

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SAUL M. KAUFMAN, and KIMBERLY)	
STEGICH, individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiffs,)	No. 07-CV-1707
)	
v.)	Judge Joan B. Gottschall
)	
AMERICAN EXPRESS TRAVEL RELATED)	CLASS ACTION
RELATED SERVICES CO.,)	
)	
Defendant.)	

**LEAD CLASS COUNSEL’S AND ADDITIONAL CLASS COUNSEL’S
MOTION FOR ATTORNEYS’ FEES**

Phillip A. Bock
Robert M. Hatch
Jonathan B. Piper
BOCK & HATCH, LLC
134 North La Salle Street, Suite 1000
Chicago, IL 60602
Ph.: 312-658-5500
Fax: 312-658-5555

Stephen B. Morris
MORRIS & ASSOCIATES
444 West C Street, Suite 300
San Diego, CA 92101
Ph.: 619-239-1300
Fax: 619-374-7082

Attorneys for Class Representatives Saul M. Kaufman, Kimberly Stegich, Amanda Rudd and
Gordon Jarratt and the Settlement Class

Counsel for Plaintiffs Saul M. Kaufman, Kimberly Stegich, Amanda Rudd, and Gordon Jarratt, representatives of the certified settlement class (the “Settlement Class”), move for an award of attorneys’ fees and costs pursuant to FED. R. CIV. P. 54 (d) (2) and Local Rule 54.3. Class Counsel are concurrently filing a memorandum in support of this motion.

1. Plaintiffs’ attorneys undertook this case on a contingency basis and successfully litigated the case through a motion to compel arbitration and into settlement of the certified class’ claims.

2. On September 2, 2011, this Court entered an *Order Preliminarily Approving Class Action Settlement, Providing for Notice and Enjoining Litigation of Released Claims* (Doc. # 315).

3. The Court granted the Motion for Preliminary Approval of the Settlement, finding the agreement fair, reasonable, adequate, and within the range of possible approval. *Id.* at ¶ 4.

4. The Court appointed Phillip A. Bock and Richard J. Doherty, and the law firm of Bock & Hatch, LLC, as Lead Class Counsel, based on their experience in handling class actions, other complex litigation, and claims of the type asserted in this action, counsel’s knowledge of the applicable law and the resources counsel agreed to commit to representing the class. *Id.* at ¶6; *see also Exhibit A* hereto, Declaration of Jonathan B. Piper. The Court also designated Stephen Morris and the law firm of Morris & Associates as additional Class Counsel. Doc. # 315 at ¶ 6, *see also Exhibit B* hereto, Declaration of Stephen B. Morris. The Court has since substituted attorney Jonathan B. Piper for Richard J. Doherty as Lead Class Counsel (Doc. # 571).

5. “Absent statutory authorization or contractual agreement between the parties, the prevailing American rule is that each party in federal litigation pays his own attorneys’ fees.” *Menke v. Monchecourt*, 17 F.3d 1007, 1009 (7th Cir. 1994).

6. Rule 23(h) of the Federal Rules of Civil Procedure expressly recognizes these principles and states as follows: “In a certified class action, the court may award reasonable attorney’s fees and nontaxable costs that are authorized by law or by the parties’ agreement.” FED. R. CIV. P. 23(h)(1).

7. Pursuant to Local Rule Local Rule 54.3(d), and under the supervision of several impartial mediators, the parties conferred and in good faith agreed on the amount of fees.

8. Defendant American Express Travel Related Services Co. (“Amex”) has contractually agreed to pay Lead Class Counsel’s attorneys’ fees and costs totaling not more than \$1,275,000, and not to oppose Lead Class Counsel’s petition to the Court for such fees and costs (Doc. # 311-1 at ¶ 4.2). Likewise, Amex has agreed to pay, and does not oppose, additional Class Counsel’s request for fees and costs totaling not more than \$250,000. *Id.* at ¶ 4.3.

9. Class Counsel have diligently and successfully litigated this action and pursued settlement to confer substantial benefit on the Class.

10. Early in the litigation, Amex moved to compel individual arbitration, which would have forced persons who purchased American Express Gift Course to obtain redress only through the arbitration process, on an individual basis and at the expense of each individual. Class Counsel defeated that motion by Amex to compel individual arbitration. Amex appealed the Court’s ruling denying its motion, and that remains pending before the Seventh Circuit Court of Appeals (Doc. # 31).

11. With the appeal pending, Class Counsel then spent eight months mediating a settlement that provides a variety of benefits to Class members and even persons outside the Class (Doc. # 366-4, 253, 256). Mediation and settlement negotiations proved difficult given the number of persons who are essentially anonymous from the perspective of the Court. Gift Cards

are often purchased with the intention of giving them away to other persons. Therefore, including those anonymous persons in the Settlement, and notifying them of the Settlement, took substantial effort. Class Counsel engaged in significant discovery to confirm that the Settlement struck the appropriate balance between the injury to the Class and the benefits conveyed on the Class, and eventually obtained preliminary approval of the settlement by the Court (Doc. # 315).

12. After the Court determined that the original notice to the Class that it approved did not yield a sufficient response from the Class, Class Counsel worked diligently for over a year with the Court, a notice expert retained by the Court, and Amex to design an improved notice program to reach more of the anonymous class members and increase the claims rate (Doc. # 387, 449).

13. Class Counsel also monitored the claims administrator and assisted Class members throughout the notice program, including answering Class members' questions about the Settlement and about the timeline for receiving benefits from the Settlement.

14. Class Counsel have secured substantial benefits to the Class and continue to work toward maximizing benefits to the Class. For example, Class Counsel negotiated with Amex to waive verification of claims submitted, which maximizes the value of the claims submitted by Class members (Doc. # 504, p. 29). Class Counsel also ensured that claims submitted after the deadline would be honored.

15. During the settlement process, Class Counsel defended the Settlement against objectors who seek to extinguish the Settlement in its entirety, and continue to defend those persons who urge the Court to reject the Settlement. *E.g.*, Doc. # 488, 509.

16. Finally, Class Counsel's request for fees does not diminish the Class claimants' relief.

17. Courts in the Seventh Circuit may award class counsel reasonable attorneys' fees based on a percentage of the value of the settlement fund, plus expenses. Lead Class Counsel estimate that their \$1,235,000 request is 30.7% of the value of the Settlement to the Class, and that Additional Class Counsel's request is 6.2% of the value. As set forth in more detail in the accompanying memorandum, these requests are reasonable, and supported by agreement between the Settling Parties and case law. *Gaskill v. Gordon*, 160 F.3d 361, 362–63 (7th Cir. 1998) (noting that typical contingency fees are between 33% and 40%); *In re Mexico Money Transfer Litig.*, 164 F. Supp. 2d 1002, 1033 (N.D. Ill. 2000) (recognizing “the established 30% benchmark for an award of fees in class actions.”).¹

WHEREFORE, Plaintiffs respectfully request the Court to award Lead Class Counsel attorneys' fees and costs of \$1,275,000, and additional Class Counsel attorneys' fees and costs in the amount of \$250,000.

