

1 Paul A. Levin (State Bar No. 229077)
plevin@themrlg.com
2 MORTGAGE RECOVERY LAW GROUP LLP
3 700 North Brand Boulevard, Suite 830
Glendale, California 91203
4 Telephone: (818) 630-7900 / Fax: (818) 630-7920

5 Etan Mark (admitted *pro hac*)
6 etan@markmigdal.com
7 Donald J. Hayden (admitted *pro hac*)
don@markmigdal.com
8 MARK MIGDAL & HAYDEN
9 80 SW 8th Street, Suite 1999
Miami, Florida 33130
10 Telephone: (305) 374-0440

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

14
15 MICHAEL LAVIGNE, *et al.*,
16 Plaintiffs,
17 vs.
18 HERBALIFE LTD., *et al.*,
19 Defendants.

CASE NO. 2:18-cv-07480-JAK (MRWx)
[Related Case 2:13-cv-02488-BRO-RZ]
**DECLARATION OF ETAN MARK
IN SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL**

Assigned to Hon. John A. Kronstadt,
Courtroom 10B

1 I, Etan Mark, declare:

2 1. I have personal knowledge of the facts set forth in this declaration and,
3 if called as a witness, I could and would testify competently about these facts.

4 2. I am a member of the State Bars of New York and Florida and am
5 admitted *pro hac vice* to practice before the Court. I am counsel for Plaintiffs in this
6 matter.

7 3. I am the co-founder of Mark Migdal & Hayden (“MMH”), and I oversee
8 MMH’s litigation efforts in this case.

9 4. In the above-referenced action, Plaintiffs had seven separate discovery
10 hearings before Magistrate Judge Michael R. Wilner, took thirteen separate full-day
11 fact depositions, an additional four expert depositions, and defended an additional
12 eight depositions, along with reviewing hundreds of thousands of pages of discovery.

13 5. Plaintiffs separately engaged in extensive discovery in the case styled
14 *Lavigne, et al. v. Herbalife Ltd.*, Case No. 1:17-23429-MGC (S.D. Fla.) (the “Florida
15 Action”), including taking eight party depositions, defending three depositions,
16 reviewing hundreds of thousands of additional pages of documents produced in the
17 Florida Action by parties and non-parties, and participating in seven separate
18 discovery hearings before Magistrate Judge Goodman in the Southern District of
19 Florida.

20 6. In this action alone, the parties fully briefed a motion to compel
21 arbitration, two separate motions to dismiss, eight *Daubert* motions cross-motions for
22 summary judgment, and a contested motion for class action certification.

23 7. Based on data provided by Herbalife and representations made to me by
24 Herbalife’s counsel, Herbalife estimates 80-90% of distributors who attended two or
25 more STS events would eventually attend a corporate event.

26 8. I believe the Settlement is fair, adequate, and reasonable and should,
27 therefore, be approved.

