

EXHIBIT B

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Interim Co-Lead Counsel for Direct Purchaser Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

IN RE: LITHIUM ION BATTERIES
ANTITRUST LITIGATION,

Case No. 13-MD-02420 (YGR)

MDL No. 2420

This Document Relates To:

ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF BRUCE L. SIMON
IN SUPPORT OF CO-LEAD COUNSEL
FOR DIRECT PURCHASER
PLAINTIFFS' MOTION FOR AN
AWARD OF ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES AND
SERVICE AWARDS**

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1 I, Bruce L. Simon, hereby declare as follows:

2 1. I am a partner in the law firm of Pearson, Simon & Warshaw, LLP (“PSW”), co-
3 counsel of record for Direct Purchaser Plaintiffs (“DPPs”). I am admitted to practice before this
4 Court, and I am a member in good standing of the bar of the State of California.

5 2. I am one of the attorneys principally responsible for the handling of this matter. I
6 am personally familiar with the facts set forth in this declaration, and, if called as a witness, I
7 could and would competently testify to the matters stated herein.

8 3. On May 17, 2013, this Court appointed PSW as interim co-lead counsel for all
9 DPPs. Dkt. 194.

10 4. On January 22, 2016, I submitted a declaration in support of DPPs’ class
11 certification motion, in which I discussed the credentials and experience of my firm, and provided
12 a firm resume. Dkt. 1038-10. Attached hereto as **Exhibit 1** is an updated firm resume.

13 5. Since submitting the January 2016 declaration, a few firm accomplishments merit a
14 special mention.

15 6. In *In re Credit Default Swaps Antitrust Litigation*, MDL No. 2476 (S.D.N.Y.)—an
16 antitrust case in which my firm served as co-lead counsel—the Court granted final approval in
17 April 2016 to a \$1.86 billion dollar settlement. This settlement is one of the largest civil antitrust
18 settlements ever. In approving the settlement, Judge Cote stated the following at the fairness
19 hearing:

20 I think there is a public policy that is important in this land to encourage top-tiered
21 litigators to pursue challenging cases like this. Antitrust violations go to the heart
22 of our economy. Our economic health and stability as a nation depend on the rule
23 of law and trust in the fairness and transparency of our marketplace. These issues
24 are interwoven. I think all of us can agree on that. All of us want to live in a
25 country where law is respected, where the court system can be effectively used to
reach justice, and where our marketplaces are places that have investor confidence,
so people, when they put their money down, can trust that they're in a level playing
field.

26 So, with that said, then, I approve this request for attorneys' fees. I've thought
27 about it carefully, and I'm happy to do so. I'm also going to approve the request for
28 payment of expenses.

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1 7. In addition, in *In re: National Collegiate Athletic Association Athletic Grant-In-Aid*
2 *Cap Antitrust Litigation*, MDL No. 2541 (N.D. Cal.)—another antitrust case in which my firm has
3 served as co-lead counsel—Judge Wilken granted final approval in December 2017 to a \$208
4 million dollar settlement in the damages portion of the case (the injunctive case is ongoing).

5 8. That settlement will result in former college basketball and football players
6 receiving thousands of dollars in compensation for receiving artificially-depressed athletic
7 scholarships.

8 **PSW HAS PERFORMED SUBSTANTIAL WORK ON BEHALF OF THE CLASS IN THIS**
9 **MATTER**

10 9. My firm has taken an integral role in prosecuting this litigation, and has worked
11 hand in hand with co-counsel Saveri & Saveri, Inc. (“Saveri”) and Berman Tabacco. I incorporate
12 by reference the declaration of Joe Tabacco, filed concurrently herewith, which further explains
13 the work that co-lead counsel performed.

14 **Pre-Filing Investigation and Work-Up**

15 10. PSW performed substantial work leading up to filing *Alfred H. Siegel, in his*
16 *capacity as Liquidating Trustee of the Circuit City Stores, Inc. Liquidating Trust, individually and*
17 *on behalf of all others similarly situated v. LG Chem, LTD, et al.*, N.D. Cal. Case No. 12-cv-5678
18 (“*Siegel*”) on November 5, 2012.

19 11. This investigation included (1) working with experienced economic consultants, (2)
20 analyzing products that would be included in potential classes, (3) strategizing regarding pleading
21 strategy, (4) analyzing client Circuit City’s purchases of lithium ion batteries during the potential
22 class period, (5) reviewing investor meeting notices, director biographies, and investor relations
23 documents, and (6) researching batteries trade associations.

24 **Filing Complaint, Requesting Transfer of MDL to this District, and Organizing a**
25 **Leadership Structure**

26 12. After months of investigation, PSW filed the *Siegel* case on November 5, 2012.

27 13. Two days later, recognizing that there had already been several cases filed in this
28 matter and that more were likely to follow, PSW filed an interested party response to the motion to

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1 transfer actions to the District of New Jersey pending before the United States Judicial Panel on
2 Multidistrict Litigation (“JPML”). JPML MDL No. 2420 at Dkt. 32. In that response, PSW
3 advocated for transfer to the Northern District of California for coordinated or consolidated
4 pretrial proceedings.

5 14. On January 31, 2013, I attended and argued the motion to transfer before the JPML
6 in Orlando, Florida. On February 6, 2013, the JPML granted our requested transfer of all cases to
7 this Court. *See In re: Lithium Ion Batteries Antitrust Litig.*, 923 F. Supp. 2d 1370, 1372 (U.S. Jud.
8 Pan. Mult. Lit. 2013).

9 15. With the MDL consolidated before this Court, PSW immediately began to help
10 organize a leadership structure of three firms, which ultimately prevailed in a highly contested
11 interim lead counsel selection process. Dkt. 194.

12 **PSW Spearheaded the Filing of the Consolidated Amended Complaint**

13 16. PSW played an instrumental role in helping to prepare the consolidated amended
14 complaint. In order to determine what additional information to include in the consolidated
15 amended complaint, PSW worked on a variety of different projects, including:

- 16 • Conferring with an industry expert;
- 17 • Conferring with an economic expert;
- 18 • Reviewing documents produced by Samsung SDI;
- 19 • Translating foreign-language documents;
- 20 • Analyzing regarding what Defendants to name; and
- 21 • Finalizing a common interest agreement between counsel for DPPs and counsel for
22 IPPs.

23 **PSW Was Instrumental in Opposing the First Motion to Dismiss**

24 17. After DPPs filed their consolidated amended complaint, Defendants filed their
25 motion to dismiss. My firm, along with our co-lead counsel, was instrumental in opposing the
26 motion. PSW drafted critical sections of the opposition brief, delegated certain sections of the
27 opposition brief to co-counsel, reviewed key documents, researched case law, and edited the final
28 product. In addition, my firm handled much of the argument at the motion to dismiss hearing.

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1 **PSW Spearheaded the Filing of the Consolidated Second Amended Complaint**

2 18. Although the Court granted Defendants’ original motion to dismiss, it provided
3 DPPs with leave to address the specific problems the Court found in the consolidated amended
4 complaint. *See In re Lithium Ion Batteries Antitrust Litig.*, No. 13-MD-2420 YGR, 2014 WL
5 309192 (N.D. Cal. Jan. 21, 2014).

6 19. PSW took charge in preparing the consolidated second amended complaint,
7 performing a host of critical tasks. These included:

- 8 • Performing substantial research on battery packers;
- 9 • Analyzing documents in order to bolster chain-of-commerce allegations against
10 Defendants;
- 11 • Bolstering corporate structure allegations; and
- 12 • Reviewing Japanese and Korean documents.

13 **PSW Was Instrumental in Opposing the Second Motion to Dismiss**

14 20. Defendants challenged DPPs’ consolidated second amended complaint with
15 another motion to dismiss.

16 21. PSW performed significant work in order to respond to that motion. For example,
17 with respect to the written submissions, PSW (1) conducted legal research, (2) analyzed issues
18 involving *Associated Gen. Contractors of California, Inc. v. California State Council of*
19 *Carpenters*, 459 U.S. 519 (1983), and (3) investigated evidence regarding individual Defendants’
20 liability.

21 22. I personally argued this second motion to dismiss.

22 23. Several months later, the Court issued its decision, denying the motion to dismiss
23 against the DPPs in nearly all aspects. *In re Lithium Ion Batteries Antitrust Litig.*, No. 13-MD-
24 2420 YGR, 2014 WL 4955377 (N.D. Cal. Oct. 2, 2014).

25 **PSW Was Involved in All Aspects of Discovery**

26 24. PSW performed a host of critical projects in the written discovery and document
27 review phases of the case. These included:

28

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- 1 • Analyzing transactional data in order to assist in damages calculations;
- 2 • Drafting written discovery requests;
- 3 • Preparing discovery responses;
- 4 • Conducting extensive meet and confers, and—when those were not successful—
- 5 drafting joint letter briefs regarding discovery disputes.

