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Attorneys for Plaintiffs

[additional counsel on the following page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

DEANDRE PIERCE, on behalf of himself, all others similarly situated, and on behalf of the general public,

Plaintiffs,

v.

QUALITY DRIVE AWAY, INC.; and DOES 1-100,

Defendants.

DEON GENTRY and DEON GENTRY, JR., as individuals and on behalf of all other Aggrieved Employees,

Plaintiffs,

v.

QUALITY DRIVE AWAY, INC., an Indiana corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No. CIVSB2313410

[Consolidated with Case No. CIVSB2322025]

[Assigned for all purposes to Hon. Joseph T. Ortiz, Dept. S17]

DECLARATION OF DAVID MARA, ESQ. IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT

Judge: Honorable Joseph T. Ortiz
Dept: S17
Date: December 15, 2026
Time: 1:30 p.m.

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiffs

I DAVID MARA, hereby declare under penalty of perjury as follows:

1. I am President of Mara Law Firm, PC, and counsel of record for Plaintiffs and the putative class in this matter. I am duly admitted to practice before all the courts of the state of California. The following facts are within my personal knowledge and, if called to testify, I could and would competently testify thereto.
2. I graduated from California Western School of Law and was admitted to practice law in California in May 2004.
3. I extensively handle employment cases which involve violations of the California Labor Code and Industrial Welfare Commission Wage Orders, such as wage and hour class actions and cases alleging violations of the Private Attorneys General Act of 2004 ("PAGA").
4. I was co-class counsel in *Hohnbaum v. Brinker Restaurant Corp.* (San Diego County Superior Court, Case No. GIC834348) which was the underlying case in the California Supreme Court's landmark decision in *Brinker Restaurant Corp. v. Superior Court* (2012) 53 Cal.4th 1004, in which the California Supreme Court delineated the scope of employer obligations to provide, and employee rights to receive, meal and rest periods under California law.
5. I previously authored Amicus Curiae briefs on behalf of Consumer Attorneys of California ("CAOC"). For example, I authored the Amicus Curiae briefs on behalf of CAOC in *Augustus v. ABM Security Services, Inc.* (2016) 2 Cal.5th 257, (The California Supreme Court ruling that, like meal periods, employers must relieve employees of all duty and relinquish all control to satisfactorily discharge its obligation to authorize and permit rest periods.); *Frlekin v. Apple, Inc.* (2020) 8 Cal.5th 1038 (The California Supreme Court ruling that the time spent on the employer's premises waiting for, and undergoing, required exit searches of packages, bags, or personal technology devices voluntarily brought to work is compensable hours worked within the meaning of the Wage Orders.); *Oliver v. Superior Court* (2021) California Court of Appeal Case No. H049185 (A brief asking the California Court of Appeal for the Sixth Appellate District to determine whether mandatory drive time of personal vehicles should be considered hours worked within the meaning of the Wage Orders' suffered or permitted test.). *Davidson v. O'Reilly Auto Enterprises, LLC* (9th Cir., 2020; Docket No. 18-56188) (a brief seeking Review

En Banc of an order denying class certification in a wage and hour matter).

6. I have also lectured as a panelist for California Employment Lawyers Association regarding a host of wage and hour issues.

7. My firm has been granted class certification in both state and federal courts.

8. I have been named as class counsel in a number of wage and hour class actions in which the Court granted the plaintiff's motion for class certification. For example, my firm has been named class counsel: *Mario Norona v. B&G Delivery System, Inc.* (Sacramento County Superior Court, Case No. 34-2015-00186826-CU-OE-GDS); *Jerald Schroeder v. YRC, Inc.; et al.* (Central District of California, Case No. 12-cv-01374-TJH); *John Martin v. Sysco Corporation, et al.* (Eastern District of California, Case No. 1:16-cv-00990-DAD-SAB); *William Smith v. Werner Enterprises, Inc. d/b/a C.L. Werner, Inc.* (District of Nebraska, Case No. 8:15-cv-287); *Thomas Perez v. City of San Diego* (San Diego County Superior Court, Case No. 37-2014-00016621-CU-OE-CTL); *Eric Mendez v. M&N Consulting, Inc. dba A-Line Messenger Service* (San Bernardino County Superior Court, Case No. CIVDS1923624); *Denson Sales v. Professional Auto Transport, Inc. et al.* (San Bernardino County Superior Court, Case No. CIVDS2010153); *Sonny Williams v. Hansen and Adkins Auto Transport, Inc.; et al.* (San Bernardino County Superior Court, Case No. CIVDS2020832); *Bobby Williams v. Mohsen Transport, Inc.* (San Diego County Superior Court, Case No. 37-2019-00063361-CU-OE-CTL); and *Ashton Harden vs. Mushiana Transport Inc.* (Sacramento County Superior Court, Case No. 34-2021-00301950-CU-OE-GDS).

9. I am also plaintiff's counsel in a host of other class actions involving violations of California's wage and hour laws. For example, I have been and am involved as counsel for plaintiff in the following sampling of class action cases involving wage and hour violations under California law: *Alton Davis v. Apria Healthcare Group, Inc.* (San Diego County Superior Court, Case No. 37-2014-00004724-CU-OE-CTL); *Terrance Bailey v. Blue Apron, LLC; et al.* (Northern District of California, Case No. 18-cv-07000-VC); *Moises Hernandez v. Pasha Distribution Services LLC et al.* (Alameda County Superior Court, Case No. RG21113722); *Keith Davis v. Walnut LLC* (Los Angeles County Superior Court, Case No. 20STCV34519); *Simon Munoz v.*

RDO Equipment Co. (Eastern District of California, Case No. 23-cv-00979); *Paul Garcia et al. v. Haralambos Beverage Co.* (Los Angeles County Superior Court, Case No. BC660723); *Brett Kelly v. Conrad Wood Preserving Co.* (Stanislaus County Superior Court, Case No. CV-23-003516); *Robert Mark-Waterhouse v. DOT Transportation, Inc. et al.* (Stanislaus County Superior Court, Case No. CV-22-004102); *James Queen v. Sorenson Communications, LLC* (San Diego County Superior Court, Case No. 37-2023-00016623-CU-OE-CTL); *Marichu Jeffries v. The Meadows at Country Place, LLC* (Sacramento County Superior Court, Case No. 23CV003530); *Michael Valentich v. Hub Construction Specialties, Inc.* (San Bernardino County Superior Court, Case No. JCCPDS4893); *Jose De Jesus Ortega Velazquez v. Hunter Landscape, Inc.; et al.* (San Bernardino County Superior Court, Case No. CIVDS1928062); *Larry Perez v. The Nielsen Company (US), LLC* (Orange County Superior Court, Case No. 30-2021-01194324-CU-OE-CXC); *Erik Martinez v. Patrick Industries, Inc.* (San Bernardino County Superior Court, Case No. CIVDS2009663); *Randolph Fitch v. Shaw Industries, Inc.; et al.* (San Bernardino County Superior Court, Case No. CIVSB2024674); and *Aaron Romero v. Vitro Flat Glass, LLC* (Kern County Superior Court, Case No. BCV-21-101357).

10. Class Counsel Mara Law Firm PC, Lidman Law APC, and Haines Law Group, APC apply for an award of attorneys' fees in the sum of $700,000 (35% of the GSA) and total litigation costs not to exceed $60,000. Mara Law Firm, PC's litigation costs to date are $22,147.51.

11. Class Counsel's request for 35% of the Gross Settlement Amount, or $700,000, is fair and reasonable, as all of the work and tasks performed by Class Counsel were reasonable and necessary to the prosecution of this case and are reflected in the results achieved. As discussed further below, this case was particularly complex and heavily litigated and required significant attorney skill and effort.

12. From its inception, this case has been heavily litigated and has required a significant amount of time and labor. Notably, Plaintiffs filed a motion for class certification in this matter, which required substantial discovery, significant research and investigation, and expert analysis, amongst other things. Plaintiffs litigated this case such that they were able to fully brief the class certification issue; the Parties agreed to attend a second mediation only after

Defendant filed its opposition to class certification, as Plaintiffs were preparing to file their Reply. As alluded to, prior to moving for class certification the Parties had to engage in substantial litigation efforts. Both Parties propounded and responded to formal discovery, such that both parties were prepared to fully brief the issues for class certification. Critically, Plaintiffs took the deposition of Defendant's Person Most Qualified witness, William James Martin and retained an expert in this matter as part of its filing of a Motion for Class Certification. Likewise, Defendant took, and Class Counsel had to defend, the Depositions of Plaintiff Deandre Pierce and Plaintiff Deon Gentry Jr. Class Counsel also had to expend significant time and effort investigating and analyzing the thousands of documents produced in discovery, including driver contracts, time and activity records, hours of service log books, driver payroll and wage records, driver handbooks, driver training and onboarding materials, and other policies relating to drivers. Moreover, Defendant produced a class list after completing a Belaire West notice procedure. Plaintiffs engaged in substantial communications with class members after receiving this list. Further, Class Counsel prepared for and attended two full-day mediations in this matter.

13. So often, lawyers unskilled in the class action aspect of wage and hour cases do not pay attention to or put the work into how the evidence must be presented for class-wide adjudication. Strong class-wide cases perish in the hands of inexperienced counsel because the case has not been worked up to succeed at certification. Class Counsel here has considerable experience in class litigation and, from the beginning of the case, is marshalling the evidence with a sharp focus on class-wide proof needed for the matter to get certified. This case was no different. This filtering of voluminous evidence into class-wide proof while keeping an eye on the merits of the litigation required a considerable amount of attorney time and skill. Again, Class Counsel had to engage in considerable discovery efforts to obtain the necessary discovery here. Class Counsel had to analyze thousands of documents, take the depositions Defendant's PMQ witness, retain experts, and speak to numerous class members ahead of certification. Ultimately, through this time, effort, and skill, Class Counsel was able to fully brief the class certification issues.

14. Notably, all services were performed by Class Counsel on a contingent basis and were reasonable and necessary for the case.

15. Mara Law Firm, PC has worked 421 hours to date on this case and have calculated the lodestar fee on those hours at $293,050 at rates reflecting those currently earned in the marketplace.

16. Mara Law Firm, PC's hourly rates are between $400 and $850 and are in line with rates typically approved in wage and hour class action litigation and which rates have been approved by Courts in California in the Los Angeles, Sacramento, San Francisco, Alameda, Orange and San Diego County Superior Courts.

17. I devoted 277 hours to this case. The following is a summary of my tasks and activities performed in the litigation of this matter: research into Defendant; conducting intake; reviewing and revising initial complaint; reviewing and revising First Amended Complaint; researching and investigating related cases; researching and investigating legal issues throughout case; interoffice discussions throughout case; discussions with Plaintiff; discussions with co-counsel; discussion with Defendant's counsel throughout the case; drafting, reviewing, and revising motion to remand; drafting, reviewing, and revising discovery; analyzing discovery responses; meeting and conferring over discovery; drafting, reviewing, and revising informal discovery conference statements; preparing discovery responses; investigating Defendant's pay-structures and policies for its drivers; reviewing and analyzing the thousands of documents and data produced by Defendant, including driver contracts, time and activity records, hours of service log books, driver payroll and wage records, driver handbooks, driver training and onboarding materials, and other policies relating to drivers; creating document summary; analyzing the Class Member records; preparing for and attending depositions of Defendant's PMQ William James Martin; preparing for and defending Deposition of Plaintiff Deon Gentry Jr.; preparing for and defending Deposition of Plaintiff Deandre Pierce; analyzing and reviewing deposition transcripts; preparing for class certification and researching legal issues; speaking with class members; drafting, reviewing, and revising motion for class certification and supporting

documents; drafting declaration in support of class certification; reviewing and analyzing Defendants opposition to class certification; researching legal issues, preparing, and drafting reply in support of class certification; preparing for and attending two different mediations; drafting, reviewing, and revising mediation briefs and mediation damage and exposure models; reviewing, revising, and negotiating settlement agreement; drafting, reviewing and revising documents in support of preliminary approval; drafting declaration in support of preliminary approval; drafting declaration in support of final approval; and reviewing and revising final approval motion and supporting documents.

18. My hourly rate is $850. Based on my hourly rate and the hours expended, 277, my fee is $235,450, which is reasonable and necessary to the successful litigation of this matter.

19. Carter Cordura is an associate at Mara Law Firm, PC. He extensively handles wage and hour class actions and PAGA actions. Mr. Cordura graduated cum laude from the University of San Diego School of Law and was admitted to practice law in California in December 2024 and received his undergraduate degree from the California State University of San Bernardino in 2020.

20. Mr. Cordura oversees all aspects of the cases assigned to him. Mr. Cordura routinely writes and opposes motions and argues at hearings. Mr. Cordura drafts discovery propounded on employers; communicates with clients; communicates with class members; communicates with co-counsel; communicates with defense counsel; drafts and revises notices to the Labor and Workforce Development Agency pursuant to the Private Attorneys General Act of 2004; creates exhibits for use in cases; reviews documents produced by employers; attends mediations; drafts, reviews, and revises settlement agreements; drafts, reviews, and revises settlement approval motions; argues at hearings on settlement motions; and oversees all day to day work in his cases.

21. Here is a non-exhaustive list of wage and hour class action and PAGA cases in which Mr. Cordura has been substantially involved in: *Boyd v. Cogent Infotech Corporation* (San Bernardino County Superior Court, Case No. CIVSB2409307); *Mendoza v. Elite Fuels Transportation* (San Bernardino County Superior Court, Case No. CIVSB2427100); *Foster*

v. Foster Farms LLC, et al. (Fresno County Superior Court, Case No. 21JCCP05166); *Garcia v. Haralambos Beverage Co.* (Los Angeles County Superior Court, Case No. BC660723); *Langarcia v. Morris Levin & Son* (Kern County Superior Court, Case No. BCV-23-102218 DRZ); *Smith v. North American Video Corporation* (Orange County Superior Court, Case No. 30-2022-01277262-CU-OE-CXC); *Valencia v. Royal Oak Ag Services, Inc.* (Kern County Superior Court, Case No. BCV-24-104012); *Martinez v. Tim Hofer, Inc., et al.* (Kern County Superior Court, Case No. BCV-24-101779); *Samuels v. WIS International, Inc., et al.* (Sacramento County Superior Court, Case No. 23CV012186); and *Garcia v. Valley Diners LLC* (Merced County Superior Court, Case No. 24CV-05273).

22. As of the date of this filing, Mr. Cordura has devoted 144 hours to this case. The following is a summary of his tasks and activities performed in the litigation of this matter: researching and investigating legal issues throughout case; interoffice discussions throughout case; discussions with Plaintiff; discussions with co-counsel; discussion with Defendant's counsel throughout the case; analyzing discovery responses; investigating Defendant's pay-structures and policies for its drivers; reviewing and analyzing the thousands of documents and data produced by Defendant, including driver contracts, time and activity records, hours of service log books, driver payroll and wage records, driver handbooks, driver training and onboarding materials, and other policies relating to drivers; creating document summary; analyzing the Class Member records; reviewing and analyzing the deposition transcript of Defendant's PMQ William James Martin; assist in preparing for and attending Deposition of Plaintiff Deon Gentry Jr.; assist in preparing for and attending Deposition of Plaintiff Deandre Pierce; analyzing and reviewing deposition transcripts of Plaintiff Deon Gentry Jr. and Plaintiff Deandre Pierce; preparing for class certification and researching legal issues; reviewing, compiling, and preparing documents ahead of class certification; assist in drafting motion for class certification; preparing exhibits and supporting documents for class certification; reviewing and analyzing Defendant's opposition to class certification; researching legal issues and assist in preparing for reply in support of class certification; preparing for and attending mediation; assist in drafting mediation brief and mediation damage and exposure model; assist in drafting settlement agreement; drafting motion for

preliminary approval and supporting documents; attending preliminary approval hearing; reviewing weekly reports and all other correspondence from the settlement administrator; communicating with settlement administrator regarding notice procedure; assist in drafting, reviewing, and revising final approval motion; assist in drafting, reviewing, and revising supporting documents for final approval; assist in preparing exhibits for final approval

23. Mr. Cordura's hourly rate is $400. Based on his hourly rate and the hours expended 144, his lodestar fee is $57,600, which was reasonable and necessary to the successful litigation of this matter.
24. Mara Law Firm, PC's total lodestar amount so far is $293,050 based on 421 hours of attorney time, all of which was reasonable and necessary to the successful litigation of this matter.
25. In addition, Mara Law Firm, PC's portion of the litigation costs is $22,147.51. These costs were all reasonable and necessary to the prosecution of this case and are fair and reasonable.
26. A Summary of Time and Costs is attached hereto as **Exhibit 1**.
27. A true and correct copy of the Westlaw Court's Express's Legal Billing Report, Volume 14, Number 3, California Region for December 2012 is attached as **Exhibit 2.**
28. A true and correct copy of the Declaration of Richard M. Pearl in *Hohnbaum v. Brinker Restaurant Corp*. SDSC GIC834348 is attached as **Exhibit 3.**
29. A true and correct copy of the 2012 National Law Journal Survey of Hourly Billing Rates for Partners and Associates is attached as **Exhibit 4.**

I declare under penalty of perjury under the laws of the State of California that all the foregoing is true and correct.

