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13 *Attorneys for Crago Corporation*

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**
18

19 IN RE: CRT ANTITRUST LITIGATION

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

20
21 This Document Relates to:

CLASS ACTION

22 ALL DIRECT PURCHASER CLASS
23 ACTIONS

**DECLARATION OF BRUCE L. SIMON
IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND INCENTIVE
AWARDS**

1 I, Bruce L. Simon, declare and state as follows:

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

7 2. My firm has served as counsel to plaintiff Crago Corporation (“Crago”) and as
8 counsel for the class throughout the course of this litigation. Throughout the litigation, Pearson
9 Simon has been in regular communication with plaintiff Crago to keep it apprised of the progress
10 of the case. The background and experience of Pearson Simon and its attorneys are summarized
11 in the *curriculum vitae* attached hereto as Exhibit 1.

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

16 4. From the inception of this litigation, Pearson Simon has actively participated in the
17 prosecution of this case. In November 2007, Pearson Simon began researching the CRT industry
18 and investigating illegal, anticompetitive conduct by several of the leading CRT manufacturers.
19 Among other things, Pearson Simon obtained substantial economic data on the CRT industry and
20 retained consultants to review the economic evidence of the alleged conspiracy. On November 26,
21 2007, Pearson Simon and Shughart Thomson & Kilroy, P.C. (now called “Polsinelli”) filed the
22 first direct purchaser Class Action Complaint in the United States District Court for the Northern
23 District of California on behalf of Crago.

24 5. Immediately thereafter, Pearson Simon began coordinating with other plaintiffs’
25 counsel and defense counsel to organize and streamline this litigation. Pearson Simon filed a
26 motion pursuant to 28 U.S.C. § 1407 before the Judicial Counsel on Multidistrict Litigation
27 (“JPML”) for transfer and consolidation of all CRT actions to the United States District Court for
28

1 the Northern District of California. With the support and assistance of Saveri & Saveri, Inc.
2 (“Saveri” or “Lead Counsel”), Pearson Simon was selected by all plaintiffs who favored transfer
3 to the Northern District of California to present oral arguments at the January 30, 2008 hearing
4 before the JPML.

5 6. While the motion for transfer and consolidation was pending, Pearson Simon
6 communicated with counsel concerning the management of the litigation, entered into a stipulation
7 setting a uniform deadline for defendants to file responsive pleadings, and drafted and submitted
8 the initial status conference statement for direct purchasers. Pearson Simon effected service on
9 several U.S.-based defendants and filed motions requesting the issuance of Letters Rogatory to
10 consummate service on the foreign defendants, which the Court granted. Pearson Simon, in
11 coordination with Saveri and other direct purchaser counsel, sent a proposed stipulation to defense
12 counsel whereby service of process in any one direct or indirect purchaser action would constitute
13 service of process in the consolidated direct or indirect purchaser actions, respectively.

14 7. Although Pearson Simon and Saveri were unanimously proposed jointly as interim
15 lead counsel for the proposed DPP class, the Court appointed Saveri only. Following Saveri’s
16 appointment as Lead Counsel, Pearson Simon performed substantive work in numerous areas on
17 behalf, and for the benefit, of the direct purchaser class. Pearson Simon performed these work
18 assignments at the direction of and in coordination with Lead Counsel.

19 8. Pearson Simon has substantial experience in complex antitrust litigation involving
20 price-fixing of high-technology components, having served as co-lead class counsel on behalf of
21 the direct purchaser plaintiff class in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, 07-md-1827
22 SI (N.D. Cal.). Pearson Simon litigated and tried that class action before the Hon. Susan Illston of
23 the United States District Court for the Northern District of California. As the Court is aware,
24 CRTs are the precursor technology to TFT-LCDs, and the cartels for both components involved
25 several of the same corporate defendants and individual participants. The expertise that Pearson
26 Simon developed from the *TFT-LCD* litigation (for example, in areas involving direct purchaser
27 standing under *Illinois Brick*, evidence produced in the *TFT-LCD* matter that was pertinent to the

1 CRT litigation, and liability issues) was called-upon regularly by Lead Counsel to assist in the
2 prosecution of this litigation.

3 9. Throughout the course of the litigation, Pearson Simon advised and consulted with
4 Lead Counsel concerning strategic decisions. In 2009, Pearson Simon attended the proffer of the
5 cooperating defendant, and reviewed and analyzed the Glass Meeting minutes that provided an
6 outline of the critical liability evidence in this case.

