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13 *Class Counsel*

14  
15 **UNITED STATES DISTRICT COURT  
NOTHERN DISTRICT OF CALIFORNIA**

16 MARY QUACKENBUSH, GHERI )  
17 SUELEN, ANNE PELLETTIERI, ) Case No. 3:20-cv-05599-WHA  
18 MARISSA FEENEY and CARYN )  
19 PRASSE, Individually and On Behalf of ) **DECLARATION OF MARC L. GODINO IN**  
All Others Similarly Situated, ) **SUPPORT OF PLAINTIFFS' MOTION**  
20 Plaintiffs, ) **FOR ATTORNEYS' FEES, COSTS AND**  
 ) **CLASS REPRESENTATIVE SERVICE**  
21 v. ) **AWARD**  
 )  
22 ) Date: October 26, 2023  
AMERICAN HONDA MOTOR ) Time: 8:00 a.m.  
23 COMPANY, INC., a California ) Crtm: 12  
corporation, and HONDA MOTOR )  
24 COMPANY, LTD., a foreign corporation, ) Judge: The Honorable William Alsup  
 )  
25 Defendants. )

1 I, Marc L. Godino, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746  
2 that the following is true and correct:

3 **I. BACKGROUND**

4 1. I am an attorney duly licensed to practice law before the Courts of the State of  
5 California and am a counsel of record in this matter. I am a partner with the law firm of Glancy  
6 Prongay & Murray LLP (“GPM”), one of two court appointed class counsel of record for the  
7 Plaintiffs. I am submitting this Declaration in support of Plaintiffs’ Counsels’ motion for an  
8 award of attorneys’ fees, costs and class representative service award in connection with  
9 services rendered in this action. The following declaration is based upon my personal  
10 knowledge. If called as a witness, I could and would competently testify to the facts set forth  
11 herein.  
12

13 2. I have been the managing billing attorney on this case at all times since my firm  
14 began investigating the underlying facts in about June of 2020. I have reviewed all of the  
15 detailed billing records prepared by GPM in connection with this matter and have applied my  
16 billing judgment. The billing records prepared in connection with this case were generated from  
17 GPM’s timekeeping systems and are maintained in the ordinary course of business. Timekeepers  
18 at GPM record their time contemporaneously. Time is recorded and billed in 1/10 of an hour  
19 increments.  
20

21 3. Up until trial, this case evolved through the filing of an initial and first Amended  
22 complaint, a motion to dismiss, motion to strike nationwide class allegations, motion for class  
23 certification, motion for summary judgment, several motions to compel discovery, a Daubert  
24 motion, and motions in limine. All that work was appropriate and necessary to develop this  
25 difficult case to the point that it could be successfully tried before a jury. At trial, the jury  
26 returned a verdict in favor of the Illinois Repair Class and verdict in favor of defendant  
27  
28

1 American Honda Motor Company, Inc. (“Defendant” or “Honda”) regarding the California  
 2 Repair Class.

3 **II. SUMMARY OF CLASS COUNSEL’S TIME**

4 4. GPM and Co-Class Counsel Greenstone Law APC (together, “Class Counsel”)  
 5 devoted thousands of hours of attorney and paralegal time in connection with this matter and  
 6 incurred significant costs and expenses with no guarantee those costs and expenses would be  
 7 recovered. This was a difficult and complex case where we faced three aggressive and highly  
 8 experienced defense firms. Initially, Defendants were represented by the national defense firm  
 9 Bowman & Brook LLP (“Bowman”). In about the summer of 2021, Defendants substituted in  
 10 their current counsel DTO Law for Bowman. To assist with trial, Defendants added another  
 11 national law firm to their roster of defense attorneys, Lewis, Brisbois Bisgaard & Smith LLP  
 12 (“Lewis Brisbois”). Pacer records reflect that Defendants have had twelve attorneys registered  
 13 to this case since inception; this does not include those who have worked behind the scenes.  
 14 Defendants’ counsel fought hard at every stage in this class action. Had Plaintiffs’ counsel not  
 15 prevailed at all in this matter, they would not be able to request the millions of dollars they  
 16 incurred in legal fees or the hundreds of thousands of dollars they incurred as costs and  
 17 expenses.  
 18

19  
 20 5. The below chart is a summary of all Class Counsel’s time by timekeeper.  
 21

| <b>Attorney (Rate)<br/>(Position, Admission<br/>Year)</b> | <b>Hours</b> | <b>Lodestar</b> |
|---|--------------|-----------------|
| Kevin F. Ruf (\$1,125)<br>(Partner, 1988)                 | 244.90       | \$275,512.50    |
| Marc Godino (\$1,000)<br>(Partner, 1996)                  | 843.60       | \$817,065.00    |
| Mark Greenstone (\$1,000)<br>(Partner, 1998)              | 1,464.06     | \$1,409,610.00  |

|    |  |                 |                       |
|----|--|-----------------|-----------------------|
| 1  | David Stone (\$1,000)<br>(Partner, 2000)                 | 193.00          | \$183,370.00          |
| 2  |  |                 |                       |
| 3  | Garth Spencer (\$785)<br>(Partner, 2012)                 | 63.00           | \$49,455.00           |
| 4  | Benjamin Donahue (\$750)<br>(Senior Counsel, 2013)       | 1,158.60        | \$805,005.00          |
| 5  | Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)        | 509.00          | \$292,675.00          |
| 6  |  |                 |                       |
| 7  | Danielle Manning (\$475)<br>(Associate, 2016)            | 613.65          | \$278,872.50          |
| 8  | Holly A. Heath (\$425) <sup>1</sup><br>(Associate, 2016) | 782.30          | \$332,477.50          |
| 9  | Sandra Hung (\$425)<br>(Staff Attorney, 2002)            | 116.90          | \$49,682.50           |
| 10 |  |                 |                       |
| 11 | Lisa Holman (\$425)<br>(Staff Attorney, 1997)            | 115.35          | \$49,023.75           |
| 12 | Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)       | 459.55          | \$195,308.75          |
| 13 |  |                 |                       |
| 14 | Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)         | 383.50          | \$119,616.25          |
| 15 | Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a)      | 96.30           | \$31,248.75           |
| 16 | <b>Total</b>   | <b>7,043.71</b> | <b>\$4,888,922.50</b> |

17  
18 6. The below chart is a summary of all Class Counsel's time by task.

