneys for similar class action work and complex litigation.

14 43. *Responsibilities on this Case.* Dr. Michelsohn's time was spent drafting discovery
15 requests and responses; drafting a motion for protective order and associated papers; drafting a motion
16 for leave to file amended complaint; drafting a *Pro Hac Vice* application.

17 **HOURS SPENT ON LITIGATION ARE REASONABLE**

18 44. I was responsible for managing Plaintiffs' Counsel's work including the work of other
19 attorneys employed to assist with litigation. In managing the case, I made every effort to litigate this
20 matter efficiently by coordinating the work of HL attorneys, and others who worked on this case,
21 minimizing duplication, and assigning tasks in a time and cost-efficient manner, based on the
22 timekeepers' experience levels and talents. In particular, I assigned most of the day-to-day work
23 associated with pleadings, motions, and discovery to associates with lower billing rates commensurate
24 with the skill required for the tasks, with oversight by me.

25 45. In my professional judgment, there is no question that the involvement of each of the
26 attorneys in the case was necessary to provide adequate and effective representation to Plaintiffs in this
27 complex litigation. The varied types of abilities and levels of experience of the attorneys who worked on
28 this case allowed us to delegate tasks efficiently and provide skilled coverage. The instances where
multiple attorneys contributed to the same task (for example, the mediation brief) were, in my
professional judgment, necessary to ensure coordination and accuracy, and to capture the particular
expertise of each attorney.

1 46. In preparation for Plaintiffs' motion, Mr. Cherniak reviewed my firm's time records
2 submitted herewith, and exercised billing judgment to delete or reduce certain time entries based on his
3 experience in similar lodestar calculation and billing judgment determinations in many other complex
4 cases, and based on our discussions of the tasks assigned to each attorney in this case.

5 47. In sum, it is my opinion and professional judgment that the hours spent by Plaintiffs'
6 Counsel were both reasonable and necessary to the effective representation of our client and the Class.
7 My opinion is informed by my involvement as lead counsel, and over a decade of experience in litigating
8 many large class actions in which, similar to this case, it was necessary to field and manage a team of
9 lawyers, with different levels of experience and types of expertise, to carry out the work required by the
10 case.

11 **REASONABLE HOURLY RATES**

12 48. HL is requesting that its time on this case be compensated on a percentage-of-the-fund
13 basis, with a lodestar-multiplier cross check in which Plaintiffs' Counsel's fees are viewed in light of the
14 prevailing market rates. Based on my knowledge of billing rates and practices and surveys and court
15 decisions I have reviewed, I believe that our hourly billing rates shown in the table immediately below
16 are consistent with the rates charged by comparable attorneys for similar class action work and complex
17 litigation, including particular firms that regularly prosecute or defend employment class actions and
18 other complex litigation; and that the rates we charge are reasonable for attorneys of our experience,
19 reputation, and expertise practicing complex and class action litigation.

2023 Rates		
Attorney/Timekeeper	Year Admitted	Rate
Julian Hammond, Principal	2000	\$925
Polina Brandler, Associate	2010	\$750
Ari Cherniak, Associate	2011	\$650
Arie Michelsohn, Counsel	2001	\$750
Adrian Barnes, Counsel	2007	\$775

24 49. The reasonableness of my firm's current hourly rates are discussed in detail in the
25 Declaration of Richard S. Pearl, filed on March 9, 2023 in *Harris v Southern New Hampshire University*,
26 Case No. RG21109745 (Alameda County Superior Court), and attached hereto as **Exhibit 2**. Mr. Pearl
27 is a renowned expert on California attorneys' fees law and practice and his declaration provides

1 authoritative evidence that my firm's requested hourly rates are well within the range of reasonable in
2 the relevant market.

3 50. HL's slightly lower 2022 hourly rates have been approved by this Court in *Glor v iHeart*
4 *Media + Entertainment*, Case No. 22CV005286 (Alameda County Superior Court) (February 14,
5 2023)(approving Class Counsel's hourly rates as reasonable, and within the range of market rates that
6 attorneys with similar levels of skill, experience and reputation for handling matters of similar
7 complexity); and other California courts in *Cassidy v. Keyence Corporation of America*, Case No.
8 21CV382350 (Santa Clara County Superior Court) (February 8, 2023); *Rodriguez v. River City Bank*,
9 Case No. 1-13-cv-257676 (Sacramento County Superior Court, October 26, 2022); *Burleigh v. National*
10 *University*, Case No. MSC21-00939 (Contra Costa County Superior Court, Aug. 26, 2022); *Costa v.*
11 *University of Antelope Valley*, Case No. 21STCV18531 (Los Angeles County Superior Court, August
12 23, 2022); *Parsons v. La Sierra University*, Case No. CVRI2000104 (Riverside County Superior Court,
13 May 19, 2022); *Chindamo v. Chapman University*, Case No. 30-2020-01147814-CU-OE-CXC (Orange
14 County Superior Court, April 15, 2022); *Sweetland-Gil v. University of the Pacific*, Case No. STK-CV-
15 UOE-2019-0014682 (San Joaquin County Superior Court, March 4, 2022); and *Senese v. University of*
16 *San Diego*, Case No. 37-2019-00047124-CU-OE-CTL (San Diego County Superior Court, February 8,
17 2022).

18 51. HL's 2021 and 2020 hourly rates were approved in *Stupar et al. v. University of La Verne*,
19 Case No. 19STCV333363 (Los Angeles County Superior Court) (October 14, 2021) (approving HL's
20 2021 hourly rates as reasonable, and within the range of market rates that attorneys with similar levels
21 of skill, experience and reputation in the Los Angeles Area charge for handling matters of similar
22 complexity); *Veal v Point Loma Nazarene University*, Case No. 37-2019-00064165-CU-OE-CTL (San
23 Diego County Superior Court) (August 27, 2021) (same); *Pillow et al. v. Pepperdine University*, Case
24 No. 19STCV33162 (Los Angeles County Superior Court) (July 28, 2021) (same); *Mooiman et al. v.*
25 *Saint Mary's College of California*, Case No. C19-02092 (Contra Costa County Superior Court) (June
26 10, 2021) (awarding 2.0 multiplier to my firm's lodestar calculated based on HL's 2020 hourly rates);
27 *Peng v. The President and Board of Trustees of Santa Clara College*, Case No. 19CV348190 (Santa
28 Clara County Superior Court) (April 21, 2021) (awarding 2.75 multiplier to my firm's lodestar calculated
based on HL's 2020 hourly rates); *Morse v. Fresno Pacific University*, Case No. 19-CV-04350 (Merced
County Superior Court) (April 6, 2021) (approving HL's 2020 hourly rates as reasonable, and within the
range of market rates that attorneys with similar levels of skill, experience and reputation for handling
matters of similar complexity); *Granberry v. Azusa Pacific University*, Case No. 19STCV28949 (Los

1 Angeles County Superior Court) (March 5, 2021); (approving 1.77 multiplier to my firm's lodestar
 2 calculated using HL's 2020 hourly rates); *Ott v. California Baptist University*, Case No. RIC1904830
 3 (Riverside County Superior Court) (January 26, 2021) (approving HL's 2020 hourly rates as reasonable);
 4 and *Pereltsvaig v. Cartus Corp.*, Case No. 19CV348335 (Santa Clara County Superior Court) (Jan. 13,
 2021) (approving 1.44 multiplier to my firm's lodestar calculated using HL's 2020 hourly rates).

5 52. Mr. Barnes's slightly lower 2022 hourly rate (\$725) was approved in the *iHeart, Keyence*,
 6 *La Sierra* cases, cited above; and his slightly lower 2021 hourly rate (\$695) were approved in the *Loyola*
 7 and *Antelope Valley* cases, cited above.

8 53. Dr. Michelsohn's hourly rate was approved in the *Keyence, River City, La Verne, Loyola*,
 9 *Pepperdine* and *Saint Mary's College* cases cited above.

10 **REQUESTED MULIPLIER IS REASONABLE**

11 54. The requested attorneys' fees represent a multiplier of only 1.17 to Plaintiffs' Counsel's
 12 current lodestar. HammondLaw, P.C. has calculated its combined lodestar amount (reasonable hours
 times reasonable hourly rates) to be \$290,537 as follows:

Attorney/Timekeeper	Rate	Hours	Lodestar
Julian Hammond, Principal	\$925	61.8	\$57,165.00
Polina Brandler, Associate	\$750	178.9	\$134,175.00
Ari Cherniak, Associate	\$650	108.7	\$70,655.00
Adrian Barnes Attorney	\$775	4.7	\$3,642.50
Arie Michelsohn, Attorney	\$750	33.2	\$24,900.00
		387.3	\$290,537.50

13
14
15
16
17
18
19
20 55. The requested attorneys' fees of \$339,745.48 represents a multiplier of 1.17. I estimate
 21 that Class Counsel will spend an additional 20 hours finalizing the final approval papers, filing
 22 supplemental declarations regarding notice administration, appearing at the final approval hearing, and
 23 seeing the Settlement through to its conclusion, which is not included in Class Counsel's lodestar. Thus,
 24 the requested fees will represent an even smaller percentage of Class Counsel's lodestar by the time this
 25 case is concluded.

26 56. My firm has been awarded multipliers in many similar wage and hour cases that settled in
 27 less than a year after the case was filed, with little or no motion practice, and courts awarded my firm
 28 similar or higher multipliers including this Court in *Glor v. iHeart Media + Entertainment*, Case No.

1 22CV005286 (Alameda County Superior Court) (February 14, 2023)(finding the fees request justified
2 under the lodestar/multiplier analysis and awarding 2.12 multiplier); *Burleigh v. Brandman University*,
3 Case No. 30-2020-01172801-CU-OE-CXC (Orange County Superior Court, January 27, 2023)
4 (awarding a 2.1 multiplier in an adjunct case where plaintiffs faced risk from an arbitration agreement
5 with a class action waiver); *Chindamo v. Chapman University*, Case No. 30-2020-01147814-CU-OE-
6 CXC (Orange County Superior Court) (April 15, 2022)(awarding a 1.92 multiplier in an adjunct case
7 where plaintiffs faced risk from an arbitration agreement with a class action waiver); *Sweetland-Gil v.*
8 *University of the Pacific*, Case No. STK-CV-UOE-2019-0014682 (San Joaquin County Superior Court,
9 March 4, 2022) (awarding 2.52 multiplier); *Senese v. University of San Diego*, Case No. 37-2019-
10 00047124-CU-OE-CTL (San Diego County Superior Court, February 8, 2022) (awarding 2.98
11 multiplier); *Solis et al. v. Concordia University Irvine*, Case No. 30-2019-01114998-CU-OE-CXC
12 (Orange County Superior Court) (February 3, 2022)(awarding 1.45 multiplier); *Stupar et al. v. University*
13 *of La Verne*, Case No. 19STCV333363 (Los Angeles County Superior Court, October 14, 2021)
14 (awarding 2.48 multiplier); *Normand v. Loyola Marymount University*, Case No. 19STCV17953 (Los
15 Angeles County Superior Court, September 9, 2021) (awarding 3.53 multiplier because “counsel should
16 not be disadvantaged for efficient litigation tactics and that lowering the percentage-of-gross fee award
17 could encourage inefficient ligation”); *Mooiman et al. v. Saint Mary’s College of California*, Case No.
18 C19-02092 (Contra Costa County Superior Court, June 10, 2021) (awarding 2.0 multiplier); *Peng v. The*
19 *President and Board of Trustees of Santa Clara College*, Case No. 19CV348190 (Santa Clara County
20 Superior Court, April 21, 2021) (awarding 2.75 multiplier); *Morse v Fresno Pacific University*, Case No.
21 19-CV-04350 (Merced County Superior Court, April 6, 2021) (awarding a 3.13 multiplier); *Harris-*
22 *Foster v. University of Phoenix*, Case No. RG19019028 (Alameda County Superior Court, March 17,
23 2021) (awarding a 3.05 multiplier in an adjunct case where plaintiffs faced risk from an arbitration
24 agreement with a class action waiver); *Granberry v. Azusa Pacific University*, Case No. 19STCV28949
25 (Los Angeles County Superior Court) (March 5, 2021) (awarding 1.77 multiplier); *Ott v. California*
26 *Baptist University*, Case No. RIC1904830 (Riverside County Superior Court)(January 26, 2021)
27 (awarding 1.56 multiplier); and *Stempien v. DeVry University, Inc.*, No. RG19002623 (Alameda County
28 Superior Court, June 30, 2020) (awarding a 2.46 multiplier).

57. My understanding is that the basis for approving multipliers include (1) the significant contingency risk assumed by Counsel in accepting the representation; (2) the novel and complex nature of the case; (3) the exceptional results achieved and the importance of the rights at stake; and (4) the

1 preclusion of other employment that resulted from the intensive work required by this case. All four of
2 these factors support Class Counsel’s requested multiplier.

3 **A. Contingent Risk**

4 58. My firm undertook and litigated this case on a contingent fee basis, assuming a significant
5 risk that the litigation would yield no recovery and leave us uncompensated for over 387 attorney hours,
6 as well as over \$19,000 in out-of-pocket costs. There was even a risk that Plaintiffs would be responsible
7 for Defendant’s statutory costs if they lost. The risk of nonpayment was very real as Defendant raised
8 several potentially meritorious defenses.

9 59. First, Defendant contended that Plaintiffs’ class claims were subject to arbitration under
10 the arbitration provision in Defendant’s CBA and that Plaintiffs would have to arbitrate on an individual
11 basis.

12 60. Second, Defendant contended that the Part-time Faculty Class claims were preempted by
13 § 301 of the Labor Management Relations Act (“LMRA”) because their resolution would necessarily
14 depend on the interpretation of the CBA.

15 61. If the parties litigated this point, however, the trial court would ultimately rule on whether
16 Plaintiffs’ claims were preempted, and the losing party would likely appeal, first to the Court of Appeals,
17 and then to the Supreme Court. This process would take years. In fact, a similar LMRA preemption
18 issue is currently on appeal in another class action filed on behalf of adjunct instructors in 2018, in which
19 Plaintiffs’ counsel is class counsel.

20 62. Third, Defendant contended that Part-time Faculty are exempt under Labor Code § 515.7,
21 effective September 9, 2020, which provides that part-time adjuncts employees who meet the “duties
22 test” and the “salary test” are exempt from Labor Code §§ 226(a) and 1194. The “duties test” requires
23 that part-time adjuncts are primarily engaged in a profession requiring discretion and independent
24 judgment. IWC Wage Order 4-2001, § 1(c). The “salary test” is met under Labor Code § 515.7 if adjunct
25 instructors are paid “a salary” that is: (1) two times the state minimum wage for full time employment,
26 or (2) a minimum per classroom hour rate of \$117 per classroom hour in 2020, increasing to \$126 in
27 2021, \$135 in 2022, and for 2023 and thereafter, “a percentage increase to the rate” for 2022 pegged to
28 the percentage increase in the state minimum wage prescribed by statute; or (2) if employed under a
CBA, the instructor is paid pursuant to a CBA and “the classification of employment in a professional
capacity is expressly included [in the CBA] in clear and unambiguous terms.” § 515.7(a)(2)(B), (C).
The CBA, effective July 1, 2020 to June 30, 2024, which covers “all Adjunct Faculty” provides that “all
bargaining unit faculty employed and compensated pursuant to the terms of this Agreement or its

1 predecessor were and are classified as professional exempt employees and were and are exempt under
2 California Labor Code § 515.7.”

3 63. The issue of whether a compensation scheme like HNU’s (i.e., per course pay where a
4 university reserves the right to reduce compensation based on low enrollment) constitutes a piece-rate or
5 a salary has never been decided by any California courts. While Plaintiffs believe that they have the
6 better argument, they recognized some risk based on Defendant’s defense in this case.

7 64. After a decade of practice as the principal of my own law firm, I am familiar with the
8 significant financial risks associated with litigating contingency cases. In any contingency case, there is
9 a possibility that the attorneys will never recover their fees, even after spending years on a matter, and
10 investing substantial resources. Attorneys agree to undertake this risk only if they believe they will be
11 able to receive a premium for doing so if they succeed, such as that reflected by an enhancement to the
12 lodestar. At my firm, and to my personal knowledge, other firms like ours, we are able to undertake risky
13 and expensive wage and hour cases only because of the availability of an enhanced fee award in cases
14 where we prevail and the case-specific factors warrant one.

15 **B. Skill Displayed in Presenting Novel and Complex Case**

16 65. As an experienced wage and hour litigator, I am familiar with the inherent complexities
17 in class and representative wage and hour cases including issues of class certification and litigating legal
18 questions that fall within the many unsettled areas of wage and hour law. Plaintiffs and my firm took on
19 the responsibility of representing the interests of over 1,200 employees as well as the interests of the State
20 of California.

21 66. The litigation was complex, involving multiple provisions of California labor law,
22 including novel issues not yet conclusively decided by an appellate court, as well as issues regarding
23 class certification. Moreover, there was an underlying risk of the potential enforcement of arbitration
24 agreements between Defendant and Plaintiffs.

25 67. If the parties continued to litigate this case, Plaintiffs would have to clear hurdles including
26 a motion to compel arbitration and a motion on LMRA preemption, other pre-trial dispositive motions,
27 and class certification, which Defendant contended would not be granted because individualized issues
28 would arise as to the unpaid wages and missed break claims, whether expenses were actually incurred by
employees, whether such expenses were reasonable, and whether HNU was aware that employees were
incurring expenses. Whichever claims cleared that hurdle would face trial. Regardless of the outcome at
trial, the losing party would likely appeal, given that some of the central legal issues in this case have not
been conclusively addressed by an appellate court. This process would take years to resolve. Plaintiffs’

1 Counsel has been litigating a case on behalf of University of San Francisco’s adjunct instructors for over
2 four years, which is still ongoing, and an appeal on the issues of statutory penalties pursuant to Labor
3 Code § 226(e) and LMRA preemptions – similar to the issues involved in this case – is pending. Instead,
4 this settlement provides an early resolution of a dispute, and CMs will recover in the relatively near future
if the settlement is finally approved.

5 **C. Significance of the Results Obtained**

6 68. Plaintiffs obtained excellent results in this case under the circumstances, with average and
7 high payments of \$387.22 and \$2,181.24 for Part-time Faculty CMs; \$63.45 and \$203.69 for Expense
8 Reimbursement CMs; and \$12.51 and \$40.06 for General CMs.

9 69. The settlement value of the Expense Reimbursement CMs and General CMs claim are
10 less than Plaintiffs estimated at preliminary approval because the data Defendant provided to the
11 Settlement Administrator during the notice process included an increase in months and/or pay periods
12 worked by those classes. Specifically, based on the data provided by Defendant, Plaintiffs estimated at
13 preliminary approval that the Expense Reimbursement Class worked 5,038 months, and the percentage
14 of the GSA allocated to those claims for settlement purposes (approximately \$135,625) valued each
15 month at \$26.92. During the notice process, Defendant provided class data to the Settlement
Administrator including 6,770 months (or 13,541 pay periods) for the Expense Reimbursement class,
decreasing the value of each month by \$6.89 to \$20.03.

16 70. Based on the data provided by Defendant, Plaintiffs estimated at preliminary approval that
17 the General Class was issued 816 inaccurate wage statements, and the percentage of the GSA allocated
18 to those claims for settlement purposes (approximately \$26,250) valued each wage statement at \$32.17.
19 During the notice process, Defendant provided class data to the Settlement Administrator indicating there
20 were 1,364 inaccurate wage statements issued to the General Class, decreasing the value of each wage
statement by \$12.93 to \$19.24.

21 71. Despite the reduction in value, the Settlement is still fair, reasonable and adequate and the
22 percentages of the GSA and NSA allocated to each class still represent an excellent result, for all of the
23 same reasons stated in Plaintiffs’ Motion for Preliminary Approval. This includes the significant risks
24 posed by the potential enforcement of arbitration agreements between Defendant and Plaintiffs; the risk
25 posed by Defendant’s contention that Plaintiffs’ claims are preempted by the LMRA, and the risks of
26 losing on other pre-trial dispositive motions, class certification, and/or a trial.

27 72. Further, in Fall 2021, HNU revised its compensation system with respect to Part-time
28 Faculty CMs. HNU reclassified CMs as hourly non-exempt employees and changed their compensation

1 from per course/per unit to hourly. HNU also began tracking part-time faculty instructors' hours and
2 including entries for total hours worked and hourly rates on their wage statements. HNU also rolled out
3 a new rest break policy applicable to CMs.

4 73. In October 2021, HNU implemented an expense reimbursement policy pursuant to which
5 it began reimbursing Expense Reimbursement CMs \$10/month for internet and \$10/month for cellphone.

6 74. Finally, HNU corrected the wage statements issued after May 10, 2020 and ensured that
7 they included beginning, as well as end, dates for each pay period.

8 **D. Preclusion of Other Employment**

9 75. To meet the needs of the case, my firm had to divert attorney time that would otherwise
10 have been spent on the firm's other wage and hour class actions.

11 **REQUESTED COSTS ARE REASONABLE**

12 76. HammondLaw has incurred \$19,181.19 in out-of-pocket litigation expenses summarized
13 as follows:

14 Mediation (Marlin)	\$7,000.00
15 Econ One (data analysis)	\$2,137.50
16 ASAP Legal (filing and service)	\$1,523.00
17 Survey/ Witness location	\$5,000.00
18 One Legal (filing/ service)	\$2,137.50
19 Pro Hac Vice fee	\$500.00
20 Research	\$1,088.00
21 Technology hosting fee	\$110.00
22 PAGA fees	\$75.00
23 Alameda Superior Court fees	\$24.00
24 Final Approval Filing/ Service (anticipated)	\$140.00
TOTAL	\$19,181.19

25 77. Mediation costs represent half of the mediator fee of the private mediator who assisted
26 the parties during the all-day mediation which was fundamental to reaching settlement.

27 78. Econ One (data analysis) costs were reasonably necessary to analyze the detailed
28 spreadsheets produced by Defendant prior to mediation.

1 79. ASAP Legal costs and One Legal costs were reasonably necessary for filing and serving
2 documents and pleadings in this case.

3 80. Alameda County Superior Court fees were reasonably necessary to retrieve case
4 documents.

5 81. Pro Hac Vice fee was reasonably necessary for Dr. Arie M. Michelsohn's *pro hac vice*
6 application.

7 82. Technology Hosting Fees were reasonably necessary for maintaining electronic databases
8 necessary for litigation of the case.

9 83. Research costs were reasonably necessary for all aspects of the case including drafting
10 pleadings, drafting the mediation brief, and drafting Plaintiffs' motions for approval of class settlement.

11 84. Survey / witness locator costs were reasonably necessary for Plaintiffs' investigation and
12 factual development of their claims.

13 85. PAGA Notice cost was the payment to the LWDA for Plaintiff's initial PAGA Notice.

14 86. Final Approval Filing/ Service costs are anticipated costs of filing and serving the Motion
15 for Final Approval and Motion for Fees and Costs.

16 87. Plaintiffs' Counsel has incurred \$818.81 less than the \$20,000 provided for in the
17 Settlement which will increase the share of each Settlement Class Members.

18 I declare under penalty of perjury under the laws of the United States and the State of California
19 that the foregoing is true and correct. Executed on April 10, 2023.

