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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA -- WESTERN DIVISION**

GERARDO ORTEGA and MICHAEL  
D. PATTON, individually and on  
behalf of themselves, all others  
similarly situated, and the general  
public,

Plaintiffs,

vs.

J. B. HUNT TRANSPORT, INC., an  
Arkansas corporation; and DOES 1 to  
10, inclusive,

Defendants.

CASE NO. 2:07-CV-08336-RGK-SH

**CLASS ACTION (FRCP 23)**

**DECLARATION OF MARCUS J.  
BRADLEY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES, COSTS AND  
INCENTIVE AWARDS**

## DECLARATION OF MARCUS J. BRADLEY

I, Marcus J. Bradley hereby declares as follows:

1. I am an attorney at law duly licensed to practice law before all of the courts of the State of California, and most of the district courts within the Ninth Circuit. I am a partner in the law firm of Bradley/Grombacher LLP and formerly a partner at Marlin & Saltzman, LLP and Schwartz, Daniels & Bradley. In my capacity as counsel I have been actively involved with all aspects of this litigation. Accordingly, I have personal knowledge of all the matters set forth herein, and if called, I could and would competently testify to the following:

2. I, along with Stanley Saltzman and Paul Cullen, have worked closely on behalf of the class.

3. The litigation history is described more fully in the Declarations of Stanley Saltzman and Paul Cullen and will not be restated here.

### Attorneys' Fee Award

4. Based upon the terms of the Settlement, Plaintiffs' Counsel may collectively apply to the Court for an award of attorneys' fees up to \$5,000,000.

5. I have practiced law since 1994. In 2000, I joined Mazursky, Schwartz & Angelo as an associate and became a partner in January 2005 at which time the firm was renamed Schwartz, Daniels & Bradley. I remained as a partner until the dissolution of the firm effective December 31, 2008. In January 2009, I became a partner with the law firm of Marlin & Saltzman. On September 1, 2016, I formed Bradley/Grombacher LLP. I personally, have been appointed as lead counsel or co-lead counsel on numerous occasions, and we litigate vigorously on behalf of the classes that we represent. A further view of our firm can be had at our firm website, at [www.bradleygrombacher.com](http://www.bradleygrombacher.com).

1           6.     I have been responsible for all facets of class action employment and  
2 other complex litigation, from pre-filing investigation through trial and appeal. Since  
3 approximately May 2000, I have spent most of my time representing workers in  
4 wage and hour matters. I have litigated these issues in class actions to favorable  
5 statewide settlements that have recouped over \$750,000,000.00 in unpaid wages,  
6 including the following:

7           a.     *Gutierrez v. State Farm Mutual*, Los Angeles Superior Court  
8 (BC236552). Class action mis-classification case seeking overtime compensation  
9 for approximately 2,600 insurance claims adjusters employed by State Farm. The  
10 Class was certified and summary adjudication was granted as to liability in favor of  
11 the Class. The case settled for \$135 million just prior to trial, with Final Approval  
12 granted and no objections filed. A fee of 33.3% of the fund was awarded by the  
13 Honorable Anthony Mohr.

14           b.     *Bednar v. Allstate Insurance Company*, Los Angeles Superior Court  
15 (BC240813). Class action mis-classification case seeking overtime compensation  
16 for approximately 1,200 insurance claims adjusters employed by Allstate. The Class  
17 was certified and summary adjudication was granted as to liability in favor of the  
18 Class. The case settled for \$120 million just prior to trial, with Final Approval  
19 granted and no objections filed. A fee of 33.3% of the fund was awarded.

20           c.     *Roberts v. Coast National Insurance*, Orange County Superior Court  
21 (01CC08478). Class action mis-classification case seeking overtime compensation  
22 for insurance claims adjusters employed by Coast National Insurance. Certification  
23 granted, and then the matter was tried to a binding arbitrator. Case settled during  
24 the arbitration for in excess of \$18 million. A fee of 33.3% of the fund was awarded  
25 by the Hon. Steven Sunvold (Ret.).

26           d.     *CNA Class Action Litigation*, Los Angeles Superior Court Class (JCCP  
27 4230). Class action mis-classification case seeking overtime compensation for  
28

1 insurance claims adjusters employed by Defendant. Case settled for \$33 million,  
2 with Final Approval granted and no objections filed. A fee of 33.3% of the fund was  
3 awarded by the Hon. Victoria Cheney.

4 e. *Dotson v. Royal SunAlliance*, Orange County Superior Court  
5 (02CC01787). Class action mis-classification case seeking overtime compensation  
6 for insurance claims adjusters employed by Royal SunAlliance. Case settled for  
7 \$12.3 million, with Final Approval granted and no objections filed. A fee of 33.3%  
8 of the fund was awarded.