| 19 | <b>Task Category</b>   | <b>Hours</b> | <b>Lodestar</b> |
|----|--|--------------|-----------------|
| 20 | Investigation &<br>Analysis  | 260.25       | \$153,003.50    |
| 21 |  |              |                 |
| 22 | Pleadings &<br>Miscellaneous Court<br>Filings (Complaints,<br>Stipulations, Status<br>Reports, etc.) | 156.45       | \$102,465.00    |
| 23 |  |              |                 |
| 24 | Motion to Dismiss  | 184.65       | \$93,376.50     |
| 25 | Motion for Class Cert  | 716.70       | \$512,149.75    |
| 26 | Motion for Summary<br>Judgment   | 542.10       | \$308,519.75    |

27 <sup>1</sup> Ms. Heath's hourly rate reflects a reduced rate based on the nature of the work she performed in  
28 this case which was substantially limited to document review.

|                               |                 |                       |
|-------------------------------|-----------------|-----------------------|
| Motions – Post Trial          | 98.20           | \$79,272.50           |
| Fact Discovery                | 1,757.15        | \$964,561.00          |
| Experts & Expert<br>Discovery | 689.05          | \$544,416.50          |
| Class Notice                  | 313.75          | \$265,665.00          |
| Settlement                    | 107.11          | \$82,696.75           |
| Trial & Trial<br>Preparation  | 2,218.30        | \$1,782,796.25        |
| <b>Total</b>                  | <b>7,043.71</b> | <b>\$4,888,922.50</b> |

7. My Co-Class Counsel Mark S. Greenstone has concurrently filed a declaration concerning the time and corresponding lodestar of Greenstone, and the experience of Greenstone personnel. In this declaration I detail that information for GPM, as well as the history of the litigation and the costs incurred by Class Counsel.

### III. SUMMARY OF GPM TIME

8. GPM’s lodestar in this case is \$2,674,307.50. I have exercised billing judgment on fees in the following ways: 1) I have deleted entries for billers who billed less than 20 hours total on this matter; 2) I deleted time I considered administrative. This was done by reviewing the daily entries of each attorney and removing entries that described work that I believe could have been performed by a paralegal or administrative staff member; 3) I deleted entries directly related on their face to the California or dismissed claims. This was done by performing a word search for any named plaintiff other than Marissa Feeney and removing those time entries. Also, using various word searches (“warranty,” “California,” “CA,” “injunctive,” “equitable”), I was able to find and delete entries that specifically referenced California, equitable or warranty claims; 4) I also deleted all entries concerning Honda’s motion to strike the Amended Complaint’s nationwide allegations since a nationwide class was not pursued; and 5) I have deleted 30% of the resulting fees specifically related to the motion to dismiss and summary judgment time entries to account for my best estimate of time devoted indirectly to the

1 California claims that did not prevail. The following chart shows the total Lodestar incurred by  
 2 GPM<sup>2</sup>:

| <b>Billor (Rate)(Position,<br/>Admission Year)</b>  | <b>Hours</b>    | <b>Lodestar</b>       |
|---|-----------------|-----------------------|
| Kevin F. Ruf (\$1,125)<br>(Partner, 1988)           | 244.90          | \$275,512.50          |
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 843.60          | \$817,065.00          |
| David Stone (\$1,000)<br>(Partner, 2000)            | 193.00          | \$183,370.00          |
| Garth Spencer (\$785)<br>(Partner, 2012)            | 63.00           | \$49,455.00           |
| Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)   | 509.00          | \$292,675.00          |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 613.65          | \$278,872.50          |
| Holly A. Heath (\$425)<br>(Associate, 2016)         | 782.30          | \$332,477.50          |
| Sandra Hung (\$425)<br>(Staff Attorney, 2002)       | 116.90          | \$49,682.50           |
| Lisa Holman (\$425)<br>(Staff Attorney, 1997)       | 115.35          | \$49,023.75           |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 459.55          | \$195,308.75          |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 96.30           | \$31,248.75           |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 383.50          | \$119,616.25          |
| <b>Total</b>  | <b>4,421.05</b> | <b>\$2,674,307.50</b> |

#### 23 IV. THE EXPERIENCE AND QUALIFICATIONS OF GPM TIMEKEEPERS

24 9. The experience and qualifications of each GPM timekeeper is summarized below.  
 25  
 26

27 <sup>2</sup> See Paragraphs 25-34 for a detailed breakdown of the work performed in this litigation.  
 28

1           10. I am a partner and the head of the consumer class action litigation group at  
2 GPM's main office in Los Angeles. I have been practicing law in the state of California and  
3 throughout the country for more than 25 years. About half that time has been spent at GPM. I  
4 have played a prominent role in litigating and successfully resolving a variety of class actions  
5 against some of the largest corporations in the country resulting in over \$100 million recovered  
6 for consumers. In cases involving automobile manufactures, I was the primary GPM attorney in  
7 successfully resolved class actions including: in *Shin, et al., v. BMW of North America*, Case  
8 No. 09-398 AHM (AJWx) (C.D. Cal.), I was appointed as class counsel for a settlement on  
9 behalf of over 27,000 owners and lessees of BMW 6-Series vehicles that established a  
10 reimbursement program for repairs or replacements of cracked wheels; I was also appointed co-  
11 lead class counsel in *Reniger, et al. v. Hyundai Motor America*, No. 4:14-cv-03612 (N.D. Cal.)  
12 in a settlement that established a reimbursement program and ten-year service campaign for  
13 approximately 77,000 owners and lessees of 2010-2012 Hyundai Santa Fe vehicles alleged to  
14 suffer from a stalling defect; I was appointed class counsel in *Khona, et al., v. Suburu of*  
15 *America, Inc.*, Case No. 19-cv-09323 RMB AMD (D.N.J.) in a settlement that provided an  
16 extended warranty and reimbursement program for class members involving allegedly defective  
17 windshields; I was appointed co-lead class counsel *Gann, et al. v. Nissan North America, Inc.*,  
18 Case No. 3:18-cv-00966 (M.D. Tenn.), a settlement concerning approximately 1.4 million  
19 Nissan Altima vehicles with allegedly defective CVTs. I have been the lead counsel in this case  
20 since its inception. I have been involved in nearly every aspect of this case, from discovery to  
21 motion practice to pre-trial matters as well as being involved in the trial.  
22  
23  
24

25           11. Kevin Ruf is a partner at GPM. Mr. Ruf joined GPM in 2001 and works on a  
26 diverse range of trial and appellate cases. He has successfully argued a number of important  
27 appeals, including in the 9th Circuit Court of Appeals. He has twice argued cases before the  
28

1 California Supreme Court — winning both. Mr. Ruf won the prestigious California Lawyer of  
2 the Year (CLAY) award in 2019 and in 2021, was named by California's legal paper of record,  
3 the Daily Journal, as one of 18 California “Lawyers of the Decade.” Mr. Ruf was brought into  
4 this litigation in 2022 as part of the trial team and assisted in all aspects of trial preparation and  
5 conducted the cross examination of one of Honda’s expert witnesses.  
6

7 12. Garth Spencer is a partner at GPM. Mr. Spencer joined the firm in 2016. Mr.  
8 Spencer performed work in connection with is matter, including discovery related motions, a  
9 motion for reconsideration related to class certification and performing discrete legal research.

