

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001

Facsimile: (619) 595-3000

LEBE LAW, APLC

Jonathan M. Lebe (SBN 284605)

jon@lebelaw.com

Zachary Gershman (SBN 328004)

zachary@lebelaw.com

777 S. Alameda Street, Second Floor

Los Angeles, CA 90021

Telephone: (213) 358-7046

Attorneys for Plaintiffs BENIYAM KEBEDE, ALAIN TSAI,
and MONICA I. PAZMINO, individually and on behalf of
all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

BENIYAM KEBEDE, ALAIN TSAI, and
MONICA I. PAZMINO, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

WRIKE, INC.; and DOES 1 through 25,
inclusive

Defendants.

Case No. 20CV366599

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Patricia M. Lucas
Department 3

CLASS ACTION

**DECLARATION OF JONATHAN M. LEBE
IN SUPPORT OF MOTION FOR AN
ORDER GRANTING FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

Date: May 4, 2022

Time: 1:30 PM

Dept: 3

Judge: Hon. Patricia M. Lucas

Complaint filed: May 13, 2020

Trial date: Not set

DECLARATION OF JONATHAN M. LEBE

I, Jonathan M. Lebe, declare as follows:

1. I am an attorney duly licensed to practice law before all courts in the State of California. I am the Managing Attorney of Lebe Law, A Professional Law Corporation and I represent Plaintiffs Beniyam Kebede, Alain Tsai, and Monica I. Pazmino in this action. I have personal knowledge of the facts set forth herein and, if called and sworn in as a witness, could and would testify competently thereto.

2. I submit this declaration in support of Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement.

3. I received Bachelor of Arts degrees in Political Science and International Studies from Northwestern University in 2008. I received my Juris Doctorate from Santa Clara University School of Law in 2012. During law school, I was a legal extern to the Honorable Nandor J. Vadas of the U.S. District Court, Northern District of California. I also had legal internships during law school with the Civil Division of the U.S. Attorney's Office and the Complex Litigation Division of the San Francisco City Attorney's Office.

4. I was admitted to the California State Bar in the fall of 2012. I am admitted to practice in all state courts in California and in all United States District Courts in California.

5. Upon admission to the bar, I became a Deputy County Counsel in the Litigation Section of the Santa Clara County Counsel's office. The Santa Clara County Counsel's office is one of the largest and most sophisticated offices of government lawyers in the county. The County Counsel's office engages in significant impact litigation and, of course, is responsible for the legal representation of the County. In my capacity as Deputy County Counsel, I litigated cases ranging from employment disputes to constitutional challenges to County jail policies.

6. Before starting my own firm, I also worked as an associate attorney with Lawyers for Justice, P.C., a class action law firm in California. In that capacity, I was responsible for the day-to-day management of numerous wage and hour class actions at a given time. In this position, I engaged in all possible types of motion practice including preparing motions for class certification.

1 7. I started my own law firm in early 2016. In 2018, 2019, 2020, and 2021 I was
2 selected as a Super Lawyer Rising Star based on nominations from my peers, a distinction only
3 received by 2.5% of attorneys. The vast majority of my practice consists of litigating wage and
4 hour class actions filed in California. Some of our firm's representative matters include:

- 5 a. *Midwest Motor Supply Co. v. Superior Court* (2020) 56 Cal.App.5th 702: In its
6 published opinion, the Court of Appeal affirmed the trial court's denial of Defendant's
7 motion to dismiss or stay action for forum non conveniens because Defendant's
8 purported forum selection clause was unenforceable under Labor Code section 925.
- 9 b. *Zakaryan v. The Men's Wearhouse, Inc.* (2019) 33 Cal.App.5th 659: In its
10 published opinion, Court of Appeal affirmed a trial court's denial of Defendant's
11 motion to compel arbitration (disapproved on another ground in *ZB, N.A. v. Superior
12 Court* (2019) 8 Cal.5th 175).
- 13 c. *Ortega v. Carson Wild Wings, LLC* (Los Angeles Superior Court, Case No.
14 BC677388): In this matter, our firm obtained a unanimous jury verdict holding our
15 client's former employer responsible for wrongful termination and retaliation. In its
16 verdict, the jury awarded our client \$300,000 in lost earnings, emotional distress
17 damages, punitive damages and penalties. The Court also awarded \$291,948 in
18 attorneys' fees. This matter is currently on appeal.

19 8. I have been appointed certified Class Counsel in the following proceedings in
20 connection with approvals of wage and hour class action and Private Attorney General Act
21 settlements: *Amie Pfiefer v. Zesty Inc.*, San Francisco Superior Court, CGC-19-574570; *Anthony
22 Dirico, et al. v. Seek Capital, LLC*, Los Angeles Superior Court Case No. BC698076; *Brandon
23 Centino v. Arrowhead Products, Orange County Superior Court*, Case No. 30-2018-00988493;
24 *Donna Burris v. Resort Vacations, Inc.*, Orange County Superior Court, Case No. 2018-00997260;
25 *Elizabeth Merritt v. Houzz Inc.*, Santa Clara Superior Court, Case No. 19CV341181; *Janet
26 Manteon v. M.A.C. Cosmetics, Inc.*, Los Angeles County Superior Court, Case No. BC702940;
27 *Jamal Holcomb v. Weiser Security Services, Inc.*, Los Angeles Superior Court, Case No.
28 19STCV03843; *Jerome Hughes, et al. v. Surveillance Security, Inc.*, Judicial Coordination
Proceeding Case No. 4969; *Jihwan Kim v. Demandforce, Inc.*, San Francisco Superior Court, Case