9 f. *Parris v. Lowe's Home Improvement*, venued in the Los Angeles  
10 Superior Court. Class action seeking payment of "off the clock" hours worked by  
11 all hourly employees of Lowe's in the State of California. Class was certified by  
12 the Court of Appeal and remanded for further proceedings. A \$29.5 million  
13 settlement was approved without objection, with a fee of 33.3% of the fund awarded  
14 by the Honor Aurelio N. Munoz (Ret.).

15 g. *Pardo v. Toyota Motor Sales, et al.* Los Angeles Superior Court  
16 (BC372781). Class action mis-classification of workers with claims for overtime  
17 and missed meal and rest breaks. The case only covered a period of 1.5 years, as the  
18 defendants had re-classified back in 2005. The case settled for \$7.75 million with a  
19 fee of 28% awarded.

20 h. *Smith/Ballard v. Wal-Mart Stores, Inc.* United States District Court for  
21 the Northern District of California. Wage and hour class action seeking unpaid  
22 vacation and personal time, unpaid wages, and related penalties on behalf of over  
23 245,000 employees. The action was certified and settled for \$86 million, while  
24 Defendants' appeal of the certification was pending in the Ninth Circuit Court of  
25 Appeals.

26 i. *Hoyng v. AON*, venued in the Los Angeles Superior Court (BC377184).  
27 Wage and hour litigation seeking overtime and related compensation for mis-  
28

1 classification on behalf of Relationship and Account Specialists. The case settled  
2 for \$10.5 million with a 33.3% fee awarded by the Hon. Carolyn Kuhl.

3 j. *In RE Bank of America Wage and Hour Employment Practices*  
4 *Litigation*, MDL 2138, United States District Court for the District of Kansas.  
5 California state and FLSA wage and hour litigation for various violations including  
6 unpaid overtime and “off-the-clock” work. Settled for \$73 million with a 28% fee  
7 awarded.

8 k. *H & R Block Litigation*, United States District Court for the Northern  
9 District of California. Class certified, and settlement reached prior to trial Total  
10 settlement of \$35 million.

11 7. All of the counsel played important roles in the handling of the  
12 litigation. All counsel cooperated fully whenever called upon, whether it related to  
13 discovery needs, distinct research projects that could be handled by them, or working  
14 with the particular representative plaintiff or class members.

15 8. I believe that at all times, we made good-faith efforts to reduce  
16 duplication of efforts between Plaintiffs’ attorneys. To this end, we also deleted a  
17 number of hours actually worked from our lodestar calculations, which hours we  
18 considered not to be necessary to the effective litigation of this case.

19 9. Based on a review of the time previously incurred in the case, and by  
20 the time this case is fully administered, I will have spent more than 246.80<sup>1</sup> hours  
21 on this matter. It should be noted that the 246.80 hours reflects time I incurred since  
22 I left Marlin & Saltzman in 2016. Any time I incurred on this matter prior to leaving  
23 Marlin & Saltzman is captured in the time submitted by Marlin & Saltzman.

24 10. Based on my 24 years of experience my billing rate is \$750. Using a  
25 rate of \$750, the lodestar amount I have devoted to this case is \$185,100.  
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<sup>1</sup> Detailed billing is attached as Exhibit A to this declaration.

1 11. In my 24 years practicing as an attorney in this state, I have handled  
2 hundreds if not thousands of cases, many of them on a contingency basis. The  
3 contingency fees we have charged to our clients have generally fallen within the  
4 range of 33.3% to 40% of the recovery achieved. Additionally, I am aware by virtue  
5 of these 24 years in the field, that such contingency fees are normal and customary  
6 in the field, and have been for the entire length of my career. Of course, since we  
7 are a contingent firm, in the cases where we do not achieve a recovery, which has  
8 unfortunately occurred including on cases we have taken all the way through trial  
9 and appeal, we then recover nothing, and are normally out of pocket on all of the  
10 expenses and costs advanced.  
11

12 I declare under penalty of perjury under the laws of the State of California that  
13 the foregoing is true and correct to the best of my personal knowledge. This  
14 declaration is executed this 28<sup>th</sup> day of December, 2018, at Westlake Village,  
15 California.  
16

17  
18 /S/ MARCUS J. BRADLEY  
19 Marcus J. Bradley  
20

# **EXHIBIT A**

**To the Declaration of Marcus J. Bradley In Support of Plaintiffs'  
Motion for Attorneys' Fees, Costs, and Incentive Awards**