20 s/ Julian Hammond
21 Julian Hammond

EXHIBIT 1

Approved California Wage and Hour Cases

- ***Glor v iHeart Media + Entertainment***, Case No. 22CV005286 (Alameda County Superior Court) (February 14, 2023) (certifying HammondLaw as class counsel for \$1,220,000 settlement of Labor Code §§ 226(a), 510, 1194, and 201-203 claims on behalf of 206 account executives and Labor Code § 2802 claims on behalf of 1,154 other employees);
- ***Cassidy v Keyence Corporation of America***, Case No. 21CV382350 (Santa Clara County Superior Court) (February 8, 2023) (Labor Code § 2699 et seq. representative action settlement for \$300,000 for violation of Labor Code §§ 226(a), 512, 203, and 2802 on behalf of 145 sales representatives and Labor Code § 2802 claims on behalf of 18 other employees);
- ***Burleigh v. Brandman University***, Case No. 30-2020-01172801-CU-OE-CXC (Orange County Superior Court) (January 27, 2023) (certifying HammondLaw as class counsel for \$1,550,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 512, 201-203, claims on behalf of 1,757 adjunct instructors and Labor Code § 2802 claims on behalf of 555 other employees);
- ***Burleigh v. Walden University LLC and Laureate Education, Inc.***, Case No. RG21106062 (Alameda County Superior Court) (December 9, 2022) (certifying HammondLaw as co-class counsel for \$815,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 203, 2802, and 2699, claims on behalf of 244 adjunct instructors);
- ***Burleigh v. National University***, Case No. MSC21-00939 (Contra Costa County Superior Court) (August 26, 2022) (certifying HammondLaw as co-class counsel for \$925,000 settlement of Labor Code § 2802 claim on behalf of 1,802 instructors);
- ***Costa v. University of Antelope Valley***, Case No. 21STCV18531 (Los Angeles County Superior Court) (August 23, 2022) (Labor Code § 2699 et seq. representative action settlement for \$150,000 for violation of Labor Code §§ 1194, 226(a), 226.2, 226.7, 510, 512, 203, and 2802 on behalf of 55 instructors and Labor Code § 2802 claims on behalf of 54 other employees);
- ***Parson v. La Sierra University***, Case No. CVRI2000104 (Riverside County Superior Court) (May 19, 2022) (certifying HammondLaw as class counsel for \$578,220 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 203, claims on behalf of 381 adjunct instructors and Labor Code § 2802 claims on behalf of 739 other employees);
- ***Chindamo v. Chapman University***, Case No. 30-2020-01147814-CU-OE-CXC (Orange County Superior Court) (April 15, 2022) (certifying HammondLaw as co-class counsel for \$1,150,00 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 203, claims on behalf of 1,374 adjunct instructors and Labor Code § 2802 claims on behalf of 4,120 other employees);
- ***Sweetland-Gil v. University of the Pacific***, Case No. STK-CV-UOE-2019-0014682 (San Joaquin County Superior Court) (March 4, 2022) (certifying HammondLaw as class counsel for \$1,800,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 1,100 adjunct instructors);

HAMMONDLAW. P.C.

1201 Pacific Ave, Suite 600, Tacoma, WA, 98402

- ***Senese v. University of San Diego***, Case No. 37-2019-00047124-CU-OE-CTL (San Diego County Superior Court) (February 8, 2022) (certifying HammondLaw as co-class counsel for \$3,892,750 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 2,071 adjunct instructors);
- ***Solis et al. v Concordia University Irvine***, Case No. 30-2019-01114998-CU-OE-CXC (Orange County Superior Court) (February 3, 2022) (certifying HammondLaw as class counsel for \$890,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 203, and 2802 claims on behalf of 778 adjunct instructors);
- ***McCoy et v Legacy Education LLC***, Case No. 19STCV2792 (Los Angeles County Superior Court) (November 15, 2021) (Labor Code § 2698 et seq. representative action settlement for \$76,000 for violation of Labor Code §§ 1194, 226(a), 226.7, 512, 203, and 2802 on behalf of 31 instructors);
- ***Merlan v Alliant International University***, Case No. 37-2019-00064053-CU- OE-CTL (San Diego County Superior Court) (November 2, 2021) (certifying HammondLaw as co-class counsel for \$711,500 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 803 adjunct instructors);
- ***Stupar et al. v University of La Verne***, Case No. 19STCV33363 (Los Angeles County Superior Court) (October 14, 2021) (certifying HammondLaw as class counsel for \$2,450,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 512, and 203 claims on behalf of 1,364 adjunct instructors);
- ***Normand et al. v Loyola Marymount University***, Case No. 19STCV17953 (Los Angeles County Superior Court) (September 9, 2021) (certifying HammondLaw as class counsel for \$3,400,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 1,655 adjunct instructors);
- ***Veal v Point Loma Nazarene University***, Case No. 37-2019-00064165-CU-OE-CTL (San Diego County Superior Court) (August 27, 2021) (certifying HammondLaw as class counsel for \$711,500 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 670 adjunct instructors);
- ***Pillow et al. v Pepperdine University***, Case No. 19STCV33162 (Los Angeles County Superior Court) (July 28, 2021) (certifying HammondLaw as class counsel for \$940,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 1,547 adjunct instructors);
- ***Moore et al v Notre Dame De Namur University***, Case No. 19-CIV-04765 (San Mateo County Superior Court) (July 1, 2021) (certifying HammondLaw as class counsel for \$882,880 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 397 adjunct instructors);
- ***Mooiman et al. v Saint Mary's College of California***, Case No. C19-02092 (Contra Costa County Superior Court) (June 10, 2021) (certifying HammondLaw as class counsel for \$1,700,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 760 adjunct instructors and Labor Code Code § 226(a) claim on behalf of 2,212 other employees);
- ***Peng v The President and Board of Trustees of Santa Clara College***, Case No. 19CV348190 (Santa Clara County Superior Court) (April 21, 2021) (certifying HammondLaw as class counsel for \$1,900,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, and 203 claims on behalf of 1,017 adjunct

HAMMONDLAW. P.C.

1201 Pacific Ave, Suite 600, Tacoma, WA, 98402

instructors and Labor Code Code § 226(a) claim on behalf of 5,102 other employees);

- ***Morse v Fresno Pacific University***, Case No. 19-CV-04350 (Merced County Superior Court) (April 6, 2021) (certifying HammondLaw as class counsel for \$1,534,725 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 512 and 203 claims on behalf of 861 adjunct instructors);
- ***Miner, et al. v. ITT Educational Services, Inc.***, Case No. 3:16-cv-04827-VC (N.D. Cal.) (March 19, 2021) (certifying HammondLaw as class counsel for \$5.2 million settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7, 512 and 2802 claims on behalf of 1,154 adjunct instructors);
- ***Harris-Foster v. University of Phoenix***, Case No. RG19019028 (Alameda County Superior Court, March 17, 2021) (certifying HammondLaw as class counsel for \$2,863,106 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7 and 2802 putative class action on behalf of 3,447 adjunct instructors);
- ***Granberry v. Azusa Pacific University***, Case No. 19STCV28949 (Los Angeles County Superior Court, March 5, 2021) (certifying HammondLaw as class counsel for \$1,112,100 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7 and 2802 claims on behalf of 1,962 adjunct instructors);
- ***Ott v. California Baptist University***, Case No. RIC1904830 (Riverside County Superior Court, January 26, 2021) (certifying HammondLaw as co-class counsel for \$700,000 settlement of Labor Code §§ 1194, 226(a), 226.2, 226.7 and 512 claims on behalf of 958 adjunct instructors);
- ***Pereltsvaig v. Cartus Corporation***, Case No. 19CV348335 (Santa Clara County Superior Court, January 13, 2021) (certifying HammondLaw as class counsel in \$300,000 settlement of Labor Code §§ 226.8(a), 1194, 226(a), 226.7, 510, 512, and 2802 claims on behalf of 126 instructors);
- ***Morrison v. American National Red Cross***, Case No. 19-cv-02855-HSG (N.D. Cal., January 8, 2021) (certifying HammondLaw as class counsel in a \$377,000 Settlement of Labor Code §§ 1194, 226(a), 226.7, 510, 512 and 2802 claims on behalf of 377 instructors who taught training courses);
- ***Brown v. Cernx***, Case No. JCCP004971 (Cal. Sup. Ct. Alameda Cty. July 14, 2020) (certifying HammondLaw as co-class counsel in \$350,000 settlement of Labor Code §§ 1194, 226, 226.7, 510, 512, and 2802 claims on behalf of 309 amazon couriers);
- ***Stempien v. DeVry University***, Case No. RG19002623 (Cal. Sup. Ct. Alameda Cty. June 30, 2020) (certifying HammondLaw as class counsel for \$1,364,880 settlement Labor Code §§ 1194, 226, 226.2, 226.7, and 2802 claims on behalf of 498 adjunct instructors);
- ***McCoy v. Concorde.***, Case No. 30-2017-00936359-CU-OE-CXC (Cal. Sup. Ct. Orange Cty. July 2, 2019) (certifying HammondLaw as class counsel for \$2,500,000 settlement of Labor Code §§ 1194, 226, 226.7, and 512 putative claims on behalf of 636 adjunct instructors);
- ***Hogue v. YRC***, Case No. 5:16-cv-01338 (C.D. Cal. June 24, 2019) (certifying HammondLaw and A&T as co-class counsel for \$700,000 settlement

HAMMONDLAW. P.C.

1201 Pacific Ave, Suite 600, Tacoma, WA, 98402

of Labor Code §§ 1194, 226.2, 226.7, and 2802 claims on behalf of 225 truck drivers);

- **Sands v. Gold's Gym**, Case No. BC660124 (Cal. Sup. Ct. Los Angeles Cty. March 20, 2019) (Labor Code § 2698 *et seq.* representative action settlement for \$125,000 for violation of Labor Code § 1194, 2802 and 246 *et seq.* claims on behalf of 106 fitness instructors);
- **Garcia v. CSU Fullerton.**, Case No. 30-2017-00912195-CU-OE-CXC (Cal. Sup. Ct. Orange Cty. February 15, 2019) (certifying HammondLaw as class counsel for \$330,000 settlement of Labor Code §§ 1194, 226, 226.7, and 512 claims on behalf of 127 adjunct instructors);
- **Pereltsvaig v. Stanford**, Case No. 17-CV-311521 (Cal. Sup. Ct. Santa Clara Cty. January 4, 2019) (certifying HammondLaw as class counsel for \$886,890 settlement of Labor Code §§ 1194, 226, 226.7, 512, 2802 and 2699 claims on behalf of 398 adjunct instructors);
- **Moss et al. v. USF Reddaway, Inc.**, Case No. 5:15-cv-01541 (C.D. Cal. July 25, 2018) (certifying HammondLaw and A&T as co-class counsel for \$2,950,000 settlement of Labor Code §§ 1194, 226, 226.7, and 201-203 claims on behalf of 538 truck drivers);
- **Beckman v. YMCA of Greater Long**, Case No. BC655840 (Cal. Sup. Ct. Los Angeles Cty. June 26, 2018) (Labor Code § 2698 *et seq.* representative action settlement for \$92,500 for violation of Labor Code § 1194 and 226(a) claims on behalf of 101 fitness instructors);
- **Maldonado v. Heavy Weight Transport, Inc.**, Case No. 2:16-cv-08838 (C.D. Cal. December 11, 2017) (certifying HammondLaw and A&T as co-class counsel for \$340,000 settlement of Labor Code §§ 1194, 226, 226.2, 226.7, 226, 201-203, and 2699 claims on behalf of 160 truck drivers);
- **Hillman v. Kaplan**, Case No. 34-2017-00208078 (Cal. Sup. Ct. Sacramento Cty. December 7, 2017) (certifying HammondLaw as class counsel for \$1,500,000 settlement of Labor Code §§ 1194, 226, 226.7, 201-203 and 2802 claims on behalf of 506 instructors);
- **Bender et al. v. Mr. Copy, Inc.**, Case No. 30-2015-00824068-CU-OE-CXC (Cal. Sup. Ct. Orange Cty. October 13, 2017) (certifying HammondLaw and A&T as co-class counsel for \$695,000 settlement of Labor Code §2802 claims on behalf of approximately 250 outside sales representatives);
- **Rios v. SoCal Office Technologies**, Case No. CIVDS1703071 (Cal. Sup. Ct. San Bernardino Cty. September 6, 2017) (certifying HammondLaw and A&T as co-class counsel for \$495,000 settlement of Labor Code §2802 claims on behalf of approximately 180 outside sales representatives);
- **Russell v. Young's Commercial Transfer, Inc.**, Case No. PCU265656 (Cal. Sup. Ct. Tulare Cty. June 19, 2017) (certifying HammondLaw and A&T as co-class counsel for \$561,304 settlement of Labor Code §§ 1194, 226, 226.2, and 201-203 claims on behalf of 962 truck drivers);
- **Keyes v. Valley Farm Transport, Inc.**, Case No. FCS046361 (Cal. Sup. Ct. Solano Cty. May 23, 2017) (certifying HammondLaw and A&T as co-class

HAMMONDLAW. P.C.

1201 Pacific Ave, Suite 600, Tacoma, WA, 98402

counsel for \$497,000 settlement of Labor Code § 226, 1194, 512 and 2698 *et seq.* claims on behalf of 316 truck drivers);

- ***Numi v. Interstate Distributor Co.***, Case No. RG15778541 (Cal. Sup. Ct. Alameda Cty. March 6, 2017) (certifying HammondLaw and A&T as co-class counsel for \$1,300,000 settlement of Labor Code §§ 1194, 226.2 and 2802 claims on behalf of approximately 1,000 truck drivers);
- ***Keyes v. Vitek, Inc.***, Case No. 2016-00189609 (Cal. Sup. Ct. Sacramento Cty. February 17, 2017) (\$102,000 settlement of PAGA representative action for violation of Labor Code § 226.8 on behalf of 90 truck drivers);
- ***Martinez v. Estes West dba G.I. Trucking, Inc.***, Case. BC587052 (Cal. Sup. Ct. L.A. Cty., April 4, 2017) (certifying HammondLaw and A&T as co-class counsel for \$425,000 settlement of Labor Code §§ 1194, 226, and 201-203 claims on behalf of approximately 156 truck drivers);
- ***Sansinena v. Gazelle Transport Inc.***, Case No. S1500-CV- No 283400 (Cal. Sup. Ct. Kern Cty. December 8, 2016) (certifying HammondLaw and A&T as co-class counsel for \$264,966 settlement of Labor Code §§ 1194, 226, and 201-203 claims on behalf of approximately 314 truck drivers);
- ***Cruz v. Blackbelt Enterprises, Inc.***, Case No. 39-2015-00327914-CU-OE-STK (Cal. Sup. Ct. San Joaquin Cty. September 22, 2016) (certifying HammondLaw and A&T as co-class counsel for \$250,000 settlement of Labor Code §§ 1194, 226, and 201-203 claims on behalf of approximately 79 truck drivers);
- ***Araiza et al. v. The Scotts Company, L.L.C.***, Case No. BC570350 (Cal. Sup. Ct. L.A. Cty. September 19, 2016) (certifying HammondLaw and A&T as co-class counsel for \$925,000 settlement of Labor Code §226, 510, 512 and 2802 claims on behalf of approximately 570 merchandisers; and Labor Code 226(a) claims on behalf of approximately 120 other employees);
- ***Dixon v. Hearst Television, Inc.***, Case No. 15CV000127 (Cal. Sup. Ct. Monterey Cty. September 15, 2016) (certifying HammondLaw as class counsel for a \$432,000 settlement of Labor Code § 2802 claims on behalf of approximately 55 outside sales representatives);
- ***Garcia et al. v. Zoom Imaging Solutions, Inc.*** SCV0035770 (Cal. Sup. Ct. Placer Cty. September 8, 2016) (certifying HammondLaw and A&T as co-class counsel for \$750,000 settlement of Labor Code § 510, 512, 1194 and 2802 claims on behalf of approximately 160 sales representatives and service technicians);
- ***O'Beirne et al. v. Copier Source, Inc. dba Image Source***, Case No. 30-2015-00801066-CU-OE-CXC (Cal. Sup. Ct. Orange Cty. September 8, 2016) (certifying HammondLaw and A&T as co-class counsel for \$393,300 settlement of Labor Code §2802 claims on behalf of approximately 132 outside sales representatives);
- ***Mead v. Pan-Pacific Petroleum Company, Inc.***, Case No. BC555887 (Cal. Sup. Ct. L.A. Cty. August 30, 2016) (certifying HammondLaw and A&T as co-class counsel for \$450,000 settlement of Labor Code §§ 1194, 226, and 201-203 claims on behalf of approximately 172 truck drivers);

HAMMONDLAW. P.C.

1201 Pacific Ave, Suite 600, Tacoma, WA, 98402

- ***Lange v. Ricoh Americas Corporation***, Case No. RG136812710 (Cal. Sup. Ct. Alameda Cty. August 5, 2016) (certifying HammondLaw as co-class counsel for \$1,887,060 settlement of Labor Code § 2802 claims on behalf of approximately 550 sales representatives);
- ***Alcazar v. US Foods, Inc. dba US Foodservice***, Case No. BC567664 (Cal. Sup. Ct. L.A. Cty. March 18, 2016) (certifying HammondLaw and A&T as co-class counsel for a \$475,000 settlement on behalf of approximately 634 truck drivers);
- ***Harris v. Toyota Logistics***, Case No. C 15-00217 (Cal. Sup. Ct. Contra Costa Cty. February 9, 2016) (certifying HammondLaw and A&T as co-class counsel for \$550,000 settlement reached on behalf of approximately truck 125 drivers);
- ***Albanez v. Premium Retail Services Inc.***, Case No. RG1577982 (Cal. Sup. Ct. Alameda Cty. January 29, 2016) (Private Attorney General Act Settlement for \$275,000 on behalf of approximately 38 employees);
- ***Garcia et al v. Sysco Los Angeles, et al.***, Case No. BC560274 (Cal. Sup. Ct. L.A. Cty. November 12, 2015) (certifying HammondLaw and A&T as co-class counsel for a \$325,000 settlement on behalf of approximately 500 truck drivers);
- ***Cooper et al. v. Savage Services Corporation, Inc.***, Case No. BC578990 (Cal. Sup. Ct. L.A. Cty. October 19, 2015) (certifying HammondLaw and A&T as co-class counsel for \$295,000 settlement on behalf of approximately 115 truck drivers);
- ***Gallardo et al. v. Canon Solutions America, Inc.***, Case No. CIVDSS1500375 (Cal. Sup. Ct. San Bernardino Cty. August 5, 2015) (certifying HammondLaw and A&T as co-class counsel for \$750,000 settlement on behalf for approximately 320 outside sales representatives);
- ***Glover v. 20/20 Companies, Inc.***, Case No. RG14748879 (Cal. Sup. Ct. Alameda Cty. August 3, 2015) (Private Attorney General Act Settlement for \$475,000 on behalf of approximately 273 independent contractors);
- ***Mayton et al v. Konica Minolta Business Solutions USA, Inc.***, Case No. RG12657116 (Cal. Sup. Ct. Alameda Cty. June 22, 2015) (certifying HammondLaw as co-class counsel for \$1,225,000 settlement on behalf for approximately 620 outside sales representatives);
- ***Garza, et al. v. Regal Wine Company, Inc. & Regal III, LLC***, Case No. RG12657199 (Cal. Sup. Ct. Alameda Cty. February 21, 2014) (certifying HammondLaw as class counsel for \$1.7 million settlement on behalf of approximately 317 employees);
- ***Moy, et al. v. Young's Market Co., Inc.***, Case No. 30-2011-00467109-CU-OE-CXC (Cal. Sup. Ct. Orange Cty. November 8, 2013) (certifying HammondLaw as co-class counsel for \$2.3 million settlement on behalf of approximately 575 sales representatives);
- ***Gagner v. Southern Wine & Spirits of America, Inc.***, Case No. 3:10-cv-10-04405 JSW (N.D. Cal. December 11, 2012) (certifying HammondLaw as co-

class counsel for \$3.5 million settlement reached on behalf of approximately 870 sales representatives);

- ***Downs, et al. v. US Foods, Inc. dba US Foodservice***, Case No. 3:10-cv-02163 EMC (N.D. Cal. September 12, 2012) (certifying HammondLaw as co-class counsel for \$3 million settlement reached on behalf of approximately 950 truck drivers)

Approved California Consumer Cases

- ***Rodriguez v River City Bank***, Case No. 1-13-cv-257676 (Cal. Sup. Ct. Sacramento Cty., October 26, 2022) (approving \$140,000 settlement of Cal. Bus. Prof. Code §§ 17200, Civil Code § 1798.80 and 1798.100 claims on behalf of 16,417 River City Bank customers);
- ***Siciliano et al. v. Apple***, Case No. 1-13-cv-257676 (Cal. Sup. Ct. Santa Clara Cty. November 2, 2018) (approving \$16,500,000 settlement of Cal. Bus. Prof. Code §§ 17603, 17200, and 17535 claims on behalf of 3.9 million California subscribers to Apple InApp subscriptions);
- ***In re Ashley Madison Customer Data Security Breach Litigation***, Case No. 4:15-cv-02669 JAR (E.D. Mis. November 20, 2017) (HammondLaw appointed to the executive committee in \$11.2 million settlement on behalf of 39 million subscribers to ashleymadison.com whose information was compromised in the Ashley Madison data breach);
- ***Gargir v. SeaWorld Inc.***, Case No. 37-2015-00008175-CU-MC-CTL (Cal. Sup. Ct. San Diego Cty. October 21, 2016) (certifying HammondLaw and Berman DeValerio as co-class counsel in \$500,000 settlement of Cal. Bus. Prof. Code §§ 17603, 17200, and 17535 claims class action on behalf of 88,000 subscribers to SeaWorld's annual park passes);
- ***Davis v. Birchbox, Inc.***, Case No. 3:15-cv-00498-BEN-BGS (S.D. Cal. October 14, 2016) (certifying HammondLaw and Berman DeValerio as co-class counsel in \$1,572,000 settlement of Cal. Bus. Prof. Code §§ 17603, 17200, and 17535 claims on behalf of 149,000 subscribers to Birchbox's memberships);
- ***Goldman v. LifeLock, Inc.*** Case No. 1-15-cv-276235 (Cal. Sup. Ct. Santa Clara Cty. February 5, 2016) (certifying HammondLaw and Berman DeValerio as co-class counsel in \$2,500,000 settlement of Cal. Bus. Prof. Code §§ 17603, 17200, and 17535 claims on behalf of 300,000 California subscribers to Lifelock's identity protection programs); and
- ***Kruger v. Kiwi Crate, Inc.*** Case No. 1-13-cv-254550 (Cal. Sup. Ct. Santa Clara Cty. July 2, 2015) (certifying HammondLaw as class counsel in \$108,000 settlement of Cal. Bus. Prof. Code §§ 17603, 17200, and 17535 claims on behalf of 5,400 California subscribers to Kiwi Crate's subscriptions).