10 13. David Stone recently joined GPM in 2022 as a partner. Mr. Stone has been  
11 practicing law for more than 25 years and has developed a broad background in complex class  
12 actions. The work performed by Mr. Stone in this case included: preparing for and taking  
13 several Honda expert witness depositions; assisted in the summary judgment, Class Notice and  
14 motions in limine briefing; and assisted in efforts to compel documents from third party  
15 DENSO.  
16

17 14. Natalie Pang joined GPM in 2019 and is a senior associate. Ms. Pang has  
18 advocated on behalf of thousands of consumers during her eight year legal career. Ms. Pang has  
19 extensive experience in case management and all facets of litigation. Ms. Pang was brought into  
20 this litigation in 2023 as part of the trial team and assisted in all aspects of trial preparation and  
21 conducted the direct examinations of both class representatives at trial.  
22

23 15. Danielle Manning was an associate at GPM, joining the firm in 2016. While at  
24 GPM, Ms. Manning specialized in prosecuting complex class action lawsuits in state and federal  
25 courts nationwide. In this case, Ms. Manning participated in all aspects of the litigation since its  
26 inception until her departure from GPM in 2022 including assisting in: case initiation, opposing  
27  
28

1 the motion to dismiss and motion to strike, class certification briefing, and all aspects of  
2 discovery.

3         16. Holly Heath has been a GPM associate since 2017. Ms. Heath specializes in  
4 managing all aspects of discovery and trial preparation in securities and consumer fraud class  
5 actions. Ms. Heath was primarily responsible for managing the equivalent of more than two  
6 million pages of discovery produced in this case including reviewing and coding all documents  
7 produced by Honda and third parties. Ms. Heath's intimate familiarity with the discovery in this  
8 case was invaluable in being able to extract and summarize key evidence for the trial attorneys  
9 during the entire course of the litigation.

10  
11         17. Romelia Leach has been a GPM associate since 2017 and has been involved in  
12 this case since its inception. Ms. Leach assisted in the initial case investigation and was the  
13 primary contact between the firm and Class representatives. Ms. Leach also performed intakes  
14 and reviewed documents from hundreds of class members who contacted GPM about their  
15 specific issues related to the defective VTC actuator. Ms. Leach was also responsible for  
16 reviewing discovery produced in this case including from third party Honda dealerships. In  
17 addition, Ms. Leach spent a significant amount of time reviewing and analyzing Honda's  
18 extensive warranty database; one of the most important pieces of evidence in this case.

19  
20         18. Sandra Hung has been a GPM associate since 2017 and was specifically tasked  
21 with providing written deposition summaries of several of the key witnesses in this case.

22  
23         19. Lisa Holman has been a GPM associate since 2017 and was specifically tasked  
24 with providing written deposition summaries of several of the key witnesses in this case.

25         20. Harry Kharadjian is a senior paralegal with over 20 years' experience in  
26 litigation. He was one of the two lead paralegals for GPM throughout the history of this case.

1 His responsibilities included, but were not limited to, preparing documents for court filing and  
2 serving documents to opposing counsel.

3 21. Paul Harrigan was a paralegal with GPM having over 20 years' experience in  
4 litigation. He was one of the two lead paralegals for GPM throughout the history of this case.  
5 His responsibilities included, but were not limited to, preparing documents for court filing and  
6 serving documents to opposing counsel.  
7

8 22. I am familiar with each of the GPM attorneys and paralegals who worked on this  
9 matter. Based upon my knowledge and experience, the billing rates for the paralegals and  
10 attorneys who worked on this matter are commensurate with their years of experience and skills,  
11 and courts across the country have approved these rates.  
12

13 **V. HISTORY OF THE LITIGATION**

14 23. Class Counsel began investigating this case in early 2020. Over a period of  
15 months, Class Counsel reviewed publicly available information concerning the Class Vehicles  
16 and their VTC Actuators including consumer complaints and Honda Technical Service  
17 Bulletins. Class Counsel analyzed the VTC defect from a technical standpoint, and researched  
18 the legal viability of a claim. In addition, Class Counsel interviewed many Class Vehicle  
19 owners. From inception through the present, Class Counsel have interviewed hundreds of Class  
20 Vehicle owners.  
21

22 24. This action was fraught with complex issues related to liability, damages and  
23 class certification and involved factual and legal issues that were complex and highly contested.  
24 Class Counsel vigorously litigated this dispute in the following ways:

- 25 • Preparation of multiple drafts of each of the two complaints in this action, the initial  
26 complaint filed on August 12, 2020 (Dkt. No. 1), and the First Amended Complaint filed  
27 on November 13, 2020 (Dkt. No. 20);  
28

