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Lead Counsel for Direct Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

This Document Relates to:

Crago, d/b/a Dash Computers, Inc., et al. v. Mitsubishi Electric Corporation, et al., Case No. 14-CV-2058-JST.

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

DECLARATION OF ANTHONY J. BOLOGNESE IN SUPPORT OF DIRECT PURCHASER PLAINTIFFS' APPLICATION FOR ATTORNEYS' FEES AND EXPENSES AND INCENTIVE AWARDS

Date: June 8, 2017
Time: 2:00 p.m.
Judge: Honorable Jon S. Tigar
Courtroom: 9

1 I, ANTHONY J. BOLOGNESE, declare:

2 1. I am Principal of the law firm of Bolognese & Associates, LLC, Counsel for Direct
3 Purchaser Plaintiffs (“DPPs” or “Plaintiffs”) in this action. I submit this declaration in support of
4 DPPs’ joint Application for Attorneys’ Fees and Expenses and Incentive Awards (“Fees and
5 Expense Application”) in connection with the services rendered in this litigation. I make this
6 declaration based on my personal knowledge and if called as a witness, I could and would
7 competently testify to the matters stated herein.

8 2. My firm has served as counsel to Arch Electronics, Inc. and as counsel for the Class
9 throughout the course of this litigation. The background and experience of Bolognese &
10 Associates, LLC firm and its attorneys during the period of time relevant to this Declaration are
11 summarized in the curriculum vitae attached hereto as Exhibit A.

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

17 4. During the pendency of the litigation since the inception of the Thomson and
18 Mitsubishi cases Bolognese & Associates, LLC performed the following work: numerous
19 communications and meetings with client, class representative, Arch Electronics, Inc., including
20 meetings and communications to effectuate preservation, retention and gathering client documents
21 relevant to the litigation, working on and communicating extensively with Lead Counsel and other
22 plaintiffs’ counsel concerning the claims of Arch Electronics, Inc., and the class at various stages
23 throughout the litigation; review and analysis of defendant documents produced in discovery at the
24 direction of Lead Counsel; reviewing and editing the complaint, drafting and responding to various
25 discovery requests (including drafting of initial discovery responses, supplemental discovery
26 responses), meetings with Arch Electronics, Inc., and co-counsel in advance of the 30(b)(6)

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1 deposition of Arch Electronics, Inc.; defending the deposition of Arch Electronics, Inc.; numerous
2 telephonic communications and consultations with Lead Counsel.

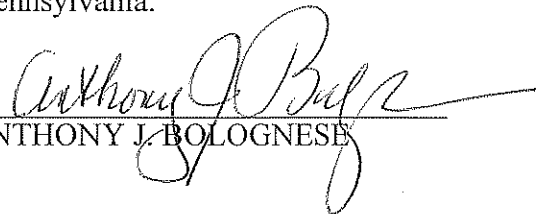
3 5. Attached hereto as Exhibit B is my firm's total hours and lodestar, computed at
4 historical rates, from the inception of DPPs' case against the Mitsubishi Electric Defendants and
5 the Thomson Defendants (Case No. 14-CV-2058-JST, filed May 5, 2014) through October 31,
6 2016. The total number of hours spent by Bolognese & Associates, LLC during this period of time
7 was 1,338.00, with a corresponding lodestar of \$769,350.00. This summary was prepared from
8 contemporaneous, daily time records regularly prepared and maintained by Bolognese &
9 Associates, LLC. The lodestar amount reflected in Exhibit B is for work assigned by Lead Counsel,
10 and was performed by professional staff at my law firm for the benefit of the DPP Class. None of
11 these hours were included in connection with DPPs' first fee and expense application (ECF No.
12 4055).

13 6. The hourly rates for the attorneys and professional support staff in my firm included
14 in Exhibit B are the usual and customary hourly rates charged by Bolognese & Associates, LLC.

15 7. I have reviewed the time reported by Bolognese & Associates, LLC in this case
16 which are included in this declaration, and I affirm that they are true and accurate.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct.

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20 Executed on March 23, 2017 at Philadelphia, Pennsylvania.

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23 ANTHONY J. BOLOGNESE
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ATTESTATION

I, R. Alexander Saveri, hereby attest, pursuant to United States District Court, Northern District of California Civil Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from the signatory hereto.