Dated: November 9, 2026

MARA LAW FIRM, PC

David Mara, Esq.

Exhibit 1

MARA LAW FIRM, PC, SUMMARY OF TIME AND COSTS

Deandre Pierce and Deon Gentry Jr. v. Quality Drive Away, Inc.
San Bernardino County Superior Court, Case Number CIVSB2313410

Total Attorneys' Hours: 421
Total Lodestar Fees: $293,050
Total Litigation Expenses: $22,147.51

ATTORNEYS	YEAR ADMITTED	HOURS	HOURLY RATE	TOTAL
MARA LAW FIRM, PC				
David Mara, Esq.	2004	277	$850	$235,450
Carter Cordura, Esq.	2024	144	$400	$57,600
			TOTAL:	**$293,050**

LITIGATION EXPENSES	
MARA LAW FIRM, PC	$22,147.51
TOTAL COSTS	**$22,147.51**

Exhibit 2

Westlaw Court Express

LEGAL BILLING REPORT

VOLUME 14, NUMBER 3

December 2012

CA REGION

BY REGION, BY FIRM

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Loeb & Loeb	4
Pachulski Stang Ziehl Young Jones & Weintraub	4-5
Paul Hastings LLP	5
Seyfarth Shaw LLP	5
Sidley Austin LLP	6
Tory's LLP	7

California Report

FIRM			GRADUATED	ADMITTED	STATE	RATE	HOURS		TOTAL
Akin Gump Strauss Hauer & Feld LLP									
Partner	David P. Simonds		1993	1993	CA	$ 825.00	8.10	$	6,682.50
Senior Counsel	Edward P. Christian		1995	1995	CA	725.00	2.60		1,885.00
		TOTAL					10.70	$	8,567.50
DLA Piper LLP									
Partner	Nate McKitterick		1989	1989	CA	$ 790.00	0.60	$	474.00
Partner	Richard Yankwich		1979	1979	CA	780.00	39.40		30,732.00
Partner	Ann Lawrence		1999	2000	GA	755.00	90.30		68,176.50
Partner	Heather Dunn		2000	2000	CA	705.00	1.30		916.50
Partner	Jeffrey D. Aaronson		1998	1996	CA	650.00	12.70		8,255.00
Of Counsel	Ben Gipson		2002	2002	CA	640.00	3.10		1,984.00
Associate	Bertrand Pan		2004	2004	CA	630.00	170.00		107,100.00
Associate	Diana M. Meltzer		2008	2008	CA	510.00	67.00		34,170.00
Associate	Natasha Hsieh		2011	2011	CA	470.00	1.80		846.00
Associate	Tina Bhanshali		2000	2000	CA	400.00	4.10		1,640.00
		TOTAL					390.30	$	254,294.00
Gibson Dunn & Crutcher, LLP									
Associate	Virginie Fitt		2010	2010	CA	$ 445.00	18.20	$	8,544.00
Associate	Matthew Bousleg		2011	2011	CA	395.00	12.60		4,977.00
		TOTAL					31.80	$	13,521.00

U.S.B.C New York Southern
Pinnacle Airlines Corp(12-11343 (REG))

From the fee application covering
July 1, 2012 through October 31, 2012

NLJ Ranking: 40
Firm Size: 791

U.S.B.C Delaware
Trident Microsystems, Inc.(12-10069 (CSS))

From the fee application covering
October 1, 2012 through October 31, 2012

NLJ Ranking: 2
Firm Size: 3,345

U.S.B.C New York Southern
Lightsquared, Inc(12-12080 SCC)

From the fee application covering
October 1, 2012 through October 31, 2012

NLJ Ranking: 21
Firm Size: 1,039

California Report

FIRM		GRADUATED	ADMITTED	STATE	RATE	HOURS	TOTAL
Kornfield, Nyberg, Bendes & Kuhner, P.C.							
Partner	Eric A. Nyberg	1987	1987	CA	$ 425.00	16.90	$ 7,182.50
Paraprofessional	Nancy L. Nyberg				90.00	0.30	24.00
	TOTAL					17.20	$ 7,206.50
Loeb & Loeb							
Partner	Lance N. Jurich	1987	1987	CA	$ 695.00	1.90	$ 1,320.50
Partner	Christopher W. Campbell	1999	2000	CA	650.00	46.20	30,030.00
Associate	Ryan M. Austin	2007	2007	CA	550.00	122.30	67,265.00
Associate	Jeanne C. Wanlass	1993	1993	CA	435.00	18.20	7,917.00
Paraprofessional	S. Steadman				260.00	0.20	52.00
	TOTAL					168.80	$ 106,584.50
Pachulski Stang Ziehl Young Jones & Weintraub							
Of Counsel	James K. T. Hunter	1976	1976	CA	$ 745.00	0.10	$ 74.50
Partner	Samuel R. Maizel	1995	1995	CA	725.00	40.90	29,652.50
Of Counsel	Jeffrey Kandel	1984	1984	CA	615.00	0.50	307.50
Partner	Mahar S. Pagay	1994	1997	CA	615.00	1.80	1,107.00
Partner	Scotta McFarland	1980	1980	CA	615.00	47.80	29,397.00
Of Counsel	Mary Lane	1976	1976	CA	595.00	3.80	2,261.00
Partner	Nina Hong	1995	1995	CA	595.00	0.50	297.50
Associate	Teddy M. Kapur	2004	2006	CA	495.00	8.40	4,158.00
Library	Leslie A. Forrester				295.00	1.10	324.50
Paraprofessional	Felice Harrison				275.00	23.00	6,325.00
	TOTAL					127.90	$ 73,904.50

U.S.B.C California Northern
Howrey LLP(11-31378-DM)

From the fee application covering
August 1, 2012 through August 31, 2012

NLJ Ranking: n/a
Firm Size: 3

U.S.B.C California Central
American Medical Technologies(8:12-12339-MW)

From the fee application covering
July 1, 2012 to September 30, 2012

NLJ Ranking: 144
Firm Size: 301

U.S.B.C California Central
American Medical Technologies(8:12-12339-MW)

From the fee application covering
July 1, 2012 to July 31, 2012

NLJ Ranking: n/a
Firm Size: 55

California Report

FIRM		GRADUATED	ADMITTED	STATE	RATE	HOURS	TOTAL
Pachulski Stang Ziehl Young Jones & Weintraub							
Partner	Richard M. Pachulski	1979	1979	CA	$ 975.00	0.80	$ 780.00
Partner	Ira D. Kharasch	1982	1983	CA	875.00	12.80	11,200.00
Of Counsel	James K. T. Hunter	1978	1976	CA	745.00	4.00	2,980.00
Partner	John D. Fiero	1988	1988	CA	745.00	50.80	37,846.00
Partner	Bruce Grohsgal	1983	1984	CA	725.00	11.10	8,047.50
Of Counsel	Harry Hochman	1987	1987	CA	675.00	15.50	10,462.50
Of Counsel	Gabrielle Rohwer	1997	1997	CA	595.00	5.20	3,094.00
Of Counsel	William Ramseyer	1980	1980	CA	575.00	4.30	2,472.50
Associate	John W. Lucas	2004	2010	CA	525.00	31.00	16,275.00
Paraprofessional	Patricia Cuniff				265.00	2.50	662.50
Paraprofessional	Louise Tuschak				265.00	7.70	2,040.50
Paraprofessional	Cheryl A. Knotts				265.00	1.00	265.00
Case Managemen	Sheryle Pitman				185.00	5.40	999.00
Case Managemen	Dina K. Whaley				185.00	0.40	74.00
	TOTAL					152.50	$ 97,158.50
Paul Hastings LLP							
Partner	J. Al. Latham Jr.	1976	1976	CA	$ 840.00	15.80	$ 13,272.00
Of Counsel	Jennifer S. Baldocchi	1993	1993	CA	755.00	152.40	115,062.00
Associate	Melinda A. Gordon	2005	2006	CA	615.00	31.10	19,126.50
Associate	Robert E. Zuyer	2007	2008	CA	575.00	181.70	104,477.50
Associate	Lisa M. Peez	2009	2009	CA	485.00	87.10	42,243.50
Associate	Ji Hae Kim	2010	2010	CA	385.00	97.00	37,345.00
Associate	Mario C. Ortega	2010	2010	CA	385.00	160.20	61,677.00
	TOTAL					725.30	$ 393,203.50
Seyfarth Shaw LLP							
Counsel	Ellen Sueda	1996	1996	CA	$ 560.00	2.40	$ 1,832.00
Partner	Colleen M Regan	1985	1985	CA	620.00	1.50	930.00
Counsel	Holger Besch	1997	1997	CA	540.00	56.60	30,564.00
	TOTAL					60.50	$ 33,126.00

U.S.B.C Delaware
Trident Microsystems, Inc.(12-10069 (CSS))

From the fee application covering
September 1, 2012 through September 30, 2012

NLJ Ranking: n/a
Firm Size: 55

U.S.B.C New York Southern
AMR Corporation(11-15463 (SHL))

From the fee application covering
July 1, 2012 through July 31, 2012

NLJ Ranking: 30
Firm Size: 851

U.S.B.C New York Southern
Grubb & Ellis Company (12-10685 MG)

From the fee application covering
July 2, 2012 through October 31, 2012

NLJ Ranking: 50
Firm Size: 733

California Report

FIRM			GRADUATED	ADMITTED	STATE	RATE	HOURS		TOTAL
Sidley Austin LLP									
	Partner	Max C. Fischer	1995	1995	CA	$ 675.00	18.10	$	12,217.50
	Associate	Michael T. Gustafson	2010	2010	CA	450.00	117.90		53,055.00
	Associate	Francis S. Lam	2011	2011	CA	355.00	41.00		14,555.00
		TOTAL					177.00	$	79,827.50

U.S.B.C Delaware
Tribune Company, et al., (08-13141 (KJC))

From the fee application covering
September 1, 2012 through September 30, 2012

NLJ Ranking: 10
Firm Size: 1,592

Torys LLP									
	Partner	John Cameron	1983	1983	CA	$ 995.00	5.50	$	5,472.50
	Partner	Sheila Block	1974	1974	CA	995.00	0.40		398.00
	Partner	Michael Rotszlain	1977	1977	CA	810.00	0.50		405.00
	Associate	Jessica Bullock	2008	2008	CA	695.00	21.10		14,664.50
	Associate	Adam Slavens	2007	2007	CA	565.00	110.00		62,150.00
	Associate	Matthew Atkey	2008	2008	CA	500.00	0.50		250.00
	Library	Clare Mauro				355.00	0.80		284.00
	Law Clerk	Bradley Tarlick				305.00	43.90		13,389.50
	Paraprofessional	Dianne Ralph				260.00	28.20		7,332.00
		TOTAL					210.90	$	104,345.50

U.S.B.C Delaware
Nortel Networks Inc.(09-10138)

From the fee application covering
August 1, 2012 through October 31, 2012

NLJ Ranking: n/a
Firm Size: 236

Westlaw Court Express

LEGAL BILLING REPORT

VOLUME 14, NUMBER 3

December 2012

CA REGION

BY BILLING RATE

California Rate Report

	PROFESSIONAL	FIRM	GRADUATED	ADMITTED	STATE	RATE	HOURS	TOTAL
Partner	John Cameron	Torys LLP	1983	1983	CA	$ 995.00	5.50	$ 5,472.50
Partner	Sheila Block	Torys LLP	1974	1974	CA	995.00	0.40	398.00
Partner	Richard M. Pachulski	Pachulski Stang Ziehl Young Jones & Weintraub	1979	1979	CA	975.00	0.80	780.00
Partner	Ira D. Kharasch	Pachulski Stang Ziehl Young Jones & Weintraub	1982	1983	CA	875.00	12.80	11,200.00
Partner	J. Al. Latham Jr.	Paul Hastings LLP	1976	1976	CA	840.00	15.80	13,272.00
Partner	David P. Simonds	Akin Gump Strauss Hauer & Feld LLP	1993	1993	CA	825.00	9.10	6,682.50
Partner	Michael Rotszlain	Torys LLP	1977	1977	CA	810.00	0.50	405.00
Partner	Nate McKitterick	DLA Piper LLP	1989	1989	CA	790.00	0.60	474.00
Partner	Richard Yankwich	DLA Piper LLP	1979	1979	CA	780.00	39.40	30,732.00
Partner	Ana Lawrence	DLA Piper LLP	1999	2000	CA	755.00	90.30	68,176.50
Of Counsel	Jennifer S. Baldocchi	Paul Hastings LLP	1993	1993	CA	755.00	152.40	115,062.00
Of Counsel	James K.T. Hunter	Pachulski Stang Ziehl Young Jones & Weintraub	1976	1976	CA	745.00	0.10	74.50
Of Counsel	James K.T. Hunter	Pachulski Stang Ziehl Young Jones & Weintraub	1976	1976	CA	745.00	4.00	2,980.00
Partner	John D. Fiero	Pachulski Stang Ziehl Young Jones & Weintraub	1999	1986	CA	745.00	50.80	37,846.00
Senior Counsel	Edward P. Christian	Akin Gump Strauss Hauer & Feld LLP	1995	1995	CA	725.00	2.60	1,885.00
Partner	Samuel R. Maizel	Pachulski Stang Ziehl Young Jones & Weintraub	1985	1985	CA	725.00	40.90	29,652.50
Partner	Bruce Grohsgal	Pachulski Stang Ziehl Young Jones & Weintraub	1983	1984	CA	725.00	11.10	8,047.50
Partner	Heather Dunn	DLA Piper LLP	2000	2000	CA	705.00	1.30	916.50
Partner	Lance N. Jurich	Loeb & Loeb	1987	1987	CA	695.00	1.90	1,320.50
Associate	Jessica Bullock	Torys LLP	2008	2008	CA	695.00	21.10	14,664.50
Counsel	Ellen Sueda	Seyfarth Shaw LLP	1998	1996	CA	680.00	2.40	1,632.00
Of Counsel	Henry Hochman	Pachulski Stang Ziehl Young Jones & Weintraub	1987	1987	CA	675.00	15.50	10,462.50
Partner	Max C. Fischer	Sidley Austin LLP	1995	1995	CA	675.00	18.10	12,217.50
Partner	Jeffrey D. Aaronson	DLA Piper LLP	1998	1996	CA	650.00	12.70	8,255.00
Partner	Christopher W. Campbell	Loeb & Loeb	1999	2000	CA	650.00	46.20	30,030.00
Of Counsel	Ben Gipson	DLA Piper LLP	2002	2002	CA	640.00	3.10	1,984.00
Associate	Bertrand Pan	DLA Piper LLP	2004	2004	CA	630.00	170.00	107,100.00
Partner	Colleen M Regan	Seyfarth Shaw LLP	1985	1985	CA	620.00	1.50	930.00
Of Counsel	Jeffrey Kandel	Pachulski Stang Ziehl Young Jones & Weintraub	1984	1984	CA	615.00	0.50	307.50
Partner	Mahar S. Pagay	Pachulski Stang Ziehl Young Jones & Weintraub	1994	1997	CA	615.00	1.80	1,107.00
Partner	Scotta McFarland	Pachulski Stang Ziehl Young Jones & Weintraub	1980	1980	CA	615.00	47.80	29,397.00
Associate	Melinda A. Gordon	Paul Hastings LLP	2006	2006	CA	615.00	31.10	19,126.50
Of Counsel	Mary Lane	Pachulski Stang Ziehl Young Jones & Weintraub	1976	1976	CA	595.00	3.80	2,261.00
Partner	Nina Hong	Pachulski Stang Ziehl Young Jones & Weintraub	1995	1996	CA	595.00	0.50	297.50
Of Counsel	Gabrielle Rohwer	Pachulski Stang Ziehl Young Jones & Weintraub	1997	1997	CA	595.00	5.20	3,094.00

