

1 MARC M. SELTZER (54534)
mseltzer@susmangodfrey.com
2 STEVEN G. SKLAVER (237612)
ssklaver@susmangodfrey.com
3 SUSMAN GODFREY L.L.P.
1901 Avenue of the Stars, Suite 950
4 Los Angeles, CA 90067-6029
Phone: (310) 789-3100
5 Fax: (310) 789-3150

6 VINEET BHATIA (00795976) (*Pro Hac Vice*)
vbhatia@susmangodfrey.com
7 SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
8 Houston, Texas 77002-5096
Telephone: (713) 653-7855
9 Facsimile: (713) 654-3344

10 *Class Counsel for Indirect Purchaser Plaintiffs*

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**
15

16 **IN RE: CAPACITORS ANTITRUST**
17 **LITIGATION**

MASTER FILE NO. 14-cv-03264-JD

18
19 **THIS DOCUMENT RELATES TO:**
20 **ALL INDIRECT PURCHASER ACTIONS**
21

DECLARATION OF STEVEN G. SKLAVER IN SUPPORT OF CLASS COUNSEL'S APPLICATION FOR ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES SUBMITTED ON BEHALF OF SUSMAN GODFREY L.L.P.

Date: July 6, 2017
Time: 10:00 a.m.
Place: Courtroom 11, 19th Floor

Judge: Hon. James Donato

1 I, Steven G. Sklaver, declare and state as follows:

2 1. I am a Partner of Susman Godfrey L.L.P., (“Susman Godfrey”) Counsel for Indirect
3 Purchaser Plaintiffs (“IPPs” or “Plaintiffs”) in this action. I submit this declaration in support of
4 Class Counsel’s interim application for attorneys’ fees and reimbursement of expenses reasonably
5 incurred in connection with the services rendered in this litigation on behalf of the class. I make
6 this declaration based on my personal knowledge and if called as a witness, I could and would
7 competently testify to the matters stated herein. The time expended preparing this Declaration is
8 not included.

9 2. I have reviewed the Court’s October 31, 2014 Order Appointing Interim Lead Class
10 Counsel (Dkt. 319) (“Order”), including in particular the Order’s provisions regarding fees, costs
11 and expenses. The Firm has adhered to those provisions.

12 3. During the pendency of the litigation, Susman Godfrey acted as class counsel to
13 IPPs. The Susman Godfrey has prosecuted this litigation solely on a contingent-fee basis, and has
14 been at risk that it would not receive any compensation for prosecuting claims against the
15 defendants. While Susman Godfrey devoted its time and resources to this matter, it has foregone
16 other legal work for which it would have been compensated.

17 4. During the course of this litigation, Susman Godfrey has been involved in the
18 following activities on behalf of IPPs at the request and under the direction of Lead Counsel:
19 translated, reviewed, analyzed, and issue-coded Japanese language documents produced by
20 defendants; analyzed defendants’ privilege logs, conducted legal research regarding defendants’
21 privilege logs, and met and conferred with defendants regarding deficiencies with their privilege
22 logs; prepared for and took deposition of Taitso’s corporate representative Ken Kobayashi;
23 conducted legal research regarding various legal topics assigned by Lead Counsel; and conferred
24 with Lead Counsel regarding case strategy.

25 5. Attached hereto as **Exhibit A** is my firm’s total hours and lodestar, computed at
26 historical rates, from November 1, 2014 through September 30, 2016. This period reflects the time
27 spent after the appointment of Interim Lead Counsel in this litigation. The total number of hours
28

1 spent by Susman Godfrey during this period of time was **1,138.40**, with a corresponding historical
2 lodestar of **\$407,662.50**. This summary was prepared from contemporaneous, daily time records
3 regularly prepared and maintained by Susman Godfrey. The lodestar amount reflected in Exhibit A
4 is for work assigned by Lead Counsel, and was performed by professional staff at my law firm for
5 the benefit of the IPP Class.