- 1 • Preparation of initial and follow-up sets of document requests and interrogatories to  
2 Defendants;
- 3 • Preparation of responses to document requests and interrogatories served by Defendants  
4 on Plaintiffs;
- 5 • Review and production of Plaintiffs documents;
- 6 • Preparation of multiple requests for production to non-parties and preparation of non-  
7 party subpoenas in connection with same;
- 8 • Review of Defendants' document production comprised of the equivalent of over two  
9 million pages of documents, including databases with tens of thousands of Class Vehicle  
10 repair records;
- 11 • Review of non-party document productions;
- 12 • Preparation of indexes and analysis of documents in preparation for depositions, motions  
13 and trial;
- 14 • Retention of and extensive consultation with four experts: (1) automotive technical  
15 expert Michael Stapleford; (2) metallurgist Bruce Agle; (3) actuarial scientist and data  
16 analyst Lee Bowron; (4) damages expert Steven Boyles. Hundreds of hours were spent  
17 working with these experts to understand technical issues, prepare reports, assess  
18 Honda's defenses, pursue class certification and present Plaintiffs' case at trial.
- 19 • Coordination of the physical inspection of Plaintiffs' vehicles;
- 20 • Coordination of removal of parts from exemplar vehicles of Jameson Jauken and Thomas  
21 Francis;
- 22 • Coordination of the preservation and further examination of parts removed from  
23 Plaintiffs' vehicles, and the Francis/Jauken vehicles, including microscopic examination  
24 by the parties' metallurgists;
- 25 • Coordination of the preservation and further examination of parts removed from  
26 Plaintiffs' vehicles, and the Francis/Jauken vehicles, including microscopic examination  
27 by the parties' metallurgists;
- 28 • Coordination of the preservation and further examination of parts removed from  
Plaintiffs' vehicles, and the Francis/Jauken vehicles, including microscopic examination  
by the parties' metallurgists;

- 1 • Conducting the depositions of Honda's four expert witnesses: automobile technical  
2 expert Jason Arst, metallurgist Dr. Richard Baron, warranty data analyst Dr. Paul Taylor  
3 and damages expert Bruce Strombom;
- 4 • Conducting the depositions of three Honda fact witnesses: Michael Gibson, David  
5 Newalls and Chris Sullivan;
- 6 • Conducting the deposition of VTC supplier DENSO;
- 7 • Attending/defending Plaintiffs' depositions and the depositions of third party witnesses  
8 (11 total);
- 9 • Preparation of numerous substantive and time consuming briefings, including the  
10 following:
  - 11 ○ January 5, 2021 Opposition to Honda's Motion to Dismiss (Dkt. No. 28);
  - 12 ○ January 5, 2021 Opposition to Honda's Motion to Strike (Dkt. No. 29);
  - 13 ○ May 25, 2021 Letter Brief seeking to compel Honda document production (Dkt.  
14 No. 50);
  - 15 ○ October 1, 2021 Class Certification Opening Brief (Dkt. No. 67-3);
  - 16 ○ November 19, 2021 Class Certification Reply Brief (Dkt. No. 99-3);
  - 17 ○ November 19, 2021 Opposition to Daubert Motion to Exclude Plaintiffs'  
18 Automobile Technical Expert Michael Stapleford (Dkt. No. 99-5);
  - 19 ○ November 30, 2021 letter brief seeking to compel VTC supplier DENSO to  
20 produce documents (Dkt. No. 112);
  - 21 ○ March 4, 2022 Motion for Reconsideration of Class Certification Order (Dkt. No  
22 157);
  - 23 ○ March 9, 2022 Reply in support of Motion for Reconsideration of Class  
24 Certification Order (Dkt. No. 160);
  - 25
  - 26
  - 27
  - 28

- 1           ○ June 28, 2022 Motion for Order Approving Notice Plan (Dkt. No. 212);
- 2           ○ July 22, 2022 Opposition to Honda’s Motion for Summary Judgment (Dkt. No.
- 3                 222-4);
- 4           ○ February 16, 2023 Motion for Leave to File Motion for Reconsideration of
- 5                 Summary Judgment Order (Dkt. No. 253);
- 6           ○ August 1, 2023 Motion in Limine No. 1 to Exclude References to Lawyer Driven
- 7                 Litigation (Dkt. No. 301);
- 8           ○ August 1, 2023 Motion in Limine No. 2 to Exclude Testimony of Paul Taylor
- 9                 (Dkt. No. 302);
- 10           ○ August 1, 2023 Opposition to Honda’s Motion in Limine No. 1 to Exclude
- 11                 Hearsay in Warrantly and CPRO Data (Dkt. No. 295);
- 12           ○ August 1, 2023 Opposition to Honda’s Motion in Limine No. 3 to Exclude
- 13                 Plaintiffs’ Expert Stapleford from Testifying Re Francis and Jauken Vehicles
- 14                 (Dkt. No. 297);
- 15           ○ September 1, 2023 Opposition to Honda’s Post-Trial Motion to Decertify (Dkt.
- 16                 No. 372);
- 17           ○ September 1, 2023 Opposition to Honda’s Post-Trial Rule 50 Motion for
- 18                 Judgment (Dkt. No. 374);
- 19           ○ September 1, 2023 Opposition to Honda’s Post-Trial Rule 50 Motion for
- 20                 Judgment (Dkt. No. 374);
- 21           ○ September 1, 2023 Opposition to Honda’s Post-Trial Rule 50 Motion for
- 22                 Judgment (Dkt. No. 374);
- 23           • Preparation of the Class Notice;
- 24           • Preparation of scheduling orders, stipulates and other miscellaneous filings;
- 25           • Preparation of countless correspondence to opposing counsel regarding vehicle
- 26                 inspections; coordination of vehicle parts analyses; deposition scheduling; document
- 27                 discovery; expert discovery; class notice process; law and motion work; miscellaneous
- 28                 matters;

- 1 • Preparing for and attending four mediations with Magistrate Judge Spero occurring on
- 2 March 1, 2022; May 31, 2022; April 13, 2023; and June 8, 2023;
- 3 • Drafting the Pre-Trial Order and the many trial-related documents attached thereto; and
- 4 • Preparing for and attending the pre-trial conference, jury selection and four days of trial.

5  
6 25. Plaintiffs' counsel devoted thousands of hours of attorney and paralegal time and  
7 effort pursuing, reviewing and utilizing the party and non-party documents produced in this  
8 Lawsuit. Plaintiffs were forced to wade through thousands of warranty and non-warranty repair  
9 data and multiple complex VTC actuator counter measure data in order to identify the critical  
10 evidence that substantiated Plaintiffs' claims. In addition, Plaintiffs were aggressive in pushing  
11 for additional documents in the face of repeated resistance from Defendants and third parties  
12 aligned with Defendants, such as VTC supplier DENSO. Plaintiffs' preparation for trial required  
13 various members of Plaintiffs' team to devote nearly all of their time to this litigation for  
14 extended durations forgoing other litigation opportunities.