7 10. Pearson Simon participated in the drafting and editing of numerous pleadings and
8 motions including the Consolidated Amended Complaint, case management conference
9 statements, oppositions to motions to dismiss, the opposition to the motion for summary judgment
10 on *Illinois Brick* issues, the objection to the Special Master's report and recommendation on the
11 motion for summary judgment, and direct purchaser plaintiffs' motion for class certification.
12 Pearson Simon also prepared for and attended several hearings before the Special Master and the
13 Court on discovery matters, case management conferences, and substantive motions.

14 11. Pearson Simon was responsible for many aspects of discovery pertaining to the
15 defendants as a whole. In particular, Pearson Simon assisted in preparing a discovery plan,
16 engaged in negotiations and discussions with other counsel concerning the ESI protocol and
17 deposition protocol, drafted contention interrogatories and other discovery requests, spearheaded
18 negotiations with defendants over the production of their transactional data, and drafted Rule
19 30(b)(6) deposition notices concerning defendants' corporate organizational structures,
20 manufacturing and sales processes, and conspiratorial conduct. Pearson Simon also participated in
21 drafting responses to defendants' discovery requests. In addition, Pearson Simon worked with
22 experts and consultants retained by direct purchaser plaintiffs concerning the discovery and data
23 necessary to prepare a class certification report and damages analysis.

24 12. Pearson Simon was assigned specific responsibility for discovery concerning
25 Samsung SDI Co., Ltd. ("Samsung SDI"), the last defendant to settle with the direct purchasers.
26 Pearson Simon engaged in numerous meet and confers with Samsung SDI over its custodians
27 from whom documents would be produced, reviewed Samsung SDI documents, and prepared for
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1 and took the depositions of several critical Samsung SDI witnesses including I.H. Song, Michael
2 Son, S.K. Park (which took place in Seoul, Korea), Hoon Choi, and J.Y. Youn. Pearson Simon
3 also assisted co-counsel in preparing to take the depositions of other Samsung SDI witnesses
4 including K.C. Oh and J.I. Lee.

5 13. Pearson Simon actively participated in settlement strategy and settlement
6 negotiations involving several defendants including Panasonic, Hitachi, Samsung SDI, LG,
7 Toshiba, and others. Pearson Simon drafted settlement briefs in connection with these
8 responsibilities. My partner, Clifford H. Pearson, and I had numerous discussions with Lead
9 Counsel concerning settlement strategy, and we reviewed certain defendants' confidential sales
10 data to formulate proper and fair settlement demands. At the direction of Lead Counsel, Mr.
11 Pearson and I met with opposing counsel, attended mediations, and negotiated with defense
12 counsel to obtain settlements that were in the best interests of the direct purchaser plaintiff class.

13 14. Attached hereto as Exhibit 2 is my firm's total hours and lodestar, computed at
14 historical rates, from May 9, 2008 through July 31, 2014. This period reflects the time spent after
15 the appointment of Lead Counsel in the litigation at the instruction of Lead Counsel. The total
16 number of hours spent by Pearson Simon during this period of time was 4,116.35 with a
17 corresponding lodestar of \$2,400,904.75.

18 15. The summary attached as Exhibit 2 was prepared from contemporaneous, daily
19 time records regularly prepared and maintained by my firm. The lodestar amount reflected in
20 Exhibit 2 is for work assigned by Lead Counsel, and was performed by professional staff at my
21 law firm for the benefit of the DPP class.

22 16. The hourly rates for the attorneys and professional support staff in my firm
23 included in Exhibit 2 are the usual and customary hourly rates charged by Pearson Simon.

24 17. My firm has expended a total of \$31,933.57 in unreimbursed costs and expenses in
25 connection with the prosecution of this litigation. These costs and expenses are broken down in
26 the chart attached hereto as Exhibit 3. They were incurred on behalf of the DPP class by my firm
27 on a contingent basis, and have not been reimbursed. The expenses incurred in this action are

1 reflected on the books and records of my firm. These books and records are prepared from
2 expense vouchers, check records and other source materials and represent an accurate recordation
3 of the expenses incurred.

4 18. Pearson Simon also paid a total of \$50,000 in unreimbursed assessments for the
5 joint prosecution of the litigation against the defendants. These assessments are separate from the
6 firm's unreimbursed costs and expenses identified in Exhibit 3.

7 19. Excluded from Exhibit 2 and 3 are the total number of hours spent by Pearson
8 Simon from inception of the case to May 8, 2008 is 588.45 with a corresponding lodestar of
9 \$363,926.25, and total costs for this period of \$6,042.92. Much of this time was spent
10 investigating and bringing the case together with Lead Counsel.

11 20. I have reviewed the time and expenses reported by my firm in this case which are
12 included in this declaration, and I affirm that they are true and accurate.

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct. Executed on August 18, 2015 at San Francisco, California.