No. CGC-18-570997; *Jordan Olson v. Medtronic, Inc., et al.*, San Francisco Superior Court, Case No. CGC-19-576875; *Joseph Jun Caballero v. MLTD, Inc.*, Los Angeles Superior Court Case No. BC659936; *Kendall Klette v. Balboa Capital Corporation*, Orange County Superior Court, Case No. 30-2018-00970552; *Kevin Klein v. Loomis Armored, US LLC*, San Bernardino Superior Court Case No. CIVDS1704547; *Lamir McQueen v. City of Santa Monica et al.*, Los Angeles County Superior Court, Case No. BC627227; *Leslie Walling v. National Funding Inc.*, San Diego Superior Court, Case No. 201800061889; *Lorena Sanchez v. Valley Presbyterian Hospital*, Los Angeles Superior Court Case No. BC678638; *Lucas Cardena v. Strata Capital Corporation*, Orange County Superior Court, Case No. 30-2018-01041233-CU-OE-CXC; *Michael Schmitz, et al. v. HealthIQ Re Inc.*, Santa Clara Superior Court, Case No. 18CV337951; *Patricia Martinez v. Whaler LLC*, Los Angeles Superior Court Case No. BC621047; *Rhett Hubbard v. Caliber Home Loans, Inc.*, Orange County Superior Court, 30-2018-01017838; *Shameka Watson v. Aegis Security & Investigations Inc.*, Los Angeles Superior Court Case No. BC695411; *Shayna Amster v. Starbucks Corporation*, San Bernardino Superior Court, Case No. CIVDS1922016; *Suzana Mederos v. Consolidated Disposal Service, L.L.C.*, Los Angeles Superior Court, Case No. BC677379; *Tyler Jones, et al. v. Citiguard, Inc.*, Los Angeles County Superior Court Case Number BC664890; *Don Vasquez v. Milk Specialties Company*, Tulare County Superior Court Case Number VCU282778; and *Tanya Savidis v. Lumber Liquidators, Inc.*, Case No. RG20057480, Alameda County Superior Court;

9. The excel chart attached hereto as “**Exhibit A**” shows the hours spent by each of Lebe Law APLC’s attorneys on categories of work on this case.

10. I worked 102.6 hours during the course of this matter. None of my time duplicated the time expended by other attorneys in this matter. At my requested rate of \$700 an hour, my lodestar attorney’s fees, before any multiplier, amount to \$71,820.002. My firm also incurred \$188.13 in costs on this case. A list of my firm’s expenses in this matter are attached as “**Exhibit B.**”

11. Zachary Gershman is an associate attorney of Lebe Law, APLC in good standing of the State Bar of California and admitted to practice in all state courts in California, and in the Central, Eastern, and Northern United States District Courts in California.

1 12. Mr. Gershman began working for Lebe Law, APLC in August of 2019 as a law
2 clerk after graduating from the USC Gould School of Law in May of 2019, where he was an
3 Executive Senior Editor of the Southern California Law Review. He received his Bachelor of Arts
4 degree in Political Science from the University of Connecticut in 2015. He was admitted to the
5 California State Bar on December 2, 2019.

6 13. Mr. Gershman has expended a total of 72.5 hours in the prosecution of this matter.
7 None of his time duplicated the time expended by others. At his requested rate of \$450 his fees
8 calculate out to \$32,625.00.

9 14. I have practiced law for nearly ten years, and I have significant experience, skill,
10 and expertise in employment matters. My firm, Lebe Law, APLC, sets the billing rates of its
11 attorneys to be consistent with the prevailing market rates in the private sector for attorneys and
12 staff of comparable skill, qualifications and experience by monitoring the prevailing market rates
13 charged by both defense and plaintiff law firms. According to the 2020 Real Rate Report, relevant
14 portions of which are attached hereto as “**Exhibit C**”, my requested hourly rate of \$700 is
15 reasonable for the Los Angeles legal market. (*See White v. Rbd Staffing* (C.D. Cal., July 11, 2017)
16 2017 U.S. Dist. LEXIS 235054, *19-20 “The Real Rate Report identifies attorney rates by
17 location, experience, firm size, area of expertise and industry, as well as specific practice areas and
18 is based on actual legal billing, matter information, and paid and processed invoices from more
19 than 80 companies [citation] . . . Courts have found that the Real Rate Report is ‘a much better
20 reflection of true market rates than self-reported rates in all practice areas.’”) In fact, my requested
21 hourly rate is \$49 per hour less than the median hourly rate for a partner in Los Angeles, and \$78
22 per hour less than the mean hourly rate for partners in the Los Angeles legal market. Furthermore,
23 according to the Real Rate Report, Mr. Gershman’s requested hourly rate of \$450 is reasonable, as
24 it is \$26 less per hour than the median hourly rate for an associate with fewer than three years of
25 experience, and \$33 less than the mean hourly rate for an associate with fewer than three years of
26 experience in the Los Angeles legal market.

26 ///

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1 I declare under penalty of perjury under the laws of the State of California and the United
2 States of America that the foregoing is true and correct. Executed on April 6, 2022 in the City of
3 Los Angeles in the State of California.

