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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF CALIFORNIA

In the Matter of the Rating Practices of:

FARMERS INSURANCE  
EXCHANGE and MID-  
CENTURY INSURANCE  
COMPANY

CDI/AHB File No.: NC-2017-00003

**CONSUMER WATCHDOG'S REQUEST FOR  
COMPENSATION**

(Ins. Code §1861.10; 10 CCR §§2662.3 and 2662.5)

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1 **I. INTRODUCTION**

2 Consumer Watchdog (“CWD”), Intervenor in the above-entitled proceeding, submits this  
3 Request for Compensation (“Request”) pursuant to Insurance Code section 1861.10, subdivision (b), and  
4 California Code of Regulations, title 10 (“10 CCR”) § 2661.1, et seq.<sup>1</sup> A nationally-recognized  
5 California-based nonprofit, non-partisan charitable organization, Consumer Watchdog has been the  
6 leading advocate for the implementation and enforcement of Proposition 103’s insurance reforms for the  
7 last three decades.<sup>2</sup> Invoking the authority the voters accorded themselves to enforce the provisions of  
8 Proposition 103, as it has continuously since the measure’s passage, CWD intervened and played a  
9 critical role in this proceeding, as explained in detail below.

10 This Request seeks compensation in the amount of \$1,209,916.58<sup>3</sup> for the substantial contribution  
11 made by Consumer Watchdog on behalf of California consumers in this proceeding, in which the agency  
12 investigated allegations that Farmers Insurance Exchange and Mid-Century Insurance Company  
13 (collectively, “Farmers”) had utilized Price Optimization to set automobile insurance premiums. Price  
14 Optimization is a technique by which an insurance company considers a consumer’s sensitivity to  
15 changes in price when the company sets rates and premiums. More precisely, the insurance company  
16 considers the likelihood that a customer would accept premium increases without protest and without  
17 shopping for a better deal. (This metric is also known as “elasticity of demand.”) Because such a  
18 consideration has nothing to do with a motorist’s risk of loss, the use of Price Optimization is a violation  
19 of Proposition 103. (See Insurance Code §§ 1861.02 and 1861.05; “Notice Regarding Unfair  
20 Discrimination in Rating: Price Optimization,” California Department of Insurance, February 18, 2015.)

21 This Request seeks compensation for Consumer Watchdog’s work in all phases of the  
22 administrative proceeding, from successfully protecting the broad scope of the agency investigation  
23 through extensive discovery and preparation for the administrative trial; for its detailed and strenuous

24 \_\_\_\_\_  
<sup>1</sup> All statutory references are to the Insurance Code unless otherwise stated.

25 <sup>2</sup> Consumer Watchdog calculates that its challenges to insurance company rate change applications has  
26 saved California motorists, homeowners and renters, and medical providers over \$3.43 billion since  
2002.

27 <sup>3</sup> Consumer Watchdog seeks advocacy fees and expenses in the amount of \$994,171.79 for the work of  
28 Consumer Watchdog’s counsel and paralegals and seeks \$215,744.79 in fees and expenses billed by its  
consulting actuary and expert witness, Allan I. Schwartz. (See Exh. A (attached) for a summary of the  
fees and expenses requested.)

1 opposition in Los Angeles Superior Court to two unsuccessful petitions for writs of mandate filed by  
2 Farmers that challenged the jurisdiction and authority of the California Department of Insurance (the  
3 “Department” or “CDI”) to proceed with this investigation; and for time spent preparing this Request,  
4 through September 3, 2020.<sup>4</sup>

5 Consumer Watchdog seeks the requested compensation from the fund maintained by the  
6 Department and supported by filing fees paid by insurance companies (See Ins. Code § 12979)  
7 (“Proposition 103 Fund”), or, alternatively, from Farmers.

## 8 **II. SUMMARY OF THE PROCEEDING**

9 The following is a chronology of Consumer Watchdog’s work during the major phases of the  
10 proceeding.

### 11 **A. 2015–2017: Issues in Class Action Lawsuit Are Referred to CDI; CDI Issues Notice of 12 Hearing; Consumer Watchdog Intervenes**

13 This investigatory proceeding originated in *Harris et al. v. Farmers Ins. Exchange and Mid-*  
14 *Century Ins. Co.* (Case No. BC579498) (“*Harris*”), a class action lawsuit filed in Los Angeles Superior  
15 Court in 2015. In *Harris*, the plaintiffs alleged that Farmers had engaged in Price Optimization in  
16 violation of Proposition 103. (Exh. 1, Class Action Compl. for Damages, *Harris v. Farmers* (Apr. 22,  
17 2015).) As the leading advocate for enforcement of Proposition 103, Consumer Watchdog was aware of  
18 the growing national controversy over insurance Price Optimization, and the *Harris* lawsuit generally,  
19 but was not involved in the litigation in Superior Court. (Declaration of Harvey Rosenfield, ¶ 5  
20 [“Rosenfield Decl.”].)

21 At the request of Farmers, the Los Angeles Superior Court stayed the case and referred the matter  
22 to the Insurance Commissioner pursuant to the primary jurisdiction doctrine by order dated January 25,  
23 2016. (See Exh. 2, Order Sustaining in Part and Overruling in Part Defs.’ Dem. to Pl.’s First Am. Compl.,  
24 *Harris v. Farmers* (Jan. 25, 2016); see also *Farmers Ins. Exchange v. Superior Court* (1992) 2 Cal.4th  
25 377 [establishing primary jurisdiction doctrine].) On April 18, 2017, the Commissioner accepted the  
26 referral from the Los Angeles Superior Court.

27  
28 <sup>4</sup> Should Consumer Watchdog incur additional time and expenses in connection with this Request, it reserves the right to submit a supplemental request for compensation at a later date.

1 The Commissioner’s Notice of Hearing framed the issues as follows:

2 (1) “whether Farmers has violated California insurance law by using illegal price optimization;”

3 (2) “how Farmers implemented any such illegal price optimization in its rate and/or class plans;  
4 and”

5 (3) “how any such illegal price optimization impacted Farmers’ policyholders.”

6 (Exh. 3, Notice of Hr’g (Apr. 18, 2017), at 3).

7 The Commissioner noted that he was initiating the investigation “*on his own motion and* in  
8 response to the Los Angeles Superior Court’s January 25, 2016 Order.” (*Ibid.*, emphasis added.) He  
9 directed that an administrative law judge would preside over the inquiry and specified the process and  
10 procedural tools available. (*Id.* at 4.) And he explained what would happen at the conclusion of the  
11 inquiry: “[t]he Commissioner’s findings in this matter will be conveyed to the Los Angeles Superior  
12 Court.” (*Ibid.*) The Notice also stated that “[i]f the Commissioner finds Farmers is using elasticity of  
13 demand in an illegal manner,” he could *later* initiate a *separate* legal action against Farmers. (*Ibid.*) The  
14 Notice of Hearing further stated that “any person” may intervene in the proceeding pursuant to Insurance  
15 Code section 1861.10(a) by submitting a petition to participate according to the requirements of 10 CCR  
16 § 2661.4.

17 On May 4, 2017, Consumer Watchdog filed a Petition to Participate and Notice of Intent to Seek  
18 Compensation in this proceeding. (Exh. 4, CWD’s Pet. to Participate and Notice of Intent to Seek Comp.  
19 (May 4, 2017).) Consumer Watchdog was compelled to do so for three reasons. First, this proceeding  
20 was the first public inquiry in California concerning the alleged use by an insurance company of Price  
21 Optimization in rate and premium setting. Proposition 103 requires insurance companies to set premiums  
22 on factors within the motorist’s control and that are proven to be “related to risk.”<sup>5</sup> Price Optimization

23  
24 \_\_\_\_\_  
25 <sup>5</sup> Proposition 103 prohibits insurance companies from charging rates that are “excessive, inadequate,  
26 unfairly discriminatory, or otherwise in violation of this Chapter [Chapter 9 of Part 2 of Division 1 of the  
27 Insurance Code, i.e., Insurance Code sections 1850.4 through 1870].” (Ins. Code § 1861.05(a).)  
28 “Insurance rates subject to this Chapter must be approved by the commissioner prior to their use” (Ins.  
Code § 1861.01(c)) and no rate “shall be approved or remain in effect” that is in violation of these  
requirements (Ins. Code § 1861.05(a)). Insurance companies are required to submit a “complete rate  
application” to the Commissioner to obtain approval. (Ins. Code § 1861.05(b).) Regulations promulgated  
under Proposition 103’s authority establish a formula by which rates are determined to be neither

1 would violate these provisions of Proposition 103, as noted in the Bulletin the Commissioner issued on  
2 February 18, 2015. (Exh. 5, CDI, “Notice Regarding Unfair Discrimination in Rating: Price  
3 Optimization” (Feb. 18, 2015).) Consumer Watchdog anticipated that the resolution of this proceeding  
4 might have important repercussions, not merely for Farmers’ customers but for the California insurance  
5 marketplace as a whole. Specifically, Consumer Watchdog wished to protect California consumers  
6 against the unjust premiums and unfair discrimination that would result from the use of Price  
7 Optimization. (Rosenfield Decl., ¶ 6.)

8         Second, Consumer Watchdog wished to assist the Chief Administrative Law Judge and the  
9 Commissioner by providing the organization’s expertise gained over the preceding thirty years in the  
10 defense and enforcement of Proposition 103. This assistance included the advice and testimony of  
11 Mr. Allan Schwartz, a nationally recognized actuary and expert in Proposition 103, and Consumer  
12 Watchdog’s longtime witness. (Rosenfield Decl., ¶ 7.)

13         Finally, and of particular importance, prior to this proceeding, Farmers had argued in *Harris*  
14 before the Los Angeles Superior Court that even if the company had engaged in Price Optimization, it  
15 was *immune from legal challenge* under *MacKay v. Superior Court* (2010) 188 Cal.App.4th 1427  
16 (“*MacKay*”), a controversial appellate decision that held that once a company’s rates are approved by the  
17 commissioner, they may not subsequently be challenged through litigation. This decision conflicts with  
18 \_\_\_\_\_  
19 excessive nor inadequate. (See 10 CCR §§ 2641.1–2644.27 [“Prior Approval Regulations”].) The Prior  
20 Approval Regulations establish normative standards by which rate and premiums are analyzed.

21 Additional rules and procedures govern the premiums that insurance companies may charge for  
22 automobile insurance. Insurance Code section 1861.02(a) provides that “[r]ates and premiums for an  
23 automobile insurance policy . . . shall be determined by application of the following [rating] factors in  
24 decreasing order of importance: (1) The insured’s driving safety record. (2) The number of miles he or  
25 she drives annually. (3) The number of years of driving experience the insured has had. (4) Such other  
26 [optional rating] factors as the commissioner may adopt by regulation that have a substantial relationship  
27 to the risk of loss.” (Ins. Code § 1861.02(a).) “Notwithstanding any other provision of law, the use of any  
28 criterion without such approval shall constitute unfair discrimination.” (*Ibid.*) The authorized optional  
rating factors that have been adopted by the Commissioner are set forth in 10 CCR § 2632.5(d). 10 CCR  
§ 2632.4(a) repeats the statutory admonition that “[n]o insurer shall use a rating factor which is not set  
forth in these regulations . . . .” 10 CCR § 2632.10 states that “no insurer may [] use a class plan, or  
charge or collect a premium which does not comply with the provisions of this subchapter or with the  
provisions of the California Insurance Code. No insurer may offer, sell or renew a policy of automobile  
insurance, or collect a premium for a policy of automobile insurance which is not calculated in  
accordance with a class plan that complies with this subchapter.”

1 the unqualified and unambiguous right to sue insurance companies for violations of Proposition 103 that  
2 was established by that initiative (see Sections 1861.10(a) and 1861.03(a)), and which has been affirmed  
3 by other, far better reasoned appellate decisions. (See, e.g., *Donabedian v. Mercury Insurance Co.* (2004)  
4 116 Cal.App.4th 968 [extensively citing with approval the Commissioner’s amicus curiae brief].)  
5 (Rosenfield Decl., ¶ 8.)

6 Because Farmers had requested that the Superior Court refer the matter to the Insurance  
7 Commissioner, Consumer Watchdog anticipated that Farmers intended to utilize the administrative  
8 proceeding to uncover “evidence” that it would later present to the Superior Court in support of its  
9 *MacKay* immunity argument. That strategy, if successful, would undermine and effectively invalidate the  
10 regulatory and public accountability systems established by the voters and the role they accorded the  
11 Department and the elected Insurance Commissioner within that framework. Consumer Watchdog  
12 determined that it was essential to participate in the administrative proceeding in order to defend  
13 Proposition 103’s private right of action against Farmers’ arguments. (Rosenfield Decl., ¶ 9.)

14 As it turned out, Consumer Watchdog’s concerns were justified. Farmers’ principal response to  
15 this investigatory hearing was to assert a novel “filed rate investigative immunity” argument, under  
16 which, according to Farmers, the agency itself was barred from investigating any matter in connection  
17 with a previously reviewed rate. Farmers argued that the scope of this administrative proceeding was  
18 limited solely to a factual determination of whether the agency had approved a previous filing (in 2008)  
19 by Farmers and whether Farmers had calculated its rates and premiums pursuant to that filing. Moreover,  
20 Farmers repeatedly sought to transform the investigation of its practices into an inquiry into the conduct  
21 of the *Department and its staff* in reviewing the company’s rate and class plan applications, a strategy  
22 that, if successful, would distract civil servants and undermine the ability of the agency to meet its  
23 obligations to California taxpayers. (Rosenfield Decl., ¶ 10.)

24 On May 25, 2017, the Commissioner granted Consumer Watchdog’s unopposed Petition to  
25 Participate. (Exh. 6, Ruling Granting CWD’s Pet. to Participate (May 25, 2017).) The *Harris* plaintiffs’  
26 motion to intervene was granted on May 31, 2017.

1                   **B. May 2017–January 2018: Farmers Contests Scope of Administrative Hearing, Seeks**  
2                   **Certification of Issues to the Commissioner, and Petitions L.A. Superior Court for a**  
3                   **Stay of the Administrative Proceeding; Consumer Watchdog Opposes Farmers**  
4                   **Attempts to Narrow or Derail the Proceeding**

5                   In advance of the first status conference of the administrative hearing, Farmers invoked the “filed  
6 rate immunity doctrine” as anticipated by Consumer Watchdog. Presaging an argument it made  
7 repeatedly throughout this proceeding, Farmers insisted that the scope of the administrative hearing was  
8 limited to “determining if Farmers has calculated rates and premiums charged consistent with its class  
9 plans as *filed with and approved by the Commissioner.*” (Exh. 7, Joint Sched. Conf. Stmt. (June 7, 2017),  
10 at 2–3, emphasis added.)

11                   Farmers went further, however, and argued that the filed rate immunity against civil cases *also*  
12 *barred the Department from conducting any investigation* of Farmers’ conduct. Farmers specifically  
13 argued that Consumer Watchdog had intervened in Farmers’ 2008 class plan application and had failed to  
14 object to its practices at that time,<sup>6</sup> and that the rates and rating factors that were ultimately approved  
15 could not be subjected to subsequent review, even by the Commissioner. (*Ibid.*) This was a novel and  
16 unprecedented extension of the civil “filed rate immunity” defense (which would not apply under  
17 Proposition 103 in any case) to an administrative forum, and, if successful, would have dramatically  
18 undermined the Commissioner’s enforcement powers. Additionally, Farmers argued that the discovery,  
19 subpoena, and deposition procedures authorized by the Notice of Hearing were improper. (*Ibid.*)

20                   In their Joint Conference Statement submission, and at the June 14, 2017 status conference  
21 hearing, Consumer Watchdog, the Department, and the *Harris* plaintiffs strongly opposed what they  
22 considered to be Farmers’ attempt to derail the inquiry the company itself had requested in Superior  
23 Court and that was subsequently ordered by the Commissioner. (*Ibid.*; Exh. 8, Tr. of Sched. Conf.,  
24 June 14, 2017, at 23:18–30:4.)

25                   The Post-Scheduling Conference Order issued by Chief Administrative Law Judge Kristin Rosi  
26 (“CALJ”) on June 28, 2017 emphatically rejected Farmers’ attempt to narrow the scope of, and the  
27 procedures governing, the hearing. (Exh. 9, Post-Sched. Conf. Order (June 28, 2017), at 5–7.) In  
28 response, Farmers filed a lengthy “Request of Certification of Issues,” asking the CALJ to present

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<sup>6</sup> Farmers’ use of Price Optimization was not disclosed to either Consumer Watchdog or CDI at the time.

1 Farmers’ objections to the June 28 Order directly to the Commissioner, and to stay any further action in  
2 the matter until the Commissioner addressed the issues certified. Consumer Watchdog submitted a five-  
3 page letter brief to the CALJ in opposition, in which it argued that (1) the certification procedure was not  
4 available in this proceeding, and (2) Farmers’ filed rate immunity argument was incorrect as a matter of  
5 law, as was Farmers’ attempt to preclude the Department, Consumer Watchdog, and the *Harris* plaintiffs  
6 from utilizing certain procedural tools such as depositions. (Exh. 10, CWD’s Opp’n to Farmers’ Req. for  
7 Certification (July 24, 2017), at 2–4.) The CALJ refused to certify the matter. (Exh. 11, Order Den. Req.  
8 for Certification; Order Den. Stay (July 31, 2017).)

9         Shortly thereafter, on August 18, 2017, Farmers filed a Petition for Writ of Administrative  
10 Mandamus in Los Angeles Superior Court centered primarily on its filed rate immunity argument.  
11 Specifically, Farmers asked the court to narrow the scope of, and the procedures applicable to, this  
12 matter, and to stay the administrative proceeding while the Court considered Farmers’ petition. (Exh. 12,  
13 Pet’rs’ Pet. for Writ of Admin. Mandamus, *Farmers Ins. Exchange v. Dave Jones* (Los Angeles Super.  
14 Ct., Case No. BS170584) [*“Farmers v. Jones 2017”*] (Aug. 18, 2017).) Farmers followed this filing with  
15 a Motion for Preliminary Injunction on September 27, 2017, naming Consumer Watchdog as a defendant.  
16 (Exh. 13, Pet’rs’ Notice of Mot. and Mot. for Prelim. Inj., *Farmers v. Jones 2017* (Sept. 27, 2017).)

17         Consumer Watchdog’s opposition to Farmers’ motion before the Superior Court focused on the  
18 correct application of Proposition 103’s private right of action. In addition to explaining why Farmers  
19 was incorrect as a matter of law to suggest that the “filed rate immunity” defense applied to the  
20 Department, CWD also emphasized that Farmers was in effect seeking a stay but had failed to meet the  
21 stringent tests set forth under California law for staying an administrative hearing. In particular, Farmers  
22 had neglected to address the harm to the public of a stay, and the disruptive effect a stay would have on  
23 the orderly administrative process. (Exh. 14, CWD’s Opp’n to Mot. for Inj. and Writ of Prohibition and  
24 Stay Pending Trial, *Farmers v. Jones 2017* (Oct. 12, 2017).) The Superior Court heard the motion on  
25 October 25, 2017, during which Consumer Watchdog addressed the court’s questions concerning referral  
26 procedures under the primary jurisdiction doctrine, and discussed the flaws in Farmers’ filed rate  
27 immunity argument. (Exh. 15, Reporter’s Tr. of Proceedings, October 25, 2017, *Farmers v. Jones 2017*,  
28 at 46:24–54:27.)

1 On October 27, 2017, Consumer Watchdog also filed a Demurrer to Farmers' Petition for Writ of  
2 Administrative Mandamus, focusing on the defect in Farmers' immunity arguments and errors in the  
3 company's untimely challenge to the administrative procedures established by the Notice of Hearing.  
4 (Exh. 16, CWD's Notice of Dem. and Dem., *Farmers v. Jones* 2017 (Oct. 27, 2017).) Both CDI and the  
5 *Harris* plaintiffs filed demurrers as well. Consumer Watchdog's demurrer was accompanied by a Request  
6 for Judicial Notice of documents Farmers had submitted in the underlying class action, which actually  
7 contradicted certain arguments Farmers made in its Petition. (Exh. 17, CWD's Req. for Judicial Notice in  
8 Supp. of Dem., *Farmers v. Jones* 2017 (Oct. 27, 2017).) As a result, the Court denied Farmers' motion  
9 for a preliminary injunction on November 7, 2017, agreeing with Consumer Watchdog's arguments that  
10 Farmers' motion was properly considered to be a stay request, that it was unlikely to succeed on the  
11 merits of its immunity argument, and that judicial intervention was premature. (Exh. 18, Ruling Den.  
12 Mot. for Prelim. Inj., *Farmers v. Jones* 2017 (Nov. 7, 2017).)

13 Farmers sought immediate appellate review of the Superior Court's order in the Second District  
14 Court of Appeal on November 20, 2017. Farmers requested a writ of supersedeas and a stay, arguing that  
15 the Superior Court had erred in denying Farmers' motion for a preliminary injunction, because the  
16 alleged filed rate immunity barred the agency from investigating matters that involved previously  
17 approved rates. (Exh. 19, Pet'rs' Pet. for Stay, Writ of Supersedeas, and Temp. Stay, *Farmers Insurance*  
18 *Exchange v. Dave Jones* (Case No. B286385, Ca. Court of Appeals, 2nd Appellate Dist.) (Nov. 20,  
19 2017).) Farmers' attempt to obtain interlocutory review from the Second District Court of Appeal—the  
20 principal source of the conflicting appellate jurisprudence on Proposition 103's private right of action—  
21 necessitated a thorough response from Consumer Watchdog. Consumer Watchdog therefore immediately  
22 began researching jurisdictional and other issues in preparation for submission of a preliminary response.  
23 (Rosenfield Decl., ¶ 11.)

24 However, Farmers' petition for a writ of supersedeas and stay was summarily denied by the Court  
25 of Appeal nine days later.

26 The Superior Court never ruled on the demurrers filed by Consumer Watchdog and the other  
27 parties. On January 23, 2018, Farmers requested dismissal of its writ petition, which the Superior Court  
28 granted on February 15, 2018.

1                   **C. 2017–2018: Parties Engage in Discovery, Document Review, and Depositions; Consumer**  
2                   **Watchdog Plays a Leading Role in Contesting Farmers’ Attempts to Limit Discovery**

3                   As the Notice of Hearing made clear, the Commissioner had structured the administrative  
4 proceeding as an *investigation* of whether Farmers had utilized Price Optimization in violation of  
5 Proposition 103. The discovery process was intended to uncover the pertinent facts. Throughout the  
6 entire process, however, Farmers sought to invoke the filed rate immunity defense as a basis to limit or  
7 refocus discovery. Consumer Watchdog’s advocacy—propounding and reviewing discovery, and  
8 countering Farmers’ actions—is detailed below.

9                   Preparation of Document Requests and Discovery Motions

10                  The Department, Consumer Watchdog, and the *Harris* plaintiffs agreed to jointly draft and  
11 propound a request for production and interrogatories in order to maximize efficiency and avoid  
12 unnecessary duplication of effort. Consumer Watchdog, aided by Mr. Schwartz, drafted individual  
13 discovery requests and reviewed drafts of the requests proposed by the Department and the *Harris*  
14 plaintiffs. (Rosenfield Decl., ¶ 12.)

15                  On July 14, 2017, the Department, Consumer Watchdog, and the *Harris* plaintiffs served 55  
16 narrowly tailored discovery requests upon Farmers. (Exh. 20, The California Department of Insurance’s,  
17 the *Harris* Plaintiffs’, and Consumer Watchdog’s First Req. for Produc. (July 14, 2017).) On  
18 September 7, 2017, the CALJ ordered discovery to proceed during the pendency of Farmers’ civil writ  
19 petition, and Mr. Schwartz continued to review materials obtained through discovery. However, Farmers  
20 refused to produce most of the requested documents, based on its contention (as was presented in its  
21 then-pending writ petition) that the requests were outside what it asserted was the proper scope of the  
22 hearing. On October 20, 2017, Consumer Watchdog, the *Harris* plaintiffs, and the Department jointly  
23 filed a Motion to Compel Farmers to produce the requested documents. (Exh. 21, The California  
24 Department of Insurance’s, the *Harris* Plaintiffs’, and Consumer Watchdog’s Mot. to Compel (Oct. 20,  
25 2017).)

26                  Farmers and, separately, Mid-Century, also sought extensive discovery from the California  
27 Department of Insurance, Consumer Watchdog, and the *Harris* Plaintiffs. The thrust of their discovery  
28 requests was a search for “evidence” that would establish their filed rate immunity defense: that the  
Department had approved Farmers’ class plan application (which was uncontested), but more

1 perniciously, that at least some Department employees were allegedly aware of and had condoned, i.e.  
2 “approved,” Farmers’ use of Price Optimization.

3 Similarly, many of the 35 separate and vastly overbroad requests for production and the twelve  
4 interrogatories directed at Consumer Watchdog attempted to elicit evidence of “approval” of Farmers’  
5 2008 class plan, for which Consumer Watchdog had requested and was granted a hearing. Consumer  
6 Watchdog responded with objections to virtually all of Farmers’ and Mid-Century’s discovery requests.  
7 (Exh. 22; Farmers’ First Set of Reqs. for Prod. to CWD, Farmers’ First Set of Interrogs. to CWD, Mid-  
8 Century’s First Set of Reqs. for Prod. to CWD, and Mid-Century’s First Set of Interrogs. to CWD  
9 (July 14, 2017) and Exh. 23; CWD’s Resps. to Farmers’ First Set of Reqs. for Prod., CWD’s Resps. to  
10 Farmers’ First Set of Interrogs., CWD’s Resps. to Mid-Century’s First Set of Reqs. for Prod., and CWD’s  
11 Resps. to Mid-Century’s First Set of Interrogs. (Aug. 14, 2017).)

12 Consumer Watchdog considered Farmers’ discovery requests directed to the Department to be a  
13 highly disruptive threat to the integrity of the agency and ultimately irrelevant to the inquiry. (Rosenfield  
14 Decl., ¶ 13.) Therefore, even though Farmers did not file a motion to compel Consumer Watchdog to  
15 produce any requested discovery, the organization *filed its own opposition to defend the Department*  
16 *against Farmers’ motion to compel discovery.* (Exh. 24, CWD’s Opp. to Farmers’ Mot. to Compel  
17 (Oct. 27, 2017).) CWD’s briefing discredited Farmers’ legal analysis and explained how its reasoning  
18 would conflict with the authority the voters accorded the Department. As Consumer Watchdog  
19 explained:

20 Farmers wants to divert this inquiry from its purpose – determining whether the company  
21 has engaged in unlawful auto insurance pricing practices – and use the discovery process  
22 to conduct an agency wide inquisition for the purpose of supporting Farmers frivolous  
argument that even if it broke the law, it cannot be held accountable.

23 Because Farmers’ strategy will severely impair the Department’s ability to protect  
24 consumers, not to mention waste taxpayer dollars, Consumer Watchdog, which has spent  
25 nearly thirty years defending the insurance reforms approved by voters, files this  
opposition.

26 (*Id.* at 1.)  
27  
28

1 Chief Administrative Law Judge (CALJ) Kristin L. Rosi heard the competing motions to compel  
2 on November 9, 2017. Consumer Watchdog appeared at the hearing and argued in opposition to Farmers’  
3 motion to compel such discovery from the agency. Among the other issues Consumer Watchdog  
4 addressed, it raised a critical concern about Farmers’ “filed rate immunity” argument. Consumer  
5 Watchdog explained that any private communications between Department staff and Farmers regarding  
6 “approval” of Farmers’ class plan would by definition negate the public’s right to monitor the rate review  
7 process as set forth in Proposition 103, and therefore could not be construed as a valid vehicle for the  
8 agency to communicate “approval” of anything with respect to Farmers’ class plan application. (Exh. 25,  
9 Tr. of Hr’g on Mots. to Compel (Nov. 9, 2017), at 22:13–23:9.)

10 In two orders issued on November 13, 2017, the CALJ required Farmers to provide most of the  
11 discovery requested by the Department, the *Harris* plaintiffs, and Consumer Watchdog. (Exh. 26, Final  
12 Rulings on Joint Mot. to Compel Discovery Resps. (Nov. 13, 2017).) Further, the Court thoroughly  
13 analyzed Farmers’ filed rate immunity defense, including the disputed appellate decisions, and decisively  
14 rejected it, concluding, as Consumer Watchdog had argued in its briefing and at oral argument, that  
15 Farmers’ requests of the CDI were “irrelevant.” (Exh. 27, Final Order on Resp’ts’ Mot. to Compel  
16 Discovery and Interrog. Resps. (Nov. 13, 2017), at 9.)