EXHIBIT 2

1 JULIAN HAMMOND (SBN 268489)
jhammond@hammondlawpc.com
2 POLINA BRANDLER (SBN 269086)
pbrandler@hammondlawpc.com
3 ARI CHERNIAK (SBN 290071)
acherniak@hammondlawpc.com
4 HAMMONDLAW, P.C.
1201 Pacific Ave., 6th Floor
5 Tacoma, WA 98402
Tel.: (310) 601-6766
6 Fax: (310) 295-2385

7 WILLIAM C. JHAVERI-WEEKS (SBN 289984)
wjw@jhaveriweeks.com
8 SARAH ABRAHAM (SBN 326098)
sa@jhaveriweeks.com
9 ALLY N. GIROUARD (SBN 336625)
ag@jhaveriweeks.com
10 THE JHAVERI-WEEKS FIRM, P.C.
351 California Street, Suite 700
11 San Francisco, CA 94104
Tel.: (415) 463-8097
12 Fax: (415) 367-1439

13 *Attorneys for Plaintiff and the Class*

14
15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **COUNTY OF ALAMEDA**

17 **CHAD HARRIS**, individually and on behalf
of all others similarly situated,

18 Plaintiff,

19 v.
20

21 **SOUTHERN NEW HAMPSHIRE**
22 **UNIVERSITY**, a New-Hampshire Non-
Profit Corporation,

23
24 Defendant.

Case No. RG21109745

**DECLARATION OF RICHARD M. PEARL
IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF ATTORNEYS' FEES
AND COSTS, AND ENHANCEMENT FOR
CLASS REPRESENTATIVE**

ASSIGNED FOR ALL PURPOSES TO
JUDGE EVELIO GRILLO
DEPARTMENT 21

Date: April 5, 2023
Time: 10:00 a.m.
Reservation ID: 054136790919

Action Filed: August 18, 2021
Trial Date: None Set

28

1 I, Richard M. Pearl, declare:

2 1. I am a member in good standing of the California State Bar. I am in private
3 practice as principal of my own law firm, the Law Offices of Richard M. Pearl, in Berkeley,
4 California. I specialize in issues related to reasonable attorney fees, including serving as an
5 expert witness regarding attorney fees, the representation of parties and attorneys in attorney fee
6 litigation and appeals, and serving as a mediator and arbitrator in disputes concerning attorney
7 fees and related issues. In this case, I have been asked by HammondLaw, P.C. and The Jhaveri-
8 Weeks Firm, P.C., counsel for Plaintiff Chad Harris and the Settlement Class (“Class Counsel”),
9 to render my opinion as to the reasonableness of the hourly rates they are requesting as part of
10 the lodestar cross-check in this matter. I make this declaration in my expert capacity in support
11 of Plaintiff’s Motion for Attorney Fees in the above-entitled case.¹

12 2. The facts set forth herein are true of my own personal knowledge, and if called
13 upon to testify thereto, I could and would competently do so under oath.

14 **My Background and Experience**

15 3. My resume, which sets forth my experience and qualifications as an expert in this
16 subject area, is attached hereto as **Exhibit A**.

17 4. Briefly summarized, my background is as follows: I am a 1969 graduate of Boalt
18 Hall (now Berkeley) School of Law, University of California, Berkeley, California. I took the
19 California Bar Examination in August 1969 and learned that I had passed it in November of that
20 year, but because I was working as an attorney in Atlanta, Georgia for the Legal Aid Society of
21 Atlanta (LASA), I was not admitted to the California Bar until February 1970. I worked for
22 LASA until the summer of 1971, when I went to work in California's Central Valley for
23 California Rural Legal Assistance, Inc. (CRLA), a statewide legal services program. From 1977

24 _____
25 ¹ In this declaration, I do not express my opinion(s) regarding the necessity or reasonableness of
26 the hours incurred, of the tasks performed by Plaintiff’s counsel, or regarding any lodestar
27 enhancement because Class Counsel do not believe expert opinion on those issues is necessary
28 for this unopposed motion. The absence of such testimony from me does not in any way reflect a
negative view of the reasonableness or necessity of the attorney time spent on this matter or the
reasonableness of any requested lodestar multiplier.

1 to 1982, I was CRLA’s Director of Litigation, supervising more than fifty attorneys. In 1982, I
2 went into private practice, first in a small law firm, then as a sole practitioner. Martindale
3 Hubbell rates my law firm “AV.” I also have been selected as a Northern California “Super
4 Lawyer” in Appellate Law for 2005-2008 and 2011-2023.

5 5. Since going into private practice in 1982, the focus of my practice over the first 35
6 years or so was on general civil litigation and appellate practice, with an increasing emphasis on
7 cases and appeals involving court-awarded attorney fees. Over the past several years, my
8 practice has focused almost exclusively on attorneys’ fee issues, with an increasing emphasis on
9 work as an expert witness and/or consultant on those issues.

10 6. My experience with attorney fee issues is extensive. I have been a member of the
11 California State Bar’s Attorneys’ Fees Task Force and have testified before the State Bar Board
12 of Governors and the California Legislature on attorneys’ fee issues. I also have lectured and
13 written extensively on the subject of attorneys’ fees. I am the author of *California Attorney Fee*
14 *Awards* (3d ed. Cal. CEB 2010) and its cumulative annual Supplements between 2011 and
15 March, 2022. I also was the author of *California Attorney Fee Awards*, 2d Ed. (Calif Cont. Ed. of
16 Bar 1994), and its 1995 through 2008 annual Supplements. Several courts have referred to this
17 treatise as “[t]he leading California attorney fee treatise.” *Calvo Fisher & Jacob LLP v. Lujan*,
18 234 Cal. App. 4th 608, 621 (2015); *see also, e.g., Int’l Billing Servs., Inc. v. Emigh*, 84 Cal. App.
19 4th 1175, 1193 (2000) (“the leading treatise”); *Orozco v. WPV San Jose, LLC*, 36 Cal. App. 5th
20 375, 409 (2019) (“a leading treatise on California attorney’s fees”). It also has been cited by the
21 California Supreme Court and Court of Appeal on many occasions. *See, e.g., Graham v.*
22 *DaimlerChrysler Corp.*, 34 Cal. 4th 553, 576, 584 (2004); *Lolley v. Campbell*, 28 Cal. 4th 367,
23 373 (2002); *In re Conservatorship of Whitley*, 50 Cal. 4th 1206, 1214–15, 1217 (2010); *Yost v.*
24 *Forestiere*, 51 Cal. App. 5th 509, 530 n.8 (2020); *Doe v. Regents of Univ. of Cal.*, 51 Cal. App.
25 5th 531, 547 (2020); *Highland Springs Conference & Training Ctr. v. City of Banning*, 42 Cal.
26 App. 5th 416, 428 n.11 (2019); *Orozco v. WPV San Jose, LLC*, 36 Cal. App. 5th 375, 409
27 (2019); *Sweetwater Union High Sch. Dist. v. Julian Union Elementary Sch. Dist.*, 36 Cal. App.
28 5th 970, 988 (2019); *Hardie v. Nationstar Mortg. LLC*, 32 Cal. App. 5th 714, 720

1 (2019); *Stratton v. Beck*, 30 Cal. App. 5th 901, 911 (2018); *Syers Props III, Inc. v. Rankin*, 226
2 Cal. App. 4th 691, 698, 700 (2014). California Superior Courts also cite the treatise with
3 approval. *See, e.g., Kaku v. City of Santa Clara*, No. 17CV319862, 2019 WL 331053, at *3
4 (Santa Clara Cty. Super. Ct. Jan. 22, 2019), *aff'd* 59 Cal.App.5th 385, 431 (2020); *Davis v. St.*
5 *Jude Hosp.*, No. 30201200602596CUOECX, 2018 WL 7286170, at *4 (Orange Cty. Super.
6 Ct. Aug. 31, 2018); *Hartshorne v. Metlife, Inc.*, No. BC576608, 2017 WL 1836635, at *10 (Los
7 Angeles Super. Ct. May 02, 2017). Federal courts also have cited it. *See In re Hurtado*, Case No.
8 09-16160-A-13, 2015 WL 6941127 (E.D. Cal. Nov. 6, 2015); *TruGreen Companies LLC v.*
9 *Mower Brothers, Inc.*, 953 F. Supp. 2d 1223, 1236 nn.50, 51 (D. Utah 2013). I also authored the
10 1984 through 1993 annual Supplements to the predecessor treatise, *CEB's California Attorney's*
11 *Fees Award Practice*. In addition, I authored a federal manual on attorneys' fees entitled
12 "Attorneys' Fees: A Legal Services Practice Manual," published by the Legal Services
13 Corporation. I also co-authored the chapter on "Attorney Fees" in Volume 2 of CEB's *Wrongful*
14 *Employment Termination Practice*, 2d ed. (1997).

15 7. More than 98% of my practice is devoted to issues involving court-awarded
16 attorney fees. I have appeared as counsel in over 200 attorney fee applications in state and
17 federal courts, primarily representing other attorneys. I also have briefed and argued more than
18 40 appeals, at least 30 of which have involved attorney fees issues. I have successfully handled
19 five cases in the California Supreme Court involving court-awarded attorney fees (1) *Maria P. v.*
20 *Riles*, 43 Cal. 3d 1281 (1987), which upheld a C.C.P. section 1021.5 fee award based on a
21 preliminary injunction obtained against the State Superintendent of Education, despite the fact
22 that the case ultimately was dismissed under C.C.P. section 583; (2) *Delaney v. Baker*, 20 Cal.
23 4th 23 (1999), which held that heightened remedies, including attorneys' fees, are available in
24 suits against nursing homes under California's Elder Abuse Act; (3) *Ketchum v. Moses*, 24 Cal.
25 4th 1122 (2001), which reaffirmed that contingent risk multipliers are an essential consideration
26 under California attorney fee law (note that in *Ketchum*, I was primary appellate counsel in the
27 Court of Appeal and "second chair" in the California Supreme Court); (4) *Flannery v. Prentice*,
28 26 Cal. 4th 572 (2001), which held that under California law, in the absence of an agreement to

1 the contrary, statutory attorneys’ fees belong to the attorney whose services they are based upon;
2 and (5) *Graham v. DaimlerChrysler Corp.*, 34 Cal. 4th 553 (2004), which held, *inter alia*, that
3 the “Catalyst” theory of fee recovery remained viable under California law and that lodestar
4 multipliers could be applied to fee motion work. In that case, I represented trial counsel in both
5 the Court of Appeal (twice) and California Supreme Court, as well as on remand in the trial
6 court. I also represented and argued on behalf of *amicus curiae* in *Conservatorship of McQueen*,
7 59 Cal. 4th 602 (2014), which held that attorneys’ fees incurred for appellate work were not
8 “enforcement fees” subject to California’s Enforcement of Judgments law; I presented the
9 argument relied upon by the Court. Along with Richard Rothschild of the Western Center on
10 Law and Poverty, I also prepared and filed an *amicus curiae* brief in *Vasquez v. State of*
11 *California*, 45 Cal.4th 243 (2009). I also have handled numerous other appeals involving
12 attorneys’ fee issues, including: *Davis v. City & County of San Francisco*, 976 F.2d 1536 (9th
13 Cir. 1992); *Mangold v. CPUC*, 67 F.3d 1470 (9th Cir. 1995); *Velez v. Wynne*, 2007 U.S. App.
14 LEXIS 2194 (9th Cir. 2007); *Camacho v. Bridgeport Financial, Inc.*, 523 F.3d 973 (9th Cir.
15 2008); *Orr v. Brame*, 793 F. App’x 485 (9th Cir. 2019); *Center for Biological Diversity v.*
16 *County of San Bernardino*, 185 Cal.App.4th 866 (2010); *Env. Prot. Info. Ctr. v. Cal. Dep’t of*
17 *Forestry & Fire Prot.*, 190 Cal.App.4th 217 (2010); *Heron Bay Home Owners Assoc. v. City of*
18 *San Leandro*, 19 Cal. App. 5th 376 (2018); and *Robles v. Emp. Dev. Dept.*, 38 Cal.App.5th 191
19 (2019). An expanded list of reported decisions in cases I have handled is set out in my resume,
20 attached as **Exhibit A**.

21 8. I also am frequently called upon to opine as an expert on the reasonableness of
22 attorney fees. I estimate that I have testified, by declaration or in person, in more than 250 cases,
23 and numerous federal and state courts have expressly relied on my testimony on attorney fee
24 issues. For example:

25 • In *Wit v. United Behavioral Health* (N.D. Cal. Jan. 5, 2022) 578 F.Supp.3d 1060,
26 1079, the court’s Fee Order states that “the Court places significant weight on Pearl’s opinion
27 that the rates charged by all of the timekeepers listed above are reasonable and ‘in line with the
28 standard hourly noncontingent rates charged by Bay Area law firms that regularly engage in civil

1 litigation of comparable complexity.’ . . . Pearl has extensive experience in the area of attorney
2 billing rates in this district and has been widely relied upon by both federal and state courts in
3 Northern California (including the undersigned) in determining reasonable billing rates”
4 (citations omitted).

5 • In *Human Rights Defense Center v. County of Napa*, 2021 WL 1176640 (N.D.
6 Cal. No. 20-cv-01296-JCS, Doc. 50, filed March 28, 2021), the Court expressly stated that it had
7 “place[d] significant weight on the opinion of Mr. Pearl that the rates charged by all of the
8 timekeepers listed above are reasonable and in line with the rates charged by law firms that
9 engage in federal civil litigation in the San Francisco Bay Area. Mr. Pearl has extensive
10 experience in the area of attorney billing rates in this district and has been widely relied upon by
11 both federal and state courts in Northern California [] in determining reasonable billing rates.”
12 2021 U.S.Dist.LEXIS 59778, at *32.

13 • Subsequently, in *Andrews v. Equinox Holdings, Inc.*, N.D. Cal. No. 20-cv-00485-
14 SK, Order on Motion for Attorney Fees and Costs filed November 9, 2021 (Doc. 110), the court
15 quoted the above language from the *Human Rights Defense Center* case and concluded the same:
16 “This Court similarly finds Pearl’s opinions well supported and persuasive.” Order at 4:13-19.

17 • The California courts also expressly recognize my expertise. For example, in
18 *Sonoma Land Trust v. Thompson*, *supra*, 63 Cal.App.5th 978, 986 (2021), the Court of Appeal
19 expressly held that my expert declaration provided evidentiary support for the trial court’s fee
20 determination.

21 • My declaration also was cited favorably by the Second District of the Court of
22 Appeal in *Wood v. Los Angeles County Waterworks Dist. No. 40 (Antelope Valley Groundwater*
23 *Cases)*, 2021 Cal.App. Unpub. LEXIS 5506 (2nd Dist., Div. 2021).

24 9. In addition to the *Sonoma Land Trust* and *Antelope Valley Groundwater* cases,
25 the following California appellate and reported trial court cases have referenced my testimony
26 favorably:

27 • *Kerkeles v. City of San Jose*, 243 Cal.App.4th 88 (2015).

28

- 1 • *Habitat and Watershed Caretakers v. City of Santa Cruz*, 2015 Cal. App. Unpub.
2 LEXIS 7156 (2015).
- 3 • *Laffitte v. Robert Half Int'l Inc.*, 231 Cal.App.4th 860 (2014), aff'd (2016) 1
4 Cal.5th 480.
- 5 • *In re Tobacco Cases I*, 216 Cal.App.4th 570 (2013).
- 6 • *Heritage Pacific Financial, LLC v. Monroy*, 215 Cal.App.4th 972, 1009 (2013).
- 7 • *Wilkinson v. South City Ford*, 2010 Cal. App. Unpub. LEXIS 8680 (2010).
- 8 • *Children's Hospital & MediCal Center v. Bonta*, 97 Cal.App.4th 740 (2002).
- 9 • *Church of Scientology v. Wollersheim*, 42 Cal.App.4th 628 (1996).
- 10 • *Kaku v. City of Santa Clara*, No. 17CV319862, 2019 WL 331053, at *3 (Santa
11 Clara Cty. Super. Ct. Jan. 22, 2019).
- 12 • *Davis v. St. Jude Hosp.*, No. 30201200602596CUOECX, 2018 WL 7286170, at
13 *4 (Orange Cty. Super. Ct. Aug. 31, 2018),
- 14 • *Hartshorne v. Metlife, Inc.*, No. BC576608, 2017 WL 1836635, at *10 (Los
15 Angeles Super. Ct. May 2, 2017).

16 These are just some examples. Many other trial courts also have relied on my testimony in
17 unreported fee awards, including this Court. *See, e.g., City of Oakland v. Oakland Police & Fire*
18 *Retirement System*, Alameda County Super. Ct. No. RG11580626, Fee Order filed July 2, 2019;
19 *Heron Bay Homeowners Assn v. City of San Leandro*, Alameda Super. Ct. No. RG13-677840,
20 Fee Order filed Nov. 12, 2014; *Living Rivers Council v. State Water Resources Bd.*, Alameda
21 County Super. Ct. No. RG543923, Order Granting in Part Motion of Petitioner for Award of
22 Fees - CCP 1021.5, filed Mar. 22, 2013, *aff'd* (2014) 2014 Cal.App.Unpub. 7321.

23 10. In addition to the *Wit, Andrews*, and *Human Rights Defense Center* fee awards
24 cited above, the following reported federal decisions also have referenced my testimony
25 favorably:

- 26 • *Prison Legal News v. Schwarzenegger*, 608 F.3d 446, 455 (9th Cir. 2010) (the
27 expert declaration referred to is mine);

28

- 1 • *Antoninetti v. Chipotle Mexican Grill, Inc.*, No. 08-55867 (9th Cir. 2012), Order
2 filed Dec. 26, 2012, at 6;
- 3 • *Roe v. SFBSC Mgmt., LLC*, 2022 U.S. Dist. LEXIS 215122 (N. D. Cal. Nov. 29,
4 2022);
- 5 • *Indep. Living Ctr. of S. Cal. v. Kent*, 2020 U.S. Dist. LEXIS 13019 (C.D. Cal.
6 2020);
- 7 • *Ridgeway v. Wal-Mart Stores, Inc.*, 269 F. Supp. 3d 975 (N.D. Cal. 2017), *aff'd*
8 269 F.3d 1066 (9th Cir. 2020);
- 9 • *Beaver v. Tarsadia Hotels*, 2017 U.S. Dist. LEXIS 160214 (S.D. Cal. 2017);
- 10 • *Notter v. City of Pleasant Hill*, 2017 U.S. Dist. LEXIS 197404, 2017 WL
11 5972698 (N.D. Cal. 2017);
- 12 • *Villalpando v. Exel Direct, Inc.*, 2016 WL 1598663 (N.D. Cal. 2016);
- 13 • *State Compensation Ins. Fund v. Khan*, Case No. SACV 12-01072- CJC(JCGx)
14 (C.D. Cal.), Order Granting in Part and Denying in Part the Zaks Defendants' Motion for
15 Attorneys' Fees, filed July 6, 2016 (Dkt. No. 408);
- 16 • *In re Cathode Ray Tube Antitrust Litig.*, Master File No. 3:07-cv-5944 JST, MDL
17 No. 1917 (N.D. Cal. 2016) 2016 U.S. Dist. LEXIS 24951 (Report And Recommendation Of
18 Special Master Re Motions (1) To Approve Indirect Purchaser Plaintiffs' Settlements With the
19 Phillips, Panasonic, Hitachi, Toshiba, Samsung SDI, Technicolor, And Technologies Displays
20 AmeriCas Defendants, and (2) For Award Of Attorneys' Fees, Reimbursement Of Litigation
21 Expenses, And Incentive Awards To Class Representative), Dkt. 4351, dated Jan. 28, 2016,
22 *adopted in relevant part*, 2016 U.S. Dist. LEXIS 88665;
- 23 • *Gutierrez v. Wells Fargo Bank*, 2015 U.S. Dist. LEXIS 67298 (N.D. Cal. 2015);
- 24 • *Holman v. Experian Info. Solutions, Inc.*, 2014 U.S. Dist. LEXIS 173698 (N.D.
25 Cal. 2014);
- 26 • *In re TFT-LCD (Flat Panel) Antitrust Litig.*, No. M 07-1827 SI, MDL No. 1827
27 (N.D. Cal.), Report and Recommendation of Special Master Re Motions for Attorneys' Fees And
28

1 Other Amounts By Indirect-Purchaser Class Plaintiffs And State Attorneys General, Dkt. 7127,
2 filed Nov. 9, 2012, adopted in relevant part, 2013 U.S. Dist. LEXIS 49885 (N.D. Cal. 2013).

3 • *Walsh v. Kindred HealthCare*, 2013 U.S. Dist. LEXIS 176319 (N.D. Cal. 2013);

4 • *A.D. v. California Highway Patrol*, 2009 U.S. Dist. LEXIS 110743, at *4 (N.D.
5 Cal. 2009), rev'd on other grounds, 712 F.3d 446 (9th Cir. 2013), reaffirmed and additional fees
6 awarded on remand, 2013 U.S. Dist. LEXIS 169275 (N.D. Cal. 2013);

7 • *Hajro v. U.S. Citizenship & Immigration Serv.*, 900 F. Supp. 2d 1034, 1054 (N.D.
8 Cal. 2012);

9 • *Rosenfeld v. U.S. Dep't of Justice*, 904 F. Supp. 2d 988, 1002 (N.D. Cal. 2012);

10 • *Stonebrae, L.P. v. Toll Bros., Inc.*, 2011 U.S. Dist. LEXIS 39832, at *9 (N.D. Cal.
11 2011) (thorough discussion), *aff'd* 2013 U.S. App. LEXIS 6369 (9th Cir. 2013);

12 • *Armstrong v. Brown*, 2011 U.S. Dist. LEXIS 87428 (N.D. Cal. 2011);

13 • *Lira v. Cate*, 2010 WL 727979 (N.D. Cal. 2010);

14 • *Californians for Disability Rights, Inc. v. Cal. Dep't of Transp.*, 2010 U.S. Dist.
15 LEXIS 141030 (N.D. Cal. 2010).

16 • *Nat'l Fed. of the Blind v. Target Corp.*, 2009 U.S. Dist. LEXIS 67139 (N.D. Cal.
17 2009);

18 • *Prison Legal News v. Schwarzenegger*, 561 F. Supp. 2d 1095 (N.D. Cal. 2008);

19 • *Bancroft v. Trizechahn Corp.*, No. CV 02-2373 SVW (FMOx), Dkt. 278 (C.D.
20 Cal. Aug. 14, 2006);

21 • *Willoughby v. DT Credit Corp.*, No. CV 05-05907 MMM (CWx), Dkt. 65 (C.D.
22 Cal. July 17, 2006);

23 • *Oberfelder v. City of Petaluma*, 2002 U.S. Dist. LEXIS 8635 (N.D. Cal. 2002),
24 *aff'd* 2003 U.S. App. LEXIS 11371 (9th Cir. 2003).

25 11. I have also been retained by various governmental entities, including the
26 California Attorney General's office, at my then current rates to consult with them and serve as
27 their expert regarding the State's affirmative attorney fee claims. *See, e.g., In re Tobacco Cases*
28

1 I, 216 Cal. App. 4th 570, 584 (2013); *Dep't of Fair Employ. & Hous. v. Law Sch. Admission*
2 *Council, Inc.*, 2018 WL 5791869 (N.D. Cal. No. 12-cv-08130, filed Nov. 5, 2018).

3 **My Opinions in This Case**

4 12. In this case, I have been asked by Plaintiff's counsel to express my opinion as to
5 the reasonableness of the hourly rates they are requesting. To form this opinion, I have
6 communicated about the case with Plaintiff's co-lead counsel Ari Cherniak, William-Jhaveri-
7 Weeks, and Sarah Abraham, and have reviewed the relevant documents from the case file,
8 including the Memorandum of Points and Authorities in Support of Plaintiff's Motion for
9 Approval of Attorneys' Fees and Costs, and Enhancement for Class Representative and the
10 Declarations of Class Counsel William C. Jhaveri-Weeks and Julian Hammond in support of that
11 motion. I also have been made aware of Class Counsel's experience levels, backgrounds, and
12 accomplishments.

