

1 GLANCY PRONGAY & MURRAY LLP

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11 *Class Counsel for Indirect Purchaser Plaintiffs*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CAPACITORS ANTITRUST
LITIGATION**

MASTER FILE NO. 14-cv-03264-JD

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**THIS DOCUMENT RELATES TO:
ALL INDIRECT PURCHASER ACTIONS**

**DECLARATION OF LEE ALBERT IN
SUPPORT OF CLASS COUNSEL'S
APPLICATION FOR ATTORNEYS'
FEES AND REIMBURSEMENT OF
EXPENSES SUBMITTED ON BEHALF
OF GLANCY PRONGAY & MURRAY
LLP**

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

Judge: Hon. James Donato

1 I, Lee Albert, declare and state as follows:

2 1. I am a Partner of Glancy Prongay & Murray LLP, 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, Glancy Prongay & Murray LLP, acted as
13 class counsel to IPPs. Glancy Prongay & Murray LLP has prosecuted this litigation solely on a
14 contingent-fee basis, and has been at risk that it would not receive any compensation for
15 prosecuting claims against the defendants. While Glancy Prongay & Murray LLP devoted its time
16 and resources to this matter, it has foregone other legal work for which it would have been
17 compensated.

18 4. During the course of this litigation, Glancy Prongay & Murray LLP has been
19 involved in the following activities on behalf of IPPs at the request and under the direction of Lead
20 Counsel: Worked extensively with the AGS plaintiffs to gather and analyze plaintiffs’ documents
21 and electronic data; reviewed documents prior to production for relevance and privilege; reviewed,
22 analyzed and coded extensive documents produced by Defendants in the course of discovery which
23 were produced in Japanese language; assisted lead counsel in drafting responses for AGS
24 plaintiffs’ responses to requests for production and answers to interrogatories; investigated,
25 prepared for and took part in the 30(b)(6) deposition of Defendant Soshin; and made substantial
26 financial contributions to the litigation.

27 5. Attached hereto as **Exhibit A** is my firm’s total hours and lodestar, computed at
28 historical rates, from November 1, 2014 through September 30, 2016. This period reflects the time

1 spent after the appointment of Interim Lead Counsel in this litigation. The total number of hours
2 spent by Glancy Prongay & Murray LLP during this period of time was 1,333.3, with a
3 corresponding historical lodestar of \$511,692.00. This summary was prepared from
4 contemporaneous, daily time records regularly prepared and maintained by Glancy Prongay &
5 Murray LLP. The lodestar amount reflected in Exhibit A is for work assigned by Lead Counsel,
6 and was performed by professional staff at my law firm for the benefit of the IPP Class.

7 6. All of the services performed by Glancy Prongay & Murray LLP in connection with
8 this litigation were reasonably necessary in the prosecution of this case. There has been no
9 unnecessary duplication of services for which Glancy Prongay & Murray LLP now seeks
10 compensation. The lodestar calculations exclude time spent reading or reviewing work prepared by
11 others or other information relating to the case unless related to preparation for or work on a matter
12 specifically assigned to Glancy Prongay & Murray LLP by Lead Counsel. The hourly rates for the
13 attorneys and professional support staff in my firm included in Exhibit A are the usual and
14 customary hourly rates charged by Glancy Prongay & Murray LLP.

15 7. Glancy Prongay & Murray LLP has expended a total of \$150,239.39 in
16 unreimbursed costs and expenses in connection with the prosecution of this litigation from
17 November 1, 2014 through September 30, 2016. These costs and expenses are broken down in the
18 chart attached hereto as **Exhibit B**. They were incurred on behalf of IPPs by Glancy Prongay &
19 Murray LLP on a contingent basis and have not been reimbursed. The expenses incurred in this
20 action are reflected on the books and records of my firm. These books and records are prepared
21 from expense vouchers, check records and other source materials and represent an accurate
22 recordation of the expenses incurred. Expense documentation has been provided to Lead Counsel
23 for review.

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

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

3 Executed on May 12, 2017 at New York, New York.

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5 /s/Lee Albert
6 Lee Albert
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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

GLANCY PRONGAY & MURRAY LLP

Hours Reported and Lodestar on a Historical Basis

November 1, 2014 – September 30, 2016

Timekeeper	Professional Status	Hours	Rate	Total Lodestar
Brian P. Murray	Partner	16.1	\$745	\$11,994.50
Lee Albert	Partner	101.9	\$725	\$73,877.50
Gregory B. Linkh	Partner	2.7	\$600	\$1,620.00
Edward Ahn	Of Counsel	1089	\$350	\$381,150.00
Thomas Kennedy	Associate	122.6	\$350	\$42,910.00
Zach Taylor	Paralegal	1.0	\$140	\$140.00
Grand Total:		1333.3		\$511,692.00

In re Capacitors Antitrust Litigation

Case No. 14-cv-03264-JD

EXHIBIT B

GLANCY PRONGAY & MURRAY LLP

Expenses Incurred

November 1, 2014 – September 30, 2016

EXPENSE CATEGORY	AMOUNT INCURRED
Assessments	\$150,000.00
Court Costs / Filing Fees	\$
Experts / Consultants	\$
Federal Express / UPS / Ontrac	\$19.84
Postage / U.S. Mail	\$
Service of Process	\$
Messenger / Delivery	\$
Hearing Transcripts	\$
Investigation	\$
Lexis / Westlaw	\$195.80
Photocopies – In House	\$
Photocopies – Outside	\$
Telephone / Telecopier	\$
Travel – Transportation	\$23.75
Travel - Hotels	\$
Travel – Meals	\$
TOTAL:	\$150,239.39