17 Unfortunately, the CALJ’s November rulings did not immediately lead to Farmers’ production of  
18 the ordered discovery. Farmers’ delay in agreeing to a temporary protective order concerning its  
19 allegedly confidential documents necessitated additional motion practice. On December 6, 2017,  
20 Consumer Watchdog sent the CALJ a letter on behalf the Department and the *Harris* plaintiffs seeking  
21 the Court’s assistance in finalizing a protective order that would govern Farmers’ production of  
22 discovery. (Exh. 28, Letter from Consumer Watchdog, the Department, and the *Harris* plaintiffs to CALJ  
23 Rosi (Dec. 6, 2017).) The CALJ convened a status conference on December 11 and on December 13,  
24 2017 and subsequently ordered Farmers to sign the protective order proposed by Consumer Watchdog,  
25 the Department, and the *Harris* plaintiffs.

26 The parties continued to meet and confer in an attempt to resolve outstanding discovery issues.  
27 (Rosenfield Decl., ¶ 14.) Five subsequent status conferences (on December 18, 2017 and January 30,  
28 February 26, March 12, and April 10, 2018) were necessary to address concerns raised about Farmers’

1 compliance with the Court’s discovery orders. (*Ibid.*) On April 23, the CALJ, acting in response to a  
2 letter from the *Harris* plaintiffs, Consumer Watchdog, and the Department, concluded that Farmers’  
3 delay in producing an estimated 30,000 remaining responsive documents was “inexcusable” (Exh. 29,  
4 Order Re Disc. Produc. (Apr. 23, 2018), at 6), and threatened Farmers with contempt if it did not comply  
5 with discovery obligations previously imposed by the Court. Further status conferences on April 30 and  
6 May 7, 2018 were held, both to monitor Farmers’ production of discovery and to plan for the eventual  
7 hearing.

8 Consumer Watchdog appeared at every status conference, during which it frequently addressed  
9 Farmers’ immunity arguments. (Rosenfield Decl., ¶ 15.) Throughout this period, Mr. Schwartz also  
10 reviewed documents provided by Farmers through discovery and advised Consumer Watchdog on their  
11 meaning and interpretation. (Rosenfield Decl., ¶ 16.)

#### 12 Informal Meeting of the Parties

13 In early March 2018, Farmers proposed an informal meeting, at which it would present  
14 employees who, according to Farmers, would address the matters at issue in the proceeding and answer  
15 questions. Later, Farmers informed the parties that retired justice and former Insurance Commissioner  
16 Harry Low would attend the meeting, which it characterized as a “mediation.” After consultations with  
17 the Department and the *Harris* plaintiffs, Consumer Watchdog agreed to attend, though it disputed the  
18 characterization of the event as a mediation. The meeting was held in Los Angeles on June 25, 2018 and  
19 lasted most of the day; approximately seventeen people were present. Consumer Watchdog’s expert,  
20 actuary Allan Schwartz, attended the meeting. Mr. Schwartz joined Consumer Watchdog and the other  
21 parties in questioning the Farmers employees (which was particularly important because the *Harris*  
22 plaintiffs’ actuary was unable to attend in person). However, the meeting ultimately did not lead to a  
23 resolution of the proceeding. (Rosenfield Decl., ¶ 17.)

#### 24 Document Review

25 To limit unnecessary duplication of effort, Consumer Watchdog, the Department, and the *Harris*  
26 plaintiffs agreed to a collaborative process for review of the over 70,000 documents produced by  
27 Farmers. Working with its expert Mr. Schwartz, Consumer Watchdog evaluated these documents, which  
28 included using search functions as guided by Mr. Schwartz to analyze the documents produced, seeking

1 instances of certain critical items related to Farmers’ use of Price Optimization. Consumer Watchdog  
2 evaluated key documents for their legal implications, as did Mr. Schwartz for their actuarial implications.  
3 This process identified key Farmers personnel for depositions and led to further discovery; it proved  
4 highly efficient in preparation for the hearing, which was ultimately set to commence in January 2019.  
5 (Rosenfield Decl., ¶ 18.)

6 Depositions

7 Seven Farmers employees were deposed between mid-July and early September 2018. Following  
8 the joint approach adopted for discovery by Consumer Watchdog, the Department, and the *Harris*  
9 plaintiffs, Consumer Watchdog and Mr. Schwartz reviewed pertinent documents identified in advance of  
10 each deposition. Consumer Watchdog conferred with its expert, Allan Schwartz, before and after the  
11 depositions. Counsel for the *Harris* plaintiffs asked questions during the depositions, followed by  
12 questioning by Consumer Watchdog and the Department. Significant evidence was obtained as a result of  
13 the depositions. (Rosenfield Decl., ¶ 19.)

14 On October 1, 2018, Farmers noticed the depositions of the expert witnesses previously identified  
15 by Consumer Watchdog, the Department, and the *Harris* plaintiffs, as well as certain employees of the  
16 Department who Farmers asserted were involved in reviewing or “approving” Farmers previous rate  
17 applications. Consumer Watchdog considered these notices untimely, and, with respect to its expert,  
18 unnecessary, since Mr. Schwartz would appear at the hearing and be subject to cross examination. More  
19 importantly, Farmers’ request to depose CDI staff improperly sought to invade the Department’s  
20 deliberative processes in pursuit of “evidence” that Farmers apparently believed would buttress its filed  
21 rate immunity defense before the Los Angeles Superior Court. (Rosenfield Decl., ¶ 20.)

22 Recognizing the gravity of Farmers’ disputed request, and the impact it would have on the  
23 upcoming hearing schedule, all parties jointly requested a status conference with the CALJ. The CALJ  
24 convened a status conference on October 10, at which Consumer Watchdog once again sought to protect  
25 the integrity and efficiency of the agency in carrying out duties entrusted to it by the voters. At the  
26 hearing, CWD noted that the CALJ had on multiple occasions rejected Farmers’ argument that it was  
27 immune from accountability because its class plan had been “approved” by the Commissioner and that  
28 the ideas, opinions, or statements of Department employees were evidence of “approval”:

1 It is obvious and I think if [Farmers] were allowed to file or be required to file a motion  
2 to compel, it would [] become very obvious that what Farmers wants to do is find  
3 somebody at the CDI who will testify that they were aware of something in that class  
4 plan that then Farmers -- never mind what you, your Honor, decide in this primary  
5 jurisdiction referral [--] Farmers wants to take these [statements] back to Superior Court  
6 and argue that under this -- their extension of the Mackay Doctrine, they were immune  
7 from challenge to anything they have done even if it violates the law because somebody  
8 at the Department was aware of it.

6 And that kind of inquiry, inquiry into who knew what, when or why did they issue the  
7 bulletin or what Mr. Laucher's [former Chief Deputy Insurance Commissioner] opinion  
8 was at some point during [the Department's consideration of Allstate's filing], all of that  
9 is irrelevant to [] the structure that the voters created which [] mandated that everything  
10 be in open court in a hearing.

10 ... [T]he inquiry into people's attitude, knowledge, thoughts, thought process, either  
11 behind the [price optimization] bulletin or behind [CDI's review of Farmers' class plan]  
12 is something that you have already considered and rejected.... And Farmers should not  
13 now be allowed [] a wide ranging and invasive expedition that would undermine the  
14 integrity of the system that voters put in place by which companies have to be held  
15 accountable for what they did both in what they file and what they do subsequently in the  
16 marketplace.

14 ...  
15 The final point,[] one distinction [] has to be made and I think it is easily lost here....  
16 [T]his is an inquiry, an investigation into whether Farmers engaged in price optimization.

16 ...  
17 The [Farmers] witnesses that we deposed were witnesses that have evidence to that point.  
18 The witnesses – you know, Mr. Hunter, Mr. Schwartz and the six or eight CDI personnel  
19 [-] do not have any evidence of what Farmers did. Only Farmers has that.

19 So to equate the inquiry into Farmers witnesses who could say whether Farmers engaged  
20 in price optimization with the depositions of our witnesses who have examined that  
21 evidence, you just can't make that analogy.

21 ...  
22 And so I just don't see the need for [Mr. Schwartz's] deposition, but I, on behalf of the  
23 public and the voters, [and] Consumer Watchdog would defend very strongly against an  
24 invasion by Farmers via deposition [-] a wide ranging fishing expedition into the  
25 thoughts and feelings and emotions and knowledge of Department personnel.

24 (Exh. 30, Tr. of Status Conf. (Oct. 10, 2018), at 29–32.)

25  
26 The CALJ ordered briefing on Farmers' request, with opposition briefs to be submitted two days  
27 later. In its brief, Consumer Watchdog again defended the system of regulatory and civil accountability  
28 established by Proposition 103, which negated Farmers' legal analysis, and pointed out the deleterious

1 impact on the Department were Farmers permitted to depose Department staff for this purpose.

2 Specifically:

3 Farmers' request is based on a fundamental misapprehension of how insurance is  
4 regulated in California. In 1988, California voters enacted an open and transparent  
5 regulatory process. Contemporaneous public notice, public disclosure, and the public's  
6 opportunity to initiate or participate in public hearings are just a few examples of the  
7 voters' insistence that the conduct of the insurance companies, the agency and the  
8 Commissioner be subject to continuous public scrutiny and accountability. They made  
9 the office of Insurance Commissioner an elected post, emphasizing direct accountability  
10 to the people for the performance of the duties and obligations that Proposition 103  
11 imposes upon that office. Under Proposition 103, only the Commissioner may approve  
12 rates (Ins. Code §§ 1861.01, 1861.05) or optional rating factors (Ins. Code §  
13 1861.02(a)(4)). Under this system, the law looks to the final decision of the agency and  
14 whether the decision – or the insurer's implementation of it in the marketplace –  
15 comports with the voters' mandate. While there may be officials within the agency to  
16 whom the Commissioner has expressly delegated that authority, it is the elected  
17 Commissioner who the voters expressly entrusted with that responsibility. Other  
18 employees of the Department do not have the authority to "approve" unlawful rates or  
19 premiums through correspondence, conversations with the company, or otherwise.

20 Were Farmers to succeed in reversing this inquiry and turning it into an investigation of  
21 the agency, the impact on the Department and the public interest would be deleterious.  
22 Insurance companies will be incentivized to conduct such missions and, on a routine  
23 basis, to attempt to manipulate agency staff – many without the legal background to  
24 recognize the tactic – into an admission or expression of awareness, "consent" or  
25 "approval," retained for later use by an insurance company seeking to immunize itself for  
26 its wrongdoing. With its limited resources, the Department can ill afford the time and  
27 expense it will be forced to incur as a result. Questioning and second-guessing the  
28 agency's staff and executive officers would become a blood sport for the insurance  
companies and their eager lawyers. The Department's core mission – to protect  
consumers in California's insurance marketplace – would be hobbled. The Department's  
employees are public servants; the public needs them to do their jobs unmolested.

(Exh. 31, CWD's Opp. to Resp'ts' Brief re Deps. (Oct. 12, 2018), at 5–6, 10.)

By order dated October 15, 2018, the CALJ rejected Farmers' requests, citing Consumer  
Watchdog's point regarding the CALJ's previous rejection of Farmers' filed rate immunity argument  
(Exh. 32, Order Den. Farmers' Req. for Deps. (Oct. 15, 2018), at 9) and noting the availability of  
Consumer Watchdog's expert for cross examination at the hearing. The CALJ also agreed that the  
request was untimely. (*Id.* at 9–10.)

1           **D. 2018–2019: Submission of Pre-filed Direct Testimony and Preparation for Hearing**

2           With the discovery process completed, and the hearing scheduled for early January 2019,  
3 Consumer Watchdog continued preparations for trial during the late summer and fall of 2018.  
4 (Rosenfield Decl., ¶ 21.)

5           Mr. Schwartz, Consumer Watchdog’s actuary, reviewed documents produced by Farmers, the  
6 deposition testimony of each of Farmers’ witnesses, as well as other relevant documents such as actuarial  
7 literature and Standards of Practice, and prepared lengthy Pre-filed Direct Testimony (“PDT”), including  
8 21 exhibits.

9           Consumer Watchdog’s PDT discussed the following evidence:

- 10       • That the insurance industry in general and Farmers in particular were aware of Price Optimization  
11       and elasticity of demand well before Farmers’ 2008 class plan filing before the CDI. (Exh. 33,  
12       PDT of Allan I. Schwartz (Public—Redacted Version) (Oct. 4, 2018, rev’d Nov. 28, 2018), at 8–  
13       10.)
- 14       • That numerous internal documents from Farmers showed that employees responsible for  
15       ratemaking were encouraged to use Price Optimization. (*Id.* at 9–12.)
- 16       • Price Optimization created cross subsidies between different groups of Farmers policyholders.  
17       (*Id.* at 12, 15–16.)
- 18       • Farmers used Price Optimization by manipulating the impact of the authorized rating factor  
19       known as “persistence,” which allows insurance companies to reward a customer’s loyalty to the  
20       company over a period of years with premium discounts. (*Passim.*) Farmers implemented Price  
21       Optimization in its rate and/or class plans by charging these long-term policyholders—those with  
22       extended persistence—rates higher than those supported by actual experience, which is contrary  
23       to California requirements and accepted actuarial practices. (*Id.* at 11, 13–16.) Specifically,  
24       Farmers selected “relativities” for the “persistence rating factor” that exceeded the range of  
25       relativities that were indicated by the data Farmers submitted in support of its rate application. (*Id.*  
26       at 13.)

1 Consumer Watchdog's PDT reached the following conclusions based on this evidence:

- 2 • Farmers engaged in Price Optimization in California as it was defined by the Insurance  
3 Commissioner's February 18, 2015 Bulletin. (*Id.* at 8, 11–12, 15.)
- 4 • Farmers' practices were inconsistent with accepted actuarial practices, including Actuarial  
5 Standards of Practice Nos. 12 and 41. (*Id.* at 19–20.)
- 6 • Price Optimization as implemented by Farmers impacted long term policyholders by imposing an  
7 excess charge of 4.3% to 12.6%, depending on the coverage. Based on a procedure for  
8 determining the amount of restitution Farmers owed its policyholders because of the illegal price  
9 optimization, Farmers overcharged its long-term persistency policyholders by about \$26 million  
10 per year. (*Id.* at 14, 20–22.)

11 On October 19, 2018, Farmers moved to strike the PDT submitted by Consumer Watchdog, the  
12 Department, and the *Harris* plaintiffs on behalf of their witnesses, once again making the argument that  
13 its filed rate immunity defense barred such evidence. Consumer Watchdog filed an opposition which  
14 reiterated why Farmers' legal arguments were incorrect and, if accepted, would undermine the legal  
15 authority and powers of the Insurance Commissioner and the voters that were provided by  
16 Proposition 103. (Exh. 34, CWD's Opp'n to Farmers' Mot. to Strike (Oct. 26, 2018), at 1–10.)

17 Consumer Watchdog also defended against Farmers' challenge to the PDT of Mr. Schwartz. (*Id.*  
18 at 10–23). The court held oral argument on Farmers' motions to strike on November 6, 2018, and on  
19 November 8 the CALJ denied all but one of the 15 objections leveled against Mr. Schwartz's PDT, along  
20 with virtually all of Farmers' objections to the PDT of the Department's and the *Harris* plaintiffs'  
21 witnesses. (Exh. 35, Final Rulings on Farmers' Mot. to Strike (Nov. 8, 2018).) The parties filed revised  
22 the PDT accordingly.

23 On November 30, 2018, the Department and Intervenors jointly moved to strike portions of  
24 Farmers' PDT (Exh. 36, CDI's, *Harris* Plaintiffs', and Consumer Watchdog's Omnibus Mot. to Strike  
25 Resp'ts' PDT (Nov. 30, 2018)); Farmers opposed their motion. The court held oral argument on  
26 December 12, at which Consumer Watchdog argued that Farmers was improperly seeking to introduce as  
27 evidence the agency's approval of rate applications filed by other companies. (Exh. 37, Tr. of Hr'g  
28

1 (Dec. 12, 2018), at 41:12–43:7.) By orders dated December 14, 2018, the CALJ struck substantial  
2 portions of Farmers’ PDT.

3           Between September and December 2018, counsel for Consumer Watchdog assembled a trial plan,  
4 trial materials, and document binders for the CALJ, with the advice and assistance of Mr. Schwartz.  
5 Counsel for Consumer Watchdog also continued to prepare for the hearing by reviewing the evidence  
6 obtained through discovery. (Rosenfield Decl., ¶ 21.)

7           **E. December 2018–2020: Farmers Files Second Writ Petition; Hearing Is Continued for**  
8           **Purposes of Settlement Discussions; Settlement Is Reached**

9           On December 6, 2018, approximately one month before the hearing in this matter was scheduled  
10 to begin, Consumer Watchdog received a copy by mail of a second petition for writ of mandate that  
11 Farmers had filed in Los Angeles Superior Court, seeking to stop the hearing from going forward on  
12 grounds that were very similar to those Farmers asserted in its unsuccessful 2017 writ petition. (Exh. 38,  
13 Farmers’ Pet. for Writ of Admin. Mandamus, *Farmers Ins. Exchange v. Dave Jones* (Los Angeles Super.  
14 Ct., Case No. 18STCP02982) (“*Farmers v. Jones 2018*”) (Nov. 28, 2018).) Farmers also argued that the  
15 Department’s recent approval of a new rate application by Farmers mooted the administrative  
16 proceeding. However, Consumer Watchdog continued to prepare for the hearing, scheduled to commence  
17 on January 7, 2019. (Rosenfield Decl., ¶ 21.)

18           On December 21, 2018, the Department informed Consumer Watchdog that Farmers had agreed  
19 to enter into a mediation to resolve the administrative proceeding; the Department proposed that all  
20 parties jointly ask the CALJ to continue the hearing. (Rosenfield Decl., ¶ 22.) All four parties agreed to  
21 request a continuance, and the stipulation was filed on December 27; the continuance was approved by  
22 the CALJ on January 2, 2019.

23           Notwithstanding that stipulation, on January 17, 2019 Farmers applied to the Superior Court *ex*  
24 *parte* for permission to set a date for a motion for a preliminary injunction to delay the administrative  
25 hearing pursuant to its recently filed Petition for Writ of Mandate. The Court permitted Farmers to file its  
26 motion, which, in addition to reiterating its previously rejected immunity argument, asked the court to  
27 order depositions of certain Department personnel and asserted a new argument: that Insurance Code  
28 section 1858.07 barred the Commissioner from levying penalties against Farmers.

1 Consumer Watchdog filed an opposition contesting each of Farmers' claims and arguments. First,  
2 CWD contested Farmers immunity argument as inconsistent with Proposition 103. (Exh. 39, Opp. of  
3 CWD to Mot. for Prelim. Inj., *Farmers v. Jones* 2018 (Feb. 11, 2019) at 9–11.) Second, it paid particular  
4 attention to Farmers' section 1858.07 argument, which Consumer Watchdog explained as inapplicable, if  
5 not void, as an improper legislative amendment to Proposition 103. (*Id.* at 12–13.) Consumer Watchdog  
6 also objected to the requested depositions of agency employees. (*Id.* at 11–12.) Neither the Department  
7 nor the *Harris* plaintiffs examined the latter issue in their opposition briefs.

8 At the same time that Farmers' second writ was pending before the Los Angeles Superior Court,  
9 the parties agreed to participate in a mediation before retired justice and former Insurance Commissioner  
10 Harry Low. On February 11, 2019, Consumer Watchdog and the other parties submitted separate  
11 mediation briefs to Justice Low. (Consumer Watchdog's statement was submitted in confidence.) The all-  
12 day mediation was held in San Francisco on February 19, 2019. The parties to the *Harris* civil action—  
13 the *Harris* plaintiffs and Farmers—met separately during that day. To Consumer Watchdog's knowledge,  
14 no agreement of any kind was reached at that time. Thereafter, the *Harris* plaintiffs and Farmers  
15 conducted further negotiations concerning the underlying civil matter; Consumer Watchdog was not  
16 privy to and did not participate in those discussions. The administrative hearing was continued  
17 accordingly. (Rosenfield Decl., ¶ 23.)

18 In the spring of 2019, it appeared that the attempt to resolve the civil matter had failed. Consumer  
19 Watchdog and Mr. Schwartz resumed intensive preparations for the administrative trial in San Francisco,  
20 which was set for June 10, 2019. (*Ibid.*)

21 In May 2019, the Los Angeles Superior Court denied Farmers' motion to preliminarily enjoin the  
22 administrative proceeding, tracking the arguments made by Consumer Watchdog, the Department, and  
23 the *Harris* plaintiffs and the court's ruling in the *Farmers v. Jones* 2017 writ action. (Exh. 40, Order Den.  
24 Pet'r's Req. for Prelim. Inj., *Farmers v. Jones* 2018 (May 17, 2019).)

25 On or about June 6, 2019, Consumer Watchdog was informed that Farmers and the *Harris*  
26 plaintiffs had reached a provisional settlement. (Rosenfield Decl., ¶ 24.) A telephonic status conference  
27 was convened on June 7, 2019 by CALJ Rosi, at which the June 10 hearing was taken off calendar. On  
28

1 June 7, Consumer Watchdog received and reviewed the draft Memorandum of Understanding between  
2 the settling parties and expressed concerns that were subsequently addressed. (*Ibid.*)

3 On August 28, 2019, CALJ Rosi held a status conference at which Farmers and the *Harris*  
4 plaintiffs formally announced they had reached a settlement. On August 30, 2019, the *Harris* plaintiffs  
5 moved for preliminary approval before the Los Angeles Superior Court of the class action settlement they  
6 had reached with Farmers; it was granted on October 8, 2019. A hearing on their motion for final  
7 approval was held on August 31, 2020.

8 The thrust of the civil settlement negotiated between Farmers and the *Harris* plaintiffs is twofold.  
9 First, Farmers had ceased its use of the “persistence” rating factor to set premium discounts for certain of  
10 its customers in the fall of 2018. The company agreed that it will not “consider elasticity of demand in  
11 any way in the development of its rates or class plans” prospectively. (Exh. 41, Decl. of Cyrus Mehri in  
12 Supp. Pl.’s Mot. for Prelim. Approval of Class Action Settlement, Exh. 1, Second Am. Settlement  
13 Agreement and Release, *Harris v. Farmers* (Dec. 20, 2019), Section V, ¶ 64, and Exh. 5 thereto.)  
14 Second, Farmers agreed to provide refunds, without a claims process, to present and previous  
15 policyholders who were deprived of the full discount to which they were entitled. The total settlement,  
16 inclusive of fees and expenses, is valued at \$15 million. (*Id.*, Section IV, ¶ 60.)

17 During March and April 2020, Consumer Watchdog reviewed and proposed revisions to a draft  
18 stipulation by all parties in the administrative proceeding requesting that the CALJ dismiss the matter in  
19 light of the settlement by Farmers and the *Harris* plaintiffs of the underlying civil action. Consumer  
20 Watchdog proposed edits to confirm that all parties agreed that the Commissioner would have the  
21 authority to reinstate the proceeding at its current stage in the event the civil settlement did not become  
22 final for any reason. All parties agreed to Consumer Watchdog’s edits. (Rosenfield Decl., ¶ 25.) A  
23 Stipulation to Dismiss Without Prejudice, signed by all parties, was filed in the administrative proceeding  
24 on April 14, 2020.

25 The CALJ issued a proposed decision and order approving the stipulated motion to dismiss on  
26 July 30, 2020. (Exh. 42, Proposed Order Granting CDI’s Mot. to Dismiss Without Prejudice (July 30,  
27 2020.)) The Commissioner adopted the CALJ’s proposed decision on August 27, 2020. (Exh. 43, Order  
28 Granting Mot. to Dismiss Without Prejudice (Aug. 27, 2020).)

1 **III. CONSUMER WATCHDOG SHOULD BE AWARDED THE REQUESTED**  
2 **COMPENSATION**

3 To authorize public participation in the implementation and enforcement of Proposition 103,  
4 Insurance Code section 1861.10(a) states:

5 Any person may initiate or intervene in any proceeding permitted or established pursuant  
6 to this chapter, challenge any action of the commissioner under this article, and enforce  
7 any provision of this article.

8 To encourage such participation, and ensure that consumers are able to employ effective  
9 professional advocates, section 1861.10(b) states:

10 The commissioner or a court shall award reasonable advocacy and witness fees and  
11 expenses to any person who demonstrates that (1) the person represents the interests of  
12 consumers, and, (2) that he or she has made a substantial contribution to the adoption of  
13 any order, regulation, or decision by the commissioner or a court.

14 Consumer Watchdog meets the statutory prerequisites for compensation of its fees and expenses  
15 in this proceeding.

16 **A. Consumer Watchdog Represents Consumers and Is Eligible to Seek Compensation in**  
17 **This Proceeding, and Its Request Is Timely**

18 The intervenor regulations provide, in part:

19 A petitioner, intervenor or participant whose Petition to Intervene or Participate has been  
20 granted and who has been found eligible to seek compensation may submit to the Public  
21 Advisor, within 30 days after the service of the order, decision, regulation or other action  
22 of the Commissioner in the proceeding for which intervention was sought, or at the  
23 requesting petitioner's, intervenor's or participant's option, within 30 days after the  
24 conclusion of the entire proceeding, a request for an award of compensation.

25 (10 CCR § 2662.3(a).)

26 10 CCR § 2662.2 establishes a procedure for the Department to determine that an intervenor  
27 "represents the interests of consumers" and is therefore "eligible to seek compensation." Consumer  
28 Watchdog is a longtime participant and intervenor in Department proceedings. The Commissioner issued  
its most recent Finding of Eligibility on August 25, 2020, which was effective July 12, 2020, in which he  
found Consumer Watchdog eligible for compensation and that it "represents the interests of consumers."<sup>7</sup>

<sup>7</sup> CWD's current Finding of Eligibility succeeded prior determinations issued on July 12, 2018; July 14,  
2016; July 24, 2014; July 24, 2012; July 2, 2010; August 25, 2008; July 14, 2006; July 2, 2004; June 20,  
2002; October 1, 1997; September 26, 1995; September 27, 1994; and September 13, 1993.

1 Consumer Watchdog sought and was granted leave to intervene in the proceeding by order of the  
2 Commissioner dated May 25, 2017. (Exh. 6.) Thus, CWD is eligible to seek compensation in this matter.

3 Pursuant to 10 CCR § 2662.3(a), a request for compensation is due “within 30 days after the  
4 service of the order, decision, regulation or other action of the Commissioner in the proceeding for which  
5 intervention was sought, or at the requesting petitioner’s, intervenor’s or participant’s option, within 30  
6 days after the conclusion of the entire proceeding.” On July 30, the Chief Administrative Law Judge  
7 issued an order granting the parties’ stipulated motion to dismiss the matter. The Commissioner issued an  
8 Order Adopting the CALJ’s Proposed Decision on August 27, 2020. Pursuant to 10 CCR § 2662.3(a),  
9 this Request is timely because it is submitted to the Public Advisor within 30 days after service of the  
10 Commissioner’s Order.

11 **B. Consumer Watchdog Made a Substantial Contribution to the CALJ’s and the**  
12 **Commissioner’s Order Dismissing the Proceeding**

13 Proposition 103 commands that the Commissioner “shall award reasonable advocacy and witness  
14 fees and expenses to any person who demonstrates that . . . he or she has made a substantial contribution  
15 to the adoption of any order, regulation or decision by the commissioner or a court.” (Insurance Code  
16 §1861.10(b), emphasis added.)

17 As the California Supreme Court has recognized, a paramount purpose of Proposition 103 is to  
18 “enable consumers to permanently unite to fight against insurance abuse.” (*State Farm Mut. Auto. Ins.*  
19 *Co. v. Garamendi* (2004) 32 Cal.4th 1029, 1045.) Compensation of consumer representatives is an  
20 essential component to achieve Proposition 103’s goal of “fostering consumer participation in the rate-  
21 setting process.” (*Id.*; see also *Economic Empowerment Foundation v. Quackenbush* (1997)  
22 57 Cal.App.4th 677, 686 [the purpose of intervenor fees is to encourage consumer participation].)  
23 Section 1861.10, subd. (b), ensures that consumers’ interests are represented on an equal, professional  
24 basis with the interests of insurance companies.

25 Per the voters’ instruction, the mandate of Section 1861.10, subd. (b), like all of the provisions of  
26 Proposition 103, must be “liberally construed and applied in order to fully promote its underlying  
27 purposes.” (Prop. 103, § 8.) Thus, section 1861.10(b) should be applied in a manner “which best  
28 facilitates compensation.” (*Economic Empowerment Foundation, supra*, 57 Cal.App.4th at 686.) When  
the statutory criteria are met, an award of reasonable advocacy fees and expenses is mandatory. (See *Ins.*

1 Code §1861.10(b) [“[T]he commissioner or a court *shall* award reasonable advocacy and witness  
2 fees . . . .”], emphasis added.)