California Rate Report

	PROFESSIONAL	FIRM	GRADUATED	ADMITTED	STATE	RATE	HOURS	TOTAL
Of Counsel	William Ramseyer	Pachulski Stang Ziehl Young Jones & Weintraub	1980	1980	CA	$ 575.00	4.30	$ 2,472.50
Associate	Robert E. Ziver	Paul Hastings LLP	2007	2008	CA	575.00	181.70	104,477.50
Associate	Adam Stevens	Torys LLP	2007	2007	CA	565.00	110.00	62,150.00
Associate	Ryan M. Austin	Loeb & Loeb	2007	2007	CA	550.00	122.30	67,265.00
Counsel	Holger Besch	Seyfarth Shaw LLP	1997	1997	CA	540.00	56.60	30,564.00
Associate	John W. Lucas	Pachulski Stang Ziehl Young Jones & Weintraub	2004	2010	CA	525.00	31.00	16,275.00
Associate	Diana M. Maltzer	DLA Piper LLP	2008	2008	CA	510.00	67.00	34,170.00
Associate	Matthew Atkey	Torys LLP	2008	2008	CA	500.00	0.50	250.00
Associate	Teddy M. Kapur	Pachulski Stang Ziehl Young Jones & Weintraub	2004	2006	CA	495.00	8.40	4,158.00
Associate	Lisa M. Paez	Paul Hastings LLP	2009	2009	CA	485.00	87.10	42,243.50
Associate	Natasha Hsieh	DLA Piper LLP	2011	2011	CA	470.00	1.80	846.00
Associate	Michael T. Gustafson	Sidley Austin LLP	2010	2010	CA	450.00	117.90	53,055.00
Associate	Virginia Fitt	Gibson Dunn & Crutcher, LLP	2010	2010	CA	445.00	19.20	8,544.00
Associate	Jeanne C. Wanlass	Loeb & Loeb	1993	1993	CA	435.00	18.20	7,917.00
Partner	Eric A. Nyberg	Kornfield, Nyberg, Bendes & Kuhner, P.C.	1987	1987	CA	425.00	16.90	7,182.50
Associate	Tina Bhenshali	DLA Piper LLP	2000	2000	CA	400.00	4.10	1,640.00
Associate	Matthew Bouslog	Gibson Dunn & Crutcher, LLP	2011	2011	CA	395.00	12.60	4,977.00
Associate	Ji Hae Kim	Paul Hastings LLP	2010	2010	CA	385.00	97.00	37,345.00
Associate	Merlo C. Ortega	Paul Hastings LLP	2010	2010	CA	385.00	160.20	61,677.00
Associate	Francis S. Lam	Sidley Austin LLP	2011	2011	CA	355.00	41.00	14,555.00
Library	Clare Mauro	Torys LLP				355.00	0.80	284.00
Law Clerk	Bradley Turlick	Torys LLP				305.00	43.90	13,389.50
Library	Leslie A. Forrester	Pachulski Stang Ziehl Young Jones & Weintraub				295.00	1.10	324.50
Paraprofessional	Felice Harrison	Pachulski Stang Ziehl Young Jones & Weintraub				275.00	23.00	6,325.00
Paraprofessional	Patricia Cunliff	Pachulski Stang Ziehl Young Jones & Weintraub				265.00	2.50	662.50
Paraprofessional	Louise Tuschak	Pachulski Stang Ziehl Young Jones & Weintraub				265.00	7.70	2,040.50
Paraprofessional	Cheryl A. Knotts	Pachulski Stang Ziehl Young Jones & Weintraub				265.00	1.00	265.00
Paraprofessional	S. Steadman	Loeb & Loeb				260.00	0.20	52.00
Paraprofessional	Dianna Ralph	Torys LLP				260.00	28.20	7,332.00
Case Manageme	Sheryle Pitman	Pachulski Stang Ziehl Young Jones & Weintraub				185.00	5.40	999.00
Case Manageme	Dina K. Whaley	Pachulski Stang Ziehl Young Jones & Weintraub				185.00	0.40	74.00
Paraprofessional	Nancy L. Nyberg	Kornfield, Nyberg, Bendes & Kuhner, P.C.				80.00	0.30	24.00

Exhibit 3

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Additional Counsel Listed After Signature Page
Attorneys for Plaintiffs and the certified Class

SUPERIOR COURT OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION

ADAM HOHNBAUM, ILLYA HAASE, ROMEO OSORIO, AMANDA JUNE RADER, and SANTANA ALVARADO and ROES 1 through 500, Inclusive on behalf of themselves and all others similarly situated, and on behalf of the general public,

Plaintiffs,

v.

BRINKER RESTAURANT CORPORATION, BRINKER INTERNATIONAL, INC. and BRINKER INTERNATIONAL PAYROLL COMPANY, LP a Delaware Corporation; and DOES 1 through 500, Inclusive

Defendants.

CASE NO.: GIC834348

CLASS ACTION

DECLARATION OF RICHARD M. PEARL IN SUPPORT OF PLAINTIFFS' **UNOPPOSED** MOTION FOR FINAL APPROVAL AND OF CLASS ACTION SETTLEMENT AND MOTION FOR AWARD OF ATTORNEYS' FEES, COSTS, CLASS REPRESENTATIVE **SERVICE PAYMENTS, AND CLAIMS** ADMINISTRATION EXPENSES

Date: December 12, 2014
Time: 1:30 p.m.
Dept.: C-69
Judge: Hon. Katherine A. Bacal

Complaint Filed: August 16, 2004

I, RICHARD M. PEARL, hereby declare the following:

1. I am a member in good standing of the California State Bar. I am in private practice as the principal of my own law firm, the Law Offices of Richard M. Pearl, in Berkeley, California. I specialize in issues related to court-awarded attorneys' fees, including the representation of parties in fee litigation and appeals, serving as an expert witness, and serving as a mediator and arbitrator in disputes concerning attorneys' fees and related issues. In this case, I have been asked by Plaintiffs' counsel to render my opinion on the reasonableness of the hourly rates they are requesting in this matter. I make this Declaration in Support of Plaintiffs' Motion for Award of Reasonable Attorneys' Fees.

Professional Background

1. Briefly summarized, my background is as follows: I am a 1969 graduate of Boalt Hall School of Law, University of California, Berkeley, California. I took the California Bar Examination in August 1969 and passed it in November of that year, but because I was working as an attorney in Atlanta, Georgia for the Legal Aid Society of Atlanta (LASA), I was not admitted to the California Bar until January 1970. I worked for LASA until summer of 1971, when I then went to work in California's Central Valley for California Rural Legal Assistance, Inc. (CRLA), a statewide legal services program. From 1977 to 1982, I was CRLA's Director of Litigation, supervising more than fifty attorneys. In 1982, I went into private practice, first in a small law firm, then as a sole practitioner. Martindale Hubbell rates my law firm "AV." I also have been selected as a Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, and 2014. A copy of my current Resume is attached hereto as Exhibit A.

2. Since 1982, my practice has been a general civil litigation and appellate practice, with an emphasis on cases and appeals involving court-awarded attorneys' fees. I also am the author of *California Attorney Fee Awards* (3d ed.

Cal. CEB 2010) and its February 2011, 2012, 2013, and March 2014 Supplements, as well as all its previous editions and annual supplements. California appellate courts have cited this treatise on more than 35 occasions. *See, e.g., Graham v. DaimlerChrylser Corp.*(2004) 34 Cal.4th 553, 576, 584; *Lolley v. Campbell* (2002) 28 Cal.4th 367, 373; *Chacon v. Litke* (2010) 181 Cal.App.4th 1234, 1259; *Syers Properties III, Inc. v. Rankin* (2014) 226 Cal.App.4th 691, 698, 700. I also have lectured and written extensively on court-awarded attorneys' fees. I have been a member of the California State Bar's Attorneys' Fees Task Force and have testified before the State Bar Board of Governors and the California Legislature on attorneys' fee issues. In addition, I authored a federal manual on attorneys' fees entitled *Attorneys' Fees: A Legal Services Practice Manual*, published by the Legal Services Corporation. I also co-authored the chapter on "Attorney Fees" in Volume 2 of CEB's *Wrongful Employment Termination Practice*, 2d Ed. (1997).

3. More than 90% of my practice is devoted to issues involving court-awarded attorneys' fees. I have been counsel in over 180 attorneys' fee applications in state and federal courts, primarily representing other attorneys. I also have briefed and argued more than 40 appeals, at least 25 of which have involved attorneys' fees issues. I have successfully handled five cases in the California Supreme Court involving court-awarded attorneys' fees: (1) *Maria P. v. Riles* (1987) 43 Cal.3d 1281, a landmark early decision on the scope of California Code of Civil Procedure section 1021.5; (2) *Delaney v. Baker* (1999) 20 Cal.4th 23, which held that heightened remedies, including attorneys' fees, are available in suits against nursing homes under California's Elder Abuse Act; (3) *Ketchum v. Moses* (2001) 24 Cal.4th 1122, which held, *inter alia*, that contingent risk multipliers remain available under California attorney fee law, despite the United States Supreme Court's contrary ruling on federal law (note that in *Ketchum*, I was primary appellate counsel in the Court of Appeal and "second chair" in the Supreme Court); (4) *Flannery v. Prentice* (2001) 26 Cal.4th 572, which held that in

the absence of an agreement to the contrary, statutory attorneys' fees belong to the attorney whose services they are based upon; and (5) *Graham v. DaimlerChrysler Corp.* (2004) 34 Cal.4th 553, which held, *inter alia*, that the "catalyst" theory was still valid under California law despite federal Supreme Court authority to the contrary. I also represented and argued on behalf of *amicus curiae* in *Conservatorship of McQueen* (2014) 59 Cal.4th 602, and, along with Richard Rothschild, filed an *amicus curiae* brief in *Vasquez v. State of California* (2009) 45 Cal.4th 243. I also have handled numerous other appeals involving attorney's fees, including: *Davis v. City & County of San Francisco* (9th Cir. 1992) 976 F.2d 1536; *Mangold v. CPUC* (9th Cir. 1995) 67 F.3d 1470; *Moore v. Bank of America* (9th Cir. 2007) 245 Fed.Appx. 613; *Velez v. Wynne* (9th Cir. 2007) 2007 U.S.App.LEXIS 2194; *Camacho v. Bridgeport Financial, Inc.* (9th Cir. 2008) 523 F.3d 973; *Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866; and *Environmental Protection Information Center v. California Dept. of Forestry & Fire Protection et al* (2010) 190 Cal.App.4th 217. For an expanded list of my representative decisions, *see* Exhibit A.

4. I also have been retained by various governmental entities, including the State of California, at my then current rates to consult with them regarding their affirmative attorney fee claims.

5. I am frequently called upon to opine about the reasonableness of attorneys' fees, and numerous federal and state courts have cited my testimony on that issue favorably. The reported cases referencing my testimony include the following California appellate courts: *Laffite v. Robert Half Int'l* (2014) __Cal.App.4th __, 2014 Cal.App.LEXIS 1059; *In re Tobacco Cases I* (2013) 216 Cal.App.4th 570; *Heritage Pacific Financial LLC v. Monroy* (2013) 215 Cal.App.4th 972, 1009; *Children's Hospital & Medical Center v. Bonta* (2002) 97 Cal.App.4th 740; *Wilkinson v. South City Ford* (2010) 2010 Cal.App.Unpub. LEXIS 8680; *Church of Scientology v. Wollersheim* (1996) 42 Cal.App.4th 628

(anti-SLAPP case). My declaration also has been favorably referenced by the following federal courts: *Prison Legal News v. Schwarzenegger* (9th Cir. 2010) 608 F.3d 446, 455, in which the expert declaration referred to in that opinion is mine; *Antoninetti v. Chipotle Mexican Grill, Inc.*(9th Cir. 2012) Order filed Dec. 26, 2012; *In re TFT-LCD (Flat Panel) Antitrust Litigation* (N.D.Cal. 2013) No. M 07-1827 SI, MDL, No. 1827, Report and Recommendation of Special Master re Motions for Attorneys' Fees etc., filed Nov. 9, 2012, adopted in relevant part, 2013 U.S.Dist.LEXIS 49885; *Rosenfeld v. United States Dept. of Justice* (N.D. Cal. 2012) 904 F.Supp.2d 988; *Stonebrae v. Toll Bros.* (N.D. Cal. 2011) 2011 U.S.Dist.LEXIS 39832, at *9 (thorough discussion), *aff'd* (9th Cir. 2013) 2013 U.S.App.LEXIS 6369; *Hajro v. United States Citizenship & Immigration Service* (N.D.Cal 2012) 900 F.Supp.2d 1034, 1054; *Armstrong v. Brown* (N.D. Cal. 2011) 2011 U.S.Dist.LEXIS 87428; *Californians for Disability Rights, Inc. v. California Dept. of Transportation* (N.D. Cal. 2010) 2010 U.S.Dist.LEXIS 141030; *Prison Legal News v. Schwarzenegger* (N.D. Cal. 2008) 561 F.Supp.2d 1095 (an earlier motion); *Oberfelder v. City of Petaluma* (N.D. Cal. 2002) 2002 U.S.Dist.LEXIS 8635, *aff'd* (9th Cir. 2003) 2003 U.S.App.LEXIS 11371; *Bancroft v. Trizechahn Corp.*, C.D. Cal. No. CV 02-2373 SVW (FMOx), Order Granting Reasonable Attorneys' Fees etc., filed Aug. 14, 2006; *Willoughby v. DT Credit Corp.*, C.D. Cal. No. CV 05-05907 MMM (Cwx), Order Awarding Reasonable Attorneys' Fees After Remand, filed July 17, 2006; *A.D. v. California Highway Patrol* (N.D.Cal. 2009) 2009 U.S.Dist.LEXIS 110743, *rev's'd on other grounds* (9th Cir. 2013) 712 F.3d 446, *reaffirmed and additional fees awarded on remand* at 2013 U.S.Dist.LEXIS 169275; *National Federation of the Blind v. Target Corp.* (N.D.Cal. 2009) 2009 U.S.Dist.LEXIS 67139. In addition, numerous trial courts have relied upon my testimony in unpublished fee orders.

6. I also have extensive experience litigating the merits of class actions, including numerous housing, government benefits, and consumer class actions.

See, e.g., *Employment Dev. Dept. v. Superior Court (Boren)* (1981) 30 Cal.3d 256. I also have represented Class Counsel on their fee requests in numerous highly-contested class actions, including *Davis v. City & County of San Francisco, supra, Duran v. First National Bank,* Alameda County Superior Court No. 2001-035537, and *Molina, et al. v. Lexmark International, et al.,* Los Angeles County Superior Court No. BC339177.

