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

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17 **IN RE: CAPACITORS ANTITRUST
LITIGATION**

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

MASTER FILE NO. 14-cv-03264-JD

**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: October 18, 2018
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., Counsel for Indirect Purchaser Plaintiffs
3 (“IPPs” or “Plaintiffs”) in this action. I submit this declaration in support of Class Counsel’s
4 interim application for attorneys’ fees and reimbursement of expenses reasonably incurred in
5 connection with the services rendered in this litigation on behalf of the indirect purchaser classes. I
6 make this declaration based on my personal knowledge and if called as a witness, I could and
7 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, Susman Godfrey L.L.P. acted at the direction
12 of class counsel to IPPs. Susman Godfrey L.L.P. has prosecuted this litigation solely on a
13 contingent-fee basis, and has been at risk that it would not receive any compensation for
14 prosecuting claims against the defendants. While Susman Godfrey L.L.P. devoted its time and
15 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, Susman Godfrey L.L.P. has been involved in the
18 following activities on behalf of IPPs at the request and under the direction of IPP Lead Counsel:
19 translated, reviewed, analyzed, and issue-coded Japanese language documents, conducted legal
20 research, conferred with counsel regarding scheduling of depositions, prepared for and attended
21 depositions of Inoue and Kinoshita, and reviewed expert reports.

22 5. Attached hereto as **Exhibit A** is my firm’s total hours and lodestar, computed at
23 historical rates, from October 1, 2016 through March 31, 2018. The total number of hours spent by
24 Susman Godfrey L.L.P. during this period of time was **497.90** hours, with a corresponding
25 historical lodestar of **\$230,319.50**. This summary was prepared from contemporaneous, daily time
26 records regularly prepared and maintained by Susman Godfrey L.L.P. The lodestar amount
27
28

1 reflected in Exhibit A is for work assigned by Lead Counsel, and was performed by professional
2 staff at my law firm for the benefit of the IPP Class during the aforementioned time period.

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

11 7. Susman Godfrey L.L.P. has expended a total of **\$81,960.55** in unreimbursed costs
12 and expenses in connection with the prosecution of this litigation from October 1, 2016 through
13 March 31, 2018. These costs and expenses are broken down in the chart attached hereto as **Exhibit**
14 **B**. They were incurred on behalf of IPPs by Susman Godfrey L.L.P. on a contingent basis and
15 have not been reimbursed. The expenses incurred in this action are reflected on the books and
16 records of my firm. These books and records are prepared from expense vouchers, check records
17 and other source materials and represent an accurate recordation of the expenses incurred. Expense
18 documentation has been provided to Lead Counsel for review.

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

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

24 Executed on July 19, 2018 at Los Angeles, California.

25 
26 _____
27 STEVEN G. SKLAVER

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

SUSMAN GODFREY LLP

Hours Reported and Lodestar on a Historical Basis

October 1, 2016 – March 31, 2018

Timekeeper	Professional Status	Rate	Hours	Total Lodestar
Marc Seltzer	Partner	1200.00	.90	\$1,080.00
Marc Seltzer (2018)	Partner	1500.00	.50	\$750.00
Steven Sklaver	Partner	750.00	3.70	\$2,775.00
Shawn Raymond	Partner	575.00	7.50	\$4,312.50
Floyd Short	Partner	600.00	72.50	\$43,500.00
Stuart Kusin	Of Counsel	550.00	215.70	\$118,635.00
Ken Sato	Staff Attorney	350.00	66.00	\$23,100.00
Hiroyuki Yagihaski	Staff Attorney	350.00	18.00	\$6,300.00
Jan Cobden	Senior Paralegal	270.00	24.60	\$6,642.00
Jan Cobden (2018)	Senior Paralegal	275.00	2.80	\$770.00
William Dunseth	Senior Paralegal	270.00	.50	\$135.00
Richard Wojtczak	Senior Paralegal	270.00	78.00	\$21,060.00
Aashka Chokshi	Paralegal	175.00	7.20	\$1,260.00
Grand Total:			497.90	\$230,319.50

EXHIBIT B

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

Susman Godfrey LLP

Expenses Incurred

October 1, 2016 – March 31, 2018

EXPENSE CATEGORY	AMOUNT INCURRED
Assessments	75,000.00
Court Costs / Filing Fees	
Experts / Consultants	
Federal Express / UPS / Ontrac	367.83
Postage / U.S. Mail	
Service of Process	
Messenger / Delivery	
Hearing Transcripts	
Investigation	
Lexis / Westlaw	22.31
Photocopies – In House	1,376.70
Photocopies – Outside	
Telephone / Telecopier	
Travel – Transportation	3,079.62
Travel - Hotels	1,824.23
Travel – Meals	289.86
TOTAL:	81,960.55