3 Regulations promulgated by the Commissioner aim to provide guidance for the Department’s  
4 compensation of consumer representatives. The “substantial contribution” requirement is explicated by  
5 the intervenor regulations as follows:

6 “Substantial Contribution” means that the intervenor substantially contributed, as a  
7 whole, to a decision, order, regulation, or other action of the Commissioner by  
8 presenting relevant issues, evidence, or arguments which were separate and distinct  
9 from those emphasized by the Department of Insurance staff or any other party, such  
10 that the intervenor’s participation resulted in more credible, and non-frivolous  
11 information being available for the Commissioner to make his or her decision than  
12 would have been available to a Commissioner had the intervenor not participated.

13 (10 CCR § 2661.1(k).)

14 The extensive work of CWD’s counsel and expert witness in this proceeding, reflected in the  
15 detailed summary presented above, the accompanying Rosenfield Declaration, and the record in this  
16 proceeding, demonstrates that CWD has met the substantial contribution requirement.

17 Consumer Watchdog respectfully submits that its advocacy in defense of Proposition 103 was  
18 critical to the CALJ’s (and, twice, the Superior Court’s) rejection and repudiation of Farmers’ filed rate  
19 immunity arguments and its other attempts to narrow the scope of the inquiry, the administrative  
20 procedures available to the CALJ to ascertain the truth, and the Commissioner’s authority to investigate  
21 Farmers. By successfully negating the arguments that Farmers proffered to block, constrain, or sidetrack  
22 the inquiry, Consumer Watchdog’s advocacy enabled the action to proceed—and to uncover conduct that  
23 placed the company at high risk of a final determination by the CALJ and the Commissioner that Farmers  
24 had used Price Optimization. (Rosenfield Decl., ¶ 30.)

25 Consumer Watchdog deployed its unparalleled expertise in the interpretation and enforcement of  
26 Proposition 103’s provisions, developed over the course of nearly three decades, at each stage of the  
27 proceeding, with respect to the numerous decisions and orders of the CALJ as well as the Los Angeles  
28 Superior Court, culminating in written testimony, to be presented by Consumer Watchdog’s actuarial  
expert at the hearing, establishing that Farmers had engaged in price optimization. At the hearing,  
Farmers had planned to introduce evidence of agency personnel statements or actions that would lead to  
its exoneration from civil liability—a process fraught with troubling implications for the Department.

1 Farmers could not do so, as a result of Consumer Watchdog’s strenuous and detailed objections in  
2 defense of the authority the voters entrusted to the Commissioner. Instead, Farmers chose to pursue a  
3 settlement of the underlying civil action just days before the beginning of the administrative trial. The  
4 settlement in turn led to the parties’ stipulated motion to dismiss the proceeding, the CALJ’s Proposed  
5 Decision and Order to dismiss the proceeding, and the Commissioner’s decision to adopt the proposed  
6 Decision and Order as final. (Rosenfield Decl., ¶ 31.)

7 Consumer Watchdog’s advocacy therefore made a “substantial contribution to the adoption of  
8 [the] order [and] decision by the commissioner” to dismiss this proceeding.

9 Application of the Department’s consumer participation regulations further supports Consumer  
10 Watchdog’s Request. To begin, 10 CCR § 2661.1(k) confirms that the assessment of “substantial  
11 contribution” examines the consumer representatives’ impact holistically: “‘Substantial Contribution’  
12 means that the intervenor substantially contributed, as a whole, to a decision, order, regulation, or other  
13 action of the Commissioner.” (Emphasis added.) With respect to this inquiry, Consumer Watchdog’s  
14 Petition to Participate and Notice of Intent to Seek Compensation (Exh. 4) set forth its broad purposes in  
15 seeking to participate:

16 In addition to the importance of protecting Farmers’ current and potential policyholders from  
17 violations of Proposition 103, Consumer Watchdog seeks to intervene in this proceeding in order  
18 to defend and protect the rights of all California consumers to avoid unjust premiums and unfair  
19 discrimination via the use of predictive modeling systems generally and Price Optimization in  
20 particular.

19 (Exh. 4, ¶ 12.)

20 Consumer Watchdog’s purpose was achieved—it made a “substantial contribut[ion], as a whole,”  
21 by presenting evidence of Farmers’ pricing practices and making key arguments that protected the  
22 Commissioner’s authority under Proposition 103, which led to the resolution and dismissal of this  
23 proceeding. Further, the record demonstrates that Consumer Watchdog presented and emphasized  
24 numerous “relevant issues, evidence, or arguments which were separate and distinct from those  
25 emphasized by the Department of Insurance staff or any other party” such that its “participation resulted  
26 in more credible, and non-frivolous information being available for the” CALJ, the Los Angeles Superior  
27 Court and ultimately the Commissioner “to make [their] decision[s] than would have been available to a  
28 Commissioner had [Consumer Watchdog] not participated.” Three examples, chosen from the

1 chronology set forth in Section II of this Request, illustrate Consumer Watchdog’s “separate and distinct”  
2 presentation of, and emphasis upon, “relevant issues, evidence, or arguments.”

3 1. Consumer Watchdog’s advocacy concerning the correct interpretation and application of  
4 Proposition 103 and other provisions of the Code

5 As noted above, Farmers’ pivotal argument in this matter, made repeatedly before the agency in  
6 numerous motions and before the Los Angeles Superior Court in its two writ petitions, was that Farmers’  
7 previous filing of a class plan application, and its subsequent approval by the Commissioner, not only  
8 immunized the company from *civil* liability, but also *barred* the Commissioner from undertaking any  
9 subsequent *investigation*, including discovery, of Farmers’ conduct.

10 Proposition 103 accorded the Commissioner with the authority and responsibility to ensure that  
11 rates and premiums are fair and to enforce all provisions of the initiative. It also authorized consumers to  
12 challenge insurance company violations of Proposition 103 before the Department or in the civil courts.  
13 Had Farmers’ arguments succeeded, either before the administrative agency or in Los Angeles Superior  
14 Court, the result would have:

15 (1) Invited wholesale intrusion by insurance companies into the Department’s operations,  
16 permitting insurance companies to second-guess, manipulate, delay, and sabotage the work of the  
17 agency’s staff in order to solicit or create “evidence” that would purportedly later entitle the company to  
18 immunity from civil or administrative accountability. (Rosenfield Decl., ¶ 28.)

19 (2) Left California consumers vulnerable to enormous abuses of California’s insurance reforms  
20 and consumer protections by insurance companies seeking to evade regulatory and public accountability.  
21 (Rosenfield Decl., ¶ 27.)

22 (3) Threatened a dangerous expansion of the erroneous holding in the *MacKay* case, upon which  
23 Farmers (and the insurance industry) has repeatedly relied. (Rosenfield Decl., ¶ 26.)

24 Consumer Watchdog anticipated, addressed, and successfully argued against Farmers’ arguments  
25 at every turn in the administrative case and before the civil courts. CWD was particularly zealous in  
26 protecting the voters’ grant of authority to the Department and the Commissioner under Proposition 103.  
27 Consumer Watchdog filed detailed briefs in defense of the agency’s mission, in a manner that was more  
28 aggressive than that of the other parties. (See, e.g., Rosenfield Decl., ¶¶ 6–10, 13, 27–31.) And while the  
Department, the Attorney General, and attorneys for the *Harris* plaintiffs also responded to Farmers’

1 immunity arguments, the record reflects the enormous emphasis Consumer Watchdog placed in  
2 defending the voters' public participation mandate.

3 2. The work and written testimony of Consumer Watchdog's expert, Allan Schwartz

4 A nationally renowned expert on insurance matters, Mr. Schwartz is one of, if not the,  
5 preeminent, most knowledgeable, and most experienced actuaries concerning Proposition 103 in the  
6 nation. He has advised Consumer Watchdog on Proposition 103 related issues for over twenty-five years.  
7 No other actuary in the proceeding has had as much direct experience in Proposition 103 administrative  
8 and civil litigation. (Rosenfield Decl., ¶ 71.)

9 Mr. Schwartz played a critical role on behalf of Consumer Watchdog in this inquiry. Specifically,  
10 he:

- 11 • Reviewed and analyzed filings of Farmers that were relevant to this proceeding;
- 12 • Assisted Consumer Watchdog in formulating requests to Farmers for discovery;
- 13 • Reviewed and analyzed documents produced by Farmers during discovery;
- 14 • Reviewed and analyzed the deposition testimony of Farmers' employees;
- 15 • Utilizing evidence obtained from Farmers through discovery, as well as documents and  
16 information from other sources, developed Pre-Filed Direct Testimony establishing that Farmers  
17 had engaged in Price Optimization in California;
- 18 • Provided actuarial analysis to Consumer Watchdog during the entire course of the proceeding;
- 19 • Assisted the California Department of Insurance and the *Harris* plaintiffs when needed  
20 throughout the litigation; and
- 21 • Consulted with Consumer Watchdog regarding this Request for Compensation.

22 Mr. Schwartz's expert testimony, which was prepared and submitted for the scheduled hearing,  
23 was the culmination of his work in this matter. After reviewing documents obtained from Farmers, Mr.  
24 Schwartz presented compelling Pre-Filed Direct Testimony, citing evidence from those documents and  
25 other sources, that showed that Farmers' pricing practices did not comport with Actuarial Standards of  
26 Practice, and that the company had engaged in Price Optimization in California. Mr. Schwartz's PDT  
27 definitively answered the questions posed by the Insurance Commissioner in the Notice of Hearing. (*Id.*)

28 Finally, Mr. Schwartz also presented a calculation to the CALJ that provided a rough estimate of

1 the annual amount of the overcharges imposed by Farmers on its policyholders: \$26 million. (Exh. 33, at  
2 22:3–13.) That estimate quantified Farmers’ potentially enormous civil liability in total. (Rosenfield  
3 Decl., ¶ 30.) Neither the PDT of the Department’s actuary nor of the *Harris* plaintiffs’ expert provided  
4 that calculation. (*Id.*)

5 3. Consumer Watchdog’s experience litigating Proposition 103 and California’s insurance laws for  
6 over thirty years

7 CWD’s counsel are veterans of over a hundred administrative proceedings concerning Proposition  
8 103 since the law’s passage. They have also litigated challenges to Proposition 103 in the civil courts and  
9 participated in all of the cases that led to landmark judicial decisions. Consumer Watchdog offered that  
10 unique, decades-long expertise to the *Harris* plaintiffs and the Department in this proceeding, assisting  
11 with litigation strategy, both before the CALJ and the civil courts, as well as with substantive and  
12 procedural issues as they arose. Consumer Watchdog counsel were able to provide an effective  
13 professional balance to the California-based Farmers’ highly qualified team of in-house lawyers and  
14 outside counsel. (Rosenfield Decl., ¶ 32.)

15 Nothing in this analysis gainsays the important role of the Department or the *Harris* plaintiffs.  
16 When they established Proposition 103’s public participation system, the voters were well aware that the  
17 Department staff (as distinct from the Commissioner) would likely become a party to a proceeding such  
18 as this. However, the voters recognized that agency personnel would participate subject to the command  
19 of the elected Insurance Commissioner and the laws governing civil servants. Further, the voters  
20 recognized that the agency might be subject to budgetary or even political considerations that might  
21 influence the discretionary decisions of the Commissioner and/or his staff in a particular proceeding.

22 The voters therefore created a system in which consumers would have their own advocates, able  
23 to as zealously protect consumers’ interests before any tribunal as lawyers for the insurance industry  
24 protect their client’s interests—and be compensated accordingly. As the Ballot Argument in Favor of  
25 Proposition 103 explained, the initiative sought to establish “a permanent, *independent* consumer  
26 watchdog system [that] will champion the interests of insurance consumers” (emphasis added). The  
27 broad substantial contribution standard enacted by Section 1861.10, subd. (b), ensures that consumers  
28 will be able to participate in proceedings independently of the Department staff.

As the record here shows, Consumer Watchdog did so. It “present[ed] relevant issues, evidence,

1 or arguments which were separate and distinct from those emphasized by the Department of Insurance  
2 staff or any other party, such that [its] participation resulted in more credible, and non-frivolous  
3 information being available for the Commissioner [and the Los Angeles Superior Court] to make his or  
4 her decision than would have been available to a Commissioner had the intervenor not participated.”

5 Having established the two statutory prerequisites, compensation of all “reasonable advocacy and  
6 witness fees and expenses” is mandatory.

7 **C. The Hours and Hourly Rates for Which Consumer Watchdog Seeks Compensation**  
8 **Were Sufficiently Documented and Were Reasonable Given the Amount and**  
9 **Complexity of the Work and the Qualifications of Consumer Watchdog Personnel**

10 When a consumer representative makes a “substantial contribution,” as here, Insurance Code  
11 section 1861.10, subd. (b) requires payment of all of a consumer representative’s “reasonable advocacy  
12 and witness fees and expenses.” (Emphasis added.) This is consistent with the general rule, under  
13 California law, that once a decisionmaker determines that a party is entitled to attorneys’ fees, “absent  
14 circumstances rendering the award unjust, fees should ordinarily include compensation for *all hours*  
15 *reasonably spent.*” (See *Serrano v. Unruh* (1982) 32 Cal.3d 621, 624, emphasis added.)<sup>8</sup>

16 CWD requests a total award of \$981,478.50 in attorneys’ fees and \$12,693.29 in expenses, and  
17 \$213,325.00 in expert witness fees and \$2,419.79 in expenses incurred by Mr. Schwartz and his  
18 associates. The requested award, including the total hours of work performed and the hourly rates of each  
19 person, is summarized in Exhibit A to this Request, “Summary of Attorneys’ Fees and Expenses,” and in  
20 the Declaration of Harvey Rosenfield (¶¶ 34–39, 68–69). The lengthy procedural history of this matter as  
21 set forth above and in the accompanying Declaration of Harvey Rosenfield demonstrates the  
22 reasonableness of the compensation requested in light of the amount of work performed.

23 \_\_\_\_\_  
24 <sup>8</sup> As noted below, this Request seeks compensation from the Fund, or, in the alternative, Farmers.  
25 Farmers may thus challenge the Request; however, it has the burden of demonstrating that the hours  
26 Consumer Watchdog billed or expenses it incurred were unreasonable. (See *Children’s Hosp. v. Bonta*  
27 (2002) 97 Cal.App.4th 740, 783.) The regulations further require that any “[a]ny party questioning the  
28 market rate or reasonableness of any amount set forth in the request shall, at the time of questioning the  
market rate or reasonableness of that amount, provide a statement setting forth the fees, rates, and costs it  
expects to expend in the proceeding.” (10 CCR 2662.3(g).) This sensible rule enables the Commissioner  
to assess challenges to the reasonableness of fees and expenses. Should Farmers make such a challenge,  
it must be required to provide its own fees, hourly rates, and expense records.

1 The specific tasks performed by all attorneys and other personnel billing on behalf of CWD are  
2 set forth in detailed time records submitted as Exhibits to the accompanying Declaration of Harvey  
3 Rosenfield. As is set forth in the Declaration, these time records were maintained contemporaneously,  
4 and reflect the actual time spent and actual work performed, billed to the tenth of an hour, by all billing  
5 attorneys, paralegals, and other billable personnel. (Rosenfield Decl., ¶¶ 34–37.) In preparing their  
6 respective time records for this submission, CWD counsel and Mr. Schwartz and his associates exercised  
7 billing judgment and eliminated time entries where appropriate. (*Ibid.*)<sup>9</sup> CWD submits that the time  
8 expended and the work performed in the proceeding, as reflected in the time records, were reasonable  
9 and appropriate, and were required to achieve the result obtained. (*Ibid.*)

10 An attorney’s declaration identifying the work performed, hourly rates, and total fees incurred is  
11 prima facie evidence that the costs, expenses, and services listed were necessarily incurred. (E.g.,  
12 *Hadley v. Krepel* (1985) 167 Cal.App.3d 677, 682; see also *Horsford v. Bd. of Trustees* (2005)  
13 132 Cal.App.4th 359, 396 [“[V]erified time statements of the attorneys, as officers of the court, are  
14 entitled to credence in the absence of a clear indication the records are erroneous”].) Through informal  
15 arrangements, Consumer Watchdog, the Department, and the *Harris* plaintiffs were able to limit  
16 unnecessary duplication. (Rosenfield Decl., ¶ 33.)

17 The 2020 hourly rates set forth in the attached Exhibit A are also reasonable and consistent with  
18 prevailing market rates. (Rosenfield Decl., ¶ 39.) Implementing the voters’ mandate that consumers be  
19 able to hire professional representatives to contend with counsel for insurance companies, the intervenor  
20 regulations specify that “[t]he compensation awarded shall equal the market rate of the services  
21 provided.” (10 CCR § 2662.6 (b), emphasis added.) “Market rate” is defined as the “prevailing rate for  
22 comparable services in the private sector in the Los Angeles and San Francisco Bay Areas at the time of  
23 the Commissioner’s decision awarding compensation for attorney advocates, non-attorney advocates, or  
24 experts with similar experience, skill and ability.” (10 CCR § 2661.1(c)(1), emphasis added.) The  
25 decision awarding compensation in this proceeding will be issued in 2020, and accordingly, the requested  
26 rates are the established rates for 2020 for CWD personnel.

27  
28 <sup>9</sup> Those adjustments resulted in a reduction of approximately 7.0% in Consumer Watchdog’s requested  
lodestar. (Rosenfield Decl., ¶¶ 37.)

1 The qualifications and experience of CWD personnel who performed work in this matter—  
2 Harvey Rosenfield, Pamela Pressley, Jonathan Phenix, Benjamin Powell, Daniel Sternberg, Kaitlyn  
3 Gentile, and Samantha Skouras, as well Consumer Watchdog’s actuary Allan Schwartz—are summarized  
4 in the Declaration of Harvey Rosenfield. (Rosenfield Decl., ¶¶ 41–67, 70–72.)

5 The 2020 hourly rates of CWD’s attorneys are consistent with, if not less than, the prevailing  
6 market rates for attorneys of comparable skills and experience in the Los Angeles and San Francisco Bay  
7 Areas. (Rosenfield Decl., ¶¶ 39, 41–67; see also *id.*, Exh. 4.) The accompanying Declaration of Richard  
8 M. Pearl (“Pearl Declaration” or “Pearl Decl.”) also confirms that the requested rates for CWD’s counsel  
9 and paralegals are consistent with prevailing market rates.<sup>10</sup> Mr. Pearl is a recognized expert on  
10 attorneys’ fees issues under California law. (Rosenfield Decl., Exh. 4, Pearl Decl., ¶¶ 3–7.) The Pearl  
11 Declaration shows that CWD counsel’s 2020 rates are “well within, if not below, the range of non-  
12 contingent market rates charged for reasonably similar services by Los Angeles area attorneys of  
13 reasonably similar qualifications and experience.” (Pearl Decl., ¶ 12.)

14 This Request also includes the time expended preparing the instant Request for Compensation.  
15 This is also reasonable because the regulations permit reimbursement for preparation of a request for an  
16 award of compensation. (10 CCR § 2661.1(d).) Preparing such a request requires the intervenor to  
17 perform a comprehensive review of the record, review the pertinent laws and regulations, cite to the  
18 record in the proceeding, review billing and expense records, and prepare the request and supporting  
19 documents. Here it was necessary to summarize an unusually complex procedural history.

20 **D. Consumer Watchdog’s Expert Fees and Expenses Are Reasonable**

21 Consumer Watchdog incurred reasonable expert fees and expenses of \$215,744.79 for the  
22 actuarial consulting services of Allan I. Schwartz at AIS Risk Consultants, Inc. (See Rosenfield Decl.,  
23 ¶¶ 34, 70.) The specific tasks performed by Mr. Schwartz are set forth in the detailed billing records of  
24 AIS Risk Consultants, Inc. (Rosenfield Decl., Exh. 5.) Consumer Watchdog is informed and believes that  
25 these time records were maintained contemporaneously and reflect the actual time spent and actual work  
26

27 <sup>10</sup> The Pearl Declaration was filed on October 8, 2019 in connection with a Writ of Administrative  
28 Mandamus by Mercury Insurance Company arising out of a CDI noncompliance proceeding and is  
equally applicable to this proceeding, given that Consumer Watchdog’s 2020 rates are within the range of  
rates considered reasonable for attorneys with comparable experience at the time of that declaration.

1 performed by Mr. Schwartz. (Rosenfield Decl., ¶¶ 70–73.) Consumer Watchdog submits that the time  
2 expended and work performed by Mr. Schwartz in this proceeding, as reflected in his time records, was  
3 reasonable and appropriate and the minimum required to achieve the result obtained. (*Ibid.*)

4 Pursuant to 10 CCR §§ 2662.6(b) and 2661.1(c)(1), the expert fees billed for the actuarial  
5 consulting services of Mr. Schwartz and his staff at AIS Risk Consultants, Inc. reflect the current market  
6 rates for such services. (*Ibid.*)

7 Mr. Schwartz’s 2020 hourly rate is reasonable and consistent with the prevailing market rates for  
8 actuaries of comparable skills and experience. Mr. Schwartz is a nationally recognized actuarial expert  
9 who has worked on behalf of consumer groups, insurance regulators, and insurance companies across the  
10 country. Mr. Schwartz’s over 30 years of professional actuarial experience include being President of  
11 AIS Risk Consultants, Assistant Commissioner of the New Jersey Department of Insurance, and chief  
12 actuary of the North Carolina Department of Insurance, and he has multiple designations from the  
13 Insurance Institute of America. His resume is on file in several other Department rate proceedings and  
14 can be viewed online at [http://www.aisrc.com/allan\\_i\\_schwartz.htm](http://www.aisrc.com/allan_i_schwartz.htm). (*Ibid.*)

15 **E. The Expenses Consumer Watchdog Expended Were Sufficiently Documented and Were**  
16 **Reasonable**

17 Finally, the expenses incurred and requested by CWD, in the amount of \$12,693.29, as  
18 summarized in the Rosenfield Declaration at ¶ 69, are reasonable and appropriate given the length of the  
19 proceeding and substantial work involved. Proposition 103 and the intervenor regulations provide for the  
20 award of such reasonable expenses. (Ins. Code § 1861.10(b); 10 CCR § 2662.1(d) [defining “Other  
21 Expenses” to include, but not be limited to “travel costs, transcript charges, postage charges, overnight  
22 delivery charges, telephone charge and copying expenses”].)

23 **F. The Statute Authorizes the Commissioner to Compensate Consumer Watchdog for Its**  
24 **Time and Expenses in This Proceeding, Including the Ancillary Proceedings in Civil**  
25 **Court**

26 When they enacted Proposition 103, the voters enacted powerful public participation authority,  
27 authorizing California consumers to enforce and defend the initiative’s reforms in any forum, judicial or  
28 administrative. Insurance Code section 1861.10, subd. (a), reads as follows:

1 Any person may initiate or intervene in any proceeding permitted or established pursuant  
2 to this chapter, challenge any action of the commissioner under this article, and enforce  
any provision of this article.

3 Additionally, Insurance Code section 1861.09, enacted by Proposition 103, authorizes judicial  
4 review of decisions of the Commissioner. Thus, an insurance company (or a consumer representative)  
5 that is dissatisfied with the outcome of an administrative proceeding also has the right to seek mandamus  
6 review of the Commissioner's decision in the court.

7 Recognizing that litigation would occur in both administrative and civil settings, the voters  
8 mandated payment of consumer participants' fee and expenses in any forum:

9 The *commissioner or a court* shall award reasonable advocacy and witness fees and  
10 expenses to any person who demonstrates that (1) the person represents the interests of  
11 consumers, and, (2) that he or she has made a substantial contribution to the adoption of  
any order, regulation or decision by the *commissioner or a court*. Where such advocacy  
occurs in response to a rate application, the award shall be paid by the applicant.

12 (Insurance Code section 1861.10, subd. (b), emphasis added.)

13 Section 1861.10, subd. (b), does not tie the payment of fees and expenses in any particular matter  
14 to the particular forum in which they were incurred. These matters are left to the discretion of the  
15 "commissioner or a court" in the first instance.

16 For example, similar to this proceeding,

17 [T]he Commissioner could rule on a rate, the ruling could be challenged by mandamus (§  
18 1861.09), the court could decide that further administrative hearings were required, and  
those additional hearings could result in a final rate determination. An intervenor who  
19 substantially contributed at each stage of this process, before both the Department and the  
court, could then request a fee award from the Commissioner. (See Regs., § 2662.3, subd.  
20 (a).) In this situation, the Commissioner logically would and is empowered to award all  
of the intervenor's fees, including fees for an intervenor's advocacy in court. There is no  
21 reason why the intervenor should have to seek its fees for advocacy in court from the  
court alone, when the Commissioner is in a position to render the rest of the award and  
22 has dealt with the underlying issues. Fee applications to two forums for a single  
proceeding would involve needless effort and expense. However, multiple applications  
23 would be required by a rule which limited the Commissioner's awards to amounts for  
"advocacy at the administrative level."

24  
25 (*Economic Empowerment Foundation v. Quackenbush* (1997) 57 Cal.App.4th 677, 688–689.)<sup>11</sup>

26  
27 <sup>11</sup> The Court continued:

28 A proceeding could also involve advocacy before both the agency and a court where there is  
not yet judicial review of the merits. Rate hearings are conducted, with certain exceptions,  
pursuant to Administrative Procedure Act provisions at Government Code section 11500, et

1 This Request seeks compensation in connection with its work in the interlocutory writ  
2 proceedings Farmers brought in Superior Court. During the pendency of this proceeding, Farmers twice  
3 sought interlocutory judicial review via writ petitions in Los Angeles Superior Court of the orders of the  
4 Commissioner and the CALJ. As noted above, when the Superior Court denied its motion for a  
5 preliminary injunction in November 2017, Farmers also unsuccessfully sought review of that ruling in the  
6 Second District Court of Appeal.

7 **G. Under the Particular Circumstances of This Proceeding, the Proposition 103 Fund**  
8 **Should Compensate Consumer Watchdog for Its Substantial Contribution**

9 When they enacted Proposition 103, the voters understood that proper administration and  
10 enforcement of the measure would require significant resources. While section 1861.10, subd. (b) makes  
11 clear that applicants for rate changes are responsible for the compensation of consumer representatives in  
12 rate proceedings, the voters recognized the need for a fund that would cover all other expenses in  
13 connection with the Commissioner’s administration and enforcement of the initiative, including where it  
14 might be necessary to award intervenor fees and expenses, as required by section 1861.10(b), in order to  
15 support and encourage the participation of consumer representatives in proceedings other than rates or  
16 class plans filings.

17 Section 12979, enacted by the Proposition 103 voters, mandated what has become known as the  
18 “Proposition 103 Fund,” which is maintained by the Commissioner. It states:

19 Notwithstanding the provisions of Section 12978, the commissioner shall establish a  
20 schedule of filing fees to be paid by insurers to cover any administrative or operational  
21 costs arising from the provisions of Article 10 (commencing with Section 1861.01) of  
22 Chapter 9 of Part 2 of Division 1.

23 Just as Section 1861.10, subd. (b), does not specify whether “the commissioner or a court” should  
24 adjudicate a compensation request, it does not specify whether compensation must be paid by the  
25 Department from the “Proposition 103 Fund” or by one or more insurance companies (except with

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26 seq. (APA). (§ 1861.08; *RLI Ins. Co. Group v. Superior Court, supra*, 51 Cal.App.4th at pp.  
27 429–430, 59 Cal.Rptr.2d 111.) The APA affords interlocutory recourse to the courts in  
28 certain situations. (See, e.g., Gov.Code, §§ 11501, subd. (c), 11455.10, 11455.20  
[contempt]; Gov.Code, § 11524, subd. (c) [denial of a continuance].) After the  
Commissioner has determined a rate, he should not be precluded from awarding the fees an  
intervenor might incur in such an interlocutory court proceeding.

(*Id.* at 689, fn. 10.)

1 respect to rate applications, for which Section 1861.10, subd. (b) instructs that “[w]here such advocacy  
2 occurs in response to a rate application, the award shall be paid by the applicant.”).

3 Proposition 103 leaves it to the discretion of the decision-maker—“the commissioner or a court”  
4 —whether to require compensation of consumer representatives be paid by one or more specific  
5 insurance companies or other parties or by the Proposition 103 Fund in proceedings other than rate  
6 proceedings. (*Ass’n of California Ins. Cos. v. Poizner* (2009) 180 Cal.App.4th 1029, 1055 [upholding fee  
7 award to intervenor CWD to be paid by insurance associations that challenged Proposition 103  
8 regulations in court].)<sup>12</sup> As in many other aspects of Proposition 103, the voters specified the  
9 obligation—consumers are entitled to professional representation in insurance matters and their  
10 advocates and experts are to be paid when they do so—but left the details of ensuring that compensation  
11 to the discretion of the decisionmakers.

