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7 *Counsel for the Direct Purchaser Plaintiffs*

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 IN RE: OPTICAL DISK DRIVE
12 ANTITRUST LITIGATION

Case No. 3:10-md-2143-RS
MDL No. 2143

13 This Document Relates to:
14 ALL DIRECT PURCHASER CLASS
15 ACTIONS

**DECLARATION OF KIMBERLY A.
KRALOWEC IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND
INCENTIVE AWARDS**

1 I, Kimberly A. Kralowec, declare and state as follows:

2 1. I am the Principal of The Kralowec Law Group. I submit this declaration in
3 support of Direct Purchaser Plaintiffs' ("DPPs") joint application for an award of attorneys' fees,
4 expenses, and incentive awards in connection with the services rendered in this litigation. I make
5 this Declaration based on my own personal knowledge, and if called as a witness, I could and
6 would competently testify to the matters stated herein.

7 2. My firm has served as counsel to Gregory Starrett and as counsel for the Direct
8 Purchaser Class ("Class") throughout the course of this litigation. My firm's curriculum vitae was
9 previously submitted to the Court in connection with Direct Purchaser Plaintiffs' prior motion for
10 an award of attorneys' fees, reimbursement of expenses and class representative incentive awards
11 on March 16, 2015 (Prior Request for Attorneys' Fees"). (Dkt. No. 1535).

12 3. The Kralowec Law Group has prosecuted this litigation solely on a contingent-fee
13 basis, and has been at risk that it would not receive any compensation for prosecuting claims
14 against the Defendants. While The Kralowec Law Group devoted its time and resources to this
15 matter, it has foregone other legal work for which it would have been compensated.

16 4. During the pendency of the litigation, The Kralowec Law Group performed the
17 following work: The Kralowec Law Group performed valuable work that benefited the members
18 of the settlement class. Attorney Elizabeth Newman of our firm served as an active member of the
19 Document Review Team and performed the following tasks, among others: (1) reviewed,
20 analyzed and coded defendants' document production, after becoming familiar with the critical
21 legal and factual issues presented in the case; (2) evaluated defendants' document production for
22 responsiveness to plaintiffs' written discovery; (3) led the team members responsible for
23 deposition preparation, including drafting deponent-specific memoranda for use by the deposing
24 attorneys; (4) drafted and maintained the hot document spreadsheet; (5) trained and supervised
25 new members of the Document Review Team; (6) participated in document review for purposes of
26 drafting plaintiffs' written interrogatory responses and supplemental responses, with particular
27 focus on gathering and summarizing evidence establishing the formation of the alleged

1 conspiracy. Most of Ms. Newman's day-to-day work was performed at the San Francisco offices
2 of Saveri & Saveri, Inc., whose senior partner, Guido Saveri, was designated by the Court as the
3 Chairman of the Executive Committee for the DPPs (the "Chairman"). In addition to Ms.
4 Newman's work, near the inception of the case, I personally assisted with the drafting of the
5 consolidated amended complaint, and during the course of this litigation, I kept tabs on the status
6 of the case and remained ready and available to take on any additional assignments from the
7 Executive Committee as they arose. All work performed by our firm was assigned or authorized
8 by the Chairman and by the Executive Committee.

9 5. Attached hereto as Exhibit 1 is my firm's hours and lodestar, computed at historical
10 rates, for the period of January 1, 2015 through November 3, 2015. This period does not reflect
11 any time previously submitted to the Court in connection with the Prior Request for Attorneys'
12 Fees in this litigation. The total number of hours spent by The Kralowec Law Group during this
13 period of time was **4.0 hours**, with a corresponding lodestar of **\$2,215.00**. This summary was
14 prepared from contemporaneous, daily time records regularly prepared and maintained by my
15 firm. The lodestar amount reflected in Exhibit 1 is for work assigned by the Chairman of the
16 Executive Committee, and was performed by professional staff at my law firm for the benefit of
17 the Class.

18 6. The hourly rates for the attorneys and professional support staff in my firm
19 included in Exhibit 1 are the usual and customary hourly rates charged by The Kralowec Law
20 Group.

21 7. My firm has expended a total of **\$117.27** in unreimbursed costs and expenses in
22 connection with the prosecution of this litigation from January 1, 2015 to the present. None of the
23 costs reflected in Exhibit 2 have been previously submitted to the Court for reimbursement in
24 connection with the Prior Request for Attorneys' Fees in this matter. These costs and expenses are
25 broken down in the chart attached hereto as Exhibit 2. They were incurred on behalf of the Class
26 by my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this
27 action are reflected on the books and records of my firm. These books and records are prepared

1 from expense vouchers, check records and other source materials and represent an accurate
2 recordation of the expenses incurred.

3 8. The Kralowec Law Group paid \$5,000 in assessments for the joint prosecution of
4 the litigation against the Defendants after the Prior Request for Attorneys' Fees. This assessment
5 was not included in the previous Declaration submitted to the Court in connection to the Prior
6 Request for Attorneys' Fees.

7 9. I have reviewed the time and expenses reported by my firm in this case which are
8 included in this declaration, and I affirm that they are true and accurate.

9 I declare under penalty of perjury under the laws of the United States of America that the
10 foregoing is true and correct. Executed on January 25, 2016 at San Francisco, California.

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12 Kimberly A. Kralowec

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EXHIBIT 1

EXHIBIT 1*In re Optical Disk Drive Antitrust Litigation*, Case No. 3:10-md-2143-RS**The Kralowec Law Group**

Reported Hours and Lodestar

January 1, 2015 through November 3, 2015

TIME REPORT

NAME	TOTAL HOURS	HOURLY RATE	LODESTAR
ATTORNEYS			
Kimberly A. Kralowec (P)	2.3	\$745	\$1,713.50
NON-ATTORNEYS			
Gary M. Gray (PL)	1.7	\$295	\$501.50
TOTAL:	4.0		\$2,215.00

(P) Partner
(OC) Of Counsel
(A) Associate
(PL) Paralegal
(LC) Law Clerk

EXHIBIT 2

EXHIBIT 2*In re Optical Disk Drive Antitrust Litigation*, Case No. 3:10-md-2143-RS**The Kralowec Law Group**Reported Unreimbursed Expenses Incurred on Behalf of Direct Purchaser Class
January 1, 2015 through November 3, 2015**EXPENSE REPORT**

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	
Experts/Consultants	
Federal Express	
Transcripts (Hearing, Deposition, etc.)	
Computer Research	\$116.30
Messenger Delivery	
Photocopies – In House	
Photocopies – Outside	
Postage	\$0.97
Service of Process	
Telephone/Telecopier	
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	
TOTAL:	\$117.27