28

EXHIBIT A

Table 1			
<i>Task 1: Pre-Suit Investigation</i>			
Attorney	Rate	Hours	Fee
Jason Jones (Attorney)	\$450	150	\$67,500.00
Total Fee Request for Task 1		150	\$67,500.00
<i>Task 2: Drafting Original Complaint</i>			
Attorney	Rate	Hours	Fee
Lara Grillo (Partner)	\$450	40	\$18,000.00
Donald J. Hayden (Partner)	\$650	4	\$2,600.00
Etan Mark (Partner)	\$550	50	\$27,500.00
Joshua A. Migdal (Partner)	\$525	4.1	\$2,152.50
Jason Jones (Attorney)	\$450	50	\$22,500.00
Michelle Pelaez (Senior Paralegal)	\$175	18.2	\$3,185.00
Total Fee Request for Task 2		166.3	\$75,937.50
<i>Task 3: Motion to Stay Discovery (Before Transfer)</i>			
Attorney	Rate	Hours	Fee
Lara Grillo (Partner)	\$450	14.4	\$6,480.00
Donald J. Hayden (Partner)	\$650	1.4	\$910.00
Etan Mark (Partner)	\$550	4.2	\$2,310.00
Joshua A. Migdal (Partner)	\$525	0	\$0.00
Total Fee Request for Task 3		20	\$9,700.00
<i>Task 4: Motion to Dismiss (Before Transfer)</i>			
Attorney	Rate	Hours	Fee
Lara Grillo (Partner)	\$450	12	\$5,400.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	19	\$10,450.00
Joshua A. Migdal (Partner)	\$525	9.5	\$4,987.50
Jason Jones (Attorney)	\$450	45	\$20,250.00
Total Fee Request for Task 4		85.5	\$41,087.50
<i>Task 5: Motions to Compel Arbitration and Transfer Venue</i>			
Attorney	Rate	Hours	Fee
George Breur (Partner)	\$400	0	\$0.00
Lara Grillo (Partner)	\$450	120	\$54,000.00
Donald J. Hayden (Partner)	\$650	50	\$32,500.00
Etan Mark (Partner)	\$550	115	\$63,250.00
Joshua A. Migdal (Partner)	\$525	70	\$36,750.00
Jason Jones (Attorney)	\$450	60	\$27,000.00
Michelle Pelaez (Senior Paralegal)	\$175	22.8	\$3,990.00
Total Fee Request for Task 5		437.8	\$217,490.00
<i>Task 6: Jurisdictional Discovery</i>			
Attorney	Rate	Hours	Fee
George Breur (Partner)	\$400	0	\$0.00
Lara Grillo (Partner)	\$450	10.6	\$4,770.00
Donald J. Hayden (Partner)	\$650	9.1	\$5,915.00
Etan Mark (Partner)	\$550	40.5	\$22,275.00
Joshua A. Migdal (Partner)	\$525	11.5	\$6,037.50
Jason Jones (Attorney)	\$450	70	\$31,500.00
Total Fee Request for Task 6		141.7	\$70,497.50
<i>Task 7: Investigation and Research (Post-Filing, Before Transfer)</i>			
Attorney	Rate	Hours	Fee
Jason Jones (Attorney)	\$450	90	\$40,500.00
Total Fee Request for Task 7		90	\$40,500.00
<i>Task 8: Miscellaneous Case and Project Management (Before Transfer)</i>			
Attorney	Rate	Hours	Fee
Lara Grillo (Partner)	\$450	8	\$3,600.00
Donald J. Hayden (Partner)	\$650	15	\$9,750.00
Etan Mark (Partner)	\$550	25	\$13,750.00
Joshua A. Migdal (Partner)	\$525	6.1	\$3,202.50
Jason Jones (Attorney)	\$450	70	\$31,500.00
Michelle Pelaez (Senior Paralegal)	\$175	12.6	\$2,205.00
Total Fee Request for Task 8		136.7	\$64,007.50
<i>Task 9: Case Assessment and Strategization After Transfer to California</i>			
Attorney	Rate	Hours	Fee
Lara Grillo (Partner)	\$450	25	\$11,250.00
Donald J. Hayden (Partner)	\$650	5.7	\$3,705.00
Etan Mark (Partner)	\$550	7.7	\$4,235.00