7. In this matter, I have reviewed several documents from the underlying litigation and fee motion, including the entire Motion for Preliminary Approval, as well as the declarations of Plaintiffs' principal counsel filed in support of the instant motion. I also have discussed the case with class counsel Julie Corbo-Ridley.

PLAINTIFFS' ATTORNEYS' HOURLY RATES ARE REASONABLE

8. Through my writing and practice, I have become knowledgeable about the non-contingent market rates charged by attorneys in California and elsewhere. I have obtained this knowledge in several ways: (1) by handling attorneys' fee litigation; (2) by preparing expert declarations in numerous cases; (3) by discussing fees with other attorneys; (4) by obtaining declarations regarding prevailing market rates in cases in which I represent attorneys seeking fees; and (5) by reviewing attorneys' fee applications and awards in other cases, as well as surveys and articles on attorneys' fees in the legal newspapers and treatises.

9. I am aware of the hourly rates being requested by Plaintiffs' attorneys in this case, their experience and qualifications, the nature of the work performed, and the results achieved. Under California law, Plaintiff's attorneys are entitled to their requested rates if those rates are "within the range of reasonable rates charged by and judicially awarded comparable attorneys for comparable work." *Children's Hosp. & Med. Ctr. v. Bonta [CHMC]* (2002) 97 Cal.App.4th 740, 783. In my opinion, the information about non-contingent hourly rates I have gathered, some

of which is summarized below, shows that the rates requested by Plaintiffs' counsel in this matter are well within the range of the non-contingent market rates charged by California and San Diego attorneys of reasonably comparable experience, skill, and expertise for reasonably comparable services. I base that opinion in large part on the following data:

Court Awards

10. Several of the Plaintiffs' law firms have had the hourly rates requested here, or their equivalent rates in prior years, approved by the courts in other class actions. For example, Hurst & Hurst's rates were found reasonable in *Serochi v. Bosa Development California II, Inc., et al.*, San Diego Superior Court Case No.: 37-2009-00096686-CU-BT-CTL. Similarly, Ms. Lorens's 2012 rate of $795/hour was approved in November 2012 in *Hoch v. Rockin' Baja Coastal Cantina, et al.*, San Diego Superior Court Case No. 37-2012-00095176-CU-OE-CTL/*Mojica v. Rockin' Baja Coastal Cantina, et al.*, San Diego Superior Court Case No. 37-2012-00091490-CU-OE-CTL. This is highly probative evidence of the reasonableness of their rates in subsequent reasonably similar cases.

11. Counsel's rates are also consistent with the following court awards from the Southern District of California[1]:

(1) In *Hartless v. Clorox,* 273 F.R.D. 630, 644 (S.D. Cal. 2011), the Court found, *inter alia,* that class counsel's requested rates were consistent with the hourly rates found reasonable in numerous other class actions and with rates charged by other firms in the San Diego area, including rates of $795 per hour for a 25-year attorney and $675 per hour for an experienced partner. 273 F.R.D. at 644.

[1] In my experience, for purposes of the hourly rates charged and found reasonable by the courts, the differences between types of class actions (i.e. wage and hour class actions versus consumer class actions) are not significant, either factually or legally. See, e.g., *Heritage Pacific Financial, LLC v. Monroy,* 215 Cal.App.4th 972, 1009 (2013); *Camacho v. Bridgeport Financial, Inc.,* 523 F.3d 973, 979 (9th Cir. 2008).

Given the rate increases that have occurred over the ensuing three years, counsel's rates here are certainly within the same range.

(2) In *Shames v. Hertz Corp.*, 2012-2 Trade Case. (CCH) ¶78,120 (S.D. Cal. 2012), the Court, relying on *Hartless,* found that plaintiffs' San Diego Counsel there were comparable in skill and experience to the attorneys whose rates were found reasonable in *Hartless.* At *59-61.

(3) In *Briarwood Capital LLC v. HCC Investors LLC,* San Diego Superior Court No. GIC877446, on March 30, 2011, the court (Judge William R. Nevitt Jr.) found that the 2009 hourly rates charged by the San Diego office of Bernstein Litowitz Berger & Grossman LLP -- $725 for partners, $490-550 for associates -- were reasonable.

(4) Similarly, in the same case, the court found that the 2009 rates charged by the Century City office of O'Melveny & Myers LLP, including rates of $860-950 for a 36-37 year attorney and $700-710 for 16-18 year attorneys also were reasonable for San Diego litigation. Again, given the rate increases that have occurred over the past three years, Plaintiffs' attorneys' current rates here are in the same range as those found reasonable in *Briarwood Capital.*

(5) In *Atlas v. Accredited Home Lenders Holdings, Co.* Case No. 07-CV-488-H-CAB (S.D. Cal. 2009), the court (Judge Marilyn Huff) found the 2009 rates charged by Bernstein Litowitz's San Diego office reasonable. Again, those rates ranged from $490 to $550 for associates, and $725 for a partner.

(6) In *In re Virgil's Tours,* Case No. 08-30659 (Bank. N.D. Cal. 2008), the court found reasonable the 2008 rates requested by Morrison & Foerster LLP's San Diego office. Those rates ranged from $600 to $675 for partners, from $350 to $485 for associates, and from $220 to $245 for paralegals.

(7) In *Qualcomm, Inc. v. Broadcom, Inc.* Case No. 05-CV-1958-B, 2008 WL 2705161 (S.D. Cal. 2008), the court found the 2007 hourly rates requested by Wilmer Cutler, Pickering, Hale & Dorr LLP reasonable for San

Diego-based litigation. Those rates ranged from $45 to $300 for staff and Paralegals, from $275 to $505 for associates and counsel, and from $435 to $850 for partners.

12. In addition to local courts, the following hourly rates have been found reasonable by various California courts for reasonably similar services:

2014

(1) *IPVX Patent Holdings, Inc. v. Voxernet LLC,* N.D. Cal. No. 5:13-CV-01708-HRL, a patent infringement case, in which the court found the following hourly rates reasonable:

Years of Experience	Rate
2014	
45	$750
35	750
23	725
19	695
5	400
3	350
Paralegal	125
2013	
18	$755
11	595
2	425
2012	
40	$865
17	755
10	595
1	375

(2) *Doe v. United Healthcare Insurance Co., et al.,* C.D. Cal. No. SACV 13-0864 DOC(JPRx), Order Granting Attorney's Fees and Costs, filed October 15, 2014, a multi-Plaintiff consumer action, in which the court found the following hourly rates reasonable:

Whatley Kallas

Years of Experience	Rate
36	$950

Whatley Kallas	
Years of Experience	Rate
27	900
32	800
33	750
21	700
10	600
4	400
2	375
Paralegal	225
Intern	125
Consumer Watchdog	
35	$925
19	650
4	425

(3) *Rose v. Bank of America Corp.*, N.D. Cal. No. 5:11-CV-02390-EJD; 5:12 CV-04009-EJD, Order Granting Motion for Final Approval of Settlement; Granting in Part and Denying in Part Motion for Attorney's Fees and Costs, filed August 29, 2014, a consumer class action involving the Bank's loan servicing calls, in which the court found the following hourly rates reasonable:

Partners: $775-350

Associates: $525-325

(4) *Carpio v. California Department of Social Services, Los Angeles County Superior Court,* No. BS 135127, Order Granting Petitioner's Motion For Attorney's Fees, filed July 24, 2014, a government benefits writ of mandate, in which the court found the following hourly rates reasonable:

Years	Rate
39	$750
35	730
13	500
8	460
6	440

(5) *Cornell v. City & County of San Francisco,* San Francisco County

Superior Court No. CGC-11-509240, Order Granting Motion for Reasonable Attorneys' Fees, Subject to Modifications, filed May 15, 2014, an individual police misconduct/employment action, in which the court found the following hourly rates reasonable, plus a 1.25 lodestar multiplier for merits work:

Years of Experience	Rate
45	$750
35	750
23	725
19	695
5	400
3	350
Paralegal	125

2013 Rates

(1) *Ellis v. Costco Wholesale Corp.,* N.D. Cal. No. C04-3341 EMC, Order Granting Motion for Final Approval of Class Action Settlement, filed May 27, 2014, an employment class action, in which the court found the following hourly rates reasonable:

Years of Experience	Rate
38	$700
35	825
30	650-825
29	875
19	725
9	500
8	460
7	425-575
6	435
3	315
Paralegals	155-295
Law Clerks	185-275

(2) *In re Pacific Bell Late Fee Litigation,* Contra Costa County Superior Ct. No. MSC10-00840, Order Awarding Attorneys' Fees, Costs and Expenses and Authorizing Payment of Incentive Award to the Class Representative, filed October 18, 2013, a consumer class action, in which the court found the following

hourly rates reasonable:

Years of Experience	Rate
17	$850
16	680
11 (partner)	680
36	675
32	675
28 (assoc.)	620
4	400
3	390
Paralegals and Litigation Support	160-180

(3) *Reuters America LLC v. The Regents of the Univ. of Calif.*, Alameda County Superior Court No. RG12-613664, Order Granting in Part Motion of Petitioner for Attorneys' Fees filed May 2, 2013, reversed on the merits sub nom *Regents of U.C. v. Superior Court* (2014) 222 Cal.App.4th 383, a California Public Records Act action, in which the trial court found the following hourly rates reasonable, before applying a 1.3 lodestar multiplier:

Years of Experience	Rate
31	$785
27	600
6	400

(4) *Recouvreur v. Carreon* (N.D. Cal. 2013) 940 F.Supp.2d 1063, a Lanham Act/ sanctions fee motion, in which the court found the following hourly rate reasonable:

Years of Experience	Rate
20+	$700

2012 Rates

(1) *In re TFT-LCD (Flat Panel) Antitrust Litigation* (N.D.Cal. 2013) No. M 07 1827 SI, MDL, No. 1827, an antitrust class action, in which the court found the following hourly rates reasonable:

Zelle Hofman

Bar Admission	Rate
1967	$1000
1978	861
2001	619
2002	525
2005	500
2006	472
2009	417

Steyer, Lowenthal *et al.*

Bar Admission	Rate 2012	Rate 2011	Rate 2010
1981	$820	$770	$730
1995	660	640	590
2007	380	360	320
2008	380	360	320
1982	750	710	680
Paralegal	190		

Cooper & Kirkham

Bar Admission	Rates 2010-2012
1964	$950
1975	825
2001	550

(2) *Rosenfeld v. United States Dept. of Justice* (N.D. Cal. 2012) 904 F.Supp.2d 988, a Freedom of Information Act action, in which the court found the following hourly rates reasonable:

Years of Experience	Rate
28	$700
21	550
1	200
Law students	160-180

(3) *Williams v. H&R Block Enterprises, Inc.*, Alameda County Superior Ct. No. RG08366506, Order of Final Approval and Judgment filed November 8, 2012, a wage and hour class action, in which the court found the following hourly

rates reasonable:

Year of Bar Admission	Rate
1970	$785
1976	775
1981	750
1993	650-700
1994-1997	500-650
2004	500
2005	470
2006	445-475
2007	450
2008	400
2009	350

(4) *American Civil Liberties Union v. Drug Enforcement Administration,* N.D. Cal. No. C-11-01977 RS, Order Granting Motion for Attorneys' Fees and Litigation Costs Pursuant to 5 U.S.C. §552, filed November 8, 2012, a Freedom of Information Act case, in which the court found the following hourly rates reasonable:

Year of Bar Admission	Rate
1970	$700
1996	595
1999	575
Law Clerks	150

(5) *Luquetta v. The Regents of the Univ. of California,* San Francisco Superior Ct. No.CGC-05-443007, Order Granting Plaintiff's Motion for Common Fund Attorneys' Fees and Expenses, filed October 31, 2012, a class action to recover tuition overcharges, in which the court found the following hourly rates reasonable:

Year of Bar Admission	Rate
1977	$850
1986	785
1991	750
1994	700
1998	625

2000	570
2001	550
2002	520
Law Clerks	250
Paralegals	215

(6) *Davis v. Prison Health Services* (N.D. Cal. 2012) 2012 U.S. Dist. LEXIS 138556, an individual Fair Employment and Housing Act case, in which the court found the following hourly rates reasonable:

Years of Experience	Rate
33	$750
29	675
4	300
6	265

2011 Rates

(1) *Pierce v. County of* Orange (C.D. Cal. 2012) 905 F.Supp.2d 1017, a civil rights class action brought by pre-trial detainees, in which the court approved a lodestar, including appellate fees, based on the following 2011 rates:

Years of Experience	Rate
42	$850
32	825
23	625
18	625
Law Clerks	250
Paralegals	250

(2) *Davis v. Prison Health Services* (N.D. Cal. 2012) 2012 U.S. Dist. LEXIS 138556, an individual Fair Employment and Housing Act case, in which the court found the following hourly rates reasonable:

Years of Experience	Rate
33	$750
29	675
4	300
6	265

(3) *Holloway et. al. v. Best Buy Co., Inc.* (N.D. Cal. 2011) No. 05-5056

PJH, Order dated November 9, 2011, a class action alleging that Best Buy discriminated against female, African American and Latino employees by denying them promotions and lucrative sales positions, in which the court approved a lodestar award based on the following rates:

Years of Experience	Rate
37	$825
Associates	
8	490
6	405
Law Clerks	225
Paralegals	215

(3) *Molina, et al. v. Lexmark International, et al.*, Los Angeles County Superior Court No. BC339177, Order Granting Petitioners' Motion for Attorneys' Fees and Costs in the Amount of $5,722,008.07, filed October 28, 2011, *aff'd* (2013) 2013 Cal.App.Unpub. LEXIS 6684, a class action to recover forfeited vacation pay, in which the court found the following hourly rates reasonable (before applying a 2.0 multiplier):

Years of Experience	Rate
42	$675
25	550
24	655-675
23	625
20	550
17	600
9	475
6	350
Paralegals	210
Paralegals	210

2010 Rates

(1) *Californians for Disability Rights, Inc., et al. v. California Department of Transportation, et al.* (N.D.Cal. 2010) 2010 U.S.Dist.LEXIS 141030, adopted by Order Accepting Report and Recommendation filed February 2, 2011, a disability-access class action, in which the court found the following

2010 hourly rates reasonable:

Years of Experience	Rate
49	$835
34	730
26	740
25	730
19	660
10	570
9	560
7	535
6	500
5	475
3	350
2	290
1	225-265
Senior Paralegals	265
Law Clerks	175
Case Clerks	165

Rate Information from Surveys

12. I also base my opinion on several credible surveys of legal rates, including the following:

- The 2014 *Laffey Matrix* is a survey of District of Columbia hourly rates that is often relied upon in other jurisdictions, with appropriate adjustments for differences in income levels, to determine reasonable hourly rates. See, e.g., *Syers Properties III, Inc. v. Rankin* (2014) 226 Cal.App.4th 691, 695. A copy of that survey is attached hereto as Exhibit B. It shows that for attorneys with 20+ years out of law school, the prevailing market in the period between June 1, 2013, and May 31, 2014 was $771 per hour. For lawyers with 11-19 years out of law school, the prevailing rate for the same period was $640 per hour. The difference in the Local Pay Tables for the Washington D.C. area and the San Diego-Carlsbad-San Marcos areas are de minimis -- .03%.

- On January 13, 2014, the National Law Journal published an article about its most recent rate survey. That article included a chart listing the billing rates of the 50 firms that charge the highest average hourly rates for partners. A true and correct copy of that article is attached hereto as Exhibit C. Of the 50 firms listed, several have offices in the San Diego area and many others have significant litigation experience in this area. And, although the rates that Plaintiffs' counsel are requesting here are significantly *lower* than many of the rates charged by the top 50 firms, the NLJ chart does show the *range* of rates charged for similar services, which *is* the applicable standard. *See CHMC,* 97 Cal.App.4th at 783.
- In an article entitled "On Sale: The $1,150-Per Hour Lawyer," written by Jennifer Smith and published in the Wall Street Journal on April 9, 2013, the author describes the rapidly growing number of lawyers billing at $1,150 or more revealed in public filings and major surveys. A true and correct copy of that article is attached hereto as Exhibit D. The article also notes that in the first quarter of 2013, the 50 top-grossing law firms billed their partners at an *average* rate between $879 and $882 per hour.
- In an article published April 16, 2012, the Am Law Daily described the 2012 Real Rate Report, an analysis of $7.6 billion in legal bills paid by corporations over a five-year period ending in December 2011. A true and correct copy of that article is attached hereto as Exhibit E. That article confirms that the rates charged by experienced and well-qualified attorneys have continued to rise over the five-year period between 2006 and 2011, particularly in large urban areas. It also shows, for example, that the top quartile of lawyers bill at an *average* of "just under $900 per hour."