Bruce L. Simon

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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 multidistrict litigation. Its attorneys have extensive experience in antitrust, securities, consumer protection, and unlawful employment practices. The firm handles both 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 Keurig Green Mountain Single-Serving 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-server 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.
- *In re Credit Default Swaps Antitrust Litigation*, Southern District of New York, MDL No. 2476. PSW attorneys represents 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 thirteen of the world’s largest banks. The

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lawsuit alleges that the banks along with other defendants who control the market infrastructure for CDS trading have conspired for years to restrain the efficient trading of CDS, thereby inflating the cost to trade CDS. The alleged antitrust conspiracy has resulted in economic harm in the tens of billions of dollars to institutional investors such as pension funds, mutual funds, and insurance companies who use CDS to hedge credit risks on their fixed income portfolios. The action has been consolidated with nine other class action lawsuits that are assigned to the Honorable Denise Cote of the Southern District of New York. On December 13, 2013, Judge Cote appointed Pearson Simon as Co-Lead Counsel for the plaintiff class and its client, LACERA as lead plaintiff for the class.

- *In re Lithium Ion Batteries Antitrust Litigation*, Northern District of California, MDL No. 2420. PSW attorneys currently serve as interim co-lead counsel for direct purchaser plaintiffs in this multidistrict class action litigation arising from the price-fixing of lithium ion batteries. The case involves allegations of collusive activity by a cartel made up of the world's largest manufacturers of lithium ion batteries, which are used in everything from cellular phones to cameras, laptops and tablet computers. PSW filed one of the earliest cases on behalf of the direct purchasers and successfully argued before the Joint Panel on Multidistrict Litigation ("JPML") for consolidation of the cases in the Northern District of California. PSW, along with its co-counsel, organized a leadership structure of three firms, winning appointment by Judge Gonzalez Rogers as co-lead counsel for the putative class of direct purchasers on May 17, 2013.
- *In re TFT-LCD (Flat Panel) Antitrust Litigation*, Northern District of California, MDL No. 1827. PSW partner Bruce L. Simon served as co-lead counsel for the direct purchaser plaintiffs in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, a multidistrict litigation arising from the price-fixing of thin film transistor liquid crystal display panels. Worldwide, the TFT-LCD industry is a multi-billion dollar industry, and many believe that this proceeding was one of the largest price-fixing cases in the United States. Over \$405 million in settlements had already been approved before trial. Mr. 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 the sole remaining defendant in the case, Toshiba Corporation and its related entities. 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*.

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- *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 plaintiffs in this multidistrict litigation arising from the price-fixing of potash sold in the United States. After defeating a motion to dismiss, Defendants appealed, and Mr. Simon argued before an *en banc* panel of the Seventh Circuit Court of Appeals. In an 8-0 decision, the *en banc* panel reversed the first panel decision and affirmed the denial of Defendants' motion to dismiss. *Minn-Chem, Inc. v. Agrium Inc.*, 683 F.3d 845 (7th Cir. 2012). On June 12, 2012, the Court approved a \$90 million class settlement on behalf of direct purchaser plaintiffs.
- *In Re: Warner Music Group Corp. Digital Downloads Litigation*, Northern District of California, Case No. 12-cv-00559. PSW attorneys currently serve 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 producers who allege that they have been systematically underpaid royalties by the record company Warner Music Group.
- *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.
- *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 preparation of 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

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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 actions against Archer-Daniels Midland Co. and others for their conspiracy to fix the prices of citric acid, a food 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. George S. Trevor and 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. Trevor and 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 Digital Microwave Securities Litigation*, Northern District of California, C-90-20241. George S. Trevor was one of the principal attorneys for a plaintiff class alleging fraud in the financial reporting of a public company. Defendants included the accounting firm Arthur Andersen. Mr. Trevor negotiated a settlement of nearly \$20 million, despite the absence of any director's and officer's liability insurance.

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- *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 Ivan F. Boesky Securities Litigation*, Southern District of New York, MDL No. 732. George S. Trevor, while at the firm of Gold & Bennett, was one of the principal attorneys representing a class of former shareholders of the Pacific Lumber Company. The case was consolidated with numerous other shareholder class actions before the Honorable Milton Pollack. Mr. Trevor personally took numerous depositions and examined Michael Milken pursuant to Mr. Milken's settlement agreement with the Pacific Lumber class. He was also part of the trial team in New York when the case settled the evening before trial. The resulting settlement of \$144 million was estimated to be the fourth largest securities litigation settlement at the time.
- *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

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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.

- *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

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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 classwide settlement.
- *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.

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- *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 are serving as class counsel on behalf of a nationwide class of consumers who purchase CytoSport's popular protein powders, ready to drink protein beverages, and other "supplement" products. Plaintiffs allege 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.
- *James v. UMG Recordings, Inc.*, Northern District of California, Case No. 11-cv-01613. PSW partner Daniel L. Warshaw currently serves as interim co-lead counsel in this putative nationwide class action on behalf of recording artists and producers who allege that they have been systematically underpaid royalties by the record company UMG.