12 This Request places Farmers on notice that it may be responsible for compensating Consumer  
13 Watchdog for its advocacy and related expenses in this matter. However, Consumer Watchdog believes  
14 that under the particular circumstances of this case, it would be appropriate for the Commissioner to  
15 compensate Consumer Watchdog from the Proposition 103 Enforcement Fund for the following reasons:

16 (1) This proceeding is a primary jurisdiction referral from a civil court, asking the commissioner  
17 to address an issue of first impression: the application of the Commissioner’s 2015 Bulletin barring the  
18 use of Price Optimization. As Consumer Watchdog stated in its Petition to Intervene, this proceeding was  
19 the first to construe the Bulletin and hence its resolution was likely to have an impact upon the industry  
20 as a whole.

21 (2) Upon the encouragement of the Department, the *Harris* plaintiffs and Farmers entered into  
22 settlement discussions; once the underlying civil matter was resolved between Farmers and the *Harris*  
23 plaintiffs, the Department proposed that all parties stipulate to dismissal of the administrative proceeding.  
24 Though the parties had submitted PDT and exhibits, the matter ultimately did not proceed to an  
25 evidentiary hearing, the CALJ did not issue a proposed decision on the merits and the Commissioner  
26 ultimately adopted the CALJ’s proposed order to dismiss the proceeding pursuant to the parties’

27 \_\_\_\_\_  
28 <sup>12</sup> For example, when the Department has engaged in Proposition 103 related rulemaking, it has  
compensated consumer representatives from the Proposition 103 Fund in recognition of the industry-  
wide application of the regulations. (See Rosenfield Decl., ¶ 42(u).)

1 stipulation. Thus, no formal determination was made by the Commissioner as to Farmers' conduct,  
2 although as explained above there is ample evidence that Farmers' had used Price Optimization in  
3 violation of Proposition 103 (which in turn contributed to the ultimate settlement of the civil matter and  
4 the dismissal of the proceeding).

5 These facts support the Commissioner's exercise of his discretion to award compensation to  
6 Consumer Watchdog from the Proposition 103 Fund. In addition, by suggesting that it would be  
7 appropriate in this instance for the Proposition 103 Fund to compensate Consumer Watchdog for its  
8 efforts, Consumer Watchdog in no way implies that it would be inappropriate for Farmers to be  
9 responsible for that obligation.

10 **IV. CONCLUSION**

11 Based on the demonstration of Consumer Watchdog's substantial contribution to this proceeding,  
12 culminating in the Commissioner's adoption of a final Decision and Order, Consumer Watchdog requests  
13 that the Commissioner grant Consumer Watchdog's Request in the total amount of \$1,209,916.58.

14  
15 Dated: September 4, 2020

Respectfully Submitted,

16 Harvey Rosenfield  
17 Pamela Pressley  
18 CONSUMER WATCHDOG

19 BY:

  
20 Harvey Rosenfield

21 Attorneys for Intervenor CONSUMER WATCHDOG  
22  
23  
24  
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26  
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28

**EXHIBIT A**

**EXHIBIT A**

**SUMMARY OF FEES AND EXPENSES**

*In the Matter of Farmers Ins. Exchange and Mid-Century Ins. Co. (NC-2017-00003)*

<u>ITEMS</u>	<u>COST</u>
<b>1. <u>Consumer Watchdog's Fees and Expenses</u></b>	
(Detailed in Billing Records attached as Exhibit 2A to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 693 hours .....	\$481,635.00
Pamela Pressley @ \$595 per hour, 146.3 hours .....	\$87,048.50
Benjamin Powell @ \$350 per hour, 95.7 hours.....	\$33,495.00
Daniel Sternberg @ 350 per hour, 100.1 hours .....	\$35,035.00
Jonathan Phenix (attorney) @ \$350 per hour, 305.1 hours .....	\$106,785.00
Samantha Skouras (paralegal) @ \$200 per hour, 76.6 hours.....	\$15,320.00
Kaitlyn Gentile (paralegal) @ \$200 per hour, 61.3 hours .....	\$12,260.00
Consumer Watchdog's Expenses.....	\$7,513.65
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$779,092.15</b>
<b>2. Expert Witness Fees – AIS Risk Consultants, Inc.</b>	
(Detailed in Exh. 5 to Rosenfield Decl.)	
Allan I. Schwartz @ \$805 per hour, 265 hours .....	\$213,325.00
AIS Risk Consultants, Inc. Expenses.....	\$2,419.79
<b>Subtotal of AIS Risk Consultants, Inc. Fees and Expenses .....</b>	<b>\$215,744.79</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$994,836.94</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones 2017 (Los Angeles Super. Ct., Case No. BS170584)*

<u>ITEMS</u>	<u>COST</u>
1. <u>Consumer Watchdog's Fees and Expenses</u>	
(Detailed in Billing Records attached as Exhibit 2B to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 102 hours .....	\$70,890.00
Pamela Pressley @ \$595 per hour, 18.1 hours .....	\$10,769.50
Jonathan Phenix @ \$350 per hour, 117.5 hours .....	\$41,125.00
Samantha Skouras @ \$200 per hour, 29.8 hours.....	\$5,960.00
Consumer Watchdog's Expenses.....	\$2,499.38
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$131,243.88</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$131,243.88</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones 2017 Appeal (Ca. Court of Appeals, 2nd App. Dist., Case No. B286385)*

<u>ITEMS</u>	<u>COST</u>
1. <u>Consumer Watchdog's Fees and Expenses</u>	
(Detailed in Billing Records attached as Exhibit 2C to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 11.5 hours .....	\$7,992.50
Pamela Pressley @ \$595 per hour, 2 hours .....	\$1,190.00
Jonathan Phenix @ \$350 per hour, 3.7 hours .....	\$1,295.00
Consumer Watchdog's Expenses.....	\$0
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$10,477.50</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$10,477.50</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones 2018 (Los Angeles Super. Ct., Case No. 18STCP02982)*

<u>ITEMS</u>	<u>COST</u>
1. <b><u>Consumer Watchdog's Fees and Expenses</u></b>	
(Detailed in Billing Records attached as Exhibit 2D to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 75.2 hours .....	\$52,264.00
Pamela Pressley @ \$595 per hour, 10.2 hours .....	\$6,069.00
Daniel Sternberg @ \$350 per hour, 28.7 hours .....	\$10,045.00
Kaitlyn Gentile @ 200 per hour, 11.5 hours.....	\$2,300.00
Consumer Watchdog's Expenses.....	\$2,680.26
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$73,358.26</b>
<b>MATTER TOTAL ADVOCACY AND WITNESS FEES AND EXPENSES:</b>	<b>\$73,358.26</b>
 <b>GRAND TOTAL ADVOCACY AND WITNESS FEES AND EXPENSES:</b>	 <b>\$1,209,916.58</b>

1 Harvey Rosenfield, SBN 123082  
2 Pamela Pressley, SBN 180362  
3 Benjamin Powell, SBN 311624  
4 Daniel L. Sternberg, SBN 329799  
5 CONSUMER WATCHDOG  
6 6330 San Vicente Blvd., Suite 250  
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14 Attorneys for CONSUMER WATCHDOG

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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF CALIFORNIA

14 In the Matter of the Rating Practices of  
15 FARMERS INSURANCE  
16 EXCHANGE and MID-CENTURY  
17 INSURANCE COMPANY

File No.: NC-2017-00003

**DECLARATION OF HARVEY ROSENFIELD  
IN SUPPORT OF CONSUMER WATCHDOG'S  
REQUEST FOR COMPENSATION**

(Ins. Code §1861.10; 10 CCR §§2662.3 and 2662.5)

1 I, Harvey Rosenfield, declare:

2 1. I am counsel for Consumer Watchdog, Intervenor, in this matter; I founded the  
3 organization in 1985. I am the author of Proposition 103, the insurance reform measure approved by  
4 California voters on November 8, 1988; I led the electoral campaign for its passage and have supervised  
5 or participated in every major legal case concerning Proposition 103 since then. I am well over eighteen  
6 years of age.

7 2. This declaration is submitted in support of Consumer Watchdog’s Request for  
8 Compensation in the above-captioned proceeding. I have personal knowledge of the matters set forth  
9 herein and, if called as a witness, I could and would testify competently to the facts stated herein.

10 3. Consumer Watchdog is a nonprofit, tax-exempt consumer research, education, litigation,  
11 and advocacy organization. A core mission of Consumer Watchdog is the representation of the interests  
12 of insurance consumers and policyholders, particularly as they relate to the implementation and  
13 enforcement of Proposition 103, in matters before the Legislature, the courts, and the California  
14 Department of Insurance (“Department” or “CDI”). Consumer Watchdog’s staff and consultants include  
15 some of the nation’s foremost consumer advocates and experts on insurance ratemaking matters.

16 4. I acted as lead counsel for Consumer Watchdog in this matter. I assisted Consumer  
17 Watchdog and its counsel in developing litigation strategy, drafted or reviewed and revised all  
18 substantive pleadings, and organized and/or participated in numerous discussions with counsel for  
19 Consumer Watchdog concerning the litigation. I also organized and/or participated in numerous  
20 discussions with counsel for the Insurance Commissioner—both the agency attorneys who prosecuted  
21 the administrative action on behalf of the CDI, as well as the Deputy Attorneys General who represented  
22 the Commissioner in court in two writ proceedings brought by Farmers Insurance Exchange and Mid-  
23 Century Insurance Company (collectively “Farmers”)—and counsel for the *Harris* plaintiffs concerning  
24 all aspects of litigation strategy, the content of briefing, and all other matters related to the litigation. I  
25 appeared on behalf of Consumer Watchdog at the administrative and civil proceedings discussed in the  
26 accompanying request for compensation.

27 **Facts Regarding This Proceeding and Consumer Watchdog’s Substantial Contribution**

28 5. This investigatory proceeding originated in a class action lawsuit filed in Los Angeles  
Superior Court in 2015, in which the plaintiff alleged that Farmers had engaged in Price Optimization in

1 violation of Proposition 103. (*Harris et al. v. Farmers Ins. Exchange and Mid-Century Ins. Co.* (Case  
2 No. BC579498) [*“Harris”*].) At the request of Farmers, the Los Angeles Superior Court stayed the case  
3 and referred the matter to the Insurance Commissioner pursuant to the primary jurisdiction doctrine.  
4 Consumer Watchdog was aware of the growing national controversy over insurance Price Optimization,  
5 and of the *Harris v. Farmers* lawsuit generally, but was not involved in the class action litigation in  
6 Superior Court.

7         6. Consumer Watchdog was compelled to intervene in this matter before the CDI for three  
8 reasons: First, this proceeding was the first public inquiry in California concerning the use by an  
9 insurance company of Price Optimization in rate and premium setting, whether by algorithms, other  
10 statistical methods, or predictive modelling systems. Consumer Watchdog anticipated that the resolution  
11 of this proceeding might have important repercussions, not merely for Farmers’ customers but for the  
12 California insurance marketplace as a whole. Specifically, Consumer Watchdog wished to protect  
13 California consumers against the unjust premiums and unfair discrimination that would result from the  
14 use of Price Optimization.

15         7. Second, Consumer Watchdog wished to assist the Chief Administrative Law Judge, the  
16 Commissioner, and the *Harris* plaintiffs by providing the organization’s expertise and experience over  
17 the preceding thirty years in the defense and enforcement of Proposition 103. This assistance included  
18 the advice and testimony of Mr. Allan Schwartz, a nationally recognized actuary and expert in  
19 Proposition 103, and Consumer Watchdog’s longtime witness.

20         8. Finally, and of particular importance, prior to this administrative proceeding, Farmers had  
21 argued in the *Harris* case before the Los Angeles Superior Court that even if the company had engaged  
22 in Price Optimization, it was immune from legal challenge under *MacKay v. Superior Court* (2010)  
23 188 Cal.App.4th 1427 (*“MacKay”*), a controversial appellate decision that held that once a company’s  
24 rates are approved by the commissioner, they may not subsequently be challenged through a class  
25 action. This decision conflicts with the unqualified and unambiguous right to sue insurance companies  
26 for violations of Proposition 103 that was established by that initiative, as affirmed by other, far better  
27 reasoned appellate decisions.

28         9. Because Farmers had requested that the Superior Court refer the matter to the Insurance  
Commissioner, Consumer Watchdog anticipated that Farmers intended to utilize the administrative  
proceeding to uncover “evidence” that it would later present to the Superior Court in support of its

1 *MacKay* immunity argument. That strategy, if successful, would undermine and effectively invalidate  
2 the regulatory and public accountability systems established by the voters and the role they accorded the  
3 Department and the elected Insurance Commissioner within that framework. Consumer Watchdog  
4 determined that it was essential to participate in the administrative proceeding in order to defend  
5 Proposition 103's private right of action against Farmers' arguments.

6 10. As it turned out, Consumer Watchdog's concerns were justified. Farmers' principal  
7 response to this investigatory hearing was to assert a novel "filed rate investigative immunity" argument,  
8 under which, according to Farmers, the agency itself was barred from investigating any matter in  
9 connection with a previously reviewed rate. Farmers argued that the scope of this administrative  
10 proceeding was limited solely to a factual determination of whether the agency had approved a previous  
11 filing (in 2008) by Farmers and whether Farmers had calculated its rates and premiums pursuant to that  
12 filing. Moreover, Farmers repeatedly sought to transform the investigation of its practices into an inquiry  
13 into the conduct of the *Department and its staff* in reviewing the company's rate and class plan  
14 applications, a strategy that, if successful, would distract civil servants and undermine the ability of the  
15 agency to meet its obligations to California taxpayers.

16 11. Farmers' sought interlocutory review of the Superior Court's denial of its writ petition  
17 was presented to the Second District Court of Appeal on November 20, 2017. That Court of Appeal is  
18 the principal source of the conflicting appellate jurisprudence on Proposition 103's private right of  
19 action. Therefore, Farmers' request for relief from the Second District necessitated a thorough response  
20 from Consumer Watchdog. Consumer Watchdog immediately began researching jurisdictional and other  
21 issues in preparation for submission of a preliminary response.

22 12. Proceeding to formal discovery, Consumer Watchdog, the *Harris* plaintiffs, and the  
23 Department agreed to jointly draft and propound requests for production and interrogatories in order to  
24 maximize efficiency and avoid unnecessary duplication of effort. Consumer Watchdog, aided by its  
25 consulting expert and actuary Mr. Allan Schwartz, drafted individual discovery requests and reviewed  
26 drafts of requests proposed by the Department and the *Harris* plaintiffs.

27 13. Consumer Watchdog considered Farmers' discovery requests directed against the  
28 Department a highly disruptive threat to the integrity of the agency and ultimately irrelevant to the  
administrative inquiry. Therefore, even though Farmers did not file a motion to compel Consumer

1 Watchdog to produce the requested discovery, the organization filed its own opposition to defend the  
2 Department against Farmers' motion to compel discovery.

3 14. The parties continuously met and conferred in an attempt to resolve outstanding  
4 discovery issues. Five subsequent status conferences (on December 18, 2017 and January 30, February  
5 26, March 12, and April 10, 2018) were necessary to address concerns raised about Farmers' compliance  
6 with the Court's discovery orders.

7 15. Consumer Watchdog appeared at every status conference in the proceeding, during which  
8 it frequently addressed Farmers' immunity arguments as well as discovery, hearing procedures, and  
9 other matters.

10 16. Discovery produced by Farmers was reviewed and analyzed by Consumer Watchdog and  
11 by Mr. Schwartz.

12 17. In early March 2018, Farmers proposed an informal meeting and discussion of the  
13 inquiry, at which it would present employees who, according to Farmers, would address the matters at  
14 issue in the proceeding and answer questions. Later, Farmers informed the parties that retired justice and  
15 former Insurance Commissioner Harry Low would attend the meeting, which it characterized as a  
16 "mediation." Consumer Watchdog agreed to attend, though it disputed the characterization of the event  
17 as a mediation. The meeting was held in Los Angeles on June 25, 2018 and lasted most of the day;  
18 approximately seventeen people were present. Consumer Watchdog's expert, Mr. Schwartz, attended the  
19 meeting. Mr. Schwartz joined Consumer Watchdog and the other parties in questioning the Farmers  
20 employees. However, the meeting ultimately did not lead to a resolution of the proceeding.

21 18. To limit unnecessary duplication of effort, Consumer Watchdog, the Department, and the  
22 *Harris* plaintiffs agreed to a collaborative process for review of over 70,000 documents produced by  
23 Farmers. Consumer Watchdog evaluated these documents, which included using search functions as  
24 guided by Mr. Schwartz to assess the documents produced, seeking instances of certain critical items  
25 related to Farmers' use of Price Optimization. Consumer Watchdog evaluated key documents for their  
26 legal implications, as did Mr. Schwartz for their actuarial implications. This process identified key  
27 Farmers personnel for depositions and led to further discovery; it proved highly efficient in preparation  
28 for the hearing, which was ultimately set to commence in January 2019.

19. Seven Farmers employees were deposed between mid-July and early September 2018.  
Following the joint approach adopted for discovery by the Department, Consumer Watchdog, and the

1 *Harris* plaintiffs, Consumer Watchdog and Mr. Schwartz reviewed pertinent documents identified in  
2 advance of each deposition. Consumer Watchdog conferred with its expert, Allan Schwartz, before and  
3 after the depositions. Counsel for the *Harris* plaintiffs asked questions during the depositions, followed  
4 by questioning by Consumer Watchdog and the Department. Significant evidence was obtained as a  
5 result of the depositions.

6 20. On October 1, 2018, Farmers noticed the depositions of the expert witnesses previously  
7 identified by Consumer Watchdog, the Department, and the *Harris* plaintiffs, as well as certain  
8 employees of the Department who Farmers asserted were involved in reviewing or “approving”  
9 Farmers’ previous rate applications—a total of nine persons. Consumer Watchdog considered these  
10 notices untimely, and, with respect to its expert, unnecessary, since Mr. Schwartz would appear at the  
11 hearing and be subject to cross examination. More importantly, Farmers’ request to depose employees of  
12 the Department improperly sought to invade the Department’s deliberative processes in pursuit of  
13 “evidence” that Farmers apparently believed would buttress its filed rate immunity defense before the  
14 Los Angeles Superior Court.

15 21. Between September and December 2018, counsel for Consumer Watchdog assembled a  
16 trial plan, trial materials, and document binders for the Chief Administrative Law Judge (“CALJ”), with  
17 the continuing advice and assistance of Mr. Schwartz. Counsel for Consumer Watchdog prepared for the  
18 hearing by reviewing the evidence obtained by discovery and other materials. The hearing was  
19 scheduled to commence on January 7, 2019.

20 22. On December 21, 2018, the Department informed Consumer Watchdog that Farmers had  
21 agreed to enter into a mediation to resolve the administrative proceeding; the Department proposed that  
22 all parties jointly ask the CALJ to continue the hearing.

23 23. In early 2019, the parties, including Consumer Watchdog, agreed to participate in a  
24 mediation before retired justice and former Insurance Commissioner Harry Low. On February 11, 2019,  
25 Consumer Watchdog and the other parties submitted separate mediation briefs to Justice Low.  
26 (Consumer Watchdog’s statement was submitted in confidence.) The all-day mediation was held in San  
27 Francisco on February 19, 2019. The parties to the *Harris* civil action—the *Harris* plaintiffs and  
28 Farmers—met separately during that day. To Consumer Watchdog’s knowledge, no agreement of any  
kind was reached at that time. Thereafter, the *Harris* plaintiffs and Farmers apparently conducted further  
negotiations concerning the underlying civil matter; Consumer Watchdog was not privy to and did not

1 participate in those discussions. The administrative hearing was continued accordingly. However, in the  
2 spring of 2019, it appeared that the attempt to resolve the civil matter had failed. Consumer Watchdog  
3 and Mr. Schwartz resumed intensive preparations for the administrative trial in San Francisco, which  
4 was reset for June 10, 2019.

5 24. On or about June 6, 2019, Consumer Watchdog was informed that Farmers and the  
6 *Harris* plaintiffs had reached a provisional settlement. On June 7, Consumer Watchdog received and  
7 reviewed the draft Memorandum of Understanding between the settling parties and expressed concerns  
8 that were subsequently addressed.

9 25. During March and April 2020, Consumer Watchdog reviewed and proposed revisions to  
10 a draft stipulation by all parties in the administrative proceeding requesting that the CALJ dismiss the  
11 matter in light of the settlement by Farmers and the *Harris* plaintiffs of the underlying civil action.  
12 Consumer Watchdog proposed edits to confirm that all parties agreed that the Commissioner would have  
13 the authority to reinstate the proceeding at its current stage in the event the civil settlement did not  
14 become final for any reason. All parties agreed to Consumer Watchdog's edits.

15 26. Since the passage of Proposition 103, Consumer Watchdog has devoted enormous  
16 resources to defending the law's private right of action in numerous civil and administrative cases in  
17 which Consumer Watchdog's counsel played a lead role representing Consumer Watchdog, consumers,  
18 and the public as parties or as amicus curiae. This expertise was crucial to addressing and defeating  
19 Farmers' pivotal argument in this matter, made repeatedly before the agency in numerous motions and  
20 before the Los Angeles Superior Court in its two writ petitions, that Farmers' previous filing of a rate  
21 and/or class plan application, and its subsequent approval by the Commissioner, not only immunized the  
22 company from civil liability, but also *barred* any subsequent investigation, including discovery, by the  
23 Commissioner of Farmers' conduct. The latter contention represented a dangerous expansion of the  
24 erroneous holding in *MacKay*, upon which Farmers (and the insurance industry) has repeatedly relied.

25 27. Had Farmers' immunity arguments succeeded, either before the administrative agency or  
26 in Los Angeles Superior Court, California consumers would be left vulnerable to enormous abuses of  
27 the regulatory process by insurance companies seeking to evade regulatory and public accountability.

28 28. Proposition 103 accorded the Commissioner with the responsibility and obligation to  
ensure that rates and premiums are fair. It also authorized consumers to challenge insurance company  
violations of Proposition 103 before the Department or in the civil courts. Farmers' arguments, if

1 accepted, would have invited wholesale intrusion by insurance companies into the Department's  
2 operations, permitting insurance companies to second-guess, manipulate, delay, and sabotage the work  
3 of the agency's staff in order to manufacture "evidence" that would later entitle it to immunity from civil  
4 or administrative accountability.

5 29. Protecting the authority of the Department and the Commissioner, as well as California  
6 consumers, against Farmers' arguments was a major emphasis of Consumer Watchdog's advocacy in  
7 this proceeding, including in particular the ancillary writ litigation in Los Angeles Superior Court;  
8 Consumer Watchdog's emphasis and presentations were separate and distinct from those of the other  
9 parties.

10 30. The CALJ's (and the Superior Court's) rejection and repudiation of Farmers' filed rate  
11 immunity arguments, as well as its other attempts to narrow the scope of the inquiry, the procedures  
12 available to ascertain the truth, and the Commissioner's authority to investigate Farmers, allowed the  
13 action to proceed and to uncover conduct that placed the company at high risk of a determination by the  
14 CALJ and the Commissioner that Farmers had used Price Optimization. Indeed, Consumer Watchdog's  
15 actuary presented compelling evidence that showed that Farmers' pricing practices did not comport with  
16 Actuarial Standards of Practice, and further, that the company had engaged in Price Optimization.  
17 Consumer Watchdog's actuary also presented a calculation to the CALJ that quantified the amount of  
18 the overcharges. That, in turn, could have resulted in potentially enormous civil liability for Farmers.  
19 Neither the PDT of the Department's actuary nor of the *Harris* plaintiffs' expert provided such a  
20 calculation.

21 31. Consumer Watchdog's steadfast opposition to Farmers immunity arguments, and Farmers  
22 failure to make any headway before either the CALJ or the Superior Court, must be considered an  
23 important reason why Farmers ultimately agreed to resolve the civil matter, rather than proceed to a  
24 hearing. And there is no question that the distinct issues, evidence, and arguments presented by  
25 Consumer Watchdog resulted in more credible, non-frivolous information being available to the CALJ  
26 and the Commissioner to make a final decision as to whether to dismiss the administrative proceeding.

27 32. Finally, Consumer Watchdog and its counsel are veterans of over a hundred  
28 administrative proceedings concerning Proposition 103 since the law's passage. They have also litigated  
challenges to Proposition 103 in the civil courts and participated in all of the cases that led to landmark  
judicial decisions. Consumer Watchdog provided that decades-long expertise in this proceeding,

1 developing strategy and addressing substantive and procedural issues as they arose. Consumer  
2 Watchdog counsel were able to provide an effective professional balance to the California-based  
3 Farmers' highly qualified team of in-house lawyers and outside counsel.

4 33. As part of informal arrangements to avoid unnecessary duplication, Consumer Watchdog  
5 was able to focus on its core expertise, while allowing counsel for the *Harris* plaintiffs to utilize their  
6 strengths as civil litigators to oversee the discovery process. Consumer Watchdog deployed this  
7 expertise to frame discovery requests and assess the voluminous evidence collected in the proceeding,  
8 leading to its conclusion, presented in Consumer Watchdog's Pre-filed Direct Testimony (PDT), that  
9 Farmers had utilized Price Optimization.

10 **Consumer Watchdog's Billed Hours and Hourly Rates Are Reasonable and in Compliance with  
the Regulations**

11 34. CWD requests a total award of \$981,478.50 in attorneys' fees and \$12,693.29 in  
12 expenses, and \$213,325.00 in expert witness fees and \$2,419.79 in expenses incurred by Mr. Schwartz.  
13 The requested award, including the total hours of work performed and Mr. Schwartz's hourly rate, is  
14 summarized in Exhibit 1 to this declaration, "Summary of Attorneys' Fees and Expenses." (Exhibit 1 is  
15 the same as Exhibit A attached to the Request for Compensation.)

16 35. Attached as Exhibits 2A–D are true and correct printouts of the detailed time billing  
17 reports showing the tasks performed and hours expended by each Consumer Watchdog attorney and  
18 paralegal in this proceeding before the Department and in the related writ actions by Farmers in the  
19 Superior Court and Court of Appeal, including Pamela Pressley, Benjamin Powell, Daniel Sternberg,  
20 Jonathan Phenix, Kaitlyn Gentile, Samantha Skouras, and myself. The billing reports detail the tasks  
21 performed, are based on contemporaneous daily time records maintained by Consumer Watchdog  
22 attorneys and paralegal, and are billed in tenth-of-an-hour increments.

23 36. Pursuant to a prior request of the Public Advisor, attached as Exhibit 3 is a list of all  
24 persons identified in the billing reports.

25 37. I oversaw and conducted the day-to-day activities of Consumer Watchdog's attorneys in  
26 this litigation and I have reviewed all records (and backup documentation where necessary or  
27 appropriate) in connection with the preparation of this declaration. The purpose of my review was to  
28 confirm both the accuracy of the entries in the billing records as well as the necessity for, and

1 reasonably of, the time and expenses committed to the litigation, including the elimination of time  
2 that was unnecessary, duplicative, or devoted to matters not agreed to be undertaken in coordination  
3 with counsel for the Department and/or the *Harris* plaintiffs. As a result of this review, reductions to  
4 both time and expenses were made where appropriate in the exercise of billing judgment. Those  
5 adjustments resulted in a reduction of approximately 7.0% in Consumer Watchdog's lodestar. With  
6 those adjustments, I believe that the time reflected in Consumer Watchdog attorney's lodestar  
7 calculation and the expenses for which payment is sought as set forth in this declaration are reasonable  
8 in amount and were necessary for the effective and efficient prosecution of the litigation and were the  
9 minimum required to achieve the results obtained. In addition, I believe that the expenses are all of a  
10 type that would normally be charged to a fee-paying client in the private legal marketplace and indeed  
11 are of the type Consumer Watchdog attorneys normally incur in their work.

12 38. As a nonprofit, public interest organization, Consumer Watchdog conducts its education  
13 and advocacy efforts as a public interest service. Therefore, consistent with the decisions of the  
14 California Supreme Court and the United States Supreme Court and the intervenor regulations  
15 applicable to this proceeding (see 10 CCR § 2661.1(c)), Consumer Watchdog's policy is to seek  
16 prevailing market rates in all fee award applications. Consumer Watchdog has consistently been  
17 awarded prevailing market hourly rates in fee awards by the Insurance Commissioner  
18 ("Commissioner") and the courts.