Dated: August 13, 2015

Respectfully submitted,

BOCK & HATCH, LLC

By: /s/ Jonathan B. Piper
Jonathan B. Piper
*Attorney for Plaintiffs Saul M. Kaufman,
Kimberly Stegich, and the certified
settlement class.*

MORRIS & ASSOCIATES

¹ Though Class Counsel believe their fees are objectively reasonable under the relevant Seventh Circuit standard awarding counsel a percentage of a settlement fund, Lead Class Counsel's lodestar for over 7 years of litigation, totals \$1,299,341.55. Exhibit 2 to Declaration of Jonathan B. Piper, attached hereto as Exhibit A. Similarly, Additional Class Counsel's lodestar totals \$304,836.60. Exhibit B, Declaration of Stephen B. Morris. The requested attorneys' fees and costs are thus less than the amount of fees and expenses incurred by Class Counsel. Counsel notes that the lodestars are reflected in summary reports but detailed billing reports are available and will be provided if the Court wishes to consider them.

By: /s/ Stephen B. Morris
Stephen B. Morris
*Attorney for Plaintiffs Amanda Rudd,
Gordon Jarratt, and the certified
settlement class.*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SAUL M. KAUFMAN, and KIMBERLY STEGICH, individually and on behalf of all others similarly situated,)	
)	
)	
Plaintiffs,)	No. 07-CV-1707
)	
v.)	Judge Joan B. Gottschall
)	
AMERICAN EXPRESS TRAVEL RELATED SERVICES CO.,)	CLASS ACTION
)	
Defendant.)	

**DECLARATION OF JONATHAN B. PIPER IN SUPPORT OF
CLASS COUNSEL’S MOTION FOR ATTORNEYS’ FEES**

I, Jonathan B. Piper, hereby declare as follows:

1. I am admitted to practice before this Court and am an attorney at Bock & Hatch, LLC, counsel for Plaintiffs Saul Kaufman and Kimberly Stegich, and co-Lead Class Counsel for the Settlement Class in this action.
2. I submit this declaration in support of Class Counsel’s Motion for Attorneys’ Fees.
3. I work on class actions pending in several states throughout the United States. I have been practicing law for 28 years, and have been primarily litigating for plaintiffs in class actions since 2003. *See* Bock & Hatch, LLC firm resume, attached as Exhibit 1.
4. Bock & Hatch, LLC undertook this case on a contingency basis. At the time, the firm understood the inherent risks involved in litigating a complex class action for potentially many years without getting paid or getting reimbursed for out of pocket costs and expenses.

Plaintiffs understood and expressly agreed that we would seek attorney fees in the event of a favorable outcome, subject to approval of the Court.

5. The tables attached hereto as Exhibits 2 and 3 truly and accurately summarize the time and expenses reported by Bock & Hatch, LLC's staff, as of July 31, 2015.

6. From the inception of this action in 2006 through July 31, 2015, Bock & Hatch's attorneys and legal support staff expended 2766.6 hours on the prosecution of the litigation for Plaintiffs and the Class, comprising a total lodestar of \$1,299,341.55. Exhibit 2. This lodestar has been computed using the hourly rates that the firm customarily charges for work on similar cases. Our billing rates are consistent with the rates our competitors charge for prosecuting class actions. The hours were compiled by the firm's staff from the time records maintained and reported by each attorney and paralegal participating in the litigation.

7. I expect that Lead Class Counsel will incur further expense participating in the additional round of court-ordered *Redman* notice, and to prepare for and attend the Final Approval Hearing, which has not yet been scheduled by the Court.

8. Regardless of the additional time and costs expected to be incurred, Lead Class Counsel are limiting their aggregate fees and costs request to \$1,275,000.00.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 11th day of August, 2015 in Chicago, Illinois.

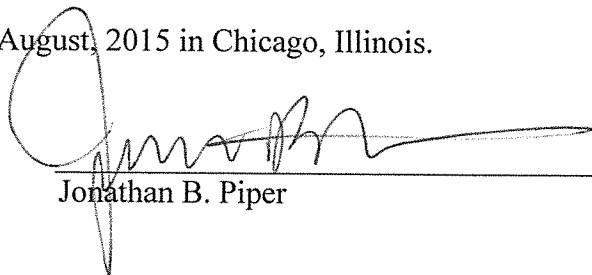

Jonathan B. Piper

EXHIBIT 1

BOCK & HATCH, LLC

FIRM RESUME AND INDIVIDUAL ATTORNEY BIOGRAPHIES

BOCK & HATCH, LLC

The firm's lawyers work exclusively on class actions pending in state and federal courts in Illinois and several other states. We currently represent classes that were certified over the defendants' objections, settlement classes in ongoing third-party litigation, and putative classes working their way toward class certification.

CONTESTED CLASSES:

Courts have appointed the firm's lawyers as class counsel in many contested class certifications. These include:

Amato v. Professional National Title Network, No. 01 CH 12616 (Circuit Court of Cook County, IL).

Austria v. Option One, 01 CH 12615 (Circuit Court of Cook County, IL).

Babb Real Estate LLC, v. Bennett and Olstad, 10-cv-119-wmc, Opinion and Order (W.D. Wisc. July 29, 2011) (TCPA litigation).

BNS, Limited v. Redondo Famil Chiropractic, Inc., No. 09-2-19352-5 SEA, June 9, 2010 (Superior Court of the State of Washington, County of King). (TCPA litigation).

Bridgeview v. Clark, 09 C 5601, Memorandum Opinion and Order (N.D. Ill. Sept. 30, 2011) (Valdez, J.). (TCPA litigation).

Bouschard v. Cingular Wireless, Inc., No. 01 MR 718 (Circuit Court of Lake County, IL).

CE Design v. Beaty Construction, Inc., Case No. 07 C 3340, 2009 WL 192481 (N.D. Ill. Jan. 26, 2009) (Hibbler, J.) (TCPA litigation).

CE Design v. Cy's Crab House North, Inc., et al., 259 F.R.D. 135 (N.D. Ill., Kennelly, J.) *app. denied* (Sept. 9, 2009). (TCPA litigation).