**Report for J. B. Hunt Class Action File No: 22-0248**

**From 1/1/2017 to 12/28/2018**

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
01/04/2017	Marcus J. Bradley	Review Notice of Related Action; Review dockets of two related actions; Review documents including pleadings in related actions;	Document Review		1	\$750.00	\$750.00
01/24/2017	Marcus J. Bradley	Review Notice of Oral Argument in Ninth Circuit; discussion with co-counsel re same;	Document Review		0.3	\$750.00	\$225.00
07/31/2017	Marcus J. Bradley	Review Ninth Circuit's Memorandum decision; Multiple email exchange with co-counsel re same;	Document Review		0.8	\$750.00	\$600.00
08/09/2017	Marcus J. Bradley	Review Order from Ninth Circuit; email exchange with co-counsel re same;	Document Review		0.4	\$750.00	\$300.00
11/08/2017	Marcus J. Bradley	Review Order from Ninth Circuit; Discussion with co-counsel re same;	Document Review		0.5	\$750.00	\$375.00
11/15/2017	Marcus J. Bradley	Review Mandate from the Ninth Circuit; discuss with co-counsel	Document Review		0.2	\$750.00	\$150.00
11/16/2017	Marcus J. Bradley	Review Notice of Reassignment of Case; Exchange multiple emails and conference calls with co-counsel re reassignment;	Document Review		1.3	\$750.00	\$975.00
11/29/2017	Marcus J. Bradley	Multiple email exchange with co-counsel and mediator re; case	Communication		0.6	\$750.00	\$450.00
11/30/2017	Marcus J. Bradley	Lengthy email exchange with co-counsel and telephonic conference re further steps in litigation;	Communication		1	\$750.00	\$750.00
12/12/2017	Marcus J. Bradley	Email exchange re co-counsel conversation with mediator;	Document Review		0.3	\$750.00	\$225.00
01/18/2018	Marcus J. Bradley	Review Order setting trial; Discussion with co-counsel re same; Email exchange with defense counsel re same; Email exchange with mediator; email exchange with appellate counsel;	Document Review		1.8	\$750.00	\$1,350.00
01/23/2018	Marcus J. Bradley	Email exchange with co-counsel and defense counsel re stay pending Supreme Court petition;	Document Review		0.4	\$750.00	\$300.00
01/26/2018	Marcus J. Bradley	Review Order denying Defendant's petition for Cert; Review multiple and lengthy email re Cert denial and ex parte to file MSJ;	Document Review		2	\$750.00	\$1,500.00
01/29/2018	Marcus J. Bradley	Lengthy email exchange with co-counsel and appellate attorney re SC petition;	Document Review		0.5	\$750.00	\$375.00
02/01/2018	Marcus J. Bradley	Review Order re ADR; discussion with co-counsel re same;	Document Review		0.1	\$750.00	\$75.00