13 13. Class Counsel request the following market-based rates for lawyers with the
14 following years of experience:

15

Attorney	Law School Class	Rate
Julian Hammond, Principal	1999	\$925
William Jhaveri-Weeks, Principal	2007	\$750
Polina Brandler, Associate	2009	\$750
Ari Cherniak, Associate	2011	\$650
Sarah Abraham, Associate	2017	\$550
Ally Girouard, Associate	2020	\$450

16
17
18
19
20
21
22

23 14. My expert opinion is that the hourly rates set forth above are well within the range
24 of hourly rates charged in 2023 for comparable services by comparably experienced and
25 qualified attorneys in the San Francisco Bay Area legal marketplace. Under California law, Class
26 Counsel's hourly rates are reasonable if they are "*within the range* of reasonable rates charged by
27 and judicially awarded comparable attorneys for comparable work." *Children's Hosp. & Med.*
28

1 *Ctr. v. Bonta*, 97 Cal.App.4th 740, 783 (2002) (emphasis added).² Under the lodestar method, the
2 court must make a “careful compilation of the time spent and reasonable hourly compensation
3 of each attorney ... involved in the presentation of the case.” *Graham v. DaimlerChrysler*
4 *Corp.*, 34 Cal.4th 553, 579 (2004), quoting *Ketchum v. Moses*, 24 Cal.4th 1122, 1131 (2001).

5 15. Through my writing and practice, I have become familiar with the non-contingent
6 market rates charged by attorneys in the San Francisco Bay Area and elsewhere. This familiarity
7 has been obtained in several ways: (a) by handling attorneys’ fee litigation; (b) by discussing
8 fees with other attorneys; (c) by obtaining declarations regarding prevailing market rates in cases
9 in which I represent attorneys seeking fees; and (d) by reviewing attorneys’ fees applications and
10 awards in other cases, as well as surveys and articles on attorneys’ fees in the legal newspapers
11 and treatises. I also have testified before trial courts and arbitrators on numerous occasions, and
12 have submitted expert testimony by declaration on hundreds of occasions: each of those efforts
13 require me to be aware of the hourly rates being charged in the relevant community.

14 16. Here, I have reviewed Class Counsel’s qualifications, backgrounds, experience,
15 work product, and the results they have achieved. Based on the information I have reviewed, it is
16 my opinion that the hourly rates Class Counsel request are well within the range of the non-
17 contingent market rates charged by San Francisco Bay area attorneys of reasonably comparable
18 experience, skill, and reputation for reasonably comparable services.

19 **The Bases for My Opinion**

20 17. My opinion in this case is based initially on my extensive experience, research,
21 and knowledge in this subject area as detailed above and in **Exhibit A**.

22 18. Second, my opinion is based on recent judicial determinations that the hourly
23 rates requested by Class Counsel here are reasonable.

24
25 _____
26 ² Current rates are generally used to determine reasonable fees, as rough compensation for the
27 delay in payment the prevailing attorneys have experienced. *See, e.g., Graham v.*
28 *DaimlerChrysler Corp.*, 34 Cal.4th 553 (2004); *Robles v. Employment Dev. Dept.*, 38
Cal.App.5th 191, 205 (2019); Pearl, Cal Fee Awards, 3d ed., § 9.113, p. 9-106. In this case, it is
appropriate to request 2023 rates because Class Counsel’s work has continued and will continue
well into 2023, and the reasonableness of the fee request is being determined in 2023.

1 19. Third, my opinion is informed by the several source and reference materials
2 regarding attorney fee rates that I have reviewed over the years, including the following
3 materials:

4 • The hourly rates that San Francisco Bay Area courts have recently found to be
5 reasonable. A chart compiling those awards is attached hereto as **Exhibit B**.

6 • The rates charged by numerous San Francisco Bay Area law firms, as reflected in
7 declarations filed under penalty of perjury and direct personal correspondence. A list of those
8 firms and their stated hourly rates is attached hereto as **Exhibit C**.

9 • Excerpts from the 2021 Real Rate Report by Wolters Kluwer, which is a widely
10 used and relied on report of law firm rates based on invoice data are attached as **Exhibit D**.

11 • A recent article from Bloomberg Law (Bureau of National Affairs, Inc.) entitled
12 “Rising Rates Are Law Firms’ Salve as Layoffs and Pay Cuts Surge” (Jan. 19, 2023), attached
13 hereto as **Exhibit E**, which includes survey results showing that commercial firms that submitted
14 2023 hourly rates to courts in early January 2023 reported an increase from 2022 rates in top
15 partner billing rates of nearly 10% on average and 9% for top associates.

16 • The rates disclosed by recent Chapter 11 Bankruptcy attorney fee applications.³
17 Attached as **Exhibit F** are relevant excerpts from the August 8, 2020 Summary Sheet filed in the
18 PG&E bankruptcy case (*Pacific Gas and Electric Co., Debtors*, U.S Bankruptcy Court, N.D.
19 Cal., S.F. Div., Bankruptcy Case No. 19-30088 (DM), which includes the July 2020 hourly rates
20 charged by Simpson Thacher & Bartlett LLP, PG&E’s law firm in that matter.

21
22 ³ Bankruptcy rates are relevant here because the federal bankruptcy rules require that firms attest
23 that the rates they are requesting do not exceed their rates for other types of work. *See, e.g.*,
24 Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees for the
25 Northern District of California, effective February 19, 2014,
26 [https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees)
27 [reimbursement-professional-and-trustees](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees), at § 8 (requiring certification that, among other things,
28 “the compensation and expense reimbursement requested are billed at rates, in accordance with
practices, no less favorable than those customarily employed by the applicant and generally
accepted by the applicant’s clients”); Guidelines for Reviewing Applications for Compensation
and Reimbursement of Expenses Filed Under United States Code by Attorneys in Larger Chapter
11 Cases, https://www.justice.gov/sites/default/files/ust/legacv/2013/06/28/Fee_Guidelines.pdf,
78 Fed. Reg. 36248, 36250 (June 17, 2013) (“The United States Trustee will ordinarily object to
fees that are above the market rate for comparable services.”).

1 • The Peer Monitor Public Rates report of publicly reported attorney fee rates in
2 2018 is attached as **Exhibit G**.

3 • Lastly my opinion also is supported by the current version of the LSI Laffey
4 Matrix (www.laffeymatrix.com).

5 **The Factors Underlying My Opinion**

6 20. My opinion that Class Counsel’s hourly rates are well within the range of the
7 hourly rates charged in 2023 by comparably qualified San Francisco Bay Area attorneys for
8 comparable services is based on the following factors:

9 21. *First*, it is based on my long experience and expertise regarding attorneys’ fees, as
10 noted in the numerous reported cases listed above. *See, e.g., Wit v. United Behav. Health*, 578
11 F.Supp.3d 1060, 1079 (N.D. Cal. Jan. 5, 2022) (“the Court places significant weight on Pearl’s
12 opinion”); *Human Rights Defense Center v. County of Napa*, 2021 U.S. Dist. LEXIS 59778, *32,
13 2021 WL 1176640, 20-cv-01296-JCS (N.D. Cal. March 28, 2021) (“Mr. Pearl has extensive
14 experience in the area of attorney billing rates in this district and has been widely relied upon by
15 both federal and state courts”). Indeed, this Court has accepted my opinions on hourly rates in at
16 least three prior cases. *See* ¶ 9, *ante*.

17 22. *Second*, it is based on the prior judicial determinations that Class Counsel’s then-
18 current rates were reasonable. *See* Declaration of Julian Hammond ¶¶ 34-35; Declaration of
19 William Jhaveri-Weeks ¶ 42. Those findings are highly probative of the reasonable market value
20 of counsel’s services. *See Margolin v. Regional Planning Comm’n*, 134 Cal.App.3d 999, 1005
21 (1982).

22 23. The 2023 rates requested here also are justified by recent rate increases in the
23 legal marketplace. In fact, not including step increases based on increased experience, listed
24 billing rates, court awards, and published articles show that over the past four years, San
25 Francisco Bay Area rates have risen an average of 4-6% per year, with an even higher average
26 increase in 2023. *See Exhibit B* (reporting 9%-10% increases in 2023 hourly rates). For
27 example, in *Planned Parenthood Federation of America, Inc. v. Center for Medical Progress*,
28 2020 U.S. Dist. LEXIS 241035, at *13 (N.D. Cal. Dec. 22, 2020), the district court applied a

1 25% rate increase for the period from 2016 to 2020. More recently, similar rate increases in the
2 legal marketplace have been observed by commentators. *See, e.g., Aggressive Billing Rate*
3 *Increases Appear Likely, But Can Clients Stomach It?* Maloney, *The American Lawyer* (Jan. 24,
4 2022) (rates rose “nearly 4%” in 2021; Simons, *Big Law Should Reuse Partner Billing Rates*
5 *10+ Percent Now*, *The Recorder* (Nov. 15, 2018) at 3 (“In a normal year, partner rates would go
6 up around 5 or 6 percent”); Rozen, *Sorry Clients: Higher Law Firm Billing Rates Really Do Pay*
7 *Off*. *The American Lawyer*, February 21, 2018 (average billing rates increasing annually at 3.3%
8 rate nationally, with higher percentages for better performing firms; “[b]illing rates overall have
9 continued a steady climb in recent years, despite pressure from clients on discounts, decreases,
10 and other cost savings”).

11 24. *Third*, numerous recent judicial rate determinations support my opinion by
12 showing the *range* of rates found reasonable for comparable attorneys in the local marketplace.
13 *See Children’s Hosp. & Med. Ctr. v Bontá*, 97 Cal.App.4th 740, 782-783 (2002) (noting that
14 prevailing attorneys had proven their rates by submitting expert declarations containing similar
15 evidence: “The declarations included extensive verifiable information regarding rates allowed by
16 courts for counsel to successful plaintiffs in numerous specific complex civil cases litigated in
17 Northern California during 1994 through 1999, including the years of experience of the
18 attorneys, paralegals and law clerks whose hourly rates were judicially set. The foregoing
19 evidence, which DHS has not disputed, demonstrates that the hourly rates allowed by the trial
20 court are within the range of reasonable rates charged by and judicially awarded comparable
21 attorneys for comparable work.”).

22 25. Here, the rate findings set out in **Exhibit B** strongly support my opinion that the
23 rates requested by Class Counsel are “within the range” of those found reasonable for reasonably
24 comparable counsel performing reasonably similar services. For example, in *Roe v. SFBSC*
25 *Mgmt., LLC*, 2022 U.S. Dist. LEXIS 215122 (N.D. Cal. November 29, 2022), a wage and hour
26 class action, as part of the lodestar cross-check, the court found that \$973 per hour was a
27 reasonable 2022 rate for a 21-year attorney and \$873 was reasonable for a 17-year attorney.
28 Likewise, in *Andrews v. Equinox Holdings, Inc.*, N.D. Cal. No. 20-cv-00485-SK, Order on

1 Motion for Attorney Fees and Costs filed November 9, 2021 (Doc. 110), an individual age
2 discrimination case that settled by acceptance of the defendant’s FRCP Rule 68 offer, the court
3 found that \$875 per hour was a reasonable 2021 rates for a 14-year attorney.

4 26. *Fourth*, the reported rates of numerous local law firms set out in **Exhibit C** which
5 I have gathered from declarations, surveys, articles, and individual correspondence, also support
6 my opinion. For example, in 2021, local class action firm Schneider Wallace Cottrell & Konecky
7 billed its 28-year attorney at \$1,005 per hour, and its 6-year associate at \$690 per hour. In 2022,
8 Altshuler Berzon billed its 14-year attorney at \$950 per hour and its 12-year attorney at \$875 per
9 hour; and Rosen, Bien, Galvan & Grunfeld billed its 25-year partner at \$950 per hour, its 17-year
10 partner at \$850, its 14-year partner at \$800, and its 12-year partner at \$750.

11 27. *Fifth*, the relevant surveys and articles presented here in **Exhibits D-F** show that
12 counsel’s rates are well “within the range” of rates charged in the San Francisco Bay Area legal
13 marketplace:

14 • The 2021 Real Rate Report by Wolters Kluwer (**Exhibit D**) describes the 2021
15 rates charged by 150 San Francisco partners and 108 associates who practiced “Litigation.” For
16 that Category, the Third Quartile hourly rate of surveyed attorneys was **\$961** per hour for
17 partners and **\$628** per hour for associates. The Third Quartile rate means that 25% of the
18 surveyed attorneys billed at that rate or higher. Here, given Class Counsel’s specialized expertise
19 and experience, they would certainly rank within that range. It is significant to me, however, that
20 when inflation in rates and increased experience are considered, they have requested rates that
21 are well below the Third Quartile of surveyed rates.

22 • Similarly, the “High Level Data Cuts” section at page 34 of the Report describes
23 the 2021 rates charged by 158 San Francisco partners with “21 or More Years” of experience.
24 For that Category, the Third Quartile 2021 partner rate was **\$960** per hour. Again, counsel would
25 easily qualify for a Third Quartile rate but have requested s lower rate. For partners with less
26 than 21 years, the Third Quartile rate was \$960. It also shows that for associates, the Third
27 Quartile hourly rate was \$628; again, the requested rates here are lower.

28

1 • The recent article from the Bloomberg Law (Bureau of National Affairs, Inc.),
2 entitled “Rising Rates Are Law Firms’ Salve as Layoffs and Pay Cuts Surge” (Jan. 19, 2023)
3 **(Exhibit E)** includes data showing that in early 2023, commercial firms submitted 2023 hourly
4 rates that reflected increases in top partner billing rates of nearly 10% on average and top
5 associate rates of 9% from 2022 rates.

6 • The 2020 rates charged by and paid to attorneys representing PGE in its
7 Bankruptcy proceedings for the period from July 2020 **(Exhibit F)** show that in that matter, a 20-
8 year attorney was billed at \$1,480 per hour. Mr. Hammond, a 1999 law school graduate, is
9 seeking \$925 per hour. Likewise; a 15-year attorney was billed at \$1,220 per hour, and a 7-year
10 attorney at \$1,095. Admittedly these are rates at the high end of the range, but Class Counsel’s
11 rates here are significantly lower.

12 • The 2018 Peer Monitor Public Rates survey **(Exhibit G)** shows that Class
13 Counsel’s rates are well below the range of hourly rates billed by major Northern California law
14 firms at that time.

15 • The current LSI Laffey Matrix (laffeymatrix.com) rate for attorneys with 20 or
16 more years of experience is \$997 per hour, and for attorneys with 8-10 years of experience \$733
17 per hour. When adjusted to account for the cost-of- living differential between the Washington
18 D.C. Area and the San Francisco Bay Area, these rates equal \$1,109 and \$855 per hour,
19 respectively. *See* www.uscourts.gov/Careers/compensation/judiciary-salary-plan-pay-rate. Given
20 counsel’s specialized expertise and experience, the excellent work performed, and the results
21 obtained here, counsel’s rates are indisputably in the range suggested by the Laffey Matrix.⁴

22 28. The hourly rates set forth above are those charged where full payment is expected
23 promptly upon the rendition of the billing and without consideration of factors other than hours
24

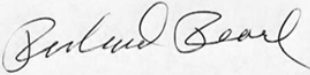
25 ⁴ The California courts have recognized that the Laffey Matrix, when adjusted, may be
26 considered probative of the range of rates charged in California. *See Syers Props III, Inc. v.*
27 *Rankin*, 226 Cal.App.4th 691, 702 (2014); *Tukes v. Richard*, 81 Cal.App.5th 1, 17 (2022). And,
28 the District of Columbia courts have recognized that as between the USAO and LSI Laffey
Matrixes, the LSI version is far more relevant to the rates charged in the urban Washinton DC
area for hard fought litigation as opposed to other types of services. *DL v. D.C.*, 924 F.3d 585
(D.C. Cir. 2019).

1 and rates. If any substantial part of the payment were to be contingent or deferred for any
2 substantial period, for example, the fee arrangement would be adjusted accordingly to
3 compensate the attorneys for those factors.

4 29. In sum, based on the foregoing, Class Counsel's requested rates for their work in
5 this litigation are well within the range of rates charged by and awarded to comparably qualified
6 attorneys in this legal community for comparable services.

7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing facts are true and correct. Executed on March 1, 2023, at Berkeley, California.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Richard M. Pearl

EXHIBIT A

RESUME OF RICHARD M. PEARL

RICHARD M. PEARL
LAW OFFICES OF RICHARD M. PEARL
1816 Fifth Street
Berkeley, CA 94710
(510) 649-0810
(510) 548-3143 (facsimile)
rpearl@interx.net (e-mail)

EDUCATION

University of California, Berkeley, B.A., Economics (June 1966)
Berkeley School of Law (formerly Boalt Hall), Berkeley, J.D. (June 1969)

BAR MEMBERSHIP

Member, State Bar of California (admitted February 1970)
Member, State Bar of Georgia (admitted June 1970) (inactive)
Admitted to practice before all California State Courts; the United States Supreme Court; the United States Court of Appeals for the District of Columbia and Ninth Circuits; the United States District Courts for the Northern, Central, Eastern, and Southern Districts of California, for the District of Arizona, and for the Northern District of Georgia; and the Georgia Civil and Superior Courts and Court of Appeals.

EMPLOYMENT

LAW OFFICES OF RICHARD M. PEARL (April 1987 to Present): Civil litigation practice (AV rating), with emphasis on court-awarded attorney's fees, class actions, and appellate practice. Selected Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022.

QUALIFIED APPELLATE MEDIATOR, APPELLATE MEDIATION PROGRAM, California Court of Appeal, First Appellate District (October 2000 to 2013) (program terminated).

ADJUNCT PROFESSOR, HASTINGS COLLEGE OF THE LAW (January 1988 to 2014): Taught *Public Interest Law Practice*, a 2-unit course that focused on the history, strategies, and issues involved in the practice of public interest law.

PEARL, McNEILL & GILLESPIE, Partner (May 1982 to March 1987): General civil litigation practice, as described above.

CALIFORNIA RURAL LEGAL ASSISTANCE, INC. (July 1971 to September 1983) (part-time May 1982 to September 1983):

Director of Litigation (July 1977 to July 1982)

Responsibilities: Oversaw and supervised litigation of more than 50 attorneys in CRLA's 15 field offices; administered and supervised staff of 4-6 Regional Counsel; promulgated litigation policies and procedures for program; participated in complex civil litigation.

Regional Counsel (July 1982 to September 1983 part-time)

Responsibilities: Served as co-counsel to CRLA field attorneys on complex projects; provided technical assistance and training to CRLA field offices; oversaw CRLA attorney's fee cases; served as counsel on major litigation.

Directing Attorney, Cooperative Legal Services Center (February 1974 to July 1977) (Staff Attorney February 1974 to October 1975)

Responsibilities: Served as co-counsel on major litigation with legal services attorneys in small legal services offices throughout California; supervised and administered staff of four senior legal services attorneys and support staff.

Directing Attorney, CRLA McFarland Office (July 1971 to February 1974) (Staff Attorney July 1971 to February 1972)

Responsibilities: Provided legal representation to low income persons and groups in Kern, King, and Tulare Counties; supervised all litigation and administered staff of ten.

HASTINGS COLLEGE OF THE LAW, Instructor, Legal Writing and Research Program (August 1974 to June 1978)

Responsibilities: Instructed 20 to 25 first year students in legal writing and research.

CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD, Staff Attorney, General Counsel's Office (November 1975 to January 1976, while on leave from CRLA)

Responsibilities: Prosecuted unfair labor practice charges before Administrative Law Judges and the A.L.R.B. and represented the A.L.R.B. in state court proceedings.

ATLANTA LEGAL AID SOCIETY, Staff Attorney (October 1969 to June 1971)

Responsibilities: Represented low-income persons and groups as part of 36-lawyer legal services program located in Atlanta, Georgia.

PUBLICATIONS

Pearl, *California Attorney Fee Awards, Third Edition* (Cal. Cont. Ed. Bar 2010) and February 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and March 2022 Supplements

Pearl, *California Attorney Fee Awards, Second Edition* (Cal. Cont. Ed. Bar 1994), and 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008 Supplements

Best Practices for Litigating a Civil Code Section 1717 Motion for Attorney Fees, with the Hon. Elizabeth R. Feffer (Ret.), *California Litigation* (The Journal of the Litigation Section of the California Lawyers Association, Vol. 35, No. 1, 2022)

Graham v. DaimlerChrysler Corp. and *Tipton-Whittingham v. City of Los Angeles*, Civil Litigation Reporter (Cal. Cont. Ed. Bar Feb. 2005)

Current Issues in Attorneys' Fee Litigation, California Labor and Employment Law Quarterly (September 2002 and November 2002)

Flannery v. Prentice: Shifting Attitudes Toward Fee Agreements and Fee-Shifting Statutes, Civil Litigation Reporter (Cal. Cont. Ed. Bar Nov. 2001)

A Practical Introduction to Attorney's Fees, Environmental Law News (Summer 1995)

Wrongful Employment Termination Practice, Second Edition (Cal. Cont. Ed. Bar 1997) (co-authored chapter on "Attorney Fees")

California Attorney's Fees Award Practice (Cal. Cont. Ed. Bar 1982) (edited), and 1984 through 1993 Supplements

Program materials on attorney fees for numerous trainings, including for California Continuing Education of the Bar, the California Employment Lawyers Association, the California Lawyers Association, the California Department of Fair Housing and Employment, the Environmental Law, Labor Law, and Appellate Sections of the California State Bar, the California Academy of Appellate Lawyers, and many others.

Settlers Beware/The Dangers of Negotiating Statutory Fee Cases (September 1985) Los Angeles Lawyer

Program Materials on Remedies Training (Class Actions), sponsored by Legal Services Section, California State Bar, San Francisco (May 1983)

Attorneys' Fees: A Legal Services Practice Manual (Legal Services Corporation 1981)

PUBLIC SERVICE

Member, Attorneys' Fee Task Force, California State Bar

Member, Board of Directors, California Rural Legal Assistance Foundation

Former Member, Board of Directors, Meals on Wheels of San Francisco

REPRESENTATIVE CASES

ACLU of N. Cal. v. DEA

(N.D. Cal. 2012) 2012 U.S. Dist. LEXIS 190389

Alcoser v. Thomas

(2011) 2011 Cal. App. Unpub. LEXIS 1180

Arias v. Raimondo

(2018) 2018 U.S. App. LEXIS 7484

Boren v. California Department of Employment

(1976) 59 Cal. App. 3d 250

Cabrera v. Martin

(9th Cir. 1992) 973 F.2d 735

Camacho v. Bridgeport Financial, Inc.

(9th Cir. 2008) 523 F.3d 973

Campos v. E.D.D.

(1982) 132 Cal. App. 3d 961

Center for Biological Diversity v. County of San Bernardino

(2010) 185 Cal. App. 4th 866

Children & Families Commission of Fresno v. Brown

(2014) 228 Cal. App. 4th 45

Committee to Defend Reproductive Rights v. A Free Pregnancy Center

(1991) 229 Cal. App. 3d 633

REPRESENTATIVE CASES (cont.)