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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, Mr. Pearson was named by the *Daily Journal* as one of the Top 100 lawyers in California. He was instrumental in negotiating settlements that totaled \$473 million 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 32-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, Canadian Bar Association, Los Angeles County Bar Association, Consumer Attorneys of California, Consumer Attorneys Association of Los Angeles, Association of Business Trial Lawyers and a Practitioner of Foreign Law in British Columbia, Canada.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* (E.D.N.Y.)
- *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.)
- *In Re: Warner Music Group Corp. Digital Downloads Litigation* (N.D. Cal.)

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
- Canadian Bar Association
- 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. He has served as lead counsel in many business cases with national and global impact.

In 2013, Mr. Simon was chosen as one of the Top 100 attorneys in California by the Daily Journal. He received a CLAY award from California Lawyer magazine as one of the attorneys of the year for his work in the *In re TFT-LCD (Flat Panel) Antitrust Litigation* trial and settlements, and was also selected as one of the seven finalists for Consumer Attorneys of California's Consumer Attorney of the Year award. Mr. Simon was included in the Top 100 for Super Lawyers, and has been selected as a Super Lawyer ten years in a row. He also received a Trial Lawyer Excellence award in Chicago from the Law Bulletin for the settlement reached in *In re Potash Antitrust Litigation (II)*. 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 where he and the firm obtained \$473 million in settlements. He was also co-lead trial counsel in that case and obtained an \$87 million jury verdict before trebling. *TFT-LCD* is considered to be one of the largest antitrust MDL class actions in the United States.

Mr. Simon was also co-lead counsel in *In re Potash Antitrust Litigation (II)*, a case which challenged a decades old international cartel that controlled one of the primary ingredients in fertilizer. The case resulted in \$90 million in settlements for the direct purchasers. Before the case settled, a panel of the Seventh Circuit reversed the trial court's upholding of the complaint. However, the Seventh Circuit later granted plaintiffs' counsel's *en banc* petition. The *en banc* panel issued a unanimous 8-0 decision denying the defendants' motion to dismiss. The opinion issued by the Court is one of the most significant decisions regarding the scope of international antitrust conspiracies.

PEARSON, SIMON & WARSHAW, LLP

Mr. Simon also recently represented a generic brand drug company in an individual case alleging that the brand name manufacturer had filed false citizens petitions to delay the entry of the generic drug unto the market. The case resulted in a significant confidential settlement right before trial.

Current Cases:

Mr. Simon currently serves as co-lead counsel or on the executive committee in the following cases:

- *In re Keurig Green Mountain Single-Serving Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Carrier IQ, Inc., Consumer Privacy Litigation* (N.D. Cal.)
- *In re Optical Disk Drive Products Antitrust Litigation* (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:

- *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, with Aaron M. Sheanin
- *Class Action for Health Professionals*, chapter from *Advocacy Strategies for Health and Mental Health Professionals*, Springer Publishing Co., 2011, with Thomas K. Boardman, Stuart L. Lustig, Editor

PEARSON, SIMON & WARSHAW, LLP

- *The Collaboration Between Public Entities and Private Counsel: Prosecuting Cases that Otherwise Might Not Be Brought*, Competition, Vol. 19, Issue 2 (Fall 2010), with William J. Newsom
- *Strategies for Contending with the Continued Decline in Civility in the Legal Profession*, Consumer Attorneys of California, Don L. Galine Hawaii Seminar, November 30, 2010, with Alexander R. Safyan.
- *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, with Aaron M. Sheanin
- *Reverse Engineering Your Antitrust Case: Plan for Trial Even Before You File Your Case*, Antitrust, Vol. 28, No. 2, Spring 2014 with Thomas K. Boardman

Professional Associations and Memberships:

- California State Bar Antitrust and Unfair Competition Section, Advisor and Past Chair
- ABA Antitrust Section Plaintiffs Task Force, Co-Chair
- ABA International Cartel Workshop, Steering Committee
- American Association for Justice, Business Torts Section, Past Chair
- Cambridge Antitrust Forum
- Hastings College of the Law, Board of Directors
- Public Justice Foundation
- Bar Association of San Francisco

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.

PEARSON, SIMON & WARSHAW, LLP

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:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Carrier IQ, Inc., Consumer Privacy Litigation* (N.D. Cal.)
- *In Re: Warner Music Group Corp. Digital Downloads Litigation* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (LA Sup. Ct.)