15  
16 26. The deposition phase of the lawsuit was also time-consuming, hard-fought and  
17 intensive. The preparation required for these depositions was substantial. Databases were  
18 reviewed by associates to identify and pull the specific documents associated with each  
19 particular witness. Senior attorneys would then review those documents for relevance and  
20 usefulness. A total of nineteen individuals were deposed in twenty-four separate deposition  
21 sessions (several experts as well as Honda's key fact witness who was unavailable for trial,  
22 Michael Gibson, were deposed multiple times).

23  
24 27. Plaintiffs made attempts to settle the case including by participating in four  
25 settlement conferences with Magistrate Judge Spero on March 1, 2022; May 31, 2022; April 13,  
26 2023; and June 8, 2023. Plaintiffs sent Honda a detailed written class settlement demand prior  
27 to the first Conference. Honda *never* provided a response. Honda declined to discuss class  
28

1 settlement during the first two Settlement Conferences. During the third conference, the parties’  
2 attorneys informally discussed a settlement structure, but were unable to make any real progress  
3 as Honda had not brought anyone with settlement authority. Shortly thereafter, Honda abruptly  
4 pulled the plug on negotiations stating that it wished to proceed to trial. When asked directly at  
5 the pretrial conference about what happened, Honda’s counsel conceded that Honda refused to  
6 engage further in settlement negotiations: Mr. Delgado: “I understand what you are saying, Your  
7 Honor. I think the discounting of even the number that was on the table was not something that  
8 Honda was interested in at that time.” (August 8, 2023 Final Pretrial Conf. Tr. at 70:19-22.)  
9 Despite Plaintiffs’ settlement efforts, Honda refused all such overtures and Plaintiffs were left  
10 with no choice but to proceed to trial. To date, Honda has never offered anything to settle this  
11 case, despite the fact that (1) Honda lost the motion to dismiss; (3) Plaintiffs’ class was certified  
12 in part over Honda’s strenuous objection; (4) Honda’s failed attempt to have this Court  
13 reconsider its certification Order and; (5) Honda’s motion for summary judgment was denied in  
14 part.  
15  
16

17       28. Trial of this matter, which is extremely rare in class action cases, lasted four days  
18 during which witnesses were examined and cross-examined and dozens of documents were  
19 received into evidence. Plaintiffs faced additional resistance by Honda through its Rule 50  
20 motion, motion to decertify the Class and heavily-contested jury instruction briefing and  
21 argument.  
22

23       29. At every stage of this case, Class Counsel litigated in an efficient manner that  
24 saved the parties, the Court and ultimately the jury time and resources. Class Counsel’s efforts  
25 to reduce litigation time and expense include the following efforts.

26       30. At the commencement of discovery, without being asked, Class Counsel  
27 proactively offered Plaintiffs’ vehicles for inspection. Class Counsel coordinated the  
28

1 inspections and prompt removal and storage of parts from Plaintiffs' vehicles for further  
2 analysis. This preserved evidence and streamlined discovery.

3           31. Class Counsel noticed only three Honda fact witness depositions, Michael  
4 Gibson, David Newallis and Chris Sullivan. Two of these individuals (Gibson and Newallis)  
5 were designated by Honda in response to a Rule 30(b)(6) notice. Honda investigated the VTC  
6 defect for nearly a decade and more depositions could have easily been noticed. Class Counsel  
7 avoided unnecessary duplication.  
8

9           32. Class Counsel refrained from unnecessarily delaying this case when Honda  
10 produced Customer Pay Repair Order ("CPRO") data during the Class Notice process, after the  
11 close of expert and fact discovery. This was important data, and Class Counsel would have been  
12 justified in petitioning the Court to reopen discovery. Instead of doing so and incurring more  
13 fees and costs, Class Counsel analyzed this data and, ultimately, entered into a stipulation with  
14 Honda regarding its use at trial. (Dkt. No. 343.) That stipulation also obviated the need to call  
15 the CPRO data compiler Kendrick Kau as a live witness (whose subpoena Honda had moved to  
16 quash).  
17

18           33. Class Counsel have engaged the same two law firms throughout this case, unlike  
19 Honda which substituted DTO Law for its original counsel Bowman midstream, and then  
20 engaged an entirely new national law firm, Lewis Brisbois, to assist with trial. Even when  
21 unexpected events made Plaintiffs' lead trial counsel unavailable, Plaintiffs chose a substitute  
22 from their own ranks and were able to try the case with a brief one-month adjournment.  
23

24           34. Class Counsel took all depositions remotely via Zoom, rather than travel to  
25 witness locations. Class Counsel only traveled to the Plaintiffs' depositions. This saved  
26 hundreds of hours in attorney time and thousands of dollars in costs.  
27  
28



1 about the VTC defect; reviewed Technical Service Bulletins discussing the VTC defect;  
 2 researched Honda forums and other publicly available information sources for customer  
 3 complaints. Class Counsel also researched related litigation against Honda as well as researched  
 4 case law relevant to the causes of action alleged. The hours billed by GPM to undertake and  
 5 complete this phase of the litigation are summarized in the chart below:  
 6

#### Investigation & Analysis

| Biller (Rate)<br>(Position, Admission Year)        | Hours         | Lodestar            |
|--|---------------|---------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)           | 34.85         | \$34,850.00         |
| David Stone (\$1,000)<br>(Partner, 2000)           | 6.50          | \$6,500.00          |
| Garth Spencer (\$785)<br>(Partner, 2012)           | 4.60          | \$3,611.00          |
| Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)  | 0.40          | \$230.00            |
| Danielle Manning (\$475)<br>(Associate, 2016)      | 20.00         | \$9,500.00          |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007) | 165.30        | \$70,252.50         |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)   | 0.80          | \$260.00            |
| <b>Total</b>                                       | <b>232.45</b> | <b>\$125,203.50</b> |

#### Fact Discovery

21  
 22 40. During the discovery phase of the action, Class Counsel: propounded document  
 23 requests and special interrogatories on Honda; met and conferred with Honda regarding the  
 24 same; moved to compel the production of documents in connection with the same; reviewed and  
 25 indexed 32,837 documents equivalent to over two million pages of documents produced by  
 26 Honda, plaintiffs and third parties; responded to document requests and interrogatories  
 27 propounded by Honda; produced documents from Plaintiffs in connection with the same; served  
 28

