

GLANCY PRONGAY & MURRAY LLP

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Class Counsel for Indirect Purchaser Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CAPACITORS ANTITRUST
LITIGATION**

MASTER FILE NO. 14-cv-03264-JD

THIS DOCUMENT RELATES TO:

ALL INDIRECT PURCHASER ACTIONS

**DECLARATION OF LEE ALBERT IN
SUPPORT OF CLASS COUNSEL'S
APPLICATION FOR ATTORNEYS'
FEES AND REIMBURSEMENT OF
EXPENSES SUBMITTED ON BEHALF
OF GLANCY PRONGAY & MURRAY
LLP**

**Date: October 18, 2018
Time: 10:00 a.m.
Place: Courtroom 11, 19th Floor**

Judge: Hon. James Donato

1 I, Lee Albert, declare and state as follows:

2 1. I am a Partner of Glancy Prongay & Murray LLP, Counsel for Indirect Purchaser
3 Plaintiffs (“IPPs” or “Plaintiffs”) in this action. I submit this declaration in support of Class
4 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 indirect
6 purchaser classes. I make this declaration based on my personal knowledge and if called as a
7 witness, I could and would competently testify to the matters stated herein.

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

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

17 4. During the course of this litigation, Glancy Prongay & Murray LLP has been
18 involved in the following activities on behalf of IPPs at the request and under the direction of IPP
19 Lead Counsel: Worked extensively with the AGS plaintiffs to gather and analyze plaintiffs’
20 documents and electronic data; reviewed documents prior to production for relevance and
21 privilege; reviewed, analyzed and coded extensive documents produced by Defendants in the
22 course of discovery which were produced in Japanese language and attending numerous
23 teleconference discovery issues; preparation of AGC plaintiff for deposition and representing
24 plaintiff at deposition; assisted lead counsel in drafting Consolidated Amended Complaint;
25 preparation for and attendance in Hong Kong of NCC deposition; and made substantial financial
26 contributions to the litigation.

27 5. Attached hereto as **Exhibit A** is my firm’s total hours and lodestar, computed at
28 historical rates, from October 1, 2016 through March 31, 2018. The total number of hours spent by

1 Glancy Prongay & Murray LLP during this period of time was 3,463.2, with a corresponding
2 historical lodestar of \$1,305,114.00. This summary was prepared from contemporaneous, daily
3 time records regularly prepared and maintained by Glancy Prongay & Murray LLP. The lodestar
4 amount reflected in Exhibit A is for work assigned by Lead Counsel, and was performed by
5 professional staff at my law firm for the benefit of the IPP Class during the aforementioned time
6 period.

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

15 7. Glancy Prongay & Murray LLP has expended a total of \$78,451.48 in unreimbursed
16 costs and expenses in connection with the prosecution of this litigation from October 1, 2016
17 through March 31, 2018. These costs and expenses are broken down in the chart attached hereto as
18 **Exhibit B**. They were incurred on behalf of IPPs by Glancy Prongay & Murray LLP on a
19 contingent basis and have not been reimbursed. The expenses incurred in this action are reflected
20 on the books and records of my firm. These books and records are prepared from expense
21 vouchers, check records and other source materials and represent an accurate recordation of the
22 expenses incurred. Expense documentation has been provided to Lead Counsel for review.

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

26 I declare under penalty of perjury under the laws of the United States of America that the
27 foregoing is true and correct.
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Executed on August 8, 2018 at New York, New York.

/s/Lee Albert
Lee Albert

ATTESTATION

I, Adam J. Zapala, 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/ Adam J. Zapala
Adam J. Zapala

EXHIBIT A

In re Capacitors Antitrust Litigation
 Case No. 14-cv-03264-JD

EXHIBIT A

GLANCY PRONGAY & MURRAY LLP

Hours Reported and Lodestar on a Historical Basis

October 1, 2016 – March 31, 2018

Timekeeper	Professional Status	Hours	Rate	Total Lodestar
Lee Albert (2016-2017 Rate)	P	172	\$725	\$124,700.00
Brian P. Murray (2016-2017 Rate)	P	63.4	\$745	\$47,233.00
Garth Spencer	A	23.8	\$495	\$11,781.00
Edward Ahn	OC	3,204	\$350	\$1,121,400.00
Grand Total:		3,463.20		\$1,305,114.00

EXHIBIT B

In re Capacitors Antitrust Litigation
Case No. 14-cv-03264-JD

GLANCY PRONGAY & MURRAY LLP

Expenses Incurred

October 1, 2016 – March 31, 2018

EXPENSE CATEGORY	AMOUNT INCURRED
Assessments	\$75,000
Court Costs / Filing Fees	\$
Experts / Consultants	\$
Federal Express / UPS / Ontrac	\$
Postage / U.S. Mail	\$.94
Service of Process	\$
Messenger / Delivery	\$
Hearing Transcripts	\$
Investigation	\$
Lexis / Westlaw	\$80.80
Photocopies – In House	\$
Photocopies – Outside	\$
Telephone / Telecopier	\$
Travel – Transportation	\$1,633.72
Travel - Hotels	\$1,395.98
Travel – Meals	\$340.04
TOTAL:	\$78,451.48