19 39. The 2020 hourly rates sought by Consumer Watchdog for its attorneys and paralegal are  
20 \$695 for myself (Harvey Rosenfield), \$595 for Pamela Pressley, \$350 for Daniel Sternberg, \$350 for  
21 Benjamin Powell, \$350 for Jonathan Phenix, \$200 for Kaitlyn Gentile, and \$200 for Samantha Skouras.  
22 The hourly rates for Consumer Watchdog attorneys who worked on these proceedings are consistent  
23 with the prevailing market rates for attorneys of similar experience, qualifications, and expertise in  
24 insurance regulatory law. The Commissioner has approved fee awards for Consumer Watchdog based  
25 on the same hourly rates Consumer Watchdog's legal staff is currently using in 2020 for work done in  
26 2017–2019. Consumer Watchdog arrived at these hourly rates based on the experience and  
27 qualifications of its attorneys, information obtained from other attorneys working at several reputable  
28 law firms in Los Angeles and San Francisco, the opinion of attorneys' fees expert Richard M. Pearl, and

1 historical rates awarded or paid for Consumer Watchdog attorneys’ professional services in civil and  
2 administrative proceedings. Mr. Pearl is a recognized expert on attorneys’ fees issues in the California  
3 market.<sup>1</sup> Attached as Exhibit 4 is his Declaration in Support of Intervenor Consumer Watchdog’s  
4 Motion for Attorneys’ Fees and Expenses (“Pearl Decl.”) The declaration evidences the reasonableness  
5 of Consumer Watchdog’s hourly rates. (Pearl Decl., ¶¶ 12–16.)<sup>2</sup> In his declaration, Mr. Pearl concludes  
6 that Consumer Watchdog’s rates are “well within, if not below, the range of non-contingent market  
7 rates charged for reasonably similar services by Los Angeles area attorneys of reasonably similar  
8 qualifications and experience.” (Pearl Decl., ¶ 12.) Mr. Pearl’s declaration contains substantial details  
9 on attorneys’ fees and hourly rates and shows that Consumer Watchdog’s 2019 rates, which are the  
10 same as its rates for 2020, are within the market rates charged by attorneys with similar experience level  
11 and skill.

12 40. In this proceeding and related court proceedings, Consumer Watchdog attorneys  
13 performed the following general tasks:

- 14 • Developed overall strategy and positions on an ongoing basis;
- 15 • Drafted, reviewed, and edited all pleadings;
- 16 • Participated in all status conferences and hearings;
- 17 • Developed discovery requests, reviewed documents produced through discovery, and  
18 conferred with Consumer Watchdog’s actuarial expert concerning same and his preparation  
19 of pre-filed direct testimony;
- 20 • Developed and coordinated case strategy, litigation tasks, and motions practice with  
21 attorneys representing the California Department of Insurance and the *Harris* plaintiffs in  
22 order to avoid unnecessary duplication of efforts; and
- 23 • Drafted this Request.

24  
25  
26 <sup>1</sup> Richard M. Pearl is the author of the Continuing Education of the Bar’s treatise on attorneys’ fees in California.

27 <sup>2</sup> This Pearl Declaration was filed in October 2019 in support of a fee motion by Consumer Watchdog in  
28 a civil case enforcing Proposition 103 (see *Mercury Ins. Co. et al v. Lara* [Super Ct. Orange Co., 2019, No. 30-2015-00770552-CU-JR-CXC]), but it is equally applicable here to support the current hourly rates of its counsel and paralegals.

1 Harvey Rosenfield

2 41. I am an attorney with over 40 years of experience in insurance regulatory and litigation  
3 matters, counsel to and founder of Consumer Watchdog,<sup>3</sup> and the author and proponent of  
4 Proposition 103. As discussed in greater detail below, I have participated in every major lawsuit to  
5 enforce the initiative's provisions, including *Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805,  
6 *20<sup>th</sup> Century Ins. Co. v. Garamendi* (1994) 8 Cal.4th 216, *Amwest Surety Ins. Co. v. Wilson* (1995)  
7 11 Cal.4th 1243, *Proposition 103 Enforcement Project v. Quackenbush* (1998) 64 Cal.App.4th 1473,  
8 *Donabedian v. Mercury Ins. Co.* (2004) 116 Cal.App.4th 968, *The Foundation for Taxpayer and*  
9 *Consumer Rights v. Garamendi* (2005) 132 Cal.App.4th 1354, *Association of California Insurance*  
10 *Companies v. Poizner* (2009) 180 Cal.App.4th 1029, *Mercury Casualty Company v. Jones* (2017)  
11 8 Cal.App.5th 561, and *Mercury Ins. Co. v. Lara* (2019) 35 Cal.App.5th 82, among others.

12 42. I have represented Consumer Watchdog as counsel to provide my expertise in numerous  
13 other insurance matters before the courts and administrative agencies on behalf of Consumer Watchdog.  
14 Notable instances include:

15 a. *Villanueva v. Fidelity Nat'l Title Co.*, No. S252035 (Cal. Sup. Ct., filed Oct. 17,  
16 2018), in which I represent Consumer Watchdog, Consumer Federation of America, and Consumer  
17 Federation of California as amicus curiae. This case concerns whether California consumers have the  
18 right to hold title insurance companies accountable for overcharges and other wrongdoing under  
19 Insurance Code section 12414.26. While Proposition 103 does not apply to title insurance, the Court of  
20 Appeal erred in relying on two appellate cases that incorrectly concluded that there is no private right of  
21 action under Proposition 103. The case is pending before the California Supreme Court.

22 b. *Mercury Insurance Company v. Lara* (2019) 35 Cal.App.5th 82, in which I joined  
23 lead counsel for Consumer Watchdog Pamela Pressley to successfully defend against a petition for writ  
24 of mandate by Mercury, resulting in the Court of Appeal upholding a \$27.6 million civil penalty against  
25 Mercury for violations of Proposition 103's prior approval requirement and its prohibition against  
26 unfair rate discrimination (Insurance Code sections 1861.01 and 1861.05).

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<sup>3</sup> The organization was previously known as the Foundation for Taxpayer and Consumer Rights.

1 c. *Mercury Casualty Company v. Jones* (2017) 8 Cal.App.5th 561, in which I joined  
2 lead counsel Ms. Pressley in representing Consumer Watchdog as Intervenor to successfully defend  
3 against petitions for writ of mandate by Mercury and insurance trade associations seeking to vacate the  
4 Commissioner’s decision ordering Mercury to lower its homeowner rates, and challenging the  
5 Commissioner’s application and interpretation of the Proposition 103 prior approval regulations.

6 d. *In the Matter of the Rate Application of State Farm General Insurance Company*,  
7 File No. PA-2015-00004, an administrative proceeding before the Department which resulted in an  
8 order requiring State Farm to lower its homeowners’ rates overall by 7%, saving consumers  
9 \$78.6 million, and issue an additional \$110 million in refunds. (The administrative orders in that matter  
10 are presently on appeal.)

11 e. *Association of California Insurance Companies v. Poizner* (2009)  
12 180 Cal.App.4th 1029, in which I joined lead counsel Ms. Pressley in representing Consumer Watchdog  
13 as Intervenor to successfully defend against a petition for writ of mandate by insurance trade  
14 associations seeking to invalidate the Commissioner’s amendments to the intervenor regulations that  
15 clarified the scope of a proceeding under Proposition 103.

16 f. *Allstate Insurance Co. v. Poizner* (Super. Ct. S.F. County, 2008, No. CPF-08-  
17 50821), in which I joined lead counsel Ms. Pressley in representing Consumer Watchdog as Intervenor  
18 to successfully defend against Allstate’s petition for a stay of the Commissioner’s order requiring  
19 Allstate to lower its private passenger auto insurance rates by 15.9% (*In the Matter of the Rate*  
20 *Application of Allstate Insurance Co. and Allstate Indemnity Co.*, File No. 2007-00004 (Cal. Ins.  
21 Comm’r, Mar. 14, 2008)).

22 g. *Fogel v. Farmers Group, Inc.*, (2008) 160 Cal.App.4th 1403, in which Consumer  
23 Watchdog submitted an amicus brief to the Court of Appeal arguing against Farmers’ request that the  
24 judiciary adopt the “filed rate doctrine” to immunize challenges to insurance company misconduct; the  
25 court concluded that the doctrine was not “analogous” to provisions of Proposition 103.

26 h. *American Insurance Association, et al v. Garamendi and California Farm*  
27 *Bureau Federation v. Garamendi* (Super. Ct. Sacramento County, 2007, Nos. 06AS03053 and  
28 06AS03036 (consolidated)), representing Consumer Watchdog as an intervenor in a successful motion

1 for summary judgment against insurer plaintiffs who challenged the Insurance Commissioner's  
2 regulations enforcing Insurance Code section 1861.02(a). That statute requires that automobile  
3 insurance premiums be based primarily on the policyholder's driving safety record, and not where one  
4 lives.

5 i. *In the Matter of the Rates, Rating Plans, or Rating Systems of Farmers Ins.*  
6 *Exch., Fire Ins. Exch., and Mid-Century Ins. Co.* (Cal. Ins. Comm'r, Aug. 8, 2007), a "non-compliance"  
7 administrative proceeding against Farmers Insurance in which Consumer Watchdog intervened,  
8 alleging that the company had been misapplying its own rating guidelines to overcharge certain  
9 homeowners policyholders based on the number of claims they made or how far they lived from a fire  
10 hydrant. Farmers agreed to refund its policyholders \$1.4 million for the overcharges, pay a \$2 million  
11 penalty to the CDI, and use rating practices that comply with the law.

12 j. *The Found. for Taxpayer and Consumer Rights v. Garamendi* (2005)  
13 132 Cal.App.4th 1354, in which Consumer Watchdog brought a successful writ of mandate action to  
14 invalidate an insurer-sponsored amendment to Proposition 103 that purported to authorize a rating  
15 factor based on prior insurance with any carrier, a violation of Insurance Code section 1861.02(c).

16 k. *Poirer v. State Farm Mutual Automobile Insurance Co.* (B165389) 2004 WL  
17 2325837 (unpublished decision), in which Consumer Watchdog submitted an amicus brief arguing that  
18 Proposition 103 prohibited auto insurers from considering a driver's lack of prior insurance as a rating  
19 factor.

20 l. *Donabedian v. Mercury Ins. Co.* (2004) 116 Cal.App.4th 968, in which  
21 Consumer Watchdog submitted an amicus brief arguing that Proposition 103 prohibited auto insurers  
22 from considering a driver's lack of prior insurance as a rating factor. After conducting a thorough  
23 statutory analysis, the Court of Appeal concluded that Proposition 103 created a private right of action  
24 and authorized consumers to bring civil actions against insurance companies for violations of  
25 Proposition 103.

26 m. Class action and representative lawsuits to enforce Insurance Code section  
27 1861.02(c)'s prohibition against surcharging motorists with an absence of prior insurance (*Proposition*  
28 *103 Enforcement Project v. GEICO*, Case No. BC266220; *Proposition 103 Enforcement Project v.*

1 *Interinsurance Exch. of the Auto. Club*, Case No. BC266218; and *Landers v. Interinsurance Exch. of*  
2 *the Auto. Club*, JCCP No. 4438).

3 n. *State Farm Mutual Automobile Ins. Co. v. Garamendi* (2004) 32 Cal.4th 1029, in  
4 which Consumer Watchdog filed an amicus curiae brief in support of Proposition 103's disclosure  
5 requirements. The Supreme Court rejected an industry challenge to Department of Insurance regulations  
6 requiring the public disclosure of insurance redlining data submitted to the Insurance Commissioner.

7 o. *Mitchell v. Allstate Ins. Co.* (Super. Ct. L.A. County, 2003, No. BC212492), in  
8 which Consumer Watchdog successfully objected to a class action settlement that resolved a challenge  
9 to the insurance company's improper consideration of a motorist's prior insurance.

10 p. *Spanish Speaking Citizens Found. v. Low* (2000) 85 Cal.App.4th 1179, the appeal  
11 in a writ of mandate challenge to a regulation promulgated by Insurance Commissioner Quackenbush,  
12 which authorized insurers to use zip code as the primary determinant of automobile insurance premiums  
13 in violation of Insurance Code section 1861.02(a).

14 q. *Proposition 103 Enforcement Project v. Chuck Quackenbush* (Super. Ct. L.A.  
15 County, 1999, No. BC202283), which was a successful writ of mandate action against former Insurance  
16 Commissioner Quackenbush to require that the Commissioner not approve any insurer's rate  
17 application prior to the expiration of the 45-day period in which a consumer may petition for a rate  
18 hearing as required by Insurance Code section 1861.05.

19 r. *Proposition 103 Enforcement Project v. Quackenbush* (1998) 64 Cal.App.4th  
20 1473, which successfully invalidated an illegal legislative amendment to Proposition 103 that would  
21 have decreased the amount of refunds owed to policyholders under the initiative's rate rollback  
22 provision.

23 s. *20th Century Ins. Co. v. Garamendi* (1994) 8 Cal.4th 216, in which the California  
24 Supreme Court upheld insurance rate regulations enforcing Proposition 103's prohibition against  
25 excessive or inadequate rates.

26 t. *Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805, in which the California  
27 Supreme Court issued a decision upholding Proposition 103 against a constitutional challenge by the  
28 insurance industry.

1 u. Numerous rulemaking proceedings implementing Proposition 103's prior  
2 approval and automobile rating factor and public participation requirements, including: (1) the Gender  
3 Nondiscrimination rulemaking matter (REG-2018-00020), supporting the removal of gender as an  
4 optional rating factor; (2) the Intervenor Regulations rulemaking matter (RH-06092874), adopting  
5 amendments to update and clarify the regulations implementing Insurance Code 1861.10's public  
6 participation requirements; (3) the Mileage Verification rulemaking matter (RH-06091489),  
7 implementing amendments to the Automobile Rating Factors regulations to provide requirements for  
8 verified mileage programs; (4) the Prior Approval rulemaking matter (RH-05042749), adopting, among  
9 other amendments, the generic determinations included in the prior approval ratemaking formula  
10 pertaining to profit and expense provisions; (5) the Automobile Rating Factors rulemaking matter (RH-  
11 03029826, Cal. Dept. of Ins., June 2, 2005), in which Consumer Watchdog and other groups  
12 successfully petitioned for, and the Commissioner adopted, amendments to section 2632.8 of title 10 of  
13 the California Code of Regulations requiring that insurers base automobile insurance premiums  
14 primarily on how one drives and not on other optional factors such as zip code and marital status as  
15 required by Insurance Code section 1861.02(a); (6) the Persistency Rulemaking matter (Persistency  
16 Rulemaking, RH-402 (Cal. Dept. of Ins., April 18, 2003)); and (7) a rulemaking matter adopting  
17 regulations to prevent insurers from requiring that motorists show proof of prior insurance to verify  
18 their accident record in violation of Insurance Code section 1861.02(c) (Accident Verification  
19 Rulemaking, RH 01015532 (Cal. Dept. of Ins., Sept. 3, 2003)), among others. In each of these  
20 proceedings, Consumer Watchdog received compensation pursuant to Section 1861.10, subd. (b), from  
21 the Proposition 103 Fund maintained by the Department.

22 v. *Thompson v. Transamerica Life Ins. Co.*, 18-05422 (C.D. Cal., filed June 18,  
23 2018), in which I served as co-lead class counsel, reaching a class action settlement with Transamerica  
24 for universal life policy overcharges in 2017–2018; under that settlement, Transamerica agreed to pay  
25 up to \$88 million in account value credits to policies in effect and those for which death claims were  
26 pending as of December 31, 2019. On August 31, 2020, the U.S. District Court in Los Angeles held a  
27 hearing on the motion for final approval of the settlement.  
28

1 w. *Feller v. Transamerica Life Ins. Co.*, No. 16-01378 (C.D. Cal., filed Feb. 28,  
2 2016), in which I served as co-lead class counsel, settling a class action lawsuit on behalf of universal  
3 life insurance policyholders whose costs had unexpectedly and illegally skyrocketed, requiring  
4 Transamerica to repay more than \$150 million in overcharges and freeze future increases for five years.

5 x. Multiple class action cases in which insurance providers dramatically reduced the  
6 number of doctors in their individual health plan networks and misrepresented these changes to  
7 consumers, leaving patients without adequate coverage and higher out-of-pocket costs, including  
8 *Anthem Blue Cross Affordable Care Act Cases*, JCCP No. 4805 (2019); *Lehman v. Health Net* (Super.  
9 Ct. L.A. County, 2019, No. BC567361); *Davidson v. Cigna Health and Life Ins. Co.*, No. BC558566  
10 (Super. Ct. L.A. County, filed Sept. 24, 2014); and *Blue Shield of Cal. Affordable Care Act Cases*,  
11 JCCP No. 4800 (filed Sept. 23, 2014).

12 y. *Taub v. Blue Cross of Cal.* (Super. Ct. L.A. County, 2017, No. BC457809) and  
13 *Kassouf v. Blue Cross of Cal.* (Super. Ct. L.A. County, 2017, No. BC473408) (consolidated), which  
14 garnered a settlement of \$8.3 million on behalf of insurance customers whose deductibles were  
15 increased mid-year by Anthem Blue Cross, resulting in higher out-of-pocket costs.

16 z. *Consumer Watchdog et al. v. Department of Managed Health Care et al.* (2014)  
17 225 Cal.App.4th 862, a writ case which held that the Department of Managed Health Care can no  
18 longer uphold a health plan's denial of coverage for autism treatment provided or supervised by a  
19 nationally board-certified individual on the basis that the provider is not licensed.

20 aa. *Fairbanks v. Farmers New World Life Ins. Co.* (2009) 46 Cal.4th 56, in which  
21 Consumer Watchdog argued that Proposition 103 did not apply to life insurance.

22 43. Prior to founding Consumer Watchdog in 1985, I served for three years as Program  
23 Director for the California Public Interest Research Group and two years as a Staff Attorney and  
24 Legislative Advocate for Public Citizen's Congress Watch in Washington, D.C. I am a graduate of  
25 Georgetown University, from which I earned both a J.D. and a M.S.F.S. degree in 1979. I am a graduate  
26 of Amherst College, where I earned a B.A. in 1974, and received an honorary degree in 2010. I am  
27 admitted to the Bar in Washington, D.C. and California.  
28

1           44. I am informed through the Pearl Declaration, and conversations with attorneys in the Los  
2 Angeles and San Francisco Bay Areas discussing their billing rates, that \$695 per hour is a reasonable  
3 rate in 2020 for the professional services of an attorney with experience and qualifications comparable  
4 to mine.

5 Pamela Pressley

6           45. Ms. Pressley is an attorney with over 25 years of professional experience advocating on  
7 behalf of consumers. For over 16 years, she served as Consumer Watchdog’s Litigation Director and  
8 now serves as Senior Staff Attorney. During this time, her legal work with Consumer Watchdog has  
9 focused primarily on insurance regulatory and litigation matters before the CDI and the courts, and  
10 particularly on the enforcement and implementation of Proposition 103. Several of these matters  
11 involved issues of first impression before the courts in which Ms. Pressley was primarily responsible for  
12 litigating the matters through trial and on appeal. Examples include:

13           a. *Mercury Insurance Company v. Lara* (2019) 35 Cal.App.5th 82, in which Ms.  
14 Pressley served as lead counsel representing Consumer Watchdog as Intervenor to successfully defend  
15 against a petition for writ of mandate by Mercury, resulting in the Court of Appeal upholding a  
16 \$27.6 million civil penalty against Mercury for violations of Proposition 103’s prior approval  
17 requirement and prohibition against unfair rate discrimination (sections 1861.01 and 1861.05) based on  
18 its agents charging unapproved fees in addition to the approved premium amounts on over 180,000  
19 insurance transactions over a four-year period from 1999–2004.

20           b. *Mercury Casualty Company v. Jones* (2017) 8 Cal.App.5th 561, in which she  
21 served as lead counsel representing Consumer Watchdog as Intervenor to successfully defend against  
22 petitions for writ of mandate by Mercury and insurance trade associations seeking to vacate the  
23 Commissioner’s decision ordering Mercury to lower its homeowner rates and challenging the  
24 Commissioner’s application and interpretation of regulations relating to the standard and process for  
25 obtaining a confiscation variance and limiting the amount of institutional advertising that insurers may  
26 include in their premium calculations.

27           c. *Association of California Insurance Companies v. Poizner* (2009) 180  
28 Cal.App.4th 1029, in which she served as lead counsel representing Consumer Watchdog as Intervenor

1 to successfully defend against a petition for writ of mandate by insurance trade associations seeking to  
2 invalidate the Commissioner's amendments to the intervenor regulations clarifying the scope of a rate  
3 proceeding.

4 d. *Allstate Insurance Co. v. Poizner* (Super. Ct. S.F. County, 2008, No. CPF-08-  
5 50821), in which she served as lead counsel representing Consumer Watchdog as Intervenor to  
6 successfully defend against Allstate's petition for a stay of the Commissioner's order requiring Allstate  
7 to lower its private passenger auto insurance rates by 15.9%, and serving as supervising counsel in the  
8 rate proceeding that led to that rate decrease order, *In the Matter of the Rate Application of Allstate*  
9 *Insurance Co. and Allstate Indemnity Co.*, File No. 2007-00004 (Cal. Ins. Comm'r, Mar. 14, 2008).

10 e. *American Insurance Association v. Garamendi and California Farm Bureau*  
11 *Federation v. Garamendi* (Super. Ct. Sacramento County, 2007, Nos. 06AS03053 and 06AS03036  
12 (consolidated)), in which she served as lead counsel representing Consumer Watchdog as an intervenor  
13 in a successful motion for summary judgment against insurer plaintiffs upholding the Insurance  
14 Commissioner's regulations (see paragraph (f), below) enforcing Insurance Code section 1861.02(a),  
15 which requires that automobile insurance premiums be based primarily on one's driving safety record,  
16 and not where one lives.

17 f. A successful writ of mandate action to invalidate an insurer-sponsored  
18 amendment to Proposition 103 that purported to allow a rating factor based on prior insurance with any  
19 carrier in violation of Insurance Code section 1861.02(c). (*The Found. for Taxpayer and Consumer*  
20 *Rights v. Garamendi* (2005) 132 Cal.App.4th 1354). In that proceeding, she participated in overall  
21 strategy discussions, drafted and edited pleadings and the appellate brief, performed legal research,  
22 appeared at all court hearings, and argued the case before the Court of Appeal, among other tasks.

23 g. Class action and representative lawsuits to enforce Insurance Code section  
24 1861.02(c)'s prohibition against surcharging motorists with an absence of prior insurance  
25 (*Proposition 103 Enforcement Project v. GEICO*, Case No. BC266220; *Proposition 103 Enforcement*  
26 *Project v. Interinsurance Exch. of the Auto. Club*, Case No. BC266218; *Landers v. Interinsurance Exch.*  
27 *of the Auto. Club*, JCCP No. 4438; and *Donabedian v. Mercury Ins. Co.* (2004) 116 Cal.App.4th 968),  
28 which resulted in settlements that required the insurers to make refunds to affected auto policyholders.

1 h. *Mitchell v. Allstate Ins. Co.* (Super. Ct. L.A. County, 2003, No. BC212492), in  
2 which she drafted all Consumer Watchdog pleadings submitted to the Court and the Department and  
3 made court appearances on Consumer Watchdog’s behalf, successfully objecting to the class action  
4 settlement.

5 i. The appeal in a writ of mandate challenge to a regulation promulgated by  
6 Insurance Commissioner Quackenbush, which authorized insurers to use zip code as the primary  
7 determinant of automobile insurance premiums in violation of Insurance Code section 1861.02(a).  
8 (*Spanish Speaking Citizens Found. v. Low* (2000) 85 Cal.App.4th 1179.)

9 j. A successful writ of mandate action against former Insurance Commissioner  
10 Quackenbush to require that the Commissioner not approve any insurer’s rate application prior to the  
11 expiration of the 45-day period in which a consumer may petition for a rate hearing as required by  
12 Insurance Code section 1861.05. (*Proposition 103 Enforcement Project v. Chuck Quackenbush* [Super.  
13 Ct. L.A. County, 1999, No. BC202283].)

14 k. Two successful noncompliance proceedings, including *In the Matter of Mercury*  
15 *Ins. Co., Mercury Cas. Co., and California Auto. Ins. Co.* (Cal. Ins. Comm’r, Feb. 6, 2015), in which  
16 she represented Consumer Watchdog as intervenor, resulting in a \$27.5 million penalty against Mercury  
17 for its illegal brokers fees charges; and *In the Matter of the Rates, Rating Plans, or Rating Systems of*  
18 *Farmers Ins. Exch., Fire Ins. Exch., and Mid-Century Ins. Co.* (Cal. Ins. Comm’r, Aug. 8, 2007), in  
19 which she served as Consumer Watchdog’s lead counsel representing Consumer Watchdog as  
20 Intervenor in a “non-compliance” administrative proceeding against Farmers Insurance, alleging that  
21 the company had been misapplying its own rating guidelines to overcharge certain homeowners  
22 policyholders based on the number of claims they made or how far they lived from a fire hydrant.  
23 According to the 2007 settlement approved by the Commissioner, Farmers refunded its policyholders  
24 \$1.4 million for the overcharges, was ordered to pay a \$2 million penalty to the CDI, will use rating  
25 practices that comply with the law, had to review its computer data to find and refund any other  
26 policyholders who were overcharged, and was subject to another review of its practices in 2008.

27 l. Successful rate challenges before the CDI to insurers’ earthquake and  
28 homeowners rate hikes in which she served as lead counsel for Consumer Watchdog, resulting in

1 combined savings of over \$790 million, including PA-04041210, PA-2007-00008, and PA-2007-00019,  
2 regarding the earthquake insurance rates of Safeco, GeoVera, and Fireman’s Fund; and PA06093080,  
3 PA06093078, PA06092759/PA-2006-00016, PA-2006-00006, and PA-2007-00017, regarding the  
4 homeowners rates of Safeco, Fire Insurance Exchange, State Farm, Allstate, and Fireman’s Fund.

5 m. Hearings regarding LCAIP proposed rates in 2003, 2005, 2006, 2012, 2014,  
6 2015, 2016, and 2020. In 2012, Consumer Watchdog’s participation and comments contributed to the  
7 Commissioner’s decision requiring the California Automobile Assigned Risk Pool (“CAARP”) to  
8 implement an overall rate decrease for the LCAIP of -2.8%, 11.1% *lower than* the overall +8.3% rate  
9 increase requested by CAARP. In 2014, Consumer Watchdog’s participation and comments contributed  
10 to the Commissioner’s decision requiring CAARP to implement an overall LCAIP rate of +2.2%, 5.4%  
11 *lower than* the overall +7.6% rate increase requested by CAARP, resulting in an overall savings of \$140  
12 thousand in annual premiums. In 2015, Consumer Watchdog’s participation resulted in an approved rate  
13 that was 10.5% *lower than* the rate requested by CAARP for a savings of nearly \$318 thousand in  
14 annual premiums, and in 2016 Consumer Watchdog’s participation contributed to an approved rate that  
15 was 5.8% lower than requested, resulting in \$237 thousand in savings. In 2020, after Consumer  
16 Watchdog submitted comments, CAARP withdrew the requested +3.8% rate increase, resulting in a  
17 savings of \$259,000 in annual premiums.