<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
02/05/2018	Marcus J. Bradley	Review Defendant's Petition for Review to the SC;	Document Review		1.6	\$750.00	\$1,200.00
02/09/2018	Marcus J. Bradley	Review email exchange with appellate attorney;	Document Review		0.3	\$750.00	\$225.00
02/12/2018	Marcus J. Bradley	Email exchange re conference call wit appellate attorney	Document Review		0.2	\$750.00	\$150.00
02/13/2018	Marcus J. Bradley	Lengthy call with appellate attorney;	Document Review		0.5	\$750.00	\$375.00
02/21/2018	Marcus J. Bradley	Review Joint Stipulation to Stay Case;	Document Review		0.2	\$750.00	\$150.00
02/22/2018	Marcus J. Bradley	Review Notice of Errata filed by Defendant;	Document Review		0.1	\$750.00	\$75.00
03/01/2018	Marcus J. Bradley	Review Order granting stipulation to stay; Multiple and lengthy email exchange between co-counsel and defense counsel re futher litigation;	Document Review		1.2	\$750.00	\$900.00
03/02/2018	Marcus J. Bradley	Review lengthy emial from co-counsel to appellate attorney re petition;	Document Review		0.3	\$750.00	\$225.00
03/13/2018	Marcus J. Bradley	Review email exchange with defense counsel re status;	Document Review		0.2	\$750.00	\$150.00
03/20/2018	Marcus J. Bradley	Review draft Notice to class; Review email exchange re Notice	Document Review		1.2	\$750.00	\$900.00
03/27/2018	Marcus J. Bradley	Review email exchange re extension on petition;	Document Review		0.2	\$750.00	\$150.00
03/28/2018	Marcus J. Bradley	Review memo re impact of LC 226.2; review multiple emails re same;	Document Review		0.7	\$750.00	\$525.00
03/28/2018	Marcus J. Bradley	Review multiple and legnthly emails re motiona nd notice to class;	Document Review		0.8	\$750.00	\$600.00
03/29/2018	Marcus J. Bradley	Review and revise Notice of Class certification; Review multiple and lengthy emails re same;	Document Review		1.3	\$750.00	\$975.00
03/30/2018	Marcus J. Bradley	Review email exchange re supplemental discovery;	Document Review		0.4	\$750.00	\$300.00
04/04/2018	Marcus J. Bradley	Review multiple lengthy email exchange with defense counsel re class notice; discussion with co-counsel re same;	Document Review		1.2	\$750.00	\$900.00
04/10/2018	Marcus J. Bradley	review email excahnge re ongoing litigation and MSJ; discussion with co-consel re same	Document Review		0.5	\$750.00	\$375.00
04/16/2018	Marcus J. Bradley	Review draft ex parte application for leave to file MSJ; Exchange emails re same and further discovery;	Document Review		1.8	\$750.00	\$1,350.00
04/17/2018	Marcus J. Bradley	Review and revise draft joint stipulation and proposed order for class notice;	Document Review		1.4	\$750.00	\$1,050.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
04/18/2018	Marcus J. Bradley	Review Reply in support of exparte;	Document Review		0.3	\$750.00	\$225.00
04/20/2018	Marcus J. Bradley	Review Order re exparte; discuss with co-counsel	Document Review		1	\$750.00	\$750.00
04/20/2018	Marcus J. Bradley	Review and revise MSJ; exchange multiple and lengthy emails re same;	Document Review		3.8	\$750.00	\$2,850.00
04/23/2018	Marcus J. Bradley	multiple and lengthy email exchange with co-counsel, defense counsel and TPA re class list; discussion with co-counsel re same;	Document Review		1	\$750.00	\$750.00
04/25/2018	Marcus J. Bradley	ORDER RE JOINT STIPULATION FOR DISSEMINATION OF CLASS NOTICE; review multiple and lengthy email exchange re class nitice with TPA; review Notice;	Document Review		1	\$750.00	\$750.00
04/26/2018	Marcus J. Bradley	review email from TPA with Notice and Excluision Form; discuss with co-counsel;	Document Review		0.6	\$750.00	\$450.00
04/27/2018	Marcus J. Bradley	review multiple and lengthy email exchange with co-counsel and TPA;	Document Review		0.4	\$750.00	\$300.00
04/30/2018	Marcus J. Bradley	REVIEW DRAFT BRIEF OF RESPONDENTS IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI TO USSC;	Document Review		2.4	\$750.00	\$1,800.00
05/01/2018	Marcus J. Bradley	Review mutiple and lengthy email exchange re respondent's opposition;	Document Review		0.5	\$750.00	\$375.00
05/04/2018	Marcus J. Bradley	review CPT report re notice;	Document Review		0.1	\$750.00	\$75.00
05/09/2018	Marcus J. Bradley	review email re discovery issue; review discovery responses;	Document Review		0.5	\$750.00	\$375.00
05/11/2018	Marcus J. Bradley	Review CPT report	Document Review		0.2	\$750.00	\$150.00
05/12/2018	Marcus J. Bradley	Lengthy and multiple email exchange with co-counsel re new defense counsel; discussion re same;	Document Review		0.5	\$750.00	\$375.00
05/16/2018	Marcus J. Bradley	emails re discovery issues;	Document Review		0.5	\$750.00	\$375.00
05/17/2018	Marcus J. Bradley	review emial from CPT re opt out request; discuss with co-counsel;	Document Review		0.3	\$750.00	\$225.00
05/21/2018	Marcus J. Bradley	Multiple and lengthy emails re various topics including discovery and experts;	Document Review		1.2	\$750.00	\$900.00
05/22/2018	Marcus J. Bradley	Review Srogs No.4 to Defendant; Review emails re discovery;	Document Review		0.5	\$750.00	\$375.00
05/23/2018	Marcus J. Bradley	emails and a telephone conference with defense counsel re class member depositions;	Document Review		1.2	\$750.00	\$900.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
05/24/2018	Marcus J. Bradley	Review Request for ADR procedure; Multiple and lengthy email exchange with co-counsel and defense counsel re ADR and litigation;	Document Review		1.4	\$750.00	\$1,050.00
06/07/2018	Marcus J. Bradley	Review REPLY in support of Second EX PARTE APPLICATION for Leave to file a Motion for Summary Judgment; Review Order denying; Multiple emails;	Document Review		1.2	\$750.00	\$900.00
06/09/2018	Marcus J. Bradley	Review and revise contact letter to class members; review Trial Questionnaire to class members; Review list of class members to be deposed; Review Joint Stipulation to Stay case and continue trial; Multiple lengthy email exchange; discussion re same;	Document Review		2.6	\$750.00	\$1,950.00
06/10/2018	Marcus J. Bradley	Review and revise Renewed	Document Review		1.2	\$750.00	\$900.00
06/11/2018	Marcus J. Bradley	Review and revise MSJ and attachments and exhibits;	Document Review		3.1	\$750.00	\$2,325.00
06/12/2018	Marcus J. Bradley	Multiple emails re contact list for class members between co-counsel, defense counsel and CPT;	Document Review		1.6	\$750.00	\$1,200.00
06/13/2018	Marcus J. Bradley	Emails re contact letter and class member questionnaire; review and revise same;	Document Review		1.8	\$750.00	\$1,350.00
06/14/2018	Marcus J. Bradley	Review letter from defense counsel; review the deposition notices for multiple class members; email exchange with defense counsel and co-counsel re same;	Document Review		1.9	\$750.00	\$1,425.00
06/15/2018	Marcus J. Bradley	Multiple and lengthy emails re class members depositions; Telephone conference with co-counsel re depositions;	Document Review		2.2	\$750.00	\$1,650.00
06/16/2018	Marcus J. Bradley	Emails re scheduling depositions;	Document Review		0.6	\$750.00	\$450.00
06/18/2018	Marcus J. Bradley	Review EX PARTE APPLICATION to Take Additional Depositions filed by Defendant; Multiple emails re depositions; phone conference with defense counsel re same;	Document Review		3.1	\$750.00	\$2,325.00
06/19/2018	Marcus J. Bradley	Multiple and lengthy emails re class member depositions; investigation into location of class members; Review and revise opposition to exparte to take more class member depositions; Review defense counsel declaration re same;	Communication		2.8	\$750.00	\$2,100.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
06/19/2018	Marcus J. Bradley	Review Opposition to renewed MSJ and exhibits and attachments;	Document Review		3.1	\$750.00	\$2,325.00
06/20/2018	Marcus J. Bradley	Spoke with 7 class members (redacted) re intake for declarations; draft declarations;	Witness Interviews		7.4	\$750.00	\$5,550.00
06/20/2018	Marcus J. Bradley	MEMORANDUM in Opposition to EX PARTE APPLICATION to Take Additional Depositions; review multiple emails re data dictionary, depositions, etc;	Document Review		1.9	\$750.00	\$1,425.00
06/21/2018	Marcus J. Bradley	Review depo summary of class member; review exhibits thereto; Multiple and lengthy emial exchange on various topics including depositions of class members; Review evidence in opposition to MSJ;			3.5	\$750.00	\$2,625.00
06/21/2018	Marcus J. Bradley	Multiple and lengthy emails on various topics between defense counsel, co-counsel; Review revised deposition notices;	Document Review		2.9	\$750.00	\$2,175.00
06/22/2018	Marcus J. Bradley	Travel to and from Modesto for deposition of Ngoun deposition attend depostion;	Depositions		14	\$750.00	\$10,500.00
