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 2 R. Alexander Saveri (Bar No. 173102)
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10 *Interim Lead Counsel for the*
 11 *Direct Purchaser Plaintiffs*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CRT ANTITRUST LITIGATION

Master File No. CV-07-5944-SC
 MDL No. 1917

This Document Relates to:

CLASS ACTION

ALL DIRECT PURCHASER CLASS
 ACTIONS

**DECLARATION OF JOHN G. EMERSON
 IN SUPPORT OF MOTION FOR
 ATTORNEYS' FEES, REIMBURSEMENT
 OF EXPENSES, AND INCENTIVE
 AWARDS**

1 I, John G. Emerson, declare and state as follows:

2 1. I am a member of the law firm of Emerson Poynter LLP. I submit this declaration
3 in support of Direct Purchaser Plaintiffs (“DPP”) joint application for an award of attorney fees in
4 connection with the services rendered in this litigation. I make this Declaration based on my
5 personal knowledge and if called as a witness, I could and would competently testify to the
6 matters stated herein.

7 2. My firm has served as counsel to A-1 Computers Inc. and as counsel for the class
8 throughout the course of this litigation. The background and experience of the Emerson Poynter
9 LLP firm and its attorneys are summarized in the *curriculum vitae* attached hereto as Exhibit 1.

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

14 4. During the pendency of the litigation, Emerson Poynter LLP performed the
15 following work: preparation of pleadings, legal research, review of documents, financial support
16 of joint prosecution of claims of my client plaintiff and the Class, liaising with client, co-counsel,
17 and class counsel.

18 5. Attached hereto as Exhibit 2 is my firm’s total hours and lodestar, computed at
19 historical rates, from May 9, 2008 through July 31, 2014. This period reflects the time spent after
20 the appointment of Lead Counsel in the litigation. The total number of hours spent by Emerson
21 Poynter LLP during this period of time was 272.20 hours with a corresponding lodestar of
22 \$160,583.25. This summary was prepared from contemporaneous, daily time records regularly
23 prepared and maintained by my firm. The lodestar amount reflected in Exhibit 2 is for work
24 assigned by Lead Class Counsel, and was performed by professional staff at my law firm for the
25 benefit of the Direct Purchaser Plaintiff (“DPP”) Class.

26 6. The hourly rates for the attorneys and professional support staff in my firm
27 included in Exhibit 2 are the usual and customary hourly rates charged by Emerson Poynter LLP.

Exhibit

1



Emerson Poynter LLP
Attorneys at Law

Little Rock
Houston

Class Action Litigation
Securities Litigation
Antitrust Litigation
ERISA Litigation
Consumer Litigation
Trials and Appeals
Product Liability and Tort Law Litigation
Securities Arbitration
Martindale-Hubbe AV Rated

Our Firm

Emerson Poynter LLP has a national class action legal practice with offices in Houston, Texas, and Little Rock, Arkansas.

Emerson Poynter, and its team of experienced Attorneys and Paralegals, handles complex commercial litigation with a concentration in those cases that involve violations of federal and state securities or antitrust laws, consumer protection laws, and violations of the Employee Retirement Income Security Act of 1974 (“ERISA”). Our law firm has handled numerous securities and shareholder derivative cases representing investors. Emerson Poynter and its predecessor firms have also been active in many mass tort, class action, and individual cases of note. In the class action litigation area, Emerson Poynter has represented and currently represents plaintiffs in well over 100 class action cases, some of which are being prosecuted with other leading national firms.