18 n. Numerous other successful challenges to automobile, homeowners, and medical  
19 malpractice insurers’ rate applications since 2003, resulting in collective savings to consumers of over  
20 \$3.4 billion. Examples include *In the Matter of the Rate Application of Esurance Property and Casualty*  
21 *Insurance Company*, PA-2020-00001 (Ins. Comm’r 2020), resulting in an annual savings of over \$26.7  
22 million in auto insurance premiums; *In the Matter of the Rate and Rating Plan Application of Pacific*  
23 *Specialty Insurance Company*, PA-2019-00003 (Ins. Comm’r 2020), resulting in an annual savings of  
24 \$5.95 million in homeowners insurance; *In the Matter of the Rate and Rating Plan Applications of*  
25 *Pacific Specialty Insurance Company*, PA-2019-00001 (Ins. Comm’r 2020), resulting in an annual  
26 savings of \$800,000 in annual renters, mobile home, and condo owners insurance; *In the Matter of the*  
27 *Rate and Class Plan Applications of Liberty Mutual Fire Ins. Co.*, PA-2017-00007 and PA-2018-00001  
28 (Ins. Comm’r 2018), resulting in an annual savings of \$3 million in auto insurance premiums; *In the*

1 *Matter of the Rate and Class Plan Applications of GEICO Cas. Co.*, PA-2017-00005 and PA-2017-  
2 00006 (Ins. Comm'r 2017), resulting an annual savings of \$9.3 million in auto insurance premiums; *In*  
3 *the Matter of the Rate Applications of Allstate Ins. Co. and Allstate Indemnity Co.*, PA-2015-00009 (Ins.  
4 Comm'r 2016), resulting in a savings of \$34.2 million in annual homeowners insurance premiums; *In*  
5 *the Matter of the Rate Application of State Farm General Insurance Company*, PA-2015-00004, which  
6 resulted in an order requiring State Farm to lower its homeowners' rates overall by 7%, saving  
7 consumers \$78.6 million, and issue an additional \$110 million in refunds (the administrative orders in  
8 that matter are presently on appeal); *In the Matter of the Rate Application of Mercury Ins. Co.*, PA-  
9 2014-00010 (Ins. Comm'r 2015), resulting in a savings of \$7 million in annual auto insurance  
10 premiums; *In the Matter of the Rates and Rate Applications of United Services Auto. Ass'n, Garrison*  
11 *Prop. and Cas. Ins. Co. and USAA Gen. Ins. Co.*, PA-2013-00009, PA-2013-00009, and PA-2013-  
12 00010 (Ins. Comm'r 2014), resulting in an annual savings of \$40.5 million in homeowners insurance  
13 premiums; *In the Matter of the Rate Application of State Farm Gen. Ins. Co.*, PA-2013-00012 (Ins.  
14 Comm'r 2014), resulting in \$86 million in savings for annual homeowners insurance premiums; *In the*  
15 *Matter of the Rate Application of Mercury Cas. Co.*, PA-2013-00004 (Ins. Comm'r 2013), resulting in  
16 over \$11 million of savings per year in homeowners insurance premiums; *In the Matter of the Rate*  
17 *Application of Allstate Ins. Co., Allstate Indem. Co., and Northbrook Indem. Co.*, PA-2013-00003 (Ins.  
18 Comm'r 2013), resulting in over \$92 million in savings per year in auto insurance premiums; *In the*  
19 *Matter of the Rates and Rating Plan Application of GEICO Indem. Co., GEICO Gen. Ins. Co. and*  
20 *Gov't Emp. Ins. Co.*, PA-2013-00002 (Ins. Comm'r 2013), resulting in a savings of \$9.4 million in  
21 annual auto insurance premiums; *In the Matter of the Rate Application of Progressive West Insurance*  
22 *Company*, PA-2012-00008 (Ins. Comm'r 2013), resulting in savings of almost \$1.5 million in annual  
23 auto insurance premiums; *In the Matter of the Rate Application of Coast Nat'l Ins. Co.*, PA-2012-00007  
24 (Cal. Ins. Comm'r 2013), resulting in \$10.9 million in annual auto insurance premium savings; *In the*  
25 *Matter of the Rate Applications of State Farm Mut. Auto. Co.*, PA-2012-00006 (Cal. Ins. Comm'r  
26 2013), resulting in auto insurance premium savings of \$69 million per year; *In the Matter of the Rate*  
27 *Application of Mercury Cas. Co.*, PA-2009-00009 (Cal. Ins. Comm'r 2013), resulting in savings of over  
28 \$16 million per year in homeowners insurance premiums; *In the Matter of the Rate Application of State*

1 *Farm Gen. Ins. Co.*, PA-2011-00010 (Cal. Ins. Comm'r 2013), resulting in savings of over \$157 million  
2 per year in homeowners insurance premiums; *In the Matter of the Rate Application of Interinsurance*  
3 *Exch. of the Auto. Club*, PA-2012-00009 (Cal. Ins. Comm'r 2013), resulting in annual auto insurance  
4 premium savings of \$70 million; *In the Matter of the Rate Application of Fed. Ins. Co., et al.*, PA-2012-  
5 00002 (Cal. Ins. Comm'r 2012), resulting in savings of over \$4.2 million per year in earthquake  
6 insurance premiums; *In the Matter of the Rate Application of Chartis Prop. and Cas.*, PA-2011-000015  
7 (Cal. Ins. Comm'r, 2012), resulting in savings of over \$7.6 million per year in earthquake insurance  
8 premiums; *In the Matter of the Rate Application of NORCAL Mut. Ins. Co.*, PA-2011-00007 (Cal. Ins.  
9 Comm'r, 2012), resulting in savings of \$2.8 million per year in medical malpractice insurance  
10 premiums; *In the Matter of the Rate Application of The Doctors Co.*, PA-2011-00006 (Cal. Ins.  
11 Comm'r, 2012), resulting in savings of \$5.6 million per year in medical malpractice insurance  
12 premiums; *In the Matter of the Rates of California State Auto. Ass'n Inter-Insurance Bureau*, PA-2010-  
13 00014 (Cal. Ins. Comm'r, 2012), resulting in annual homeowners insurance premium savings of \$52  
14 million; *In the Matter of the Rate Application of Med. Protective Co.*, PA-2011-00008 (Cal. Ins.  
15 Comm'r, 2011), resulting in annual premium savings of \$2.5 million; *In the Matter of the Rate*  
16 *Application of Explorer Ins. Co.*, PA-2007-00013 (Cal. Ins. Comm'r, 2008), resulting in annual auto  
17 insurance premium savings of \$8.2 million; *In the Matter of the Rate Application of the Med. Protective*  
18 *Co.*, PA-05045074 (Cal. Ins. Comm'r, 2005), resulting in savings of \$2 million per year in medical  
19 malpractice insurance premiums; *In the Matter of the Rate Application of American Cas. Co.*, File No.  
20 PA-04039736 (Cal. Ins. Comm'r, 2005), resulting in savings of \$1.6 million per year in medical  
21 malpractice insurance premiums; *In the Matter of the Rate Application of Med. Protective Co.*, PA-  
22 04036735 (Cal. Ins. Comm'r, 2004), resulting in savings of \$3.9 million per year in medical malpractice  
23 insurance premiums; *SCPIE Indem. Co.* ("SCPIE"); PA-02025379 (Cal. Ins. Comm'r, 2004), resulting  
24 in savings of \$23 million per year in medical malpractice insurance premiums; and *In the Matter of the*  
25 *Rate Application of NORCAL Mut. Ins. Co.*, PA-03032128 (Cal. Ins. Comm'r, 2003), resulting in  
26 savings of \$11.6 million per year in medical malpractice insurance premiums. In these proceedings,  
27 Ms. Pressley was responsible for overall strategy, briefing, communication with expert witnesses and  
28 parties, discovery, and settlement negotiations, among other tasks.

1           o.       Several rulemaking proceedings implementing Proposition 103's prior approval  
2 and automobile rating factor, and public participation requirements including: (1) the Intervenor  
3 Regulations rulemaking matter (RH-06092874) adopting amendments to update and clarify the  
4 regulations implementing Insurance Code 1861.10's public participation requirements; (2) the Mileage  
5 Verification rulemaking matter (RH-06091489) implementing amendments to the Automobile Rating  
6 Factors regulations to provide requirements for verified mileage programs; (3) the Prior Approval  
7 rulemaking matter (RH-05042749) adopting, among other amendments, the generic determinations  
8 included in the prior approval ratemaking formula pertaining to profit and expense provisions; (4) the  
9 Automobile Rating Factors rulemaking matter (RH-03029826, Cal. Dept. of Ins., June 2, 2005) in  
10 which Consumer Watchdog and other groups successfully petitioned for, and the Commissioner  
11 adopted amendments to, section 2632.8 of title 10 of the California Code of Regulations requiring that  
12 insurers base automobile insurance premiums primarily on how one drives and not on other optional  
13 factors such as zip code and marital status as required by Insurance Code section 1861.02(a); (5) the  
14 Persistency Rulemaking matter (*Persistency Rulemaking*, RH-402 (Cal. Dept. of Ins., April 18, 2003));  
15 and (6) a rulemaking matter adopting regulations to prevent insurers from requiring that motorists show  
16 proof of prior insurance to verify their accident records in violation of Insurance Code section  
17 1861.02(c) (*Accident Verification Rulemaking*, RH 01015532 (Cal. Dept. of Ins., Sept. 3, 2003)), among  
18 others. In these proceedings, Ms. Pressley acted as Consumer Watchdog's lead counsel, participating in  
19 all strategy discussions and workshops, and preparing and presenting written and oral testimony at  
20 hearings, among other tasks.

21           46.       Prior to her employment with Consumer Watchdog, Ms. Pressley served for two years as  
22 CALPIRG's lead consumer attorney and for one year as a staff attorney for The Center for Law in the  
23 Public Interest in Los Angeles litigating in the areas of civil rights, justice, and consumer issues. She is  
24 a 1995 graduate of Pepperdine University School of Law and was admitted to the California State Bar  
25 in November 1995.

26           47.       I am informed through the Pearl Declaration and conversations with attorneys in the Los  
27 Angeles and San Francisco Bay Areas discussing their billing rates that \$595 per hour is a reasonable  
28

1 rate in 2020 for the professional services of an attorney with experience and qualifications comparable  
2 to Ms. Pressley's.

3 Benjamin Powell

4 48. Benjamin Powell is an attorney with four years of professional experience in litigation  
5 and advocacy. Mr. Powell has been with Consumer Watchdog since 2015, first as a law clerk and then  
6 as a staff attorney.

7 49. Mr. Powell is a 2016 graduate of Loyola Law School in Los Angeles. He was admitted  
8 to the California State Bar in 2016.

9 50. During law school, Mr. Powell was a member of the Loyola of Los Angeles Law  
10 Review, writing articles for the journal's specialized "Developments in the Law" issue. His scholarship  
11 included an analysis of the shifting employment status of California Uber drivers and a discussion of the  
12 fate of class action waivers under California contract law. He also served as a Coordinator for Loyola's  
13 Young Lawyers Program, providing students from local high schools with mentorship as well as  
14 training for a mock trial experience in front of actual Los Angeles Superior Court judges.

15 51. I am informed through the Pearl Declaration and conversations with attorneys in the Los  
16 Angeles and San Francisco Bay Areas discussing their billing rates that \$350 per hour is a reasonable  
17 rate in 2020 for the professional services of an attorney with experience and qualifications comparable  
18 to Mr. Powell's.

19 Daniel Sternberg

20 52. Daniel Sternberg is an attorney with five years of professional experience in litigation  
21 and advocacy. Mr. Sternberg has been an attorney with Consumer Watchdog since September 2018.  
22 Since joining Consumer Watchdog, Mr. Sternberg has devoted a substantial amount of time specifically  
23 to proceedings before the Department and the courts concerning the enforcement of Proposition 103.

24 53. Prior to joining Consumer Watchdog, Mr. Sternberg served for over two and half years  
25 as an Excelsior Service Fellow and staff attorney at New York State Homes and Community Renewal,  
26 where he focused on affordable housing policy and litigation related to civil rights and housing  
27 discrimination. Mr. Sternberg was also an associate at Bantle & Levy LLP in New York, where he  
28 litigated civil rights and employment law matters.

1           54.     Mr. Sternberg is a 2015 graduate of The Benjamin N. Cardozo School of Law. He was  
2 admitted to The State Bar of New York in 2015 and the Bar of the State of California in 2019.

3           55.     I am informed through the Pearl Declaration and conversations with attorneys in the Los  
4 Angeles and San Francisco Bay Areas discussing their billing rates that \$350 per hour is a reasonable  
5 rate in 2020 for the professional services of an attorney with experience and qualifications comparable  
6 to Mr. Sternberg's.

7 Jonathan Phenix

8           56.     Jonathan Phenix was formerly a staff attorney at Consumer Watchdog. His work at  
9 Consumer Watchdog included enforcement and implementation of Proposition 103 in proceedings  
10 before the CDI and the courts. For example, he participated in all phases of the rate hearing in *In the*  
11 *Matter of the Rate Application of State Farm General Insurance Company*, File No. PA-2015-00004,  
12 which resulted in an order requiring State Farm to lower its homeowners' rates overall by 7%, saving  
13 consumers \$78.6 million, and issue an additional \$110 million in refunds. (The administrative orders in  
14 that matter are presently on appeal.) He also participated in numerous other rate proceedings leading to  
15 substantial consumer savings in *In the Matter of the Rate Applications of Allied Property and Casualty*  
16 *Insurance Company and AMCO Insurance Company*, File No. PA-2015-00010, *In the Matter of the*  
17 *Rate Application of Allstate Insurance Company and Allstate Indemnity Company*, File No. PA-2015-  
18 00009, and *In the Matter of the Rate Applications of State Farm General Insurance Company*, File No.  
19 PA-2016-00010. He also substantially contributed to briefing in the successful appeal in *Mercury*  
20 *Casualty Company v. Jones* (2017) 8 Cal.App.5th 561.

21           57.     Mr. Phenix is a 2015 graduate of UCLA Law School, where he received a Business Law  
22 and Policy Specialization. He was admitted to the California Bar in December 2015.

23           58.     Prior to attending law school, Mr. Phenix owned and managed a California-based  
24 brokerage firm.

25           59.     I am informed through the Pearl Declaration and conversations with attorneys in the Los  
26 Angeles and San Francisco Bay Areas discussing their billing rates that \$350 per hour is a reasonable  
27 rate in 2020 for the professional services of an attorney with experience and qualifications comparable  
28 to Mr. Phenix's.

1 Kaitlyn Gentile

2 60. Kaitlyn Gentile is a paralegal at Consumer Watchdog with over thirteen years of  
3 professional experience in litigation matters. Ms. Gentile provides legal support to all members of the  
4 litigation team.

5 61. Prior to joining Consumer Watchdog in November 2018, Ms. Gentile worked for eight  
6 years as a legal assistant at Lambda Legal. She also worked for four years as a legal secretary at  
7 Sullivan & Cromwell, LLP.

8 62. Ms. Gentile is a 2003 graduate of the University of Massachusetts at Amherst, where she  
9 earned a Bachelor of Arts in Sociology. She holds a signed declaration from a California State Bar  
10 member verifying her as a member of the paralegal profession under Cal. Bus. & Prof. Code § 6450.

11 63. I am informed through the Declaration of Richard M. Pearl, which details his extensive  
12 familiarity with the billing practices and schedules for numerous private law firms in San Francisco and  
13 Los Angeles, and believe that a rate of \$200 per hour is a reasonable rate in 2020 for the professional  
14 services in comparable matters of a paralegal with experience and qualifications comparable to  
15 Ms. Gentile's.

16 Samantha Skouras

17 64. Ms. Skouras was formerly a paralegal at Consumer Watchdog with four years of  
18 professional experience in litigation matters. Ms. Skouras provided legal support to all members of the  
19 litigation department.

20 65. Prior to joining Consumer Watchdog, Ms. Skouras worked as a paralegal at Glancy  
21 Prongay and Murray LLP.

22 66. Ms. Skouras is a 2012 graduate of the University of California, Irvine, where she earned  
23 a Bachelor of Arts in international studies. In 2014, Ms. Skouras received her paralegal certificate from  
24 UCLA Extension's Paralegal Training Program.

25 67. I am informed through the Declaration of Richard M. Pearl, which details his extensive  
26 familiarity with the billing practices and schedules for numerous private law firms in San Francisco and  
27 Los Angeles, and believe that \$200 per hour is a reasonable rate in 2020 for the professional services in  
28 comparable matters of a paralegal with experience and qualifications comparable to Ms. Skouras's.

1 **Consumer Watchdog’s Fees**

2 68. In accordance with the well-established standards set forth by the California Supreme  
3 Court for private-attorney-general statutes, the “lodestar” is the product of each attorney’s reasonable  
4 hours, at that attorney’s prevailing market rate, plus expenses. Consumer Watchdog’s attorneys are  
5 responsible for entering their contemporaneous time billing records into the organization’s time billing  
6 software. The time billing software is then used to multiply each attorney’s billed hours by that  
7 individual’s prevailing market rate. The lodestar component of Consumer Watchdog’s attorney fees for  
8 work performed in these proceedings for which compensation is requested (which does not include the  
9 fees incurred by Consumer Watchdog’s experts that are accounted for separately), totals \$981,478.50 as  
10 follows:

11

12 <b>Attorney</b>	<b>Admin.</b>	<b>Farmers</b>	<b>Farmers</b>	<b>Farmers</b>	<b>Total</b>	<b>Hourly</b>	<b>Lodestar</b>
	<b>Proceeding</b>	<b>v. Jones</b>	<b>v. Jones</b>	<b>v. Jones</b>	<b>Hours</b>	<b>Rate</b>	
		<b>Writ</b>	<b>Writ</b>	<b>Writ</b>			
		<b>2017</b>	<b>2017:</b>	<b>2018</b>			
			<b>Court</b>				
			<b>of</b>				
			<b>Appeal</b>				
15 Harvey Rosenfield	693.0	102.0	11.5	75.2	<b>881.7</b>	\$695	\$612,781.50
16 Pamela Pressley	146.3	18.1	2.0	10.2	<b>176.6</b>	\$595	\$105,077.00
17 Benjamin Powell	95.7	0.0	0.0	0.0	<b>95.7</b>	\$350	\$33,495.00
18 Daniel Sternberg	100.1	0.0	0.0	28.7	<b>128.8</b>	\$350	\$45,080.00
19 Jonathan Phenix	305.1	117.5	3.7	0.0	<b>426.3</b>	\$350	\$149,205.00
20 Samantha Skouras (paralegal)	76.6	29.8	0.0	0.0	<b>106.4</b>	\$200	\$21,280.00
21 Kaitlyn Gentile (paralegal)	61.3	0.0	0.0	11.5	<b>72.8</b>	\$200	\$14,560.00
22 <b>Total Hours/ 23 Fees</b>	<b>1,478.1</b>	<b>267.4</b>	<b>17.2</b>	<b>125.6</b>	<b>1,888.3</b>		<b>\$981,478.50</b>

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1 **Expenses**

2 69. CWD's reasonable out-of-pocket other expenses incurred in this matter total \$12,693.29,  
3 as follows:

4 <b>CWD Expenses</b>	5 <b>Admin. Proceeding</b>	6 <b>Farmers v. Jones Writ 2017</b>	7 <b>Farmers v. Jones Writ 2017: Court of Appeal</b>	8 <b>Farmers v. Jones Writ 2018</b>	9 <b>Total</b>
10 Postage and delivery	\$300.84	\$22.59	\$0.00	\$0.00	\$323.43
11 Court Filing Fees/ 12 Electronic Filing & 13 Service Fees	\$45.00	\$1,994.60	\$0.00	\$2,445.65	\$4,485.25
14 CourtCall	\$0.00	\$124.00	\$0.00	\$0.00	\$124.00
15 Travel to Hearings 16 and CDI for Hearing 17 Prep	\$6,771.07	\$350.46	\$0.00	\$234.61	\$7,356.14
18 Hearing Transcript	\$298.83	\$0.00	\$0.00	\$0.00	\$298.83
19 Telephone	\$97.91	\$7.73	\$0.00	\$0.00	\$105.64
20 <b>Total CWD Expenses</b>	<b>\$7,513.65</b>	<b>\$2,499.38</b>	<b>\$0.00</b>	<b>\$2,680.26</b>	<b>\$12,693.29</b>

21 CWD has mechanisms to track all out-of-pocket expenses. CWD's expenses were reasonably expended  
22 to prosecute this matter. Law firms in the Los Angeles area customarily bill clients separately from the  
23 base hourly rate for such out-of-pocket expenses. CWD's requested out-of-pocket expenses are not  
24 customarily considered covered by the base hourly rate as part of the overhead but are routinely billed  
25 separately. CWD will supplement its expenses as necessary in its reply papers to reflect additional  
26 expenses which may be incurred in support of its fee motion.

27 **Consumer Watchdog's Expert Witness Fees and Expenses**

28 70. Consumer Watchdog incurred \$213,325.00 in fees and \$2,419.79 in expenses of its  
consulting actuary, as set forth in the detailed time billing records of AIS Risk Consultants, Inc.,

1 attached as Exhibit 5. These time billing records show Consumer Watchdog’s consulting actuary,  
2 Allan I. Schwartz, reviewed and provided analysis regarding Farmers’ rating practices.

3 71. Mr. Schwartz is a nationally renowned expert on insurance matters. Mr. Schwartz is one  
4 of, if not the, preeminent, most knowledgeable, and most experienced actuaries concerning  
5 Proposition 103 in the nation. He has advised Consumer Watchdog on Proposition 103 related issues for  
6 over twenty-five years. No other actuary in the proceeding has had as much direct experience in  
7 Proposition 103 administrative and civil litigation. Mr. Schwartz played a critical role on behalf of  
8 Consumer Watchdog in this inquiry. He:

- 9 • Reviewed and analyzed filings of Farmers that were relevant to this proceeding;
- 10 • Assisted Consumer Watchdog in formulating requests to Farmers for discovery;
- 11 • Reviewed and analyzed documents produced by Farmers during discovery;
- 12 • Reviewed and analyzed the deposition testimony of Farmers’ employees;
- 13 • Utilizing evidence obtained from Farmers through discovery, as well as documents and  
14 information from other sources, developed Pre-filed Direct Testimony establishing that  
15 Farmers had engaged in Price Optimization in California;
- 16 • Provided actuarial analysis to Consumer Watchdog during the entire course of the  
17 proceeding;
- 18 • Assisted the Aligned Parties when needed throughout the litigation; and
- 19 • Consulted with Consumer Watchdog regarding this Request for Compensation.

20 Mr. Schwartz’s expert testimony was the culmination of his work in this matter. After reviewing  
21 documents obtained from Farmers, Mr. Schwartz presented compelling Pre-filed Direct Testimony  
22 (“PDT”), citing evidence from those documents and other sources, that showed that Farmers’ pricing  
23 practices did not comport with Actuarial Standards of Practice, and that the company had engaged in  
24 Price Optimization in California. Mr. Schwartz’s PDT definitively answered the questions posed by the  
25 Insurance Commissioner in the Notice of Hearing. Finally, Mr. Schwartz also presented a calculation to  
26 the CALJ that provided a rough estimate of the annual amount of the overcharges imposed by Farmers  
27 on its policyholders: \$26 million. That estimate quantified Farmers’ significant potential civil liability in  
28

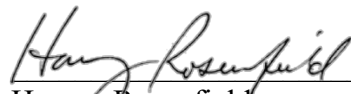
1 total. Neither the PDT of the Department's actuary nor of the *Harris* plaintiffs' expert provided such a  
2 calculation.

3 72. I am informed and believe that the time billing report for AIS Risk Consultants, Inc.,  
4 which details the actual tasks performed in these proceedings, is based on contemporaneous time  
5 records, and accurately represents the total time spent by Consumer Watchdog's actuarial expert in  
6 these proceedings. The rates charged by AIS Risk Consultants reflect Mr. Schwartz's 2020 hourly rate.  
7 Pursuant to 10 CCR §§ 2662.6(b) and 2661.1(c)(1), the expert fees billed for the actuarial consulting  
8 services of Mr. Schwartz and his staff at AIS Risk Consultants, Inc. reflect the current market rates for  
9 such services. The Commissioner has awarded Mr. Schwartz compensation based on this hourly rate in  
10 these proceedings: *In the Matter of the Rate Applications of Pacific Specialty Insurance Company*, File  
11 No. PA-2019-00001 (Application Nos.: 18-5713, 18-5714, and 18-5721) and *In the Matter of the Rate*  
12 *Applications of Farmers Insurance Exchange, Mid-Century Insurance Company, and Truck Insurance*  
13 *Exchange*, File No. PA-2019-00004 (Application Nos.: 19-716, 19-716-A, 19-716-B, 19-717, 19-717-  
14 A, 19-717-B, 19-689, 19-689-A, and 19-689-B).

15 73. Mr. Schwartz is currently President of AIS Risk Consultants. Over his more than 30  
16 years of professional actuarial experience, Mr. Schwartz has served as Assistant Commissioner of the  
17 New Jersey Department of Insurance, and chief actuary of the North Carolina Department of Insurance.  
18 His resume is on file in several other Department rate proceedings and can be viewed online at  
19 [http://www.aisrc.com/allan\\_i\\_schwartz.htm](http://www.aisrc.com/allan_i_schwartz.htm).

20  
21 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
22 true and correct.

23 Executed on September 4, 2020 at Los Angeles, California.

24  
25   
26 Harvey Rosenfield

# **EXHIBIT 1**

**EXHIBIT 1**

**SUMMARY OF FEES AND EXPENSES**

*In the Matter of Farmers Ins. Exchange and Mid-Century Ins. Co. (NC-2017-00003)*

<u>ITEMS</u>	<u>COST</u>
<b>1. <u>Consumer Watchdog's Fees and Expenses</u></b>	
(Detailed in Billing Records attached as Exhibit 2A to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 693 hours .....	\$481,635.00
Pamela Pressley @ \$595 per hour, 146.3 hours .....	\$87,048.50
Benjamin Powell @ \$350 per hour, 95.7 hours .....	\$33,495.00
Daniel Sternberg @ 350 per hour, 100.1 hours .....	\$35,035.00
Jonathan Phenix (attorney) @ \$350 per hour, 305.1 hours .....	\$106,785.00
Samantha Skouras (paralegal) @ \$200 per hour, 76.6 hours.....	\$15,320.00
Kaitlyn Gentile (paralegal) @ \$200 per hour, 61.3 hours .....	\$12,260.00
Consumer Watchdog's Expenses.....	\$7,513.65
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$779,092.15</b>
<b>2. Expert Witness Fees – AIS Risk Consultants, Inc.</b>	
(Detailed in Exh. 5 to Rosenfield Decl.)	
Allan I. Schwartz @ \$805 per hour, 265 hours .....	\$213,325.00
AIS Risk Consultants, Inc. Expenses.....	\$2,419.79
<b>Subtotal of AIS Risk Consultants, Inc. Fees and Expenses .....</b>	<b>\$215,744.79</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$994,836.94</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones 2017 (Los Angeles Super. Ct., Case No. BS170584)*

<b><u>ITEMS</u></b>	<b><u>COST</u></b>
1. <b><u>Consumer Watchdog's Fees and Expenses</u></b>	
(Detailed in Billing Records attached as Exhibit 2B to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 102 hours .....	\$70,890.00
Pamela Pressley @ \$595 per hour, 18.1 hours .....	\$10,769.50
Jonathan Phenix @ \$350 per hour, 117.5 hours .....	\$41,125.00
Samantha Skouras @ \$200 per hour, 29.8 hours .....	\$5,960.00
Consumer Watchdog's Expenses.....	\$2,499.38
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$131,243.88</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$131,243.88</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones* 2017 Appeal (Ca. Court of Appeals, 2nd App. Dist., Case No. B286385)

<u>ITEMS</u>	<u>COST</u>
1. <u>Consumer Watchdog's Fees and Expenses</u>	
(Detailed in Billing Records attached as Exhibit 2C to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 11.5 hours .....	\$7,992.50
Pamela Pressley @ \$595 per hour, 2 hours .....	\$1,190.00
Jonathan Phenix @ \$350 per hour, 3.7 hours .....	\$1,295.00
Consumer Watchdog's Expenses.....	\$0
<b>Subtotal of Consumer Watchdog's Fees and Expenses.....</b>	<b>\$10,477.50</b>
<b>MATTER TOTAL ADVOCACY FEES AND WITNESS FEES:</b>	<b>\$10,477.50</b>

**SUMMARY OF FEES AND EXPENSES**

*Farmers v. Jones 2018 (Los Angeles Super. Ct., Case No. 18STCP02982)*

<u>ITEMS</u>	<u>COST</u>
1. <b><u>Consumer Watchdog’s Fees and Expenses</u></b>	
(Detailed in Billing Records attached as Exhibit 2D to Rosenfield Decl.)	
Harvey Rosenfield @ \$695 per hour, 75.2 hours .....	\$52,264.00
Pamela Pressley @ \$595 per hour, 10.2 hours .....	\$6,069.00
Daniel Sternberg @ \$350 per hour, 28.7 hours .....	\$10,045.00
Kaitlyn Gentile @ 200 per hour, 11.5 hours.....	\$2,300.00
Consumer Watchdog’s Expenses.....	\$2,680.26
<b>Subtotal of Consumer Watchdog’s Fees and Expenses.....</b>	<b>\$73,358.26</b>
<b>MATTER TOTAL ADVOCACY AND WITNESS FEES AND EXPENSES:</b>	<b>\$73,358.26</b>
 <b>GRAND TOTAL ADVOCACY AND WITNESS FEES AND EXPENSES:</b>	 <b>\$1,209,916.58</b>