Rates Charged by Other Law Firms

14. The standard hourly non-contingent rates for comparable civil litigation stated in court filings, depositions, surveys, or other reliable sources by numerous California law firms or law firms with offices or practices in California also support counsel's rates. The following hourly rates are those charged where full payment is expected promptly upon the rendition of the billing and without consideration of factors other than hours and rates. If any substantial part of the payment were to be contingent or deferred for any substantial period, for example, the fee arrangement would be adjusted accordingly to compensate the attorneys for those factors. These rates include, in alphabetical order:[2]

Altshuler Berzon LLP**

2014 Rates:	Years of Experience	Rate
	38	$895
2012 Rates:	Years of Experience	Rate
	34	$850
	26	785
	21	750
	18	700
	14	625
	12	570
	11	550
	10	520
	6	410
	5	385
	4	335
	Law Clerks	250
	Paralegals	215
2011 Rates:	Years of Experience	Rate
	43	$825
	17	675
	12	575
	10	520
	Law Clerks	225

[2] Firms based in San Diego are marked with an *. Firms with substantial class action practices, which tend to be statewide, are marked "**".

Altshuler Berzon LLP**

	Paralegals	215

Arnold Porter LLP

2013 Rates:	Average Partner	$815
	Highest Partner	950
	Lowest Partner	670
	Average Associate	500
	Highest Associate	610
	Lowest Associate	345

The Arns Law Firm LLP **

2014 Rates:	Years of Experience	Rate
	37	$950
	Law Clerks	165

Bernstein Litowitz Borger & Grossman LLP (San Diego Office)*, **

2009 Rates:	Years of Experience	Rate
	Partners	$725
	Associates	490-550

Bingham McCutchen

2013 Rates:	Average Partner	$795
	Highest Partner	1,080
	Lowest Partner	670
	Average Associate	450
	Highest Associate	605
	Lowest Associate	185
2011 Rates:	Years of Experience	Rate
	30	$780
2010 Rates:	Years of Experience	Rate
	13	$655
	4	480
	2	400

Blood Hurst & O'Reardon*, **

2012 Rates:	Years of Experience	Rate
	22	$655
	17	585

Blood Hurst & O'Reardon*, *

6	510
5	410
1	305
Paralegals	260

Burson & Fisher*

2013 Rates:	Years of Experience	Rate
	16	$680-850
	11	680
	4	400
	3	390
	2	375
	1	300
	Law Clerks	225
	Litigation Support Specialists	180

Chavez & Gertler*

2012 Rates:	Years of Experience	Rate
	33	$750
	29	725
	32	675
	21	575
	11	535
	7	475
	Legal Assistant	185
2011 Rates:	Years of Experience	Rate
	32	$725
	28	700
	10	550
	9	510
	5	425
	Paralegals	225

Coblentz Patch & Duffy

2013 Rates:	Year of Bar Admission	Rate
	1979	$720
	1994	575
	2008	320
	Paralegals/Case Clerks	295

Cohelan Khoury & Singer

2012 Rates:	Years of Experience	Rate
	38	$750
	28	750
	11	400
	Paralegal	170

Cooper & Kirkham

2012 Rates:	Years of Experience	Rate
	48	$950
	37	825
	11	600

Covington Burling

2013 Rates:	Years of Experience	Rate
	28	$750
	16	670
	14	670
	7	510
	2	375
	5	490
	Litigation Support	110-355
2012 Rates:	Years of Experience	Rate
	27	$730
	15	632-650
	13	650
2011 Rates:	Years of Experience	Rate
	26	$710
	14	640
	12	600
	9	565
	7	550
	5	425
	3	390
	1	320
2010 Rates:	Years of Experience	Rate
	25	$710
	13	640
	11	575-600
	8	550-565

Covington Burling

6	525-550
4	390-425
2	350-390

Farella Braun & Martell LLP

2010 Rates:	Years of Experience	Rate
	31	$715

Fenwick & West

2014 Rates	Years of Experience	Rate
	45	$750
	35	750
	23	725
	19	695
	5	400
	3	350
	Paralegal	125
2013 Rates	18	$755
	11	595
	2	425
2012 Rates	40	$865
	17	755
	10	595
	1	375

Furth Firm LLP**

2010 Rates:	Years of Experience	Rate
	51	$875
	39	750
	38	600
	33	775
	25	550
	23	650
	21	625
	19	610
	18	600
	17	585
	16	570
	15	560

Furth Firm LLP**

14	550
13	525
12	515
11	510
10	505
9	500
7	460
4	435
Law Clerks	125-260

Gibson Dunn & Crutcher LLP

2013 Rates:	
Average Partner	$980
Highest Partner	1,800
Lowest Partner	765
Average Associate	590
Highest Associate	930
Lowest Associate	175

Goldstein, Borgen, Dardarian & Ho**

2014 Rates:	Years of Experience	Rate
	33	$795
	27	750
	8	500
	4	395
	3	350
	1	300
	Law Clerks/Paralegals	160-250
2012 Rates:	Years of Experience	Rate
	Partners	
	42	$785
	36	750
	31	700
	18	650
	Associates	
	7	470
	6	445
2011 Rates:	Years of Experience	Rate
	Partners	
	41	$725
	35	725

Goldstein, Borgen, Dardarian & Ho**

	30	700
	24	650
	18	600
	17	600
	16	550
2010 Rates:	Years of Experience	Rate
	Partners	
	40	$700
	34	700
	29	675
	23	625
	17	575
	16	575
	Of Counsel	
	40	725
	Associates	
	15	$500
	11	440
	6	375
	5	365
	4	355
	3	340
	2	325
	1	305
	Law Clerks	195
	Paralegals	150-225

Greenberg, Traurig, LLP

2010 Rates:	Years of Experience	Rate
	22	$850

Greines, Martin, Stein & Richland

2012 Rates:	Years of Experience	Rate
	41	$850
	29	850
	23	650
	18	500
	Law Clerks	100

Hadsell, Stormer, Keeny, Richardson & Renick**

2012 Rates:	Years of Experience	Rate
	38	$825
	33	775
	22-23	625
	17	600
	12	525
	10	425
	4	275
	3	250

2010 Rates:	Years of Experience	Rate
	36	$800
	31	750
	20-21	600
	15	575
	10	475-500
	8	425
	4	325
	2	275
	1	250

Hausfeld LLP**

2014 Rates:	Years of Experience	Rate
	45	$985
	37	935-895
	15	610-510
	14	600
	7	490
	3	370
	Paralegals	300-320
	Law Clerks	325

Irell & Manella

2013 Rates:	Average Partner	$890
	Highest Partner	975
	Lowest Partner	800
	Average Associate	535
	Highest Associate	750
	Lowest Associate	395

Janssen Malloy LLP

2014 Rates:	Years of Experience	Rate
	33	$775
	Paralegals	175

Jones Day

2013 Rates:		
	Average Partner	$745
	Highest Partner	975
	Lowest Partner	670
	Average Associate	435
	Highest Associate	775
	Lowest Associate	205

Kaye, McLane, Bednarski & Litt **

2013 Rates:	Years of Experience	Rate
	44	$925
	27	725
	24	725
	7	525
	5	475

Keker & Van Nest, LLP

2010 Rates:	Years of Experience	Rate
	Partners	
	32	$775
	Other Partners	525-975
	Associates	340-500
	Paralegals/Support Staff	120-260

Kemnitzer, Barron & Krieg

2014 Rates:	Years of Experience	Rate
	38	$750
	32	750
	8	475
	3	350
	Senior Paralegal	250

Kiesel, Boucher, Larson LLP *, **

2012 Rates:	Years of Experience	Rate
	Partners	
	27-28	$890

Kiesel, Boucher, Larson LLP *, **

	Associates	625-325

Kingsley & Kingsley**

2010 Rates:	Years of Experience	Rate
	14	$655
	8	475-515
	7	475
	6	485
	5	375
	3	350
	2	300

Kirkland & Ellis

2013 Rates:	Average Partner	$825
	Highest Partner	995
	Lowest Partner	670
	Average Associate	540
	Highest Associate	715
	Lowest Associate	235

Knapp, Petersen & Clarke

2012 Rates:	Years of Experience	Rate
	36	$753
	9	554
	6	383

Knobbe Martin Olson & Bear LLP

2012 Rates:	Years of Experience	Rate
	Partners	$395-710
	Associates	285-450

Latham & Watkins

2013 Rates:	Average Partner	$990
	Highest Partner	1,100
	Lowest Partner	670
	Average Partner	895
	Average Associate	605
	Highest Associate	725
	Lowest Associate	465

Lewis Feinberg Lee, Renaker & Jackson, P.C.**

2012 Rates:	Years of Experience	Rate
	38	$825
	29	750
	24	725
	21	700
	8	450
	7	425
	3	375
	Senior Paralegals	250
	Law Clerks	225

Litt, Estuar, & Kitson, LLP**

2011 Rates:	Years of Experience	Rate
	42	$825
	18	625
	17	625
	5	425
	3	375
	Senior Paralegals	125-235
	Law Clerks	225

Manatt, Phelps & Phillips

2013 Rates:	Average Partner	$740
	Highest Partner	795
	Lowest Partner	670
	Lowest Partner	640
2010 Rates:	Partners	525-850
	Associates	200-525

McKenna Long & Aldridge LLP

2014 Rates:	Years of Experience	Rate
	30	$775
	9	650

McKenna Long & Aldridge LLP

5	420
Litigation Support Mgr.	350
Paralegals	225

Minami Tamaki LLP

2012 Rates:	Years of Experience	Rate
	36	$750
	15	525
	5	395
	Paralegals	175

Morrison Foerster LLP

2013 Rates:	Years of Experience	Rate
	Average Partner	$865
	Highest Partner	1,195
	Lowest Partner	670
	Lowest Partner	595
	Average Associate	525
	Highest Associate	725
	Lowest Associate	230
2011 Rates:	Years of Experience	Rate
	22	$775
	11	625
	10	620
	1	335
2009 Rates:	Years of Experience	Rate
	24	$750

O'Melveny & Myers

2013 Rates:	Years of Experience	Rate
	Average Partner	$715
	Highest Partner	950
	Lowest Partner	615
2012 Rates:	Years of Experience	Rate
	12	$695
	4	495

Patton Boggs

2010 Rates:	Years of Experience	Rate

Patton Boggs

Partners	
14	$830
29	750
20	750
33	700
27	700
13	575
24	550
14	530
Of Counsel	
30	600
15	500
Associates	
9	450
7	425
3	340
2	315
Senior Paralegals	200-265
Paralegals	170

Pillsbury Winthrop Shaw Pittman LLP

2013 Rates:	Years of Experience	Rate
	Average Partner	$865
	Highest Partner	1,070
	Lowest Partner	670
	Average Associate	520
	Highest Associate	860
	Lowest Associate	375
2010 Rates:	Years of Experience	Rate
	Partners	
	30	$705-775
	Other Partners	595-965
	Associates	320-650
	Paralegals/Support Staff	85-380

Quinn Emanuel Urquhart &Sullivan

2013 Rates:	Average Partner	$915
	Highest Partner	1,075
	Lowest Partner	810
	Average Associate	410

Quinn Emanuel Urquhart &Sullivan

Highest Associate	675
Lowest Associate	320

Reed Smith LLP

2013 Rates:	Years of Experience	Rate
	Partner	
	36	$830
	30	805
	17	610-615
	14	570
	Associates	
	8	450-535
	6	495

Robbins Geller Rudman & Dowd LLP *, **

2012 Rates:	Years of Experience	Rate
	Partners	
	26	$695
	19	575
	Associates	535-345
	Paralegals	295

Rosen, Bien, Galvan & Grunfeld LLP

2013 Rates:	Years of Experience	Rate
	Partners	
	51	$875
	33	780
	29	660
	16	630
	Of Counsel	
	30	580
	Associates	
	20	550
	10	480
	9	465
	8	445-450
	7	440
	6	435
	5	405
	4	375

Rosen, Bien, Galvan & Grunfeld LLP

	3	355
	Paralegals	220-280
	Litigation Support/ Paralegal clerk	170
	Law Clerk/Students	250
	Word Processing	80
2012 Rates:	Years of Experience	Rate
	Partners	
	50	$860
	32	760
	28	640
	15	610
	Of Counsel	
	29	570
	Associates	
	19	540
	10	470
	9	460
	7	400
	6	400
	5	380
	4	360
	3	340
	Paralegals	215-280
	Litigation Support/ Paralegal clerk	150
	Law Clerk/Students	240
	Word Processing	80
2011 Rates:	Years of Experience	Rate
	Partners	
	49	$840
	31	740
	27	625
	14	590
	Of Counsel	
	28	540
	Associates	
	18	525
	11	465
	10	450

Rosen, Bien, Galvan & Grunfeld LLP

	9	440
	8	420
	6	385
	5	365
	4	350
	3	325
	2	315
	Paralegals	205-275
	Litigation Support/ Paralegal clerk	140-220
	Law Clerk/Students	225
	Word Processing	75
2010 Rates:	Years of Experience	Rate
	Partners	
	48	$800
	30	700
	26	575
	13	560
	Of Counsel	
	27	520
	Associates	
	17	510
	13	490
	9	430
	8	415
	7	390
	5	360
	3	325
	1	285
	Paralegals	200-275
	Litigation Support/ Paralegal clerk	135-220
	Law Clerk/Students	190
	Word Processing	70

Rudy, Exelrod, Zieff & Lowe LLP

2010 Rates:	Years of Experience	Rate
	Partners	
	42	$725
	32	725

Rudy, Exelrod, Zieff & Lowe LLP

15	625
Associates	
21	495
13	485
8	450

Schneider Wallace Cottrell Brayton Konecky LLP**

2014 Rates:	Years of Experience	Rate
	Partners	
	13-22	$750
	Associates/Of Counsel	575
	20	535-345
	37	295
	10-13	650
	0-3	350-475
	Paralegals/Law Clerks	135-300

Schonbrun, DeSimone, Seplow, Harris & Hoffman**

2012 Rates:	Years of Experience	Rate
	27	$695
	22	630

Sheppard, Mullin, Richter & Hampton

2010 Rates:	Years of Experience	Rate
	Partners	$495-820
	Associates	270-620

Sidley Austin

2010 Rates:	Years of Experience	Rate
	Partners	
	33	$900
	Senior Partners	1,100
	Legal Assistants	120-280

Skadden, Arps, Slate, Meagher & Flom

2013 Rates:	Average Partner	$1,035
	Highest Partner	1,150
	Lowest Partner	845

Skadden, Arps, Slate, Meagher & Flom

Average Associate	620
Highest Associate	845
Lowest Associate	340

Spiro Moore LLP**

2012 Rates:	Years of Experience	Rate
	30+	$700
	17	600

Law Offices of Michael D. Thamer

2014 Rates:	Years of Experience	Rate
	31	$775

Townsend and Townsend and Crew

2010 Rates:	Years of Experience	Rate
	Partners	$470-475
	Associates	260-460

Wilson Sonsini Goodrich & Rosati PC

2010 Rates:	Years of Experience	Rate
	28	$875
	Other Partners	650-975
	Associates	290-610
	Paralegals/Litigation Support	120-300

Zelle Hofmann Voelbel & Mason, LLP**

2012 Rates:	Years of Experience	Rate
	Partners	Up to $950
	Associates	Up to $540
	Paralegals	Up to $290
	Law Clerks	Up to $250

2012 Rates:	Years of Experience	Rate
	Partners	
	38	$800
	26	685
	23	650
	22	640
	Associates	
	9	500

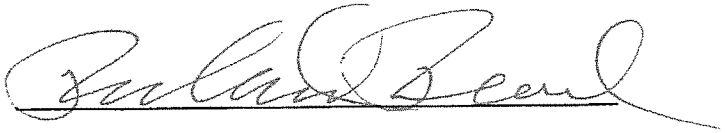
Zelle Hofmann Voelbel & Mason, LLP**

4	435
3	415
2	405
1	395
Paralegals	210-290

13. The declaration of San Diego attorneys Vincent J. Bartolotta and Timothy Blood, filed with this motion, also support the rates requested here. All of this evidence shows that Plaintiffs' requested rates are well within the range of rates charged in this forum by comparably qualified and experienced attorneys for comparably difficult work.