CE Design v. King Architectural Metals, Inc., No. 09 C 2057, 2010 WL 5146641, *6 (N.D. Ill. Dec. 13, 2010), *reversed on other grounds*, *CE Design Limited v. King Architectural Metals, Inc.*, 637 F.3d 721, 723-24 (7th Cir. 2011) (TCPA litigation).

CE Design v. Letrix USA, Inc., 06 CH 26834, Aug. 30, 2010 (Circuit Court of Cook County, IL). (TCPA litigation).

CE Design v. Matrix LS, Inc., No. 05 L 269 (Circuit Court of Lake County, IL). (TCPA litigation).

CE Design v. The Tradeshow Network Marketing Group, 03 CH K 964 (Circuit Court of Kane County, IL). (TCPA litigation).

Creative Montessori Learning Center v. Ashford Gear, No. 09 C 3963, Memorandum Opinion and Order (N.D. Ill. July 27, 2011) (Gettleman, J.) (TCPA litigation).

Critchfield Physical Therapy v. The Taranto Group, Inc., --- P.3d ---, 2011 WL 4505794, **10-11 (Kansas, Sept. 30, 2011) (TCPA litigation).

Defrates v. Hollywood Video Entertainment Corporation, No. 02 L 707 (Circuit Court of St. Clair County, IL).

Duenas v. Trend Technologies, et al., 03 C 801 & 04 C 212 (N.D. Ill., Kennelly, J.).

Irish Sisters, Inc. v. Crown Mortgage Co., 09 CH 10688, Memorandum and Order, (Cook Cty. Cir. Ct. June 20, 2011) (Quinn, J.) (TCPA litigation).

G.M. Sign, Inc. v. 400 Freight Services, Inc., No. 07 CH 2772 (Circuit Court of Lake County, IL). (TCPA litigation).

G.M. Sign, Inc. v. BackHauLine, Inc., No. 07 CH 758 (Circuit Court of Lake County, IL). (TCPA litigation).

G.M. Sign, Inc. v. Finish Thompson, Inc., No. 07 CV 5953, 2009 WL 2581324 (N.D. Ill. Aug. 20, 2009) (Kendall, J.). (TCPA litigation).

G.M. Sign, Inc. v. Franklin Bank, S.S.B., 06 C 949 (N.D.Ill., Kocoras, J.). (TCPA litigation).

G.M. Sign, Inc. v. Group C. Communications, Inc., 08 CV 4521, 2010 WL 744262, (N.D. Ill., Feb. 25, 2010, Darrah, J.). (TCPA litigation).

Green v. Service Master On Location Services Corp., No. 07 C 4705, 2009 WL 1810769 (N.D. Ill. June 22, 2009)(Hibbler, J.). (TCPA litigation).

Hall v. Sprint, 04 L 113 (Circuit Court of Madison County, IL), affirmed, 376 Ill. App. 3d 822, 876 N.E.2d 1036 (5th Dist. 2007), petition for leave to appeal denied, 226 Ill. 2d 614 (Ill. 2008).

Holtzman v. Turza, No. 08 C 2014, 2009 WL 3334909 (N.D. Ill. Oct. 14, 2009) (Gettleman, J.) (certifying class); *Holtzman*, 2010 WL 3076258 (Aug. 3, 2010) (granting partial summary judgment on behalf of class); *Holtzman*, 2011 WL 3876943, *4 (Aug. 29, 2011) (summary judgment awarding \$4,215,000 to plaintiff class) (TCPA litigation).

Heger v. Attorneys Title Guaranty Fund, Inc., No. 03 L 398 (Circuit Court of Lake County, IL).

Hinman v. M&M Rentals, 545 F. Supp. 2d 802 (N.D. Ill., Bucklo, J.), petition for leave to appeal denied, June 17, 2008. (TCPA litigation).

Hunter v. Ramada Franchise Systems, Inc., No. 01 CH 5751 (Circuit Court of Cook County, IL).

Holtzman v. Turza, No. 08 C 2014, 2009 WL 3334909 (N.D. Ill. Oct. 14, 2009)(Gettleman, J.) (certifying class); 2010 WL 3076258 (Aug. 3, 2010)(granting summary judgment on behalf of class). (TCPA litigation).

JT's Frames v. The Sunhill NIC Company, Inc., 07 CH 436, Order (McHenry Cty. Cir. Ct., June 15, 2011) (TCPA litigation).

Maulding v. Hilton Hotels Corporation, No. 02-L-0645 (Circuit Court of St. Clair County, IL).

Mixon Ins. Agency, Inc. v. Taylorville Chiropractic, et al, No 09 L 0509, Class Certification Order (St. Clair Cty. Cir. Ct. Aug. 8, 2011) (Cueto, J.) (TCPA litigation).

Paldo Sign v. Topsail, No. 08 C 5959, 2010 WL 4931001 (N.D. Ill. Nov. 29, 2010) (Kennelly, J.) (TCPA litigation).

P.J.'s Concrete Pumping Service v. Nextel Wireless, No. 01 MR 860 (Circuit Court of Lake County, IL), *aff'd*, 345 Ill. App. 3d 992, 803 N.E.2d 102 (2d Dist. 2004), petition for leave to appeal denied, 209 Ill. 2d 584, certiorari denied.

Targin Sign Systems, Inc. v. Preferred Chiropractic Center, Ltd., 679 F.Supp.2d 894 (N.D. Ill., Shadur, J.). (TCPA litigation).

Telecommunications Network Design, Inc. v. McLeod USA, Inc., 03 CH 8477 (Circuit Court of Cook County, IL). (TCPA litigation).

Uesco Industries, Inc. v. Poolman of Wisconsin, Inc., 09 CH 16028, Memorandum and Order (Cook Cty. Cir. Ct. Aug. 10, 2011) (TCPA litigation).

Welles v. Sprint Corporation, No. 01 CH 1387 (Circuit Court of Cook County, IL).

Windmill Nursing Pavillion, LTD. v. Res-Care Illinois, Inc., 09 CH 16377,
Memorandum Opinion and Order (Cook Cty Cir. Ct. Mar. 18, 2011)(Quinn, J.)
(TCPA litigation).

Wratchford v. CBSK Financial, 02 L 1555 (Circuit Court of Madison County, IL).

Wratchford v. Accredited Home Lenders, 02 L 1556 (Circuit Court of Madison
County, IL).

SETTLEMENT CLASSES:

We have represented classes in dozens of class action settlements.

OTHER PENDING CLASS ACTIONS:

We are litigating dozens of putative class actions in state and federal courts.

PHILLIP A. BOCK

Manager of the Firm/Managing Attorney

EDUCATION

University of Virginia School of Law

Degree: J.D., 1994

Honors: Editorial Board of the Virginia Tax Review; Research Clerk for Professor Jeffrey O'Connell; Co-author of "Blending Reform of Tort Liability and Health Insurance: A Necessary Mix. Part II: The Data," 79 CORNELL L. REV. 1315; Moot Court.