By: /s/ R. Alexander Saveri
R. Alexander Saveri

EXHIBIT

A

BOLOGNESE & ASSOCIATES, LLC
Attorneys at Law

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Telephone: 215-814-6750
Facsimile: 215-814-6764

General Overview

Bolognese & Associates, LLC is a law firm based in Philadelphia, Pennsylvania. The firm's practice focuses exclusively upon complex commercial litigation, and consists of three general practice areas: (1) class action litigation arising under federal antitrust and securities laws, and state and federal consumer protection laws; (2) "opt out" litigation, brought on behalf of persons and entities who exclude themselves from class actions and elect to pursue their claims individually; and (3) litigation involving a broad array of complex business and commercial disputes.

The firm offers the highest caliber of legal services to our clients. The firm's attorneys have extensive knowledge in counseling individuals and companies whose businesses range from regional to national to global. Bolognese & Associates has the experience, the personnel and the resources to fully investigate and, if appropriate, prosecute, our clients' claims anywhere in the world. The firm represents clients involved in a broad array of commercial disputes in arbitration tribunals, federal and state courts nationwide.

The firm's lawyers have been recognized by Courts, commentators, clients, co-counsel, and even opposing counsel as a national leader in the area of complex commercial litigation. Mr. Bolognese has served with distinction in such cases, and this has not gone unnoticed by the Courts before which he has appeared. Most recently, presiding over a massive multidistrict antitrust action in the United States District Court for the District of Pennsylvania in which Mr. Bolognese served as Co-Lead Counsel, the Court commented as follows after Mr. Bolognese's presentation, in approving the latest in a series of settlements that collectively total over \$86 million:

Well, as I said in the last order or so and I will say in this order, we have all benefited from Judge Hart's patient and creative mediation and above all the patient and creative negotiation of able counsel on both sides. And as I always tell my law clerks that having good lawyers involved in a case is a good thing for everybody and this is a perfect example of why I say that. And so it's a pleasure working with you gentlemen, and I congratulate you, and I will get an order out today.

In re Hydrogen Peroxide Antitrust Litigation, MDL No. 1682, at p. 12 (E.D. Pa. May 13, 2008).

Likewise, in approving the settlement of a significant multidistrict antitrust action in which Mr. Bolognese and his law firm served as a Co-Lead Counsel, Judge Broderick of the United States District Court for the Eastern District of Pennsylvania observed that:

. . . the Plaintiff[s] were well served by attorneys who were highly experienced and nationally recognized in class action litigation generally and anti-trust litigation in particular. . . . Plaintiff Class counsel[s] . . . work was efficiently conducted. Counsel diligently developed the facts and legal issues, analyzed a multitude of documents, were steadfast in settlement negotiations with the . . . Defendants, and, ultimately, achieved an excellent result.

In re Residential Doors Antitrust Litigation, 1998 WL 151804, at * 8 (E.D.Pa. 1998).

A sampling of the cases that the firm has handled is as follows.

Our Attorneys

Anthony J. Bolognese is the founding principal of Bolognese & Associates, LLC, a law firm based in Philadelphia, Pennsylvania, which Mr. Bolognese formed in the year 2000, after practicing law with two other law firms during the early part of his legal career. Since its formation, Bolognese & Associates, LLC has represented individuals and businesses involved in a broad array of commercial and business disputes.

Mr. Bolognese has extensive experience as counsel in complex commercial litigation in state and federal courts throughout the nation, with a particular concentration and emphasis in individual and class action litigation under the state and federal antitrust laws.

In addition to his core antitrust practice, Mr. Bolognese has represented clients in commercial litigation matters, including breach of contract litigation, litigation involving claims for coverage and indemnification under directors and officers liability insurance policies: bad faith denial or delay of insurance benefits, disputes involving business torts and other unfair and deceptive business practices (including claims such as fraud, misappropriation of trade secrets, corporate espionage, violation of restrictive covenants, and tortious interference with business opportunities), disputes involving partnerships and closely held companies and claims involving alleged breach of fiduciary duty and misuse of corporate assets by corporate officers and directors. Mr. Bolognese also advises and represents private and public sector employees in connection with their rights under federal and state whistleblower termination laws.

Mr. Bolognese is a member of the Advisory Board of the American Antitrust Institute, an independent Washington-based non-profit education, research, and advocacy organization, the mission of which is to promote a vigorous antitrust policy. Mr. Bolognese is a frequent lecturer on class actions, discovery issues (including in the rapidly evolving area of electronic discovery), trial advocacy, class actions, and developments in antitrust law. The panelists for these programs include members of the federal judiciary and leading practitioners, who were selected to share their experience in handling various aspects of complex civil litigation.