6 25. As most complex antitrust cases do, this case involved an extraordinary number of
7 documents. Defendants produced approximately 2,416,779 documents, totaling approximately
8 8,888,809 pages/images.

9 26. A large percentage of these documents (approximately 73%) were not in English,
10 thereby requiring DPPs to pay for the documents to be translated.

11 27. My firm played an integral role in managing the large document review
12 commitment. Veronica Glaze—an attorney in our Los Angeles office—supervised a team of more
13 than 75 attorney reviewers over the course of more than 3 years.

14 28. PSW was also very involved in depositions.

15 29. PSW deposed various witnesses from Defendants, including from Samsung SDI,
16 NEC Corporation, and Panasonic/Sanyo.

17 30. In addition, my firm defended class representative Circuit City’s witnesses at
18 deposition.

19 31. My firm was also very involved in expert depositions. For example, I personally
20 prepared DPPs’ expert economist Roger Noll for his deposition, and defended him.

21 **PSW Was Heavily Involved in Preparing DPPs’ Motion for Class Certification**

22 32. PSW also did substantial work on the motion for class certification.

23 33. PSW was integral part of the briefing process, helping draft the briefs and select the
24 best evidence to cite therein.

25 34. In addition, I personally was deeply involved in working with DPPs’ expert
26 economist, Roger Noll, as he prepared his economic analysis for his expert reports.

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SETTLEMENT

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2 35. I have personally been involved, along with Rick Saveri and Joe Tabacco, in the
3 hard-fought settlement discussions that persisted for several years. During these negotiations, the
4 parties were confronted with numerous difficult and time-consuming issues. The negotiations
5 have been arm’s-length at all times and have broken down on several different occasions before
6 the parties were finally able to reach a settlement. I attended, in consultation with my co-lead
7 counsel, multiple in-person mediation sessions with Hon. Judge Vaughn R. Walker (Ret.).

8 36. Judge Walker is one of the top mediators in the country. The parties selected Judge
9 Walker to mediate this case because he has the skills and experience necessary to handle the
10 complexity of the legal issues presented in this litigation.

11 37. I also handled certain settlement negotiations myself without the involvement of
12 Judge Walker. This involved numerous meetings and telephone discussions to reach settlements.

13 38. Reaching a settlement in this case was no easy task, as it took approximately four
14 and a half years to reach settlements with all Defendants. It was through the diligent efforts of my
15 firm, Saveri, and Berman Tabacco that an outstanding settlement was reached on behalf of the
16 class.

17 39. Of course, after the settlements were reached, my firm and I participated in
18 documenting the settlements, working on the notice, and establishing the structure for
19 administering claims.

20 40. The settlement establishes a common fund of \$139,300,000. This excellent result
21 was the product of a thorough assessment and evaluation of the strengths and weaknesses of
22 DPPs’ case. Part of this assessment were the risks that all parties faced in going to trial.

23 41. My firm anticipates performing additional work in connection with this settlement.
24 This work may include assisting in the preparation of the motion for final approval, attending the
25 final approval hearing, and opposing objectors, if any.

26 42. My firm has also performed substantial work in connection with the litigation
27 arising out of Flextronics not having opted out of certain settlements, and the aftermath thereof.

28

1 My firm has not included any time in this fee petition related to preparing the petition or the
2 above-referenced Flextronics issues.

3 **ATTORNEYS' FEES**

4 43. Attached hereto as **Exhibit 2** is my firm's total hours and lodestar, computed at
5 historical rates, for the period of June 1, 2013 through August 31, 2017. This period reflects the
6 time spent between the appointment of interim co-lead counsel and liaison counsel for DPPs in
7 this litigation and the final settlement in the case. The total number of hours spent by PSW during
8 this period of time was 27,014.60 with a corresponding lodestar of \$11,068,884.50. My firm's
9 lodestar figures are based on the firm's historical billing rates which do not include charges for
10 expense items. Expense items are billed separately and such charges are not duplicated in my
11 firm's billing rates. This summary was prepared from contemporaneous, daily time records
12 regularly prepared and maintained by my firm. Berman Tabacco also collected PSW's time
13 reports and submitted them to the Court, in camera, on a quarterly basis.

14 44. In connection with preparing this declaration, PSW underwent an extensive review
15 of its time entries in order to ensure that it included only its lodestar that actively contributed to
16 the prosecution of the case.

17 45. To double-check PSW's auditing, PSW sent all its records from June 1, 2013 to
18 August 31, 2017 to Saveri for an additional review. The co-lead counsel spent substantial time
19 reviewing each other's records, which resulted in each firm eliminating significant amounts of
20 time.

21 46. The hourly rates for the attorneys and professional support staff in my firm
22 included in **Exhibit 2** are the same rates accepted in other complex or class action litigation
23 subject to the hourly rate caps established by DPP co-lead counsel, including:

24 a. the hourly rates for Attorneys at the highest Partner level were
25 capped at \$850 per hour;

26 b. the hourly rates for Attorneys at the Of Counsel/Special Counsel
27 level were capped at \$650 per hour for substantive work, which excludes document
28 review;

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

3 d. the hourly rates for Attorneys at the Associate level engaged in
4 English-language document review were capped at \$350 per hour; a cap of \$400 per hour
5 was permitted where the reviewer has a special skill set, such as foreign language
6 translation; and

7 e. the hourly rates for paralegals and investigators were capped at \$175
8 per hour; a cap of \$200 per hour was permitted for foreign language translation abilities.

9 47. My firm has expended a total of \$30,197.41 in unreimbursed costs and expenses in
10 connection with the prosecution of this litigation for the period of June 1, 2013 through August 31,
11 2017. Again, this period reflects the time spent between the appointment of interim co-lead
12 counsel and liaison counsel for DPPs in this litigation and the final settlement in the case.

13 48. These costs and expenses are broken down in the chart attached hereto as **Exhibit**
14 **3**. They were incurred on behalf of DPPs by my firm on a contingent basis, and have not been
15 reimbursed. The expenses incurred in this action are reflected in the books and records of my firm.
16 These books and records are prepared from expense vouchers, check records and other source
17 materials and represent an accurate recordation of the expenses incurred.

18 49. PSW paid a total of \$210,000 in assessments for the joint prosecution of the
19 litigation against the Defendants.

20 50. As my firm does with all of its matters, my firm has kept contemporaneous,
21 detailed expense records ever since our pre-filing investigation into this matter began.

22 51. I believe the litigation expenses incurred were reasonable and necessary given the
23 complex nature and scope of the case.

24 52. My firm has carefully reviewed the time and expenses that comprise its reported
25 lodestar and out of pocket expenses and represents that, based upon that diligent review, the
26 lodestar and requested expenses comply with all material applicable terms of the May 21, 2013
27 letter from co-lead counsel regarding Protocols for Maintaining and Reporting Time and Expenses
28 as well as Modified Pretrial Order No. 1 with Exhibit A (Dkt. No. 202, May 24, 2013).

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1 **EACH OF THE CLASS REPRESENTATIVES SHOULD RECEIVE SERVICE AWARDS**

2 53. Each of the named class representatives should receive service awards.

3 54. My firm’s client—Circuit City—devoted extensive time and resources to the
4 prosecution of this case.

5 55. For example, Circuit City held numerous phone calls with PSW lawyers to answer
6 questions regarding the storage of data and documents. Circuit City played a critical role in
7 helping DPP counsel understand the makeup of over 50,000 boxes of Circuit City paper
8 documents, ultimately enabling DPP counsel and Circuit City to identify 528 boxes containing
9 hard copy documents that were potentially responsive to Defendants’ discovery requests. Circuit
10 City made these boxes available to Defendants for inspection and copying. Defendants took
11 advantage of that opportunity, sending teams of defense lawyers to Richmond, VA to inspect
12 documents.

13 56. Circuit City also assisted with the preparation of responses to Defendants’ written
14 discovery requests.

15 57. In addition, the Circuit City trustee diligently followed the litigation, and there
16 were regular meetings and calls with counsel for the trustee, the trustee, and his staff.

17 58. Circuit City also expended considerable effort in connection with preparing for and
18 sitting for depositions. Defendants deposed several former Circuit City employees in both their
19 individual and corporate representative capacities. In addition, the trustee for Circuit City—Al
20 Siegel—sat for deposition.

21 59. Circuit City should be compensated for its efforts with a \$30,000 service award.

22 **CONCLUSION**

23 60. My firm dedicated all available resources to this case and negotiated an outstanding
24 settlement. This settlement is a result of the great efforts that went into litigating this case.