David C. v. Leavitt

(D. Utah 1995) 900 F.Supp. 1547

Delaney v. Baker

(1999) 10 Cal.4th 23

Dixon v. City of Oakland

(2014) 2014 U.S.Dist.LEXIS 169688

Employment Development Dept. v. Superior Court (Boren)

(1981) 30 Cal.3d 256

Environmental Protection Info. Ctr. v Department of Forestry & Fire Protection

(2010) 190 Cal.App.4th 217

Environmental Protection Information Center, Inc. v. Pacific Lumber Co.

(N.D. Cal. 2002) 229 F. Supp.2d 993, *aff'd* (9th Cir. 2004) 103 Fed. Appx. 627

Flannery v Prentice

(2001) 26 Cal. 4th 572

Graham v. DaimlerChrysler Corp.

(2004) 34 Cal. 4th 553

Guerrero v. Cal. Dept. of Corrections etc.

(2016) 2016 U.S.Dist.LEXIS 78796, *aff'd in relevant part*, (9th Cir. 2017) 701 Fed.Appx. 613

Heron Bay Home Owners Assn. v. City of San Leandro

(2018) 19 Cal.App.5th 376

Horsford v. Board of Trustees of Univ. of Calif.

(2005) 132 Cal.App.4th 359

Ketchum v. Moses

(2001) 24 Cal.4th 1122

Kievlan v. Dahlberg Electronics

(1978) 78 Cal.App.3d 951, *cert. denied* (1979) 440 U.S. 951

Lealao v. Beneficial California, Inc.

(2000) 82 Cal.App.4th 19

REPRESENTATIVE CASES (cont.)

Lewis v. California Unemployment Insurance Appeals Board
(1976) 56 Cal.App.3d 729

Local 3-98 etc. v. Donovan
(N.D. Cal. 1984) 580 F.Supp. 714,
aff'd (9th Cir. 1986) 792 F.2d 762

Mangold v. California Public Utilities Commission
(9th Cir. 1995) 67 F.3d 1470

Maria P. v. Riles
(1987) 43 Cal.3d 1281

Martinez v. Dunlop
(N.D. Cal. 1976) 411 F.Supp. 5,
aff'd (9th Cir. 1977) 573 F.2d 555

McQueen, Conservatorship of
(2014) 59 Cal.4th 602 (argued for *amici curiae*)

McSomebodies v. Burlingame Elementary School Dist.
(9th Cir. 1990) 897 F.2d 974

McSomebodies v. San Mateo City School Dist.
(9th Cir. 1990) 897 F.2d 975

Molina v. Lexmark International
(2013) 2013 Cal.App. Unpub. LEXIS 6684

Moore v. Bank of America
(9th Cir. 2007) 2007 U.S. App. LEXIS 19597

Moore v. Bank of America
(S.D. Cal. 2008) 2008 U.S. Dist. LEXIS 904

Mora v. Chem-Tronics, Inc.
(S.D. Cal. 1999) 1999 U.S. Dist. LEXIS 10752,
5 Wage & Hour Cas. 2d (BNA) 1122

Nadaf-Rahrov v. Nieman Marcus Group
(2014) 2014 Cal.App. Unpub. LEXIS 6975

REPRESENTATIVE CASES (cont.)

Orr v. Brame

(9th Cir. 2018) 727 Fed.Appx. 265, 2018 U.S.App.LEXIS 6094

Orr v. Brame

(9th Cir. 2019) 793 Fed.Appx. 485

Pena v. Superior Court of Kern County

(1975) 50 Cal.App.3d 694

Ponce v. Tulare County Housing Authority

(E.D. Cal 1975) 389 F.Supp. 635

Ramirez v. Runyon

(N.D. Cal. 1999) 1999 U.S. Dist. LEXIS 20544

Ridgeway v. Wal-Mart Stores, Inc., 269 F. Supp. 3d 975 (N.D. Cal. 2017), *aff'd on merits (fees not appealed)* 269 F.3d 1066 (9th Cir. 2020)

Robles v. Employment Dev. Dept.

(2019) 38 Cal.App.5th 191

Rubio v. Superior Court

(1979) 24 Cal.3d 93 (amicus)

Ruelas v. Harper

(2015) 2015 Cal.App. Unpub.LEXIS 7922

Sokolow v. County of San Mateo

(1989) 213 Cal. App. 3d. 231

S.P. Growers v. Rodriguez

(1976) 17 Cal.3d 719 (amicus)

Swan v. Tesconi

(2015) 2015 Cal.App. Unpub. LEXIS 3891

Tongol v. Usery

(9th Cir. 1979) 601 F.2d 1091,
on remand (N.D. Cal. 1983) 575 F.Supp. 409,
revs'd (9th Cir. 1985) 762 F.2d 727

REPRESENTATIVE CASES (cont.)

Tripp v. Swoap

(1976) 17 Cal.3d 671 (amicus)

United States (Davis) v. City and County of San Francisco

(N.D. Cal. 1990) 748 F.Supp. 1416, *aff'd in part
and revs'd in part sub nom Davis v. City and County
of San Francisco* (9th Cir. 1992) 976 F.2d 1536,
modified on rehearing (9th Cir. 1993) 984 F.2d 345

United States v. City of San Diego

(S.D.Cal. 1998) 18 F.Supp.2d 1090

Vasquez v. State of California

(2008) 45 Cal.4th 243 (amicus)

Velez v. Wynne

(9th Cir. 2007) 2007 U.S. App. LEXIS 2194

JULY 2022

EXHIBIT B

EXHIBIT B

RATES FOUND REASONABLE IN SAN FRANCISCO BAY AREA CASES

2022 Rates

- In *Roe v. SFBSM Mgmt., LLC*, 2022 U.S. Dist. LEXIS 215122 (N.D. Cal. Nov. 29, 2022), a wage and hour class action, as part of the lodestar cross-check, the court found that the following hourly rates billed by the prevailing plaintiffs' law firm were reasonable:

Firm	Title	Years of Experience	Rate
The Tidrick Law Firm			
	Partner	21	\$973
	Partner	17	\$873
	Paralegals	NA	\$180

- In *Richmond Compassionate Care Collective v. Richmond Patient's Group*, Contra Costa Super. Ct. No. MSC16-01426, Order Granting Plaintiff Motion for Attorneys' Fees etc. filed Nov. 1, 2022, an antitrust case, as part of its lodestar cross-check, the court found that the following hourly rates billed by the prevailing plaintiff's attorneys were reasonable:

Firm	Title	Years of Experience	Rate
Alioto Law Firm			
	Joseph M. Alioto	53	\$1,500
Foreman & Brasso			
	Ronald D. Foreman	48	\$1,050

2021 Rates

- In *Yo LLC v. Krucker*, Santa Clara Super. Ct. No. 17CV306261, Fee Order filed Feb. 9, 2022, a contractual fee case involving a disputed lease, the court found that the following hourly rates billed by the prevailing defendant's attorneys were reasonable:

Firm	Title	Law School Grad. Year	Rate
Cooley LLP			
	Partner	1994	\$1,275
	Special Counsel	1994	\$1,090
	Associate (2020 rate)	2009	\$1,010

- In *Wit v. United Behavioral Health*, 578 F.Supp.3d 1060 (N.D. Cal. Jan. 5, 2022), the court found the following hourly rates reasonable:

Firm	Title	Years of Experience	Rate
Zuckerman Spaeder			
	Partner	35, 39	\$1,145
	Partner	24	\$1,040
	Partner	21	\$980
	Associate	6	\$595
	Paralegals		\$250-390

- In *Andrews v. Equinox Holdings, Inc.*, N.D. Cal. No. 20-cv-00485-SK, Order on Motion for Attorney Fees and Costs filed Nov. 9, 2021 (Doc. 110), an individual age discrimination case that settled by acceptance of the defendant's FRCP Rule 68 offer, the court found the following 2021 rates reasonable (before applying a 1.3 lodestar multiplier):

Firm	Title	Law School Grad. Year	Rate
Rosen Bien Galvan & Grunfeld LLP			
	Partner	1962	\$1,250
	Partner	1997	\$875
	Senior Counsel	2010	\$600
	Associate	2018	\$350
	Summer Associates	NA	\$300

Firm	Title	Law School Grad. Year	Rate
	Paralegals	NA	\$240-\$275

2020 Rates

- In *UFCW & Employers Benefit Trust v. Sutter Health*, San Francisco County Super. Ct. No. CGC-14-538451, consolidated with No. CGC-18-565398, Order re Plaintiffs' Counsel's Joint Motion for Attorneys' Fees, Costs, and Service Award, filed Aug. 27, 2021, the court found the following rates reasonable as part of its lodestar-cross check:

Pillsbury & Coleman

Title	Law School Graduation	Rate
Of Counsel	1979	\$960
Partner	1976	\$675
Associate	2010	\$475
Paralegal	N/A	\$225

Farella Braun + Martel

Title	Bar Admission	Rate
Partners	2003	\$785
	1994	\$895
	1972	\$1250
	1980	\$975
	1985	\$935
	1982	\$925
	1991	\$795
Associates	2012	\$675
	2014	\$650
	2015	\$560
	2018	\$515
	2017	\$460
Paralegals	NA	\$355-\$190
Litigation Support	NA	\$325-\$285

McCracken, Stemerma & Holsberry LLP

Title	Law School Graduation Year	Rate
Partners	1975	\$850
	1983	\$850
	1990	\$800
	2008	\$750
Associates	2011	\$575
Associates	2012	\$575
	2014	\$575
	2014	\$575
	2017	\$400
	2018	\$400
	2019	\$400

Kellogg, Hansen, Todd, Figel & Frederick PLLC

Title	Bar Admission	Rate
Partners	1995	\$1,095
	2005	\$890
	2011	\$890
	1997	\$890
Of Counsel	1988	\$835
Associates	2014	\$805
	2015	\$750
	2017	\$690
	2017	\$690
	2016	\$635
	2018	\$535
Staff Attorneys	2007	\$460
	2000	\$460
	1997	\$460
	2002	\$460
	1998	\$400
	1977	\$400
	1999	\$460

Title	Bar Admission	Rate
	1991	\$460
	2012	\$400
Paralegal Director	N/A	\$430
Paralegals	N/A	\$430-\$275
Summer Associates	N/A	\$185
Research Manager	N/A	\$260
Research Analyst	N/A	\$160
IT Director	N/A	\$200
Litigation Support	N/A	\$145
Trial Coordinator	N/A	\$115

Cohen Milstein Sellers & Toll PLLC

Title	Law School Graduation Year	Hourly Rate 2020*
Partners	1975	\$975
	1983	\$995
	1986	\$975
	2005	\$720
	2007	\$680
Of Counsel	2003	\$725
Associates	2009	\$650
	2014	\$535
Discovery Counsel	2002	\$550
Staff Attorneys	1993	\$445
	2002	\$430
	2005	\$415
	2006	\$415
Investigator	N/A	\$515
Paralegals	N/A	\$325-\$310

- In *Human Rights Defense Center v. County of Napa*, a prisoners’ rights action, the court found that Plaintiffs’ counsel’s 2020 hourly rates were reasonable, “plac[ing] significant weight on the opinion of Mr. Pearl . . . [who] has extensive experience in the area of attorney billing rates in this district and has been widely relied upon by both federal and state courts in Northern California (including the

undersigned) in determining reasonable billing rates.” Order Granting In Part And Denying In Part Motion For Atts.’ Fees, Costs And Expenses at 18, Doc. 50, No. 20-cv-01296 (N.D. Cal. March 28, 2021).

Firm	Title	Law School Grad. Year	Rate
Rosen Bien Galvan & Grunfeld LLP			
	Partner	1962	\$1,110
	Partner	1981	\$950
	Senior Counsel	2009	\$625
	Senior Paralegal	NA	\$350

- In *Planned Parenthood Federation of America, Inc. v. Center for Medical Progress*, a RICO action challenging the defendants’ invasive tactics, the court found that Plaintiffs’ counsel’s 2020 hourly rates were “reasonable given the scope and complexity of this case, as well as in light of rates approved in this District for partners, associates, and paralegals for similarly experienced counsel and staff at similar firms.” *Planned Parenthood Fed’n of Am., Inc. v. Ctr. for Med. Progress*, No. 16-CV-00236-WHO, 2020 WL 7626410, at *3, *3 n.4 (N.D. Cal. Dec. 22, 2020).

Firm	Title	Bar Admission	Rate
Arnold & Porter Kaye Scholer LLP			
	Partner	1974	\$1,280
	Partner	1993	\$1,150
	Partner	1990	\$1,085
	Partner	2005	\$1,015
	Partner	2002	\$925
	Senior Associate	2005	\$910
	Senior Associate	2012	\$910
	Senior Associate	2015	\$815
	Associate	2018	\$675
	Staff Attorney	2008	\$545
	Paralegal	NA	\$405
	Paralegal	NA	\$390

Firm	Title	Bar Admission	Rate
Planned Parenthood			
	General Counsel	1982	\$1,115
	Sr. Staff Attorney	2012	\$910

- In *Schneider v. Chipotle Mexican Grill*, a consumer class action, the court found that counsel for the putative class’s 2020 hourly rates were “on the high end, although in line with prevailing rates in this district for personnel of comparable experience, skill, and reputation.” *Schneider v. Chipotle Mexican Grill, Inc.*, 336 F.R.D. 588, 601 (N.D. Cal. 2020).

Firm	Title	Bar Admission	Rate
Kobre & Kim			
	Partner	1993	\$1,275
	Partner	1987	\$1,275
	Partner	1997	\$995
	Associate	2011	\$695
	Analyst	NA	\$495
	Legal Assistant	NA	\$195
	Legal Assistant	NA	\$195

- In *California Advocates for Nursing Home Reform v. Angell*, Alameda County Super. Ct. No. RG13700100, Order Awarding Attorneys’ Fees filed Oct. 2, 2020, a writ of mandate challenging unconsented to mental health treatment, the court found that a reasonable hourly rate for the plaintiffs’ lead counsel, a 47 year attorney, was **\$875** per hour (to which it also applied a 1.75 multiplier).
- In *Lashbrook v. City of San Jose*, N.D. Cal. No. 20-cv-01236-NC, a disability access class action, the court found the following hourly rates reasonable:

<u>Bar Admission Year</u>	<u>Rate</u>
1987	\$945
1992	\$895
2006	\$750

2017	\$415
Senior Paralegal	\$325
Paralegals	\$265-285

- In *Stiavetti v. Ahlin*, Alameda County Super. Ct. No. RG15-779731, Order Granting in Part Motion for Attorneys’ Fees filed May 1, 2020, a challenge to state agencies for subjecting persons found incompetent to stand trial to excessively long waits before being admitted to state hospitals, the court found the following 2020 hourly rates reasonable for Plaintiffs’ ACLU attorneys:

<u>Graduation Year</u>	<u>Rate</u>
1994	\$850
1996	\$775
1999	\$745
2004	\$650
2009	\$490
2014	\$325

- In *Lee One, LLC v. Facebook, Inc.*, N.D. Cal. No. 4:16-cv-06232-JSW, Order and Judgment Granting Motion for Final Approval of Class Action Settlement and Awarding Attorneys’ Fees, Costs, and Service Awards, filed June 26, 2020 [Doc. 211], a class action challenging Facebook’s systems for justifying the rates charged advertisers, the court approved a fee constituting 30% of the \$40 million settlement fund, and in cross-checking that fee, found the following 2019 hourly rates reasonable (plus a 1.68 lodestar multiplier):

Firm	Title	Bar Date	Rate
Cohen Millstein Sellers & Toll			
	Partners	1983	\$940
		2000	\$790
		2004	\$740
	Associates	2012	\$545
		2014	\$505
	Staff Attorney	2012	\$395
	Contract Attorney	2003	\$385
	Law Clerk	2019	\$290

	Contract Attorneys	2014	\$250
		2017	\$250
Gibbs Law Group			
	Partners	1995	\$910
		2000	\$750
		2003	\$720
		2007	\$710
	Associates	2014	\$460
		2016	\$430
Eglet Adams			
	Partners	1988	\$870
		1998	\$800
		1999	\$690
		1999	\$650
	Associate	2011	\$450
	Contract Attorney	1998	\$200
	Investigator	--	\$490
	Paralegals	--	\$300-315

- In *Perez v. Rash Curtis & Associates*, N.D. Cal. No. 4:16-cv-03396-YGR, Order, *inter alia*, Granting in Part and Denying in Part Motion for an Award of Attorneys' Fees, Costs, and Expenses, filed April 17, 2020 [Doc. 427], a consumer protection action under both federal and state law resulting in a \$267 million judgment, the court awarded counsel a percentage-based common fund fee of 25% of the fund, cross-checked against a lodestar-based fee comprised of a \$634.48 blended rate, and a lodestar multiplier ranging from 13.42 to 18.15 depending on the number of hours eventually spent. The 2020 hourly rates from which the blended rate was derived were as follows:

Admission to Bar	Rate
PARTNERS:	
1997	\$1,000
2002	\$850
2006	\$750
2009	\$650
2013	\$550
ASSOCIATES:	
2010	\$550
2013	\$525

Admission to Bar	Rate
2016	\$400
2017	\$375
2019	\$325
Law Clerk	\$300
Senior Litigation Support Spclist.	\$275-300
Litig. Support Spclist.	\$200-250

- In *In re Wells Fargo & Company Shareholder Derivative Litigation*, N.D. Cal. No. 16-cv-05541-JST, Order Granting Motion for Final Approval and Motion for Attorneys' Fees, filed April 7, 2020 [Doc. 312], a shareholder derivative class action, the court found the following 2020 hourly rates reasonable:

Lieff, Cabraser, Heimann & Bernstein LLP	Law School Graduation Year	Rate
	1972	\$1,075
	1998	\$950
	1993	\$900
	1984	\$850
	2000	\$775
	2001-2002	\$700
	2005	\$650
	2007	\$590
	2008	\$560
	2012	\$480-510
	2015	\$440
	2017	\$395
	Law Clerk	\$375-395
	Paralegal/Clerk	\$345-390
	Litigation Support/Research	\$345-495

- In *Moen v. Regents of University of California*, Alameda County Super. Ct. No. RG10-530493, Order (1) Granting Final Approval of Class Settlement and (2) Granting Motion for Award of Fees and Costs, filed April 10, 2020, a class action to enforce contractual health care rights, the court approved the following hourly rates as reasonable (indicating in addition that a 1.5 multiplier would have been applied but for the parties' agreed ceiling):

LAW FIRM	LAW SCHOOL GRADUATION	RATE
Law Offices of Dov Grunschlag	1966	\$975
Sinclair Law Office	1976	\$875
Calvo Fisher LLP	1976	\$875
	1990	\$775
	2000	\$650
	2004	\$625
	Senior Paralegal	\$300
	Paralegal	\$225

2019 Rates

- In *In re National Collegiate Athletic Association Athletic Grant-In-Aid Antitrust Litigation*, an antitrust class action, the court found the following 2019 “hourly rates are reasonable.” See Order Granting in Part and Denying in Part Plaintiffs’ Motion for Attorneys’ Fees, Expenses, Service Awards, and Taxed Costs, Doc. 1259, at 4, No. 14-md-02541 (N.D. Cal. Dec. 6, 2019).

Firm	Title	Bar Admission	Rate
Winston & Strawn LLP			
	Partner	1978	\$1,515
	Partner	1985	\$1,245
	Partner	2002	\$1,105
	Partner	1996	\$1,025
	Associate	2012	\$825
	Associate	2016	\$660
	Associate	2017	\$615

- In an earlier decision in the same case, the court also found the following 2017 hourly rates were “in line with market rates in this District.” See *id.* at Doc. 745 (N.D. Cal. Dec. 6, 2017).

Firm	Title	Bar Admission	Rate
Hagens Berman Sobol Shapiro LLP			
	Partner	1982	\$950

Firm	Title	Bar Admission	Rate
	Associate	1999	\$630
	Associate	2014	\$475
	Contract Attorney	2013	\$350
	Contract Attorney	2006	\$300
Pearson, Simon & Warshaw LLP			
	Partner	1983	\$1,035
	Partner	1981	\$1,035
	Of Counsel	2001	\$900
	Associate	2006	\$635
	Associate	2008	\$520

- In *Nevarez v. Forty Niners*, N.D. Cal. No. 5:16-cv-07013-LHK(SVK), Order Granting Motion for Final Approval of Class Action Settlement; Granting Motion for Service Awards; and Granting Motion for Attorney’s Fees, Costs, and Expenses, filed July 23, 2020 [Doc. 416], a disability-access class action involving Levi’s Stadium, the court found the following 2019 hourly rates reasonable:

Schneider Wallace Cottrell Konecky LLP:	Law School Grad.	Rate
	1993	\$925
	1977	\$875
	1997	\$840
	2015	\$680
	2014	\$625-\$680
	2007	\$625
	2017	\$575
	2009	\$725
	Paralegal	\$300
Goldstein Borgen Dardarian & Ho		
	1987	\$925
	2006	\$710
	2015	\$450
	2008	\$595
	2013	\$475
	2017	\$400
	Law Student	\$300
	Sr. Paralegals	\$325
	Paralegals	\$275-295

- In *Bartoni v. American Medical Response West*, Alameda County Super. Ct. No. RG08-382130, a meal and rest break class action involving Schneider Wallace and other counsel, the court's Order Granting Plaintiffs' Motions on Final Approval of Class Settlement filed July 12, 2019, the court found the following 2019 hourly rates reasonable, based in part on my testimony:

LAW FIRM	BAR ADMISSION DATE	RATE	BILLING YEAR*
Leonard Carder / Hinton Alfert Sumner & Kaufmann			
	1990	\$860	
	1999	\$710	
	2008	\$445	6th year (2014)
	2013	\$445	
Schneider Wallace Cottrell Konecky Wotkyns			
	1996	\$835	
	2009	\$525	
	2014	\$450	
	1997	\$675	15th year (partner) (2012)
	2004	\$475	5th year (2009)
	2005	\$450	4th year (2008)
	2006	\$425	3rd year (2009)
	2007	\$400	2nd year (2009)
	2003	\$525	10th year (2013)
	2014	\$350	1st year (2014)
Kralowec Law, P.C.			
	1992	\$810	
	1986	\$795	
	2008	\$500	6th year (2014)
	2008	\$525	7th year (2016)
Schubert Jonckheer & Kolbe LLP			
	1992	\$600	18th year (2010) (2010)

*Parentheticals indicate billers' experience levels and year when they last worked on the case.			
---	--	--	--

- In *National Federation of the Blind of California v. Uber Technologies, Inc.*, N.D. Cal. No. 14-cv-04086 NC Amended Order Granting in Part Plaintiffs' Motion for Attorneys' Fees and Costs, filed Nov. 8, 2019 (Dkt. No. 203), a class action against Uber alleging that it violated federal antidiscrimination laws by allowing its drivers to refuse to accept service dogs, the court found the following 2019 hourly rates reasonable for monitoring Uber's compliance with the settlement:

Rosen Bien Galvan & Grunfeld LLP	Rate
Class	
1997	\$800
2011	\$525
2016	\$400
Senior Paralegal	\$350
Paralegals	\$250-275

Disability Rights Advocates	Rate
1998	\$785
2014	\$470
2014	\$425
Paralegals	\$230-275

- In *Shaw v. AMN Service, LLC*, N.D. Cal. No. 3:16-cv-02816 JCS, Order Granting Plaintiffs' Motion for Reasonable Attorneys' Fees and Costs, filed May 31, 2019 [Doc. 167], a wage and hour class action, based in part on my testimony the court found the following 2019 hourly rates reasonable, before applying a 2.4 lodestar multiplier:

BAR ADMISSION DATE	RATE
1996	\$835
2009	\$750
2014	\$675
1996 (Florida)	\$600
2016	\$400
2017	\$380

2018 Rates

- In *Department of Fair Employment and Housing v. Law School Admission Council, Inc.*, N.D. Cal. No. 12-cv-08130-JCS, filed Nov. 5, 2018, reported at 2018 WL 5791869, 2018 U.S. Dist. LEXIS 189191, an action for civil contempt based on violation of a consent decree, the court found the following 2018 hourly rates reasonable:

Years of Experience	Rate
35	\$850
5 and 6	\$425
Law Clerk and 1st year	\$290

- In *Cornell v. City & County of San Francisco*, San Francisco Super. Ct. No. CGC-11-509240, Fee Order filed Oct. 9, 2018 (on remand from *Cornell v. City & County of San Francisco* (2017) 17 Cal.App.5th 766), an individual police misconduct/employment case, the trial court found the following 2018 hourly rates reasonable for appellate work, before applying a 1.25 multiplier:

Years of Experience:	Rates:
49	\$827
27	\$800
23	\$800
9	\$475
6	\$425

- In *Cole v. County of Santa Clara*, N.D. Cal. No. 16-CV-06594-LHK, Order Granting Final Approval of Class Settlement and Motion for Attorneys' Fees, filed March 21, 2019, a disability rights class action, the court found the following 2018 hourly rates reasonable:

Bar Admission Date	Rate
Rosen, Bien, Galvan & Grunfeld LLP	
2006	\$650
2010	\$525
2016	\$375
Paralegals	\$225-340
Disability Rights Advocates	
1998	\$775
2005	\$655
2014	\$425
Paralegals	\$230

- In *In re Anthem, Inc. Data Breach Litigation*, the court found the following 2017 billing rates were “reasonable in light of prevailing market rates in this district.” See *In re Anthem, Inc. Data Breach Litig.*, No. 15-MD-02617, 2018 WL 3960068, at *16 (N.D. Cal. Aug. 17, 2018).