Mr. Bolognese's most recent presentations as a panelist were in programs sponsored by the Pennsylvania Bar Institute entitled: "Best Practices in Pre-trial Litigation in the Federal Courts" in December of 2011; at the 2012 Federal Bench Bar Conference of the United States District Court for the Eastern District of Pennsylvania in June of 2012; at the PBI seminar "Best Practices in Pretrial Litigation in the Federal Courts II" in March of 2013; and at a PBI seminar entitled "Uncovering and Proving Financial Fraud" in January and February of 2014 (appearing as a panelist with forensic accountants, civil practitioners, and a federal prosecutor) to address the principal issues that arise in litigation involving alleged financial fraud.). Mr. Bolognese was honored to be invited, and will serve as a panelist, in November of 2014, for a PBI seminar entitled "Best Practices in Pretrial Litigation in the Federal Courts". The panelists for these programs include member of the federal judiciary and leading practitioners, who were selected to share their experience in handling various aspects of complex civil litigation.

From 2009 through 2012, Mr. Bolognese was honored to serve as a member of the Board of Trustees of the Philadelphia Bar Foundation, the charitable arm of the Philadelphia Bar Association, which awards grants to law-related programs in the Philadelphia area that assist the indigent, elderly and disabled, and others in need of legal assistance.

Mr. Bolognese has been honored with Martindale-Hubbell's designation as an "AV" rated attorney, the highest rating available to any individual lawyer, and a designation that is reserved for those who have achieved the height of professional excellence in terms of legal ability and adherence to the highest ethical standards.

Mr. Bolognese has served as Court-appointed Co-Lead Counsel for the plaintiffs in many of the most substantial federal antitrust actions of the past decade which have resulted in substantial court approved recoveries, including:

- *In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litigation*, an antitrust action brought on behalf of purchasers of EPDM, the third largest synthetic rubber consumed worldwide, which resulted in total recoveries exceeding \$100 million.
- *In re Hydrogen Peroxide Antitrust Litigation*, an antitrust action brought on behalf of purchasers of hydrogen peroxide and related products, which resulted in total recoveries exceeding \$97 million.
- *Alco Industries, Inc. v. DuPont Dow Elastomers, LLC*, an antitrust action brought on behalf of purchasers of Polychloroprene ("CR"), a synthetic rubber product, which resulted in total recoveries exceeding \$36 million.
- *In re Polychloroprene Rubber (CR) Antitrust Litigation*, a related antitrust action brought against additional defendants, resulting in additional recoveries exceeding \$15 million.
- *In re Methyl Methacrylate (MMA) Antitrust Litigation*, an antitrust action brought on behalf of purchasers of methyl methacrylate (MMA) and polymethyl methacrylate (PMMA), which resulted in total recoveries exceeding \$15 million.

- *In re Mercedes-Benz Antitrust Litigation*, an antitrust action brought on behalf of persons who purchased and leased new Mercedes-Benz automobiles, which resulted in total recoveries exceeding \$17 million.
- *In re Cotton Yarn Antitrust Litigation*, an antitrust action brought on behalf of purchasers of cotton yarns, which resulted in total recoveries exceeding \$7.8 million.
- *In re Flat Glass Antitrust Litigation*, an antitrust action brought on behalf of purchasers of flat glass products which settled for over \$120 million.
- *In re Residential Doors Antitrust Litigation*, an antitrust action brought on behalf of purchasers of residential doors which resulted in a settlement of over \$14 million.

In addition, Mr. Bolognese served as Co-Chair of Discovery, directing the pretrial discovery process (document review, depositions, etc.) on behalf of all plaintiffs' counsel, in:

- *In re Vitamins Antitrust Litigation*, an antitrust action in the United States District Court for the District of Columbia. This action was brought on behalf of purchasers of vitamins and vitamin by-products alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in a recovery by settlement of over \$1 billion.
- *In re Carbon Black Antitrust Litigation*, an antitrust action in the United States District Court for the District of Massachusetts. This action was brought on behalf of purchasers of carbon black alleging that the principal manufacturers of this product conspired to fix, stabilize and maintain prices at artificially inflated levels which resulted in a recovery by settlements of over \$20 million.

In addition, Mr. Bolognese performed services as plaintiffs' co-counsel in the following cases:

- *In re Rubber Chemicals Antitrust Litigation*, an antitrust action in the United States District Court for the Northern District of California alleging that the world's principal manufacturers of rubber chemicals colluded to fix prices at artificially inflated levels which resulted in a recovery by settlements exceeding \$250 million.
- *In re Organic Peroxide Antitrust Litigation*, an antitrust action in the United States District Court for the District of Columbia alleging that the principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in a recovery by settlements exceeding \$30 million.
- *In re First Data Bank Antitrust Litigation*, an antitrust action in the United States District Court for the District of Columbia alleging that the principal manufacturer of such products monopolized the market, resulting in artificially inflated, supra-competitive prices for the product which resulted in a recovery by settlements of \$26 million.