Emerson Poynter has served as Co-Lead Counsel in several recent Multidistrict Litigation (“MDL”) cases involving product liability and consumer protection issues. In 2004, Emerson Poynter was appointed by the Honorable Stephen P. Friot as Plaintiffs’ Co-Lead Counsel in *In re Farmers Insurance Co., Inc. FCRA Litigation*, which was recently settled in the Western District of Oklahoma. This case was litigated on behalf of a certified class of Farmers’ current and past customers who were charged more than the lowest premium for insurance based upon information in a consumer report, and received certain “adverse action” notices that willfully failed to conform

to the Fair Credit Reporting Act. The case resolved in late 2011 and provided class members with about \$100 million in cash and other relief. Emerson Poynter LLP also represent numerous long-grain rice farmers in Arkansas and other states, and continues to serve as Co-Chairman of Plaintiffs' Executive Committee in the MDL action *In re Genetically Modified Rice Litigation* (the "*Rice MDL Action*") having been appointed to such position by the Honorable Catherine D. Perry of the Eastern District of Missouri in April 2007. The *Rice MDL Action* sought damages for long-grain rice producers in Arkansas, Missouri, Mississippi, Louisiana, and Texas for defendants' contamination of the United States' rice supply with genetically modified rice as revealed by Bayer and the USDA in August 2006. This MDL action was settled for over \$750 million in cash relief for American rice farmers. Emerson Poynter additionally served as Co-Lead Plaintiffs' Counsel in an MDL case transferred to the Honorable Richard D. Bennett of the District of Maryland captioned *In Re; Tyson Foods, Inc. Chicken Raised Without Antibiotics Consumer Litigation*. The case involved false advertising claims associated with the sale of Tyson Foods' chicken as being raised without antibiotics, when in fact the chicken was raised with antibiotics. The action was settled for \$5 million in cash and other relief for class members who purchased the chicken products at issue.

Emerson Poynter is also active in cases seeking to improve corporate governance in public companies through its involvement in shareholder derivative litigation. Most notably, Emerson Poynter served as Co-Lead Counsel in cases resulting in significant and far-reaching corporate governance and compliance improvements within companies such as AOL/Time Warner, Computer Associates, Nicor, Cryolife, Inc., and Crompton (Chemtura). The Firm has also represented shareholders in claims involving corporate buyouts and other change-of-control transactions. In 2007, Emerson Poynter represented shareholders of Alltel Corporation in an acquisition of the company by an affiliate of Goldman Sachs. The action was settled favorably for the shareholders, and the Honorable Judge Chris Piazza of the Pulaski County Circuit Court, Arkansas, approved the settlement in August of 2008.

In the consumer protection litigation area, Emerson Poynter is a leader in fighting for the rights of consumers. Besides the aforementioned *Tyson RWA Chicken MDL Action*, Emerson Poynter is also a leader in the MDL action captioned *In Re; Bisphenol-A (BPA) Polycarbonate Plastic Products Liability Litigation* pending in the United States District Court for the Western District of Missouri. Emerson Poynter is Co-Lead Counsel in the *Webb et al. v. Carters Inc. et al.* litigation currently pending in the United States District Court for the Central District of California concerning Carter's line of tagless baby clothing; in the *Montanez et al. v. Gerber Childrenswear, Inc., et al.* litigation currently pending in the United States District Court for the Central District of California concerning Gerber's line of tagless baby clothing; in the *Horne et al. v. The Dannon Company Inc.* litigation currently pending in the United States District Court for the Eastern District

of Arkansas concerning Dannon's line of yogurt products; and, in the *Herrington, et al. v. Johnson and Johnson Consumer Companies, Inc. et al.* litigation currently pending in the United States District Court for the Northern District of California concerning numerous baby products.

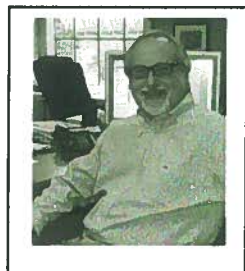
In the retirement plan/pension area, Emerson Poynter served as Co-Lead Counsel in the Winn-Dixie Stores, Inc. ERISA Litigation that settled in the Middle District of Florida in 2008, and served as Co-Lead Counsel in the ADC Telecommunications ERISA litigation that settled in the District of Minnesota in 2006. Emerson Poynter served on the Enron ERISA Litigation Plaintiffs' Counsel Steering Committee. This case settled in the United States District Court, Southern District of Texas, Houston Division in 2005.