25 61. PSW has prosecuted this litigation solely on a contingent-fee basis, and has been at
26 risk that it would not receive any compensation for prosecuting claims against the Defendants.

27 62. My firm has not undertaken some additional legal work as a result of its
28 representation of DPPs.

EXHIBIT 1



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Pearson, Simon & Warshaw, LLP (“PSW”) is an AV-rated civil litigation firm with offices in Los Angeles and San Francisco. The firm specializes in complex litigation, including state coordination cases and federal multi-district litigation. Its attorneys have extensive experience in antitrust, securities, consumer protection, and unlawful employment practices. The firm handles national and multi-national class actions that present cutting edge issues in both substantive and procedural areas. PSW attorneys understand how to litigate difficult and large cases in an efficient and cost-effective manner, and they have used these skills to obtain outstanding results for their clients, both through trial and negotiated settlement. They are recognized in their field for excellence and integrity, and are committed to seeking justice for their clients.

CASE PROFILES

PSW attorneys currently hold, or have held, a leadership role in the following representative cases:

- *In re Credit Default Swaps Antitrust Litigation*, Southern District of New York, MDL No. 2476. PSW attorneys recently served as co-lead counsel and represented the Los Angeles County Employee Retirement Association (“LACERA”) in a class action on behalf of all purchasers and sellers of Credit Default Swaps (“CDS”) against twelve of the world’s largest banks. The lawsuit alleged that the banks, along with other defendants who controlled the market infrastructure for CDS trading, conspired for years to restrain the efficient trading of CDS, thereby inflating the cost to trade CDS. The alleged antitrust conspiracy resulted in billions of dollars in economic harm to institutional investors such as pension funds, mutual funds, and insurance companies who used CDS to hedge credit risks on their fixed income portfolios. After nearly three years of litigation and many months of intensive settlement negotiations, PSW helped reach a settlement with the defendants totaling \$1.86 billion plus injunctive relief. On April 15, 2016, the Honorable Denise L. Cote granted final approval to the settlement, which is one of the largest civil antitrust settlements in history.
- *In re TFT-LCD (Flat Panel) Antitrust Litigation*, Northern District of California, MDL No. 1827. PSW served as co-lead counsel for the direct purchaser plaintiffs in this multidistrict litigation arising from the price-fixing of thin film transistor liquid crystal display (“TFT-LCD”) panels. Worldwide, the TFT-LCD industry is a multi-billion dollar industry, and many believe that this was one of the largest price-fixing cases in the United States. PSW

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helped collect over \$405 million in settlements before the case proceeded to trial against the last remaining defendant, Toshiba Corporation and its related entities. PSW partner Bruce L. Simon served as co-lead trial counsel, successfully marshaled numerous witnesses, and presented the opening argument. On July 3, 2012, PSW obtained a jury verdict of \$87 million (before trebling) against Toshiba. PSW later settled with Toshiba and AU Optronics to bring the total to \$473 million in settlements. In 2013, California Lawyer Magazine awarded Mr. Simon a California Lawyer of the Year Award for his work in the *TFT-LCD* case.

- *In re Potash Antitrust Litigation (No. II)*, Northern District of Illinois, MDL No. 1996. PSW partner Bruce L. Simon served as interim co-lead counsel for the direct purchaser plaintiffs in this multidistrict litigation arising from the price-fixing of potash sold in the United States. After the plaintiffs defeated a motion to dismiss, the defendants appealed, and the Seventh Circuit Court of Appeals agreed to hear the case *en banc*. Mr. Simon presented oral argument to the *en banc* panel and achieved a unanimous 8-0 decision in his favor. The case resulted in \$90 million in settlements for the direct purchaser plaintiffs, and the Court's opinion is one of the most significant regarding the scope of international antitrust conspiracies. See *Minn-Chem, Inc. v. Agrium Inc.*, 683 F. 3d 845 (7th Cir. 2012).
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation*, Northern District of California, MDL No. 2451. PSW attorneys currently serve as co-lead counsel in this multidistrict litigation that alleges the NCAA and its member conferences violate the antitrust laws by restricting the value of grant-in-aid athletic scholarships and other benefits that college football and basketball players can receive. PSW settled the damages case, recently obtaining final approval to a \$208 million dollar settlement. The injunctive portion of the case is still pending.
- *In re German Auto Manufacturers Antitrust Litigation*, Northern District of California, MDL No. 2796. Bruce L. Simon is serving as chairman of the Plaintiffs' Steering Committee and co-lead counsel for the indirect purchaser plaintiffs in this multidistrict antitrust litigation. The complaint alleges that certain German car manufacturers unlawfully coordinated on several key car components, actively limiting the pace and extent of innovation, while also acting to promote consumers' perception of German cars as commanding a price premium.
- *In re Broiler Chicken Antitrust Litigation*, Northern District of Illinois, Case No. 1:16-cv-08637. PSW attorneys currently serve as interim co-lead counsel on behalf of direct purchaser plaintiffs. The complaint alleges that the nation's largest broiler chicken producers violated antitrust laws by limiting production and manipulating the price indices.
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.*, Northern District of California, Case No. 4:17-cv-05343-JSW. PSW attorneys currently serve as plaintiffs' counsel in this copyright class action alleging that Defendants broadcasted, continue to broadcast, or otherwise make available to the public, copyrighted musical works of plaintiffs and the class without proper licenses, as required under the Copyright Act.
- *Grace v. Apple, Inc.*, Northern District of California, 5:17-CV-00551. PSW partner Daniel L. Warshaw currently serves as counsel in this putative nationwide class action on behalf of

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consumers who allege Apple intentionally broke its “FaceTime” video conferencing feature for Apple iPhone 4 users or iPhone 4S users operating on iOS 6 or earlier.

- *Trepte v. Bionaire, Inc.*, Los Angeles County Superior Court, Case No. BC540110. PSW attorneys currently serve as class counsel in this certified class action alleging that the defendant sold defective space heaters. The complaint alleges that defendant breached the warranty and falsely advertised the safety of the heaters due to design defects that cause the heaters to fail. As a result of the failure, the heaters may spark, smoke and catch fire. PSW continues to vigorously litigate this important lawsuit.
- *In re Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation*, District of New Mexico, Case No. 1:16-md-02695-JB-LF. PSW partner Daniel L. Warshaw serves on the executive committee. This class action alleges that Defendants’ “natural” and “additive free” claims on their tobacco products were false and misleading to consumers. PSW continues to vigorously litigate this important lawsuit.
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation*, Southern District of New York, MDL No. 2542. In June 2014, Judge Vernon S. Broderick appointed PSW to serve as interim co-lead counsel on behalf of indirect purchaser plaintiffs in this multidistrict class action litigation. The case arises from the alleged unlawful monopolization of the United States market for single-serve coffee packs by Keurig Green Mountain, Inc. Keurig’s alleged anticompetitive conduct includes acquiring competitors, entering into exclusionary agreements with suppliers and distributors to prevent competitors from entering the market, engaging in sham patent infringement litigation, and redesigning the single-serve coffee pack products in the next version of its brewing system to lock out competitors’ products.
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.*, Northern District of California, Case No. 14-cv-0608. PSW attorneys currently serve as interim co-lead counsel in this putative nationwide class action and FLSA collective action on behalf of minor league baseball players who allege that Major League Baseball and its member franchises violate the FLSA and state wage and hour laws by failing to pay minor league baseball players minimum wage and overtime.
- *In re KIND LLC “Healthy and All Natural” Litigation*, Southern District of New York, MDL No. 2645. PSW partner Daniel L. Warshaw currently serves as interim co-lead counsel in this putative nationwide class action on behalf of consumers who allege that they purchased KIND snack bars that were falsely advertised as “all natural,” “non-GMO,” and/or “healthy.”
- *In re Carrier IQ Consumer Privacy Litigation*, Northern District of California, MDL No. 2330. PSW attorneys currently serve as interim co-lead counsel in this putative nationwide class action on behalf of consumers who allege privacy violations arising from software installed on their mobile devices that was logging text messages and other sensitive information.
- *Sciortino, et al. v. PepsiCo, Inc.*, Northern District of California, Case No. 14-cv-0478. PSW attorneys served as interim co-lead counsel in this putative California class action

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on behalf of consumers who allege that PepsiCo failed to warn them that certain of its sodas contain excess levels of a chemical called 4-Methylimidazole in violation of Proposition 65 and California consumer protection statutes.