- *Linens of Europe, Inc. v. Best Metropolitan Towel and Linen Supply, Inc., et al.*, in the United States District Court for the Southern District of New York alleging that the main suppliers of linens and linen services to the New York restaurant industry colluded to fix prices of their products and services at artificially inflated levels which resulted in a recovery by settlements exceeding \$6 million in cash and \$3 million in vouchers.
- *Industrial Graphite Products, Inc. v. Carbone of America Industries Corp., et al.*, an antitrust action in the United States District Court for the Eastern District of Pennsylvania alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in a recovery by settlements exceeding \$11 million.
- *In re Monosodium Glutamate Antitrust Litigation*, an antitrust action in the United States District Court for the District of Minnesota alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in a recovery by settlements exceeding \$80 million.
- *In re Potassium Sorbate Antitrust Litigation*, an antitrust action in the Northern District of California alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$90 million.
- *In re Bromine Antitrust Litigation*, an antitrust action in the United States District Court for the Northern District of Indiana alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$9 million.
- *In re Auction Houses Antitrust Litigation*, an antitrust action in the United States District Court for the Southern District of New York alleging that the auction houses colluded to fix the commissions they charge to purchasers and sellers at artificially inflated levels which resulted in settlements exceeding \$400 million.
- *In re Commercial tissue Products Antitrust Litigation*, an antitrust action in the United States District Court for the Northern District of Florida alleging that the world's principal manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$50 million.
- *In re Nine West Shoes Antitrust Litigation*, an antitrust action in the United States District Court for the Southern District of New York alleging that Nine West and other manufacturers of such products colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$20 million.
- *In re Magnetic Audio Tapes Antitrust Litigation*, an antitrust action in the United States District Court for the Southern District of New York alleging that the world's

principal manufacturers of magnetic audio tapes colluded to fix the prices of such products at artificially inflated levels resulted in settlements exceeding \$10 million.

- *In re Domestic Air Transportation Antitrust Litigation*, an antitrust action in the United States District Court for the Northern District of Georgia alleging that such airlines colluded to fix prices at artificially inflated levels resulted in settlements valued at several hundred million dollars.
- *In re Catfish Antitrust Litigation*, an antitrust action in the United States District Court for the Northern District of Mississippi alleging that major catfish farmers colluded to fix prices at artificially inflated levels resulted in a recovery in settlements exceeding \$20 million.
- *In re Waste Haulers' Antitrust Litigation*, an antitrust action in the United States District Court for the Eastern District of Pennsylvania alleging that the two leading national waste disposal services providers colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$25 million.
- *In re Chlorine and Caustic Soda Antitrust Litigation*, an antitrust action in the United States District Court for the Eastern District of Pennsylvania alleging that major chlorine and caustic soda producers colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$25 million.
- *In re Toys "R" Us, Inc. Antitrust Litigation*, an antitrust action in the United States District Court for the Eastern District of New York alleging that major national retailers colluded with toy manufacturers to restrict competition in the sale of toys to consumers which resulted in settlements exceeding \$56 million in cash and products.
- *In re D.C. Soft Drinks Antitrust Litigation*, an antitrust action in the United States District Court for the District of Columbia, alleging that major soda bottlers in the Washington, D.C. area colluded to fix prices at artificially inflated levels which resulted in settlements exceeding \$8 million.

Joshua H. Grabar is associated with Bolognese & Associates, LLC. Mr. Grabar is a graduate of the University of Pennsylvania (B.A. 1995) and Villanova University School of Law (J.D. 1998), where he served as an Associate Editor of the Villanova Law Review. Mr. Grabar authored the publication "Antol v. Esposto: The Third Circuit Expands Preemption Under The Labor Management Relations Act," 42 Vill. L. Rev. 1995 (1997). Mr. Grabar was admitted to both the Pennsylvania and New Jersey bars in 1998. Mr. Grabar is a member of the American, Pennsylvania and Philadelphia Bar Associations. Mr. Grabar concentrates his practice area primarily in antitrust, complex commercial litigation and consumer protection litigation.

Our Practice Areas

Class Action Litigation

Bolognese & Associates is a nationally recognized leader in the area of complex class action litigation, and has served in a leadership role in many of the most important and substantial class action cases, including:

Antitrust Litigation: for over 20 years, the firm's attorneys have represented individuals and businesses in antitrust class action suits to recover damages resulting from violations of the federal and state antitrust laws, including actions involving price-fixing, customer allocation, geographical allocation and other forms of anticompetitive conduct involving "a broad array of products and services." The firm has served as Co-Lead Counsel and in other leadership roles in some of the largest and most complex antitrust actions in the last two decades. These actions have resulted in recoveries for our clients totaling hundreds of millions of dollars, and have, in several instances, resulted in substantial industry-wide therapeutic measures and other reforms designed to enhance competition and prevent future antitrust violations.