06/23/2018	Marcus J. Bradley	Email exchange re deposition of class members;	Communication		0.3	\$750.00	\$225.00
06/24/2018	Marcus J. Bradley	Email exchange and long telephnone conference with co-counsel and defense couinsel re depositions;	Miscellaneous Case Activity		1.9	\$750.00	\$1,425.00
06/25/2018	Marcus J. Bradley	Review and revise Reply to opposition to MSJ; Review Order denying additional depositions; Reveiw and revise stipualtion re pretrial dates; Review discovery propounded on plaintiffs; multiple and lengthy emails re all; Telephonic conferences re same;	Document Review		4.2	\$750.00	\$3,150.00
06/25/2018	Marcus J. Bradley	travel to/from, attendance at class member predepositions and depositions;	Depositions		8.3	\$750.00	\$6,225.00
06/26/2018	Marcus J. Bradley	Travel to/from Irvine for depositions of two class members; Attendance at depositions; Review multiple and lenhthy emails on various topics; review documents re same;	Depositions		11.7	\$750.00	\$8,775.00
06/27/2018	Marcus J. Bradley	Review 7 interviews of class members; Review summary of evidence re opposition to summary judgment; exchange of emails re same; Multiple and lengthy email re data discovery; review and revise stipulation and order; review amended deposition notices; emails re same; review lengthy emial re discovery meet and confer; email exchange re PMK depositions;	Document Review		6.9	\$750.00	\$5,175.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
06/28/2018	Marcus J. Bradley	Travel to Sacramento for class member deposition; predeposition of class member;	Depositions		8.2	\$750.00	\$6,150.00
06/29/2018	Marcus J. Bradley	Attend deposition of class member; travel from Sacramento to Los Angeles;	Depositions		8.2	\$750.00	\$6,150.00
06/29/2018	Marcus J. Bradley	Multiple and lengthy email exchange re 30b6 depositions; review deposition notices; review denial of stipulation; email exchange re same; review draft declaration of experts; emails re same;	Depositions		2.6	\$750.00	\$1,950.00
06/30/2018	Marcus J. Bradley	Review depositions notices; multiple emails re same; review defendant's supplemental production; review email from defense counsel re depositions; summarize depositions of class members;	Miscellaneous Case Activity		4.2	\$750.00	\$3,150.00
07/01/2018	Marcus J. Bradley	Email exchange re motion for consent to seal; email exchange re notices of depositions; email exchange re rpre-trial schedule;	Miscellaneous Case Activity		0.8	\$750.00	\$600.00
07/03/2018	Marcus J. Bradley	further email exchanges on pre-trial schedule; request to consent; request to recind optout; review application to file under seal and all attachments; Review NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to First Cause of Action and Judgment on the Third, Fourth, Fifth Cause of Action, and to Partially Strike Allegations Under First Cause of Action; Review NOTICE OF MOTION AND MOTION for Order for for Decertification of the Class; telephonic conference re same;	Miscellaneous Case Activity		6.2	\$750.00	\$4,650.00
07/05/2018	Marcus J. Bradley	Review EX PARTE APPLICATION for Relief from Deadlines Related to Certain Expert Witnesses; Review ORDER RE APPLICATION TO FILE UNDER SEAL PURSUANT TO PROTECTIVE ORDER; review SCHEDULING NOTICE TO ALL PARTIES AND ORDER; email exchange re same; Review summary of meet and confer;	Document Review		3.2	\$750.00	\$2,400.00
07/07/2018	Marcus J. Bradley	Review updated drafts of the two expert declarations; multiple and lengthy email exchange re same; telephonic conference re same; Analysis of defendant's expert declaration in support of MSJ; Review introduction to opposition to motion to decertify; Review emails and summary on discovery dispute;	Miscellaneous Case Activity		2.8	\$750.00	\$2,100.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
07/08/2018	Marcus J. Bradley	Review and revise Opposition to Motion to Decertify; Review Opposition to Motion for Summary Judgement; Review multiple emails re same;	Document Review		2.8	\$750.00	\$2,100.00
07/09/2018	Marcus J. Bradley	Review Objection to Ashmore declaration; Review draft declarations of plaintiff's experts; Review further draft of opposition to MSJ; Review draft Trial Plan; Review multiple emails about same; Review defendnat's discovery motion and exhibits; Review rules to file under seal; Review Motion to file under seal; Review application to file under seal; Review objections to evidence;	Miscellaneous Case Activity		3.6	\$750.00	\$2,700.00
07/10/2018	Marcus J. Bradley	Review Supplemental Pay Plan Templates produced by defendant;	Document Review		0.8	\$750.00	\$600.00
07/11/2018	Marcus J. Bradley	Review data dictionary; review replacement data; Email exchange re same;	Document Review		1.2	\$750.00	\$900.00
07/13/2018	Marcus J. Bradley	Review and revise Rule 26 disclosure; Reciew multiple drafts of same; telephone conference re same;	Document Review		1.1	\$750.00	\$825.00
07/14/2018	Marcus J. Bradley	Review Plaintiff's Trial Prep Workbook; Email exchange re same;	Document Review		1	\$750.00	\$750.00
07/16/2018	Marcus J. Bradley	Review draft Joint Stipulation; Review Plaintiffs' portions of the stipulation and corresponding Declarations and Exhibits; Review APPLICATION to file document in support of Defendant's Reply to Motion to Decertify; DECLARATION IN SUPPORT OF APPLICATION to file document in support of Defendant's Reply to Motion to Decertify; REPLY in Support of NOTICE OF MOTION AND MOTION for Partial Summary Judgment; REPLY in Support of Motion to Decertify NOTICE OF MOTION AND MOTION; Multiple emails regarding the same;	Document Review		3.4	\$750.00	\$2,550.00
07/17/2018	Marcus J. Bradley	Review MOTION for Leave to Take Additional Depositions filed by Defendant and exhibits; Reiew Declaration re discovery; Review memo re driver estimates of time spent; ORDER GRANTING PLAINTIFFS EX PARTE APPLICATION FOR RELIEF FROM DEADLINES RELATED TO CERTAIN EXPERT WITNESSES; Review deposition chart with testimony of drivers; Multiple emial exchange re same;	Document Review		3.3	\$750.00	\$2,475.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
07/18/2018	Marcus J. Bradley	Email exchange re class member interviews; Review draft of Plaintiffs' objections to defendant's evidence iso of motion to decertify; Review Trial Questionnaire; email exchange re same; Telephone conference re trial with defense counsel;	Miscellaneous Case Activity		1.1	\$750.00	\$825.00
07/19/2018	Marcus J. Bradley	Multiple and lengthy email exchange re filing ex parte application re supplement expert declarations; Review Defendant's expert disclosure; Review letter from defense counsel;	Document Review		1.7	\$750.00	\$1,275.00
07/22/2018	Marcus J. Bradley	Email multiple exchange re issues with data produced by	Miscellaneous Case Activity		0.6	\$750.00	\$450.00
07/23/2018	Marcus J. Bradley	Further email exchange re data errors; telephone conference re same; review data dictionary; Review defendant's confidentiality designations;	Miscellaneous Case Activity		0.8	\$750.00	\$600.00
07/25/2018	Marcus J. Bradley	Review updated Trial Prep Workbook; Review Order on MSJ; Multiple email re same; Review Joint STIPULATION to Continue Pre-Trial Conference; Review long email re McMahon declaration; Review long email re Klemp declaration; Review REPLY in support of MOTION for Leave to Take Additional Depositions;	Miscellaneous Case Activity		2.6	\$750.00	\$1,950.00
07/25/2018	Marcus J. Bradley	Review REPLY in Opposition to MOTION for Leave to Take Additional Depositions; REVIEW SCHEDULING NOTICE TO ALL PARTIES AND ORDER; REVIEW AND rEVISE pLAINTIFFS' RESPONSES TO sROGS, SET 2 AND rfp SET 4;	Miscellaneous Case Activity		1.7	\$750.00	\$1,275.00
07/26/2018	Marcus J. Bradley	Review draft sdt at trial; Review ORDER On Stipulation to Adjourn Final Pretrial Conference	Document Review		0.5	\$750.00	\$375.00
07/27/2018	Marcus J. Bradley	Spoke with class member (redacted) re intake for declaration; draft declaration;	Witness Interviews		1.4	\$750.00	\$1,050.00
07/27/2018	Marcus J. Bradley	Spoke with class member (redacted) re intake for declaration; draft declaration;	Witness Interviews		0.8	\$750.00	\$600.00
07/27/2018	Marcus J. Bradley	Review memo re trial date deadlines; Review draft deposition notice for Topel; Review memo re calculating statutory deadlines; Review Rule 16.2 meet and confer documents from defendant; Review Second STIPULATION to Continue Pre-Trial Conference; Review long email re data production from defense counsel; Multiple email exchange re same;	Miscellaneous Case Activity		3.1	\$750.00	\$2,325.00

