



litigation. Having conducted such a review, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace.

5. The total number of hours spent on this litigation by my firm is 1,305.3. The total lodestar amount for attorney/paraprofessional time based on the firm's current rates is \$531,741.50.

6. The hourly rates shown below are the usual and customary rates set by the firm for each individual. A breakdown of the lodestar is as follows:

| <i>NAME</i>            |      | <i>HOURS</i>   | <i>RATE</i> | <i>LODESTAR</i>   |
|------------------------|------|----------------|-------------|-------------------|
| Jennifer W. Sprengel   | (P)  | 19.20          | 690.00      | 13,248.00         |
| Christopher B. Sanchez | (P)  | 273.60         | 585.00      | 160,056.00        |
| Anthony F. Fata        | (P)  | .50            | 630.00      | 315.00            |
| Dom J. Rizzi           | (OC) | 5.50           | 830.00      | 4,565.00          |
| Marvin A. Miller       | (P)  | 173.20         | 610.00      | 105,652.00        |
| Matthew E. Van Tine    | (OC) | 3.00           | 550.00      | 1,650.00          |
| Lori A. Fanning        | (A)  | 678.60         | 320.00      | 217,152.00        |
| Sharon M. Nyland       | (PL) | 3.00           | 235.00      | 705.00            |
| Kelly McDonald         | (PL) | 4.40           | 235.00      | 1,034.00          |
| Kay Pulido             | (PL) | 29.00          | 190.00      | 5,510.00          |
| Jorge Ramirez          | (LC) | 114.80         | 190.00      | 21,812.00         |
| Chris Sheehan          | (LC) | .50            | 85.00       | 42.50             |
| <b>TOTAL:</b>          |      | <b>1305.30</b> |             | <b>531,741.50</b> |

(P) Partner

(A) Associate

(PL) Paralegal

7. My firm seeks an award of \$65,173.66 in expenses/charges in connection with the prosecution of the litigation. They are broken down as follows:

**EXPENSES/CHARGES**

From Inception to November 30, 2013

| <i>CATEGORY</i>   | <i>TOTAL</i>     |
|---|------------------|
| Meals, Hotels & Transportation                          | 9,283.32         |
| Photocopies   | 17,949.75        |
| Postage   | 260.93           |
| Telephone, Facsimile                                    | 8,905.87         |
| Messenger, Overnight Delivery                           | 24,553.65        |
| Filing, Witness & Other Fees                            | 400.20           |
| Court Hearing and Deposition Reporting, and Transcripts | 1,965.38         |
| Online Legal and Financial Research                     | 759.56           |
| Electronic Records Management and Digital Discovery     | 1,095.00         |
| <b>TOTAL</b>  | <b>65,173.66</b> |

8. The following is additional information regarding certain of these expenses:

(a) Meals, Hotels and Transportation: \$9,283.32.

| <i>NAME</i> | <i>DATE</i>   | <i>DESTINATION</i> | <i>PURPOSE</i>  |
|-------------|---------------|--------------------|-----------------|
| C. Sanchez  | February 2005 | San Francisco, CA  | Document Review |
| C. Sanchez  | March 2005    | San Francisco, CA  | Document Review |

Local Meals: Included in the total for Meals, Hotels and Transportation is \$641.25, representing local meals for meetings with co-counsel during court appearances, depositions, etc.