Joshua A. Migdal (Partner)	\$525	20	\$10,500.00
Jason Jones (Attorney)	\$450	20	\$9,000.00
Michelle Pelaez (Senior Paralegal)	\$175	3.8	\$665.00
Total Fee Request for Task 9		82.2	\$39,355.00
<i>Task 10: Fact Depositions</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	75.2	\$39,480.00
Etan Mark (Partner)	\$550	103.1	\$56,705.00
Joshua A. Migdal (Partner)	\$525	11.1	\$5,827.50
Jason Jones (Attorney)	\$450	350	\$157,500.00
Jennifer Jones (Attorney)	\$600	200	\$120,000.00
Paul Levin (Attorney)	\$300	5.2	\$1,560.00
Michelle Pelaez (Senior Paralegal)	\$175	9.1	\$1,592.50
Viviana Vazquez (Paralegal)	\$175	9.3	\$1,627.50
Victoria Pantin (Paralegal)	\$175	38.3	\$6,702.50
Total Fee Request for Task 10		801.3	\$390,995.00
<i>Task 11: Contested Discovery (Hearings, Meet and Confers, Briefing, etc.)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	250	\$131,250.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	70	\$38,500.00
Joshua A. Migdal (Partner)	\$525	8.3	\$4,357.50
Jason Jones (Attorney)	\$450	20	\$9,000.00
Jennifer Jones (Attorney)	\$600	25	\$15,000.00
Niki Namazi (Associate)	\$325	17.9	\$5,817.50
Paul Levin (Attorney)	\$300	21.1	\$6,330.00
Lauren Gibbs (Attorney)	\$300	0	\$0.00
Mary Melbar (Senior Paralegal)	\$185	13	\$2,405.00
Viviana Vazquez (Paralegal)	\$175	10.2	\$1,785.00
Victoria Pantin (Paralegal)	\$175	0	\$0.00
Total Fee Request for Task 11		435.5	\$214,445.00
<i>Task 12: Written Discovery</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	55	\$28,875.00
Etan Mark (Partner)	\$550	20	\$11,000.00
Jason Jones (Attorney)	\$450	200	\$90,000.00
Jennifer Jones (Attorney)	\$600	3.84	\$2,304.00
Paul Levin (Attorney)	\$300	9.8	\$2,940.00
Lauren Gibbs (Attorney)	\$300	2.2	\$660.00
Michelle Pelaez (Senior Paralegal)	\$175	7	\$1,225.00
Total Fee Request for Task 12		297.84	\$137,004.00
<i>Task 13: Document Review and ESI Organization</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	13.8	\$7,245.00
Joshua A. Migdal (Partner)	\$525	3.8	\$1,995.00
Jason Jones (Attorney)	\$450	600	\$270,000.00
Jennifer Jones (Attorney)	\$600	78.17	\$46,902.00
Michelle Pelaez (Senior Paralegal)	\$175	0	\$0.00
Victoria Pantin (Paralegal)	\$175	0.4	\$70.00
Total Fee Request for Task 13		696.17	\$326,212.00
<i>Task 14: First Motion to Dismiss in California</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	3.1	\$1,627.50
Lara Grillo (Partner)	\$450	26.7	\$12,015.00
Donald J. Hayden (Partner)	\$650	22.5	\$14,625.00
Etan Mark (Partner)	\$550	55	\$30,250.00
Joshua A. Migdal (Partner)	\$525	0	\$0.00
Jason Jones (Attorney)	\$450	74	\$33,300.00
Jennifer Jones (Attorney)	\$600	25	\$15,000.00
Paul Levin (Attorney)	\$300	4	\$1,200.00
Lauren Gibbs (Attorney)	\$300	5	\$1,500.00

Mary Melbar (Senior Paralegal)	\$185	5	\$925.00
Michelle Pelaez (Senior Paralegal)	\$175	11	\$1,925.00
Viviana Vazquez (Paralegal)	\$175	3	\$525.00
Total Fee Request for Task 14		234.3	\$112,892.50
<i>Task 15: Motion for Class Certification</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	80	\$42,000.00
Donald J. Hayden (Partner)	\$650	6	\$3,900.00
Etan Mark (Partner)	\$550	60	\$33,000.00
Joshua A. Migdal (Partner)	\$525	30	\$15,750.00
Jason Jones (Attorney)	\$450	80	\$36,000.00
Jennifer Jones (Attorney)	\$600	0	\$0.00
Paul Levin (Attorney)	\$300	4.6	\$1,380.00
Mary Melbar (Senior Paralegal)	\$185	6	\$1,110.00
Michelle Pelaez (Senior Paralegal)	\$175	6.9	\$1,207.50
Viviana Vazquez (Paralegal)	\$175	28.6	\$5,005.00
Victoria Pantin (Paralegal)	\$175	5.5	\$962.50
Total Fee Request for Task 15		307.6	\$140,315.00
<i>Task 16: Draft First Amended Complaint in California</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	5.5	\$2,887.50
Etan Mark (Partner)	\$550	9.2	\$5,060.00
Jason Jones (Attorney)	\$450	35	\$15,750.00
Jennifer Jones (Attorney)	\$600	3.43	\$2,058.00
Michelle Pelaez (Senior Paralegal)	\$175	1.6	\$280.00
Total Fee Request for Task 16		54.73	\$26,035.50
<i>Task 17: Second Motion to Dismiss in California</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	25.8	\$13,545.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	36.2	\$19,910.00
Joshua A. Migdal (Partner)	\$525	0	\$0.00
Jason Jones (Attorney)	\$450	40	\$18,000.00
Niki Namazi (Associate)	\$325	0	\$0.00
Mary Melbar (Senior Paralegal)	\$185	2	\$370.00
Victoria Pantin (Paralegal)	\$175	0.8	\$140.00
Total Fee Request for Task 17		104.8	\$51,965.00
<i>Task 18: Settlement Conferences and Mediation</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	34.2	\$17,955.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	98.8	\$54,340.00
Joshua A. Migdal (Partner)	\$525	112.2	\$58,905.00
Jason Jones (Attorney)	\$450	25	\$11,250.00
Paul Levin (Attorney)	\$300	0	\$0.00
Viviana Vazquez (Paralegal)	\$175	7.7	\$1,347.50
Total Fee Request for Task 18		277.9	\$143,797.50
<i>Task 19: Miscellaneous Case and Project Management</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	100	\$52,500.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	100	\$55,000.00
Joshua A. Migdal (Partner)	\$525	50.6	\$26,565.00
Jason Jones (Attorney)	\$450	190	\$85,500.00
Jennifer Jones (Attorney)	\$600	29.48	\$17,688.00
Paul Levin (Attorney)	\$300	40.1	\$12,030.00
Lauren Gibbs (Attorney)	\$300	9.3	\$2,790.00
Niki Namazi (Associate)	\$325	11.7	\$3,802.50
Mary Melbar (Senior Paralegal)	\$185	15.1	\$2,793.50
Michelle Pelaez (Senior Paralegal)	\$175	58.7	\$10,272.50
Viviana Vazquez (Paralegal)	\$175	41.4	\$7,245.00