14. In my experience, fee awards are almost always determined based on current rates, *i.e.*, the attorney's rate at the time a motion for fees is made, rather than the historical rate at the time the work was performed. This is a common and accepted practice to compensate attorneys for the delay in being paid. The hourly rates set forth above are those charged where full payment is expected promptly upon the rendition of the billing and without consideration of factors other than hours and rates. If any substantial part of the payment were to be deferred for any substantial period of time, for example, the fee arrangement would be adjusted accordingly to compensate the attorneys for those factors.

15. If called as a witness, I could and would competently testify from my personal knowledge to the facts stated herein. I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of November 2014, in Berkeley, California.



Richard M. Pearl

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EXHIBIT A

RESUME OF RICHARD M. PEARL

RICHARD M. PEARL
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1816 Fifth Street
Berkeley, CA 94710
(510) 649-0810
(510) 548-5074 (facsimile)
rpearl@interx.net (e-mail)

EDUCATION

University of California, Berkeley, B.A., Economics (June 1966)
Boalt Hall School of Law, Berkeley, J.D. (June 1969)

BAR MEMBERSHIP

Member, State Bar of California (admitted January 1970)
Member, State Bar of Georgia (admitted June 1970) (inactive)
Admitted to practice before all California State Courts; the United States Supreme Court; the United States Court of Appeals for the District of Columbia and Ninth Circuits; the United States District Courts for the Northern, Central, Eastern, and Southern Districts of California, for the District of Arizona, and for the Northern District of Georgia; and the Georgia Civil and Superior Courts and Court of Appeals.

EMPLOYMENT

LAW OFFICES OF RICHARD M. PEARL (April 1987 to Present): Civil litigation practice (AV rating), with emphasis on court-awarded attorney's fees, class actions, and appellate practice. Selected Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, and 2014.

QUALIFIED APPELLATE MEDIATOR, APPELLATE MEDIATION PROGRAM, Court of Appeal, First Appellate District (October 2000 to 2013) (program terminated).

ADJUNCT PROFESSOR, HASTINGS COLLEGE OF THE LAW (January 1988 to Present): Teach Public Interest Law Practice, a 2-unit course that focuses on the history, strategies, and issues involved in the practice of public interest law.

PEARL, McNEILL & GILLESPIE, Partner (May 1982 to March 1987): General civil litigation practice, as described above.

CALIFORNIA RURAL LEGAL ASSISTANCE, INC. (July 1971 to September 1983) (part-time May 1982 to September 1983):

Director of Litigation (July 1977 to July 1982)
Responsibilities: Oversaw and supervised litigation of more than 50 attorneys in CRLA's 15 field offices; administered and supervised staff of 4-6 Regional Counsel; promulgated litigation policies and procedures for program; participated in complex civil litigation.

Regional Counsel (July 1982 to September 1983 part-time)
Responsibilities: Served as co-counsel to CRLA field attorneys on complex projects; provided technical assistance and training to CRLA field offices; oversaw CRLA attorney's fee cases; served as counsel on major litigation.

Directing Attorney, Cooperative Legal Services Center (February 1974 to July 1977) (Staff Attorney February 1974 to October 1975)
Responsibilities: Served as co-counsel on major litigation with legal services attorneys in small legal services offices throughout California; supervised and administered staff of four senior legal services attorneys and support staff.

Directing Attorney, CRLA McFarland Office (July 1971 to February 1974) (Staff Attorney July 1971 to February 1972)
Responsibilities: Provided legal representation to low income persons and groups in Kern, King, and Tulare Counties; supervised all litigation and administered staff of ten.

HASTINGS COLLEGE OF THE LAW, Instructor, Legal Writing and Research Program (August 1974 to June 1978)
Responsibilities: Instructed 20 to 25 first year students in legal writing and research.

CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD, Staff Attorney, General Counsel's Office (November 1975 to January 1976, while on leave from CRLA)
Responsibilities: Prosecuted unfair labor practice charges before Administrative Law Judges and the A.L.R.B. and represented the A.L.R.B. in state court proceedings.

ATLANTA LEGAL AID SOCIETY, Staff Attorney (October 1969 to June 1971)
Responsibilities: Represented low-income persons and groups as part of 36-lawyer legal services program located in Atlanta, Georgia.

PUBLICATIONS

Pearl, *California Attorney Fee Awards, Third Edition* (Cal. Cont. Ed. Bar 2010) and February 2011, 2012, 2013, and 2014 Supplements

Pearl, *California Attorney Fee Awards, Second Edition* (Cal. Cont. Ed. Bar 1994), and 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008 Supplements

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Flannery v. Prentice: Shifting Attitudes Toward Fee Agreements and Fee-Shifting Statutes, Civil Litigation Reporter (Cal. Cont. Ed. Bar Nov. 2001)

A Practical Introduction to Attorney's Fees, Environmental Law News (Summer 1995)

Wrongful Employment Termination Practice, Second Edition (Cal. Cont. Ed. Bar 1997) (co-authored chapter on "Attorney Fees")

California Attorney's Fees Award Practice (Cal. Cont. Ed. Bar 1982) (edited), and 1984 through 1993 Supplements

Program materials on attorney fees, prepared as panelist for CEB program on Attorneys' Fees: Practical and Ethical Considerations in Determining, Billing, and Collecting (October 1992)

Program materials on Attorney's Fees in Administrative Proceedings: California Continuing Education of the Bar, prepared as panelist for CEB program on Effective Representation Before California Administrative Agencies (October 1986)

Program materials on Attorney's Fees in Administrative Proceedings: California Continuing Education of the Bar, prepared as panelist for CEB program on Attorneys' Fees: Practical and Ethical Considerations (March 1984)

Settlors Beware/The Dangers of Negotiating Statutory Fee Cases (September 1985) Los Angeles Lawyer

Program Materials on Remedies Training (Class Actions), sponsored by Legal Services Section, California State Bar, San Francisco (May 1983)

Attorneys' Fees: A Legal Services Practice Manual (Legal Services Corporation 1981)

PUBLIC SERVICE

Member, Attorneys' Fee Task Force, California State Bar

Chairperson, Board of Directors, California Rural Legal Assistance Foundation

REPRESENTATIVE REPORTED CASES

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(1982) 132 Cal.App.3d 961

Center for Biological Diversity v. County of San Bernardino
(2010) 185 Cal.App.4th 866

Committee to Defend Reproductive Rights v. A Free Pregnancy Center
(1991) 229 Cal.App.3d 633

David C. v. Leavitt
(D. Utah 1995) 900 F.Supp. 1547

Delaney v. Baker
(1999) 10 Cal.4th 23

Employment Development Dept. v. Superior Court (Boren)
(1981) 30 Cal.3d 256

Environmental Protection Information Center, Inc. v. Pacific Lumber Co.
(N.D. Cal. 2002) 229 F. Supp.2d 993, *aff=d* (9th Cir. 2004) 103 Fed. Appx. 627

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Graham v. DaimlerChrysler Corp.
(2004) 34 Cal. 4th 553

Horsford v. Board of Trustees of Univ. of Calif.
(2005) 132 Cal.App.4th 359

Ketchum v. Moses
(2001) 24 Cal.4th 1122

Kievlan v. Dahlberg Electronics
(1978) 78 Cal.App.3d 951, *cert. denied* (1979)
440 U.S. 951

Lealao v. Beneficial California, Inc.
(2000) 82 Cal.App.4th 19

Lewis v. California Unemployment Insurance Appeals Board
(1976) 56 Cal.App.3d 729

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(N.D. Cal. 1984) 580 F.Supp. 714,
Aff'd (9th Cir. 1986) 792 F.2d 762

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(9th Cir. 1995) 67 F.3d 1470

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(1987) 43 Cal.3d 1281

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(N.D. Cal. 1976) 411 F.Supp. 5,
aff'd (9th Cir. 1977) 573 F.2d 555

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(2014) 59 Cal.4th 602 (argued for *amici curiae*)

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(S.D. Cal. 1999) 1999 U.S. Dist. LEXIS 10752,
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(2014) 2013 Cal.App. Unpub. LEXIS 6975

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(E.D. Cal 1975) 389 F.Supp. 635

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(N.D. Cal. 1999) 1999 U.S. Dist. LEXIS 20544

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(1979) 24 Cal.3d 93 (amicus)

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(1976) 17 Cal.3d 719 (amicus)

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(1976) 17 Cal.3d 671 (amicus)

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(N.D. Cal. 1990) 748 F.Supp. 1416, *aff'd in part and revs'd in part sub nom Davis v. City and County of San Francisco* (9th Cir. 1992) 976 F.2d 1536, *modified on rehearing* (9th Cir. 1993) 984 F.2d 345

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(2008) 45 Cal.4th 243 (*amicus*)

Velez v. Wynne
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REFERENCES

Furnished upon request.

September 2014

Furnished upon request

EXHIBIT B

LAFFEY MATRIX

History

Case Law

Report Updates

See the Matrix

Contact Us

Home

Links

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20+
6/01/13- 5/31/14	1.0244	$175	$320	$393	$567	$640	$771
6/01/12- 5/31/13	1.0258	$170	$312	$383	$554	$625	$753
6/01/11- 5/31/12	1.0352	$166	$305	$374	$540	$609	$734
6/01/10- 5/31/11	1.0337	$161	$294	$361	$522	$589	$709
6/01/09- 5/31/10	1.0220	$155	$285	$349	$505	$569	$686
6/01/08- 5/31/09	1.0399	$152	$279	$342	$494	$557	$671
6/01/07-5/31/08	1.0516	$146	$268	$329	$475	$536	$645
6/01/06-5/31/07	1.0256	$139	$255	$313	$452	$509	$614
6/1/05-5/31/06	1.0427	$136	$249	$305	$441	$497	$598
6/1/04-5/31/05	1.0455	$130	$239	$293	$423	$476	$574
6/1/03-6/1/04	1.0507	$124	$228	$280	$405	$456	$549
6/1/02-5/31/03	1.0727	$118	$217	$267	$385	$434	$522
6/1/01-5/31/02	1.0407	$110	$203	$249	$359	$404	$487
6/1/00-5/31/01	1.0529	$106	$195	$239	$345	$388	$468
6/1/99-5/31/00	1.0491	$101	$185	$227	$328	$369	$444
6/1/98-5/31/99	1.0439	$96	$176	$216	$312	$352	$424
6/1/97-5/31/98	1.0419	$92	$169	$207	$299	$337	$406
6/1/96-5/31/97	1.0396	$88	$162	$198	$287	$323	$389
6/1/95-5/31/96	1.032	$85	$155	$191	$276	$311	$375
6/1/94-5/31/95	1.0237	$82	$151	$185	$267	$301	$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., McDowell v. District of Columbia, Civ. A. No. 00-594 (RCL), LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); Salazar v. Dist. of Col., 123 F.Supp.2d 8 (D.D.C. 2000).

* "Years Out of Law School" is calculated from June 1 of each year, when most law students graduate. "1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). "4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of

practice. An attorney who graduated in May 1996 would be in tier "1-3" from June 1, 1996 until May 31, 1999, would move into tier "4-7" on June 1, 1999, and tier "8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT C

$1,000 Per Hour Isn't Rare Anymore; Nominal billing levels rise, but discounts ease blow.

The National Law Journal

January 13, 2014 Monday

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THE NATIONAL LAW JOURNAL

Section: NLJ'S *BILLING SURVEY*; Pg. 1; Vol. 36; No. 20

Length: 1860 words

Byline: KAREN SLOAN

Body

As recently as five years ago, law partners charging $1,000 an hour were outliers. Today, four-figure hourly rates for indemand partners at the most prestigious firms don't raise eyebrows-and a few top earners are closing in on $2,000 an hour.

These rate increases come despite hand-wringing over price pressures from clients amid a tough economy. But everrising standard billing rates also obscure the growing practice of discounts, falling collection rates, and slow march toward alternative fee arrangements.

Nearly 20 percent of the firms included in The National Law Journal's annual survey of large law firm billing rates this year had at least one partner charging more than $1,000 an hour. Gibson, Dunn & Crutcher partner Theodore Olson had the highest rate recorded in our survey, billing $1,800 per hour while representing mobile satellite service provider LightSquared Inc. in Chapter 11 proceedings.

Of course, few law firm partners claim Olson's star power. His rate in that case is nearly the twice the $980 per hour average charged by Gibson Dunn partners and three times the average $604 hourly rate among partners at NLJ 350 firms. Gibson Dunn chairman and managing partner Ken Doran said Olson's rate is "substantially" above that of other partners at the firm, and that the firm's standard rates are in line with its peers.

"While the majority of Ted Olson's work is done under alternative billing arrangements, his hourly rate reflects his stature in the legal community, the high demand for his services and the unique value that he offers to clients given his extraordinary experience as a former solicitor general of the United States who has argued more than 60 cases before the U.S. Supreme Court and has counseled several presidents," Doran said.

In reviewing billing data this year, we took a new approach, asking each firm on the NLJ 350-our survey of the nation's 350 largest firms by attorney headcount-to provide their highest, lowest and average billing rates for associates and partners. We supplemented those data through public records. All together, this year's survey includes information for 159 of the country's largest law firms and reflects billing rates as of October.

The figures show that, even in a down economy, hiring a large law firm remains a pricey prospect. The median among the highest partner billing rates reported at each firm is $775 an hour, while the median low partner rate is $405. For associates, the median high stands at $510 and the low at $235. The average associate rate is $370.

Multiple industry studies show that law firm billing rates continued to climb during 2013 despite efforts by corporate counsel to rein them in. TyMetrix's 2013 Real Rate Report Snapshot found that the average law firm billing rate increased by 4.8 percent compared with 2012. Similarly, the Center for the Study of the Legal Profession at the Georgetown University Law Center and Thomson Reuters Peer Monitor found that law firms increased their rates by an average 3.5 percent during 2013.

Richard Pearl

Of course, rates charged by firms on paper don't necessarily reflect what clients actually pay. Billing realization rates-which reflect the percentage of work billed at firms' standard rates- have fallen from 89 percent in 2010 to nearly 87 percent in 2013 on average, according to the Georgetown study. When accounting for billed hours actually collected by firms, the realization rate falls to 83.5 percent.

"What this means, of course, is that- on average-law firms are collecting only 83.5 cents for every $1.00 of standard time they record," the Georgetown report reads. "To understand the full impact, one need only consider that at the end of 2007, the collected realization rate was at the 92 percent level."

In other words, law firms set rates with the understanding that they aren't likely to collect the full amount, said Mark Medice, who oversees the Peer Monitor Index. That index gauges the strength of the legal market according to economic indicators including demand for legal services, productivity, rates and expenses. "Firms start out with the idea of, 'I want to achieve a certain rate, but it's likely that my client will ask for discounts whether or not I increase my rate,'" Medice said.