Our Attorneys



John G. Emerson

Partner



Mr. Emerson is a founding partner of the Firm. He was born in Little Rock, Arkansas, and was raised there and in Houston, Texas. He is a member of the state bars of Texas, Washington and Arkansas. Mr. Emerson obtained his Bachelor of Arts from the University of Texas at Austin and then earned his Juris Doctorate from South Texas College of Law. Mr. Emerson has been rated "AV Preeminent" for the last 17 years by Martindale-Hubbell which is the highest possible peer review rating in legal ability and ethical standards. Mr.

Emerson was honored by being named one of the Top 100 Trial Lawyers in America by the National Trial Lawyers in 2013 and 2014.

In his antitrust practice, Mr. Emerson is currently a member of the Plaintiffs' Counsel Steering Committee in the Aluminum Warehousing Antitrust Direct Purchaser action. Mr. Emerson has represented plaintiffs in the Compact Disc Antitrust Litigation filed against the music industry in the United States, and plaintiffs in the High Pressure Laminates Antitrust Litigation in the direct purchaser case. Notably, Mr. Emerson also has been or is currently involved in the following antitrust cases: CRT (Cathode Ray Tube) Antitrust Litigation; Flash Memory Antitrust Litigation; GPU (Graphics Processing Units) Antitrust Litigation; Ocean Shipping Antitrust Litigation; TFT-LCD (Flat Panel) Antitrust Litigation; Trans-Pacific Airline Surcharge Litigation, among others.

In his corporate practice, Mr. Emerson has represented numerous stockholders in shareholder derivative lawsuits brought against corporate boards. These suits sought to impose corporate

governance reforms aimed at protecting shareholders and eliminating corporate waste and abuse. Mr. Emerson is currently Co-Lead Counsel in cases involving Wal-Mart, Citigroup, JP Morgan Chase, and Ariad Pharmaceuticals. He is Lead Counsel in a case involving Goldman Sachs Group, Inc. In the past, Mr. Emerson served as one of the lead counsel in the Computer Associates derivative action in the Federal District Court for the Eastern District of New York. This action was brought against the Computer Associates' board of directors and led to the resignation of the Company's CFO, the resignation of two other senior financial officers, and the adoption of certain corporate governance measures that Computer Associates has since represented as the "gold standard" of governance reform. Mr. Emerson was Co-Lead Counsel in the case styled *In Re Nicor, Inc. Shareholder Derivative Litigation* in the Circuit Court of Cook County, Illinois County Department, Chancery Division. This action was brought against Nicor's board of directors and its settlement resulted in major corporate governance improvements at Nicor. Mr. Emerson was Co-Lead Counsel in the case styled *In Re Cryolife Derivative Litigation* pending in the Superior Court of Fulton County, Georgia. The settlement of this action resulted in wide-sweeping corporate governance improvements at Cryolife. Mr. Emerson was also Co-Lead Counsel in the case styled *AOL Time Warner Shareholder Derivative Litigation* which was settled in the Federal District Court for the Southern District of New York. This settlement resulted in wide ranging corporate governance and compliance changes and was a substantial factor in Time Warner's ability to obtain \$200 million from its Directors' and Officers' (D&O) insurance carriers. Mr. Emerson was Lead Counsel in the action styled *Crompton* (now known as Chemtura) *Shareholder Derivative Litigation* which settled in the Bankruptcy Court for the Southern District of New York. This settlement resulted in major corporate governance improvements.