Victoria Pantin (Paralegal)	\$175	52.3	\$9,152.50
Total Fee Request for Task 19		698.68	\$285,339.00
<i>Task 20: Expert Written Discovery and Reports</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	35	\$18,375.00
Etan Mark (Partner)	\$550	60	\$33,000.00
Joshua A. Migdal (Partner)	\$525	13.6	\$7,140.00
Jason Jones (Attorney)	\$450	100	\$45,000.00
Paul Levin (Attorney)	\$300	0	\$0.00
Niki Namazi (Associate)	\$325	17.7	\$5,752.50
Mary Melbar (Senior Paralegal)	\$185	2	\$370.00
Viviana Vazquez (Paralegal)	\$175	5.7	\$997.50
Total Fee Request for Task 20		234	\$110,635.00
<i>Task 21: Expert Depositions</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	20	\$10,500.00
Etan Mark (Partner)	\$550	9.3	\$5,115.00
Joshua A. Migdal (Partner)	\$525	4.4	\$2,310.00
Jason Jones (Attorney)	\$450	80	\$36,000.00
Niki Namazi (Associate)	\$325	12.3	\$3,997.50
Viviana Vazquez (Paralegal)	\$175	4.6	\$805.00
Total Fee Request for Task 21		130.6	\$58,727.50
<i>Task 22: Motions in Limine</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	75	\$39,375.00
Etan Mark (Partner)	\$550	15.4	\$8,470.00
Joshua A. Migdal (Partner)	\$525	20	\$10,500.00
Jason Jones (Attorney)	\$450	33	\$14,850.00
Paul Levin (Attorney)	\$300	0	\$0.00
Niki Namazi (Associate)	\$325	30	\$9,750.00
Viviana Vazquez (Paralegal)	\$175	3.4	\$595.00
Total Fee Request for Task 22		176.8	\$83,540.00
<i>Task 23: Motion for Summary Judgment</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	25	\$13,125.00
Etan Mark (Partner)	\$550	70	\$38,500.00
Joshua A. Migdal (Partner)	\$525	22	\$11,550.00
Jason Jones (Attorney)	\$450	100	\$45,000.00
Paul Levin (Attorney)	\$300	0	\$0.00
Niki Namazi (Associate)	\$325	16.8	\$5,460.00
Viviana Vazquez (Paralegal)	\$175	2.5	\$437.50
Total Fee Request for Task 23		236.3	\$114,072.50
<i>Task 24: Motion to Strike Affirmative Defenses</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	9.5	\$4,987.50
Joshua A. Migdal (Partner)	\$525	2.1	\$1,102.50
Niki Namazi (Associate)	\$325	26.6	\$8,645.00
Viviana Vazquez (Paralegal)	\$175	1.4	\$245.00
Total Fee Request for Task 24		39.6	\$14,980.00
<i>Task 25: Drafting Settlement Documents and Preliminary Class Certification Docs</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	76	\$39,900.00
Etan Mark (Partner)	\$550	27.9	\$15,345.00
Joshua A. Migdal (Partner)	\$525	4.9	\$2,572.50
Viviana Vazquez (Paralegal)	\$175	8.4	\$1,470.00
Total Fee Request for Task 25		117.2	\$59,287.50
<i>Task 26: Written Discovery (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	70	\$36,750.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	7.1	\$3,905.00
Joshua A. Migdal (Partner)	\$525	0	\$0.00
Jason Jones (Attorney)	\$450	7.47	\$3,361.50
Niki Namazi (Associate)	\$325	90	\$29,250.00