## **EXHIBIT 2A**

**Consumer Watchdog Time Entries*****In the Matter of the Rating Practices of Farmers Ins. Exchange and Mid-Century Ins. Co.*****NC-2017-00003****Benjamin Powell**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
7/13/17	conference w J Phenix Re filed rate doctrine research (.2); research Re filed rate doctrine and agency approval reversal (1.8)	2	\$700.00
7/14/17	research Re agency approval reversal (1.6)	1.6	\$560.00
7/18/17	conference w J Phenix Re price optimization and 103 issues (.8); review certification issues Re depositions and burden of proof (2.3); review price optimization materials (1.4); telephone conference with CDI Re certification issue (1.2)	5.7	\$1,995.00
7/19/17	conference w J Phenix Re price optimization (.5); draft section for letter to CALJ (2.0)	2.5	\$875.00
7/20/17	email correspondence Re price optimization (.1); redline sections in letter opposing certification (1.2); review price optimization briefing (.2); conference w J Phenix (.2)	1.7	\$595.00
7/21/17	conference w H Rosenfield and J Phenix Re opposition letter to certification request (1.1); draft email Re burden of proof issue to P Pressley (.5); review P Pressley views on burden of proof issue (.3); revise opposition letter and conference w P Pressley and J Phenix Re same (3.3)	5.2	\$1,820.00
7/24/17	review H Rosenfield edits to certification letter	0.6	\$210.00
7/25/17	Conference with J Phenix, H Rosenfield, and P Pressley re strategy and next steps re certification and discovery (.5); review briefing from prior case (.6); review discovery requests from Farmers (.5)	1.6	\$560.00
7/26/17	prepare for discovery meeting and conference w J Phenix, H Rosenfield, and P Pressley Re discovery (.5); review and annotate Mid-Century discovery requests (1.5)	2	\$700.00
7/27/17	conference w J Phenix Re discovery responses (.5); meet w litigation team Re discovery issues (1.3); review J Phenix discovery analysis (.3); review Mid-Century discovery request analysis (.3); review notes Re discovery issues (.4)	2.8	\$980.00
7/31/17	draft discovery responses (2.1); review email correspondence Re denial of certification (.1); review reply brief from defendants Re certification and review email correspondence w Prop 103 team Re same (.6)	2.8	\$980.00
8/1/17	Draft discovery responses (1.7); Research CCP procedures on depositions (1.3)	3	\$1,050.00
8/3/17	draft and revise discovery responses (3.2); draft objections to notice of intent to depose (1.3)	4.5	\$1,575.00

8/4/17	draft and revise discovery responses (1.0); redline J Phenix discovery responses (1.8); research Re discovery procedures/depositions (2.0)	4.8	\$1,680.00
8/7/17	correspondence w J Phenix Re discovery responses (.1); review J Phenix drafts of discovery responses (.4)	0.5	\$175.00
8/8/17	review H Rosenfield edits to discovery responses	0.4	\$140.00
8/10/17	conference w J Phenix Re discovery responses (.2); revise discovery responses (2.0); telephone conference with CDI and Harris plaintiffs Re discovery (.6)	2.8	\$980.00
8/11/17	conference w J Phenix Re discovery responses (.1); revise discovery responses (3.6)	3.7	\$1,295.00
8/12/17	prepare Mid-Century discovery responses	1.6	\$560.00
8/14/17	review H Rosenfield edits and revise discovery responses (3.5); review P Pressley edits and revise discovery responses (1.8); conference w J Phenix and H Rosenfield Re Farmers discovery responses (.4); conference w J Phenix Re discovery responses (.2); finalize and file responses to discovery (.4); conference w H Rosenfield Re case strategy (.9)	7.2	\$2,520.00
8/15/17	review Farmers response to discovery requests (.6); telephone conference with Harris plaintiffs and CDI Re Farmers writ (1.0)	1.6	\$560.00
8/17/17	review letter to CALJ Re possible status conference	0.2	\$70.00
8/19/17	research Re price optimization in other states	0.5	\$175.00
8/23/17	research Re TRO procedures (.4); review Farmers writ petition (.8); telephone conference with CDI and Harris plaintiffs and conference w H Rosenfield and J Phenix Re same (1.4)	2.6	\$910.00
8/24/17	research Re CALJ sanction powers	0.6	\$210.00
8/25/17	research Re CALJ sanction powers	0.8	\$280.00
8/31/17	review supplemental discovery letter	0.1	\$35.00
10/22/18	telephone conference with parties and CDI Re opposition to motion to strike, conference w D Sternberg Re same	0.7	\$245.00
10/23/18	research expert testimony issue and draft argument Re same (3.2); review and revise opposition to motion to strike (1.9)	5.1	\$1,785.00
10/31/18	conference w H Rosenfield and D Sternberg Re price optimization hearing and prepare Re same	2	\$700.00
11/1/18	review motion to strike briefing	1.6	\$560.00
11/2/18	review motion to strike briefing	0.3	\$105.00
11/5/18	conference w J Phenix (.6); prepare for motion to strike hearing (2.9); review briefing and tentative order and A Schwartz testimony (2.1); telephone conference with D Sternberg and H Rosenfield Re motion to strike hearing (.6)	6.2	\$2,170.00
11/6/18	travel to, from, and attend motion to strike proceedings	8	\$2,800.00
11/8/18	review Prop 103 handbook and telephone conference with price op team Re briefing procedures	2.3	\$805.00

12/18/18	review Farmers' writ petition and prepare answer template	5.3	\$1,855.00
8/6/20	review documents from other cases for H Rosenfield	0.8	\$280.00
<b>Benjamin Powell Total:</b>		<b>95.7</b>	<b>\$33,495.00</b>

**Daniel Sternberg**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
10/11/18	Research and draft opposition to motion to conduct depositions	8.4	\$2,940.00
10/12/18	Review draft opposition to motion to conduct depositions	1	\$350.00
10/19/18	Review Farmers motion to strike (.5); discuss response to Motion to Strike w. H. Rosenfield (.4); discuss response to Motion to Strike w. P. Pressley and H. Rosenfield (.2)	1.1	\$385.00
10/20/18	Research and draft Farmers' Motion to Strike	1.3	\$455.00
10/21/18	Teleconference Re Motion to Strike w. H. Rosenfield, J. Agnoff, and R. Binion (.2), teleconference Re Motion to Strike w. H. Rosenfield (.2)	0.4	\$140.00
10/22/18	Discuss opposition to motion to strike w. H. Rosenfield and P. Pressley (.3); discuss opposition to motion to strike w. H. Rosenfield (.2)	0.5	\$175.00
10/22/18	Teleconference w. B. Powell, H. Rosenfield, CDI and Harries attorneys RE opposition to Motion to Strike	0.5	\$175.00
10/22/18	Draft opp. to Motion to Strike	3.4	\$1,190.00
10/23/18	Conference w. H. Rosenfield and P. Pressley RE opposition to Motion to Strike	0.1	\$35.00
10/23/18	Draft opposition to motion to strike pre-filed direct testimony	4.8	\$1,680.00
10/24/18	Draft opposition to motion to strike pre-filed direct testimony	8.3	\$2,905.00
10/25/18	Draft oppo to motion to strike A. Schwartz's pre-filed direct testimony (2.2); review A. Schwartz expert testimony (1.2)	3.4	\$1,190.00
10/25/18	Discuss opposition to Motion to Strike w. P. Pressley	0.3	\$105.00
10/26/18	Review final draft opposition to Farmers motion to strike (.7); review A. Schwartz's testimony (1.1); teleconference w. P. Pressley and A. Schwartz RE pre-filed direct testimony (.4)	2.2	\$770.00
11/1/18	Prep for hearing RE opposition to Farmers' motion to strike pre-filed direct testimony	0.8	\$280.00
11/2/18	Review tentative ruling	0.5	\$175.00
11/6/18	Travel to/from hearing in SF; prepare and attend hearing	8	\$2,800.00
11/27/18	Teleconference w. H Rosenfield, Harris and CDI counsel RE pre-filed direct testimony (.5); teleconference w. H Rosenfield, P Pressley and A Schwartz RE Farmers' pre-filed direct testimony (.3)	0.8	\$280.00
12/4/18	Prepare hearing strategy plan (1); review A Schwartz's pre-filed direct testimony (.9)	2	\$700.00

	Review previous order denying motion for preliminary injunction (.4); review Farmers' petition for Writ of Mandate (.9);		
12/6/18	review Farmers' motion to lift stay of LASC proceeding (1.1)	2.4	\$840.00
12/10/18	Teleconference w. CDI, Harris counsel, and H. Rosenfield RE pre-hearing scheduling conference	1	\$350.00
12/10/18	Draft letter to appear telephonically	0.1	\$35.00
12/11/18	review tentative order on Motion to Strike Farmers' pre-filed direct testimony	0.2	\$70.00
12/11/18	review tentative order on plaintiffs' Motion to Strike Farmers' pre-filed direct testimony	0.2	\$70.00
12/11/18	Discuss hearing procedures with opposing counsel	0.3	\$105.00
12/12/18	Outlining issues for 12/19 hearing	2.7	\$945.00
12/12/18	Meet w. H. Rosenfield and J. Flanagan RE preparation for January trial	1.3	\$455.00
12/12/18	Hearing on Motions to Strike Farmers' pre-filed direct testimony	1.5	\$525.00
12/14/18	Preparing for 12/19 hearing (.7); review Vreman pre-filed direct testimony (1.4)	2.1	\$735.00
12/17/18	Review Bugbee and Sgoureva pre-filed direct testimony	1.2	\$420.00
12/18/18	Review Vreman dec (.1); draft motion to appear telephonically (.1)	0.2	\$70.00
12/18/18	Draft trial prep action plan	1.5	\$525.00
12/18/18	Discuss trial strategy planning with H. Rosenfield	0.4	\$140.00
12/19/18	review regulations & statutes governing hearing	1	\$350.00
12/19/18	review Russina Sgoureva pre-filed direct testimony	1.7	\$595.00
12/20/18	Teleconference RE Jan. 6 CDI Hearing w. A. Mansfield, P. Pressley, H. Rosenfield, and Harris counsel (1.2)	1.2	\$420.00
12/31/18	Court conference w. Judge Rosi RE stay (.4); call w. CDI and Harris counsel RE mediation (.3)	0.7	\$245.00
1/16/19	Email Jay Angoff re call with mediator (.1)	0.1	\$35.00
1/17/19	Phone conference w. Justice Low (.8); call w. CDI re Farmers' ex parte motion in LASC (.3)	1.1	\$385.00
1/18/19	Call w. A Schwartz, P Pressley, and H Rosenfield RE strategy and potential disco requests for documents	0.6	\$210.00
3/4/19	Review Loucher subpoena	0.2	\$70.00
3/21/19	Telephone conference with A Schwartz and H Rosenfield re status and planning (.4);	0.4	\$140.00
3/21/19	Review H Rosenfield notes and email w R Binion	0.2	\$70.00
3/22/19	Discussion with H Rosenfield and CDI team re issues (2.0)	2	\$700.00
3/25/19	Telephone conference with Harris plaintiffs, H Rosenfield and CDI re hearing (.4); further discussion with H Rosenfield (.3);	0.7	\$245.00
3/26/19	Discussion with H Rosenfield re scheduling and hearing strategy	0.2	\$70.00
3/26/19	Read email from J Phoenix and review draft Stip	0.2	\$70.00
3/28/19	Review motions RE stay	0.7	\$245.00

5/6/19	Call w. H Rosenfield & J Flanagan RE 5/17 hearing, settlement negotiations, & administrative hearing	0.3	\$105.00
6/6/19	telephone conference with CDI, Farmers & Harris RE stip and Memorandum of Understanding (.3); review docs RE same (.2)	0.5	\$175.00
8/22/19	Reply to A Schwartz re status (.1)	0.1	\$35.00
8/28/19	Status conference hearing	0.4	\$140.00
9/3/19	Review settlement docs	0.5	\$175.00
10/7/19	Review settlement filings	0.6	\$210.00
12/4/19	Review settlement docs (.5); discussion with H Rosenfield re status of proceedings (.2)	0.7	\$245.00
12/12/19	Discuss hearing w H Rosenfield (.2); review H Rosenfield's notes from hearing (.1)	0.3	\$105.00
1/8/20	Discussion with H Rosenfield re proceedings at CDI post Motion for Preliminary Approval order	0.1	\$35.00
1/9/20	Review and respond to H Rosenfield email re docs on CDI website	0.1	\$35.00
1/10/20	Review emails re next steps following preliminary approval	0.3	\$105.00
1/13/20	Email A Schwartz re 1/7 settlement hearing	0.1	\$35.00
1/14/20	Discussion w CDI and Intervenors re next steps following preliminary approval	0.1	\$35.00
1/17/20	Review J Phenix letter to court re settlement and Motion to Dismiss	0.1	\$35.00
1/22/20	Discussion w H Rosenfield re fees (.3); review email from H Rosenfield a P Pressley re same (.1)	0.4	\$140.00
1/23/20	Review emails re fees and CDI's intended Motion to Dismiss	0.1	\$35.00
1/31/20	Discussion w P Pressley and H Rosenfield re Request for Compensation	0.3	\$105.00
2/6/20	telephone conference with H Rosenfield and A Schwartz re status update	0.1	\$35.00
2/11/20	Review stip filed in civil action	0.2	\$70.00
2/12/20	Review CDI draft stip re dismissal	0.3	\$105.00
2/14/20	Review and respond to email from J Phenix & H Rosenfield re stip and Motion to Dismiss (.1); review & edit Motion to Dismiss (.4)	0.5	\$175.00
2/18/20	Review and respond to emails from H Rosenfield and J Phenix re stip & Motion to Dismiss (.1); review and edit stip (.2)	0.3	\$105.00
2/20/20	review H Rosenfield's edits to the stip (.1); discussion w H Rosenfield re same (.1)	0.2	\$70.00
3/5/20	Review stip	0.2	\$70.00
3/17/20	Discuss Administrative Hearing Bureau motion to dismiss w H Rosenfield (.1); review emails from H Rosenfield and J Phenix re same (.1)	0.2	\$70.00
3/23/20	discussion w J Flanagan and H Rosenfield re status of stipulation (.1)	0.1	\$35.00

3/24/20	telephone conference with Harris plaintiffs re stip (.1); discussion w H Rosenfield re same (.4); review stip edits and email from J Castle (.4)	0.9	\$315.00
4/7/20	review final edits to stipulation (.5); review and respond to emails from H Rosenfield re same (.1);	0.6	\$210.00
4/14/20	review email finalizing settlement stipulation	0.2	\$70.00
4/16/20	Review email from J Phenix re motion to dismiss	0.2	\$70.00
5/13/20	Review email from H Rosenfield and clerk re Motion to Dismiss administrative action	0.1	\$35.00
5/19/20	Review draft letter from J Osterwise	0.1	\$35.00
5/20/20	Review protective order for fee motion (.4); review and respond to email from H Rosenfield re same (.1)	0.5	\$175.00
5/20/20	Review emails from J Osterwise and Administrative Hearing Bureau re Motion to Dismiss	0.1	\$35.00
6/9/20	Review emails re scheduling conference and civil court filings	0.1	\$35.00
6/10/20	Prepare for scheduling conference (.2); hearing granting Motion to Dismiss (.3)	0.5	\$175.00
6/15/20	Review emails re proposed order Motion to Dismiss	0.1	\$35.00
6/18/20	Review proposed order re Motion to Dismiss and emails re same	0.2	\$70.00
7/14/20	Review docket for hearing transcripts (.8); discussion w H Rosenfield re same (.1)	0.9	\$315.00
7/17/20	Review time records for Request for Compensation	0.9	\$315.00
7/22/20	Review draft Request for Compensation (1.9); discussion w H Rosenfield re same (.2)	2.1	\$735.00
7/24/20	Review and edit Request for Compensation	0.5	\$175.00
7/26/20	Finalize request for compensation	0.2	\$70.00
8/26/20	Review email update re adoption by Commissioner	0.1	\$35.00
8/28/20	Review LASC filing	0.5	\$175.00
8/31/20	Review request for compensation	6.2	\$2,170.00
9/1/20	Review Request for Compensation & Decl.	3.6	\$1,260.00
9/2/20	Review and respond to emails w H Rosenfield re request for compensation	0.3	\$105.00
9/3/20	Review team emails re Request for Compensation	0.2	\$70.00
<b>Daniel Sternberg Total:</b>		<b>100.1</b>	<b>\$35,035.00</b>

### Harvey Rosenfield

Date	Description	Hours	Total
2/5/16	Telephone conference with D Goodell (.3); Review Jay Angoff email (.1)	0.4	\$278.00
2/7/16	Review draft and docs (.2); Email Jay Angoff re same (.1)	0.3	\$208.50
2/11/16	Reply to Jay Angoff (.1)	0.1	\$69.50

2/14/16	Review primary jurisdiction letter, email to M Levy (.1); Email Jay Angoff re telephone conference with him, telephone conference with him (.2); Email CDI (.1)	0.4	\$278.00
2/15/16	Telephone conference with Jay Angoff re referral to Commissioner (.2)	0.2	\$139.00
2/19/16	Telephone conference with Jay Angoff (.3); Telephone conference with J McCune (.3); Memo to file and email Jay Angoff re tasks (.3); Discussion with Pam Pressley and Jon Phenix re same (.1)	1	\$695.00
2/19/16	Left message for CDI (.1); Email for Jay Angoff and review Farmers' letter re referral (.3); Research re price optimization in other states (.2)	0.6	\$417.00
2/20/16	Review Farmers letter and email Jay Angoff, Pam Pressley and Jon Phenix re same (.3); Email M Levy @ CDI (.2); Review reply and forward to Pam Pressley and Jon Phenix (.1)	0.6	\$417.00
2/24/16	Email from Jay Angoff, reply, forward to Pam Pressley and Jon Phenix (.2)	0.2	\$139.00
2/26/16	Email S Volkmer, left message for her (.1); Review Jay Angoff email re referral (.1); Discussion with J Flanagan (.2); Discussion with J Court and C Balber (.3)	0.7	\$486.50
2/29/16	Telephone conference with Jay Angoff (.3); Telephone conference with J McCune @ CDI and research docs (.5); Memo to file and email Jay Angoff re same (.3); Telephone conference with Jennifer McCune (.3)	1.4	\$973.00
3/1/16	Update notes re telephone conference with CDI and forward to Jay Angoff (.3); Telephone conference with Jay Angoff (.3); Research re primary jurisdiction issues (.7)	1.3	\$903.50
3/2/16	Research 1858 v primary jurisdiction referral question for J McCune, forward to Jay Angoff (1.9)	1.9	\$1,320.50
3/2/16	Research re 1858 (.3)	0.3	\$208.50
3/3/16	Email and telephone conference with Jay Angoff re research, forward to Jay Angoff, J McCune, Pam Pressley and Jon Phenix (.5)	0.5	\$347.50
3/18/16	Email from Jay Angoff and reply re fed court ruling and J Flanagan re same (.3)	0.3	\$208.50
3/21/16	Skim fed ruling (.2); Telephone conference with Jay Angoff re same (.3); Telephone conference with CDI (.3)	0.5	\$347.50
3/22/16	Email docs (.2)	0.2	\$139.00
3/22/16	Discussion with Pam Pressley and Jon Phenix (.2)	0.2	\$139.00
3/23/16	Research and forward to Jay Angoff (.1); Discussion with Pam Pressley and Jon Phenix re referrals (.3)	0.4	\$278.00
3/29/16	Set price optimization Westlaw alerts, email M Tram Ly re counsel PDFs (.2)	0.2	\$139.00

Prepare docs for meeting with meeting with CDI (.7); telephone conference with Jay Angoff (.3); Review email from Jay Angoff 4/6/16 to CDI re referral (.1)	1.1	\$764.50
4/7/16 Travel to SF for mtg with CDI; discuss price optimization (1.5)	1.5	\$1,042.50
4/11/16 Telephone conference with Jay Angoff (.3)	0.3	\$208.50
4/18/16 Telephone conference with B Hunter re issues (.2)	0.2	\$139.00
4/25/16 Discussion with Jon Phenix and email CDI re status (.1)	0.1	\$69.50
Telephone conference re adlaw treatise, primary jurisdiction 4/26/16 (.75); Research treatises, memo to file (.6)	1.4	\$973.00
4/28/16 Email CDI re resched call (.1)	0.1	\$69.50
Telephone conference with N Hoge (.2); discussion with J 4/29/16 Court and C Balber re same (.2)	0.4	\$278.00
5/2/16 Discussion with J Flanagan re planning (.1)	0.1	\$69.50
Email from Jay Angoff re CDI inquiries to carriers, forward to 5/5/16 team and reply, review docs (.4)	0.4	\$278.00
Discussion with Pam Pressley, J Flanagan, Laura Antonini and 5/20/16 Jon Phenix re next steps (.1)	0.1	\$69.50
Discussion with J Flanagan, Pam Pressley, Jon Phenix re Allstate, Farmers Price Optimization cases (.2); Research same and forward to Jon Phenix, discussion with Laura Antonini and 5/27/16 Pam Pressley re file search (.8); Further research (.6)	1.6	\$1,112.00
6/2/16 Reply to Jon Phenix re docs for research (.1)	0.1	\$69.50
6/5/16 Reply to Jon Phenix (.1)	0.1	\$69.50
6/11/16 Review Jon Phenix email with new case memo and reply (.2)	0.1	\$69.50
7/21/16 Discussion with J Court re status (.1)	0.1	\$69.50
7/22/16 Telephone conference with M Levy @ CDI (.2)	0.2	\$139.00
Telephone conference with J McCune re status (.5); Email her 8/1/16 (.1); Memo to file (.1)	0.7	\$486.50
Further telephone conference with J McCune (.5); Research 8/2/16 (.3)	0.8	\$556.00
8/3/16 Reply to J McCune (.1)	0.1	\$69.50
Telephone conference with Jay Angoff (.8); Review docs and 8/5/16 email correspondence and forward to Jon Phenix (.3)	1.1	\$764.50
8/5/16 Telephone conference with J McCune (.1)	0.1	\$69.50
Prepare - research for telephone conference with CDI (.3); Telephone conference with CDI, J Angoff, and Jon Phenix re 8/10/16 price optimization and jurisdiction for referral (1.4)	1.7	\$1,181.50
8/11/16 Email Jay Angoff re status (.1)	0.1	\$69.50
8/30/16 Reply to J Angoff re meeting with CDI (.1)	0.1	\$69.50
Email Jay Angoff; telephone call with Jay Angoff (.3); Email 9/1/16 team re same (.1)	0.4	\$278.00
9/20/16 Email Jay Angoff re status (.1)	0.1	\$69.50
9/21/16 Email from Jay Angoff re status (.1)	0.1	\$69.50
10/5/16 WB inquiry - follow up with J Phenix (.2)	0.2	\$139.00
12/5/16 Telephone conferences with Jay Angoff re status (.2)	0.2	\$139.00

2/14/17	Telephone conference with Jay Angoff re status (.3); Research and forward docs to him re same (.3)	0.6	\$417.00
2/14/17	Email Consumer Watchdog team re telephone conference with Jay Angoff (.1)	0.1	\$69.50
2/15/17	Discussion with Jon Phenix and Pam Pressley re status of CDI (.1)	0.1	\$69.50
3/20/17	Telephone conference with J McCune, email team re same (.2)	0.2	\$139.00
3/21/17	Discussion with J Court, C Balber and J Flanagan re Price Optimization (.3); Discussion with J Flanagan and Jon Phenix re same (.2)	0.5	\$347.50
3/30/17	Telephone conference with Jay Angoff re status (.1)	0.1	\$69.50
4/18/17	Email from S Volkmer re price optimization - Farmers and reply, forward to team; to Jay Angoff; review notice (.6)	0.6	\$417.00
4/19/17	Reply to J Flanagan, reply to S Volkmer, left message for her, left message for Jay Angoff (.3); Organize and start reading background info (1.4)	1.7	\$1,181.50
4/20/17	Email from CDI re logistics; email Pam Pressley re intervenor status and review reply (.2)	0.2	\$139.00
4/21/17	Discussion with J Flanagan, discussion with J Flanagan and Jon Phenix re notice, discussion with Jon Phenix, telephone conference with Jon Phenix, J Flanagan, C Balber, and J Court re same, further discussion with J Flanagan and Jon Phenix, review filings and docs (2.2); Review email from Jon Phenix re jurisdictional issue, reply, research (.2)	2.4	\$1,668.00
4/23/17	Review file, email; text Jay Angoff (.6); Review notice and Jon Phenix email, research authority issue and reply to Jon Phenix and Pam Pressley (1.4); Email Jay Angoff re same; review regs (.4)	2.4	\$1,668.00
4/24/17	Reply Jon Phenix and discussion with him re standing in Notice (.1); Telephone conference with Jay Angoff, J Flanagan, Jon Phenix, B Powell re strategy (.8); Further discussion with J Flanagan; research and email Jay Angoff docs (.8)	1.7	\$1,181.50
4/25/17	Draft Motion to Intervene (1.3); Review email from Pam Pressley and J Flanagan re hearing procedures (.2); Email J Flanagan re DA position and review reply (.1); Review Jay Angoff docs (.2); Email A Schwartz re Jay Angoff docs (.1); Telephone conference with A Schwartz (.8); Misc research (.6)	3.3	\$2,293.50
4/26/17	Email J Flanagan re meeting to discuss case; email Jay Angoff draft Motion to Intervene (.1); Telephone conference with Jay Angoff re status (.2); Review email re Motion to Intervene from Pam Pressley; research and draft Motion to Intervene, forward to Consumer Watchdog team (2.0); Research price optimization and review prior research (1.2)	3.5	\$2,432.50

	Review Jay Angoff discovery email and forward to Jon Phenix (.2); Email Jay Angoff re status (.1); Review and revise Jon Phenix 2016 draft new case memo, forward to Jon Phenix (1.5); Review and revise Motion to Intervene and new case memo, forward to Pam Pressley (.6); Review and revise Pam Pressley edits to new case memo, Motion to Intervene, forward to Pam Pressley and Jon Phenix (.3); email A Schwartz re		
4/27/17	same	2.7	\$1,876.50
4/29/17	Email Pam Pressley and review reply re Motion to Intervene (.1); Reply Jon Phenix re Farmers class plan (.1)	0.2	\$139.00
5/2/17	Email J Flanagan re set meeting with Consumer Watchdog re new case memo (.1); Review and revise same and forward to J Flanagan (.3); Email Jay Angoff and telephone conference with Jay Angoff, research and send him case re fees (.7)	1.1	\$764.50
5/3/17	Review and reply Jay Angoff questions re Motion to Intervene (.1); Review docs for new case meeting; attend lit meeting (1.3); Review and revise Motion to Intervene and new case memo per suggestions from Pam Pressley and J Flanagan (.6)	2	\$1,390.00
5/4/17	Email Jon Phenix, Pam Pressley re Motion to Intervene draft, revise draft, and filing (.4); Email from S Volkmer re Notice of Hearing, email her and Consumer Watchdog re same (.2); Reply to Jay Angoff inquiries re Notice (.2); Review Pam Pressley edit to same and review J Phenix reply re same (.3); Reply to J Flanagan re new case memo approval, review Jon Phenix revisions to Motion to Intervene and further correspondence re filing (.3)	1.4	\$973.00
5/5/17	Review CDI data request Farmers (.2); Review Farmers' answer (.5); Review Jay Angoff memo re relativities (.2)	0.9	\$625.50
5/8/17	Research APA procedures (1.3); Discussion with Pam Pressley, Jon Phenix and S Skouras re status (.1); Review price optimization trade press (1.4)	1.4	\$973.00
5/9/17	Review scheduling conference & order (.1); Review and send team WSJ article re price opt, send to Consumer Watchdog (.2)	0.3	\$208.50
5/10/17	Telephone conference with C Malbog re rescheduling Scheduling Conference and email her (.2); Call and email Jay Angoff re same and review his email (.2); email all counsel (.2); follow up telephone conference with R De La Mora (.1); follow up with Consumer Watchdog and Jay Angoff (.2); Discussion with Jon Phenix re telephone conference with CDI, and reply to S Volkmer re same (.2); Follow up with Jay Angoff and Pam Pressley re discussions (.2); Reply to Jay Angoff re WSJ article (.1); Email Pam Pressley re meeting (.1)	1.5	\$1,042.50