1 multiple third-party document subpoenas; negotiated a protective order; took the depositions of  
 2 three Honda fact witnesses (Michale Gibson, David Newalis, Chris Sullivan); took the  
 3 deposition of VTC supplier DENSO; defended Plaintiffs' depositions; defended the depositions  
 4 of non-parties Jameson Jauken and Thomas Francis; negotiated a protocol for the physical  
 5 inspection of Plaintiffs' vehicles; coordinated the physical inspection of Plaintiffs' vehicles, as  
 6 well as the removal and storage of parts from those vehicles; met and conferred with Honda's  
 7 counsel on many occasions concerning the above matters. The hours billed by GPM to  
 8 undertake and complete this phase of the litigation are summarized in the chart below:  
 9

#### Fact Discovery

| <b>Billor (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>    | <b>Lodestar</b>     |
|---|-----------------|---------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 105.65          | \$105,650.00        |
| David Stone (\$1,000)<br>(Partner, 2000)            | 2.80            | \$2,800.00          |
| Garth Spencer (\$785)<br>(Partner, 2012)            | 7.10            | \$5,573.50          |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 276.40          | \$131,290.00        |
| Holly A. Heath (\$425)<br>(Associate, 2016)         | 782.30          | \$332,477.50        |
| Sandra Hung (\$425)<br>(Staff Attorney, 2002)       | 12.50           | \$5,312.50          |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 208.75          | \$88,718.75         |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 92.10           | \$29,932.50         |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 3.25            | \$1,056.25          |
| <b>Total</b>  | <b>1,490.85</b> | <b>\$702,811.00</b> |

**Motion to Dismiss**

41. Class Counsel reviewed Honda's motion to dismiss and extensively researched the arguments made therein; drafted an opposition brief; reviewed Honda's reply brief; prepared for and attended the motion to dismiss hearing. The hours billed by GPM to undertake and complete this phase of the litigation are summarized in the chart below<sup>3</sup>:

**Motion to Dismiss**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>  | <b>Lodestar</b>    |
|---|---------------|--------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 38.85         | \$27,195.00        |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 88.50         | \$29,426.25        |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 7.10          | \$1,615.25         |
| <b>Total</b>  | <b>134.45</b> | <b>\$58,236.50</b> |

**Motion for Class Certification**

42. The motion for class certification was a major undertaking. In connection with the class certification briefing, Class Counsel: performed extensive legal research, performed extensive review of Honda documents to pinpoint evidence that could be used to prove Plaintiffs' claims on a class-wide basis; consulted extensively with Class Counsel's technical experts; prepared an opening brief and supporting papers; closely analyzed Honda's opposition brief; prepared a reply brief and supporting papers; drafted opposition to Honda's motion to exclude Plaintiffs' technical expert Stapleford; prepared for and attended the class certification hearing; analyzed Order on Class Certification; reviewed Honda's motion for leave to file

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<sup>3</sup> This chart reflects a 30% across the board reduction.

1 motion for reconsideration; drafted Plaintiffs' motion for leave to file motion for  
 2 reconsideration; reviewed Court's Order granting the motions for leave; drafted motion for  
 3 reconsideration; reviewed Honda's motion for reconsideration; drafted Reply in support of  
 4 reconsideration; reviewed Honda's Reply in support of reconsideration; reviewed Court's Order  
 5 regarding motions for reconsideration. The hours billed by GPM to undertake and complete this  
 6 phase of the litigation are summarized in the chart below:  
 7

#### 8 **Motion for Class Cert**

| 9 <b>Biller (Rate)</b><br><b>(Position, Admission Year)</b> | 10 <b>Hours</b> | 11 <b>Lodestar</b>  |
|---|-----------------|---------------------|
| 12 Marc Godino (\$1,000)<br>(Partner, 1996)                 | 145.75          | \$145,750.00        |
| 13 David Stone (\$1,000)<br>(Partner, 2000)                 | 3.50            | \$3,500.00          |
| 14 Garth Spencer (\$785)<br>(Partner, 2012)                 | 27.60           | \$21,666.00         |
| 15 Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)        | 5.00            | \$2,875.00          |
| 16 Danielle Manning (\$475)<br>(Associate, 2016)            | 192.00          | \$91,200.00         |
| 17 Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)       | 29.80           | \$12,665.00         |
| 18 Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)         | 102.50          | \$33,312.50         |
| 19 Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a)      | 11.25           | \$3,656.25          |
| 20 <b>Total</b>   | <b>517.40</b>   | <b>\$314,624.75</b> |

#### 23 **Motion for Summary Judgment**

24 43. In connection with opposing summary judgment, Class Counsel: reviewed  
 25 Honda's motion for summary judgment and accompanying declarations and exhibits; performed  
 26 extensive legal research relating thereto, reviewed relevant discovery and consulted with their  
 27 experts in preparation for drafting an opposition brief; drafted the opposition brief; reviewed  
 28

1 Honda's reply brief; prepared for and attended the summary judgment hearing; review the  
 2 summary judgment Order; drafted a motion for leave to file motion for reconsideration of  
 3 summary judgment Order. The hours billed by GPM to undertake and complete this phase of the  
 4 litigation are summarized in the chart below<sup>4</sup>:

**Motion for Summary Judgment**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>  | <b>Lodestar</b>    |
|---|---------------|--------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 49.60         | \$34,720.00        |
| David Stone (\$1,000)<br>(Partner, 2000)            | 32.10         | \$22,470.00        |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 44.40         | \$10,101.00        |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 0.50          | \$113.75           |
| <b>Total</b>  | <b>126.60</b> | <b>\$67,404.75</b> |

**Experts and Expert Discovery**

16 44. This was an expert-intensive case. Expert work included: retention of four  
 17 separate experts, Plaintiffs' automobile technical expert Michael Stapleford, metallurgist Bruce  
 18 Agle, warranty data analyst Lee Bowron and damage Expert Steven Boyles; extensive  
 19 consultation with each expert; review and organization of thousands of pages of warranty and  
 20 non-warranty repair data produced by the Defendants for expert analysis; identification of  
 21 additional materials to request necessary for expert analysis; coordination of the inspection of  
 22 Plaintiffs' vehicles and microscopic analysis of the parts removed therefrom; review of  
 23 numerous reports in connection with class certification and trial (Plaintiffs' opening and rebuttal  
 24 reports, Honda's expert reports, and so forth); review of voluminous expert productions  
 25  
 26

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27 <sup>4</sup> This chart reflects an across the board 30% reduction.  
 28