(b) Photocopying:  
 In-house (60,521 copies @ \$0.25 per copy): \$15,130.25  
 In-house Imaging/Scanning/Printing: \$ \_\_\_\_\_  
 Outside Photocopy: \$2,819.50

| <i>DATE</i> | <i>VENDOR</i>         | <i>DESCRIPTION</i>                             |
|-------------|-----------------------|--|
| 7/26/05     | Document Technologies | Document Copying                               |
| 8/22/06     | Video Instanter       | Audiotape and Videotape Duplication/Conversion |

(c) Filing, Witness and Other Fees: \$400.20. These costs have been paid to the court for filing fees and to attorney service firms or individuals who either: (i) served process of the complaint or subpoenas, or (ii) obtained copies of court documents for plaintiffs. These costs were necessary to the prosecution of the case to file the complaint, to serve the complaint and subpoenas, and to investigate the facts.

| <i>DATE</i> | <i>VENDOR</i>                      | <i>DESCRIPTION</i> |
|-------------|------------------------------------|--------------------|
| 8/23/02     | Cook County Sheriff                | Service Fees       |
| 9/25/02     | USDC Northern District of Illinois | Filing Fee         |
| 10/2/02     | USDC Northern District of Illinois | Filing Fee         |

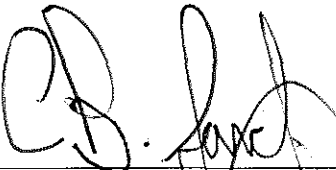
(d) Court Hearing and Deposition Reporting, and Transcripts: \$1,965.38.

| <i>DATE</i> | <i>VENDOR</i>          | <i>DESCRIPTION</i>    |
|-------------|------------------------|-----------------------|
| 7/18/05     | Federal Court Reporter | Hearing Transcript    |
| 8/30/05     | Federal Court Reporter | Hearing Transcript    |
| 10/19/05    | Federal Court Reporter | Hearing Transcript    |
| 11/7/05     | Federal Court Reporter | Hearing Transcript    |
| 2/21/06     | Federal Court Reporter | Hearing Transcript    |
| 2/22/06     | Private Court Reporter | Deposition Transcript |
| 3/17/06     | Private Court Reporter | Deposition Transcript |
| 5/18/06     | Private Court Reporter | Deposition Transcript |
| 6/16/06     | Private Court Reporter | Deposition Transcript |
| 8/07/06     | Private Court Reporter | Deposition Transcript |
| 8/24/06     | Federal Court Reporter | Hearing Transcript    |
| 9/21/06     | Private Court Reporter | Deposition Transcript |
| 10/10/06    | Federal Court Reporter | Hearing Transcript    |
| 10/23/06    | Federal Court Reporter | Hearing Transcript    |
| 11/30/06    | Private Court Reporter | Deposition Transcript |
| 12/6/06     | Private Court Reporter | Deposition Transcript |
| 1/8/07      | Private Court Reporter | Deposition Transcript |

(e) Online Legal and Financial Research: \$759.56. These included vendors such as Westlaw and the Pacer Service Center. These databases were used to obtain access to SEC filings, legal research and cite-checking of briefs.

9. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13<sup>th</sup> day of December, 2013, in Chicago, IL.

  
 \_\_\_\_\_  
 Christopher B. Sanchez

**DECLARATION OF SERVICE BY ELECTRONIC MAIL**

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Diego, State of California, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 655 W. Broadway, Suite 1900, San Diego, California 92101.

2. That on December 31, 2013, declarant caused to be served by electronic mail to the parties the following document:

DECLARATION OF CHRISTOPHER B. SANCHEZ FILED ON BEHALF OF  
CAFFERTY CLOBES MERIWETHER AND SPRENGEL LLP IN SUPPORT OF  
APPLICATION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES

The parties' e-mail addresses are as follows:

|                           |                           |
|---------------------------|---------------------------|
| Tkavaler@cahill.com       | Zhudson@bancroftpllc.com  |
| Pfaren@cahill.com         | Mrakoczy@skadden.com      |
| Dowen@cahill.com          | Rstoll@skadden.com        |
| Jhall@cahill.com          | Mmiller@MillerLawLLC.com  |
| Pclement@bancroftpllc.com | Lfanning@MillerLawLLC.com |

I declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of December, 2013, at San Diego, California.

s/ TERESA HOLINDRAKE  
\_\_\_\_\_  
TERESA HOLINDRAKE