In his consumer class action practice, Mr. Emerson served as Chairman of the Expert Witness Committee in the consolidated Multi-District Litigation action styled *In Re Bisphenol-A (BPA) Polycarbonate Plastic Products Liability Litigation* filed in the United States District Court for the Western District of Missouri. Mr. Emerson represented one of the lead named plaintiffs in the AOL Version 5.0 software litigation. He was Co-Lead Counsel in an action filed against the Farmers Insurance Group of Companies involving alleged violations of the Fair Credit Reporting Act which resolved for plaintiffs. He was Co-Lead Counsel for a number of parents in the Gerber's baby clothing litigation and the Carter's baby clothing litigation. Both case resolved for plaintiffs in 2013. Mr. Emerson was a consultant to Canadian plaintiffs' counsel in the Canadian Medtronic Pacemaker Pacing Lead Product Liability Litigation that was certified and settled in British Columbia as a Canadian national class action. He has been a consultant to Canadian counsel in the Canadian Compact Disc Antitrust Litigation, the Canadian Publishers Clearing House Litigation, and the Canadian AOL 5.0 Software Litigation.

In his retirement plan practice, Mr. Emerson was appointed to the Plaintiffs' Counsel Steering Committee by Judge Melinda Harmon, United States District Judge, Southern District of Texas – Houston Division, in the consolidated Enron ERISA Litigation, styled *Pamela M. Tittle v. Enron Corp., et al.*

Mr. Emerson was admitted to the Texas Bar in 1980. He is admitted to practice before the U.S. Supreme Court; U.S. Court of Appeals for the 2nd, 5th, and 8th Circuits; U.S. District Courts for the Southern, Northern, Western and Eastern Districts of Texas; Western and Eastern Districts of Arkansas; Western District of Washington; District of Colorado; and all Texas, Washington and Arkansas state courts.

Mr. Emerson has extensive jury trial experience over the past 34 years. He is a member of the legal fraternity Delta Theta Phi. He is also a member of The National Trial Lawyers; American Association for Justice (“AAJ”); AAJ Class Action Litigation Group; Fellow of The Pound Civil Justice Institute; Texas Trial Lawyers Association; American Bar Association (Tort and Insurance Practice and Legal Economics Sections); State Bar of Texas (Grievance Committee 4-D, Houston, 1991-94); Membership Services Committee, 1991-92); Sustaining Life Fellow Texas Bar Foundation; Bar Association for the United States District Court for the Eastern District of Texas; Houston Bar Association; Fellow of the Houston Bar Foundation; Washington State Bar; King County Bar Association; Pulaski County Bar Association; and, the Arkansas Bar Association. Mr. Emerson was honored by the Governor of Arkansas when he was named an Arkansas Traveler, an Ambassador of Good Will on behalf of the people of the state of Arkansas to people everywhere.

Mr. Emerson is married with two children, one grandson, and six rescued dachshunds. He enjoys the outdoors and has hunted and fished in the US, Canada, Mexico, Honduras, Uruguay, Argentina, Botswana, and South Africa. He is a life member of Safari Club International.

Mr. Emerson's email address is jemerson@emersonpoynter.com.



Scott E. Poynter

Partner



Mr. Scott Poynter is also a founding partner of the Firm. He was born in Fayetteville, Arkansas and was raised in Mountain Home. Mr. Poynter earned his Bachelor of Science Degree in Accounting from Arkansas Tech University. He then earned his Juris Doctorate from the University of Arkansas in 1989. While in law school, Mr. Poynter was active in Phi Alpha Delta legal fraternity and was awarded a leadership scholarship from the school. After completing law school, Mr. Poynter joined the Judge Advocate Department of the United States Air Force and served six years of active duty as a Judge Advocate and litigated more than fifty jury trials. In 1995, then Captain Poynter was selected by the Air Force for its Advanced Trial Advocacy Course, a course reserved for the military's finest litigators. After leaving active duty, Mr. Poynter was a partner at a national class action law firm, which focused its work on the representation of investors. He also continued his military career in the Arkansas Air National Guard and attained the rank of Major.