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

PEARSON, SIMON & WARSHAW, LLP

SENIOR COUNSEL

GEORGE S. TREVOR

George S. Trevor has focused his practice for the past 26 years representing investors in securities class actions, securities arbitrations and complex business litigation. Since joining Pearson, Simon & Warshaw, LLP in 2009 as Senior Counsel, Mr. Trevor has been the senior attorney on a number of the firm's important cases. Those include *In re Lehman Securities and ERISA Litigation*, where the firm represents California public entities that purchased Lehman securities prior to its bankruptcy. In 2012, Mr. Trevor was lead trial counsel for the City of South San Francisco in a suit challenging the California Board of Equalizations' long-standing interpretation of the Bradley-Burns Local Sales Tax Act. Following a months' long bench trial in the San Francisco Superior Court, Mr. Trevor obtained a judgment ordering the BOE to revise its practices in the allocation of local sales tax.

Mr. Trevor also represents bankruptcy trustees as special litigation counsel against former directors, professionals and financial institutions, and recently obtained a substantial settlement on behalf of an investor plaintiff class against a national bank alleged to have aided and abetted a Ponzi scheme.

Prior to joining Pearson, Simon & Warshaw, LLP, Mr. Trevor was managing partner of Trevor & Weixel LLP. Mr. Trevor's significant cases at Trevor & Weixel included a class action brought on behalf of former employees of Eel River Sawmills. Mr. Trevor was instrumental in obtaining a \$5 million settlement for a class of approximately 400 workers who had lost significant amounts promised to them under the company's Employee Stock Ownership Plan. Mr. Trevor was lead trial counsel in a multi-claimant securities arbitration against a brokerage firm tried in New Orleans in 2007-2008. Following twenty days of hearing and immediately prior to the panel's decision, Mr. Trevor negotiated substantial settlements on behalf of all claimants.

Mr. Trevor also practiced for 11 years Gold & Bennett. Among his cases there was a class action brought on behalf of the former shareholders of the Pacific Lumber Company. In 1985, Charles Hurwitz launched a hostile takeover of Pacific Lumber. Mr. Hurwitz, assisted by Michael Milken and Ivan Boesky, succeeded in forcing a shareholder buyout at \$40 per share. The class action complaint alleged that the buyout was obtained through the dissemination of fraudulent offering materials to shareholders. On the eve of trial, Mr. Hurwitz agreed to a \$52 million settlement. Combined with other settlements, the Pacific Lumber shareholders received over \$140 million in additional compensation for their shares, one of the largest recoveries in securities litigation at the time. Mr. Trevor was also instrumental in the recovery of \$19.2 million by the shareholders of Digital Microwave Corporation. Mr. Trevor has litigated cases against hedge funds, real estate limited partnerships, software and hardware companies, alternative energy companies and accounting firms, among others.

PEARSON, SIMON & WARSHAW, LLP

Current Cases:

- *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.)
- *In re Lehman Securities & ERISA Litigation* (S.D.N.Y.)
- *City of South San Francisco v. Board of Equalization* (S.F. Sup. Court)
- *In re Ivan F. Boesky Securities Litigation* (S.D.N.Y.)
- *In re Adobe Systems, Inc. Securities Litigation* (N.D. Cal.)
- *In re Digital Microwave Corp. Securities Litigation* (N.D. Cal.)
- *Lilley v. Charren* (Kenetech Corporation) (N.D. Cal.)
- *Daniels v. Centennial Group, Inc.* (Orange Sup. Court)

Education:

- University of California, Hastings College of the Law, San Francisco, California – J.D., 1986
- University of California, Berkeley, California – A.B. 1980 (Phi Beta Kappa, High Honors in Rhetoric and Distinction in General Scholarship).

Bar Admissions

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

Reported Cases

- *Musick Peeler & Garrett v. Wausau Ins.*, 508 U.S. 286 (1993)
- *Lippitt v. Raymond James*, 340 F.3d 1033 (9th Cir. 2003)
- *Daniels v. Centennial Group*, 16 Cal.App.4th 467 (Cal. Ct. App. 1993)
- *Boston Telecommunications v. Deloitte Touche*, 278 F. Supp 2d 1041 (N.D. Cal. 2003)
- *In re Silicon Graphics*, 970 F.Supp 746 (N.D. Cal. 1997)
- *Lilley v. Charren*, 936 F.Supp 708 (N.D. Cal. 1996)
- *In re Digital Microwave Corp. Securities Litigation*, 1992 U.S. Dist. LEXIS 18469 (N.D. Cal. 1992)
- *In re Adobe Systems, Inc. Securities Litigation*, 767 F. Supp. 1023 (N.D. Cal. 1991)

Professional Associations and Memberships

- American Bar Association, Member, 1992 – present
- Committee of Business and Corporate Litigation
- Public Investors Bar Association, Member, 2000 – present

PEARSON, SIMON & WARSHAW, LLP

OF COUNSEL

AARON M. SHEANIN

Aaron M. Sheanin, Of Counsel to Pearson, Simon & Warshaw, LLP, has extensive experience in complex litigation matters in federal and state courts, including the prosecution of antitrust and consumer class actions. He has litigated numerous securities fraud and corporate governance cases on behalf of individual and institutional investors, and has advised state pension funds and private institutions with respect to securities and antitrust matters. Mr. Sheanin also has experience litigating telecommunications, employment discrimination, defective product, and bankruptcy matters.