Firm	Title	Law School Grad. Year	Rate
Altshuler Berzon			
	Partner	1992	\$860
	Partner	1994	\$820
	Partner	1998	\$770
	Partner	2001	\$690
	Associate	2010	\$460
	Associate	2012	\$405
	Legal Clerks	NA	\$285
	Paralegals	NA	\$250
Gibbs Law Group			
	Partner	1995	\$805
	Partner	1988	\$740
	Partner	2000	\$685
	Partner	2003	\$660
	Partner	2004	\$635
	Partner	2007	\$605
	Partner	2008	\$575
	Associate	2011	\$525
	Associate	2012	\$450
	Associate	2014	\$415
	Associate	2012	\$400
	Associate	2000	\$395
	Associate	2008	\$375
	Associate	2015	\$365
	Associate	2015	\$350
	Associate	2016	\$340
	Contract Attorney	2014	\$240
	Paralegals		\$190-\$220

Firm	Title	Law School Grad. Year	Rate
Lieff Cabraser Heimann & Bernstein			
	Partner	1989	\$900
	Partner	2001	\$675
	Partner	2002	\$650
	Partner	2004	\$625
	Partner	2006	\$565
	Partner	2006	\$510
	Associate	2011	\$455
	Associate	2015	\$370
	Contract Attorneys	1994-2017	\$240
	Paralegals	NA	\$350-\$360
Finkelstein Thompson LLP			
	Partner	1993	\$850
	Partner	2000	\$600
	Of Counsel	2005	\$475
	Of Counsel	1997	\$850
	Associate	2013	\$300

- In *Kaku v. City of Santa Clara*, Santa Clara Super. Ct. No. 17CV319862, Fee Order filed January 22, 2019, reported at 2019 WL 331053 (Cal. Super. 2019), a voting rights action under the California Voting Rights Act, the court found the following 2018 hourly rates reasonable, before applying a 1.4 multiplier:

Goldstein, Borgen, Dardarian & Ho

<u>Graduation Year</u>	<u>Rates</u>
1970	\$875
1994	\$860
2013	\$450
2015	\$405
2016	\$375
Law Clerk	\$295

Statistician & Senior Paralegal	\$300
Paralegal	\$250

Law Office of Robert Rubin

<u>Graduation Year</u>	<u>Rates</u>
1978	\$975
2013	\$615

Asian Law Alliance

<u>Graduation Year</u>	<u>Rates</u>
1978	\$550
2009	\$375

2017 Rates

- In *Max Sound Corp. v. Google Inc.*, N.D. Cal. No. 14-cv-04412-EJD, Order Granting in Part and Denying in Part Defendants’ Motion for Attorneys’ Fees, filed October 11, 2017 (Dkt. No. 198), a patent infringement action awarding fees for defending a frivolous action pursuant to, *inter alia*, 35 U.S.C. § 285 and 28 U.S.C. § 1927, the court found the following hourly rates reasonable:

<u>Bar Admission</u>	<u>Rates</u>
2000	\$650-950
1995	\$905
2014	\$520-715
2007	\$504-608
2012	\$335-575

- In *May v. San Mateo County*, N.D. Cal. No. 3:16-cv-00252-LB, Stipulation and Order re Settlement filed Nov. 10, 2017 [Doc. No. 218], an individual police misconduct action, the court found the following hourly rates reasonable:

<u>Years of Experience</u>	<u>Rates</u>
26	\$775
22	\$775
10	\$475
5	\$425
48	\$825
Paralegal	\$240

- In *Hoeper v. City & County of San Francisco*, No. CGC-15-543553, Order After Hearing Granting in Part and Denying in Part Plaintiff Joanne Hoeper’s Motion for Attorney Fees, filed July 12, 2017, an individual whistleblower case under Government Code section 12653(b), the court found the following 2017 hourly rates reasonable, before applying a 1.35 lodestar multiplier:

<u>Bar Admission/Level</u>	<u>Rates</u>
1982	\$850-750
1979	\$750
2003	\$550
Associate	\$350
Paralegal	\$150-160

- In *Ridgeway v. Wal-Mart Stores, Inc.*, 269 F. Supp. 3d 975 (N.D. Cal. 2017), a wage and hour class action, the court issued a statutory fee award against Wal-Mart based on the following 2017 rates (plus a 2.0 multiplier), to partially offset a 25% common fund fee award payable by the class:

<u>Years of Experience</u>	<u>Rates</u>
46	\$900
40	\$890
38	\$870
36	\$850
34	\$830
20	\$730
37 (Senior Associate)	\$700
29 (Senior Associate)	\$670
19 (Senior Associate)	\$610
11	\$500
7	\$450-500
6	\$425
3	\$355
4	\$330
1	\$300
Senior Paralegal	\$225
Paralegal	\$195
Law Clerk	\$225

- In *Huynh v. Housing Authority of Santa Clara*, 2017 U.S. Dist. LEXIS 39138 (N.D. Cal. 2017), a tenant class action challenging the Housing Authority's policy regarding the accommodation of households with disabled family members, the court found the following 2017 hourly rates reasonable:

Law Foundation of Silicon Valley

<u>Graduation Year</u>	<u>Rates</u>
1990	\$800
2001	\$660
2004	\$635
2007	\$545
2008	\$545
2010	\$415
2014	\$325
2015	\$325

Fish & Richardson PC

<u>Graduation Year</u>	<u>Rates</u>
1996	\$862.07
2002	\$700
2005	\$676.75
2011	\$530
2007	\$475
2014	\$362.54
2015	\$329.09
2016	\$330.11
Paralegal	\$236-275

- In *Armstrong v. Brown*, N.D. Cal. No. 4:94-cv-02307-CW, Stipulated Order Confirming Undisputed Attorneys' Fees and Costs for the Third Quarter of 2017, filed Dec. 19, 2017 (Dkt. No. 2708), a prisoners' rights class action, the court approved the following 2017 hourly rates for monitoring the injunction in that matter:

<u>Years of Experience</u>	<u>Rates</u>
37	\$950
33	\$825
20	\$780
24 (Of Counsel)	\$700

<u>Years of Experience</u>	<u>Rates</u>
12 (Partner)	\$650
9 (Associate)	\$490
8	\$480
7	\$470
6	\$440
Paralegal	\$240-325

- In *Cotter et al. v. Lyft, Inc.*, N.D. Cal. No. 13-cv-04065- VC, Order Granting Final Approval of Settlement Agreement, filed Mar. 16, 2017 (Dkt. No. 310), a class action against Lyft alleging Lyft underpaid its drivers by classifying them as independent contractors, the court approved the percentage-based fee award requested by plaintiffs based on the following 2017 hourly rates, plus a 3.18 multiplier:

<u>Graduation Year</u>	<u>Rates</u>
1996	\$800
2010	\$500
2014	\$325
Paralegal	\$200

- In *Dropbox, Inc. v. Thru, Inc.*, 2017 U.S. Dist. LEXIS 33325 (N.D. Cal. 2017), a trademark action, the court found reasonable “rates ranging from \$275/hr for a paralegal to \$900 for a senior partner” and “rates of \$365/hr and \$420/hr” for mid-level associates.

EXHIBIT C

Exhibit C

Rates Charged by San Francisco Bay Area Law Firms

<i>Akin Gump Strauss Hauer & Feld LLP</i>		
2022 Rates	Graduation Year	Rate
	2001	\$1,115
	1986	\$1,175-1,345
	2007	\$965
	2019	\$535-\$625
<i>Alioto Law Firm</i>		
2022 Rate	Years of Experience	Rate
	53	\$1,500
<i>Altshuler Berzon LLP</i>		
2022 Rates	Graduation Year	Rate
	1983	\$1,225
	1989	\$1,125
	2008	\$950
	2010	\$875
	2019	\$625
2021 Rates	Graduation Year	Rate
	1977	\$1,150
2018 Rates	Graduation Year	Rate
	1968-1983	\$940
	1985	\$920
	1989	\$900
	1991	\$885
	1992	\$875
	1994	\$835
	1998	\$795

	2000	\$740
	2001	\$725
	2008	\$540
	2009	\$515
	2010	\$485
	2012	\$435
	2013	\$415
	2014	\$390
	2015	\$365
	Law Clerks	\$285
	Paralegals	\$250
2017 Rates	Years of Experience/Level	Rates
	Senior Partners	\$930
	Junior Partners (1991-2001)	\$875-690
	Associates (2008-2013)	\$510-365
	Paralegals	\$250
<i>Arnold Porter LLP</i>		
2021 Rates	Level	Rates
	Partners	\$750-\$1,150
	Senior Counsel	\$910-\$1,280
	Associates	\$545-\$910
	Paralegals	\$390-\$405
<i>Boies Schiller & Flexner LLP</i>		
2017 Rates	Bar Admittance or Law School Graduation	Rates
	1986	\$1,049
	2006	\$972
	1999-2000	\$830
	2004	\$760
	2006	\$680
	2007	\$714

	2009	\$800
<i>Burson & Fisher</i>		
2020 Rates:	Bar Admission Year	Rate
	PARTNERS:	
	1997	\$1,000
	2002	\$850
	2006	\$750
	2009	\$650
	2013	\$550
	ASSOCIATES:	
	2010	\$550
	2013	\$525
	2016	\$400
	2017	\$375
	2019	\$325
	Law Clerk	\$300
	Senior Litigation Support Specialist	\$275-300
	Litigation Support Specialist	\$200-250
<i>Cooley LLP</i>		
2021 Rates	Years of Experience	Rates
	27 (Partner)	\$1,275
	27 (Special Counsel)	\$1,090

<i>Farella Braun + Martel</i>	Bar Admission	Rates
2020 Rates		
	1972	\$1250
	1980	\$975
	1982	\$925
	1985	\$935
	1991	\$795
	1994	\$895
	2003	\$785
	2011 (Assoc./Partner)	\$710
	Associates	
	2012	\$675
	2014	\$650
	2015	\$560
	2017	\$460
	2018	\$515
	Paralegals	\$285-355
	Case Clerk	\$190
	Practice Support Supervisor	\$325
	Practice Support Proj. Mgr.	\$285
<i>Fenwick & West</i>		
2021 Rates	Cal. Bar Admission	Rates
	1995	\$1,040
	2001	\$860
	2005	\$745
	2010	\$720
	2011	\$665
	2016	\$710
	2017	\$470-495
	2018	\$425
	2020	\$325

	Paralegals	\$395
Foreman & Brasso		
2022 Rates	Years of Experience	Rate
	48	\$1,025
<i>Gibson Dunn & Crutcher LLP</i>		
2020 Rates	Level	Rates
	Senior Partners	\$1,395 – 1,525
	Senior Associates	\$960
	Mid-level Associate	\$740
	Paralegals	\$480
2019 Rates	Level	Rates
	Senior Partners	\$1,335 – 1,450
	Senior Associates	\$915
	Mid-level Associate	\$625
<i>Goldstein Borgen Dardarian & Ho</i>		
2020 Rates:	Bar Admission Year	Rates
	1987	\$945
	1992	\$895
	2006	\$750
	2017	\$415
	Senior Paralegal	\$325
	Paralegals	\$265-285
2019 Rates	Law School Graduation	Rates
	1987	\$925
	2006	\$710
	2008	\$595
	2013	\$475
	2015	\$450
	2017	\$400
	Law Student	\$300

	Sr. Paralegals	\$325
	Paralegals	\$275-\$295
<i>Hooper, Lundy & Bookman</i>		
2019 Rates	Law School Graduation Year	Rates
	1975	\$1,025
	1976	\$965
	1979	\$1,025
	2007	\$815
	2011	\$800
	2015	\$640
	2016	\$600
	2019	\$440
2018 Rates	Law School Graduation Year	Rates
	1975	\$1,025
	1976	\$930
	1979	\$995
	2015	\$570
<i>Keker & Van Nest, LLP</i>		
2019 Rates	Years of Experience	Rates
	39	\$1,075
	9	\$700
2018 Rates	Years of Experience	Rates
	16	\$875
	5	\$600
	3	\$500

<i>Kirkland & Ellis</i>		
2021 Rates	Level	Rates
	Partners	\$1,085-\$1,895
	Of Counsel	\$625-1,895
	Associates	\$625-\$1,195
	Paraprofessional	\$255-475
<i>Lieff Cabraser Heimann & Bernstein, LLP</i>		
2020 Rates	Law School Grad. Year	Rates
	1972	\$1,075
	1998	\$950
	1993	\$900
	1984	\$850
	2000	\$775
	2001-2002	\$700
	2005	\$650
	2007	\$590
	2008	\$560
	2012	\$480-\$510
	2015	\$440
	2017	\$395
	Law Clerk	\$375-\$395
	Paralegal/Clerk	\$345-390
	Litigation Support/Research	\$345-495
<i>McCracken, Stemerman & Holsberry</i>	Law School Grad. Year	Rates
2020 Rates		
	1975	\$850
	2008	\$750
	2014	\$575
	2018-2019	\$400

<i>Morrison Foerster LLP</i>		
2021 Rates	Law School Grad. Year	Rate
	2002	\$1,200
	2011	\$1,075
	2014	\$925
	2018	\$745
	Paralegal	\$295
2020 Rates	Law School Grad. Year	Rate
	2002	\$1,125
	2011	\$975
	2014	\$810
	2018	\$640
	Paralegal	\$275
2018 Rates	Years of Experience	Rates
	40	\$1,050
	22	\$950
	11	\$875
	3	\$550
	Paralegal	\$325

<i>Munger, Tolles & Olson</i>		
2021 Rates	Law School Grad. Year	Rate
	1991	\$1,725
	2009	\$995
	2016	\$825
	Paralegal (43 years)	\$365
2020 Rates	Law School Grad. Yr.	Rate
	1991	\$1,610
	2001	\$950
	2009	\$920
	2016	\$725
	Paralegal (42 years)	\$345
<i>O'Melveny & Myers</i>		
2019 Rates	Level	Rates
	Senior Partner	\$1,250
	Partner (1998 Bar Admitted)	\$1,050
	3rd Year Associate	\$640
	2nd Year Associate	\$656
<i>Paul Hastings LLP</i>		
2020 Rates	Years of Experience	Rates
	25	\$1,425
	7	\$885
	5	\$775
	3	\$645
	Research assistant	\$335
<i>Pearson Simon & Warshaw LLP</i>		
2019 Rates	Years of Experience	Rates
	23-38	\$1,150
	10	\$900

	Of Counsel	\$825
	6	\$500
	4	\$450
	Paralegals	\$225
2018 Rates	Years of Experience	Rates
	22-37	\$1,050
	9	\$650
	Of Counsel	\$725
	5	\$450
	3	\$400
<i>Quinn Emanuel Urquhart & Sullivan</i>		
2020 Rates	Level	Rate
	Partners	\$870-\$1,250
	Associates	\$600-\$905
2018 Rates	Law School Graduation Yr.	Rates
	1980	\$1,135
	2016	\$630

<i>Rosen, Bien, Galvan & Grunfeld LLP</i>		
2022 Rates	Law School Class	Rates
Partners		
	1962	\$1,350
	1980	\$1,400
	1981	\$1,100
	1984	\$1,000
	1997	\$950
	2005	\$850
	2008	\$800
	2010	\$750
Of Counsel		
	1993	\$825
	2003	\$800
Senior Counsel		
	2008	\$750
	2009	\$725
	2010	\$700
	2011	\$675
Associates		
	2011	\$650
	2013	\$600
	2015	\$575
	2016	\$550
	2017	\$500
	2018	\$425
	2019	\$400
Senior Paralegals		\$375-\$400
Paralegals		\$300
Litigation Support/Paralegal Clerks		\$260

Law Students		\$350
2021 Rates (partial)	Law School Class	Rates
Partner	1984	\$925
Senior Counsel	2008	\$675
	2010	\$600
Associate	2016	\$465
Summer Associate	NA	\$300
Senior Paralegal		\$375
Paralegal		\$275
2020 Rates	Law School Class	Rate
Partners		
	1962	\$1,100
	1980	\$1,100
	1981	\$950
	1984	\$875
	1997	\$825
	2005	\$730
	2008	\$660
Of Counsel		
	1993	\$740
	2003	\$715
Senior Counsel		
	2008	\$635
	2009	\$625
	2010	\$565
Associates		
	2011	\$540
	2013	\$480
	2015	\$460
	2016	\$440
	2017	\$395

Sr. Paralegals		\$320-\$350
Paralegals		\$250-\$275
Litigation Support/Paralegal Clerks		\$225
Law Students		\$275
Word Processing		\$85
2019 Rates	Class	Rates
Partners		
	1962	\$1,050
	1980	\$1,000
	1981	\$940
	1984	\$860
	1997	\$800
	2005	\$700
	2008	\$640
Of Counsel		
	1993	\$725
	2003	\$700
Senior Counsel		
	2008	\$610
	2009	\$585
Associates		
	2010	\$540
	2011	\$525
	2013	\$460
	2015	\$440
	2016	\$400
	2017	\$350
Senior Paralegals		\$350
Litigation Support/Paralegal Clerks		\$225

Law Students		\$275
Word Processing		\$85
2018 Rates	Class	Rates
Partners		
	1962	\$1,000
	1980	\$965
	1981	\$920
	1984	\$835
	1997	\$780
	2005	\$650
Of Counsel		
	1983	\$800
	1993	\$700
	2003	\$675
Senior Counsel		
	2008	\$585
Associates		
	2009	\$535
	2010	\$525
	2011	\$500
	2013	\$440
	2015	\$410
	2016	\$375
Paralegals		\$340-\$240
Litigation Support/Paralegal Clerks		\$225
Law Students		\$275
Word Processing		\$85
<i>Schneider, Wallace Cottrell Konecky LLP</i>		
2021 Rates	Law School Grad. Year	Rate
	1993	\$1,005

	1977 (Of Counsel)	\$925
	1997	\$840
	2015	\$690
2020 Rates	Years of Experience	Rate
	1993	\$1,005
	1977 (Of Counsel)	\$925
	1997	\$840
	2015	\$690
2019 Rates	Years of Experience	Rate
	1993	\$925
	1977 (Of Counsel)	\$875
	1997	\$840
	2015	\$680
<i>The Tidrick Law Firm</i>		
2022 Rates:	Graduation Year	Rate
	1999	\$973
	2004	\$873
<i>Wilson Sonsini</i>		
2022 Rates	Level	Rates
	Members	\$975-\$2,220
	Associates	\$550-\$1,175
	Of Counsel	\$640-\$1,875
	Staff	\$225-\$935
	Library Personnel	\$200-\$300
Winston & Strawn (partial)		
2019 Rates	Title	Rates
	Partners	\$1,025-\$1,515
	Associates	\$615-\$825
2018 Rates	Title	Rates
	Partners	\$820-\$1,445

	Associates	\$585-\$765
	Paralegals	\$170-\$340
	Litigation Support Mgr.	\$275
	Review Attorneys	\$85

EXHIBIT D



*2021 Real
Rate Report[®]*

The Industry's
Leading Analysis
of Law Firm Rates,
Trends, and Practices

Report Editor

Jeffrey Solomon
Senior Director, Product Management Legal
Analytics, Wolters Kluwer's ELM Solutions

Lead Data Analysts

Carol Au
Business Systems Quantitative Analyst
Wolters Kluwer's ELM Solutions

Pankaj Saha
Data Engineer
Wolters Kluwer's ELM Solutions

ELM Solutions Creative

David Andrews
Senior Graphic Designer
Wolters Kluwer's ELM Solutions

Contributing Analysts and Authors

Jason Bender
Legal Analytics Product Manager
Wolters Kluwer's ELM Solutions

Deniece Bushell
Senior Product Marketing Manager
Wolters Kluwer's ELM Solutions

Nathan Cemenska
Associate Director, Product Management
Wolters Kluwer's ELM Solutions

Margie Sleboda
Lead Technology Product Manager
Wolters Kluwer's ELM Solutions

Executive Sponsor

Barry Ader
Vice President, Product Management and
Marketing
Wolters Kluwer's ELM Solutions

© 2004 - 2021 Wolters Kluwer's ELM Solutions. All rights reserved. This material may not be reproduced, displayed, modified, or distributed in any form without the express prior written permission of the copyright holders. To request permission, please contact:

ELM Solutions, a Wolters Kluwer business
20 Church Street
Hartford, CT 06103 United States
ATTN: Marketing
+1-860-549-8795

LEGAL CAVEAT

Wolters Kluwer's ELM Solutions has worked to ensure the accuracy of the information in this report; however, Wolters Kluwer's ELM Solutions cannot guarantee the accuracy of the information or analyses in all cases. Wolters Kluwer's ELM Solutions is not engaged in rendering legal, accounting, or other professional services. This report should not be construed as professional advice on any particular set of facts or circumstances. Wolters Kluwer's ELM Solutions is not responsible for any claims or losses that may arise from any errors or omissions in this report or from reliance upon any recommendation made in this report.