<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
07/28/2018	Marcus J. Bradley	Review emails re data productions; review data production; Review extensive email from co-counsel re tasks/deadlines to be accomplished; Review memo of evidence in support of damages;	Miscellaneous Case Activity		1.7	\$750.00	\$1,275.00
07/30/2018	Marcus J. Bradley	conduct three witness interview of class members; Review draft witness list; Review draft exhibit list; Multiple and lengthy emails re same;	Document Review		2	\$750.00	\$1,500.00
07/31/2018	Marcus J. Bradley	Conduct class member interview; further emails on witness list and exhibit list; review memo re list of motions in limine' emails re revisions to all; Review emails re class member questions;	Miscellaneous Case Activity		1.2	\$750.00	\$900.00
08/01/2018	Marcus J. Bradley	Review lengthy emails re people soft data; review updated exhibit list; Review defendant's damages exhibits; Review draft Stipulated Facts document;	Document Review		1.9	\$750.00	\$1,425.00
08/02/2018	Marcus J. Bradley	Review Defendant's Draft exhibit list; Review email exchange re same; Review multiple and lengthy emails re Information re Alpha Code/Operator Code on Class List; review witness list; review updated LR 16-2 emails;	Miscellaneous Case Activity		1.5	\$750.00	\$1,125.00
08/03/2018	Marcus J. Bradley	Review Defendant's primary trial exhibit list; Review letter from defense counsel and expert report; multiple email re same;	Miscellaneous Case Activity		1	\$750.00	\$750.00
08/05/2018	Marcus J. Bradley	Multiple email re LR 16-2; Review updated trial workbook and exhibits;	Miscellaneous Case Activity		1.2	\$750.00	\$900.00
08/07/2018	Marcus J. Bradley	Further emails re LR16-2;	Document Review		0.5	\$750.00	\$375.00
08/08/2018	Marcus J. Bradley	Review Order Re: Defendant's Motion for Decertification ; Review MINUTES OF RE DEFENDANT'S MOTION FOR LEAVE TO TAKE ADDITIONAL DEPOSITION; Notice of Withdrawal of Motion for Leave re Discovery Matter; Multiple amd lengthy email exchange re same; discussion re same;	Miscellaneous Case Activity		2.4	\$750.00	\$1,800.00
08/09/2018	Marcus J. Bradley	Review draft stipulation re Stay of Trial and Pretrial dates and proposed order;	Document Review		0.5	\$750.00	\$375.00
08/10/2018	Marcus J. Bradley	Review 10 MILs; Review JBH's revisions to the joint stip and proposed order	Document Review		2.1	\$750.00	\$1,575.00
08/10/2018	Marcus J. Bradley	Spoke with 4 class members (redacted) re intake for declaration; draft declaration for one;	Witness Interviews		2.9	\$750.00	\$2,175.00