Mr. Sheanin was actively involved in all aspects of *In re TFT-LCD (Flat Panel) Antitrust Litigation*, and was an integral member of the trial team. For his work on that case, Mr. Sheanin was nominated by the Consumer Attorneys of California as a finalist for Consumer Attorney of the Year. Mr. Sheanin served as co-lead counsel in *In re American Express Financial Advisors Securities Litigation* (\$100 million settlement), as co-lead counsel on behalf of lead plaintiff the Kansas Public Employees' Retirement System in the securities class action *Scheiner v. i2 Technologies* (\$84.85 million in settlements), and as co-chair of the discovery committee in *In re Natural Gas Antitrust Cases* (\$160 million in settlements).

From 2002 to 2011, Mr. Sheanin gained extensive experience prosecuting class actions and other complex cases as an associate and a partner with Girard Gibbs LLP and as an associate with Lieff, Cabraser, Heimann & Bernstein, LLP. From 1999 to 2001, Mr. Sheanin was a *pro se* law clerk for the United States Court of Appeals for the Second Circuit.

Current Cases:

- *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Optical Disc Drive Products Antitrust Litigation* (N.D. Cal.)
- *In re NCAA Grant-In-Aid Antitrust Litigation* (N.D. Cal.)
- *In re Capacitors Antitrust Litigation* (N.D. Cal.)
- *In re Fresh & Process Potatoes Antitrust Litigation* (D. Idaho)
- *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio)

Education:

- Columbia University School of Law, New York, New York – J.D. – 1999
- University of California, Berkeley, Berkeley, California – A.B. – 1993

Bar Admissions:

- California
- New York
- New Jersey
- Ninth Circuit Court of Appeals

PEARSON, SIMON & WARSHAW, LLP

- Second 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
- U.S. District Court, District of Colorado

Publications and Presentations:

- *Appellate Courts Grapple with the Foreign Trade Antitrust Improvements Act*, Competition: The Journal of the Antitrust and Unfair Competition Law Section of the State Bar of California, Vol. 23, No. 2 (Fall 2014), with Craig C. Corbitt.
- *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, with Bruce L. Simon
- *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, with Bruce L. Simon
- American Bar Association, Task Force on Contingent Fees (Tort Trial and Insurance Practice Section)
- “California Class Actions Practice and Procedure” (Matthew Bender, 1st Ed. 2003), contributing author

Professional Associations and Memberships:

- California State Bar Antitrust and Unfair Competition Section, Executive Committee
- Antitrust Section of the San Francisco Bar Association, Executive Committee
- American Bar Association
- New York Bar Association

ROBERT G. RETANA

Robert G. Retana is an accomplished litigator, with both civil and criminal experience and a long history of community involvement. After graduating from law school, Mr. Retana worked as a civil litigator at the Heller Ehrman firm in San Francisco, where he handled large, complex litigation as well as several *pro bono* matters. From 1994-1998, he served as an Assistant District Attorney for the City and County of San Francisco, where he was the Assistant Supervisor of the Misdemeanor Trial Division and a member of the Felony Domestic Violence Unit. As an Assistant District Attorney, Mr. Retana tried dozens of cases and handled hundreds of hearings. He then worked as a litigator at Cotchett Pitre & Simon, where he handled complex cases, including class actions, securities and antitrust cases, on the plaintiff’s side. Mr. Retana next worked as an attorney for the Administrative Office of the Courts, in the Litigation Management Unit, where he handled litigation for and gave legal advice to judges, courts and court staff. Before joining Pearson, Simon & Warshaw, LLP, Mr. Retana was a named partner at Oliver, Sabec & Retana, where he handled litigation and intellectual property matters. Mr. Retana has also served as a Judge Pro Tem in San Mateo County.

PEARSON, SIMON & WARSHAW, LLP

At Pearson, Simon & Warshaw, LLP, Mr. Retana was a member of the trial team in *In re TFT-LCD (Flat Panel) Antitrust Litigation*. He worked extensively on the briefing of summary judgment motions and on the motions for preliminary and final approval of the settlements reached therein. He was actively involved in the trial of that case, including the examination of witnesses. As part of that trial team, Mr. Retana was nominated along with other lawyers from the firm by the Consumer Attorneys of California as a finalist for the Consumer Attorney of the Year Award.

