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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**

**THIS DOCUMENT RELATES TO:  
ALL INDIRECT PURCHASER ACTIONS**

**MASTER FILE NO. 14-cv-03264-JD**

**DECLARATION OF KATHERINE C.  
LUBIN IN SUPPORT OF CLASS  
COUNSEL’S APPLICATION FOR  
ATTORNEYS’ FEES AND  
REIMBURSEMENT OF EXPENSES  
SUBMITTED ON BEHALF OF LIEFF  
CABRASER HEIMANN & BERNSTEIN,  
LLP**

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

Judge: Hon. James Donato

1 I, Katherine C. Lubin, declare and state as follows:

2 1. I am a Partner of Lief Cabraser Heimann & Bernstein, LLP (“Lief Cabraser”),  
3 Counsel for Indirect Purchaser Plaintiffs (“IPPs” or “Plaintiffs”) in this action. I am a member of  
4 the bar of this Court. I submit this declaration in support of Class Counsel’s interim application for  
5 attorneys’ fees and reimbursement of expenses reasonably incurred in connection with the services  
6 rendered in this litigation on behalf of the class. I make this declaration based on my personal  
7 knowledge and if called as a witness, I could and would competently testify to the matters stated  
8 herein. The time expended preparing this Declaration is 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, Lief Cabraser acted as class counsel to IPPs.  
13 Lief Cabraser has prosecuted this litigation solely on a contingent-fee basis, and has been at risk  
14 that it would not receive any compensation for prosecuting claims against the defendants. While  
15 Lief Cabraser devoted its time and resources to this matter, it has foregone other legal work for  
16 which it would have been compensated.

17 4. During the course of this litigation, Lief Cabraser has been involved in the  
18 following activities on behalf of IPPs at the request and under the direction of Lead Counsel: Mr.  
19 Glackin from Lief Cabraser took the depositions of Defendants’ experts Dr. Michael J. Moore and  
20 Dr. Gregory K. Leonard in connection with IPPs’ motion for class certification in May 2017.  
21 Several Lief Cabraser attorneys also took merits depositions of fact witnesses from Defendants  
22 Nichicon and Matsuo on behalf of IPPs in late 2017 and early 2018. Throughout 2016, 2017, and  
23 2018, Lief Cabraser staff attorneys reviewed Japanese-language documents and served as co-lead  
24 liaison reviewers for document review and deposition preparation. In addition, throughout the  
25 pendency of the litigation, Lief Cabraser has been involved in strategy discussions with IPP Lead  
26 Counsel.

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. This period reflects the time spent

1 after the appointment of Interim Lead Counsel in this litigation. The total number of hours spent  
2 by Lieff Cabraser during this period of time was 3,659.70, with a corresponding historical lodestar  
3 of \$1,382,191.00. This summary was prepared from contemporaneous, daily time records regularly  
4 prepared and maintained by Lieff Cabraser. The lodestar amount reflected in Exhibit A is for work  
5 assigned by Lead Counsel, and was performed by professional staff at my law firm for the benefit  
6 of the IPP Class.

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

14 7. Lieff Cabraser has expended a total of \$88,676.10 in unreimbursed costs and  
15 expenses in connection with the prosecution of this litigation from October 1, 2016 through March  
16 31, 2018. These costs and expenses are broken down in the chart attached hereto as **Exhibit B**.  
17 They were incurred on behalf of IPPs by Lieff Cabraser on a contingent basis and have not been  
18 reimbursed. The expenses incurred in this action are reflected on the books and records of my firm.  
19 These books and records are prepared from expense vouchers, check records and other source  
20 materials and represent an accurate recordation of the expenses incurred. Expense documentation  
21 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.

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Executed on July 18, 2018 at San Francisco, California.

/s/ Katherine C. Lubin  
Katherine C. Lubin

**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

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# **EXHIBIT A**

*In re Capacitors Antitrust Litigation*

Case No. 14-cv-03264-JD

**EXHIBIT A**

LIEFF, CABRASER, HEIMANN &amp; BERNSTEIN, LLP

Hours Reported and Lodestar on a Historical Basis

October 1, 2016 – March 31, 2018

<b>Timekeeper</b>	<b>Professional Status</b>	<b>Hours</b>	<b>Rate</b>	<b>Total Lodestar</b>
Steven E. Fineman (2017)	Partner	0.30	\$900.00	\$270.00
Eric Fastiff (2017)	Partner	19.60	\$775.00	\$15,190.00
Eric Fastiff (2018)	Partner	5.30	\$800.00	\$4,240.00
Katherine Lubin Benson (2017)	Partner	65.20	\$510.00	\$33,252.00
Katherine Lubin Benson (2018)	Partner	0.80	\$535.00	\$428.00
Brendan Glackin (2017)	Partner	79.80	\$725.00	\$57,855.00
David Rudolph (2017)	Partner	93.70	\$625.00	\$58,562.50
David Rudolph (2018)	Partner	7.00	\$650.00	\$4,550.00
Katherine Lubin Benson (2016)	Associate	3.50	\$485.00	\$1,697.50
Adam Gitlin (2017)	Associate	42.80	\$455.00	\$19,474.00
Adam Gitlin (2018)	Associate	94.70	\$510.00	\$48,297.00
Karen Jones (2016)	Staff Attorney	393.60	\$350.00	\$137,760.00
Karen Jones (2017)	Staff Attorney	790.70	\$350.00	\$276,745.00
Karen Jones (2018)	Staff Attorney	180.00	\$350.00	\$63,000.00
Tom Tanaka (2016)	Attorney	395.50	\$350.00	\$138,425.00
Tom Tanaka (2017)	Attorney	829.00	\$350.00	\$290,150.00
Tom Tanaka (2018)	Attorney	137.50	\$350.00	\$48,125.00
Brian Troxel (2016)	Paralegal	4.50	\$345.00	\$1,552.50
Brian Troxel (2017)	Paralegal	107.20	\$360.00	\$38,592.00
Brian Troxel (2018)	Paralegal	34.60	\$375.00	\$12,975.00
Hisun Rim (2017)	Paralegal	39.30	\$350.00	\$13,755.00
Hisun Rim (2018)	Paralegal	334.50	\$350.00	\$117,075.00
Nikki Belushko Barrows (2017)	Paralegal	0.30	\$360.00	\$108.00
Renee Mukherji (2017)	Paralegal	0.30	\$375.00	\$112.50
<b>Grand Total:</b>		<b>3,659.70</b>		<b>\$1,382,191.00</b>

# **EXHIBIT B**

*In re Capacitors Antitrust Litigation*

Case No. 14-cv-03264-JD

**EXHIBIT B**

Lieff, Cabraser, Heimann &amp; Bernstein, LLP

Expenses Incurred

October 1, 2016 – March 31, 2018

<b>EXPENSE CATEGORY</b>	<b>AMOUNT INCURRED</b>
Assessments	\$75,000.00
Court Costs / Filing Fees	\$
Experts / Consultants	\$
Federal Express / UPS / Ontrac	\$
Postage / U.S. Mail	\$
Service of Process	\$
Messenger / Delivery	\$121.02
Hearing Transcripts	\$
Investigation	\$
Lexis / Westlaw	\$41.51
Photocopies – In House	\$11,027.00
Photocopies – Outside	\$22.00
Telephone / Telecopier	\$278.87
Travel – Transportation	\$1,420.73
Travel - Hotels	\$669.8
Travel – Meals	\$95.17
<b>TOTAL:</b>	<b>\$88,676.10</b>