- *James v. UMG Recordings, Inc.*, Northern District of California, Case No. 11-cv-01613. PSW partner Daniel L. Warshaw served as interim co-lead counsel in this putative nationwide class action on behalf of recording artists and music producers who alleged that they had been systematically underpaid royalties by the record company UMG.
- *In re Warner Music Group Corp. Digital Downloads Litigation*, Northern District of California, Case No. 12-cv-00559. PSW attorneys served as interim co-lead counsel, with partner Bruce L. Simon serving as chairman of a five-firm executive committee, in this putative nationwide class action on behalf of recording artists and music producers who alleged that they had been systematically underpaid royalties by the record company Warner Music Group.
- *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, Northern District of California, MDL No. 1486. PSW partner Bruce L. Simon served as co-chair of discovery and as a member of the trial preparation team in this multidistrict litigation arising from the price-fixing of DRAM, a form of computer memory. Mr. Simon was responsible for supervising and coordinating the review of almost a terabyte of electronic documents, setting and taking depositions, establishing and implementing protocols for cooperation between the direct and indirect plaintiffs as well as the Department of Justice, presenting oral arguments on discovery matters, working with defendants on evidentiary issues in preparation for trial, and preparing a comprehensive pretrial statement. Shortly before the scheduled trial, class counsel reached settlements with the last remaining defendants, bringing the total value of the class settlements to over \$325 million.
- *In re Methionine Antitrust Litigation*, Northern District of California, MDL No. 1311. PSW partner Bruce L. Simon served as co-lead counsel in this nationwide antitrust class action involving a conspiracy to fix prices of, and allocate the markets for, methionine. Mr. Simon was personally responsible for many of the discovery aspects of the case including electronic document productions, coordination of document review teams, and depositions. Mr. Simon argued pretrial motions, prepared experts, and assisted in the preparation of most pleadings presented to the Court. This action resulted in over \$100 million in settlement recovery for the class.
- *In re Sodium Gluconate Antitrust Litigation*, Northern District of California, MDL No. 1226. PSW partner Bruce L. Simon served as class counsel in this consolidated antitrust class action arising from the price-fixing of sodium gluconate. Mr. Simon was selected by Judge Claudia Wilken to serve as lead counsel amongst many other candidates for that position, and successfully led the case to class certification and settlement.
- *In re Citric Acid Antitrust Litigation*, Northern District of California, MDL No. 1092. PSW partner Bruce L. Simon served as class counsel in antitrust class action against Archer-Daniels Midland Co. and others for their conspiracy to fix the prices of citric acid, a food

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additive product. Mr. Simon was one of the principal attorneys involved in discovery in this matter. This proceeding resulted in over \$80 million settlements for the direct purchasers.

- *Olson v. Volkswagen of America, Inc.*, Central District of California, Case No. CV07-05334. PSW attorneys brought this class action lawsuit against Volkswagen alleging that the service manual incorrectly stated the inspection and replacement intervals for timing belts on Audi and Volkswagen-branded vehicles equipped with a 1.8 liter turbo-charged engine. This case resulted in a nationwide class settlement.
- *Swain et al. v. Eel River Sawmills, Inc. et al.*, California Superior Court, DR-01-0216. Bruce L. Simon served as lead trial counsel for a class of former employees of a timber company whose retirement plan was lost through management's investment of plan assets in an Employee Stock Ownership Plan. Mr. Simon negotiated a substantial settlement on the eve of trial resulting in a recovery of approximately 40% to 50% of plaintiffs' damages after attorneys' fees and costs.
- *In re Hawaiian and Guamanian Cabotage Antitrust Litigation*, Western District of Washington, MDL No. 1972. PSW partner Bruce L. Simon served as interim co-lead counsel for the plaintiffs in this multidistrict litigation arising from violations of the federal antitrust laws with respect to domestic ocean shipping services between the continental United States and Hawaii and/or between the continental United States and the Territory of Guam.
- *In re Homestore Litigation*, Central District of California, Master File No. 01-11115. PSW attorneys served as liaison counsel and class counsel for plaintiff CalSTRS in this securities class action. The case resulted in over \$100 million in settlements to the class.
- *In re MP3.Com, Inc., Securities Litigation*, Southern District of California, Master File No. 00-CV-1873. PSW attorneys served as defense counsel in this class action involving alleged securities violations under Rule 10b-5.
- *In re Automotive Refinishing Paint Cases*, Alameda County Superior Court, Judicial Council Coordination Proceeding No. 4199. PSW attorneys served as class counsel with other law firms in this coordinated antitrust class action alleging a conspiracy by defendants to fix the price of automotive refinishing products.
- *In re Beer Antitrust Litigation*, Northern District of California, Case No. 97-20644 SW. PSW partner Bruce L. Simon served as primary counsel in this antitrust class action brought on behalf of independent micro-breweries against Anheuser-Busch, Inc., for its attempt to monopolize the beer industry in the United States by denying access to distribution channels.
- *In re Commercial Tissue Products Public Entity Indirect Purchaser Antitrust Litigation*, San Francisco Superior Court, Judicial Council Coordination Proceeding No. 4027. PSW partner Bruce L. Simon served as co-lead counsel for the public entity purchaser class in this antitrust action arising from the price-fixing of commercial sanitary paper products.

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- *Hart v. Central Sprinkler Corporation*, Los Angeles County Superior Court, Case No. BC176727. PSW attorneys served as class counsel in this consumer class action arising from the sale of nine million defective fire sprinkler heads. This case resulted in a nationwide class settlement valued at approximately \$37.5 million.
- *Rueda v. Schlumberger Resources Management Services, Inc.*, Los Angeles County Superior Court, Case No. BC235471. PSW attorneys served as class counsel with other law firms representing customers of the Los Angeles Department of Water & Power (“LADWP”) who had lead leaching water meters installed on their properties. The Court granted final approval of the settlement whereby defendant would pay \$1.5 million to a *cy pres* fund to benefit the class and to make grants to LADWP to assist in implementing a replacement program to the effected water meters.
- *In re Louisiana-Pacific Corp. Inner-Seal OSB Trade Practices Litigation*, Northern District of California, MDL No. 1114. PSW partner Bruce L. Simon worked on this nationwide product defect class action brought under the Lanham Act. The proposed class was certified, and a class settlement was finally approved by Chief Judge Vaughn Walker.
- *In re iPod nano Cases*, Los Angeles County Superior Court, Judicial Counsel Coordination Proceeding No. 4469. PSW attorneys were appointed co-lead counsel for this class action brought on behalf of California consumers who own defective iPod nanos. The case resulted in a favorable settlement.
- *Unity Entertainment Corp. v. MP3.Com*, Central District of California, Case No. 00-11868. PSW attorneys served as defense counsel in this class action alleging copyright infringement.
- *Vallier v. Jet Propulsion Laboratory*, Central District of California, Case No. CV97-1171. PSW attorneys served as lead counsel in this toxic tort action involving 50 cancer victims and their families.
- *Nguyen v. First USA N.A.*, Los Angeles County Superior Court, Case No. BC222846. PSW attorneys served as class counsel on behalf of approximately four million First USA credit card holders whose information was sold to third party vendors without their consent. This case ultimately settled for an extremely valuable permanent injunction plus disgorgement of profits to worthy charities.
- *Morales v. Associates First Financial Capital Corporation*, San Francisco Superior Court, Judicial Council Coordination Proceeding No. 4197. PSW attorneys served as class counsel in this case arising from the wrongful sale of credit insurance in connection with personal and real estate-secured loans. This case resulted in an extraordinary \$240 million recovery for the class.
- *In re AEFA Overtime Cases*, Los Angeles County Superior Court, Judicial Council Coordination Proceeding No. 4321. PSW attorneys served as class counsel in this overtime class action on behalf of American Express Financial Advisors, which resulted in an outstanding class-wide settlement.