Michelle Pelaez (Senior Paralegal)	\$175	0	\$0.00
Viviana Vazquez (Paralegal)	\$175	29.5	\$5,162.50
Total Fee Request for Task 26		204.07	\$78,429.00
<i>Task 27: Fact Depositions (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	36.7	\$19,267.50
Etan Mark (Partner)	\$550	5.5	\$3,025.00
Jason Jones (Attorney)	\$450	140	\$63,000.00
Niki Namazi (Associate)	\$325	95.1	\$30,907.50
Viviana Vazquez (Paralegal)	\$175	15.2	\$2,660.00
Total Fee Request for Task 27		292.5	\$118,860.00
<i>Task 28: Document Review and Factual Research (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	5.37E+01	\$28,192.50
Jason Jones (Attorney)	\$450	300	\$135,000.00
Niki Namazi (Associate)	\$325	84.9	\$27,592.50
Viviana Vazquez (Paralegal)	\$175	11.6	\$2,030.00
Total Fee Request for Task 28		450.2	\$192,815.00
<i>Task 29: Draft First Amended Complaint (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	15.3	\$8,032.50
Etan Mark (Partner)	\$550	11	\$6,050.00
Jason Jones (Attorney)	\$450	68.51	\$30,829.50
Niki Namazi (Associate)	\$325	12.3	\$3,997.50
Viviana Vazquez (Paralegal)	\$175	3	\$525.00
Total Fee Request for Task 29		110.11	\$49,434.50
<i>Task 30: Draft Second Amended Complaint (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	11.6	\$6,090.00
Etan Mark (Partner)	\$550	12.4	\$6,820.00
Joshua A. Migdal (Partner)	\$525	4.9	\$2,572.50
Niki Namazi (Associate)	\$325	30	\$9,750.00
Viviana Vazquez (Paralegal)	\$175	1.5	\$262.50
Total Fee Request for Task 30		60.4	\$25,495.00
<i>Task 31: Miscellaneous Case and Project Management (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	30	\$15,750.00
Lara Grillo (Partner)	\$450	11.3	\$5,085.00
Donald J. Hayden (Partner)	\$650	3.1	\$2,015.00
Etan Mark (Partner)	\$550	8.1	\$4,455.00
Joshua A. Migdal (Partner)	\$525	10	\$5,250.00
Jason Jones (Attorney)	\$450	30	\$13,500.00
Niki Namazi (Associate)	\$325	50	\$16,250.00
Viviana Vazquez (Paralegal)	\$175	9.8	\$1,715.00
Total Fee Request for Task 31		152.3	\$64,020.00
<i>Task 32: Contested Discovery (Briefings, Conference, Hearings) (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	170	\$89,250.00
Etan Mark (Partner)	\$550	16.8	\$9,240.00
Joshua A. Migdal (Partner)	\$525	0	\$0.00
Jason Jones (Attorney)	\$450	90	\$40,500.00
Niki Namazi (Associate)	\$325	90	\$29,250.00
Viviana Vazquez (Paralegal)	\$175	18.9	\$3,307.50
Total Fee Request for Task 32		385.7	\$171,547.50
<i>Task 33: Motion to Dismiss and Supplemental Briefing (Florida)</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	50	\$26,250.00
Lara Grillo (Partner)	\$450	42.1	\$18,945.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	100	\$55,000.00
Joshua A. Migdal (Partner)	\$525	22.6	\$11,865.00
Jason Jones (Attorney)	\$450	60	\$27,000.00
Niki Namazi (Associate)	\$325	41.7	\$13,552.50
Michelle Pelaez (Senior Paralegal)	\$175	0	\$0.00