University of Illinois at Urbana-Champaign

Degree: M.A., 1991 (Political Science)

Honors/Activities: University Fellowship Recipient; Research Assistant for the Merriam Laboratory for Analytic Political Research; Instructor of Urban/Metropolitan Government; Student Representative on the Faculty Senate; Member of the Faculty Senate Student Disciplinary Committee.

Augustana College

Degree: B.A. (Business Administration/Political Science)

Honors/Activities: Phi Beta Kappa; Dean's List; Political Science Book Award; President of the Pre-Law Club; Co-Chair of the Student Judiciary Committee; Student Representative on the Admissions and Financial Aid Committee; Teaching Assistant for Professors Harold Bell and David Dehnel.

ADMISSIONS

Illinois, Nov. 10, 1994

United States District Court for the Northern District of Illinois, Dec. 20, 1994

United States District Court for the Southern District of Illinois, 2002

United States Court of Appeals for the Seventh Judicial Circuit, 2003

United States Court of Appeals for the Third Judicial Circuit, 2007

CURRENT PROFESSIONAL ORGANIZATIONS

Lake County Bar Association

Chicago Bar Association

APPELLATE EXPERIENCE IN CLASS ACTIONS

U.S. Court of Appeals for the Seventh Circuit, U.S. Court of Appeals for the Third Circuit, U.S. Court of Appeals for the Sixth Circuit, Supreme Court of Illinois, Illinois Court of Appeals for the First District, Illinois Court of Appeals for the Second District, Illinois Court of Appeals for the Fifth District, California Court of Appeals.

ROBERT M. HATCH

PROFESSIONAL EMPLOYMENT

Bock & Hatch, LLC (f/k/a Diab & Bock, LLC)

Attorney: July 22, 2005 to Present

Diab & Bock (f/k/a Macey Chern & Diab)

Of Counsel: 2001 to July 22, 2005

Lovells

Partner: 1998 to 2001

Associate: 1995 to 1998

Sidley & Austin

Associate: 1990 to 1995

EDUCATION

Wayne State University

Degree: J.D., 1990

Honors: Cum Laude, Order of the Coif

University of Michigan

Degree: B.A., 1986

ADMISSIONS

Illinois, 1990

United States District Court for the Northern District of Illinois, 1990

Michigan, 1992

United States Court of Appeals for the Seventh Circuit, 1996

United States District Court for the District of Arizona, 1997

Hawaii, 2002

PROFESSIONAL ORGANIZATIONS

Chicago Bar Association

Member: 1991 to Present

Chair: Consumer Credit Committee 1999

Asian American Bar Association for the Greater Chicago Area

Member: 1991 to Present

Chair: Legislative and Judicial Developments Committee 1992-94

Awards: Member of the Year Award 1993

PUBLISHED ARTICLES

“RICO Theories, Cases and Strategies In Consumer Litigation: Strategies for Defending Section 1962 Claims,” 53 Consumer Finance Law Quarterly Report 140 (1999)

“*Taylor v. Quality Hyundai, Inc.*: Assignee Liability Under Section 1641(a) of the Truth in Lending Act,” 52 Consumer Finance Law Quarterly Report 354 (1998)

PRIOR CONSUMER CLASS ACTION EXPERIENCE

Ashley v. Associates Corporation of North America, No. 1:97-CV-1451 (N.D. Ga.)

Associates Financial Services Corporation v. Rutter, No. 98 CV 242 (Court of Common Pleas, Fairfield County, Ohio)

Associates Financial Services Corporation v. Hull, No. 98 CVE-01-442 (Court of Common Pleas, Franklin County, Ohio)

Barboza v. Ford Consumer Finance Company, No. 94-12352-GAO (D. Mass.)

Bornhorst v. Primus Automotive Financial Services, Inc., No. 1:96 CV 1421 (N.D. Ohio)

Boyd v. Associates Finance, Inc., No. 99 CH 16604 (Circuit Court of Cook County)

Bruyer v. Ford Motor Credit Company, No. 97-549 (D. Minn.)

Caldwell v. Greater Illinois Title Company, No. 01 CH 11452 (Circuit Court of Cook County) (Illinois class certified and settled)

Carter v. Associates Financial Services Company, Inc., No. 96-04652-1 (District Court of Dallas County, 162d Judicial District, Texas)

Cheng v. Ford Motor Credit Company, No. 97 C 1711 (N.D. Ill.)

Chin v. Chicago Title, No. 01 CH 9890 (Circuit Court of Cook County) (statewide class certified and settled)

Christakos v. Intercounty Title Company, No. 99 C 8334 (N.D. Ill.)

Coleman v. Associates National Bank, No. 97 C 5959 (N.D. Ill.)

Crawford v. Associates Corporation of North America, No. 97-14346 (22d Judicial District Court, Parish of St. Tamany, Louisiana)

DeLeon v. Beneficial Construction Company, No. 97 C 0040 (N.D. Ill.)

Denton v. Associates Finance, Inc., No. 96 CH 10494 (Circuit Court of Cook County)

Dixon v. Associates Financial Services Company of Florida, Inc., No. 96-16-CIV-FTM-24D (M.D. Fla.)

Djordjevic v. Jacobs Twin Buick, Inc., No. 97 CH 10883 (Circuit Court of Cook County)

Drehobl v. Guaranty Home Equity Corporation, No. 00 C 4181 (N.D. Ill.)

Fallon v. Ford Motor Credit Company, No. 95 L 933 (Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois)

Fillinger v. Ford Motor Credit Company, No. 96 C 2357 (N.D. Ill.)

Fitez v. Fairfield Ford, Inc., No. 95 L 756 (Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois)

Gonzales v. Associates Financial Corp., (District Court, Sedgwick County Kansas)

Goodwin v. Ford Motor Credit Company, 97 T 3155 (M.D. Ala.)

Gray v. SunStar Acceptance Corporation, No. 96 C 186 (N.D. Ill.)

Grimaldi v. Patrick Webb, Jr., No. 97 CH 933 (Circuit Court of Cook County)

Groth v. TranSouth Financial Corp., No. 95 C 5429 (N.D. Ill.)

Hostettler v. Ford Motor Credit Company, No. IP96-08979-C-B/S (S.D. Ind.)

In re Ford Motor Credit Company Motor Vehicle Lease Litigation, No. MDL 1160 (S.D.N.Y.)