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- *Khan v. Denny's Holdings, Inc.*, Los Angeles County Superior Court, Case No. BC177254. PSW attorneys settled a class action lawsuit against Denny's for non-payment of overtime wages to its managers and general managers.
- *Kosnik v. Carrows Restaurants, Inc.*, Los Angeles County Superior Court, Case No. BC219809. PSW attorneys settled a class action lawsuit against Carrows Restaurants for non-payment of overtime wages to its assistant managers and managers.
- *Castillo v. Pizza Hut, Inc.*, Los Angeles County Superior Court, Case No. BC318765. PSW attorneys served as lead class counsel in this California class action brought by delivery drivers who claimed they were not adequately compensated for use of their personally owned vehicles. This case resulted in a statewide class settlement.
- *Baker v. Charles Schwab & Co., Inc.*, Los Angeles County Superior Court, Case No. BC286131. PSW attorneys served as class counsel for investors who were charged a fee for transferring out assets between June 1, 2002 and May 31, 2003. This case resulted in a nationwide class settlement.
- *Eallonardo v. Metro-Goldwyn-Mayer, Inc.*, Los Angeles County Superior Court, Case No. BC286950. PSW attorneys served as class counsel on behalf a nationwide class of consumers who purchased DVDs manufactured by defendants. Plaintiffs alleged that defendants engaged in false and misleading advertising relating to the sale of its DVDs. This case resulted in a nationwide class settlement.
- *Gaeta v. Centinela Feed, Inc.*, Los Angeles County Superior Court, Case No. BC342524. PSW attorneys served as defense counsel in this class action involving alleged failures to pay wages, overtime, employee expenses, waiting time penalties, and failure to provide meal and rest periods and to furnish timely and accurate wage statements.
- *Leiber v. Consumer Empowerment Bv A/K/A Fasttrack*, Central District of California, Case No. CV 01-09923. PSW attorneys served as defense counsel in this class action involving copyrighted music that was made available through a computer file sharing service without the publishers' permission.
- *Higgs v. SUSA California, Inc.*, Los Angeles County Superior Court Case No. BC372745. PSW attorneys are serving as co-lead class counsel representing California consumers who entered into rental agreements for the use of self-storage facilities owned by defendants. In this certified class action, plaintiffs allege that defendants wrongfully denied access to the self-storage facility and/or charged excessive pre-foreclosure fees.
- *Fournier v. Lockheed Litigation*, Los Angeles County Superior Court. PSW attorneys served as counsel for 1,350 residents living at or near the Skunks-Works Facility in Burbank. The case resolved with a substantial confidential settlement for plaintiffs.
- *Nasseri v. CytoSport, Inc.*, Los Angeles County Superior Court, Case No. 439181. PSW attorneys served as class counsel on behalf of a nationwide class of consumers who purchased CytoSport's popular protein powders, ready to drink protein beverages, and

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other “supplement” products. Plaintiffs alleged that these supplements contain excessive amounts of lead, cadmium and arsenic in amounts that exceed Proposition 65 and negate CytoSport’s health claims regarding the products. The case resulted in a nationwide class action settlement which provided monetary relief to the class members and required the reformulation of CytoSport supplement products.

PEARSON, SIMON & WARSHAW, LLP

ATTORNEY PROFILES

PARTNERS

CLIFFORD H. PEARSON

Clifford H. Pearson is a civil litigator and business lawyer focusing on complex litigation, class actions, and business law. In 2013 and 2016, Mr. Pearson was named by the *Daily Journal* as one of the Top 100 lawyers in California. He was instrumental in negotiating a landmark settlement totaling \$1.86 billion in *In re Credit Default Swaps Antitrust Litigation*, a case alleging a conspiracy among the world's largest banks to maintain opacity of the credit default swaps market. Mr. Pearson also negotiated settlements totaling \$208 million in *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation*, an antitrust class action alleging that the NCAA and its member conferences violated the antitrust laws by restricting the value of grant-in-aid athletic scholarships and other benefits that college football and basketball players can receive, \$473 million in combined settlements in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, an antitrust case in the Northern District of California that alleged a decade-long conspiracy to fix the prices of TFT-LCD panels, and over \$90 million in *In re Potash Antitrust Litigation*, an antitrust case in the Northern District of Illinois that alleged price fixing by Russian, Belarusian and North American producers of potash, a main ingredient used in fertilizer.

Before creating the firm in 2006, Mr. Pearson was a partner at one of the largest firms in the San Fernando Valley, where he worked for 22 years. There, he represented aggrieved individuals, investors and employees in a wide variety of contexts, including toxic torts, consumer protection and wage and hour cases. Over his 30-plus year career, Mr. Pearson has successfully negotiated substantial settlements on behalf of consumers, small businesses and companies. In recognition of his outstanding work on behalf of clients, Mr. Pearson has been regularly selected by his peers as a Super Lawyer (representing the top 5% of practicing lawyers in Southern California). He has also attained Martindale-Hubbell's highest rating (AV) for legal ability and ethical standards.

Mr. Pearson is an active member of the American Bar Association, Los Angeles County Bar Association, Consumer Attorneys of California, Consumer Attorneys Association of Los Angeles, and Association of Business Trial Lawyers.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Tami Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

Education:

- Whittier Law School, Los Angeles, California – J.D. – 1981
- University of Miami, Miami, Florida – M.B.A. – 1978
- Carleton University, Ontario, Canada – B.A. – 1976

PEARSON, SIMON & WARSHAW, LLP

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association

BRUCE L. SIMON

Bruce L. Simon has led Pearson, Simon & Warshaw, LLP to national prominence. Mr. Simon specializes in complex cases involving antitrust, consumer fraud, and securities laws. He has served as lead counsel in many business cases with national and global impact.

In 2018, Mr. Simon was awarded “Antitrust Lawyer of the Year” by the California Lawyers Association. In 2013 and 2016, Mr. Simon was chosen by the *Daily Journal* as one of the Top 100 attorneys in California. In 2013, he received the California Lawyer of the Year award from *California Lawyer Magazine* and was selected as one of seven finalists for Consumer Attorney of the Year by Consumer Attorneys of California for his work in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827 (N.D. Cal.). That year, Mr. Simon was included in the Top 100 of California’s “Super Lawyers” and has been named a “Super Lawyer” every year since 2003. He has attained Martindale-Hubbell’s highest rating (AV) for legal ability and ethical standards.

Mr. Simon was co-lead class counsel in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, a case that lasted over five years and resulted in \$473 million recovered for the direct purchaser plaintiffs. Mr. Simon served as co-lead trial counsel and was instrumental in obtaining an \$87 million jury verdict (before trebling). He presented the opening argument and marshalled numerous witnesses during the six-week trial.

More recently, Mr. Simon was co-lead class counsel in *In re Credit Default Swaps Antitrust Litigation*, a case alleging a conspiracy among the world’s largest banks to maintain opacity of the credit default swaps market as a means of maintaining supracompetitive prices of bid/ask spreads. After three years of litigation and many months of intensive settlement negotiations, the parties in *CDS* reached a landmark settlement amounting to \$1.86 billion. It is one of the largest civil antitrust settlements in history.

Mr. Simon was also co-lead class counsel in *In re Potash Antitrust Litigation (II)*, MDL No. 1996 (N.D. Ill.), where he successfully argued an appeal of the district court’s order denying

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the defendants' motions to dismiss to the United States Court of Appeals for the Seventh Circuit. Mr. Simon presented oral argument during an *en banc* hearing before the Court and achieved a unanimous 8-0 decision in his favor. The case resulted in \$90 million in settlements for the direct purchaser plaintiffs, and the Court's opinion is one of the most significant regarding the scope of international antitrust conspiracies.

Current Cases:

- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)

Reported Cases:

- *Minn-Chem, Inc. et al. v. Agrium Inc., et al.*, 683 F.3d 845 (7th Cir. 2012)

Education:

- University of California, Hastings College of the Law, San Francisco, California – J.D. – 1980
- University of California, Berkeley, California – A.B. – 1977

Bar Admissions:

- California
- Supreme Court of the United States
- Ninth Circuit Court of Appeals
- Seventh Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Recent Publications:

- Class Certification Procedure, Ch. V, ABA Antitrust Class Actions Handbook (3d ed.), (forthcoming)
- Reverse Engineering Your Antitrust Case: Plan for Trial Even Before You File Your Case, *Antitrust*, Vol. 28, No. 2, Spring 2014
- *The Ownership/Control Exception to Illinois Brick in Hi-Tech Component Cases: A Rule That Recognizes the Realities of Corporate Price Fixing*, ABA International Cartel Workshop February 2014
- *Matthew Bender Practice Guide: California Unfair Competition and Business Torts*, LexisNexis, with Justice Conrad L. Rushing and Judge Elia Weinbach (Updated 2013)
- *The Questionable Use of Rule 11 Motions to Limit Discovery and Eliminate Allegations in Civil Antitrust Complaints in the United States*, ABA International Cartel Workshop February 2012

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Professional Associations and Memberships:

- California State Bar Antitrust and Unfair Competition Section, Advisor and Past Chair
- ABA Global Private Litigation Committee, Co-Chair
- ABA International Cartel Workshop, Steering Committee
- American Association for Justice, Business Torts Section, Past Chair
- Business Torts Section of the American Trial Lawyers Association, Past Chair
- Hastings College of the Law, Board of Directors (2003-2015), Past Chair (2009-2011)

DANIEL L. WARSHAW

Daniel L. Warshaw is a civil litigator and trial lawyer who focuses on complex litigation, class actions, and consumer protection. Mr. Warshaw has held a lead role in numerous state and federal class actions, and obtained significant recoveries for class members in many cases. These cases have included, among other things, antitrust violations, high-technology products, automotive parts and false and misleading advertising. Mr. Warshaw has also represented employees and employers in a variety of class actions, including wage and hour, misclassification and other Labor Code violations.