Indeed, firms bill nearly all hourly work at discounts ranging from 5 percent to 20 percent off standard rates, said Peter Zeughauser, a consultant with the Zeughauser Group. Discounts can run as high as 50 percent for matters billed under a hybrid system, wherein a law firm can earn a premium for keeping costs under a set level or for obtaining a certain outcome, he added. "Most firms have gone to a two-tier system, with what is essentially an aspirational rate that they occasionally get and a lower rate that they actually budget for," he said.

Most of the discounting happens at the front end, when firms and clients negotiate rates, Medice said. But additional discounting happens at the billing and collections stages. Handling alternative fee arrangements and discounts has become so complex that more than half of the law firms on the Am Law 100-NLJ affiliate The American Lawyer's ranking of firms by gross revenue-have created new positions for pricing directors, Zeughauser said.

THE ROLE OF GEOGRAPHY

Unsurprisingly, rates vary by location. Firms with their largest office in New York had the highest average partner and associate billing rates, at $882 and $520, respectively. Similarly, TyMetrix has reported that more than 25 percent of partners at large New York firms charge $1,000 per hour or more for contracts and commercial work.

Washington was the next priciest city on our survey, with partners charging an average $748 and associates $429. Partners charge an average $691 in Chicago and associates $427. In Los Angeles, partners charge an average $665 while the average associate rate is $401.

Pricing also depends heavily on practice area, Zeughauser and Medice said. Bet-the-company patent litigation and white-collar litigation largely remain at premium prices, while practices including labor and employment have come under huge pressure to reduce prices.

"If there was a way for law firms to hold rates, they would do it. They recognize how sensitive clients are to price increases," Zeughauser said. But declining profit margins-due in part to higher technology costs and the expensive lateral hiring market-mean that firms simply lack the option to keep rates flat, he said.

BILLING SURVEY METHODOLOGY

The National Law Journal's survey of billing rates of the largest U.S. law firms provides the high, low and average rates for partners and associates.

The NLJ asked respondents to its annual survey of the nation's largest law firms (the NLJ 350) to provide a range of hourly billing rates for partners and associates as of October 2013.

For firms that did not supply data to us, in many cases we were able to supplement billing-rate data derived from public records.

In total, we have rates for 159 of the nation's 350 largest firms.

$1,000 Per Hour Isn't Rare Anymore; Nominal billing levels rise, but discounts ease blow.

Rates data include averages, highs and low rates for partners and associates. Information also includes the average full-time equivalent (FTE) attorneys at the firm and the city of the firm's principal or largest office.

We used these data to calculate averages for the nation as a whole and for selected cities.

Billing Rates at the Country's Priciest Law Firms

Here are the 50 firms that charge the highest average hourly rates for partners.

Billing Rates at the Country's Priciest Law Firms

FIRM NAME	LARGEST U.S. OFFICE*	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS*	PARTNER HOURLY RATES			ASSOCIATE HOURLY RATES		
			AVERAGE	HIGH	LOW	AVERAGE	HIGH	LOW
Debevoise & Plimpton	New York	615	$1,055	$1,075	$955	$490	$760	$120
Paul, Weiss, Rifkind, Wharton & Garrison	New York	803	$1,040	$1,120	$760	$600	$760	$250
Skadden, Arps, Slate, Meagher & Flom	New York	1,735	$1,035	$1,150	$845	$620	$845	$340
Fried, Frank, Harris, Shriver & Jacobson	New York	476	$1,000	$1,100	$930	$595	$760	$375
Latham & Watkins	New York	2,033	$990	$1,110	$895	$605	$725	$465
Gibson, Dunn & Crutcher	New York	1,086	$980	$1,800	$765	$590	$930	$175
Davis Polk & Wardwell	New York	787	$975	$985	$850	$615	$975	$130
Willkie Farr & Gallagher	New York	540	$950	$1,090	$790	$580	$790	$350
Cadwalader, Wickersham & Taft	New York	435	$930	$1,050	$800	$605	$750	$395
Weil, Gotshal & Manges	New York	1,201	$930	$1,075	$625	$600	$790	$300
Quinn Emanuel Urquhart & Sullivan	New York	697	$915	$1,075	$810	$410	$675	$320
Wilmer Cutler Pickering Hale and Dorr	Washington	961	$905	$1,250	$735	$290	$695	$75
Dechert	New York	803	$900	$1,095	$670	$530	$735	$395
Andrews Kurth	Houston	348	$890	$1,090	$745	$528	$785	$265
Hughes Hubbard & Reed	New York	344	$890	$995	$725	$555	$675	$365
Irell & Manella	Los Angeles	164	$890	$975	$800	$535	$750	$395
Proskauer Rose	New York	746	$880	$950	$725	$465	$675	$295
White & Case	New York	1,900	$875	$1,050	$700	$525	$1,050	$220

* Full-time equivalent attorney numbers and the largest U.S. office are from the NLJ 350 published in April 2013. For complete numbers, please see *NLJ.com*.

** Firm did not exist in this form for the entire year.

$1,000 Per Hour Isn't Rare Anymore; Nominal billing levels rise, but discounts ease blow.

FIRM NAME	LARGEST U.S. OFFICE*	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS*	PARTNER HOURLY RATES		ASSOCIATE HOURLY RATES			
			AVERAGE	HIGH	LOW	AVERAGE	HIGH	LOW
Morrison & Foerster	San Francisco	1,010	$865	$1,195	$595	$525	$725	$230
Pillsbury Winthrop Shaw Pittman	Washington	609	$865	$1,070	$615	$520	$860	$375
Kaye Scholer	New York	414	$860	$1,080	$715	$510	$680	$320
Kramer Levin Naftalis & Frankel	New York	320	$845	$1,025	$740	$590	$750	$400
Hogan Lovells	Washington	2,280	$835	$1,000	$705	-	-	-
Kasowitz, Benson, Torres & Friedman	New York	365	$835	$1,195	$600	$340	$625	$200
Kirkland & Ellis	Chicago	1,517	$825	$995	$590	$540	$715	$235
Cooley	Palo Alto	632	$820	$990	$660	$525	$630	$160
Arnold & Porter	Washington	748	$815	$950	$670	$500	$610	$345
Paul Hastings	New York	899	$815	$900	$750	$540	$755	$335
Curtis, Mallet-Prevost, Colt & Mosle	New York	322	$800	$860	$730	$480	$785	$345
Winston & Strawn	Chicago	842	$800	$995	$650	$520	$590	$425
Bingham McCutchen	Boston	900	$795	$1,080	$220	$450	$605	$185
Akin Gump Strauss Hauer & Feld	Washington	806	$785	$1,220	$615	$525	$660	$365
Covington & Burling	Washington	738	$780	$890	$605	$415	$565	$320
King & Spalding	Atlanta	838	$775	$995	$545	$460	$735	$125
Norton Rose Fulbright	N/A**	N/A**	$775	$900	$525	$400	$515	$300
DLA Piper	New York	4,036	$765	$1,025	$450	$510	$750	$250
Bracewell & Giuliani	Houston	432	$760	$1,125	$575	$440	$700	$275
Baker & McKenzie	Chicago	4,004	$755	$1,130	$260	$395	$925	$100
Dickstein Shapiro	Washington	308	$750	$1,250	$590	$475	$585	$310
Jenner & Block	Chicago	432	$745	$925	$565	$465	$550	$380
Jones Day	New York	2,363	$745	$975	$445	$435	$775	$205
Manatt, Phelps & Phillips	Los Angeles	325	$740	$795	$640	-	-	-
Seward & Kissel	New York	152	$735	$850	$625	$400	$600	$290
O'Melveny & Myers	Los Angeles	738	$715	$950	$615	-	-	-
McDermott Will & Emery	Chicago	1,024	$710	$835	$525	-	-	-
Reed Smith	Pittsburgh	1,468	$710	$945	$545	$420	$530	$295
Dentons	N/A**	N/A**	$700	$1,050	$345	$425	$685	$210
Jeffer Mangels Butler & Mitchell	Los Angeles	126	$690	$875	$560	-	-	-
Sheppard, Mullin,	Los	521	$685	$875	$490	$415	$535	$275

$1,000 Per Hour Isn't Rare Anymore; Nominal billing levels rise, but discounts ease blow.

FIRM NAME	LARGEST U.S. OFFICE*	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS*	PARTNER HOURLY RATES		ASSOCIATE HOURLY RATES			
			AVERAGE	HIGH	LOW	AVERAGE	HIGH	LOW
Richter & Hampton	Angeles							
Alston & Bird	Atlanta	805	$675	$875	$495	$425	$575	$280

THE FOUR-FIGURE CLUB

THE FOUR-FIGURE CLUB

These 10 firms posted the highest partner billing rates.

Gibson, Dunn & Crutcher	$1,800
Dickstein Shapiro	$1,250
Wilmer Cutler Pickering Hale and Dorr	$1,250
Akin Gump Strauss Hauer & Feld	$1,220
Kasowitz, Benson, Torres & Friedman	$1,195
Morrison & Foerster	$1,195
Skadden, Arps, Slate, Meagher & Flom	$1,150
Baker & McKenzie	$1,130
Bracewell & Giuliani	$1,125
Paul, Weiss, Rifkind, Wharton & Garrison	$1,120

Contact Karen Sloan at *ksloan@alm.com*

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Company: GIBSON DUNN & CRUTCHER LLP (93%); LIGHTSQUARED INC (83%)

Industry: NAICS541110 OFFICES OF LAWYERS (93%); SIC8111 LEGAL SERVICES (93%); NAICS517410 SATELLITE TELECOMMUNICATIONS (83%); NAICS334220 RADIO & TELEVISION BROADCASTING & WIRELESS COMMUNICATIONS EQUIPMENT MANUFACTURING (83%)

Geographic: UNITED STATES (92%)

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The Firms

April 16, 2012 5:20 PM

When It Comes to Billing, Latest Rate Report Shows the Rich Keep Getting Richer

Posted by Sara Randazzo.

Hourly rates just keep rising—and the best-paid lawyers are raising their rates faster than everyone else.

Those are two of the key findings contained in the 2012 Real Rate Report, an analysis of $7.6 billion in legal bills paid by corporations over a five-year period ending in December 2011. The report, released Monday, is the second such collaboration between TyMetrix, a company that manages and audits

legal bills for corporate legal departments, and the Corporate Executive Board.

Many of the new rate report's findings echo those contained in the 2010 study, including the fact that rates keep going up, almost across the board, and that the cost of a given matter can vary dramatically depending on a law firm's size and location and its relationship with a particular client.

At the same time, this year's study shows that the legal sector is becoming increasingly bifurcated, with top firms raising rates faster than those at the bottom of the market and large firms charging a premium price based purely on their size.

"What it's really showing is that there's an increased premium being paid for experience and expertise," says Julie Peck, vice president of strategy and market development at TyMetrix. "Some parts of the lawyer market are able to raise rates much more quickly, and are more impervious to economic forces then others."

To compile the current rate report, TyMetrix received permission from its clients to examine legal fees billed to 62 companies across 17 industries including energy, finance, retail, technology, insurance, and health care. The bills, which represent the amount actually paid by the companies in question rather than the amount initially charged, came from more than 4,000 firms in 84 metropolitan areas around the country. Every firm on the 2011 Am Law 100 is represented in the data.

The report's key data points include:

A Widening Gap: Hourly rates charged by lawyers in the legal sector's upper echelon grew faster between 2009 and 2011 than those charged by lawyers toiling on the lower rungs. Particularly striking was the jump in associate rates billed by those falling in the report's top quartile: 18 percent on average, to just over $600 per hour. Rates billed by top quartile partners, meanwhile, rose 8 percent, to just under $900 per hour. In the bottom quartile, associate rates rose 4 percent and partner rates rose 3 percent during the same period.

The Recession's (Minor) Toll: Even amid the economic downturn, the cost of an hour of a lawyer's time continued to rise faster than key measures of inflation. That said, the legal industry wasn't completely immune to the broader economy's slowdown. After rising 8.2 percent between 2007 and 2008, hourly rates rose just 2.3 percent in 2009. Law firms bounced back a bit last year, with rates climbing 5.1 percent, to an average of $530 an hour.

Location Counts: Not surprisingly, lawyers working in major metropolitan areas—where, as the rate report notes, rents are typically higher—are the priciest. An address in Boston, Chicago, Los Angeles, San Francisco, or Washington, D.C., alone adds about $161 to the hourly rate charged by an individual lawyer. Those six cities and Baltimore, Houston, Philadelphia, and San Jose are the ten U.S. markets with the highest hourly rates. With an average partner rate topping $700 per hour and average associate rate of more than $450 per hour, New York is the most expensive market in the country. The least expensive? Riverside, California, where the average partner bills at under $250 per hour and associates bill at just over $300 an hour.

In the Minority: A small group of lawyers—12 percent—bucked the trend toward higher fees and actually lowered rates between 2009 to 2011—and 3 percent trimmed rates by $50 or more per hour. (Most of those in the rate-cutting camp were based outside the big six markets identified above.) At the other end of the spectrum, 52 percent of lawyers increased rates by between $25 and $200 or more per hour. Another 18 percent increased rates by less than $25 per hour, and the final 18 percent held rates steady.

First-Year Blues: Even before the recession hit, clients balked at paying for what they considered on-the-job training for first-year associates. The latest rate report is likely to reinforce that reluctance, given its finding that using entry-level lawyers adds as much as 20 percent to the cost of a legal matter. The report offers evidence that firms may be accommodating clients on this front: The percentage of bills attributed to entry-level associates dropped from 7 percent in 2009 to 2.9 percent last year.

Ties That Bind: The more work one firm handles for a client—and the longer the client relationship extends—the higher the average rate the firm charges. For companies that paid one firm $10 million or more in a single year, the average hourly rate paid was $553 in 2011. By comparison, clients that limited their spending on an individual firm to $500,000 paid that firm an average of $319 per hour.

Four-Digit Frontier: Data has consistently shown that many lawyers hesitate to charge more than $1,000 an hour, and in 2011 just under 3 percent of the lawyers covered by the rate report had broken that barrier. Of those, the vast majority were working in the six main legal markets identified above and 60 percent of the time, they billed in increments of one hour or less.

Playing Favorites: Across all practice areas, 90 percent of lawyers charged different clients different rates for similar types of work. (The figure for mergers and acquisitions lawyers was 100 percent.) The differences from client to client can be extreme, and were even more pronounced in the current report than in the 2010 edition. Rates charged by intellectual property specialists, for instance, had a median variance of 23.1 percent, while lawyers doing commercial and contract work showed a 18.7 percent median difference.

Who's Doing What? A closer look at law firm bills for work performed on litigation and intellectual property assignments shows that the kind of timekeeper billing on a matter varies by practice type. On patent matters, the report shows, 47 percent of hours billed on average are attributed to paralegals, and 37 percent by partners. By comparison, paralegals account for just 8 percent of the work done on labor and employment litigation hours, while partners handle 45 percent.

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On Sale: The $1,150-Per-Hour Lawyer

Lawyer Fees Keep Growing, But Don't Believe Them. Clients Are Demanding, and Getting, Discounts

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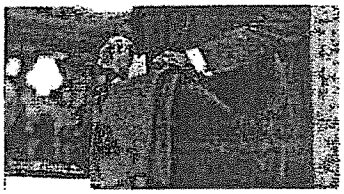
By JENNIFER SMITH

Top partners at leading U.S. law firms are charging more than ever before, yet those hourly rates aren't all they appear to be.

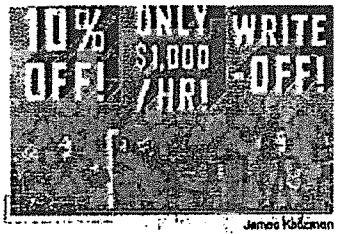


Top partners at leading U.S. law firms are charging more than ever -- routinely $1,150 or more an hour -- but after discounts and write-offs the nosebleed rates aren't all they appear to be. Jennifer Smith reports. Photo: Getty Images.