Mr. Retana is currently counsel in two proposed class actions involving complex allegations of aiding and abetting Ponzi schemes. One involves primarily Latinos in Los Angeles who invested in a company known as “Financial Plus” that targeted members of the Latino community. A substantial settlement was reached in that matter with a national bank that is alleged to have aided and abetted the Ponzi scheme operator. The other is brought on behalf of the trustee of an investment company whose assets were looted by its managers with the knowledge and assistance of its bank.

Mr. Retana has been featured as a speaker at events related to educating the public about investment scams. For example, in March of 2013, he spoke about avoiding Ponzi schemes and financial fraud at Univision’s *Feria Financiera, Plan Prosperidad 2013*, held at the University of Southern California. In the Fall of 2013, he was featured as a legal expert in a video produced by the Financial Industry Regulatory Authority (FINRA) regarding investment fraud in the Latino community.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *Arreola v. Bank of America, N.A., et al.* (C.D. Cal.)
- *Uecker v. Wells Fargo Capital Finance, LLC* (Bankr. N.D. Cal.)

Education:

- University of California, Boalt Hall, Berkeley, California – J.D. – 1990
- Columbia College, New York, New York – B.A. – 1984

Bar Admissions:

- California
- Supreme Court of the United States
- 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 Lawyers Committee for Civil Rights, Member
- San Francisco La Raza Lawyers Association, former Board Member
- La Raza Centro Legal, former Board Member and former Board President

PEARSON, SIMON & WARSHAW, LLP

- BALIF, Member
- American Bar Association
- San Mateo County Bar Association
- Association of Business Trial Lawyers

PEARSON, SIMON & WARSHAW, LLP

ASSOCIATES

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 currently serves 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 these cases, 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:

- *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio)
- *In re Fresh and Processed Potatoes Antitrust Litigation* (D. Idaho)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (L.A. Sup. Ct.)
- *Nasseri v. CytoSport, Inc.* (L.A. Sup. Ct.)

Education:

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

Recent Publications:

- *Central District Local Rules Hinder Class Certification*, Daily Journal, April 9, 2013, with Alexander R. Safyan

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

PEARSON, SIMON & WARSHAW, LLP

Professional Associations and Memberships:

- Consumer Attorneys Association of Los Angeles
- 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, Mrs. 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 Fresh and Processed Potatoes Antitrust Litigation* (D. Idaho)
- *In re Cathode Ray Tube (CRT) Antitrust Litigation* (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

PEARSON, SIMON & WARSHAW, LLP

Professional Associations and Memberships:

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

ALEXANDER R. SAFYAN

Alexander Safyan is an associate in the firm's Los Angeles office, focusing on antitrust, consumer and business litigation. Mr. Safyan has worked on many of the firm's class actions, including drafting complex complaints, motions and discovery. Mr. Safyan has also served as the principal attorney on some of the firm's non-class cases, representing both individuals and companies in contract disputes. In recognition of his work on behalf of clients, Mr. Safyan was selected 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) in 2013.

Mr. Safyan is a prolific writer, having twice been published by the *Daily Journal* and co-authored papers and presentations with some of the firm's senior attorneys. Further, Mr. Safyan published a law review comment in law school titled *A Call for International Regulation of the Thriving "Industry" of Death Tourism*, which has been cited by multiple other publications. Mr. Safyan earned his Bachelor of Arts degree, *cum laude*, in political science from the University of Southern California in 2008. He earned his Juris Doctorate, *cum laude*, from Loyola Law School Los Angeles in 2011, graduating as a member of the Order of the Coif.

Current Cases:

- *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* (E.D.N.Y.)
- *In Re: Warner Music Group Corp. Digital Downloads Litigation* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (L.A. Sup. Ct.)

Education:

- Loyola Law School Los Angeles, Los Angeles, California – J.D., *cum laude* – 2011
- University of Southern California, Los Angeles, California – B.A., *cum laude* – 2008

Recent Publications:

- *A Call for International Regulation of the Thriving "Industry" of Death Tourism*, 33 LOY. L.A. INT'L & COMP. L. REV. 287 (2011)

PEARSON, SIMON & WARSHAW, LLP

- *Brantley v. NBC Uni: Tying Consumers' Hands in Bringing Antitrust Tying Claims*, Daily Journal, April 12, 2012, with Clifford H. Pearson
- *Central District Local Rules Hinder Class Certification*, Daily Journal, April 9, 2013, with Bobby Pouya
- *Strategies for Contending with the Continued Decline in Civility in the Legal Profession*, Consumer Attorneys of California, Don L. Galine Hawaii Seminar, November 30, 2010, with Bruce L. Simon

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central 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, Young Lawyers Division
- Consumer Attorneys Association of Los Angeles
- Los Angeles County Bar Association

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:

- *In re Credit Default Swaps Antitrust Litigation* (S.D.N.Y.)
- *In re Cathode Ray Tube (CRT) Antitrust Litigation* (N.D. Cal.)