Mr. Warshaw played an integral role in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, where he negotiated the ESI protocol and managed a document review process that featured nearly 8 million documents in multiple languages and 136 reviewers. He currently serves as interim co-lead counsel in a series of groundbreaking class actions involving the alleged underpayment of royalties to artists, producers and directors in the music and film industries. These cases have received significant attention in the press, and Mr. Warshaw has been profiled by the *Daily Journal* for his work in the digital download music cases. In recognition of his outstanding work, Mr. Warshaw has been selected by his peers as a Super Lawyer (representing the top 5% of practicing lawyers in Southern California) every year since 2005. He has also attained Martindale-Hubbell's highest rating (AV) for legal ability and ethical standards.

Mr. Warshaw has assisted in the preparation of two Rutter Group practice guides: *Federal Civil Trials & Evidence* and *Civil Claims and Defenses*. Since 2012, Mr. Warshaw has served as the Chair of the Plaintiffs' Class Action Forum sponsored by Cambridge International Forums, Inc. The purpose of the Forum is to facilitate a high-level exchange of ideas and in-depth dialogue on class action litigation.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re KIND LLC "Healthy and All Natural" Litigation* (S.D.N.Y.)
- *In re Carrier IQ, Inc., Consumer Privacy Litigation* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (LA Sup. Ct.)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)
- *In re. Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)
- *Grace v. Apple, Inc.* (N.D. Cal.)
- *Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

PEARSON, SIMON & WARSHAW, LLP

Education:

- Whittier Law School, Los Angeles, California – J.D. – 1996
- University of Southern California – B.A. – 1992

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association, Executive Committee of the Litigation Section
- Plaintiffs' Class Action Forum, Chair

PEARSON, SIMON & WARSHAW, LLP

OF COUNSEL

NEIL SWARTZBERG

Neil Swartzberg, Of Counsel to Pearson, Simon & Warshaw, LLP, has significant litigation and counseling experience, with a track record of providing advice and representation to individuals and companies on a variety of technology, consumer and finance related matters. He has expertise in complex and commercial litigation, including in the intellectual property, consumer protection, antitrust, securities and class action context. Practicing in both federal and state courts, he has litigated price-fixing class actions, securities fraud suits and other consumer protection cases, as well as patent infringement, trade secret misappropriation and related intellectual property matters. Mr. Swartzberg also has experience negotiating licenses and similar agreements to resolve disputes in technology areas such the Internet, online banking, and telecommunications.

Mr. Swartzberg was a leading attorney in the Direct Purchaser Plaintiff class action *In re Static Random Access Memory (SRAM) Antitrust Litigation* (N.D. Cal.). He was also actively involved in several other antitrust class actions, such as *In re International Air Transportation Surcharge Antitrust Litigation* (N.D. Cal.), *Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.), *In re Cathode Ray Tube (CRT) Antitrust Litigation* (N.D. Cal.), and *In re Optical Disk Drive (ODD) Antitrust Litigation* (N.D. Cal.). He has represented patent owners and companies in infringement cases for patents covering video game controllers, Internet search functionality, secure mobile banking transactions, and telecommunications switches.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill.)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *In re: Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)

Education:

- University of California, Davis, School of Law, Davis, California – J.D. – 2001
- State University of New York, Buffalo, Buffalo, New York – M.A. – 1994
- Duke University, Durham, North Carolina – A.B. – 1991

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- Federal Circuit Court of Appeals
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Pennsylvania

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Publications and Presentations:

- *The Hard Cell, Mobile banking and the Federal Circuit's "divided infringement" decisions*, Feb. 2013, Intellectual Property magazine, with Robert D. Becker.

Professional Associations and Memberships:

- American Bar Association

Languages:

- German (proficient)

PEARSON, SIMON & WARSHAW, LLP

ASSOCIATES

ALAN I. CYRLIN

Alan I. Cyrlin is a civil attorney with Pearson Simon & Warshaw, LLP, in the firm's Los Angeles office. His practice at the firm focuses on reviewing and analyzing large scale document productions. In that capacity, Mr. Cyrlin has worked on several significant antitrust class action matters, including *In re TFT-LCD (Flat Panel) Antitrust Litigation* (N.D. Cal.); *In re National Collegiate Athletic Association Athletic Grant-In-Aid Cap Antitrust Litigation* (N.D. Cal.); *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio); and *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.).

Mr. Cyrlin, who has been practicing law since 1991, possess extensive litigation experience representing businesses and individuals in the areas of commercial, intellectual property, and employment litigation. His background includes drafting successful motions to dismiss, summary judgment, and discovery motions. Mr. Cyrlin is "AV" rated.

Mr. Cyrlin graduated *magna cum laude* from San Francisco State University with Bachelors of Arts degrees in international relations and political science. While in college, he was a member of the university's debate team. He earned his Juris Doctorate from Loyola Law School (Los Angeles), where he served as Executive Editor of the Loyola Entertainment Law Journal and was awarded the American Jurisprudence Award in trial advocacy.

In addition to his litigation experience, Mr. Cyrlin has authored several published articles concerning legal matters, including "Trademark Protection of Public Spectacles: Boston Athletic Changes the Rules," 10 Loyola Entertainment Law Journal, 335, 10, 1991; "Prior Publication and the Duty to Defend," Los Angeles Daily Journal, November, p.7, 1997; "Reducing A Company's Risk Over Domain Name Disputes," J. Pat. & Trademark Office Soc., 81, 1999; "Copyrighting Software, A Practical Guide," BarNotes, p. 9, 2002; "Copyright Law: Who Owns that Song?" Texas Entertainment and Sports Law Journal, Vol. 12, No. 3., 12, 2003; and "Courts Tackled Hot Trademark Issues," Los Angeles Daily Journal, 2005.

Education:

- Loyola Law School, Los Angeles, California – J.D. -- 1991
- San Francisco State University, San Francisco, California – B.A. -- 1988

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California

PEARSON, SIMON & WARSHAW, LLP

BOBBY POUYA

Bobby Pouya is a civil litigator and trial lawyer in the firm's Los Angeles office, focusing on complex litigation, class actions, and consumer protection. Mr. Pouya has been an attorney with Pearson, Simon & Warshaw since 2006, and has extensive experience in representing clients in a variety of contexts. He has served as a primary member of the litigation team in multiple cases that resulted in class certification or a classwide settlement, including cases that involved high-technology products, consumer safety and false and misleading advertising. Mr. Pouya's success has earned him recognition by his peers as a Super Lawyers Rising Star (representing the top 2.5% of lawyers in Southern California age 40 or younger or in practice for 10 years or less) every year since 2008.

Mr. Pouya has served as one of the attorneys representing direct purchaser plaintiffs in several MDL antitrust cases, including *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio) and *In re Fresh and Processed Potatoes Antitrust Litigation* (D. Idaho). Mr. Pouya is actively involved in the prosecution of *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.), and works closely with lead counsel on all aspects of litigation strategy. Mr. Pouya earned his Juris Doctorate from Pepperdine University School of Law in 2006, where he received a certificate in dispute resolution from the prestigious Straus Institute for Dispute Resolution and participated on the interschool trial and mediation advocacy teams, the Dispute Resolution Law Journal and the Moot Court Board.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (L.A. Sup. Ct.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)

Education:

- Pepperdine University School of Law, Malibu, California – J.D. – 2006
- University of California, Santa Barbara, California – B.A., with honors – 2003

Recent Publications:

- *Should Offers Moot Claims?*, Daily Journal, Oct. 10, 2014
- *Central District Local Rules Hinder Class Certification*, Daily Journal, April 9, 2013

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- Consumer Attorneys Association of Los Angeles

PEARSON, SIMON & WARSHAW, LLP

- Consumer Attorneys of California
- Los Angeles County Bar Association
- San Fernando Valley Bar Association

VERONICA W. GLAZE

Veronica W. Glaze is an associate in the firm's Los Angeles office, focusing on antitrust, consumer, and business litigation. Ms. Glaze was a member of the trial team in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, and was actively involved in representing the direct purchaser plaintiffs at all stages of the case. In 2013, Ms. Glaze was recognized by Consumer Attorneys of California as a finalist for its "Consumer Attorney of the Year" award for her work in the case. Ms. Glaze also worked on key aspects of the direct purchaser plaintiffs' case in *In re Potash Antitrust Litigation (II)*, an MDL antitrust case that alleged price fixing by Russian, Belarusian and North American producers of potash. While at Pearson, Simon, & Warshaw, Ms. Glaze has become particularly adept at managing the electronic review of documents at all stages of litigation. She has also gained extensive experience managing the review of foreign language documents and resolving discovery issues concerning the use of translations throughout the litigation process.