Having blown past the once-shocking price tag of $1,000 an hour, some sought-after deal, tax and trial lawyers are commanding hourly fees of $1,150 or more, according to an analysis of billing rates compiled from public filings.

But, as law firms boost their standard rates, many are softening the blow with widespread discounts and write-offs, meaning fewer clients are paying full freight. As a result, law firms on average are actually collecting fewer cents on the dollar, compared with their standard, or "rack," rates, than they have in years.

Think of hourly fees "as the equivalent of a sticker on the car at a dealership," said legal consultant Ward Bower, a principal at Altman Weil Inc. "It's the beginning of a negotiation....Law firms think they are setting the rates, but clients are the ones determining what they're going to pay."



James Kobzeman

Star lawyers still can fetch a premium, and some of them won't budge on price. The number of partners billing $1,150-plus an hour has more than doubled since this time last year, according to Valeo Partners, a consulting firm that maintains a database of legal rates pulled from court filings and other publicly disclosed information. More than 320 lawyers in the firm's database billed at that level in the first quarter of 2013, up from 158 a year earlier.

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1 Where Job Growth Is Coming



That gilded circle includes tax experts such as Christopher Roman of King & Spalding LLP and Todd Maynes of Kirkland & Ellis LLP, intellectual-property partner Nader A. Mousavi of Sullivan & Cromwell LLP, and deal lawyers such as Kenneth M. Schneider of Paul, Weiss, Rifkind, Wharton & Garrison LLP.

Those lawyers and their firms either declined to comment or didn't reply to requests for comment.

When corporate legal departments need a trusted hand to fend off a hostile takeover or win a critical court battle, few general counsels will nitpick over whether a key lawyer is charging $900 an hour or $1,150 an hour. But for legal matters where their future isn't on the line, companies are pushing for—and winning—significant price breaks.

"We almost always negotiate rates down from the rack rates," said Randal S. Milch, general counsel for phone giant Verizon Communications Inc. VZ +0.29% The result, he said, is a "not-insignificant discount."

For the bread-and-butter work that many big law firms rely on, haggling has become the norm. Many clients grew accustomed to pushing back on price during the recession and continue to demand discounts.

Some companies insist on budgets for their legal work. If a firm billing by the hour exceeds a set cap, lawyers may have to write off some of that time.

Other clients refuse to work with firms who don't discount, lopping anywhere from 10% to 30% off their standard rates. Some may grant rate increases to individual partners or associates they deem worthy. Another tactic: locking in prices with tailored multiyear agreements with formulas governing whether clients grant or refuse a requested rate increase.

In practical terms, that means the gap between law firms' sticker prices and the amount of money they actually bill and collect from their clients is wider than it has been in years.

According to data collected by Thomson Reuters Peer Monitor, big law firms raised their average standard rate by about 9.3% over the past three years. But they weren't able to keep up on the collection side, where the increase over the same period was just 6%. Firms that used to collect on average about 92 cents for every dollar of standard time their lawyers worked in 2007, before the economic downturn, now are getting less than 85 cents. "That's a historic low," said James Jones, a senior fellow at the Center for the Study of the Legal Profession at Georgetown Law.

To be sure, things have certainly picked up some since the recession, when some clients flat-out refused to pay rate increases.

In the first quarter of 2013, the 50 top-grossing U.S. law firms boosted their partner rates by as much as 5.7%, billing on average between $879 and $882 an hour, according to Valeo Partners. Rates for junior lawyers, whose labors have long been a profit engine for major law firms, jumped even more.

While some clients resisted using associate lawyers during the downturn, refusing to pay hundreds of dollars an hour for inexperienced first- or second-year attorneys, the largest U.S. law firms have managed to send the needle back up again. This year, for the first time, the average rate for associates with one to four years of experience rose to $500 an hour, according to Valeo.

The increases continue the upward trend of 2012, when legal fees in general rose 4.8% and associate billing rates rose by 7.4%, according to a coming report by TyMetrix Legal Analytics, a unit of Wolters Kluwer, WKL.AE +0.95% and CEB, a research and advisory-services company. Those numbers are based on legal-spending data from more than 17,000 law firms.

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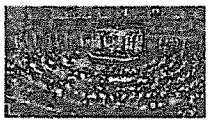

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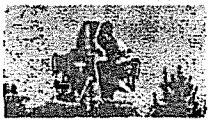

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More than a dozen leaders at major law firms declined to discuss rate increases on the record, though some said privately that the increase in associate rates could be caused in part by step increases as junior lawyers gain in seniority.

Joe Sims, an antitrust partner at Jones Day and former member of the firm's partnership committee, said clients don't mind paying for associates, as long as they feel they are getting their money's worth.

Sophisticated clients, he said, tend to focus on the overall price tag for legal work, not on individual rates. "They are more concerned about how many people are working on the project and the total cost of the project," Mr. Sims said. "Clients want value no matter who is on the job."

While a handful of elite lawyers have successfully staked out the high end—the deal teams at Wachtell, Lipton, Rosen & Katz, for example—legal experts say that client pressure to control legal spending means most law firms must be considerably more flexible on price.

"There will always be some 'bet the company' problem where a client will not quibble about rates," said Mr. Jones, the Georgetown fellow. "Unfortunately, from the law firms' standpoint, that represents a small percentage of the work."

Write to Jennifer Smith at jennifer.smith@wsj.com

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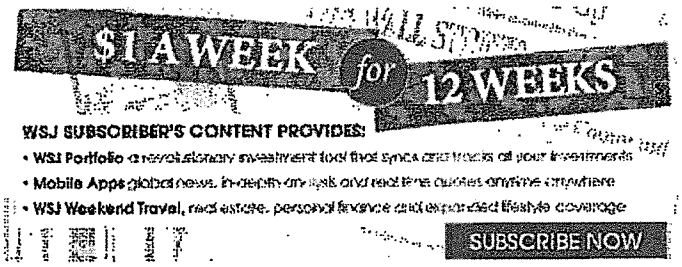

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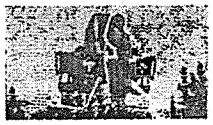

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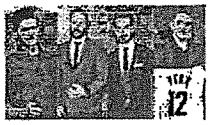

The 400 Richest Americans: Who's New on the List?



Steps to Better Foot Health

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2012 NJ Billing Survey

Head Year	Firm Name	Location	Partner Billing Rate High	Partner Billing Rate Low	Associate Billing Rate High	Associate Billing Rate Low	Associate Billing Rate Average	Partner Billing Rate Average	Blended Billing Rate Average	Associate Billing Rate Med	Partner Billing Rate Med	Blended Billing Rate Med	Annual billable hours requirement	Variation in the billable hours	Percentage of your firm's revenues (1) collected through write-offs on the billings from 2011	Firm Billing Alternatives	Percentage of your firm's revenues (1) collected via alternative billing (2)	N.J. Billing Source	Notes
2012	Adams and Reese	New Orleans	$595.00	$375.00	$385.00	$175.00	$250.00	$375.00		250	375	320						2012 NJ Billing Survey	
2012	Best Best & Krieger	Riverside, CA	$625.00	$310.00	$390.00	$225.00	$298.00	$415.00		258	435	388						2012 NJ Billing Survey	
2012	Brinks Hofer Gilson & Lione	Chicago	$825.00	$525.00	$460.00	$190.00	$325.00	$550.00		325	580	335						2012 NJ Billing Survey	
2012	Bryan Cave	St. Louis	$785.00	$390.00	$550.00	$200.00	$373.00	$553.00		373	553	550						2012 NJ Billing Survey	
2012	Butzel Long	Detroit	$750.00	$200.00	$625.00	$219.00	$238.00	$363.00		234	363	313						2012 NJ Billing Survey	
2012	Cozen O'Connor	Philadelphia	$975.00	$520.00	$575.00	$255.00	$345.00	$513.00		345	513	440						2012 NJ Billing Survey	
2012	DickinsonWright	Detroit	$595.00	$285.00	$340.00	$205.00												2012 NJ Billing Survey	
2012	Dickstein Shapiro	Washington	$1250.00	$560.00	$570.00	$225.00	$450.00	$700.00		425	700	620						2012 NJ Billing Survey	
2012	Dinsmore & Shohl	Cincinnati	$650.00	$180.00	$205.00	$130.00	$225.00	$360.00		225	360	310						2012 NJ Billing Survey	
2012	DLA Piper	New York	$1200.00	$550.00	$760.00	$225.00	$350.00	$775.00		510	775	625						2012 NJ Billing Survey	
2012	Dorsey & Whitney	Minneapolis	$835.00	$305.00	$420.00	$220.00	$275.00	$525.00		275	525	430						2012 NJ Billing Survey	
2012	Dykema Gossett	Chicago	$675.00	$325.00	$445.00	$225.00	$325.00	$505.00		385	505	435						2012 NJ Billing Survey	
2012	Epstein Becker & Green	New York	$750.00	$330.00	$455.00	$215.00	$330.00	$525.00		335	525	435						2012 NJ Billing Survey	
2012	Fisher & Phillips	Atlanta	$565.00	$350.00	$395.00	$215.00	$305.00	$430.00		305	430	410						2012 NJ Billing Survey	
2012	Foley & Lardner	Milwaukee	$675.00	$390.00	$605.00	$200.00	$370.00	$575.00		370	578	485						2012 NJ Billing Survey	
2012	Fox Rothschild	Philadelphia	$760.00	$340.00	$480.00	$200.00	$310.00	$500.00		310	500	425						2012 NJ Billing Survey	
2012	Frost Brown Todd	Cincinnati	$525.00	$265.00	$275.00	$162.00	$205.00	$350.00		206	350	285						2012 NJ Billing Survey	
2012	Gardere Wynne Sewell	Dallas	$795.00	$295.00	$525.00	$235.00	$350.00	$565.00		350	565	485						2012 NJ Billing Survey	
2012	Gibbons	Newark, NJ	$615.00	$335.00	$452.00	$285.00	$320.00	$500.00		320	500	450						2012 NJ Billing Survey	
2012	Harris Beach	Rochester, NY	$625.00	$385.00	$350.00	$175.00	$250.00	$400.00		250	400	350						2012 NJ Billing Survey	
2012	Hancock & Sankey	Syracuse, NY	$550.00	$235.00	$275.00	$175.00	$225.00	$441.00		225	441	351						2012 NJ Billing Survey	
2012	Hogan Lovells	Washington	$1200.00	$545.00	$655.00	$318.00	$465.00	$750.00		485	758	625						2012 NJ Billing Survey	
2012	Holland & Hart	Denver	$825.00	$275.00	$460.00	$180.00	$254.00	$422.00		259	420	350						2012 NJ Billing Survey	
2012	Holland & Knight	Washington	$885.00	$315.00	$575.00	$220.00	$310.00	$660.00		310	660	525						2012 NJ Billing Survey	
2012	Husch Blackwell	St. Louis	$800.00	$240.00	$685.00	$195.00	$215.00	$405.00		215	405	350						2012 NJ Billing Survey	
2012	Kelley Drye & Warren	New York	$950.00	$450.00	$600.00	$235.00	$350.00	$660.00		458	660	550						2012 NJ Billing Survey	
2012	Knobbe Martens Olson &	Irvine, CA	$760.00	$425.00	$420.00	$295.00	$330.00	$525.00		330	525	380						2012 NJ Billing Survey	
2012	Lathrop & Gage	Kansas City, MO	$595.00	$245.00	$385.00	$205.00	$285.00	$410.00		245	410	355						2012 NJ Billing Survey	
2012	Lewis and Roca	Phoenix	$725.00	$410.00	$450.00	$225.00	$330.00	$520.00		330	520	470						2012 NJ Billing Survey	
2012	Locke Lord	Dallas	$1225.00	$455.00	$600.00	$255.00	$400.00	$655.00		485	655	555						2012 NJ Billing Survey	
2012	McAfee & Taft	Oklahoma City	$500.00	$250.00	$265.00	$185.00	$215.00	$375.00		215	375	325						2012 NJ Billing Survey	
2012	McDonald Hopkins	Cleveland	$595.00	$310.00	$370.00	$105.00	$270.00	$440.00		270	440	380						2012 NJ Billing Survey	
2012	McElroy, Deutsch, Mulvaney	Morristown, NJ	$575.00	$300.00	$325.00	$180.00	$255.00	$335.00		255	385	300						2012 NJ Billing Survey	
2012	McKenna Long & Aldridge	Atlanta	$830.00	$375.00	$560.00	$215.00	$335.00	$550.00		335	550	450						2012 NJ Billing Survey	
2012	Michael Best & Friedrich	Milwaukee	$650.00	$245.00	$350.00	$210.00	$285.00	$425.00		285	425	350						2012 NJ Billing Survey	
2012	Miles & Stockbridge	Baltimore	$700.00	$320.00	$350.00	$230.00	$300.00	$460.00		300	458	485						2012 NJ Billing Survey	
2012	Miller & Martin	Chattanooga, TN	$530.00	$250.00	$285.00	$185.00	$225.00	$335.00		225	385	348						2012 NJ Billing Survey	
2012	Nelson Mullins Riley &	Columbia, SC	$650.00	$250.00	$275.00	$160.00	$254.00	$420.00		254	420	350						2012 NJ Billing Survey	
2012	Patton Boggs	Washington	$992.00	$425.00	$670.00	$245.00	$435.00	$665.00		435	665	550						2012 NJ Billing Survey	
2012	Perkins Coie	Seattle	$910.00	$290.00	$605.00	$220.00	$365.00	$560.00		365	560	485						2012 NJ Billing Survey	
2012	Polsinelli Shughart	Kansas City, MO	$550.00	$300.00	$325.00	$210.00	$250.00	$390.00		250	330	350						2012 NJ Billing Survey	
2012	Rutan & Tucker	Costa Mesa, CA	$650.00	$340.00	$425.00	$200.00												2012 NJ Billing Survey	
2012	Saul Ewing	Philadelphia	$600.00	$335.00	$510.00	$225.00	$310.00	$500.00		310	500	450						2012 NJ Billing Survey	
2012	Schulte Roth & Zabel	New York	$985.00	$725.00	$705.00	$295.00	$565.00	$895.00		615	895	805						2012 NJ Billing Survey	
2012	Sedgwick	San Francisco	$557.00	$182.00	$420.00	$157.00	$262.00	$361.00		250	361	299						2012 NJ Billing Survey	
2012	Shumaker, Loop & Kendrick	Toledo, OH	$570.00	$240.00	$325.00	$210.00	$255.00	$350.00		253	350	373						2012 NJ Billing Survey	
2012	Shutts & Bowen	Miami	$625.00	$250.00	$370.00	$190.00	$253.00	$415.00		253	415	360						2012 NJ Billing Survey	
2012	Stoel Rives	Portland, OR	$925.00	$300.00	$435.00	$200.00	$278.00	$463.00		278	463	400						2012 NJ Billing Survey	
2012	Strasburger & Price	Dallas	$949.00	$312.00	$325.00	$190.00	$243.00	$402.00		243	402	397						2012 NJ Billing Survey	
2012	Sullivan & Worcester	Boston	$900.00	$592.00	$545.00	$320.00	$430.00	$670.00		430	670	670						2012 NJ Billing Survey	
2012	Thompson & Knight	Dallas	$900.00	$440.00	$480.00	$260.00	$365.00	$595.00		365	505	530						2012 NJ Billing Survey	
2012	Thompson Coburn	St. Louis	$750.00	$350.00	$450.00	$200.00												2012 NJ Billing Survey	
2012	Ulmer & Berne	Cleveland, OH	$815.00	$245.00	$335.00	$185.00	$285.00	$420.00		285	420	360						2012 NJ Billing Survey	
2012	Vedder Price	Chicago	$835.00	$418.00	$450.00	$275.00	$350.00	$510.00		350	512	450						2012 NJ Billing Survey	
2012	Winstead	Dallas	$645.00	$375.00	$425.00	$215.00	$320.00	$475.00		320	475	410						2012 NJ Billing Survey	

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