J. Cotey, Inc. v. Ford Motor Credit Company, No. 96 CH 4887 (Circuit Court of Cook County)

Knight v. Ford Motor Credit Company, No. 334772 (Court of Common Pleas, Cuyahoga County, Ohio)

Locke v. Associates First Capital Corporation, No. 99-542-PER (S.D. Ill.)

Martin v. Heinold Commodities, Inc., 163 Ill.2d 33 (1994)

Morrow v. Associates Financial Services Corporation (Ohio), No. C-3-96-379 (S.D. Ohio)

Myers v. Kentucky Finance, Inc., No. 97-C-288-1 (Circuit Court of Harrison County, West Virginia)

Noble v. Associates Financial Services Corporation, No. 99 C 4887 (N.D. Ill.)

Patton v. J.B. Robinson Jewelers, Inc., No. 97 C 4151 (N.D. Ill.)

Paul's Pest Control, Inc. v. Ford Motor Credit Company, No. 2:97-601 (E.D. La.)

Reed v. Worldwide Financial Services, Inc., No. 98 C 4294 (N.D. Ill.)

Richardson v. Associates Financial Life Insurance Company, Inc., No. 315343 (Court of Common Pleas, Cuyahoga County, Ohio)

Rosen v. Primus Automotive Financial Services, Inc., No. CT 98-002733 (District

Court for the 4th Judicial District, Hennepin County, Minnesota)

Rubin v. Associates Financial Life Insurance Company, Inc., No. 3:96 CV 393/LAC (N.D. Fla.)

Sanchez v. GN Mortgage Corporation, No. 99 C 4286 (N.D. Ill.)

Sartory v. Ford Motor Credit Company, No. 96 8609 (S.D. Fla.)

Smith v. Associates Finance, Inc., No. 99 C 6175 (N.D. Ill.)

Stevens v. Associates Finance, Inc., No. 95 C 2278 (N.D. Ill.)

Stewart v. Associates Consumer Discount Company, No. 97-CV-4678 (E.D. Pa.)

Taylor v. Quality Hyundai, Inc., 150 F.3d 689 (7th Cir. 1998)

Troup v. Associates Financial Services Company, Inc., No. 3:98 CV 0280 RM (N.D. Ind.)

Urbanek v. Associates Financial Services Company of Wisconsin, Inc., No. 97-CV-210 (Circuit Court of Wood County, Wisconsin)

Werbowsky v. Ford Motor Credit Company, No. 95 Civ. 1876 (S.D.N.Y.)

Wheeler v. TranSouth Financial Corporation, No. 5:97-CV754.BR(3) (E.D.N.C.)

Williams v. TranSouth Financial Corporation, Nos. 96 B 24867, 98 A 00875 (N.D. Ill. Bankr.)

Winn v. Associates First Capital Corporation, No. 99 C 1227 (Circuit Court of Madison County, Illinois)

TOD A. LEWIS

PROFESSIONAL EMPLOYMENT

Bock & Hatch, LLC (f/k/a Diab & Bock, LLC)

Attorney: January 2008 to Present

Esopus Creek Capital

October 2006 to December 2007

Freed & Weiss LLC

Attorney: April 2000 to September 2006

Horvath & Lieber, P.C.

January 1999 to March 2000

U.S. Dept. of Housing and Urban Development, Office of Inspector General

September 1990 to December 1998

U.S. Attorney's Office – Northern District of Illinois

Intern – Fall 1997

EDUCATION

Illinois Institute of Technology – Chicago-Kent College of Law

Degree: Juris Doctor, May 1998 (Honors)

Honors: G.P.A.: 3.528/4.000; Class Rank – Top 14% (51/360); Dean's List – All Semesters; Academic Scholarships: (1) Kent Merit Scholar (three time recipient); (2) John H. Cox Scholar; (3) Edmund L. Grimes Scholar; (4) Shirley Schmidt Scholar.

Western Michigan University, Kalamazoo, Michigan

Degree: Bachelor of Business Administration, June 1990 – Major: Accountancy

Honors: Beta Alpha Psi Fraternity (Scholastic Honorary)

ADMISSIONS

Illinois, 1998

United States District Court for the Northern District of Illinois, 1998

PUBLISHED ARTICLES

The Illinois Whistleblower Reward and Protection Act and its Qui Tam Provisions, 88 Illinois Bar Journal 392 (2000)

JONATHAN B. PIPER

PROFESSIONAL EMPLOYMENT

Bock & Hatch, LLC

Attorney: March 19, 2012 to Present

Cascino Vaughan Law Offices Ltd.

Attorney: November 19, 2011 to March 16, 2012

LakinChapman LLC

Attorney: March 1, 2007 to November 17, 2011
Opened Firm's Chicago Office

Freed Weiss LLC

Attorney: May 31, 2003 to February 1, 2007

Office of the State Appellate Defender

Attorney: May 1, 2002 to May 31, 2003

Sonnenschein Nath & Rosenthal

Attorney: September 1, 1987 to April 31, 2002

EDUCATION

The Yale Law School

Degree: J.D., 1987

Princeton University

Degree: A.B. 1981, Religion.

Honors/Activities: Magna cum Laude; Phi Beta Kappa.

ADMISSIONS

Illinois, 1987

United States Court of Appeals for the Seventh Circuit, 1989

United States Court of Appeals for the Third Circuit, 2007

United States District Court for the Northern District of Illinois, 1987

United States District Court for the Southern District of Illinois, 2007

United States District Court for the Eastern District of Michigan, 2012

United States District Court for the Eastern District of Missouri, 2014

PRIOR CLASS ACTION EXPERIENCE

Numerous class actions representing consumers who have purchased defective products or have been defrauded by unfair business practices.

JAMES M. SMITH

PROFESSIONAL EMPLOYMENT

Bock & Hatch, LLC

Attorney: April 16, 2008 to Present

Horwitz, Horwitz & Associates, Ltd.

Attorney: 2005 to April 15, 2008

EDUCATION

The John Marshall Law School

Degree: J.D., 2005

Honors: Executive Member of Moot Court Honors Program

Lewis University

Degree: B.A. 2000

Honors/Activities: Harold M. Finley scholarship, president of pre-law club, member of mock trial team, vice president of Phi Kappa Theta, Dean's List,

ADMISSIONS

Illinois, 2005

United States District Court for the Northern District of Illinois, 2005

United States District Court for the Southern District of Illinois, 2005

United States Court of Appeals for the Seventh Circuit, 2007

PRIOR CLASS ACTION EXPERIENCE

Numerous class actions representing consumers who have purchased defective products or have been defrauded by unfair business practices.