1 including hundreds of images; preparation for Plaintiffs' expert's for deposition; the taking of  
 2 Defendants' expert's depositions (automotive technical expert Jason Arst, metallurgist Dr.  
 3 Richard Baron, warranty data analyst Dr. Paul Taylor and damages expert Bruce Strombom).  
 4 Several experts (Mr. Arst, Mr. Stapleford and Mr. Agle) were deposed multiple times. The  
 5 hours billed by GPM to undertake and complete this phase of the litigation are summarized in  
 6 the chart below:  
 7

#### Experts & Expert Discovery

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>  | <b>Lodestar</b>     |
|---|---------------|---------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 86.95         | \$86,950.00         |
| David Stone (\$1,000)<br>(Partner, 2000)            | 95.10         | \$95,100.00         |
| Garth Spencer (\$785)<br>(Partner, 2012)            | 12.90         | \$10,126.50         |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 17.25         | \$8,193.75          |
| Sandra Hung (\$425)<br>(Staff Attorney, 2002)       | 104.40        | \$44,370.00         |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 9.95          | \$4,228.75          |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 53.30         | \$17,322.50         |
| <b>Total</b>  | <b>379.85</b> | <b>\$266,291.50</b> |

#### Class Notice

21  
 22  
 23 45. Class Counsel developed a notice program that would accurately identify class  
 24 members while at the same time protecting their privacy; engaged notice administrator  
 25 Postlethwaite & Netterville and were ultimately able to obtain Customer Paid Repair Order  
 26 ("CPRO") data from Honda—which it failed to produce during discovery—that allowed the  
 27 Parties to adequately identify the Illinois Repair Class; drafted the motion approving the notice  
 28

1 program; made modifications to the notice program pursuant to the Court's directive; reviewed  
 2 the Court's order finally approving the notice program; coordinated with the claims  
 3 administrator to implement the notice program; and responded to class member phone calls and  
 4 emails. The hours billed by GPM to undertake and complete this phase of the litigation are  
 5 summarized in the chart below:  
 6

#### Class Notice

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>  | <b>Lodestar</b>     |
|---|---------------|---------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 78.95         | \$78,950.00         |
| David Stone (\$1,000)<br>(Partner, 2000)            | 12.40         | \$12,400.00         |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 15.40         | \$6,545.00          |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 19.10         | \$6,207.50          |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 0.50          | \$162.50            |
| <b>Total</b>  | <b>126.35</b> | <b>\$104,265.00</b> |

#### Settlement

19 46. Class Counsel prepared for and attended four Settlement Conferences with  
 20 Magistrate Judge Spero on March 1, 2022; May 31, 2022; April 13, 2023; and June 8, 2023;  
 21 prepared a position statement in advance of each conference; engaged in numerous discussions  
 22 with defense counsel and Judge Spero. The hours billed by GPM to undertake and complete this  
 23 phase of the litigation are summarized in the chart below:  
 24  
 25  
 26  
 27  
 28

**Settlement**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b> | <b>Lodestar</b>    |
|---|--------------|--------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 27.00        | \$27,000.00        |
| Garth Spencer (\$785)<br>(Partner, 2012)            | 10.80        | \$8,478.00         |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 0.50         | \$237.50           |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 24.45        | \$10,391.25        |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 8.90         | \$2,892.50         |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 2.50         | \$812.50           |
| <b>Total</b>  | <b>74.15</b> | <b>\$49,811.75</b> |

**Trial and Trial Preparation**

47. Class Counsel's trial preparation schedule was intense, and included: briefing motions in limine; drafting the pre-trial order; preparing jury instructions and briefing disputed jury instruction issues; preparing a special verdict form; creating exhibit and witness lists; designating deposition testimony and trial exhibits; creating demonstratives to be used at trial; preparing witnesses for trial and preparing for examination of Honda's trial witnesses; preparing other pre-trial filings, and negotiating and litigating objections to the trial exhibits; attending the pre-trial conference; participating in jury selection; participating in a four day jury trial; researching and arguing evidentiary issues; preparing revised proposed jury instructions and responding to the Court's requests for argument on jury instruction and verdict form issues; entering into stipulations regarding damages, dismissal of duplicative claims and the number of class members. The hours billed by GPM to undertake and complete this phase of the litigation are summarized in the chart below:

**Trial & Trial Preparation**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>    | <b>Lodestar</b>     |
|---|-----------------|---------------------|
| Kevin F. Ruf (\$1,125)<br>(Partner, 1988)           | 244.90          | \$275,512.50        |
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 236.95          | \$236,950.00        |
| David Stone (\$1,000)<br>(Partner, 2000)            | 38.00           | \$38,000.00         |
| Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)   | 495.30          | \$284,797.50        |
| Lisa Holman (\$425)<br>(Staff Attorney, 1997)       | 115.35          | \$49,023.75         |
| Romelia E. Leach (\$425)<br>(Staff Attorney, 2007)  | 5.90            | \$2,507.50          |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 1.90            | \$617.50            |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 70.50           | \$22,912.50         |
| <b>Total</b>  | <b>1,208.80</b> | <b>\$910,321.25</b> |

**Motions – Post Trial**

48. Significant motion work continued post-trial in the wake of Honda's motion to decertify and motion for judgment pursuant to Rule 50. Work relating to these motions includes: reviewing Honda's motion to decertify the Class and Rule 50 Motion; performing legal research and drafting oppositions to both motions; reviewing Honda's reply briefs in support of both motions. The hours billed by Plaintiffs' Counsel to undertake and complete this phase of the litigation are summarized in the chart below:

**Motions – Post Trial**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b> | <b>Lodestar</b>    |
|---|--------------|--------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 15.70        | \$15,700.00        |
| Natalie S. Pang (\$575)<br>(Senior Counsel, 2015)   | 8.30         | \$4,772.50         |
| <b>Total</b>  | <b>24.00</b> | <b>\$20,472.50</b> |

**Pleadings and Miscellaneous Court Filings**

49. This category includes drafting and filing of: the initial and amended complaint; multiple stipulations relating to briefing, pre-trial scheduling; joint status reports; Rule 26(f) Report; notices of appearances; ADR certifications; ordering transcripts; proofs of service; pro hoc vice applications; and motions to seal and other ministerial filings. In addition, this category includes review of the Court's standing orders and Honda's Answer to the operative complaint. The hours billed by Plaintiffs' Counsel to undertake and complete this phase of the litigation are summarized in the chart below:

**Pleadings & Miscellaneous Court Filings (Complaints, Stipulations, Status Reports, etc.)**

| <b>Biller (Rate)<br/>(Position, Admission Year)</b> | <b>Hours</b>  | <b>Lodestar</b>    |
|---|---------------|--------------------|
| Marc Godino (\$1,000)<br>(Partner, 1996)            | 23.35         | \$23,350.00        |
| David Stone (\$1,000)<br>(Partner, 2000)            | 2.60          | \$2,600.00         |
| Danielle Manning (\$475)<br>(Associate, 2016)       | 19.00         | \$9,025.00         |
| Paul Harrigan (\$325)<br>(Senior Paralegal, n/a)    | 53.40         | \$17,355.00        |
| Harry Kharadjian (\$325)<br>(Senior Paralegal, n/a) | 7.80          | \$2,535.00         |
| <b>Total</b>  | <b>106.15</b> | <b>\$54,865.00</b> |



1           53.     Class Counsel is prepared to submit the back- up materials for these expenses and  
 2 disbursements upon request by the Court. A summary of those expenses reasonably incurred, are  
 3 as follows:

| <b>COMBINED EXPENSES</b>      |                       |
|-------------------------------|-----------------------|
| <b>CATEGORY OF EXPENSE</b>    | <b>TOTAL EXPENSES</b> |
| CLAIMS ADMINISTRATOR COSTS    | 34,575.74             |
| COURIER AND SPECIAL POSTAGE   | 2,632.77              |
| COURT FILING FEES             | 717.00                |
| DOCUMENT MANAGEMENT           | 48,458.68             |
| EXPERTS                       | 300,539.35            |
| ONLINE RESEARCH               | 66,615.56             |
| PHOTOCOPYING                  | 2,014.86              |
| SERVICE OF PROCESS            | 14,538.99             |
| TRANSCRIPTS                   | 92,389.38             |
| TRAVEL AIRLINE                | 12,774.52             |
| TRAVEL AUTO                   | 5,808.50              |
| TRAVEL HOTEL                  | 37,778.08             |
| TRAVEL MEALS                  | 4,439.80              |
| WITNESS FEES                  | 883.80                |
| A/V LITIGATION SUPPORT VENDOR | 56,124.90             |
| <b>Grand Total</b>            | <b>680,291.93</b>     |

18           54.     Most of the items listed in the chart above are self-explanatory. The photocopying  
 19 charges in this case were substantial due to the number of documents produced and number of  
 20 exhibits used at depositions and at trial. Travel included travel and lodging costs incurred by  
 21 GPM timekeepers to attend court hearings, depositions, meetings, and trial. The majority of  
 22 these costs were incurred during the pre-trial and trial stages of this case when Counsel,  
 23 Plaintiffs, and expert witnesses all traveled to San Francisco. Online research is the cost of  
 24 performing on-line legal research for motion practice and for trial. At trial, Counsel incurred  
 25 costs of \$56,124.90 to hire an audio-visual litigation specialist that assisted counsel in presenting  
 26  
 27  
 28

1 evidence at trial and preparing the three designated video deposition segments that Plaintiffs  
2 presented as part of their case.

3 55. A summary of expenses reasonably incurred by GPM are as follows:

| <b>CATEGORY OF EXPENSE</b>    | <b>AMOUNT PAID</b> |
|-------------------------------|--------------------|
| CLAIMS ADMINISTRATOR COSTS    | 34,575.74          |
| COURIER AND SPECIAL POSTAGE   | 2,632.77           |
| COURT FILING FEES             | 717.00             |
| DOCUMENT MANAGEMENT           | 48,458.68          |
| EXPERTS                       | 300,539.35         |
| A/V LITIGATION SUPPORT VENDOR | 56,124.90          |
| ONLINE RESEARCH               | 63,396.47          |
| PHOTOIMAGING                  | 967.07             |
| SERVICE OF PROCESS            | 14,538.99          |
| TRANSCRIPTS - DEPOSITION      | 77,598.57          |
| TRANSCRIPTS - HEARING         | 695.50             |
| TRANSCRIPTS - TRIAL           | 6,260.00           |
| TRAVEL AIRLINE                | 6,627.77           |
| TRAVEL AUTO                   | 3,627.92           |
| TRAVEL HOTEL                  | 35,012.91          |
| TRAVEL MEALS                  | 2,649.17           |
| WITNESS FEES                  | 883.80             |
| <b>Grand Total</b>            | <b>655,306.61</b>  |

18  
19 56. The expenses incurred in connection with this case are reflected on GPM's books  
20 and records that are maintained in the ordinary course of business. These books and records are  
21 prepared from expense vouchers and check records and are an accurate record of expenses  
22 incurred.

23  
24 57. I have exercised my billing judgment by deleting costs directly related on their  
25 face to the California Class.

**VII. EFFORTS OF CLASS REPRESENTATIVE MARISSA FEENEY**

57. Class representative, Marissa Feeney, made significant contributions to the prosecution of this case by devoting her time, effort and reputation to this matter. Ms. Feeney made her vehicle available for inspection and attended all four Settlement Conferences. Ms. Feeney was deposed, flew from Illinois to San Francisco to attend the pretrial conference and jury selection, and then flew back to San Francisco two weeks later to assist counsel with preparation for trial, testify at trial and be present for the entire trial. Additionally, Ms. Feeney assisted with the production of documents and in responding to interrogatories.

**VIII. SUMMARY**

58. Plaintiff seeks recovery of \$5,574,214.43 for the attorneys’ fees, costs, and other disbursements of Class Counsel, broken down as follows:

|                                   |                |
|-----------------------------------|----------------|
| Attorneys’ Fees:                  | \$4,888,922.50 |
| Other Expenses and Disbursements: | \$680,291.93   |
| Service award for Ms. Feeney:     | \$5,000.00     |

59. Counsel for the parties met and conferred on September 14<sup>th</sup>, 2023 in an attempt to resolve any disputes.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of September, 2023, at Los Angeles, California.

s/ Marc L. Godino  
Marc L. Godino

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**PROOF OF SERVICE BY ELECTRONIC POSTING**

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On September 19, 2023, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Northern District of California, for receipt electronically by the parties listed on the Court’s Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 19, 2023, at Los Angeles, California.

s/ Mark S. Greenstone  
Mark S. Greenstone