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6 JONATHAN M. LEBE
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EXHIBIT A

Firm Name: Lebe Law, APLC

LODESTAR REPORT (As of April 6, 2022)

- Categories:
- (1) Investigation and Factual Research

(2) Discovery

(3) Pleadings, Briefs and Pretrial Motions (including legal research & Appearances)

(4) Mediation and Settlement

(5) Litigation Strategy, Analysis and Case Managemnet
- (P) Principal

(A) Associate

ATTORNEY OR PARALEGAL	1	2	3	4	5	HOURS	HOURLY RATE	LODESTAR
Jonathan M. Lebe (P)	26.8	0.0	45.1	20.3	10.4	102.6	\$700.00	\$71,820.00
Zachary T. Gershman (A)	14.0	0.0	39.8	14.2	4.5	72.5	\$450.00	\$32,625.00
Attorney Totals	40.8	0.0	84.9	34.5	14.9	175.1		\$104,445.00

EXHIBIT B

EXPENSE	DESCRIPTION	DATE	PRICE	TOTAL
Postage Request for Personnel File of David Presslauer and Devin Mendoza				
	Request for Personnel File of David Presslauer and Devin Mendoza	4/1/2022	\$7.29	\$7.29
Postage Request for Personnel File and Notice of Representation of Vicky Nguyen				
	Request for Personnel File and Notice of Representation of Vicky Nguyen	11/17/2020	\$6.95	\$6.95
Postage Cost of postage for service of amended paga notice				
	Cost of postage for service of amended paga notice	8/17/2020	\$17.86	\$17.86
Uncategorized Request for Personnel File and Notice of Representation of Beniyam Kebede, Monica Pazmino & Alain Tsai				
	Request for Personnel File and Notice of Representation of Beniyam Kebede, Monica Pazmino & Alain Tsai	8/5/2020	\$7.15	\$7.15
Postage Postage cost of catalyst letter and records preservation letter to Defendant				
	Postage cost of catalyst letter and records preservation letter to Defendant	6/5/2020	\$7.51	\$7.51
Other PAGA Notice cost				
	PAGA Notice cost	4/21/2020	\$75.00	\$75.00
Postage Postage costs for personnel records requests				
	Postage costs for personnel records requests	4/10/2020	\$66.37	\$66.37
				\$188.13 USD

EXHIBIT C



2020 Real Rate Report[®] Mid-Year Update

The Industry's
Leading Analysis
of Law Firm Rates,
Trends, and Practices



Wolters Kluwer

When you have to be right

Report Editor**Jeffrey Solomon**

Senior Director, Product Management Legal
Analytics, Wolters Kluwer's ELM Solutions

Lead Data Analysts**Gary Clark**

Data Engineer
Wolters Kluwer's ELM Solutions

Pankaj Saha

Data Engineer
Wolters Kluwer's ELM Solutions

ELM Solutions Creative**David Andrews**

Senior Graphic Designer
Wolters Kluwer's ELM Solutions

Contributing Analysts and Authors**Joel Surdykowski**

LegalVIEW Product Manager
Wolters Kluwer's ELM Solutions

Deniece Bushell

Senior Product Marketing Manager
Wolters Kluwer's ELM Solutions

Executive Sponsor**Jonah Paransky**

Executive Vice President and
General Manager
Wolters Kluwer's ELM Solutions

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ELM Solutions, a Wolters Kluwer business
20 Church Street
Hartford, CT 06103 United States
ATTN: Marketing
+1-860-549-8795

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A Letter to Our Readers

Welcome to the Wolters Kluwer's ELM Solutions Real Rate Report®, the industry's leading data-driven benchmark report for lawyer rates.

Welcome to the Wolters Kluwer's ELM Solutions 2020 Mid-Year Real Rate Report®, the industry's leading data-driven benchmark report for lawyer rates. Our Real Rate Report has been a useful data analytics resource to the legal industry since its inception in 2010 and continues to evolve even in the current environment.

The Real Rate Report is powered by Wolters Kluwer's ELM Solutions LegalVIEW® data warehouse, the world's largest source of legal performance benchmark data, which has grown to include over \$140 billion in anonymized legal data.

As with past Real Rate Reports, all of the data analyzed are from corporations' and law firms' e-billing and time management solutions. We have included lawyer and paralegal rate data filtered by specific practice and sub-practice areas, metropolitan areas, and types of matters to give legal departments and law firms greater ability to pinpoint areas of opportunity.

So far, 2020 has been an unprecedented year with the global pandemic causing disruption to health, economies, and society. Many industry sectors have been impacted by COVID-19, and the legal industry is no exception. Our business intelligence experts have observed downward but uneven trends in law firm billing activity and intend to continue to track the legal industry response. We strive to make the Real Rate Report a valuable and actionable reference tool for legal departments and law firms.

In our current environment, the need for a reliable and comparative data source for rates has never been more important. As always, we welcome your comments and suggestions on what information would make this publication more valuable to you. We thank you for making Wolters Kluwer's ELM Solutions your trusted partner for legal industry domain expertise, data, and analytics and look forward to continuing to provide market-leading, expert solutions that deliver the best business outcomes for collaboration among legal departments and law firms.

