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7 *Class Counsel for Indirect Purchaser Plaintiffs*

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

13
14 **IN RE: CAPACITORS ANTITRUST
LITIGATION**

15
16 **THIS DOCUMENT RELATES TO:**
17 **ALL INDIRECT PURCHASER ACTIONS**

MASTER FILE NO. 14-cv-03264-JD

**DECLARATION OF RICHARD F.
LOMBARDO IN SUPPORT OF CLASS
COUNSEL'S APPLICATION FOR
ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES
SUBMITTED ON BEHALF OF SHAFFER
LOMBARDO SHURIN**

Date: July 6, 2017
Time: 10:00 a.m.
Place: Courtroom 11, 19th Floor

Judge: Hon. James Donato

1 I, Richard F. Lombardo declare and state as follows:

2 1. I am a Shareholder of Shaffer Lombardo Shurin, Counsel for Indirect Purchaser
3 Plaintiffs (“IPPs” or “Plaintiffs”) in this action. I submit this declaration in support of Class
4 Counsel’s interim application for attorneys’ fees and reimbursement of expenses reasonably
5 incurred in connection with the services rendered in this litigation on behalf of the class. I make
6 this declaration based on my personal knowledge and if called as a witness, I could and would
7 competently testify to the matters stated herein. The time expended preparing this Declaration is
8 not included.

9 2. I have reviewed the Court’s October 31, 2014 Order Appointing Interim Lead Class
10 Counsel (Dkt. 319) (“Order”), including in particular the Order’s provisions regarding fees, costs
11 and expenses. The Firm has adhered to those provisions.

12 3. During the pendency of the litigation, Shaffer Lombardo Shurin, acted as class
13 counsel to IPPs. Shaffer Lombardo Shurin has prosecuted this litigation solely on a contingent-fee
14 basis, and has been at risk that it would not receive any compensation for prosecuting claims
15 against the defendants. While Shaffer Lombardo Shurin devoted its time and resources to this
16 matter, it has foregone other legal work for which it would have been compensated.

17 4. During the course of this litigation, Shaffer Lombardo Shurin has been involved in
18 the following activities on behalf of IPPs at the request and under the direction of Lead Counsel:
19 Researching FTAIA and reviewing documents related to FTAIA defense.

20 5. Attached hereto as **Exhibit A** is my firm’s total hours and lodestar, computed at
21 historical rates, from November 1, 2014 through September 30, 2016. This period reflects the time
22 spent after the appointment of Interim Lead Counsel in this litigation. The total number of hours
23 spent by Shaffer Lombardo Shurin during this period of time was 114.10, with a corresponding
24 historical lodestar of \$42,832.00. This summary was prepared from contemporaneous, daily time
25 records regularly prepared and maintained by Shaffer Lombardo Shurin. The lodestar amount
26 reflected in Exhibit A is for work assigned by Lead Counsel, and was performed by professional
27 staff at my law firm for the benefit of the IPP Class.

1 6. All of the services performed by Shaffer Lombardo Shurin in connection with this
2 litigation were reasonably necessary in the prosecution of this case. There has been no unnecessary
3 duplication of services for which Shaffer Lombardo Shurin now seeks compensation. The lodestar
4 calculations exclude time spent reading or reviewing work prepared by others or other information
5 relating to the case unless related to preparation for or work on a matter specifically assigned to
6 Shaffer Lombardo Shurin by Lead Counsel. The hourly rates for the attorneys and professional
7 support staff in my firm included in Exhibit A are the usual and customary hourly rates charged by
8 Shaffer Lombardo Shurin.

9 7. Shaffer Lombardo Shurin has expended a total of \$77.53 in unreimbursed costs and
10 expenses in connection with the prosecution of this litigation from November 1, 2014 through
11 September 30, 2016. These costs and expenses are broken down in the chart attached hereto as
12 **Exhibit B**. They were incurred on behalf of IPPs by Shaffer Lombardo Shurin on a contingent
13 basis and have not been reimbursed. The expenses incurred in this action are reflected on the books
14 and records of my firm. These books and records are prepared from expense vouchers, check
15 records and other source materials and represent an accurate recordation of the expenses incurred.
16 Expense documentation has been provided to Lead Counsel for review.

17 8. I have reviewed the time and expenses reported by my firm in this case which are
18 included in this declaration, and I affirm that they are true and accurate to the best of my
19 knowledge.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22
23 Executed on May 11, 2017 at Kansas City, Missouri.

24
25 /s/Richard F. Lombardo
RICHARD F. LOMBARDO

ATTESTATION

I, Steven N. Williams, hereby attest, pursuant to United States District Court, Northern District of California Civil Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from the signatory hereto.

By: /s/ Steven N. Williams
Steven N. Williams

In re Capacitors Antitrust Litigation
Case No. 14-cv-03264-JD

EXHIBIT A

SHAFFER LOMBARDO SHURIN

Hours Reported and Lodestar on a Historical Basis

November 1, 2014 – September 30, 2016

Timekeeper	Professional Status	Hours	Rate	Total Lodestar
Richard F. Lombardo	Partner	45.5	\$575	\$26,162.50
Kathy Woods	Partner	18.4	\$425	\$7,820.00
Anne Smith	Associate	9.1	\$295	\$2,684.50
Barbara Wilmoth	Sr. Paralegal	41.1	\$150	\$6,165.00
Grand Total:		114.1		\$42,832.00

In re Capacitors Antitrust Litigation
Case No. 14-cv-03264-JD

EXHIBIT B

SHAFFER LOMBARDO SHURIN

Expenses Incurred

November 1, 2014 – September 30, 2016

EXPENSE CATEGORY	AMOUNT INCURRED
Assessments	\$
Court Costs / Filing Fees	\$
Experts / Consultants	\$
Federal Express / UPS / Ontrac	\$
Postage / U.S. Mail	\$66.75
Service of Process	\$
Messenger / Delivery	\$
Hearing Transcripts	\$
Investigation	\$
Lexis / Westlaw	\$
Photocopies – In House	\$
Photocopies – Outside	\$
Telephone / Telecopier	\$10.78
Travel – Transportation	\$
Travel - Hotels	\$
Travel – Meals	\$
TOTAL:	\$77.53