Viviana Vazquez (Paralegal)	\$175	12.2	\$2,135.00
Total Fee Request for Task 33		328.6	\$154,747.50
<i>Task 34: Appellate Briefing and Argument Before Eleventh Circuit Court of Appeals</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	7.2	\$3,780.00
Lara Grillo (Partner)	\$450	110	\$49,500.00
Donald J. Hayden (Partner)	\$650	0	\$0.00
Etan Mark (Partner)	\$550	58	\$31,900.00
Joshua A. Migdal (Partner)	\$525	6	\$3,150.00
Jason Jones (Attorney)	\$450	110	\$49,500.00
Michelle Pelaez (Senior Paralegal)	\$175	27.7	\$4,847.50
Viviana Vazquez (Paralegal)	\$175	5.5	\$962.50
Total Fee Request for Task 34		324.4	\$143,640.00

<i>Projected Future Fees - Motion for Preliminary Approval, Motion for Final Approval, Dealing with Objections, Travel to Hearing, Claims Process, etc.</i>			
Attorney	Rate	Hours	Fee
Yaniv Adar (Partner)	\$525	30	\$15,750.00
Etan Mark (Partner)	\$550	45	\$24,750.00
Total Fee Request for Future Fees		75	\$40,500.00

L FEE REQUEST: **\$3,935,806.50**
8536.8

EXHIBIT B

Attorney's Fees Summary Chart

Table 2					
Attorney	Rate	Task #	HOURS BY TASK	TOTALS	
Etan Mark (Partner)	\$550 / hour	2	Draft Orig. Complaint	50	Hours: 1260.2 Amount: \$693,110
		3	Motion to Stay Discovery	4.2	
		4	Motion to Dismiss Before Transfer	19	
		5	Arbitration and Transfer Motions	115	
		6	Juris. Discovery	40.5	
		8	Misc Case Management Before Transfer	25	
		9	Case Assessment After Transfer	7.7	
		10	Fact Depos	103.1	
		11	Contested Discovery	70	
		12	Written Discovery	20	
		14	Motion to Dismiss (CA)	55	
		15	Class Cert Motion	60	
		16	Draft FAC (CA)	9.2	
		17	Second MTD (CA)	36.2	
		18	Mediation / Settlement	98.8	
		19	Misc Case Management	100	
		20	Expert Reports	60	
		21	Expert Depos	9.3	
		22	Daubert Motions	15.4	
		23	MSJ	70	

		25	Prelim Approval Paperwork	27.9		
		26	Written Discovery (FL)	7.1		
		27	Fact Depos (FL)	5.5		
		29	Draft FAC (FL)	11		
		30	Draft SAC	12.4		
		31	Misc Case Mgmt (FL)	8.1		
		32	Contested Discovery (FL)	16.8		
		33	MTD (FL)	100		
		34	Appeal	58		
		N/A	Proj. Fees	45		
Yaniv Adar (Partner)	\$525 / hour	10	Fact Depos	75.2	Hours:	1357.6
		11	Contested Discovery	250	Amount:	\$712,740
		12	Written Discovery	55		
		13	Doc Review	13.8		
		14	Motion to Dismiss (CA)	3.1		
		15	Class Cert Motion	80		
		16	Draft FAC (CA)	5.5		
		17	Second MTD (CA)	25.8		
		18	Mediation / Settlement	34.2		
		19	Misc Case Management	100		
		20	Expert Reports	35		
		21	Expert Depos	20		
		22	Daubert Motions	75		
		23	MSJ	25		
		24	Motion to Strike AF	9.5		
		25	Prelim Approval Paperwork	76		
		26	Written Discovery (FL)	70		