Ms. Glaze matriculated at Pomona College in Claremont, California and received her Bachelor of Arts in English Literature, with minors in Black Studies and Politics. She earned her Juris Doctorate in 2008 from Pepperdine University School of Law. While in law school, Ms. Glaze was a member of Pepperdine's Moot Court Board and worked as a research assistant to Professor Carol A. Chase. Ms. Glaze is also a former law clerk for the Legal Aid Foundation of Los Angeles.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)
- *Christina Grace v. Apple, Inc.* (N.D. Cal.)

Education:

- Pepperdine University School of Law, Malibu, California – J.D. – 2008
- Pomona College, Claremont, California – B.A. – 2004

Bar Admissions:

- California
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California

Professional Associations and Memberships:

- John M. Langston Bar Association, Board Member
- Black Women Lawyers Association of Los Angeles, Scholarship Committee Member

PEARSON, SIMON & WARSHAW, LLP

- Consumer Attorneys of California, Member
- Los Angeles County Bar Association, Member
- Consumer Attorneys Association of Los Angeles, Member
- San Fernando Valley Bar Association, Member

Honors and Awards:

- Consumer Attorneys of California's Consumer Attorney of the Year, award finalist, 2013
- John M. Langston Bar Association's President's Award, 2013

MICHAEL H. PEARSON

Michael H. Pearson is an associate in the firm's Los Angeles office, focusing on antitrust, personal injury, and business litigation. Mr. Pearson has represented clients in high-stakes personal injury, mass tort, and product liability cases.

Mr. Pearson received his Bachelor of Science degree from Tulane University in 2008, majoring in Finance with an Energy Specialization. He received his Juris Doctorate from Loyola Law School Los Angeles in 2011. Mr. Pearson is an active member in a number of legal organizations, including the American, Los Angeles County and San Fernando Valley Bar Associations, Consumer Attorneys of California, the Consumer Attorneys Association of Los Angeles and the Association of Business Trial Lawyers.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *Tami Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

Education:

- Loyola Law School Los Angeles, Los Angeles, California – J.D. – 2011
- Tulane University, New Orleans, Louisiana – B.S., *magna cum laude* – 2008

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association

PEARSON, SIMON & WARSHAW, LLP

- San Fernando Valley Bar Association

BENJAMIN E. SHIFTAN

Benjamin E. Shiftan is a litigator in the firm's San Francisco office. Since joining the firm in 2014, Mr. Shiftan has focused on complex class action litigation, including antitrust, product defect, and consumer protection cases.

Prior to joining the firm, Mr. Shiftan litigated complex bad faith insurance cases for a national law firm. Before that, Mr. Shiftan served as a law clerk to the Honorable Peter G. Sheridan, United States District Court for the District of New Jersey, and worked for a mid-sized firm in San Diego.

Mr. Shiftan graduated from the University of San Diego School of Law in 2009. While in law school, he served as Lead Articles Editor of the San Diego International Law Journal and competed as a National Team Member on the Moot Court Board. Mr. Shiftan won the school's Paul A. McLennon, Sr. Honors Moot Court Competition. At graduation, he was one of ten students inducted into the Order of the Barristers. Mr. Shiftan graduated from the University of Virginia in 2006.

Current Cases:

- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (S.D.N.Y.)

Education:

- University of San Diego School of Law, San Diego, CA – J.D. – 2009
- University of Virginia, Charlottesville, VA – B.A. – 2006

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- San Francisco County Bar Association

MATTHEW A. PEARSON

Matthew A. Pearson is an associate in the firm's Los Angeles office focusing on antitrust, consumer protection, copyright, and business litigation. Mr. Pearson has represented clients in a variety of different matters and works closely with clients, co-counsel, and opposing counsel on all aspects of litigation.

PEARSON, SIMON & WARSHAW, LLP

Mr. Pearson received his Bachelor of Science degree from the University of Arizona in 2010, majoring in Business Management. He received his Juris Doctorate from Whittier Law School in 2013. Mr. Pearson is an active member in a number of legal organizations, including the American Bar Association, American Association for Justice, Association of Business Trial Lawyers, Consumer Attorneys Association of Los Angeles, Consumer Attorneys of California, and the Los Angeles County Bar Association.

Current Cases:

- *In re KIND LLC “Healthy and All Natural” Litigation* (S.D.N.Y.)
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)
- *Grace v. Apple, Inc.* (N.D. Cal.)

Education:

- Whittier Law School, California – J.D. – 2013
- University of Arizona: Eller College of Management – B.S.– 2010

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- American Association for Justice
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association

ALEXANDER L. SIMON

Alexander L. Simon is a litigator in the firm’s San Francisco office. Since joining the firm as a law clerk in 2013 and an attorney in 2015, Mr. Simon has focused on complex class action litigation, including antitrust, product defect, and consumer protection cases.

Mr. Simon graduated from Loyola Law School in 2015. While in law school, he served as the Chief Production Editor of the *Loyola of Los Angeles Entertainment Law Review* from 2014-2015. His comment titled *With Great Power Comes Great Responsibility: Gary Friedrich’s Battle with Marvel For Artist Rights* was published by the law review that same year. In 2014, Mr. Simon also participated in Loyola Law School’s Copyright Moot Court. Mr. Simon graduated from the University of California, Berkeley in 2009 where he was a member of

PEARSON, SIMON & WARSHAW, LLP

Freshman Men's Crew during the 2005-2006 season. During his senior year of high school, he was the "two" seat of the Saint Ignatius College Preparatory Varsity 8 boat that won the US Rowing Youth Invitational National Championship.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *Grace v. Apple, Inc.* (N.D. Cal.)

Education:

- Loyola Law School, Los Angeles, California – J.D. – 2015
- University of California, Berkeley, Berkeley, California – B.A. – 2009

Recent Publications:

- *With Great Power Comes Great Responsibility: Gary Friedrich's Battle with Marvel For Artist Rights*, 35 Loy. L.A. Ent. L. Rev. 211 (2015)

Bar Admissions:

- California
- U.S. District Court, Southern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California

Professional Associations and Memberships:

- San Francisco County Bar Association
- California Young Lawyers Association

Community Service:

- Prime Time Mock Trial Coach at Ralph Waldo Emerson Middle School in Los Angeles (2014)
- Volunteer at the Theatre of Terror (2013) and Raymond Hill Mortuary (2014) Haunted Houses benefiting the South Pasadena Arts Council and South Pasadena Educational Foundation

MEREDITH C. DOYLE

Meredith C. Doyle is an associate in the firm's San Francisco office, focusing on antitrust, consumer, and business litigation.

Ms. Doyle earned her Bachelor of Arts degree, *cum laude*, from Claremont McKenna College in 2011, majoring in Government with a Leadership focus. She was a member of the varsity women's soccer team all four years, and contributed to two SCIAC League Championship wins. She received her Juris Doctorate from Pepperdine Law School in 2014. In law school, Ms. Doyle served as an Executive Editor of Pepperdine's *Dispute Resolution Law Journal* from 2013 to 2014. The Journal published her article, *Circles of Trust: Using*

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Restorative Justice to Repair Organizations Marred by Sex Abuse, in 2014. Ms. Doyle was also co-chair of Pepperdine Law School's Honor Board from 2013 to 2014. Ms. Doyle is an active member in a number of legal organizations, including the American Bar Association, Los Angeles County Bar Association, and the Association of Business Trial Lawyers.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)

Education:

- Pepperdine University School of Law, Los Angeles, California – J.D. – 2014
- Claremont McKenna College, Claremont, California – B.A., *cum laude* – 2011

Bar Admissions:

- California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Los Angeles County Bar Association
- San Francisco County Bar Association