Table of Contents - 2021 Real Rate Report

A Letter to Our Readers • 4

Report Use Considerations • 5

Section I: High-Level Data Cuts • 9

- Partners, Associates, and Paralegals
- Partners, Associates, and Paralegals by Practice Area and Matter Type
- Partners and Associates by City
- Partners and Associates by City and Matter Type
- Partners by City and Years of Experience
- Associates by City and Years of Experience
- Partners and Associates by Firm Size and Matter Type

Section II: Industry Analysis • 64

- Partners, Associates, and Paralegals by Industry Group
- Partners and Associates by Industry Group and Matter Type
- Basic Materials and Utilities
- Consumer Goods
- Consumer Services
- Financials (Excluding Insurance)
- Health Care
- Industrials
- Technology and Telecommunications

Section III: Practice Area Analysis • 85

- Bankruptcy and Collections
- Commercial
- Corporate: Mergers, Acquisitions, and Divestitures
- Corporate: Regulatory and Compliance
- Corporate: Other
- Employment and Labor
- Environmental
- Finance and Securities
- General Liability (Litigation Only)
- Insurance Defense (Litigation Only)
- Intellectual Property: Patents
- Intellectual Property: Trademarks
- Intellectual Property: Other
- Real Estate

Section IV: In-Depth Analysis for Select US Cities • 175

- Boston, MA
- Chicago, IL
- Los Angeles, CA
- New York, NY
- Philadelphia, PA
- San Francisco, CA
- Washington, DC

Section V: International Analysis • 195

Section VI: Matter Staffing Analysis • 227

Appendix: Data Methodology • 232

A Letter to Our Readers

Welcome to the Wolters Kluwer's ELM Solutions Real Rate Report®, the industry's leading data-driven benchmark report for lawyer rates.

Our Real Rate Report has been a relied upon data analytics resource to the legal industry since its inception in 2010 and continues to evolve. The Real Rate Report is powered by Wolters Kluwer's ELM Solutions LegalVIEW® data warehouse, the world 's largest source of legal performance benchmark data, which has grown to include over \$150 billion in anonymized legal data.

This year, we launched our LegalVIEW Insights Report series, which explores the emerging trends behind the overall legal spend volatility seen in corporate legal departments. The insights reports coupled with the Real Rate Report are great tools to drive actionable decisions.

The legal services industry relies on internal analytics and the use of external data resources, such as the LegalVIEW® data warehouse, to support legal management strategies. The depth and details of the data in the Real Rate Report enable you to better benchmark and make more informed investment and resourcing decisions for your organization.

As with past Real Rate Reports, all of the data analyzed are from corporations' and law firms' e-billing and time management solutions. We have included lawyer and paralegal rate data filtered by specific practice and sub-practice areas, metropolitan areas, and types of matters to give legal departments and law firms greater ability to pinpoint areas of opportunity. We strive to make the Real Rate Report a valuable and actionable reference tool for legal departments and law firms.

As always, we welcome your comments and suggestions on what information would make this publication more valuable to you. We thank our data contributors for participating in this program. And we thank you for making Wolters Kluwer's ELM Solutions your trusted partner for legal industry domain expertise, data, and analytics and look forward to continuing to provide market-leading, expert solutions that deliver the best business outcomes for collaboration among legal departments and law firms.

Sincerely,



Barry Ader

Vice President, Product Management and Marketing
Wolters Kluwer's ELM Solutions

Report Use Considerations

2021 Real Rate Report

- Examines law firm rates over time
- Identifies rates by location, experience, firm size, areas of expertise, industry, and timekeeper role (i.e., partner, associate, and paralegal)
- Itemizes variables that drive rates up or down

All the analyses included in the report derive from the actual rates charged by law firm professionals as recorded on invoices submitted and approved for payment.

Examining real, approved rate information, along with the ranges of those rates and their changes over time, highlights the role these variables play in driving aggregate legal cost and income. The analyses can energize questions for both corporate clients and law firm principals.

Clients might ask whether they are paying the right amount for different types of legal services, while law firm principals might ask whether they are charging the right amount for legal services and whether to modify their pricing approach.

Some key factors¹ that drive rates²:

Attorney location - Lawyers in urban and major metropolitan areas tend to charge more when compared with lawyers in rural areas or small towns.

Litigation complexity - The cost of representation will be higher if the case is particularly complex or time-consuming; for example, if there are a large number of documents to review, many witnesses to depose, and numerous procedural steps, the case is likely to cost more (regardless of other factors like the lawyer's level of experience).

Years of experience and reputation - A more experienced, higher-profile lawyer is often going to charge more, but absorbing this higher cost at the outset may make more sense than hiring a less expensive lawyer who will likely take time and billable hours to come up to speed on unfamiliar legal and procedural issues.

Overhead - The costs associated with the firm's support network (paralegals, clerks, and assistants), document preparation, consultants, research, and other expenses.

Firm size - The rates can increase if the firm is large and has various timekeeper roles at the firm. For example, the cost to work with an associate or partner at a larger firm will be higher compared to a firm that has one to two associates and a paralegal.

Rates increase in geographic areas with growing population

Additional analysis was performed to examine the impact of geographic location on law firm hourly rates. This report, like previous ones, shows that large, cosmopolitan legal services markets like New York City, San Francisco, and Los Angeles are associated with higher hourly rates. In addition, our analysis reveals a significant spike in hourly rates in areas of the country

¹ David Goguen, J.D., University of San Francisco School of Law (2020) Guide to Legal Services Billing Retrieved from: <https://www.lawyers.com/legal-info/research/guide-to-legal-services-billing-rates.html>

² Source: 2018 RRR. Factor order validated in multiple analyses since 2010

Report Use Considerations

that are currently experiencing high population growth. Significant average rate increases occurred from 2020 to 2021 in many areas, but especially Fresno, California (~15% average rate increase), Greenville, SC (~18%), Miami, FL (~9%), Nashville, TN (~11%), Oklahoma City (~13%), Phoenix, AZ (~10%), and Seattle, WA (~11%) -- all of which have experienced much higher than average population growth in recent years.

The correlation between hourly rates and population growth makes sense. When people and businesses move into an area, it creates a spike in demand for all sorts of goods and services, including legal services. However, it is hard for the supply of legal services to move as quickly as demand because attorneys looking to move into a new geographic area face high switching costs that most will refuse to pay unless they absolutely have to.

First, attorneys looking to take work in a new state have to get licensed there, which takes time and effort and is a distraction that can reduce their current income in the form of the number of hours they are able to bill to clients. Second, despite the rise in remote working, many attorneys looking to establish practices in a new geographic location may have to establish at least some physical presence there, find a new office, new lodging, and potentially uproot their entire family. Third, even if the switching costs of licensure, physically moving, etc. are paid, attorneys may fear yet another switching cost in the form of attrition of their existing clients from their original geographic locale, who may view them as no longer investing in their knowledge of the legal problems and legal solutions that are specific to the original locale.

³ Source: 2020 RRR. Factor order validated in multiple analyses since 2010

An aerial, high-angle photograph of a dense urban cityscape, likely New York City, showing a grid of streets and numerous skyscrapers. A bright, glowing light source is positioned in the center of the city, casting a wide, circular beam of light that illuminates the surrounding buildings and streets. The overall tone is dark and moody, with the light source providing a focal point of brightness.

Section I: High-Level Data Cuts

All data and analysis based on data
collected thru Q3 2021

2021 Real Rate Report

Section I: High-Level Data Cuts

Cities

By Matter Type

2021 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2021	2020	2019
San Diego CA	Litigation	Associate	19	\$150	\$175	\$325	\$254	\$257	\$268
		Partner	96	\$325	\$523	\$1,019	\$670	\$660	\$655
	Non-Litigation	Associate	60	\$226	\$325	\$516	\$395	\$343	\$354
		Partner	150	\$392	\$663	\$961	\$704	\$703	\$667
San Francisco CA	Litigation	Associate	108	\$314	\$415	\$628	\$486	\$471	\$451
		Partner	223	\$468	\$669	\$942	\$730	\$753	\$721
	Non-Litigation	Associate	145	\$345	\$465	\$730	\$539	\$536	\$485
		Partner	40	\$600	\$867	\$1,056	\$876	\$880	\$796
San Jose CA	Litigation	Associate	27	\$435	\$550	\$745	\$587	\$542	\$471
		Partner	61	\$618	\$795	\$1,165	\$918	\$910	\$803
	Non-Litigation	Associate	38	\$370	\$515	\$865	\$622	\$575	\$570
		Partner	13	\$215	\$250	\$294	\$260	\$262	\$260
San Juan PR	Non-Litigation	Partner	13	\$215	\$250	\$294	\$260	\$262	\$260
Seattle WA	Litigation	Partner	91	\$436	\$535	\$741	\$596	\$506	\$498
		Associate	67	\$370	\$507	\$535	\$476	\$410	\$405
	Non-Litigation	Partner	150	\$406	\$505	\$697	\$547	\$553	\$523
		Associate	117	\$300	\$366	\$504	\$411	\$389	\$381

Section I: High-Level Data Cuts

Cities

By Years of Experience

2021 - Real Rates for Partner						Trend Analysis - Mean		
City	Years of Experience	n	First Quartile	Median	Third Quartile	2021	2020	2019
Portland OR	21 or More Years	44	\$455	\$505	\$585	\$531	\$500	\$466
	Fewer Than 21 Years	15	\$300	\$378	\$455	\$397	\$427	\$408
Raleigh NC	21 or More Years	24	\$275	\$480	\$571	\$452	\$485	\$466
	Fewer Than 21 Years	32	\$610	\$684	\$724	\$638	\$618	\$580
Richmond VA	21 or More Years	36	\$420	\$665	\$805	\$655	\$635	\$625
	Fewer Than 21 Years	20	\$274	\$342	\$432	\$349	\$347	\$381
Salt Lake City UT	21 or More Years	24	\$333	\$393	\$462	\$409	\$378	\$378
	Fewer Than 21 Years	27	\$395	\$540	\$945	\$663	\$552	\$507
San Diego CA	21 or More Years	64	\$357	\$563	\$1,175	\$747	\$701	\$657
	Fewer Than 21 Years	80	\$480	\$705	\$950	\$752	\$718	\$681
San Francisco CA	21 or More Years	158	\$535	\$694	\$960	\$757	\$778	\$737
	Fewer Than 21 Years	18	\$707	\$955	\$1,201	\$979	\$915	\$799
San Jose CA	21 or More Years	56	\$600	\$819	\$1,153	\$915	\$918	\$841
	Fewer Than 21 Years	66	\$402	\$471	\$634	\$511	\$454	\$446
Seattle WA	21 or More Years	90	\$467	\$571	\$698	\$583	\$573	\$547

EXHIBIT E

Rising Rates Are Law Firms' Salve as Layoffs and Pay Cuts Surge

Bloomberg Law News 2023-01-19T10:21:11887193214-05:00

Rising Rates Are Law Firms' Salve as Layoffs and Pay Cuts Surge

By Roy Strom 2023-01-19T05:30:06000-05:00

Welcome back to the [Big Law Business column](#) on the changing legal marketplace written by me, [Roy Strom](#). Today, we look at how much law firms are raising rates in 2023. [Sign up](#) to receive this column in your Inbox on Thursday mornings.

Headlines about the law firm business seem gloomy.

Some firms are laying off associates. Many are set to pay partners significantly less than they did a year ago. Most expect another year of depressed transactional and capital markets work—a huge driver of profits.

But cheer up, law firm managing partners. It looks like your business is still great at an extremely important thing—raising billing rates.

A handful of Big Law firms and mid-size firms have raised their highest partner billing rates nearly 10% on average this year, a search of bankruptcy dockets shows. And top-paid associates are being billed out at 9% higher than last year's rates, the search showed.

The data lines up with an earlier report showing that law firms expect to raise rates by 8% this year, the largest figure in 15 years, according to Wells Fargo's Legal Specialty Group.

At the time of the Wells report, [I wrote](#) it was another example of Big Law's ability to defy basic economics. The number of lawyers at Big Law firms shot up last year, while demand for their time has fallen. And yet, the price for "top legal talent" is on the rise.

When supply increases and demand falls, prices typically decline—at least in normal markets.

Longtime followers of the business of law won't be surprised the firms are following through with rate hikes. It's an annual pastime. Law firms, in this respect and others, largely act as one.

The firms don't readily advertise their billing rates. But bankruptcy courts provide a source of transparency. Firms are required to disclose how much they bill, and they notify courts—and bankruptcy watchdogs at the U.S. Trustees' offices—when they plan to raise rates.

This year, at least 11 law firms have notified courts they are charging more for their services.

No Sale

Law firms were expected to raise rates around 8% on average this year, and many appear to be following through.

Firm	Top-Paid Partner New	Top-Paid Partner Old	% Change
Mayer Brown	\$1,940	\$1,635	18.7%
Cole Schotz	\$1,200	\$1,050	14.3%
Ice Miller	\$1,110	\$975	13.8%
Kirkland & Ellis	\$2,245	\$1,995	12.5%
Akin Gump	\$2,145	\$1,995	7.5%
Latham & Watkins	\$2,230	\$2,075	7.5%
Weil Gotshal	\$2,095	\$1,950	7.4%
Paul Weiss	\$2,175	\$2,025	7.4%
Paul Hastings	\$2,075	\$1,935	7.2%
Brown Rudnick	\$2,250	\$2,100	7.1%
Freshfields	\$1,995	\$1,925	3.6%
Average			9.7%

Source: Bloomberg Law analysis of bankruptcy dockets.

Note: Some rates are "firm-wide," while others pertain only to an individual bankruptcy matter.

Bloomberg Law

There is some noise in the data.

For instance, some firms appear to present firm-wide billing rates—telling us how much their highest and lowest-paid partners, counsel and associates charge. Other firms report a range that only includes the lawyers they expect to work on an individual Chapter 11 case.

Still, the year-over-year changes are a good look at how much firms are raising rates for similar

lawyers.

Associate Rates Rising

Law firms have told bankruptcy courts their associates will cost 9% more on average in 2023.

Firm	Top-Paid Associate New	Top-Paid Associate Old	% Change
Akin Gump	\$1,250	\$1,045	19.6%
Weil Gotshal	\$1,345	\$1,200	12.1%
Kirkland & Ellis	\$1,395	\$1,245	12.0%
Mayer Brown	\$1,075	\$970	10.8%
Ice Miller	\$665	\$610	9.0%
Cole Schotz	\$730	\$670	9.0%
Paul Weiss	\$1,380	\$1,280	7.8%
Latham & Watkins	\$1,400	\$1,300	7.7%
Paul Hastings	\$1,320	\$1,230	7.3%
Freshfields	\$1,375	\$1,325	3.8%
Brown Rudnick	\$975	\$975	0.0%
Average			9.0%

Source: Bloomberg Law analysis of bankruptcy dockets

Note: Some rates are "firm-wide," while others pertain only to an individual bankruptcy matter.

Bloomberg Law

While it was [still somewhat rare](#) for firms to report a partner billing \$2,000 an hour last year, that threshold seems likely to be broken by most large firms this year. Four of the 11 firms broke that barrier this year—Kirkland & Ellis, Akin Gump, Weil Gotshal, and Paul Hastings. Freshfields was just \$5 shy.

Most firms—six of the 11—rose partner rates in the 7% range.

There was less consistency in the hikes for associates—only three of the firms were in the 7% range, and two firms rose rates 9%.

One interesting nugget from the data was that the two smallest firms on the list—Ice Miller and Cole

Rising Rates Are Law Firms' Salve as Layoffs and Pay Cuts Surge

Schotz—had some of the highest percentage increases from last year.

One simple explanation: They have a long way to go before they bump up against the highest end of the market.

And that top end of the market is sure to go higher from here.

Worth Your Time

On FTX: Removing Sullivan & Cromwell from the FTX bankruptcy would “severely, if not irreparably” harm customers and creditors, the crypto exchange’s CEO John Ray told a judge. Justin Wise [reports](#) on the “army” of the firm’s lawyers that have worked around the clock for the past two months—and why they say they have no conflict despite advising the company before its downfall.

On IPOs: It was a dismal year for US initial public offerings, with just \$18 billion raised compared to \$275 billion in 2021. [I wrote about](#) Big Law’s busiest capital markets firms, which suffered a decline of 90% or more in deal value.

On Weil: Weil Gotshal has hired nearly 20 lawyers in Washington since 2021, indicative of a “strategic investment” the firm is making in the nation’s capital, Justin [reports](#).

That’s it for this week! Thanks for reading and please [send me](#) your thoughts, critiques, and tips.

To contact the reporter on this story: Roy Strom in Chicago at rstrom@bloomberglaw.com

To contact the editors responsible for this story: Chris Opfer at copfer@bloomberglaw.com; John Hughes at jhughes@bloombergindustry.com

Rising Rates Are Law Firms' Salve as Layoffs and Pay Cuts Surge

Related Articles

[Big Law Defies Economics as Firms Prepare Record Rate Increases](#)

[Big Law Rates Topping \\$2,000 Leave Value 'In Eye of Beholder'](#)

[Never Underestimate Big Law's Ability to Raise Billing Rates](#)

EXHIBIT F

1 Jonathan C. Sanders (No. #228785)
SIMPSON THACHER & BARTLETT LLP
2 2475 Hanover Street
Palo Alto, CA 94304
3 Telephone: (650) 251-5000
Facsimile: (650) 252-5002
4

5 Nicholas Goldin
Kathrine A. McLendon
6 Jamie J. Fell
SIMPSON THACHER & BARTLETT LLP
7 425 Lexington Avenue
New York, NY 10017
8 Telephone: (212) 455-2000
Facsimile: (212) 455-2502
9

10 *Counsel for the Board of Each of PG&E Corporation
and Pacific Gas and Electric Company and for
Certain Current and Former Independent Directors*

11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14
15 **In re:**

16 **PG&E CORPORATION,**

17 **- and -**

18 **PACIFIC GAS AND ELECTRIC**
19 **COMPANY,**

20 **Debtors.**

- 21 Affects PG&E Corporation
22 Affects Pacific Gas and Electric Company
23 Affects both Debtors

24 ** All papers shall be filed in the Lead Case No.
19-30088 (DM).*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**SUMMARY SHEET TO FOURTH
INTERIM AND FINAL APPLICATION OF
SIMPSON THACHER & BARTLETT LLP
FOR ALLOWANCE AND PAYMENT OF
COMPENSATION AND
REIMBURSEMENT OF EXPENSES
FOR THE FOURTH INTERIM PERIOD
OF JANUARY 1, 2020 THROUGH JULY 1,
2020 AND THE FINAL PERIOD FROM
JANUARY 29, 2019 THROUGH JULY 1,
2020**

Hearing Date to be Set

Place: United States Bankruptcy Court
Courtroom 17, 16th Floor

Simpson Thacher & Bartlett LLP
425 Lexington Ave
New York, NY 10017

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

San Francisco, CA 94102

Objection Deadline: September 17, 2020 at
4:00 p.m. (Pacific Time)

**SUMMARY OF COMPENSATION FOR
 JANUARY 29, 2019 THROUGH JULY 1, 2020**

The attorneys and professionals who rendered professional services in these Chapter 11

Cases during the Total Compensation Period are:

<u>NAME OF PARTNERS AND COUNSEL</u>	<u>DEPARTMENT</u>	<u>YEAR ADMITTED</u>	<u>HOURLY RATE</u>	<u>TOTAL HOURS BILLED</u>	<u>TOTAL COMPENSATION</u>
Blake, Stephen	Litigation	2008	\$1,325	141.70	\$187,752.50
Brentani, William B.	Corporate	1990	\$1,535	5.10	\$7,828.50
Coll-Very, Alexis	Litigation	1997	\$1,480	0.30	\$444.00
Curnin, Paul C.	Litigation	1988	\$1,640	723.90	\$1,187,196.00
Frahn, Harrison J.	Litigation	1997	\$1,535	0.50	\$767.50
Frankel, Andrew T.	Litigation	1990	\$1,535	26.80	\$41,138.00
Goldin, Nicholas	Litigation	2000	\$1,480	853.90	\$1,263,772.00
Goldin, Nicholas	Litigation	2000	\$740	17.70	\$13,098.00
Grogan, Gregory T.	ECEB	2001	\$1,535	151.20	\$232,092.00
Kelley, Karen H.	Corporate	2003	\$1,425	12.70	\$18,097.50
Kreissman, James G.	Litigation	1989	\$1,640	3.50	\$5,740.00
Lesser, Lori E.	Litigation	1994	\$1,535	0.30	\$460.50
Ponce, Mario A.	Corporate	1989	\$1,640	1,284.20	\$2,106,088.00
Purcell, Andrew B.	Tax	2009	\$1,325	2.40	\$3,180.00
Purushotham, Ravi	Corporate	2010	\$1,325	489.60	\$648,720.00
Qusba, Sandy	Corporate	1994	\$1,535	839.00	\$1,287,865.00
Steinhardt, Brian M.	Corporate	1999	\$1,640	4.50	\$7,380.00
Torkin, Michael H.	Corporate	1999	\$1,535	233.90	\$359,036.50
Webb, Daniel N.	Corporate	2002	\$1,480	0.80	\$1,184.00
Alcabes, Elisa	Litigation	1989	\$1,220	313.40	\$382,348.00
DeLott, Steven R.	Corporate	1988	\$1,220	18.40	\$22,448.00
Koslowe, Jamin R.	ECEB	1996	\$1,220	2.50	\$3,050.00
McLendon, Kathrine	Corporate	1985	\$1,220	301.10	\$367,342.00
Nadborny, Jennifer L.	Corporate	2005	\$1,220	0.70	\$854.00
Brunner, Janice G.	Corporate	2001	\$1,190	4.00	\$4,760.00
Kofsky, Andrew M.	ECEB	2000	\$1,190	11.90	\$14,161.00
Rapp, James I.	Corporate	1999	\$1,190	0.20	\$238.00
Ricciardi, Sara A.	Litigation	2003	\$1,190	639.70	\$761,243.00
Wiseman, Stephen M.	Corporate	1986	\$1,190	33.60	\$39,984.00
Total Partners and Counsel:				6,117.50	\$8,968,268.00

<u>NAME OF PROFESSIONAL ASSOCIATES</u>	<u>DEPARTMENT</u>	<u>YEAR ADMITTED</u>	<u>HOURLY RATE</u>	<u>TOTAL HOURS BILLED</u>	<u>TOTAL COMPENSATION</u>
Calderon, Justin	Litigation	2018	\$700	157.20	\$110,040.00
Campbell, Eamonn W.	Litigation	2016	\$915	217.40	\$198,921.00
Duran, Raul G.	Litigation	2018	\$590	78.30	\$46,197.00
Duran, Raul G.	Litigation	2018	\$295	0.50	\$147.50
Egenes, Erica M.	Corporate	2018	\$840	324.60	\$272,664.00
Fell, Jamie	Corporate	2015	\$995	306.90	\$305,365.50
Hay, Jasmine N.	Tax	2016	\$915	3.80	\$3,477.00
Hinckson, Shanice D.	Litigation	2019	\$590	13.40	\$7,906.00
Isaacman, Jennifer	Litigation	2019	\$590	561.30	\$331,167.00
Kinsel, Kourtney J.	Litigation	2018	\$590	519.80	\$306,682.00
Levine, Jeff P.	Corporate	2016	\$915	180.70	\$165,340.50
Lundqvist, Jacob	Litigation	2019	\$590	195.50	\$115,345.00
Mahboubi, Aria	Corporate	2018	\$700	4.30	\$3,010.00
Phillips, Jacob M.	ECEB	2017	\$840	149.60	\$125,664.00
Phillips, Jacob M. ⁴	ECEB	2017	\$700	16.00	11,200.00
Sparks Bradley, Rachel	Litigation	2013	\$1,095	497.50	\$544,762.50
Sussman, Rebecca A.	Litigation	2017	\$840	578.60	\$486,024.00
Sussman, Rebecca A.	Litigation	2017	\$420	3.00	\$1,260.00
Vallejo, Melissa A.	Litigation	2019	\$590	297.80	\$175,702.00
Yeagley, Alexander	Corporate	2018	\$700	58.50	\$40,950.00
Total Associates:				4,164.70	\$3,251,825.00

<u>NAME OF PROFESSIONAL STAFF ATTORNEYS</u>	<u>DEPARTMENT</u>	<u>YEAR ADMITTED</u>	<u>HOURLY RATE</u>	<u>TOTAL HOURS BILLED</u>	<u>TOTAL COMPENSATION</u>
Penfold, John	Litigation		\$375	19.10	\$7,162.50
Rossi, Adrian D.	Litigation		\$375	38.40	\$14,400.00
Total Staff Attorneys:				57.50	\$21,562.50

<u>NAME OF PARAPROFESSIONAL</u>	<u>DEPARTMENT</u>	<u>YEAR ADMITTED</u>	<u>HOURLY RATE</u>	<u>TOTAL HOURS BILLED</u>	<u>TOTAL COMPENSATION</u>
DeVellis, Mary	Resource Center		\$265	1.00	\$265.00
Franklin, Janie Marie	Paralegal – Litigation		\$455	44.10	\$20,065.50
Fuller, Devin	Resource Center		\$265	0.70	\$185.50

⁴ *Jacob M. Phillips was mistakenly billed at the hourly rate of \$700 for the month of February rather than his typical hourly rate of \$840.