JULIA L. TITOLO

PROFESSIONAL EMPLOYMENT

Bock & Hatch, LLC

Attorney: August 5, 2013 to Present

JP Morgan Chase

Consultant: August 2012 to July 2013

The Bellows Law Group, PC

Attorney: March 2011 to March 2012

EDUCATION

The University of Georgia School of Law

Degree: J.D., 2010

Honors: Law School Association Scholarship recipient (2007-2010),
Winner of the American Bar Association Section of Intellectual
Property Law and the Bureau of National Affairs Award for Excellence
in the Study of Intellectual Property Law (2010)

Senior Notes Editor, University of Georgia School of Law Journal of
Intellectual Property Law

The University of Georgia

Degree: B.A. 2005

Honors/Activities: *magna cum laude*, Dean's List, semester at Oxford
University, Oxford, England

ADMISSIONS

Illinois, 2010

Georgia, 2011

United States District Court for the Northern District of Illinois, 2013

Christopher Tourek

PROFESSIONAL EMPLOYMENT

Bock & Hatch LLC

Attorney: May 2014 through Present

Equip For Equality, Chicago, Illinois

Volunteer Attorney: November 2013 through May 2014

EDUCATION

University of Illinois College of Law

Degree: *Juris Doctor*, 2013

Honors/Activities: Dean's List, Fall 2010; Honors in Legal Research;
Pro Bono Notation; Frederick Douglass Moot Court, Fall 2011;
Graduated *Cum Laude*; Federal Civil Rights Clinic

Lafayette College

Degree: B.A. 2010

ADMISSIONS

Illinois, 2013

United States District Court for the Northern District of Illinois, 2014

EXHIBIT 2

KAUFMAN V. AMERICAN EXPRESS TRAVEL RELATED SERVICES, INC.

CURRENT AS OF JULY 31, 2015

PROFESSIONAL	PRICE	HOURS	VALUE
JAMES M. SMITH (ATTY)	515.0000	35.6	\$18,334.00
JOHN W. CLARK (ATTY)	245.0000	.6	\$147.00
JONATHAN B. PIPER (ATTY)	615.0000	113.0	\$69,464.25
JULIA L. TITOLO (ATTY)	245.0000	327.0	\$80,115.00
LISA M. VANDERCRUYSSSEN (ATTY)	220.0000	42.0	\$9,240.00
LOUIS C. LUDWIG (ATTY)	410.0000	297.5	\$121,975.00
MARGARET E. VINCENT (ATTY)	385.0000	31.0	\$11,935.00
PHILLIP A. BOCK (ATTY)	595.0000	98.5	\$58,607.50
PHILLIP J. BULLIMORE (ATTY)	245.0000	.2	\$49.00
RICHARD J. DOHERTY (ATTY)	595.0000	1176.4	\$699,958.00
ROBERT M. HATCH (ATTY)	605.0000	206.7	\$125,029.30
TOD A. LEWIS (ATTY)	550.0000	.4	\$220.00
AARON P. SCHNEIDER (PLG)	235.0000	112.7	\$26,484.50
ADAM J. FINDLAY (PLG)	150.0000	27.6	\$4,140.00
CHARLES M. KLEIN (PLG)	150.0000	3.3	\$495.00
DANI E. MARLER (PLG)	125.0000	46.3	\$5,787.50
DARIN J. HETMAN (PLG)	165.0000	9.5	\$1,567.50
JOHN S. MIRANDA (PLG)	235.0000	4.9	\$1,151.50
SHANNA L. PYERS (PLG)	235.0000	175.6	\$41,266.00
MALIK R. DIAB (ATTY)	495.0000	37.4	\$18,513.00
JOAN B. POWER (PLG)	150.0000	10.1	\$1,515.00
JACQUELINE O. REYNOSO (PLG)	125.0000	4.1	\$512.50
JORDAN M. RUDNICK (ATTY)	450.0000	6.3	\$2,835.00
		TOTAL HOURS	TOTAL VALUE
		2766.6	\$1,299,341.55

EXHIBIT 3

BOCK & HATCH, LLC
KAUFMAN v. AMERICAN EXPRESS TRAVEL RELATED SERVICES CO.
NO. 07-cv-1707

LEAD CLASS COUNSEL EXPENSES AS OF 7/31/15

<u>ATTORNEY TRAVEL EXPENSES</u>			<u>\$20,795.98</u>
12/16/2008	Phillip A. Bock - Reimbursement for mileage		\$17.78
1/9/2009	Richard J. Doherty - Reimbursement for attorney travel expenses		\$1,726.14
3/2/2009	Richard J. Doherty - Reimbursement for attorney travel expenses		\$2,093.66
5/19/2009	Richard J. Doherty - Reimbursement for attorney travel expenses		\$4,694.01
12/22/2010	Richard J. Doherty - Reimbursement for attorney travel expenses		\$1,648.68
3/26/2012	Robert M. Hatch - Reimbursement for Attorney Travel Expenses		\$3,703.42
5/21/2014	Robert M. Hatch - Reimbursement for Attorney Travel Expenses		\$1,431.81
5/30/2014	Taxi to courthouse to deliver courtesy copies		\$8.65
6/30/2014	Robert M. Hatch - Reimbursement for Attorney Travel Expenses		\$2,678.41
7/18/2014	Richard J. Doherty - Reimbursement for attorney travel expenses		\$57.00
6/25/2015	Robert M. Hatch - Reimbursement for Attorney Travel Expenses		\$2,736.42
<u>COURT REPORTERS</u>			<u>\$2,619.11</u>
4/8/2009	CitiCourt - Court Reporter/Transcript Expense		\$435.40
6/12/2009	G&M Court Reporters - Court Reporter/Transcript Expense		\$239.54
7/27/2009	Veritext New York Reporting Co. - Court Reporter/Transcript Expense		\$803.78
10/28/2010	Colette Kuemmeth - Court Reporter/Transcript Expense		\$16.80
1/26/2011	CitiCourt - Court Reporter/Transcript Expense		\$506.84
2/13/2012	Colette Kuemmeth - Court Reporter/Transcript Expense		\$92.15
5/15/2013	Laura Lacienc - Court Reporter/Transcript Expense		\$63.90
11/17/2014	Anthony Lisanti- Court Reporter/Transcript Expense		\$169.75
5/22/2015	Colette Kuemmeth - Court Reporter/Transcript Expense		\$65.70
7/27/2015	Joene Hanhardt- Court Reporter/Transcript Expense		\$225.25
<u>POSTAGE, MESSENGER DELIVERY, AND FAX</u>			<u>\$873.25</u>
	OVERNIGHT DELIVERY		\$115.93
	POSTAGE TOTAL		\$92.82
	FAX TOTAL	129	\$0.50 \$64.50
	MESSENGER DELIVERY TOTAL	40	\$15.00 \$600.00
<u>FILING, RESEARCH, AND PHOTOCOPYING</u>			<u>\$7,741.24</u>
2/16/2007	Filing Fees - Class Action Complaint		\$317.40
4/28/2008	Case investigation		\$272.80
5/30/2014	Binding		\$143.60
	WESTLAW RESEARCH CHARGES TOTAL		\$4,745.08
	PACER CHARGES TOTAL		\$440.86
	PHOTOCOPIES TOTAL	18215	\$0.10 \$1,821.50
<u>SETTLEMENT EXPENSES</u>			<u>\$15,531.29</u>
12/5/2008	Marquette Inn - case conference expense		\$36.85
1/7/2009	JAMS: The Resolution Experts - mediation		\$5,275.00
1/26/2009	JAMS: The Resolution Experts - mediation		\$5,275.00
6/12/2009	JAMS: The Resolution Experts - Mediation		\$3.44
7/17/2009	JAMS: The Resolution Experts - Mediation		\$4,941.00
<u>PAYMENTS</u>			<u>\$5,304.49</u>
1/1/2010	Refund from JAMS		\$4,808.44
12/28/2010	Refund from JAMS		\$491.20
2/4/2015	Refund from court reporter		\$4.85
<u>TOTAL EXPENSES</u>			<u>\$42,256.38</u>