6 6. All of the services performed by Susman Godfrey in connection with this litigation
7 were reasonably necessary in the prosecution of this case. There has been no unnecessary
8 duplication of services for which Susman Godfrey now seeks compensation. The lodestar
9 calculations exclude time spent reading or reviewing work prepared by others or other information
10 relating to the case unless related to preparation for or work on a matter specifically assigned to
11 Susman Godfrey by Lead Counsel. The hourly rates for the attorneys and professional support staff
12 in my firm included in Exhibit A are the usual and customary hourly rates charged by Susman
13 Godfrey.

14 7. Susman Godfrey has expended a total of **\$105,906.69** in unreimbursed costs and
15 expenses in connection with the prosecution of this litigation from November 1, 2014 through
16 September 30, 2016. These costs and expenses are broken down in the chart attached hereto as
17 **Exhibit B**. They were incurred on behalf of IPPs by Susman Godfrey on a contingent basis and
18 have not been reimbursed. The expenses incurred in this action are reflected on the books and
19 records of my firm. These books and records are prepared from expense vouchers, check records
20 and other source materials and represent an accurate recordation of the expenses incurred. Expense
21 documentation has been provided to Lead Counsel for review.

22 8. I have reviewed the time and expenses reported by my firm in this case which are
23 included in this declaration, and I affirm that they are true and accurate to the best of my
24 knowledge.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Executed on May 11th, 2017 at Los Angeles, California.

/s/ Steven G. Sklaver
Steven G. Sklaver

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

I, Steven N. Williams, 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/ Steven N. Williams
Steven N. Williams

In re Capacitors Antitrust Litigation

Case No. 14-cv-03264-JD

EXHIBIT A

SUSMAN GODFREY L.L.P.

Hours Reported and Lodestar on a Historical Basis

November 1, 2014 – September 30, 2016

Timekeeper	Professional Status	Hours	Rate	Total Lodestar
Bhatia, Vineet (Doc Review)	Partner	12.50	\$300	\$3,750.00
Raymond, Shawn L. (2016)	Partner	5.80	\$575	\$3,335.00
Raymond, Shawn L. (Doc Rev)	Partner	3.70	\$300	\$1,110.00
Seltzer, Marc M. (2015)	Partner	2.10	\$1,100	\$2,310.00
Sklaver, Steven G. (2015)	Partner	0.50	\$675	\$337.50
Sklaver, Steven G. (2016)	Partner	5.80	\$700	\$4,060.00
Sklaver, Steven G. (Doc Rev)	Partner	0.50	\$300	\$150.00
Kusin, Stuart V. (2016)	Of Counsel	72.50	\$550	\$39,875.00
Kusin, Stuart V. (Doc Rev)	Of Counsel	92.00	\$300	\$27,600.00
Sato, Ken (2015 & 2016)	Associate	392.50	\$350	\$137,375.00
Walker, Laranda (2016)	Associate	55.70	\$350	\$19,495.00
Walker, Laranda (Doc Rev)	Associate	70.30	\$300	\$21,090.00
Yagihashi, Hiroyuki (2015 & 2016)	Associate	407.00	\$350	\$142,450.00
Cobden, Jan (2016)	Paralegal	17.50	\$270	\$4,725.00
Grand Total:		1,138.40		\$407,662.50

In re Capacitors Antitrust Litigation

Case No. 14-cv-03264-JD

EXHIBIT B

SUSMAN GODFREY L.L.P

Expenses Incurred

November 1, 2014 – September 30, 2016

EXPENSE CATEGORY	AMOUNT INCURRED
Assessments	\$100,000.00
Court Costs / Filing Fees	\$305.00
Experts / Consultants	\$0.00
Federal Express / UPS / Ontrac	\$342.57
Postage / U.S. Mail	\$0.00
Service of Process	\$0.00
Messenger / Delivery	\$0.00
Hearing Transcripts	\$0.00
Investigation	\$0.00
Lexis / Westlaw	\$365.40
Photocopies – In House	\$1,426.70
Photocopies – Outside	\$46.00
Telephone / Telecopier	\$6.13
Travel – Transportation	\$2,212.49
Travel – Meals	\$225.00
Travel – Hotel	\$977.40
TOTAL:	\$105,906.69