Sincerely,



Jonah Paransky

Executive Vice President and General Manager
Wolters Kluwer's ELM Solutions

Report Use Considerations

2020 Mid-Year Real Rate Report

- Examines law firm rates over time
- Itemizes rates by location, experience, firm size, areas of expertise, industry, and timekeeper role (i.e., partner, associate, and paralegal)
- Identifies variables that drive rates up or down

All the analyses included in the report derive from the actual rates charged by law firm professionals as recorded on invoices submitted and approved for payment.

Examining real, approved rate information, along with the ranges of those rates and their changes over time, highlights the role these variables play in driving aggregate legal cost and income. The analyses can energize questions for both corporate clients and law firm principals.

Clients might ask whether they are paying the right amount for different types of legal services, while law firm principals might ask whether they are charging the right amount for legal services and whether to modify their pricing approach.

Some key factors¹ that drive rates²:

- **Geographic location** - Lawyers in urban and major metropolitan areas tend to charge more when compared with lawyers in rural areas or small towns.
- **Degree of difficulty** - The cost of representation will be higher if the case is particularly complex or time-consuming; for example, if there are a large number of documents to review, many witnesses to depose, and numerous procedural steps, the case is likely to cost more (regardless of other factors like the lawyer's level of experience).
- **Experience and reputation** - A more experienced, higher-profile lawyer is often going to charge more, but absorbing this higher cost at the outset may make more sense than hiring a less expensive lawyer who will likely take time and billable hours to come up to speed on unfamiliar legal and procedural issues.
- **Overhead** - The costs associated with the firm's support network (paralegals, clerks, and assistants), document preparation, consultants, research, and other expenses.

Additional analysis was performed to examine the impact of rates on law firm invoices relative to an e-billing providers' business model. It should be noted that there are several industry-standard business models that e-billing providers use to charge law firms and other legal service providers to submit invoices and perform other transactions through their systems. The three main model types are:

- Client pay, where the corporate client pays a subscription for the matter and spend solution.
- Law firm pay, where the law firm pays a subscription or usage fee based on the invoices submitted.
- Hybrid, which is a combination of a client pay and law firm pay.

¹ Source: 2018 RRR. Factor order validated in multiple analyses since 2010

² David Goguen, J.D., University of San Francisco School of Law (2017) Guide to Legal Services Billing Retrieved from <https://www.lawyers.com/legal-info/research/guide-to-legal-services-billing-rates.html>

Report Use Considerations

The data shows that the law firm pay model has become normative in the industry – 85%+ of Wolters Kluwer's ELM Solutions clients' law firms participate in a law firm pay or hybrid model. In addition, 99% of the Am Law 200 law firms participate in at least one law firm pay model paying 1% or more on the invoices submitted, and 97% of the Am Law 200 pay 2%.

The analysis performed then examined law firm rates from firms who participated in one of those law firm pay/hybrid models versus those who are in a client pay model. The analysis showed no statistical difference in rates, suggesting that the business model that the firm participates in does not impact the rates the firm charges to their corporate client.

Effects of COVID-19

Additional analyses were performed to assess any trends and potential effects of COVID-19 on rates and other measures. Across all industries, we see a decline of 7% in the number of new matters being opened. Legal spend is down 5%. Activity varies by industry with spend decreasing only 1% in the technology sector but up to 30% for consumer services.

In some instances, we see more than expected increases in attorney rates. Among the possible reasons for this are:

- Potential opportunistic billing created by the pandemic. Dislocations in the supply chain in some segments of the market which allow firms to charge more for services.
- Law firms may have reduced staff to cut expenses. The data in the mid-year report shows a slight increase in the number of billing partners and a decrease in billing paralegals. Be on guard for opportunistic pricing and weigh your outside counsel relationships accordingly.

Overall, the data in the 2020 Mid-Year Real Rate Report provides corporate counsel with an understanding of the rates they can expect to pay for a given matter type, division, industry, or practice area and offers in-depth analyses on key drivers of rates to help make informed selection decisions. For law firms, it provides a relative benchmark to ensure that pricing for legal services remains competitive.

Wolters Kluwer's ELM Solutions research shows: you can evaluate these rates with confidence they are not affected by e-billing pricing models; you should stay sensitized to potential Covid influences on rates and activity in some markets and guard against overpaying.



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When you have to be right

Section I: High-Level Data Cuts



2020 Mid-Year Real Rate Report

Section I: High-Level Data Cut

Cities

Q2 2020 -- Real Rates for Partners and Associates

Trend Analysis (Mean)