		27	Fact Depos (FL)	36.7		
		28	Doc Review (FL)	53.7		
		29	Draft FAC (FL)	15.3		
		30	Draft SAC	11.6		
		31	Misc Case Mgmt (FL)	30		
		32	Contested Discovery (FL)	170		
		33	MTD (FL)	50		
		34	Appeal	7.2		
		N/A	Proj. Fees	30		
Don Hayden (Partner)	\$650 / hour	2	Draft Orig. Complaint	4	Hours:	116.8
		3	Motion to Stay Discovery	1.4	Amount:	\$75,920
		4	Motion to Dismiss Before Transfer	0		
		5	Arbitration and Transfer Motions	50		
		6	Juris. Discovery	9.1		
		8	Misc Case Management Before Transfer	15		
		9	Case Assessment After Transfer	5.7		
		11	Contested Discovery	0		
		14	Motion to Dismiss (CA)	22.5		
		15	Class Cert Motion	6		
		17	Second MTD (CA)	0		
		18	Mediation / Settlement	0		
		19	Misc Case Management	0		
		26	Written Discovery (FL)	0		

		31	Misc Case Mgmt (FL)	3.1	
		33	MTD (FL)	0	
		34	Appeal	0	
Joshua A. Migdal (Partner)	\$525 / hour	2	Draft Orig. Complaint	4.1	Hours: 447.7 Amount: \$235,043
		3	Motion to Stay Discovery	0	
		4	Motion to Dismiss Before Transfer	9.5	
		5	Arbitration and Transfer Motions	70	
		6	Juris. Discovery	11.5	
		8	Misc Case Management Before Transfer	6.1	
		9	Case Assessment After Transfer	20	
		10	Fact Depos	11.1	
		11	Contested Discovery	8.3	
		13	Doc Review	3.8	
		14	Motion to Dismiss (CA)	0	
		15	Class Cert Motion	30	
		17	Second MTD (CA)	0	
		18	Mediation / Settlement	112.2	
		19	Misc Case Management	50.6	
		20	Expert Reports	13.6	
		21	Expert Depos	4.4	
		22	Daubert Motions	20	
		23	MSJ	22	
		24	Motion to Strike AF	2.1	

		25	Prelim Approval Paperwork	4.9	
		26	Written Discovery (FL)	0	
		30	Draft SAC	4.9	
		31	Misc Case Mgmt (FL)	10	
		32	Contested Discovery (FL)	0	
		33	MTD (FL)	22.6	
		34	Appeal	6	
Lara Grillo (Partner)	\$450 / hour	2	Draft Orig. Complaint	40	Hours: 420.1
		3	Motion to Stay Discovery	14.4	Amount: \$189,045
		4	Motion to Dismiss Before Transfer	12	
		5	Arbitration and Transfer Motions	120	
		6	Juris. Discovery	10.6	
		8	Misc Case Management Before Transfer	8	
		9	Case Assessment After Transfer	25	
		14	Motion to Dismiss (CA)	26.7	
		31	Misc Case Mgmt (FL)	11.3	
		33	MTD (FL)	42.1	
		34	Appeal	110	
George Breur (Partner)	\$400 / hour	5	Arbitration and Transfer Motions	0	Hours: 0
		6	Juris. Discovery	0	Amount: \$0
Niki Namazi (Associate)	\$325 / hour	11	Contested Discovery	17.9	Hours: 627
		17	Second MTD (CA)	0	Amount: \$203,775

		19	Misc Case Management	11.7	
		20	Expert Reports	17.7	
		21	Expert Depos	12.3	
		22	Daubert Motions	30	
		23	MSJ	16.8	
		24	Motion to Strike AF	26.6	
		26	Written Discovery (FL)	90	
		27	Fact Depos (FL)	95.1	
		28	Doc Review (FL)	84.9	
		29	Draft FAC (FL)	12.3	
		30	Draft SAC	30	
		31	Misc Case Mgmt (FL)	50	
		32	Contested Discovery (FL)	90	
		33	MTD (FL)	41.7	
Jason Jones (Attorney)	\$450 / hour	1	Pre-Suit Investigation	150	Hours: 3287.98
		2	Draft Orig. Complaint	50	Amount: \$1,479,591
		4	Motion to Dismiss Before Transfer	45	
		5	Arbitration and Transfer Motions	60	
		6	Juris. Discovery	70	
		7	Invest. and Fact Research	90	
		8	Misc Case Management Before Transfer	70	
		9	Case Assessment After Transfer	20	
		10	Fact Depos	350	