EXHIBIT 2

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

PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
ATTORNEYS					
Clifford H. Pearson	P	2017	91.50	\$850.00	\$77,775.00
Clifford H. Pearson	P	2016	87.30	\$850.00	\$74,205.00
Clifford H. Pearson	P	2015	15.70	\$850.00	\$13,345.00
Clifford H. Pearson	P	2014	13.70	\$835.00	\$11,439.50
Clifford H. Pearson	P	2013	12.50	\$835.00	\$10,437.50
Bruce L. Simon	P	2017	178.80	\$850.00	\$151,980.00
Bruce L. Simon	P	2016	518.70	\$850.00	\$440,895.00
Bruce L. Simon	P	2015	205.70	\$850.00	\$174,845.00
Bruce L. Simon	P	2014	296.90	\$835.00	\$247,911.50
Bruce L. Simon	P	2013	223.50	\$835.00	\$186,622.50
Daniel L. Warshaw	P	2017	3.70	\$850.00	\$3,145.00
Daniel L. Warshaw	P	2016	12.80	\$850.00	\$10,880.00
Daniel L. Warshaw	P	2015	161.30	\$850.00	\$137,105.00
Daniel L. Warshaw	P	2014	192.20	\$775.00	\$148,955.00
Daniel L. Warshaw	P	2013	61.70	\$715.00	\$44,115.50
Veronica W. Glaze	A	2017	996.10	\$450.00	\$448,245.00
Veronica W. Glaze (Doc Review)	A	2017	28.40	\$400.00	\$11,360.00
Veronica W. Glaze	A	2016	1,397.90	\$450.00	\$629,055.00
Veronica W. Glaze (Doc Review)	A	2016	207.40	\$400.00	\$82,960.00
Veronica W. Glaze	A	2015	1,276.90	\$450.00	\$574,605.00
Veronica W. Glaze	A	2014	1,325.40	\$450.00	\$596,430.00
Veronica W. Glaze (Doc Review)	A	2014	20.00	\$400.00	\$8,000.00
Veronica W. Glaze	A	2013	31.10	\$385.00	\$11,973.50
Veronica W. Glaze (Doc Review)	A	2013	154.80	\$385.00	\$59,598.00
Bobby Pouya	A	2017	17.20	\$450.00	\$7,740.00
Bobby Pouya	A	2014	66.50	\$450.00	\$29,925.00
William J. Newsom	A	2014	5.90	\$375.00	\$2,212.50
William J. Newsom (Doc Review)	A	2014	4.60	\$350.00	\$1,610.00

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

PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
William J. Newsom	A	2013	13.00	\$375.00	\$4,875.00
Alexander L. Simon	A	2017	24.40	\$375.00	\$9,150.00
Alexander L. Simon	A	2016	31.40	\$375.00	\$11,775.00
Alexander L. Simon	A	2015	1.40	\$375.00	\$525.00
Aaron M. Sheanin	SC	2017	330.00	\$650.00	\$214,500.00
Aaron M. Sheanin	SC	2016	1,439.10	\$650.00	\$935,415.00
Aaron M. Sheanin (Doc Review)	SC	2016	0.30	\$350.00	\$105.00
Aaron M. Sheanin	SC	2015	1,269.10	\$650.00	\$824,915.00
Aaron M. Sheanin (Doc Review)	SC	2015	3.50	\$350.00	\$1,225.00
Aaron M. Sheanin	SC	2014	1,036.80	\$650.00	\$673,920.00
Aaron M. Sheanin (Doc Review)	SC	2014	3.80	\$350.00	\$1,330.00
Aaron M. Sheanin	SC	2013	532.40	\$650.00	\$346,060.00
Robert G. Retana	SC	2016	9.00	\$650.00	\$5,850.00
Robert G. Retana	SC	2015	4.20	\$650.00	\$2,730.00
Robert G. Retana (Doc Review)	SC	2015	158.70	\$350.00	\$55,545.00
Robert G. Retana	SC	2014	17.10	\$650.00	\$11,115.00
Robert G. Retana	SC	2013	115.30	\$650.00	\$74,945.00
Thomas K. Boardman	A	2014	34.80	\$450.00	\$15,660.00
Thomas K. Boardman (Doc Review)	A	2014	90.40	\$350.00	\$31,640.00
Thomas K. Boardman	A	2013	216.90	\$450.00	\$97,605.00
Thomas K. Boardman (Doc Review)	A	2013	1.50	\$350.00	\$525.00
George S. Trevor	OC	2016	0.20	\$650.00	\$130.00
Michael H. Pearson	A	2014	3.90	\$450.00	\$1,755.00
Michael H. Pearson (Doc Review)	A	2014	201.70	\$350.00	\$70,595.00
Eunice Ko	A	2013	121.40	\$400.00	\$48,560.00
Katsuya Nishikawa	A	2014	37.90	\$400.00	\$15,160.00
Benjamin E. Shiftan	A	2017	102.00	\$450.00	\$45,900.00
Benjamin E. Shiftan	A	2016	129.10	\$450.00	\$58,095.00

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

PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
Benjamin E. Shiftan	A	2015	257.00	\$450.00	\$115,650.00
Benjamin E. Shiftan (Doc Review)	A	2015	5.50	\$350.00	\$1,925.00
Benjamin E. Shiftan	A	2014	92.90	\$450.00	\$41,805.00
Alexander R. Safyan	A	2016	244.10	\$450.00	\$109,845.00
Alexander R. Safyan	A	2015	2.30	\$450.00	\$1,035.00
Alexander R. Safyan	A	2014	24.30	\$385.00	\$9,355.50
Alexander R. Safyan	A	2013	18.60	\$385.00	\$7,161.00
Meredith C. Doyle	A	2017	25.70	\$350.00	\$8,995.00
Meredith C. Doyle	A	2016	87.20	\$350.00	\$30,520.00
Meredith C. Doyle	A	2015	199.00	\$350.00	\$69,650.00
Ryan Mowry	A	2016	177.20	\$350.00	\$62,020.00
Ryan Mowry	A	2015	814.80	\$350.00	\$285,180.00
Leslie Razo	A	2016	1,288.80	\$350.00	\$451,080.00
Leslie Razo	A	2015	792.80	\$350.00	\$277,480.00
Kelsey Halverson	A	2015	181.10	\$350.00	\$63,385.00
Matthew A. Pearson	A	2017	10.30	\$375.00	\$3,862.50
Matthew A. Pearson	A	2016	34.90	\$375.00	\$13,087.50
Neil Swartzberg	OC	2017	8.70	\$650.00	\$5,655.00
TOTAL ATTORNEYS:			17,802.70		\$9,314,667.00
NON-ATTORNEYS					
Ellovene Grant	PL	2017	49.80	\$175.00	\$8,715.00
Ellovene Grant	PL	2016	21.50	\$175.00	\$3,762.50
Ellovene Grant	PL	2015	16.30	\$175.00	\$2,852.50
Ellovene Grant	PL	2014	9.70	\$175.00	\$1,697.50
Ellovene Grant	PL	2013	64.40	\$175.00	\$11,270.00
Alexander L. Simon	LC	2015	213.00	\$175.00	\$37,275.00
Alexander L. Simon	LC	2014	4.90	\$175.00	\$857.50
Matthew Lusich	PL	2013	12.50	\$175.00	\$2,187.50

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

PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
Kyoko Yamada	FT	2017	884.20	\$200.00	\$176,840.00
Kyoko Yamada	FT	2016	2,009.70	\$200.00	\$401,940.00
Kyoko Yamada	FT	2015	2,117.90	\$200.00	\$423,580.00
Kyoko Yamada	FT	2014	1,620.90	\$200.00	\$324,180.00
Kyoko Yamada	FT	2013	91.10	\$200.00	\$18,220.00
Amanda C. Lunzer	PL	2016	323.80	\$175.00	\$56,665.00
Amanda C. Lunzer	PL	2015	919.90	\$175.00	\$160,982.50
Amanda C. Lunzer	PL	2014	592.70	\$175.00	\$103,722.50
Khristina Bernal	C	2016	124.50	\$75.00	\$9,337.50
Khristina Bernal	C	2015	135.10	\$75.00	\$10,132.50
TOTAL NON-ATTORNEYS			9,211.90		\$1,754,217.50
GRAND TOTAL:			27,014.60		\$11,068,884.50

- (P) Partner
(A) Associate
(SC) Special Counsel
(LC) Law Clerk
(PL) Paralegal
(OC) Of Counsel
(FT) Foreign Translator
(C) Clerk

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

PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar on a Historical Basis

June 1, 2013 through August 31, 2017

NAME	STATUS	YEAR	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
TOTAL NON-ATTORNEYS			9,211.90		\$1,754,217.50
GRAND TOTAL:			27,014.60		\$11,068,884.50

(P) Partner

(A) Associate

(SC) Special Counsel

(LC) Law Clerk

(PL) Paralegal

(OC) Of Counsel

(FT) Foreign Translator

(C) Clerk

EXHIBIT 3

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

PEARSON, SIMON & WARSHAW, LLP

Expenses Incurred

June 1, 2013 through August 31, 2017

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	\$107.00
Computer Research (Lexis, Westlaw, PACER, etc.)	\$4,945.54
Document Production	
Experts / Consultants	
Messenger Delivery	
Photocopies - In House	
Photocopies - Outside	\$1,417.30
Postage	\$49.68
Service of Process	
Overnight Delivery (Federal Express, etc.)	\$954.46
Telephone / Facsimile	\$3,215.55
Transcripts (Hearings, Depositions, etc.)	\$71.10
Travel (Airfare, Ground Travel)	\$10,216.90
Travel (Meals and Lodging)	\$9,219.88
TOTAL	\$30,197.41