

1 Brent W. Johnson
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7 *Counsel for 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 BRENT W.
JOHNSON IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND
INCENTIVE AWARDS**

1 I, Brent W. Johnson, declare and state as follows:

2 1. I am a Partner of the law firm of Cohen Milstein Sellers & Toll, PLLC (“Cohen
3 Milstein”). I submit this declaration in support of Direct Purchaser Plaintiffs’ (“DPPs”) joint
4 application for an award of attorneys’ fees, expenses, and incentive awards in connection with the
5 services rendered in this litigation. I make this Declaration based on my own personal knowledge,
6 and if called as a witness, I could and would competently testify to the matters stated herein.

7 2. My firm has served as counsel to Patrick Keyes 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. Cohen Milstein has prosecuted this litigation solely on a contingent-fee basis, and
13 has been at risk that it would not receive any compensation for prosecuting claims against the
14 Defendants. While Cohen Milstein devoted its time and resources to this matter, it has foregone
15 other legal work for which it would have been compensated.

16 4. During the pendency of the litigation, Cohen Milstein performed the following
17 work: conducted a significant investigation that culminated in the filing of our client’s original
18 complaint in this matter (and the amended complaint that was subsequently filed); drafted portions
19 of the Consolidated Amended Complaint; reviewed and edited key pleadings in the case including
20 the case management order, scheduling order, and briefs in support of class certification; and
21 served as a member of the discovery team focusing on Defendant Sony which included the review
22 and coding of thousands of pages of documents, the compilation of hot documents into a
23 chronology, and the identification of relevant documents and drafting of deposition outlines in
24 preparation for depositions.

25 8. Cohen Milstein paid \$5,000 in assessments for the joint prosecution of the litigation
26 against the Defendants after the Prior Request for Attorneys’ Fees. This assessment was not
27 included in the previous Declaration submitted to the Court in connection to the Prior Request for

1 Attorneys' Fees.

2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct. Executed on this 21th day of January, 2016 at Washington, D.C.

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