EXHIBIT G

PEER MONITOR

INSIGHT. ADVANTAGE. COMPETITIVE INTELLIGENCE.

PUBLIC RATES

In a time when the legal market continues to face fluctuating demand and challenges containing expenses, it's critical that your firm stays on top of the latest billing trends and maintains fair, competitive rates while maximizing revenue.

Take Action to Inform Your Firm

Public Rates is a dynamic, web-based billing rate service that gives you anytime access to accurate, court reported, hourly rate data, with details drilling down to the named timekeeper.

It empowers you to quickly and easily slice and analyze rates across user-selected combinations of various attributes, sort targeted record results, view quartile and median rates for searched data, and more.

Then Take Your Rate Analysis One Step Further

As efficient as it is intuitive, **Public Rates** offers deeper billing evaluation with query comparison that allows for firm-to-firm, case-to-case, or even person-to-person rate examination.

What's more, you can quickly and easily find critical insights with features such as click sorting, query naming, and auto-saved search history.

Use Public Rates to:

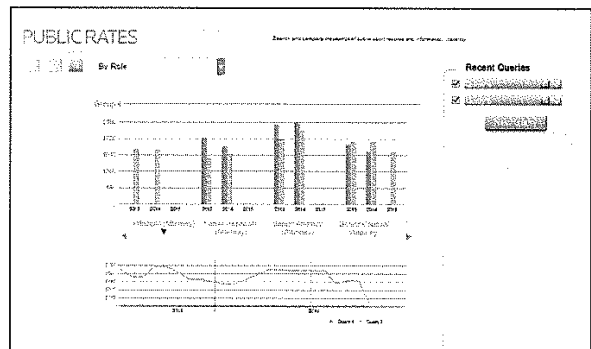
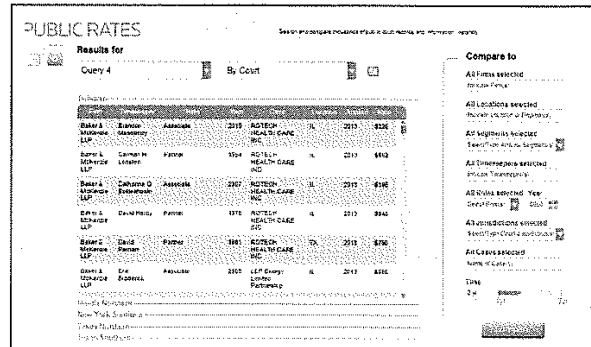
- Determine optimal rates and profit opportunities
- Justify rates submitted to courts on fee applications
- Track lawyer performance
- Get pricing transparency in the marketplace

Learn more at legalsolutions.com/peer-monitor

CONTACT US TODAY:

Ruth Bowen

ruth.bowen@thomsonreuters.com | 651.687.6891



Get Critical, Actionable Data

Search reported hourly rates by:

- Timekeeper
- Year of admission
- Firm
- Segment
- Location
- Jurisdiction
- Role
- Year of filing
- Case
- Historical records as far back as 7 years



California Rates (January–May 2018)
--

Title	Professional	Firm	Graduated	Admitted	State	Rate	Hours	Total
Partner	David M. Nemecek	Kirkland & Ellis LLP	2003	2003	CA	\$1,395	2.4	\$3,348.00
Partner	Leslie A. Plaskon	Paul Hastings LLP	1988	1988	CA	\$1,275	260	\$331,500.00
Partner	Thomas B. Walper	Munger Tolles & Olson LLC	1980	1980	CA	\$1,225	166.7	\$204,207.50
Partner	Jeffrey B Greenberg	Latham & Watkins LLP	1996	1996	CA	\$1,175	3.3	\$3,877.50
Partner	Mark E. McKane	Kirkland & Ellis LLP	1997	1997	CA	\$1,175	79.1	\$92,942.50
Partner	Paul D Tanaka	Kirkland & Ellis LLP	2003	2003	CA	\$1,145	1.1	\$1,259.50
Partner	Annie Kim	Proskauer Rose LLP	2004	2004	CA	\$1,125	22.1	\$24,862.50
Partner	Jonathan Benloulou	Proskauer Rose LLP	2006	2006	CA	\$1,125	2.9	\$3,262.50
Partner	Robert J Frances	Latham & Watkins LLP	2001	2001	CA	\$1,125	1.7	\$1,912.50
Partner	Dean A. Ziehl	Pachulski Stang Ziehl Young Jones &	1978	1978	CA	\$1,050	73.3	\$76,965.00
Partner	James I. Stang	Pachulski Stang Ziehl Young Jones &	1980	1980	CA	\$1,050	111.4	\$116,970.00
Partner	Alan J. Kornfeld	Pachulski Stang Ziehl Young Jones &	1987	1987	CA	\$1,025	78.9	\$80,872.50
Partner	Stephen D. Rose	Munger Tolles & Olson LLC	1991	1991	CA	\$1,025	63.9	\$65,497.50
Partner	Unger Sean	Paul Hastings LLP	2004	2004	CA	\$1,025	103.2	\$105,780.00
Partner	Stefanie I Gitler	Kirkland & Ellis LLP	2009	2009	CA	\$995	225.1	\$223,974.50
Partner	Tate Eric A.	Morrison & Foerster LLP	1995	1995	CA	\$990	0.3	\$297.00
Partner	Michael Esser	Kirkland & Ellis LLP	2009	2009	CA	\$965	542.6	\$523,609.00
Associate	Campbell Gavin	Kirkland & Ellis LLP	2012	2012	CA	\$950	227.7	\$216,315.00
Partner	David M. Bertenthal	Pachulski Stang Ziehl Young Jones &	1993	1989	CA	\$950	107.7	\$102,315.00
Associate	Olsen Katrina	Kirkland & Ellis LLP	2014	2014	CA	\$950	4.6	\$4,370.00
Partner	Janie F. Schulman	Morrison & Foerster LLP	1987	1987	CA	\$925	0.2	\$185.00
Associate	Jacob Johnston	Kirkland & Ellis LLP	2013	2013	CA	\$905	5	\$4,525.00
Partner	Kenneth H. Brown	Pachulski Stang Ziehl Young Jones &	1981	1977	CA	\$895	5.9	\$5,280.50
Partner	Kevin S. Allred	Munger Tolles & Olson LLC	1986	1986	CA	\$875	209.7	\$183,487.50
Partner	Knudsen Erik G.	Morrison & Foerster LLP	2007	2007	CA	\$875	269.4	\$235,725.00
Counsel	Adam Lin	Orrick, Herrington & Sutcliffe LLP	2004	2004	CA	\$850	3	\$2,550.00
Associate	Austin Klar	Kirkland & Ellis LLP	2013	2013	CA	\$845	173	\$146,185.00
Associate	Michael Saretsky	Kirkland & Ellis LLP	2015	2015	CA	\$835	237.2	\$198,062.00
Of Counsel	Harry D. Hochman	Pachulski Stang Ziehl Young Jones &	1987	1987	CA	\$825	69.1	\$57,007.50
Of Counsel	Lloyd W. Aubry	Morrison & Foerster LLP	1975	1975	CA	\$825	1.6	\$1,320.00
Partner	Seth Goldman	Munger Tolles & Olson LLC	2002	2002	CA	\$825	260.5	\$214,912.50
Of Counsel	Victoria A. Newmark	Pachulski Stang Ziehl Young Jones &	1996	1996	CA	\$825	1.6	\$1,320.00
Of Counsel	Yana S. Johnson	Morrison & Foerster LLP	1999	1999	CA	\$825	3.2	\$2,640.00
Associate	Austin Klar	Kirkland & Ellis LLP	2013	2013	CA	\$810	23.3	\$18,873.00
Associate	Cynthia Castillo	Kirkland & Ellis LLP	2015	2015	CA	\$810	178.8	\$144,828.00
Associate	Kevin Chang	Kirkland & Ellis LLP	2014	2014	CA	\$810	8.4	\$6,804.00
Of Counsel	Nardali Ali U.	Morrison & Foerster LLP	2008	2008	CA	\$795	4.4	\$3,498.00
Associate	Ramin Montazeri	Latham & Watkins LLP	2016	2016	CA	\$795	10.9	\$8,665.50
Associate	Lee Muhyung	Proskauer Rose LLP	2015	2015	CA	\$780	37.5	\$29,250.00
Of Counsel	Jeffrey L. Kandel	Pachulski Stang Ziehl Young Jones &	1984	1984	CA	\$750	10.7	\$8,025.00
Of Counsel	Bradley R. Schneider	Munger Tolles & Olson LLC	2004	2004	CA	\$735	88.9	\$65,341.50
Associate	Curtis Kelly M	Proskauer Rose LLP	2016	2016	CA	\$730	39.6	\$28,908.00
Associate	Cynthia Castillo	Kirkland & Ellis LLP	2015	2015	CA	\$725	30.3	\$21,967.50
Associate	Joanna A Gorska	Latham & Watkins LLP	2014	2014	CA	\$725	2.4	\$1,740.00
Counsel	Elissa A. Wagner	Pachulski Stang Ziehl Young Jones &	2001	2001	CA	\$695	5	\$3,475.00
Associate	Benjamin Butterfield	Morrison & Foerster LLP	2014	2014	CA	\$660	883.2	\$582,912.00
Partner	David M. Eaton	Kilpatrick Townsend & Stockton LLP	1996	1996	CA	\$660	5.3	\$3,498.00
Associate	Ankur Sharma	Kirkland & Ellis LLP	2016	2016	CA	\$645	16.4	\$10,578.00
Associate	Maxwell Coll	Kirkland & Ellis LLP	2016	2016	CA	\$630	15	\$9,450.00
Associate	Brashears Travis C	Proskauer Rose LLP	2016	2016	CA	\$595	8.3	\$4,938.50
Associate	Sadeghi Sam	Paul Hastings LLP	2016	2016	CA	\$585	22.9	\$13,396.50
Associate	Jenny Pierce	Kirkland & Ellis LLP	2016	2016	CA	\$555	1.2	\$666.00
Associate	Meg A Webb	Kirkland & Ellis LLP	2017	2017	CA	\$555	1.4	\$777.00

Associate	Peter E. Boos	Munger Tolles & Olson LLC	2014	2014	CA	\$550	88.05	\$48,427.50
Associate	Floyd Amani Solange	Morrison & Foerster LLP	2014	2014	CA	\$540	3.9	\$2,106.00
Associate	Glock Jana	Morrison & Foerster LLP	2015	2015	CA	\$540	22.2	\$11,988.00
Associate	Kerry C. Jones	Morrison & Foerster LLP	2014	2014	CA	\$540	11.5	\$6,210.00
Associate	Roumiantseva Dina	Morrison & Foerster LLP	2014	2014	CA	\$540	5	\$2,700.00
Associate	Scheinok Brittany	Morrison & Foerster LLP	2015	2015	CA	\$485	27.2	\$13,192.00
Associate	Coleman Matthew	Ropes & Gray LLP	2014	2014	CA	\$450	2.5	\$1,125.00
Associate	Tobyn Yael Aaron	Morrison & Foerster LLP	2016	2016	CA	\$435	26.4	\$11,484.00

Title	Professional	Firm	Graduated	Admitted	State	Rate	Hours	Total
Partner	Kenneth Klee	Klee, Tuchin, Bogdanoff & Stern, LLP	1975	1974	CA	\$1,475	46.4	\$68,440.00
Partner	Eric Reimer	Milbank Tweed Hadley & McCloy LLP	1987	1987	CA	\$1,465	7.9	\$11,573.50
Partner	Gregory A. Bray	Milbank Tweed Hadley & McCloy LLP	1984	1984	CA	\$1,465	234.1	\$342,956.50
Partner	Madden P.C. Rick C	Kirkland & Ellis LLP	1995	1995	CA	\$1,445	31.2	\$45,084.00
Partner	David M. Nemecek	Kirkland & Ellis LLP	2003	2003	CA	\$1,395	2.4	\$3,348.00
Partner	Browning P.C. Marc D	Kirkland & Ellis LLP	1998	1998	CA	\$1,375	4.2	\$5,775.00
Partner	Isaac M Pachulski	Pachulski Stang Ziehl Young Jones &	2014	2014	CA	\$1,295	0.7	\$906.50
Partner	Walker Elizabeth W	Sidley Austin LLP	1984	1984	CA	\$1,250	3.7	\$4,625.00
Partner	David Stern	Klee, Tuchin, Bogdanoff & Stern, LLP	1975	1975	CA	\$1,245	67.4	\$83,913.00
Partner	Michael Tuchin	Klee, Tuchin, Bogdanoff & Stern, LLP	1990	1990	CA	\$1,245	191.1	\$237,919.50
Partner	Richard M. Pachulski	Pachulski Stang Ziehl Young Jones &	1979	1979	CA	\$1,245	274.7	\$342,001.50
Partner	Dennis Arnold	Gibson Dunn & Crutcher, LLP	1976	1975	CA	\$1,210	65.2	\$78,892.00
Partner	Cromwell Montgomery	Gibson Dunn & Crutcher, LLP	1997	1997	CA	\$1,205	0.9	\$1,084.50
Partner	Oscar Garza	Gibson Dunn & Crutcher, LLP	1990	1990	CA	\$1,205	116.1	\$139,900.50
Partner	Austin V Schwing	Gibson Dunn & Crutcher, LLP	2000	2000	CA	\$1,155	0.7	\$808.50
Partner	Douglas Michael Fuchs	Gibson Dunn & Crutcher, LLP	2007	2007	CA	\$1,155	53.5	\$61,792.50
Partner	Annie Kim	Proskauer Rose LLP	2004	2004	CA	\$1,125	11.6	\$13,050.00
Partner	Jonathan Benloulou	Proskauer Rose LLP	2006	2006	CA	\$1,125	2.9	\$3,262.50
Partner	James I. Stang	Pachulski Stang Ziehl Young Jones &	1980	1980	CA	\$1,095	63.4	\$69,423.00
Partner	Farshad E. More	Gibson Dunn & Crutcher, LLP	2003	2003	CA	\$1,080	0.8	\$864.00
Partner	Jesse I. Shapiro	Gibson Dunn & Crutcher, LLP	2000	2000	CA	\$1,080	10.9	\$11,772.00
Partner	David Fidler	Klee, Tuchin, Bogdanoff & Stern, LLP	1998	1997	CA	\$1,075	237.9	\$255,742.50
Special	Brian Stern	Milbank Tweed Hadley & McCloy LLP	2003	2003	CA	\$1,065	7.5	\$7,987.50
Special	Haig Maghakian	Milbank Tweed Hadley & McCloy LLP	2002	2002	CA	\$1,065	264.8	\$282,012.00
Partner	Jesse A. Cripps Jr.	Gibson Dunn & Crutcher, LLP	2011	2011	CA	\$1,045	16.2	\$16,929.00
Partner	Mehta Anjna	Kirkland & Ellis LLP	2000	2000	CA	\$1,045	10.9	\$11,390.50
Of Counsel	Richard J. Gruber	Pachulski Stang Ziehl Young Jones &	1982	1982	CA	\$1,025	9.1	\$9,327.50
Partner	Samuel Newman	Gibson Dunn & Crutcher, LLP	2001	2001	CA	\$1,010	326.5	\$329,765.00
Partner	Debra I. Grassgreen	Pachulski Stang Ziehl Young Jones &	1992	1992	CA	\$995	15.7	\$15,621.50
Associate	Jessica Dombroff	Milbank Tweed Hadley & McCloy LLP	2009	2009	CA	\$995	13.3	\$13,233.50
Partner	Katherine V.A Smith	Gibson Dunn & Crutcher, LLP	2015	2015	CA	\$995	0.6	\$597.00
Partner	Matthew B Dubeck	Gibson Dunn & Crutcher, LLP	2017	2017	CA	\$995	44.1	\$43,879.50
Partner	Robert J. Pfister	Klee, Tuchin, Bogdanoff & Stern, LLP	2001	2001	CA	\$995	123.3	\$122,683.50
Partner	David M. Bertenthal	Pachulski Stang Ziehl Young Jones &	1993	1989	CA	\$975	6.5	\$6,337.50
Partner	Jeffrey N. Pomerantz	Pachulski Stang Ziehl Young Jones &	1989	1989	CA	\$975	66.5	\$64,837.50
Associate	Campbell Gavin	Kirkland & Ellis LLP	2012	2012	CA	\$950	336.5	\$319,675.00
Partner	Henry C. Kevane	Pachulski Stang Ziehl Young Jones &	1986	1986	CA	\$950	4.8	\$4,560.00
Associate	Olsen Katrina	Kirkland & Ellis LLP	2014	2014	CA	\$950	4.6	\$4,370.00
Partner	Stanley E. Goldich	Pachulski Stang Ziehl Young Jones &	1980	1980	CA	\$925	7	\$6,475.00
Associate	Najeh Baharun	Milbank Tweed Hadley & McCloy LLP	2013	2013	CA	\$910	28.3	\$25,753.00
Partner	David M. Guess	Klee, Tuchin, Bogdanoff & Stern, LLP	2005	2005	CA	\$895	84.5	\$75,627.50
Partner	Maria Sountas	Klee, Tuchin, Bogdanoff & Stern, LLP	2006	2006	CA	\$895	23.2	\$20,764.00
Partner	Whitman L. Holt	Klee, Tuchin, Bogdanoff & Stern, LLP	2005	2005	CA	\$895	54.7	\$48,956.50
Associate	Allison Balick	Gibson Dunn & Crutcher, LLP	2009	2009	CA	\$875	5.4	\$4,725.00
Associate	Caldon Brendan W	Kirkland & Ellis LLP	2007	2007	CA	\$875	1.5	\$1,312.50
Associate	Daniel B. Denny	Gibson Dunn & Crutcher, LLP	2005	2005	CA	\$875	436.1	\$381,587.50
Associate	Douglas G. Levin	Gibson Dunn & Crutcher, LLP	2009	2009	CA	\$875	205.2	\$179,550.00
Associate	Genevieve G. Weiner	Gibson Dunn & Crutcher, LLP	2007	2007	CA	\$875	93.7	\$81,987.50
Partner	Maxim B. Litvak	Pachulski Stang Ziehl Young Jones &	1997	1997	CA	\$875	89.6	\$78,400.00
Associate	Melissa Leigh Barshop	Gibson Dunn & Crutcher, LLP	2006	2006	CA	\$875	5	\$4,375.00
Associate	Jonathan Schaeffler	Gibson Dunn & Crutcher, LLP	2016	2016	CA	\$860	1.9	\$1,634.00
Partner	Joshua M. Fried	Pachulski Stang Ziehl Young Jones &	1995	1995	CA	\$850	74.1	\$62,985.00
Of Counsel	Gurule Julian I	Klee, Tuchin, Bogdanoff & Stern, LLP	2007	2007	CA	\$825	39.3	\$32,422.50

Associate	Ian T. Long	Gibson Dunn & Crutcher, LLP	2015	2015 CA	\$820	140	\$114,800.00
Associate	Goldberg Zachary	Milbank Tweed Hadley & McCloy LLP	2016	2016 CA	\$790	162.4	\$128,296.00
Associate	Lee Muhyung	Proskauer Rose LLP	2015	2015 CA	\$780	28.2	\$21,996.00
Partner	Jamie L. Edmonson	Venable LLP	1996	1996 CA	\$765	180.3	\$137,929.50
Associate	Tiffany X. Phan	Gibson Dunn & Crutcher, LLP	2013	2013 CA	\$760	8.7	\$6,612.00
Of Counsel	Erin Gray	Pachulski Stang Ziehl Young Jones &	1992	1991 CA	\$750	9.9	\$7,425.00
Partner	Justin D. Yi	Klee, Tuchin, Bogdanoff & Stern, LLP	2009	2009 CA	\$750	3.9	\$2,925.00
Associate	Chapple Catherine L.	Morrison & Foerster LLP	2012	2012 CA	\$725	4	\$2,900.00
Associate	Jonathan M. Weiss	Klee, Tuchin, Bogdanoff & Stern, LLP	2012	2012 CA	\$725	195.4	\$141,665.00
Of Counsel	William Ramseyer	Pachulski Stang Ziehl Young Jones &	1980	1980 CA	\$725	18.8	\$13,630.00
Associate	Sarah A. Carnes	Cooley LLP	2014	2014 CA	\$710	146.1	\$103,731.00
Associate	Latta R T	Jones Day	2011	2011 CA	\$700	194.5	\$136,150.00
Associate	Samuel M. Kidder	Klee, Tuchin, Bogdanoff & Stern, LLP	2012	2012 CA	\$675	88.6	\$59,805.00
Associate	Thomas H Alexander	Gibson Dunn & Crutcher, LLP	2015	2015 CA	\$660	23.7	\$15,642.00
Associate	Sasha M. Gurvitz	Klee, Tuchin, Bogdanoff & Stern, LLP	2014	2014 CA	\$625	114.9	\$71,812.50
Associate	Robert J. Smith	Klee, Tuchin, Bogdanoff & Stern, LLP	2016	2016 CA	\$600	35.8	\$21,480.00
Associate	Brashears Travis C	Proskauer Rose LLP	2016	2016 CA	\$595	8.3	\$4,938.50
Associate	Matthew S Coe-Odess	Gibson Dunn & Crutcher, LLP	2016	2016 CA	\$595	16.9	\$10,055.50
Associate	Katherine A Lau	Gibson Dunn & Crutcher, LLP	2017	2017 CA	\$525	97.7	\$51,292.50
Associate	Tran J L	Jones Day	2015	2015 CA	\$525	60.2	\$31,605.00
Associate	Nicholas A. Koffroth	Venable LLP	2012	2012 CA	\$515	94.9	\$48,873.50
Associate	Liu R Q	Jones Day	2015	2015 CA	\$475	34.2	\$16,245.00
Associate	Stuart B W	Jones Day	2013	2013 CA	\$475	208.6	\$99,085.00
Associate	Doyle A M	Jones Day	2017	2017 CA	\$450	6.5	\$2,925.00
Associate	Udenka Honieh	Brown Rudnick LLP	2017	2017 CA	\$375	1	\$375.00