		11	Contested Discovery	20	
		12	Written Discovery	200	
		13	Doc Review	600	
		14	Motion to Dismiss (CA)	74	
		15	Class Cert Motion	80	
		16	Draft FAC (CA)	35	
		17	Second MTD (CA)	40	
		18	Mediation / Settlement	25	
		19	Misc Case Management	190	
		20	Expert Reports	100	
		21	Expert Depos	80	
		22	Daubert Motions	33	
		23	MSJ	100	
		26	Written Discovery (FL)	7.47	
		27	Fact Depos (FL)	140	
		28	Draft FAC (FL)	300	
		29	Doc Review	68.51	
		31	Misc Case Mgmt (FL)	30	
		32	Contested Discovery (FL)	90	
		33	MTD (FL)	60	
		34	Appeal	110	
Jennifer Jones (Attorney)	\$600 / hour	10	Fact Depos	200	Hours: 364.92
		11	Contested Discovery	25	Amount: \$218,952
		12	Written Discovery	3.84	
		13	Doc Review	78.17	
		14	Motion to Dismiss (CA)	25	
		15	Class Cert Motion	0	
		16	Draft FAC (CA)	3.43	
		19	Misc Case Management	29.48	

Paul Levin (Attorney)	\$300 / hour	10	Fact Depos	5.2	Hours: 84.8 Amount: \$25,440
		11	Contested Discovery	21.1	
		12	Written Discovery	9.8	
		14	Motion to Dismiss (CA)	4	
		15	Class Cert Motion	4.6	
		18	Mediation / Settlement	0	
		19	Misc Case Management	40.1	
		20	Expert Reports	0	
		22	Daubert Motions	0	
		23	MSJ	0	
Lauren Gibbs (Attorney)	\$300 / hour	11	Contested Discovery	0	Hours: 16.5 Amount: \$4,950
		12	Written Discovery	2.2	
		14	Motion to Dismiss (CA)	5	
		19	Misc Case Management	9.3	
Mary Melbar (Senior Paralegal)	\$185 / hour	11	Contested Discovery	13	Hours: 43.1 Amount: \$7,974
		14	Motion to Dismiss (CA)	5	
		15	Class Cert Motion	6	
		17	Second MTD (CA)	2	
		19	Misc Case Management	15.1	
		20	Expert Reports	2	
Michelle Pelaez (Senior Paralegal)	\$175 / hour	2	Draft Orig. Complaint	18.2	Hours: 179.4 Amount: \$31,395
		5	Arbitration and Transfer Motions	22.8	
		8	Misc Case Management Before Transfer	12.6	

		9	Case Assessment After Transfer	3.8	
		10	Fact Depos	9.1	
		12	Written Discovery	7	
		13	Doc Review	0	
		14	Motion to Dismiss (CA)	11	
		15	Class Cert Motion	6.9	
		16	Draft FAC (CA)	1.6	
		19	Misc Case Management	58.7	
		26	Written Discovery (FL)	0	
		33	MTD (FL)	0	
		34	Appeal	27.7	
Viviana Vazquez (Paralegal)	\$175 / hour	10	Fact Depos	9.3	Hours: 233.4
		11	Contested Discovery	10.2	Amount: \$40,845
		14	Motion to Dismiss (CA)	3	
		15	Class Cert Motion	28.6	
		18	Mediation / Settlement	7.7	
		19	Misc Case Management	41.4	
		20	Expert Reports	5.7	
		21	Expert Depos	4.6	
		22	Daubert Motions	3.4	
		23	MSJ	2.5	
		24	Motion to Strike AF	1.4	
		25	Prelim Approval Paperwork	8.4	
		26	Written Discovery (FL)	29.5	
		27	Fact Depos (FL)	15.2	
		28	Doc Review (FL)	11.6	
		29	Draft FAC (FL)	3	

		30	Draft SAC	1.5	
		31	Misc Case Mgmt (FL)	9.8	
		32	Contested Discovery (FL)	18.9	
		33	MTD (FL)	12.2	
		34	Appeal	5.5	
Victoria Pantin (Paralegal)	\$175 / hour	10	Fact Depos	38.3	Hours: 97.3
		11	Contested Discovery	0	Amount: \$17,028
		13	Doc Review	0.4	
		15	Class Cert Motion	5.5	
		17	Second MTD (CA)	0.8	
		19	Misc Case Management	52.3	

8536.8 Hours

Total:

\$3,935,807