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R. Alexander Saveri (173102)
2 Cadio Zirpoli (179108)
3 **SAVERI & SAVERI, INC.**
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Telephone: (415) 217-6810
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6 *Chairman of the Executive Committee*
7 *for the Direct Purchaser Plaintiffs*

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

12
13 IN RE: OPTICAL DISK DRIVE
14 ANTITRUST LITIGATION

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

15
16 This Document Relates to:
17 ALL DIRECT PURCHASER CLASS
18 ACTIONS

**DECLARATION OF ERNEST WARREN,
JR. IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND INCENTIVE
AWARDS**

19
20 I, Ernest Warren, Jr., declare and state as follows:

21 1. I am a **Managing Partner** of the law firm of **Warren and Sugarman**. I submit
22 this declaration in support of Direct Purchaser Plaintiffs ("DPP") joint application for an award of
23 attorneys' fees in connection with the services rendered in this litigation. I make this Declaration
24 based on my own personal knowledge, and if called as a witness, I could and would competently
25 testify to the matters stated herein.

26 2. My firm has served as counsel to **Aaron Deshaw** and as counsel for the Direct
27 Purchaser Class ("Class") throughout the course of this litigation. The background and experience
28 of **Warren and Sugarman** and its attorneys are summarized in the *curriculum vitae* attached

1 hereto as Exhibit 1.

2 3. **Warren and Sugarman** has prosecuted this litigation solely on a contingent-fee
3 basis, and has been at risk that it would not receive any compensation for prosecuting claims
4 against the Defendants. While **Warren and Sugarman** devoted its time and resources to this
5 matter, it has foregone other legal work for which it would have been compensated.

6 During the pendency of the litigation, **Warren and Sugarman** performed the following
7 work: **Reviewed conditional transfer order. Filed and served notice of potential tag along**
8 **action. Researched notice of potential tag along. File memos and motions in conjunction**
9 **with action. Researched defendants background check. Prepared and process worldwide**
10 **summons. Reviewed discovery.**

11 5. Attached hereto as Exhibit 2 is my firm's total hours and lodestar, computed at
12 historical rates, for the period of May 7, 2010 through December 31, 2014. This period reflects
13 the time spent after the appointment of the Chairman of the Executive Committee for the DPPs
14 (the "Chairman") in this litigation. The total number of hours spent by **Warren and Sugarman**
15 during this period of time was **74.4 hours**], with a corresponding lodestar of **\$21,948.00**. This
16 summary was prepared from contemporaneous, daily time records regularly prepared and
17 maintained by my firm. The lodestar amount reflected in Exhibit 2 is for work assigned by the
18 Chairman, and was performed by professional staff at my law firm for the benefit of the Class.

19 6. The hourly rates for the attorneys and professional support staff in my firm
20 included in Exhibit 2 are the usual and customary hourly rates charged by **Warren and**
21 **Sugarman**].

22 7. My firm has expended a total of **\$1350.00** in unreimbursed costs and expenses in
23 connection with the prosecution of this litigation. These costs and expenses are broken down in
24 the chart attached hereto as Exhibit 3. They were incurred on behalf of Direct Purchaser Plaintiffs
25 by my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this
26 action are reflected on the books and records of my firm. These books and records are prepared
27 from expense vouchers, check records and other source materials and represent an accurate

28

1 recordation of the expenses incurred.

2 8. [INTENTIONALLY OMITTED].

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

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct. Executed on this 9TH day of March, 2015 at Portland, Oregon.

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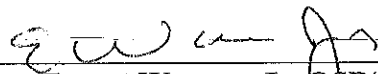
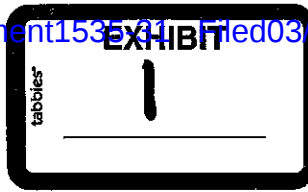

Ernest Warren, Jr. OSB#89138

EXHIBIT 1



ERNEST WARREN JR.

838 SW 1st Avenue, Suite 500
Portland, Oregon 97204
503-228-6655
e.warren@warrenpdxlaw.com

EXPERIENCE:

1990 to Present: Managing Partner of Warren and Sugarman Law Firm (formerly Walker, Warren and Watkins), Portland, Oregon. Primary practice is personal injury, real property, corporate, criminal practice in the State of Oregon and federal work in the US District Court of Oregon and the US District Court of Western Washington.

General Counsel for a non-profit low-income rental-housing corporation that is currently doing a multi-million dollar rehabilitation of its real property portfolio. My responsibilities include legal advisement of corporate directors and officers, all litigations activities for breach of contract, creditors issues in Bankruptcy, housing discrimination issues, affordable housing issues, transactional work regarding purchases or acquisitions of real property, loan workouts, modifications and extensions.

Outside Legal Counsel for RTC/FDIC whereby I litigate commercial and residential real property issues in Oregon and Washington, creditors rights issues in Bankruptcy, transactional work regarding purchases and acquisitions of real property, loan workouts, modifications and extensions, and occasional monitoring and compliance activities for RTC's Affordable Housing requirements (1990-1998).

Outside Legal Counsel to Portland Development Commission. (1995-2007)

Defend claims brought against insureds of two national insurance carriers (1991-1995).

Successfully tried cases against the world's largest corporations.

Prosecuted numerous civil rights cases.

EDUCATION:

Juris Doctor - Arizona State University, College of Law (1988).

Masters of Business Administration for Business, Government and Not-for-Profit Management - Willamette University, Atkinson School of Management (1986).

Bachelor of Science - Willamette University, Economics (1981).

Trial Lawyers College - Dubois, Wyoming (1995).

MEMBERSHIPS:

Oregon Bar Association since April, 1989.

Washington Bar Association since June, 1989.

US District Court of Oregon since February 18, 1992.

US District Court of Western Washington since May 10, 1996.

Financial Institutions Committee, Business Law Section, OSBA 1993-1997.

Court Liaison Committee, Multnomah Bar Association 2000 - 2003.

Alumni Board of Directors, Willamette University, 2000 - 2004.

EXHIBIT 2

EXHIBIT 2

In re Optical Disk Drive Antitrust Litigation, Case No. 3:10-md-2143-RS

[INSERT FIRM NAME]

Reported Hours and Lodestar

May 7, 2010 through December 31, 2014

TIME REPORT

NAME	TOTAL HOURS	HOURLY RATE	LODESTAR
ATTORNEYS			
Ernest Warren, Jr., OC	74.4	\$295 [historical rate 1]	74.4
NON-ATTORNEYS			
TOTAL:	74.4	\$21,948.00	\$74.4

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

EXHIBIT 3

EXHIBIT 3*In re Optical Disk Drive Antitrust Litigation*, Case No. 3:10-md-2143-RS**WARREN AND SUGARMAN**

Reported Unreimbursed Expenses Incurred on Behalf of Direct Purchaser Class

May 7, 2010 through December 31, 2014

EXPENSE REPORT

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	\$350.00
Experts/Consultants	
Federal Express	
Transcripts (Hearing, Deposition, etc.)	
Computer Research	
Messenger Delivery	
Photocopies – In House	
Photocopies – Outside	
Postage	
Service of Process	\$1000.000
Telephone/Telecopier	
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	
TOTAL:	\$1350.00