<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
08/11/2018	Marcus J. Bradley	Review draft Joint Trial Exhibit List;	Document Review		0.4	\$750.00	\$300.00
08/12/2018	Marcus J. Bradley	Review Plaintiff Witness List; Review Defendant's Initial Deposition Designations; Emails re same;	Document Review		1	\$750.00	\$750.00
08/13/2018	Marcus J. Bradley	Review multiple emails re deposition designations;	Document Review		0.5	\$750.00	\$375.00
08/14/2018	Marcus J. Bradley	Review Joint trial exhibit list; Review Updated Witness list; Review emails re affirmative defenses; Review draft memorandum of contentions of law and facts; Multiple emails re same;	Document Review		3.2	\$750.00	\$2,400.00
08/15/2018	Marcus J. Bradley	Review Plaintiff's Expert Disclosure; Review email exchange with defense counsel re same; Review Joint STIPULATION to Stay Case pending The Ninth Circuit's Ruling on Plaintiffs' Petition for Permission to Appeal; Review NOTICE OF MOTION AND MOTION IN LIMINE #8; Multiple email re same;	Document Review		1.8	\$750.00	\$1,350.00
08/16/2018	Marcus J. Bradley	multiple emails re expert disclosures; email re Rule 23f petition;	Document Review		0.8	\$750.00	\$600.00
08/17/2018	Marcus J. Bradley	Review Orders by the court; Multiple and lengthy emails re same	Document Review		1	\$750.00	\$750.00
08/20/2018	Marcus J. Bradley	REVIEW ORDER OF THE COURT RE JOINT STIPULATION TO STAY THE TRIAL AND RELATED DEADLINES PENDING PLAINTIFFS' PETITION FOR PERMISSION TO APPEAL PURSUANT TO FED. R. CIV. P. 23(F); MULTIPLE EMAILS RE SAME;	Document Review		1.1	\$750.00	\$825.00
08/21/2018	Marcus J. Bradley	REVIEW PROPOSED JURY INSTRUCTIONS; Review Proposed Stipulated facts; Review Proposed Verdict Form; Revison to same; emails re same; Review Draft Rule 23 petition; Multiple email re same; Review Deposition Notice for Plaintiff's Expert and	Document Review		3.6	\$750.00	\$2,700.00
08/22/2018	Marcus J. Bradley	Review Proposed Pretrial Order; Multiple and lengthy emails re documents produced by Defendant; Review Multiple Rule 23 drafts;	Miscellaneous Case Activity		1.7	\$750.00	\$1,275.00
08/23/2018	Marcus J. Bradley	Review various email exchanges and documents;	Document Review		1.2	\$750.00	\$900.00