Securities Litigation: the firm's attorneys have extensive experience representing individuals and businesses who have sustained losses as a result of securities fraud, including actions alleging the issuance of materially false and misleading financial statements, and other statements regarding the business, operations and prospects of public companies listed on the New York Stock Exchange, the American Stock Exchange and the Nasdaq securities market. These actions have not only resulted in substantial monetary recoveries but, as with the firm's antitrust actions and consumer protection actions, have resulted in meaningful corporate governance reforms

Consumer Protection Litigation: the firm's attorneys have served in a leadership role in a number of state and federal lawsuits alleging violations of laws that seeks to prevent consumer deception and abuse, and unfair trade practices aimed at consumers generally. These actions have not only resulted in substantial monetary recoveries but, as with the firm's antitrust and securities actions, have resulted in meaningful therapeutic reforms.

"Opt-Out" Antitrust Litigation

The firm has also acted as counsel to individual claimants who have excluded themselves, or "opted out," of nationwide class actions, primarily price-fixing and monopolization actions, to pursue their antitrust claims independently of the plaintiff class. The firm's experience in evaluating and pursuing opt-out representation in select instances has provides the firm's clients with the option of deciding how best to pursue their claims and vindicate their interests.

Business and Commercial Litigation

In addition to its class action practice, the firm's attorneys have extensive experience in representing business clients in a broad array of commercial disputes, including:

Breach of Contract Litigation: disputes between and among business persons and entities concerning their respective rights and obligations under commercial contracts, such as:

- **Payment for Professional Services Rendered:** disputes involving non-payment for professional services rendered (including legal, accounting, forensic accounting, engineering and other professional services), and related counterclaims for malpractice and other failure to perform and deficient performance.
- **Coverage and Indemnification Under Directors and Officers Liability Insurance Policies:** disputes arising when corporate directors and officers sued for breach of fiduciary duty and other similar violations are denied coverage under directors' and officers' liability insurance policies, including such claims alleging bad faith denial of coverage.
- **Bad Faith Denial or Delay Of Insurance Coverage or Payment Of Insurance Benefits:** disputes involving the obligation of insurers to investigate and respond to claims of insureds promptly and in good faith, denying claims in bad faith, and hindering settlement of third party claims without factual or legal basis.
- **Disputes Involving International Business Transactions:** disputes involving contracts and parties with international implications, including disputes involving United States nationals and parties located in the European Union.

Disputes Involving Business Torts and Other Unfair and Deceptive Business Practices: a wide variety of commercial tort disputes, including claims such as fraud, misappropriation of trade secrets, corporate espionage, violation of restrictive covenants, and tortious interference with business opportunities.

Professional Liability Claims Against Financial Professionals for Misfeasance and malpractice: claims against third party professionals for misfeasance and malpractice, including claims brought on behalf of a trustee in bankruptcy against auditors and other financial advisors for damages resulting from flawed audits.

Disputes Involving Partnerships and Closely Held Companies: disputes involving the rights and obligations of business partners and shareholders in closely held corporations and joint ventures, both among between and among themselves, as well as third parties, including breach of contract and breach of statutory and fiduciary duty actions brought by limited and minority partners under partnership and limited partnership agreements, and claims arising in connection with the dissolution of business entities.

Claims Against Corporate Officers and Directors for Breach of Fiduciary Duty and Misappropriation of Corporate Assets: direct and derivative claims against officers and directors of companies who mismanage corporate affairs and assets, and misappropriate corporate assets and opportunities.

* * * * *

EXHIBIT

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EXHIBIT B

In re Cathode Ray Tube (CRT) Antitrust Litigation
Bolognese & Associates, LLC
 Reported Hours and Lodestar
 Inception through October 31, 2016 - Mitsubishi/Thomson Only

TIME REPORT

NAME	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
ATTORNEYS			
Joshua H. Grabar (A) [2014]	23.75	\$575	\$13,656.25
Joshua H. Grabar (A) [2015]	14.25	\$575	\$8,193.75
Joshua H. Grabar (A) [2016]	1,300.00	\$575	\$747,500.00
NON-ATTORNEYS			
Name (PL)	0.00	\$	\$
Name (LC)			
TOTAL:		1,338.00	\$769,350.00

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