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

PEARSON, SIMON & WARSHAW, LLP

- 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
- 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.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (N.D. Cal.)

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

PEARSON, SIMON & WARSHAW, LLP

- 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, personal injury and business litigation. Mr. Pearson has represented clients in variety of different matters including toxic tort litigation, business litigation, products liability, and high-stakes personal injury matters.

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 Credit Default Swaps Antitrust Litigation (S.D.N.Y.)*

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

EXHIBIT 2

In re Cathode Ray Tube (CRT) Antitrust Litigation
PEARSON, SIMON & WARSHAW, LLP

Reported Hours and Lodestar
May 9, 2008 through July 30, 2014

NAME	TOTAL HOURS	HOURLY RATE	LODESTAR
ATTORNEYS			
Clifford Pearson (P)	50.50	\$750	\$37,875.00
	19.20	\$780	\$14,976.00
	51.70	\$795	\$41,101.50
	159.00	\$835	\$132,765.00
	.20	\$895	\$179.00
Bruce Simon (P)	293.20	\$750	\$219,900.00
	216.50	\$780	\$168,870.00
	176.50	\$795	\$140,317.50
	240.20	\$835	\$200,567.00
	.50	\$895	\$447.50
Daniel Warshaw (P)	1.00	\$650	\$650.00
	89.90	\$675	\$60,682.50
	29.30	\$685	\$20,070.50
	.80	\$715	\$572.00
Esther Klisura (A)	119.20	\$455	\$54,236.00
	119.70	\$525	\$62,842.50
	6.60	\$570	\$3,762.00
Bobby Pouya (A)	53.50	\$455	\$24,342.50
	4.50	\$475	\$2,137.50
Ashlei Vargas (A)	43.30	\$455	\$19,701.50
	.40	\$475	\$190.00
Jonathan Watkins (A)	108.10	\$455	\$49,185.50
	1.50	\$625	\$937.50
	14.30	\$650	\$9,295.00
Veronica Glaze (A)	.10	\$355	\$35.50
	6.10	\$375	\$2,287.50
	278.30	\$385	\$107,145.50
Jessica Grant (A)	93.40	\$625	\$58,375.00
	66.40	\$650	\$43,160.00
William Newsom (A)	43.80	\$365	\$15,987.00
	47.80	\$375	\$17,925.00
Thomas Boardman (A)	94.50	\$375	\$35,437.50
Brittany Kelley (A)	11.20	\$375	\$4,200.00
Robert Retana (A)	6.50	\$660	\$4,290.00
Aaron Sheanin (A)	375.30	\$660	\$247,698.00
	612.60	\$680	\$416,568.00
	.80	\$720	\$576.00

NAME	TOTAL HOURS	HOURLY RATE	LODESTAR
Michael Pearson (A)	331.40	\$375	\$124,275.00
NON-ATTORNEYS			
Natalie Halpern (PL)	.40	\$175	\$70.00
Teri Harris (PL)	5.60	\$125	\$700.00
Alexander Safyan (LC)	.90	\$175	\$157.50
Matt Lusich (PL)	1.4	\$125	\$175.00
	74.1	\$150	\$11,115.00
	151.10	\$175	\$26,442.50
Lauren McAdams (PL)	52.40	\$150	\$7,860.00
Steve Simon (PL)	2.85	\$125	\$356.25
Ellovene Grant (PL)	59.8	\$175	\$10,465.00
TOTAL:	4116.35		\$2,400,904.75

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

EXHIBIT 3

In re Cathode Ray Tube (CRT) Antitrust Litigation
PEARSON, SIMON & WARSHAW, LLP
Reported Expenses Incurred on Behalf of DPPs
May 9, 2008 through July 30, 2014¹

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	0.00
Experts/Consultants	\$1,697.50
Federal Express	\$907.11
Transcripts (Hearing, Deposition, etc.)	\$0.00
Computer Research	\$2,138.87
Messenger Delivery	\$43.53
Photocopies – In House	\$7,738.50
Photocopies – Outside	\$0.00
Postage	\$9.46
Service of Process	\$0.00
Telephone/Telecopier	\$238.88
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	\$19,159.72
TOTAL:	\$31,933.57

¹ In addition, Pearson Simon paid a total of \$50,000 in unreimbursed assessments for the joint prosecution of the litigation against the defendants.