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<i>Date</i>	<i>User</i>	<i>Explanation</i>	<i>Task Code</i>	<i>Activity Code</i>	<i>Time</i>	<i>Rate</i>	<i>Total</i>
08/24/2018	Marcus J. Bradley	Review emails re stipulated facts and pretrial conference; review email exchange re defendant production of documents/data;	Document Review		0.9	\$750.00	\$675.00
08/28/2018	Marcus J. Bradley	Review and revise Motions in limine; Email exchange re same;	Document Review		1.4	\$750.00	\$1,050.00
08/30/2018	Marcus J. Bradley	Review expert witness designation; Review amended witness list; email exchange re MILs; Review Objections to MILs; Lengthy and multiple email exchanges on various topics;	Document Review		2.3	\$750.00	\$1,725.00
08/31/2018	Marcus J. Bradley	Review Oppositions to Plaintiff's MILs1-10; Review Opposition to Defendants' MILs; Review multiple email exchanges re various topics;	Document Review		2.5	\$750.00	\$1,875.00
09/06/2018	Marcus J. Bradley	REview Plaintiff's Repley to Jury Instructions; Emails re same; Review Supplement to MIL;	Document Review		1	\$750.00	\$750.00
09/12/2018	Marcus J. Bradley	Review Notice of settlement; email exchange re same;	Document Review		0.5	\$750.00	\$375.00
10/27/2018	Marcus J. Bradley	Review draft letter to class members; email exchange re same;	Document Review		0.6	\$750.00	\$450.00
11/01/2018	Marcus J. Bradley	multiple email exchange re work week definition; discussion re same;	Document Review		0.4	\$750.00	\$300.00
11/14/2018	Marcus J. Bradley	Email exchange re letter to opt-out class members; reweiv letter to same;	Document Review		0.7	\$750.00	\$525.00
11/29/2018	Marcus J. Bradley	Review Order granting motion for preliminary approval;	Document Review		0.4	\$750.00	\$300.00
12/27/2018	Marcus J. Bradley	Review Updated Trial Notebook; Review Summary Judgment Order; Multiple email exchange re same; Review Joint STIPULATION to Continue Pre-Trial Conference; Review REPLY in support of MOTION for Leave to Take Additional Depositions	Miscellaneous Case Activity		1	\$750.00	\$750.00
12/28/2018	Marcus J. Bradley	Draft Declaration for Motion for Attorney's Fees;	Miscellaneous Case Activity		1.3	\$750.00	\$975.00

<b>Total Hours:</b>	<b>246.8</b>
<b>Total Bill:</b>	<b>\$185,100.00</b>