City	Role	n	First Quartile	Median	Third Quartile	Q2 2020	Q2 2019	Q2 2018
Lafayette LA	Partner	15	\$150	\$150	\$205	\$184	\$184	\$213
Las Vegas NV	Partner	39	\$267	\$397	\$523	\$431	\$442	\$430
	Associate	37	\$247	\$288	\$330	\$282	\$281	\$278
Lexington KY	Partner	15	\$295	\$319	\$374	\$334	\$330	\$322
Little Rock AR	Partner	22	\$215	\$250	\$308	\$285	\$268	\$269
Los Angeles CA	Partner	843	\$495	\$749	\$1,020	\$778	\$748	\$715
	Associate	1208	\$401	\$585	\$770	\$598	\$574	\$555
Louisville KY	Partner	22	\$290	\$350	\$395	\$356	\$360	\$345
	Associate	33	\$199	\$228	\$252	\$224	\$214	\$214
Madison WI	Partner	21	\$365	\$426	\$495	\$428	\$427	\$414
Memphis TN	Partner	30	\$289	\$348	\$418	\$344	\$341	\$350
	Associate	18	\$193	\$212	\$228	\$219	\$231	\$223
Miami FL	Partner	204	\$300	\$500	\$672	\$506	\$513	\$468
	Associate	159	\$250	\$334	\$475	\$371	\$363	\$314
Milwaukee WI	Partner	64	\$325	\$400	\$509	\$462	\$385	\$384
	Associate	52	\$246	\$302	\$341	\$297	\$267	\$264
Minneapolis MN	Partner	265	\$380	\$549	\$690	\$541	\$520	\$455
	Associate	196	\$285	\$360	\$449	\$369	\$380	\$345
Nashville TN	Partner	87	\$384	\$450	\$494	\$438	\$408	\$407
	Associate	81	\$230	\$261	\$296	\$264	\$257	\$247
New Haven CT	Partner	20	\$385	\$478	\$538	\$451	\$421	\$401
	Associate	20	\$230	\$290	\$340	\$290	\$292	\$278
New Orleans LA	Partner	109	\$285	\$350	\$438	\$360	\$343	\$328
	Associate	98	\$225	\$238	\$324	\$272	\$253	\$234
New York NY	Partner	2180	\$600	\$960	\$1,305	\$970	\$948	\$909
	Associate	3006	\$425	\$628	\$858	\$648	\$627	\$599
Oklahoma City OK	Partner	26	\$200	\$315	\$358	\$296	\$322	\$288
	Associate	11	\$168	\$203	\$215	\$207	\$241	\$200
Omaha NE	Partner	47	\$306	\$370	\$400	\$351	\$364	\$340
	Associate	22	\$195	\$217	\$256	\$230	\$220	\$207
Orlando FL	Partner	80	\$370	\$450	\$540	\$475	\$465	\$457
	Associate	68	\$230	\$280	\$350	\$292	\$274	\$271

Section I: High-Level Data Cut

Cities

By Years of Experience

Q2 2020 -- Real Rates for Associates

Trend Analysis (Mean)

City	Years of Experience	n	First Quartile	Median	Third Quartile	Q2 2020	Q2 2019	Q2 2018
Kansas City MO	3 to Fewer Than 7 Years	25	\$272	\$300	\$325	\$295	\$290	\$247
	7 or More Years	29	\$269	\$295	\$311	\$295	\$277	\$271
Las Vegas NV	7 or More Years	17	\$250	\$288	\$330	\$285	\$282	\$286
Los Angeles CA	Fewer Than 3 Years	47	\$397	\$476	\$581	\$483	\$479	\$455
	3 to Fewer Than 7 Years	138	\$395	\$565	\$699	\$557	\$510	\$462
	7 or More Years	207	\$350	\$536	\$811	\$585	\$573	\$549
Miami FL	3 to Fewer Than 7 Years	20	\$265	\$325	\$350	\$336	\$339	\$279
	7 or More Years	39	\$240	\$381	\$491	\$383	\$373	\$306
Milwaukee WI	7 or More Years	16	\$256	\$294	\$315	\$299	\$284	\$285
Minneapolis MN	Fewer Than 3 Years	16	\$295	\$364	\$403	\$354	\$361	\$435
	3 to Fewer Than 7 Years	26	\$312	\$355	\$418	\$368	\$363	\$321
	7 or More Years	29	\$295	\$378	\$508	\$379	\$384	\$331
Nashville TN	7 or More Years	18	\$225	\$266	\$297	\$268	\$259	\$257
New Orleans LA	3 to Fewer Than 7 Years	20	\$226	\$253	\$305	\$261	\$244	\$236
	7 or More Years	22	\$238	\$325	\$369	\$304	\$276	\$234
New York NY	Fewer Than 3 Years	153	\$385	\$513	\$647	\$536	\$501	\$517
	3 to Fewer Than 7 Years	286	\$404	\$589	\$826	\$613	\$586	\$549
	7 or More Years	564	\$410	\$693	\$945	\$697	\$702	\$678
Orlando FL	7 or More Years	16	\$281	\$305	\$348	\$326	\$304	\$276
Philadelphia PA	Fewer Than 3 Years	60	\$300	\$325	\$395	\$342	\$329	\$339
	3 to Fewer Than 7 Years	158	\$305	\$355	\$430	\$378	\$363	\$338
	7 or More Years	170	\$310	\$450	\$514	\$449	\$429	\$397
Phoenix AZ	7 or More Years	11	\$213	\$275	\$315	\$275	\$236	\$278
Pittsburgh PA	Fewer Than 3 Years	21	\$251	\$335	\$393	\$320	\$297	
	3 to Fewer Than 7 Years	36	\$275	\$355	\$425	\$345	\$327	\$317
	7 or More Years	40	\$265	\$356	\$474	\$372	\$349	\$335
Portland OR	Fewer Than 3 Years	14	\$251	\$285	\$309	\$277	\$264	\$299
	3 to Fewer Than 7 Years	45	\$293	\$336	\$388	\$336	\$310	\$321
	7 or More Years	51	\$332	\$415	\$458	\$389	\$359	\$366
Richmond VA	7 or More Years	15	\$350	\$417	\$450	\$393	\$381	\$330
Salt Lake City UT	3 to Fewer Than 7 Years	15	\$200	\$224	\$245	\$222	\$203	\$185
San Diego CA	3 to Fewer Than 7 Years	11	\$231	\$290	\$378	\$314	\$324	\$313
	7 or More Years	33	\$288	\$365	\$545	\$412	\$419	\$453

Appendix: Data Methodology



2020 Mid-Year Real Rate Report

Appendix: Data Methodology

Invoice Information

Data in Wolters Kluwer's ELM Solutions reference database and in the 2020 Mid-Year Real Rate Report were taken from invoice line item entries contained in invoices received and approved by participating companies.