As Plaintiffs' Co-Lead Counsel in the *Farmers MDL Action*, Mr. Poynter was devoted to recovering statutory damages in a certified class action brought on behalf of Farmers' customers who paid higher insurance premiums based upon credit information without their knowledge due to faulty FCRA notices prepared by Farmers. As a result of his and his co-counsel's effort, they secured a \$100 million settlement on behalf of class members last fall. In another MDL action, *In Re Genetically Modified Rice Litigation*, Mr. Poynter serves as Co-Chair of Plaintiffs' Executive Committee on behalf of long-grain rice farmers who experienced a deflated rice market after America's rice supply was contaminated by Bayer's genetically modified rice in 2006 and markets in Europe and Asia were lost. A \$750 million cash settlement was achieved last year, and Mr. Poynter continues to work on behalf of his clients in securing their cash relief. Mr. Poynter also served as Co-Lead Plaintiffs' Counsel in the *Tyson RWA Chicken MDL Action* before Judge Bennett in the District of Maryland, which provided class members over \$5 million in relief. Additionally, he served as class counsel in multiple consumer actions against Alltel, and thus far, has secured over \$60 million of relief former Alltel subscribers who were members of certain consumer classes.

Mr. Poynter is also an experienced ERISA litigator, having served as Co-Lead Plaintiffs' Counsel for retirement plan participants involving retirement plans at ADC Telecommunications, Inc. and Winn Dixie Stores, Inc. Due to Mr. Poynter's efforts, millions of dollars were recovered

in those retirement plans in settlements approved by judges in the District of Minnesota in 2006 and the Middle District of Florida in 2008. Mr. Poynter was also instrumentally involved in ERISA Actions involving Enron, Reliant Energy, and he also represented numerous Goodyear Tire & Rubber Company employees in an ERISA action brought in Ohio.

As an active participant in the representation of investors whose shares are acquired through leveraged buyouts, mergers, tender offers, and other “change of control” transactions, Mr. Poynter has challenged the fairness of such transactions, the adequacy of disclosures made in connection with the transactions, and the price offered to shareholders for their equity. These types of cases have resulted in the restructuring of scores of corporate transactions and the recovery of hundreds of millions of dollars in additional compensation for shareholders. Most recently, Mr. Poynter was a lead counsel in such litigation and represented Alltel shareholders in a case assigned to Pulaski Circuit Judge Chris Piazza. *In re Alltel Corp. Shareholders Litigation*, Circuit Court of Pulaski County, Arkansas, Case No. 07-6406. This case was settled in late August 2008.

Mr. Poynter also devotes a significant amount of his law practice to representing investors seeking financial recovery for losses suffered as a result of securities fraud. Additionally, Mr. Poynter has represented stockholders in shareholder derivative lawsuits brought against corporate boards, seeking to impose corporate governance reforms aimed at protecting shareholders and eliminating corporate waste and abuse. For example, Mr. Poynter served as one of the counsel in *Perkins v. Sortwell, et al.*, brought on behalf of Aurora Foods, Inc. In this derivative action, certain corporate insiders were forced to relinquish more than 3.6 million of their personal shares to Aurora Foods representing nearly a \$15 million benefit to the Company. Additionally, significant corporate governance safeguards were implemented to significantly reduce the risk of accounting malfeasance. Mr. Poynter’s experience in this action contributed significantly to the settlement achieved in a derivative action brought on behalf of Computer Associates, which led to the resignation of the Company’s CFO and two other senior financial officers. Moreover, Mr. Poynter was one of the lead counsel in derivative litigation in Georgia involving Cryolife that led to the denial of the Cryolife’s Board of Directors’ motion to dismiss based upon the investigation and report of a special litigation committee. Through his effort in building Plaintiffs’ case in discovery, the motion to dismiss was denied very quickly and a favorable settlement for Cryolife and its shareholders followed. Mr. Poynter has also led other derivative actions involving Nicor, AOL Time Warner, and Crompton Corporation.