1 Stephen B. Morris (SBN 126192)
MORRIS and ASSOCIATES
2 444 West C Street, Suite 300
San Diego, California 92101
3 Telephone: (619) 239-1300

4 Class Counsel

5 **UNITED STATES DISTRICT COURT**
6 **NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**
7

9 _____)
SAUL M. KAUFMAN, individually and on)
10 behalf of all others similarly situated,)

11 Plaintiff,)

12 vs.)

13 AMERICAN EXPRESS TRAVEL RELATED)
14 SERVICES COMPANY, INC.,)

15 Defendant,)

16 _____)
GORDON JARRATT for himself and All)
17 Others Similarly Situated,)

18 Plaintiff,)

19 vs.)

19 AMERICAN EXPRESS COMPANY and)
20 DOES 1 through 20, inclusive,)

21 Defendants.)

22 _____)
AMANDA RUDD for herself and All Others)
23 Similarly Situated,)

24 vs.)

24 AMERICAN EXPRESS TRAVEL RELATED)
25 SERVICES COMPANY, INC. and DOES 1)
26 through 20, inclusive,)

27 Defendants.)
28 _____)

CASE NO. 07-CV-01707

DECLARATION OF STEPHEN B. MORRIS IN SUPPORT OF MOTION FOR FINAL APPROVAL OF SETTLEMENT AND FOR AWARD OF ATTORNEY'S FEES AND COSTS AND FOR INCENTIVE AWARDS

1 I, Stephen B. Morris, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California and have participated
3 in class action litigation throughout the United States for the past 28 years. I am the principal of Morris
4 and Associates, a firm which engages primarily in class action consumer protection matters.

5 2. I am the attorney of record for Interveners, Gordon Jarrett in *Jarrett v. American Express*
6 *Company*, Case No. 09-CV-0425-H-WMC and Amanda Rudd in *Rudd v. American Express Travel*
7 *Related Services Company, Inc.*, Case No. 09-CV-930-WQH-RBB ("Interveners").

8 3. I make this declaration in support of approval of this action for final settlement and for
9 Class Counsel's request for fees contained in Plaintiffs' Motion for Final Approval of Settlement and
10 for fees and costs, plus incentive awards for the class representatives. I have personal knowledge of
11 the facts stated herein and can and will competently testify to said facts if called upon to do so.

12 4. I have been a practicing attorney in San Diego county since 1987. During this period I
13 have had extensive experience with class action litigation, both in California and elsewhere. I am,
14 for example, California counsel in the matter entitled *In re AT&T Mobility Wireless Data Services*
15 *Sales Tax Litigation*, an MDL matter (MDL No. 2147), the nationwide settlement of which is being
16 supervised by the honorable Judge St. Eve in this Court. The implementation of that settlement in
17 California recently resulted in a published decision in The California Court of Appeal for the Central
18 District.

19 5. As this Court is aware, my firm had pending in the Southern District of California two (2)
20 related matters. In an effort to promote efficiency, and to minimize duplication of effort, when I became
21 aware of this action, I contacted Mr. Doherty and thereafter intervened on behalf of my clients. Since
22 March 2009, I have undertaken an independent evaluation of the claims at issue and have been intimately
23 involved in the ongoing litigation. As previously documented, my clients and I had criticisms of the
24 initial settlement put before the Court in this matter. It was because of this that I contacted Mr. Doherty's
25 office and requested the opportunity to participate meaningfully in the case as interveners, to present
26 ideas to improve the settlement and to collaboratively bring more benefit to the Class. Counsel for
27 American Express, notably Ms. Strickland, Ms. Moon and Mr. Newman, were open to my firm's
28 participation, open to improving the settlement and willing to entertain the ideas I proposed alongside

1 Mr. Doherty.

2 6. I did in fact participate in multiple mediation sessions in Chicago, with Judge Mikva and
3 Magistrate Ashman, paid my clients' proportionate share of those expenses, and played a leading
4 role in negotiating substantial improvements to the originally proposed settlement, thereby substantially
5 aiding the Class in our collective efforts to maximize recovery for Class members. On December 2009,
6 the Court issued a Memorandum Opinion and Order certifying a class in this case, declining to approve
7 a preliminary settlement and appointed Bock and Hatch Class Counsel. On August 19, 2010, the Court
8 issued another Memorandum Opinion and Order addressing several matters left unresolved from the
9 prior order certifying the class. In that Order the Court, while recognizing the significant class action
10 experience of Morris and Associates, determined that additional class counsel was not at that time
11 required. The Court noted at that time, however, that "... he [Morris] has participated in the settlement
12 negotiations in this case, and has secured additional relief for the Class in doing so, and that "Morris
13 has made contributions to the case thus far."

14 7. On April 21, 2011, this Court granted Preliminary Approval of the class action settlement
15 and approved notice attendant thereto. The Court appointed my firm, and myself individually, as Class
16 Counsel, and appointed Phillip A. Bock, Richard Doherty and the law firm of Bock and Hatch LLC
17 as Lead Class Counsel. The Court set a Final Approval hearing on 2/29/2012, and issued an order
18 thereon on June 25, 2012. The Court did not finally approve the settlement because of expressed concerns
19 about the response rate to the notice which had been provided to class members. The parties were
20 thereafter directed to effectuate greater service through more robust notice procedures, and a neutral
21 expert was retained in conjunction therewith to assist the parties and the Court further.