Invoice data were received in the Legal Electronic Data Exchange Standard (LEDES) format (LEDES.org). The following information was extracted from those invoices and their line items:

- Law firm (which exists as a random number in the ELM Solutions reference database)
- Timekeeper ID (which exists as a random number in the ELM Solutions reference database)
- Matter ID (which exists as a random number in the ELM Solutions reference database)
- Timekeeper's position (role) within the law firm (partner, associate, paralegal, etc.)
- Uniform Task-Based Management System Code Set, Task Codes, and Activity Codes (UTBMS.com)
- Date of service
- Hours billed
- Hourly rate billed
- Fees billed

Non-Invoice Information

To capture practice area details, the matter ID within each invoice was associated with matter profiles containing areas of work in the systems of each company. The areas of work were then systematically categorized into legal practice areas. Normalization of practice areas was done based on company mappings to system-level practice areas available in the ELM Solutions system and by naming convention.

The majority of analyses included in this report have been mapped to one of 12 practice areas, further divided into sub-areas and litigation/ non-litigation (for more information on practice areas and sub-areas, please refer to pages 163-165).

To capture location and jurisdiction details, law firms and timekeepers were systematically mapped to the existing profiles within ELM Solutions systems, as well as with publicly available data sources for further validation and normalization. Where city location information is provided, it includes any address within that city's defined Core-Based Statistical Area (CBSA) as defined by the Office of Management and Budget (OMB). The CBSAs are urban centers with populations of 10,000 or more and include all adjacent counties that are economically integrated with that urban center.

Where the analyses focus on partners, associates, and paralegals, the underlying data occasionally included some sub-roles, such as "senior partner" or "junior associate." In such instances, those timekeeper sub-roles were placed within the broader partner, associate, and paralegal segments.

Demographics regarding law firm size, location, and lawyer years of experience were augmented by incorporating publicly available information.

Appendix: Data Methodology

A Note on US Cities

Throughout the report, we have used city names to refer to CBSA and consistently used the principal city in the CBSA to refer to the entire area. The following are the shorthand city names used in this report and the corresponding CBSA designations, as defined by the OMB.

Principal City	CBSA Name
Akron, OH	Akron, OH
Albany, NY	Albany-Schenectady-Troy, NY
Albuquerque, NM	Albuquerque, NM
Atlanta, GA	Atlanta-Sandy Springs-Alpharetta, GA
Austin, TX	Austin-Round Rock-Georgetown, TX
Baltimore, MD	Baltimore-Columbia-Towson, MD
Baton Rouge, LA	Baton Rouge, LA
Birmingham, AL	Birmingham-Hoover, AL
Boise City, ID	Boise City, ID
Boston, MA	Boston-Cambridge-Newton, MA-NH
Bridgeport, CT	Bridgeport-Stamford-Norwalk, CT
Buffalo, NY	Buffalo-Cheektowaga, NY
Burlington, VT	Burlington-South Burlington, VT
Charleston, SC	Charleston-North Charleston, SC
Charleston, WV	Charleston, WV
Charlotte, NC	Charlotte-Concord-Gastonia, NC-SC
Chicago, IL	Chicago-Naperville-Elgin, IL-IN-WI
Cincinnati, OH	Cincinnati, OH-KY-IN
Cleveland, OH	Cleveland-Elyria, OH
Columbia, SC	Columbia, SC
Columbus, OH	Columbus, OH
Dallas, TX	Dallas-Fort Worth-Arlington, TX
Dayton, OH	Dayton-Kettering, OH
Denver, CO	Denver-Aurora-Lakewood, CO
Detroit, MI	Detroit-Warren-Dearborn, MI
Fresno, CA	Fresno, CA
Grand Rapids, MI	Grand Rapids-Kentwood, MI
Greenville, SC	Greenville-Anderson, SC
Harrisburg, PA	Harrisburg-Carlisle, PA
Hartford, CT	Hartford-East Hartford-Middletown, CT
Honolulu, HI	Urban Honolulu HI
Houston, TX	Houston-The Woodlands-Sugar Land, TX