Mr. Poynter has also been extensively involved in many telecommunications class action cases brought under consumer protection statutes, and appeared on the nationally syndicated

television show *The Morning Show with Mike and Juliet* as an expert on the cell phone industry's early termination fees. Mr. Poynter provided viewers of this show with legal information regarding the response of consumers to such fees, and the Federal Communications Commission's recent hearings on the subject.

Mr. Poynter is admitted to practice before: U.S. Court of Appeals for the Armed Forces; U.S. District Courts for the Western and Eastern Districts of Arkansas; 8th Circuit Court of Appeals; and all Arkansas State Courts.

Mr. Poynter's e-mail address is scott@emersonpoynter.com.



Will T. Crowder

Partner



Mr. Crowder is a partner with the firm. He was born and raised in Camden, Arkansas. In 2000, Mr. Crowder earned a Bachelor of Arts Degree in Political Science from the University of Arkansas. In 2003, Mr. Crowder earned his Juris Doctorate from the William H. Bowen School of Law at the University of Arkansas at Little Rock. Mr. Crowder is a member of the Arkansas Bar and admitted to the United States District Court for the Eastern and Western Districts of Arkansas, the District of Colorado, and the U.S. Court of Appeals for the Eighth Circuit.

Following his clerkship he has been employed by the Little Rock law firms of Jack, Lyon & Jones, P.A. (where he focused on defense work) and McMath Woods, P.A. (where he began his representation of the injured).

During his time at Emerson Poynter, Mr. Crowder has been extensively involved in all manner and types of class cases, including the firms' consumer litigation cases:

- *Carrera v. Bayer Corporation*, (D.N.J.), deceptive trade practices action for marketing of Bayer's WeightSmart diet pill.
- *Montantez v. Gerber Childrenswear, LLC* (C.D. Cal) and *Webb v. Carter's, Inc.* (C.D. Cal), cases involving tagless labels on children's garments.
- *In re: Cheerios Marketing and Sales Practices Litigation* (D.N.J.), multidistrict litigation pending against General Mills for health and cancer-prevention claims made by their products.

Mr. Crowder has also lead the firm's efforts in litigation of cases on behalf of Arkansas's citizens

- Claims against major retailers who manufacture products with dangerous levels of heavy metals and other chemicals;
- Claims against manufacturers of "toning shoes" on behalf of Arkansas's citizens;
- Claims against banks relating to overdraft practices.

Mr. Crowder is a member of the American Bar Association, American Association for Justice, the Arkansas Trial Lawyers Association and the Pulaski County Bar Association.

In 2009, 2010, and 2011, Mr. Crowder was selected as a *Mid-South Super Lawyer* Rising Star.

Mr. Crowder's email is wcrowder@emersonpoynter.com.



Corey D. McGaha

Senior Associate



Mr. Corey D. McGaha, an associate with Emerson Poynter LLP since July 2011, is admitted to practice in the state courts of Arkansas and Texas, the United States Court of Appeals for the Eighth Circuit, the United States District Courts for the Eastern and Western Districts of Arkansas, and the United States District Court for the Eastern District of Texas. Mr. McGaha graduated cum laude from Ouachita Baptist University and received his law degree from the University of Arkansas in 2002

After graduating law school, Mr. McGaha served as a law clerk to the Hon. Harry F. Barnes, United States District Court for the Western District of Arkansas from 2002-2006. He is a member of the American Bar Association, the Arkansas Bar Association, the Texas Bar Association, and the Pulaski County Bar Association.

Since joining Emerson Poynter LLP, Mr. McGaha has assisted the firm in prosecuting several class actions and real estate litigation cases, including:

- Over 30 property damage cases litigated in state and federal court for clients in Faulkner County, Arkansas alleging that wastewater injection wells caused the Guy-Greenbrier Earthquake Swarm in 2010-2011, which damaged his clients' homes.
- Reported decision in *Asset Acceptance v. Newby*, 2014 Ark. 280 (2014) – Mr. McGaha successfully argued his clients' claims were not subject to arbitration because Asset Acceptance, LLC, a debt-collector, had no specific evidence Ms. Newby agreed to arbitration, that the arbitration clause at issue was ever communicated to her, nor that she assented to the arbitration clause at issue.