22 8. As referenced above, this Court has previously noted that my firm has benefitted the
23 Class by reason of improving the settlement and it has in fact done so. I have consistently participated
24 in this action and have been circumspect about duplicating any work performed by lead counsel. To
25 the best of my knowledge, all of the work performed by my office was required to protect the interests
26 of our named class representative clients and the Class, and was not duplicative of work performed
27 by Bock and Hatch. Both my clients, Gordon Jarratt and Amanda Rudd, have been kept apprised of
28 the multiple developments surrounding the settlement through its multiple iterations on an ongoing

1 basis and have fully supported my collaborative efforts with Mr. Doherty and his firm. Both of them
 2 have been willing to discuss ideas around the settlement structure, and to participate in discovery.
 3 They have had to stay involved with this case for over five (5) years, lending their names to the litigation
 4 and the process for this protracted period.

5 9. My collaborative effort to obtain greater benefits for the Class, which continued through
 6 the invaluable efforts of Judge Ashman, increased the value of the settlement by some \$2.7 million.

7 10. A summary of hours expended on this litigation by Morris and Associates consistent with
 8 preferences of most Federal Courts, broken down by category, is provided.

9 “detailed time sheets are not necessary given the Court’s intimate familiarity with this
 10 case and the sheer amount of work and effort it took for the case to proceed to this point.
 11 See *Fox v. Vice*, 131 S. Ct. 2205, 2216 (2011) (“[T]rial courts need not, and indeed should
 12 not, become green-eyeshade accountants. The essential goal in shifting fees (to either
 party) is to do rough justice, not to achieve auditing perfection. So trial courts may take
 into account their overall sense of a suit, and may use estimates in calculating and allocating
 an attorney’s time.”

13 Should the Court wish to review individual billing hours, they will of course be provided.

14 **Stephen B. Morris, APC Time Report**

- 15 1. Meetings and Communications
 16 2. Review
 17 3. Prepare, draft and file
 18 4. Legal Research
 19 5. Negotiations, Mediation, Travel and Court Appearances

No.	General Description	Hours	Rate	Lodestar
1:	<i>Meetings and Communications:</i>	113.10	\$595-	\$68,520.50
	E-mails, correspondence and teleconferences between co-counsel, opposing counsel and clients.		650	

1	2: Review:	154.40	\$595	\$95,537.10
2	Review of discovery, conformed copies, pleadings,		650	
3	correspondence, and other case related documents.			
4	3: Prepare, draft and file:	35.60	\$595	\$21,622.00
5	Prepare pleadings, correspondence, discovery and other case		650	
6	related documents. Help draft case related documents and file			
7	pleadings.			
8				
9				
10	4: Legal Research:	119.70	\$595	\$70,981.50
11	Legal research re: applicable case law in preparation for pleadings,		650	
12	meetings, mediation, etc.			
13	5: Negotiations, mediation and travel:	73.00	\$595	\$37,065.00
14			650	
15				
16		495.80		\$293,726.10
17	TOTAL			

20 Since the inception of this litigation through May 2012, my hourly rate was \$595.00 per hour.
 21 Effective June 1, 2012, my hourly rate was increased to \$650.00 per hour. My hourly rates have been
 22 approved on multiple occasions by multiple courts, in both class action litigation and non-class litigation.
 23 My hourly rate of \$650 was approved by the United States District Court for the southern District of
 24 California, Case No. 3:12-cv-0027-CAB-WVG. My paralegal and Office Manager, Ashley Goss,
 25 together with my former Office Manager, Angelina Rudd have collectively spent 52.3 hours to date
 26 working on this case at an hourly rate of \$185 for a total of \$11,110.50 in paralegal fees. My former
 27
 28

1 Office Manager, Angelina Rudd, has sixteen years experience as a paralegal and my current paralegal
2 and Office Manager has over 8 years of experience. My paralegal staff's hourly rates are commensurate
3 with their abilities and reflect a rate of other similarly situated paralegals in the community, based
4 upon my investigation and verification of same. The resulting total lodestar is \$304,836.60.
5 Notwithstanding the additional \$2.7 million in value and the creation of the *cypres* fund I personally
6 championed, my firm is limiting its aggregate fee and cost request to \$250,000.00. Neither Defendant
7 nor other Class Counsel object to this request. My firm's fee request represents 3.7% of the common
8 fund.
9

10
11 11. My firm incurred expenses in the total amount of \$7,781.14, as reflected in Exhibit "A"
12 attached hereto. It is estimated that the expenses to attend the Final Approval Hearing will be \$1100.
13 The above expenses total \$8,881.14. Interveners' Rudd and Jarratt therefore request reimbursement
14 of costs in the amount of \$8,881.14 and attorney's fees in the amount of \$241,717.86.

15
16 I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day
17 of June, 2015 at San Diego, California.

18
19
20 /s/ Stephen B. Morris
Stephen B. Morris

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EXHIBIT “A”

Stephen B Morris, APC**Client Costs****All Transactions****Accrual Basis**

<u>Date</u>	<u>Source Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
Amex				
1/28/2009	San Diego Superior ...	Filing Fee	Client Costs	350.00
1/29/2009	Diversified Legal Se...		Client Costs	55.00
5/21/2009	Knox Attorney Servi...	Delivery of N...	Client Costs	17.25
7/15/2009	American Express	Airfare for Ch...	Client Costs	733.20
7/17/2009	JAMS, Inc.	mediation fees	Client Costs	1,733.75
7/30/2009	American Express 2	Expenses for ...	Client Costs	1,974.76
8/14/2009	American Express	Costs to atte...	Client Costs	679.51
8/14/2009	FedEx		Client Costs	40.80
9/28/2009	JAMS, Inc.		Client Costs	35.07
10/26/2009	1-800-Conference (R)		Client Costs	21.04
5/25/2010	1-800-Conference (R)		Client Costs	16.53
9/29/2010	1-800-Conference (R)		Client Costs	19.53
10/26/2010	1-800-Conference (R)		Client Costs	17.53
5/16/2011	American Express	airfare for 5/2...	Client Costs	249.40
5/29/2011	American Express 2	Expenses to ...	Client Costs	513.32
6/18/2011	Bank of America	Exp to attend ...	Client Costs	49.37
7/26/2011	1-800-Conference (R)		Client Costs	70.58
2/14/2012	American Express	Exp for Final ...	Client Costs	289.60
3/16/2012	American Express	Exp Final Ap...	Client Costs	296.86
3/29/2012	American Express 2	Exp Final Ap...	Client Costs	222.04
3/28/2014	American Express		Travel Expense	396.00
Total Amex				<u>7,781.14</u>
TOTAL				<u><u>7,781.14</u></u>