Appendix: Data Methodology

A Note on US Cities

Principal City	CBSA Name
Indianapolis, IN	Indianapolis-Carmel-Anderson, IN
Jackson, MS	Jackson, MS
Jacksonville, FL	Jacksonville, FL
Kansas City, MO	Kansas City, MO-KS
Lafayette, LA	Lafayette, LA
Las Vegas, NV	Las Vegas-Henderson-Paradise, NV
Lexington, KY	Lexington-Fayette, KY
Little Rock, AR	Little Rock-North Little Rock-Conway, AR
Los Angeles, CA	Los Angeles-Long Beach-Anaheim, CA
Louisville, KY	Louisville/Jefferson County, KY-IN
Madison, WI	Madison, WI
Memphis, TN	Memphis-Forrest City, TN-MS-AR
Miami, FL	Miami-Fort Lauderdale-Pompano Beach, FL
Milwaukee, WI	Milwaukee-Waukesha, WI
Minneapolis, MN	Minneapolis-St. Paul-Bloomington, MN-WI
Nashville, TN	Nashville-Davidson-Murfreesboro-Franklin, TN
New Haven, CT	New Haven-Milford, CT
New Orleans, LA	New Orleans-Metairie, LA
New York, NY	New York-Newark-Jersey City, NY-NJ-PA
Oklahoma City, OK	Oklahoma City, OK
Omaha, NE	Omaha-Council Bluffs, NE-IA
Orlando, FL	Orlando-Kissimmee-Sanford, FL
Philadelphia, PA	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD
Phoenix, AZ	Phoenix-Mesa-Chandler, AZ
Pittsburgh, PA	Pittsburgh, PA
Portland, ME	Portland-South Portland, ME
Portland, OR	Portland-Vancouver-Hillsboro, OR-WA
Providence, RI	Providence-Warwick, RI-MA
Raleigh, NC	Raleigh-Cary, NC
Reno, NV	Reno-Carson City-Fernley, NV
Richmond, VA	Richmond, VA
Rochester, NY	Rochester, NY
Sacramento, CA	Sacramento-Roseville-Folsom, CA
Salt Lake City, UT	Salt Lake City, UT

Appendix: Data Methodology

A Note on US Cities

Principal City	CBSA Name
San Diego, CA	San Diego-Chula Vista-Carlsbad, CA
San Francisco, CA	San Francisco-Oakland-Berkeley, CA
San Jose, CA	San Jose-Sunnyvale-Santa Clara, CA
San Juan, PR	San Juan-Bayamon-Caguas, PR
Savannah, GA	Savannah, GA
Seattle, WA	Seattle-Tacoma-Bellevue, WA
St. Louis, MO	St. Louis, MO-IL
Syracuse, NY	Syracuse, NY
Tallahassee, FL	Tallahassee, FL
Tampa, FL	Tampa-St. Petersburg-Clearwater, FL
Toledo, OH	Toledo, OH
Trenton, NJ	Trenton-Princeton, NJ
Tulsa, OK	Tulsa, OK
Washington, DC	Washington-Arlington-Alexandria, DC-VA-MD-WV
Wheeling, WV	Wheeling, WV-OH

Appendix: Data Methodology

Anonymization of the Dataset

Prior to inclusion in the ELM Solutions reference database, we systematically scrubbed the data of any information that would identify a particular matter, company, law firm, invoice, or timekeeper (individual). To ensure relationships necessary for analysis, those variables were assigned randomly generated numbers. To maintain data integrity and allow for proper analysis, these numbers are linked across data tables to enforce their associations.

To further ensure anonymity and confidentiality:

- The information is published in such a manner as to make it reasonably impervious to reverse analysis should some attempt be made to determine what data might pertain to any company, law firm, timekeeper, invoice, or matter;
- The 2020 Mid-Year Real Rate Report will not reveal which ELM Solutions client or clients are included or excluded in its analyses;
- Clients are not and will not be informed as to whether their data are included within a particular facet of analysis; and
- No textual description of any legal work performed by any individual exists in the ELM Solutions reference database.

A Note on Insurance Litigation

Our aim is to provide a point of comparison for companies purchasing law firm services. To improve comparability, we removed data related to insurance company defense litigation for all analyses unless noted otherwise. Insurance litigation tends to be less expensive than other types of litigation, as it is typically more repetitive and less complex.

“Real Rate” Definition

The information in this report consists of data taken from client invoices submitted by law firms for work performed from 7/1/2017 through 6/30/2020. All Invoices were submitted through the ELM billing systems.

The analyses contained in this report are derived from aggregating hours, fees, and rates submitted as line items on those invoices. For a line item to qualify for inclusion in this report, it had to undergo multiple and rigorous testing processes to ensure its validity.

For example, for a rate to be loaded to the ELM Solutions reference database and used in this report, it must have been part of an invoice line entry in which all of the following items were included:

- Name of the biller
- Role of the biller
- Date of activity
- Hourly rate charged
- Time charged
- UTBMS code associated with the time charged
- Total amount charged for the activity

In addition, each line item’s hourly rate was validated against its “real rate” (calculated by dividing the total amount charged for the activity by the time charged). Any line items with an hourly rate that did not align closely with the real rate were not loaded to the reference database.

Real Rate = Line Item Total/Line Item Hours (Units) Example: \$4,000/10 Hours = Real Rate of \$400

Adjustments the client made to line item amounts subsequent to submission are not factored into the dataset. These types of adjustments may impact the effective rate paid by the client to the law firm but do not reflect the real rate billed.

Appendix: Data Methodology

In short, the real rate is the rate appearing on an approved invoice at the invoice line item level.

Aggregations of data taken from millions of these line item–level invoice entries are the core of the information analyzed.