Mr. McGaha worked as an attorney at Patton Roberts PLLC in Texarkana, Texas from 2006 through 2011. Mr. McGaha assisted the firm in successfully litigating and settling a number of security fraud cases including:

- *In Re: Brocade Securities Litigation, Northern District of California* - A national securities fraud class action which resulted in a court-approved cash settlement of \$160 million for shareholders.
- *In Re: Salomon Analyst Metromedia Litigation, Southern District of New York* – A securities fraud class action which resulted in a court-approved cash settlement of \$35 million for shareholders of Metromedia Fiber Network.
- *Walker v. Rent-A-Center, Inc., Eastern District of Texas* – A securities fraud class action which resulted in a court approved cash settlement of \$3.6 million for the shareholders of Rent-A-Center, Inc.
- *McClure, et al, v. AOL Time Warner, Inc., Texas state court* – An individual securities fraud action in which our clients received 100% more than they would have received in the global settlement of the national securities fraud class action.

Mr. McGaha also assisted the Firm in representing the Industrial Technology Research Institute (ITRI), the prominent Taiwanese national research institute, in its first prosecution of its patent portfolio in the United States against Samsung Electronics, and its second ongoing prosecution of its patent portfolio against LG Electronics.

Mr. McGaha enjoyed a strong local civil litigation practice at Patton Roberts, focused on commercial, real estate, and personal injury litigation that included:

- *Arkansas State Highway Commission v. Wilson, et al, Arkansas state court* - In his first jury trial, Mr. McGaha secured an \$188,000 jury verdict on his client's counterclaim against the Arkansas State Highway Commission after the State condemned a third of his clients' farm. The jury verdict substantially higher than the amount of money the State \$116,000 originally interpled into the court's registry.
- Reported decision in *Buck v. City of Hope*, 2009 Ark. App. 105, 303 S.W.3d 85 (Ark.App. 2009) – Mr. McGaha successfully argued for his client that the trial court erred in finding

it lacked subject matter jurisdiction over claims for nuisance, inverse condemnation, trespass and negligence against the City of Hope, Arkansas.

- *Watz, et al. v. Red Robin International, Inc., et al, Arkansas state court* – Mr. McGaha successfully gained a dismissal of a wrongful death lawsuit against his clients, the Red Robin restaurant chain, for lack of subject matter jurisdiction.
- *Lancaster v. Red Robin International, Inc., Arkansas state court* – Mr. McGaha achieved another success for the Red Robin restaurant chain by defeating a former employee's defamation claim by a motion for summary judgment.

While living in Texarkana, Mr. McGaha was active in the bar as a member of the Texarkana Bar Association, and treasurer for the Texarkana Young Lawyers Association. Mr. McGaha was also a member of the Texarkana Chapter of Kiwanis International. Mr. McGaha's email address is cmcgaha@emersonpoynter.com



Robert Jigarjian

Of Counsel

Mr. Jigarjian received his Bachelor of Arts degree from Hamilton College in 1981, his Masters of Business Administration from Tulane University in 1985 and his Juris Doctorate from Golden Gate University in 1993. Prior to law school, Mr. Jigarjian worked as an institutional sales trader with Keefe Bruyette & Woods, Inc., where he specialized in sales and trading of equity securities in the bank and savings and loan sectors.

Mr. Jigarjian was a founding member of Green & Jigarjian LLP. He joined Emerson Poynter in 2007. Prior to founding Green & Jigarjian, Mr. Jigarjian was employed at Girard & Green LLP.