A Note on Negotiated Rates and Billing

Practices law firms can generally follow vary for submitting “negotiated” rates on invoices. Firms may submit the negotiated rate as the hourly rate identified on the invoice line item, insert a vendor line item adjustment to ensure compliance, or provide a vendor invoice level adjustment to bring the total amount of the fees into compliance with agreed-on discounts. Although the former two are considered part of the real rate calculation, the latter can be problematic. It is not directly linked to a line item, and therefore, for the purposes of determining the rate, it should not be assumed that the adjustment is related to a specific line item. Invoice-level adjustments may represent a credit or some other type of adjustment placed on the invoice. To ensure these types of adjustments would not adversely impact the analysis contained within the 2020 Mid-Year Real Rate Report, the team reviewed the population of invoices and line items to determine what the deviation of the real rate might be based on inclusion or exclusion. The analysis demonstrated that the variance was not significant (less than 1%).

As such, we decided not to include the vendor-level adjustments in the report.

Types of Matters Included in the Analysis

Matters within the ELM Solutions system are associated with areas of work described and defined by ELM Solutions clients. Those areas of work were analyzed and systematically categorized into legal practice areas. Normalization of practice areas was supported by mappings to system-level practice areas available in the ELM Solutions system and by naming convention.

All data included within this report have been mapped to a corresponding practice area. The majority of our analyses focus on the following 12 practice areas:

- Bankruptcy and Collections
- Commercial
- Corporate
- Employment and Labor
- Environmental
- Finance and Securities
- General Liability
- Government Relations
- Insurance Defense
- Intellectual Property
- Marketing and Advertising
- Real Estate

Within each client’s areas of work, sub-areas are often identified. The lists that follow identify client areas of work and, within those areas, the sub-areas underneath each practice area. Often, the same sub-area appears within different practice areas. For example, the sub-area “General/Other” when listed under “Commercial and Contracts” refers to general work provided regarding Commercial and Contracts matters. When listed under the “Employment and Labor” practice area, the same sub-area refers to work provided on Employment and Labor. Where applicable and practicable, each area and sub-area has been further subdivided into litigation and non- litigation work for the purposes of granular analysis.

Bankruptcy and Collections

Chapter 11
Collections
General/Other
Workouts and Restructuring

Appendix: Data Methodology

Commercial (Commercial Transactions and Agreements)

Contract Breach or Dispute
General, Drafting, and Review
General/Other

Corporate¹

Antitrust and Competition	Partnerships and Joint Ventures
Corporate Development	Regulatory and Compliance
General/Other	Tax
Governance	Treasury
Information and Technology	White Collar/Fraud/Abuse
Mergers, Acquisitions, and Divestitures	

Employment and Labor

ADA	General/Other
Agreements	Immigration
Compensation and Benefits	Union Relations and Negotiations/NLRB
Discrimination, Retaliation, and Harassment/EEO	Wages, Tips, and Overtime
Employee Dishonesty/Misconduct	Wrongful Termination
ERISA	

Environmental

General/Other
Health and Safety
Superfund
Waste/Remediation

Finance and Securities

Commercial Loans and Financing	Investments and Other Financial Instruments
Debt/Equity Offerings	Loans and Financing
Fiduciary Services	SEC Filings and Financial Reporting
General/Other	Securities and Banking Regulations

General Liability

Asbestos/Mesothelioma	Personal Injury/Wrongful Death
Auto and Transportation	Premises
Consumer Related Claims	Product and Product Liability
Crime, Dishonesty and Fraud	Property Damage
General/Other	Toxic Tort

Government Relations

General/Other
Lobbying and Relations

¹ All references to "Corporate: General/Other" in the 2020 Mid-Year Real Rate Report are the aggregation of all Corporate subareas excluding the Mergers, Acquisitions, and Divestitures sub-area and the Regulatory and Compliance sub-area.

Appendix: Data Methodology

Insurance Defense

Auto and Transportation
General/Other
Personal Injury/Wrongful Death
Product and Product Liability
Professional Liability
Property Damage
Toxic Tort

Intellectual Property²

General/Other
Licensing
Patents
Trademarks

Marketing and Advertising

General/Other

Real Estate

Construction/Development
Easement and Right of Way
General/Other
Land Use/Zoning/Restrictive Covenants
Landlord/Tenant Issues
Leasing
Property/Land Acquisition or Disposition
Titles

² All references to “Intellectual Property: General/Other” in the 2020 Mid-Year Real Rate Report are the aggregation of all Intellectual Property sub-areas excluding the Patents and Trademarks sub-areas.

About Wolters Kluwer's ELM Solutions

Wolters Kluwer's ELM Solutions is the market-leading global provider of enterprise legal spend and matter management, contract lifecycle management, and legal analytics solutions. We provide a comprehensive suite of tools that address the growing needs of corporate legal operations departments to increase operational efficiency and reduce costs. Corporate legal and insurance claims departments trust our innovative technology and end-to-end customer experience to drive world-class business outcomes. Wolters Kluwer's ELM Solutions was named a leader in both the IDC MarketScape: Worldwide Enterprise Legal Spend Management 2020 Vendor Assessment and IDC MarketScape: Worldwide Enterprise Matter Management 2020 Vendor Assessment. The award-winning products include Passport®, the highest-rated ELM solution in the latest Hyperion MarketView™ Legal Market Intelligence Report; TyMetrix® 360°, the industry's leading SaaS-based e-billing and matter management solution; CLM Matrix, named a "strong performer" in the 2019 Q1 CLM Forrester Wave report; and the LegalVIEW® portfolio of legal analytics solutions based upon the industry's largest and most comprehensive legal spend database, with more than \$140 billion in invoices.