Mr. Jigarjian has substantial experience in the representation of individual and institutional investors in class action and derivative litigation. He represented one of the lead plaintiffs in the class action captioned *In re Prison Realty Securities Litigation*, Case No. 3:99-0452 (M.D. Tenn.) which resulted in a settlement that created a fund for the class valued at approximately \$105 million. He also represented one of the lead plaintiffs in the consolidated class and derivative action captioned *In re Digex, Inc. Shareholders Litigation*, C.A. No. 18336 NC (Del. Ch.), which resulted in a settlement that created a fund for the class valued at approximately \$180 million and provided for other non-cash benefits valued at approximately \$450 million. Mr. Jigarjian currently represents the derivative plaintiffs in *Saito, et al. v. McCall, et al.*, C.A. No. 17132-NC (Del. Ch.). The Delaware Chancery Court recently approved a settlement in the Saito litigation that provided

for payment by directors and officers liability insurers to McKesson Corporation of \$30 million and certain corporate governance improvements. Mr. Jigarjian also represents the lead class plaintiffs in *In Re: Salomon Analyst XO* Litigation, 02-CV-8114 (GEL) (S.D.N.Y.).

Mr. Jigarjian is a member of the State Bar of California and is admitted to the United States District Courts for the Northern, Southern, Eastern and Central Districts of California and to the Ninth Circuit Court of Appeals.

Mr. Jigarjian's email address is jigarjianlaw@gmail.com.

Exhibit

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In re Cathode Ray Tube (CRT) Antitrust Litigation
EMERSON POYNTER LLP
Reported Hours and Lodestar
May 9, 2008 through July 30, 2014

| NAME | TOTAL HOURS | HOURLY RATE | LODESTAR |
|------------------------|----------------|----------------|--------------|
| ATTORNEYS | | | |
| John G. Emerson (P) | 132.85 | \$595.00 | \$79,045.75 |
| John G. Emerson (P) | 87.80 | \$695.00 | \$61,021.00 |
| Scott E. Poynter (P) | 14.45 | \$595.00 | \$8,597.75 |
| Jay Patterson (P) | .50 | \$550.00 | \$275.00 |
| Will Crowder (P) | .25 | \$500.00 | \$125.00 |
| Chris Jennings (A) | 15.80 | \$450.00 | \$7,110.00 |
| Corey McGaha (A) | .30 | \$500.00 | \$150.00 |
| Gina Daugherty (A) | 3.25 | \$495.00 | \$1608.75 |
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| NON-ATTORNEYS | | | |
| Charles Gastineau (PL) | 6.8 | \$150.00 | \$1020.00 |
| Dave Parkinson (PL) | 1 | \$250.00 | \$250.00 |
| Sara Kirk (PL) | 1 | \$150.00 | \$150.00 |
| Tanya Autry (PL) | 8.20 | \$150.00 | \$1,230.00 |
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| | | | |
| TOTAL: | 272.20 | | \$160,583.25 |

(P) Partner
(OC) Of Counsel
(A) Associate
(PL) Paralegal
(LC) Law Clerk

Exhibit

3

In re Cathode Ray Tube (CRT) Antitrust Litigation
Emerson Poynter LLP
Reported Expenses Incurred on Behalf of DPPs

| CATEGORY | AMOUNT INCURRED |
|---|--------------------|
| Advertising | |
| Court Fees (filing, etc.) | 210.00 |
| Experts/Consultants | |
| Federal Express | 40.00 |
| Transcripts (Hearing, Deposition, etc.) | |
| Computer Research | 87.38 |
| Messenger Delivery | |
| Photocopies – In House | 233.00 |
| Photocopies – Outside | |
| Postage | 15.41 |
| Service of Process | |
| Telephone/Telecopier | 6.38 |
| Travel (Airfare, Ground Travel, Meals, Lodging, etc.) | 431.53 |
| | |
| TOTAL: | \$1023.70 |
| | |