	Review email re scheduling from Administrative Hearing Bureau, reply to all (.1); Telephone conference with Jay Angoff re same (.1); Telephone conference with Pam Pressley, Jon Phenix and CDI, Jay Angoff team re scheduling conference statement (.7); Further discussion with Jon Phenix (.1); Withdraw request for rescheduling (.1); Review Pam Pressley		
5/11/17	email re Gov Code and email Jay Angoff re same (.1)	1.2	\$834.00
5/12/17	Reply to Jay Angoff re filing (.1); Review Jon Phenix email re CCR and reply (.3); Telephone conference with WB (.2); Telephone conference with Jay Angoff re intervention process and related issues; research and forward him document re same (.4)	1	\$695.00
5/15/17	Discussion with Pam Pressley and Jon Phenix re status (.1); Email Jon Phenix article; Review APA sections (.3)	0.4	\$278.00
5/16/17	Email Jay Angoff re status and review reply; reply to him (.3)	0.3	\$208.50
5/17/17	Skim draft statement from Jay Angoff (.1); Email Jon Phenix and Pam Pressley re same and review replies and reply (.2)	0.3	\$208.50
5/25/17	Review email from CDI re edits to draft statement; Email Jon Phenix re same and discussion with him re same (.2); Left message for Jay Angoff and reply to team re telephone conference with team (.1); Discussion with Jon Phenix re telephone conference with CDI and Jay Angoff re statement (.1)	0.4	\$278.00
5/26/17	Research issue and review trade press (.4)	0.4	\$278.00
5/26/17	Discussion with Jon Phenix and Pam Pressley re tasks (.1)	0.1	\$69.50
5/31/17	Discussion with Jon Phenix re status of scheduling statement; review email from Jay Angoff to Farmers re same (.2)	0.2	\$139.00
6/2/17	Email docs to Jon Phenix re discovery (.1); Further discussion with him (.1); Email Jay Angoff and reply, discussion with Jon Phenix re telephone conference with Jay Angoff (.1); Review email from Jay Angoff to Farmers (.1); Review email to A Schwartz re new class plan (.1)	0.5	\$347.50
6/5/17	Set call and telephone conference with Jay Angoff and Jon Phenix re discovery and scheduling statement (.4); Review scheduling statement and email Jon Phenix and Jay Angoff re same with edit (.3); Email re new class plan (.1); Read articles about price optimization (.7); Reply to CDI re telephone conference with parties (.1); Reply to Pam Pressley re scheduling conference, review Farmers' latest class plan objection response, and other filings and forward to Jon Phenix and Jay Angoff (.5); Email Jon Phenix re Scheduling Statement and review reply (.1)	2.2	\$1,529.00

6/6/17	Review email to Farmers re scheduling statement and reply (.1); Review Farmers' edits to Scheduling Statement and research code section (.5); Email team re same, telephone conference with team and Jon Phenix re same (.2); Further telephone conference with Jon Phenix and team re response to edits and discussion with Jon Phenix re same (.4)	1.2	\$834.00
6/7/17	Review Jay Angoff email and enclosing draft of scheduling statement, forward to Jon Phenix (.2); Review and revise Jay Angoff edits, forward to Jon Phenix (.8); Email team, review Jay Angoff reply with comments and S Volkmer reply (.2); Review email from team re scoping issues (.3); Discussion with Jon Phenix and revise draft, forward to team (.3); Review edits and telephone conference with Jon Phenix, S Volkmer and Jay Angoff (.4); Review Farmers edit to statement (.2); Review further edits by team and telephone conference with team (.2); Review final edit by CDI and Jay Angoff and email Jon Phenix re same (.1); Review all correspondence (.1); Review filing in Indiana re price opt and research same, forward to team (.6)	3.4	\$2,363.00
6/8/17	Email Doug Heller re price optimization Indiana filing (.2); Review draft request to appear by phone and reply (.1)	0.3	\$208.50
6/12/17	Discussion with Jon Phenix re Wednesday status conference (.1); Discussion with J Flanagan re same (.1)	0.2	\$139.00
6/14/17	Email and telephone conference with Jon Phenix re scheduling conference (.4)	0.4	\$278.00
6/19/17	Catch up on email from last week (.2)	0.2	\$139.00
6/21/17	Telephone conference with P Pressley, Jon Phenix, and A Schwartz re strategy and discovery issues (.8)	0.8	\$556.00
6/23/17	Discussion with Pam Pressley and Jon Phenix re status, telephone conference with A Schwartz (.1); Review list of actuaries from A Schwartz (.1)	0.2	\$139.00
6/30/17	Review scheduling order (.7); Review discovery proposals (.2); Email Jay Angoff and discussion with Jon Phenix re order (.2)	1.1	\$764.50
7/3/17	Email re telephone conference with CDI (.1)	0.1	\$69.50
7/5/17	Discussion with Jon Phenix re scheduling order issue (.1); Discussion with Pam Pressley, Jon Phenix, Samantha Skouras re status (.1)	0.2	\$139.00
7/6/17	Telephone conference with A Schwartz and Jon Phenix (.2)	0.2	\$139.00
7/6/17	Review order, telephone conference with Jon Phenix and CDI and Harris team re discovery (.6)	0.6	\$417.00
7/7/17	Review Jay Angoff draft of discovery issues and forward to A Schwartz (.4); Reply to A Schwartz questions (.3); Review Jon Phenix responses and docs from previous Farmers proceedings (.3)	1	\$695.00

7/11/17	Review and edit draft discovery from Jay Angoff (.5); Discussion with Jon Phenix re edits to same (1.0); Review Jon Phenix edits to same (.3); Discussion with Jon Phenix re edits (.5)	2.3	\$1,598.50
7/12/17	Discussion with Jon Phenix and email from R Binion (.1); Review email from CDI and edits to discovery (.2); Review team email and discussion with Jon Phenix (.2); Further review of edits (.2); Research and review price optimization globally (.7)	1.4	\$973.00
7/13/17	Telephone conference with Jon Phenix, CDI, Harris team re discovery request edits (.4); Further discussion with Jon Phenix re same (.1); Review draft discovery from CDI (.3);	0.8	\$556.00
7/16/17	Review Farmers motion to certify question (1.2); Email CWD team re same, email Jay Angoff and email CDI re same (.3)	1.5	\$1,042.50
7/17/17	Review email from Pam Pressley re regs issue (.2); Discussion with team and email R Binion @ CDI re call, follow up email with team (.7)	0.9	\$625.50
7/18/17	Review procedural regs and email from Consumer Watchdog team (.7); Telephone conference with Consumer Watchdog team and CDI team (.8); Further discussion with Consumer Watchdog team (.2); Telephone conference with Jay Angoff (.4)	2.1	\$1,459.50
7/19/17	Reply to Jon Phenix re discovery, and re draft of letter response to Farmers cert motion (.1)	0.1	\$69.50
7/20/17	Email from Jon Phenix to all re Request for Cert (.1); Review and discussion with Jon Phenix and Ben Powell re draft of response to cert motion (.5); Discussion with Pam Pressley Jon Phenix and team re status, tasks (.2); Review articles online research re price optimization (.5); Review CDI draft letter re cert, discussion with Jon Phenix re same (.2)	1.5	\$1,042.50
7/21/17	Review draft opposition re cert motion (.4); Research and draft rebuttal to Farmers' immunity argument (.4); Discussion with Jon Phenix and Ben Powell re draft opposition (.9); Discussion with Pam Pressley and J Flanagan re same (.1); Email Pam Pressley re issue (.1); Email from Jon Phenix re revised draft (.1)	2.1	\$1,459.50
7/23/17	Revise opposition to Farmers' cert motion (2.6)	2.6	\$1,807.00

7/24/17	Revise opposition to Farmers' cert motion (.6); Strategy and organize file (.7); Discussion with Jon Phenix re draft, edit (.8); Telephone conference with Jon Phenix and Jay Angoff (.1); Review statutes re procedure, organize binders re same (1.6); Review Jay Angoff draft and reply, forward to Consumer Watchdog team (.2); Email Jay Angoff re same (.1); Review Jon Phenix edit and revise, forward to team, discussion with Jon Phenix re same (.6); Edits to same, review (.4); Research re previous CDI amicus curiae briefs (.5)	5.6	\$3,892.00
7/25/17	Review Harris opposition to request for cert (.2); Review CDI opposition to same (.1); Discussion with Pam Pressley Jon Phenix and Ben Powell re discovery plan and other issues (.5)	0.7	\$486.50
7/26/17	Review email from Farmers re filing Reply and discussion with Jon Phenix re same, further discussion re response (.3); Discussion with Pam Pressley, Jon Phenix and Ben Powell re discovery (.2); Further discussion with Pam Pressley re same (.1); Review ALJ order re filings, discussion with Jon Phenix and left message for and email R Binion and D Goodell and S Volkmer (.3); Review discovery (.2)	1.1	\$764.50
7/27/17	Telephone conference with R Binion re strategy on cert request (.4); Discussion with J Flanagan, Pam Pressley, B Powell, and Jon Phenix re discovery and general issues (.3); Further discussion with them re response to Farmers' discovery requests (1.5); Review docs from J Flanagan re respond to discovery (.2)	2.4	\$1,668.00
7/28/17	Discussion with Pam Pressley re discovery issue, and discussion with Jon Phenix and B Powell re same (.2); Telephone conference with Jon Phenix, B Powell and R Binion, S Volkmer @ CDI, J Osterman re discovery (.4); Email Jay Angoff re status (.1)	0.7	\$486.50
7/29/17	Review Jon Phenix email re Farmers' Reply (.1)	0.1	\$69.50
7/31/17	Discussion with Jon Phenix and Ben Powell re order from CALJ denying certification; review same (.2); Review Westlaw downloads and further research re MacKay issues (.4); Review Jon Phenix email and discussion with J Flanagan re CALJ order (.1)	0.7	\$486.50
8/1/17	Review Farmers' Reply re certification (.5); Research re issues and follow up with Samantha Skouras (.7)	1.2	\$834.00
8/3/17	Research CDI approval process (.3); Research Minnesota order v Farmers (.1)	0.4	\$278.00
8/4/17	Review files and sort out privileged info from publicly available data (1.4); Discussion with Jon Phenix re discovery, strategy, and calendar (.1); Research price optimization and dynamic pricing, forward to Jon Phenix (1.5)	3	\$2,085.00

8/7/17	Review draft discovery email from Jon Phenix and Ben Powell, reply (.1)	0.1	\$69.50
8/8/17	Review draft discovery from Jon Phenix and Ben Powell and forward to them with edits and notes and review Jon Phenix reply (.9); Review articles from press re price optimization (.5); Review enforcement action v Farmers (Minnesota) (.1)	1.5	\$1,042.50
8/9/17	Email re telephone conference with team (.1); Discussion with Jon Phenix re edits to draft discovery responses (.7); Review response to depo notice and rogs (.4); Discussion with Jon Phenix re same (.2); Discussion with Jon Phenix re telephone conference with team (.1)	1.5	\$1,042.50
8/10/17	Research predictive modeling (3.6); Telephone conference with Jon Phenix, Ben Powell and Jay Angoff, CDI and Harris attorneys re discovery issues (.4); Further discussion with Jon Phenix and Ben Powell (.1)	4.9	\$3,405.50
8/11/17	Email from Ben Powell re discovery, review docs and reply (.3); Research price optimization (.4); Research legal jurisdictional issue (.7)	1.4	\$973.00
8/13/17	Review and revise draft discovery responses and forward to Jon Phenix and Ben Powell (1.8); Review articles in press (.3);	2.1	\$1,459.50
8/14/17	Reply to Jon Phenix email enclosing draft letter to CALJ (.1)	0.1	\$69.50
8/14/17	Discussion with Consumer Watchdog team re discovery and status of matter (.2); Further discussion with Jon Phenix and Ben Powell re edits to discovery (.4); Telephone conference with Jay Angoff re same (.3); Review Harris responses to discovery (.5); Review Pam Pressley edits to Consumer Watchdog discovery (.3); Discussion with Jon Phenix and Ben Powell re Farmers' response and writ strategy and email parties re same (.8); Review CDI responses to discovery (.2); Review Farmers' response (.4); Further research re price optimization (.3)	3.4	\$2,363.00
8/16/17	Review Jon Phenix draft letter to CALJ and revise, forward to CDI, Harris plaintiffs (.7); Review further edits by CDI and Jay Angoff and approve (.2);	0.9	\$625.50
8/19/17	Review class plans for price opt compliance, review filings in other states, forward to Jon Phenix (.5)	0.5	\$347.50
8/29/17	Discussion with Jon Phenix re call with CALJ (.2); Telephone conference with Jon Phenix and Jay Angoff re same (.2); Status Conference all parties (.6); Telephone conference with Jon Phenix and Jay Angoff re strategy (.4); Telephone conference with R Binion and Jon Phenix re strategy (.4)	1.8	\$1,251.00

	Review Consumer Watchdog team email re status, discovery and reply to Jon Phenix re same (.1); Review draft stip and reply to Consumer Watchdog team re same; research other stips and forward to team (.4); Research stay issues and email Consumer Watchdog team re further research (.2); Telephone conference with Pam Pressley re stip (.2); Review/research previous stay oppositions Consumer Watchdog (.6); Research price optimization stip issue in prior matters and forward to Consumer Watchdog team (.7); Research court issues and email Consumer Watchdog team (.2); Review and revise draft letter to Farmers re supplemental discovery (.9); Discussion		
8/30/17	with Jon Phenix re same (.2)	3.5	\$2,432.50
	Review Jon Phenix draft and discussion with him re same; further discussion and email with him (.4); Review final letter		
8/31/17	(.1)	0.5	\$347.50
9/21/17	Review CALJ order 9/7/17 (.1)	0.1	\$69.50
	Email from Jon Phenix to team requesting rescheduling of		
9/27/17	Motion to Compel hearing (.1)	0.1	\$69.50
9/28/17	Discussion with CWD team re tasks, calendar (.1)	0.1	\$69.50
9/28/17	Review draft Protective Order (.2)	0.2	\$139.00
	Telephone conference with Jon Phenix, CDI and Harris plaintiffs re discovery issues and motions, allocation of tasks (.3); Revise draft protective order stip (.6); Discussion with Pam Pressley and Jon Phenix re terms of confidentiality stip (.3);		
9/29/17	Further discussion with Jon Phenix re same (.2)	1.4	\$973.00
	Review email from Pam Pressley re confidentiality stip issues		
9/30/17	(.2)	0.2	\$139.00
	Review Jon Phenix draft of stip protective order and revise		
10/1/17	(1.2); Telephone conference with Jon Phenix (.1)	1.3	\$903.50
	Email team re draft stip (.1); Review draft stip with Jon Phenix (1.7); Review revision and discussion with Jon Phenix re same (.4); Further discussion with Jon Phenix (.2); Review Pam		
10/2/17	Pressley email enclosing notes on stip (.2)	2.6	\$1,807.00
	Review action plan and discussion with Consumer Watchdog		
10/3/17	team re tasks (.2)	0.2	\$139.00
	Review CALJ order re rescheduled hearing (.1); Review email		
10/5/17	and stip from CDI (.2)	0.3	\$208.50
10/10/17	Email Jon Phenix re protective order (.1)	0.1	\$69.50
	Skim stip protective order and email to team, Farmers re same		
10/12/17	(.2)	0.2	\$139.00
	Discussion with Jon Phenix and review team email re meet		
10/13/17	and confer letter, skim same, witness designations (.2)	0.2	\$139.00
10/17/17	Email from team and review Farmers' witness list, CDI list (.4)	0.4	\$278.00
	Review email from team re discovery (.1); Discussion with		
10/18/17	Consumer Watchdog legal team (.1)	0.2	\$139.00

10/22/17	Review Farmers response re objections to Vreman declaration (.1); Research filed rate doctrine case and forward to Jon Phenix	0.1	\$69.50
10/22/17	Review Joint Motion to Compel and Farmers' Motion, letter from CDI to Farmers re deficiencies (.7)	0.7	\$486.50
10/23/17	Review Farmers' Motion to Compel v CDI and email CDI, Jay Angoff re same, discussion with CWD team re possible opposition (1.2)	1.2	\$834.00
10/24/17	Research issue re depos of CDI personnel per Farmers' motion to compel against CDI (.8); Email Jon Phenix and discussion with Jon Phenix re same (.2); Forward email to R Binion and D Goodell (.1)	1.1	\$764.50
10/25/17	Discussion with Jon Phenix and resend CDI request to discuss Farmers' Motion to Compel (.1)	0.1	\$69.50
10/25/17	Review docs for call with CALJ (.2); Discussion with Jon Phenix re strategy for call with CALJ (.1); Telephone conference with Jay Angoff and Jon Phenix re call with CALJ (.2); Telephone conference with CALJ and parties re same (.6); Discussion with Jon Phenix re same (.2); Telephone conference with Jon Phenix and R Binion, CDI re strategic issues (.1)	1.4	\$973.00
10/26/17	Discussion with Jon Phenix re telephone conference with CDI re Farmers' Motion to Compel (.2); Telephone conference with R Binion, D Goodell and J McCune @ CDI re same (.3); Discussion with Pam Pressley and Jon Phenix re same (.2); Draft oppo to same, forward portions to Jon Phenix for review, continue revising and email to Pam Pressley and Jon Phenix (5.5);	6.2	\$4,309.00
10/27/17	Email Pam Pressley re possible edits to Opposition to Farmers' Motion to Compel v CDI (.4); Research and draft Opposition, telephone conference with Pam Pressley re same, further research review her edits, discussion with Samantha Skouras and proof finals (2.6)	3	\$2,085.00
10/28/17	Review final draft of opposition to Motion to Compel and email Pam Pressley re same, organize files and prepare strategy (.7)	0.7	\$486.50
10/30/17	Review CDI opposition to Motion to Compel (.3); Reply to R Binion email re telephone conference with team (.1)	0.3	\$208.50
11/1/17	Set conference with CDI re Motion to Compel (.1)	0.1	\$69.50
11/3/17	Reply to A Schwartz re status (.1)	0.1	\$69.50
11/5/17	Review Farmers' opposition to motions to compel (.4)	0.4	\$278.00
11/6/17	Review pleadings for Motion to Compel (.2); Telephone conference with Harris plaintiffs, CDI and Jon Phenix re hearing and strategy (.8); Further telephone conference with Jon Phenix (.1); Research Landers referral and forward to team (.3)	1.4	\$973.00

11/7/17	Discussion with Jon Phenix re status of case (.1)	0.1	\$69.50
11/8/17	Discussion with Jon Phenix re hearing on Motion to Compel (.3); Telephone conference with M Levy (.2); Discussion with Pam Pressley and Jon Phenix re same (.3); Further discussion with Jon Phenix re opposition to Farmers' Motion to Compel (.2); Review CALJ tentative ruling re Farmers' Motion to Compel, and discussion with Pam Pressley re same and ruling re CDI/CWD/Harris Motion to Compel (.5); Email Levy copy of opposition to Farmers' Motion to Compel (.1)	1.6	\$1,112.00
11/9/17	Review team email and tentative rulings on motions to compel (.2); Telephonic appearance at hearing on same (.7); Follow up with Pam Pressley and J Flanagan re same (.1)	1	\$695.00
11/14/17	Reply to Jay Angoff re discovery (.1)	0.1	\$69.50
11/16/17	Telephone call with Jon Phenix, CDI and Harris plaintiffs re strategy re discovery (.2); Discussion with Jon Phenix re same (.2)	0.4	\$278.00
11/17/17	Further email from Jay Angoff re Farmers discovery issues, reply and forward to team, and follow up with Jay Angoff per Jon Phenix (.2)	0.2	\$139.00
11/20/17	Email with team re Farmers proposal re discovery and follow up, Farmers' reply (.4)	0.3	\$208.50
11/21/17	Review Jon Phenix email draft and reply (.1); Email from team re same (.2); Telephone conference with Jon Phenix, Jay Angoff, CDI (R Binion and S Volkmer) re discovery issue (.3)	0.6	\$417.00
11/22/17	Review Consumer Watchdog team email re protective order and reply (.1); Further follow up with team re same (.2)	0.3	\$208.50
11/26/17	Review team email and update strategy (.3); Further research and outlining of opposition (1.0)	1.3	\$903.50
11/27/17	Telephone conference with Jay Angoff re calendar, strategy re Farmers (.4); Discussion with Jon Phenix re his telephone conference with R Binion re same (.1); Follow up telephone conference with Jay Angoff re same (.2); Discussion with Pam Pressley and Jon Phenix re strategy, discovery and related issues (.3)	1	\$695.00
11/28/17	Review Farmers' response re protective order and team response (.1); Telephone conference with Jon Phenix, CDI and Harris plaintiffs' counsel re strategy re discovery and Farmers' proposal (.9); Further discussion with Jon Phenix (.1)	1.1	\$764.50
11/29/17	Review Jay Angoff email re telephone conference with Farmers re proposal (.1)	0.1	\$69.50
12/1/17	Email with Jay Angoff and team regarding Farmers discovery proposal (.3)	0.3	\$208.50

12/2/17	Review further email re Farmers discovery proposal and skim discovery produced by Farmers and CDI (.3)	0.3	\$208.50
12/5/17	Telephone conference with Jay Angoff re letter to CALJ and Farmers' strategy (.2); Edit Jay Angoff draft and forward to team (.8); Telephone conference with Jon Phenix re same (.1); Further discussion with Jon Phenix and review email from team (.2)	1.3	\$903.50
12/6/17	Email with team and discussion with Jon Phenix re discovery issues (.2)	0.2	\$139.00
12/8/17	Email re status conference (.1)	0.1	\$69.50
12/9/17	Review email re discovery issues and strategy and email Jon Phenix re same (.2)	0.2	\$139.00
12/11/17	Discussion with Jon Phenix re status conference (.2); Review email re same (.2); Telephone status conference re discovery (1.0); Follow up with Jon Phenix re same (.2); Discussion with Consumer Watchdog team re tasks, next steps (.1)	1.7	\$1,181.50
12/14/17	Review team email re calendar, discovery and trial (.3)	0.3	\$208.50
12/15/17	Review email from team re calendar, reply and discussion with Jon Phenix re same (.1); Review Pam Pressley email re protective order and email Jon Phenix re same, discussion with Jon Phenix re same (.2); Telephone conference with Jon Phenix, Jay Angoff and R Binion (.4); Discussion with Jon Phenix (.1); Telephone conference with Jay Angoff and further discussion with Jon Phenix (.2); Further email and discussion with Jon Phenix re scheduling (.2); Review email re discovery from Farmers, discussion with Jon Phenix re same (.1); Skim discovery (.3)	1.6	\$1,112.00
12/16/17	Email from Jay Angoff and team re discovery and hearing (.3)	0.3	\$208.50
12/17/17	Email with team re discovery (.1)	0.1	\$69.50
12/18/17	Telephone conference with Consumer Watchdog and CDI, Harris Plaintiffs re discovery and strategy (.3); Telephone conference with CALJ and parties re same (.3); Follow up re calendar - review and discussion with Jon Phenix, email team re issues, reply to Jay Angoff, further email re calendar, further email and discussion with team (.9)	1.5	\$1,042.50
12/19/17	Review Jay Angoff email re discovery and discussion with Jon Phenix re same, further discussion with him re strategy (.7); Further email re discovery and strategy, calendaring with team and discussion with Jon Phenix (.6)	1.3	\$903.50
12/20/17	Review team email (.2); Discussion with Jon Phenix re response to Farmers and Review Notice of Hearing and Pam Pressley edit to same (.2); review Jay Angoff email and telephone conference with him re discovery and follow up re readable docs (.4); Further follow up with Jon Phenix re schedule (.1); Follow up with C Monahan (.1)	1	\$695.00
12/21/17	Email with team re discovery issues (.3)	0.3	\$208.50

1/2/18	Review email from team re discovery issues (.7); Discussion with Samantha Skouras re same and review search results, email Jay Angoff re same (.4)	1.1	\$764.50
1/3/18	Review team email re discovery (.2); Telephone conference with Jon Phenix, Jay Angoff, CDI and A Gold re discovery issues and strategy (1.2)	1.4	\$973.00
1/4/18	Discussion with Jon Phenix re discovery strategy (.2) Telephone conference with adlaw expert re discovery sanctions (.2); Research same (.3); Email team re research (.1); Review team email re letter to Farmers, review and revise and forward to Jon Phenix (.6); Telephone conference with Jon Phenix and A Schwartz re discovery (.6); Further discussion with Jon Phenix re same, revise his edit and discussion with him (.3); Review later draft from Jon Phenix (.1); review supplemental discovery (.2); Further research re compliance with discovery (.2)	2.8	\$1,946.00
1/5/18	Review Jon Phenix edit re discovery to Farmers, and email from team re same (.9); Review edit to letter to Farmers and discussion with Jon Phenix re same (.1); Further team email and edits re same (.4)	1.4	\$973.00
1/7/18	Review Farmers' supplemental discovery requests (.2)	0.2	\$139.00
1/8/18	Review email re letter to CALJ and discussion with Jon Phenix re same, tasks, Farmers' supplemental request (.1)	0.2	\$139.00
1/9/18	Review and reply to team email re discovery related issues (.2); Discussion with Jon Phenix re same (.2); left message for D Goodell and telephone conference with him and email Consumer Watchdog team re same (.3)	0.7	\$486.50
1/10/18	Review email from Farmers re meet and confer and discussion with Jon Phenix re same (.1)	0.1	\$69.50
1/11/18	Telephone conference with CDI, Harris and Jon Phenix re discovery and other issues, and further discussion with Jon Phenix re same (.3)	0.3	\$208.50
1/15/18	Review team email re status of Farmers meet and confer (.1)	0.1	\$69.50
1/16/18	Review email from CDI re discovery and discussion with Consumer Watchdog team re status (.1)	0.1	\$69.50
1/18/18	Review and revise draft letter to CALJ re discovery and further discussion with Jon Phenix re same (.3)	0.3	\$208.50
1/19/18	Review drafts of letter to CALJ, team email re same, discussion with Jon Phenix (.2)	0.2	\$139.00
1/23/18	Review drafts of letter to CALJ, team email re same (.4)	0.4	\$278.00
1/23/18	Review team email re letter to CALJ and discovery (.1); Review scripts and other team email (.3)	0.4	\$278.00
1/24/18	Telephone conference with Jay Angoff re his telephone conference with Farmers (.2); Review team email and reply re discovery (.2)	0.4	\$278.00

1/25/18	Review email from Farmers re dismissal of suits, discovery hearing before CALJ (.2); Discussion with Consumer Watchdog team re same (.2)	0.4	\$278.00
1/26/18	Review team email, left message for and telephone conference with Jay Angoff re status (.4); Discussion with Pam Pressley, Jon Phenix and experts re LASC / Appeals Court fee issue (.2)	0.6	\$417.00
1/29/18	Reply to Jon Phenix re team call and review email from Jon Phenix re strategy (.2)	0.2	\$139.00
1/30/18	Status conference with CALJ and preliminary meet and confer with all parties thereafter (1.0); Discussion with Jon Phenix and Samantha Skouras re status (.1); Telephone conference with A Schwartz and Jon Phenix re same (.1); Telephone conference with Jon Phenix and R Binion re status (.4)	1.6	\$1,112.00
1/31/18	Review CALJ order re discovery issues (.1)	0.1	\$69.50
2/2/18	Review team email re meet and confer, draft letter re discovery (.2); Telephone conference with Jon Phenix, CDI, Harris plaintiffs re discovery and meet and confer (.6); Discussion with Jon Phenix and telephone conference with Jay Angoff (.4); Telephone conference with Jon Phenix and R Binion re same (.2); Telephone conference with Jay Angoff (.1); Telephone conference with Jon Phenix (.1); Further telephone conference with R Binion (.4)	2	\$1,390.00
2/3/18	Review Farmers' responses to supplemental discovery (.3)	0.3	\$208.50
2/5/18	Team email re meet and confer (.2); Review discovery requests, responses and issues (1.0)	1.2	\$834.00
2/6/18	Team email re meet and confer (.2)	0.2	\$139.00
2/7/18	Travel to and attend meeting at CDI with Jon Phenix, R Binion, Jay Angoff and A Gold re meet and confer and discovery issues (3.2); Further team email with them (.3)	3.5	\$2,432.50
2/8/18	Review discovery requests and meeting at CDI with Farmers, Harris plaintiffs, CDI re meet and confer re discovery (4.5); Return to Los Angeles (3.2)	7.7	\$5,351.50
2/12/18	Review draft electronically stored information letter from A Gold, reply to her and discussion with Jon Phenix (.3)	0.3	\$208.50
2/13/18	Review draft letter from Jon Phenix re meet and confer (.3); Review draft letter to Farmers re electronically stored information (.2); Discussion with Jon Phenix re same (.2); Review final letter to Farmers (.1)	0.8	\$556.00
2/14/18	Review draft meet and confer letter from Jon Phenix (.3); Telephone conference with Jon Phenix re same (.2); Review final from Jon Phenix (.1); Further email with team re same (.3); Report from Jon Phenix re meet and confer (.1)	0.7	\$486.50
2/15/18	Review email from team re hearing dates, letter to ALJ (.1)	0.1	\$69.50

2/16/18	Review team email re hearing dates and filing status conference statements (.2)	0.2	\$139.00
2/22/18	Review email from CDI re letter to CALJ, review letter and reply to CDI (.2); Discussion with Jon Phenix re draft discovery letter to Farmers (.1); Further email from Farmers and team re status of discovery (.2); Set call with team (.1)	0.6	\$417.00
2/23/18	Telephone conference with team re sent copies of documents with CALJ and letter re discovery (.4); Email Jay Angoff (.1)	0.5	\$347.50
2/26/18	Status conference with parties (.2)	0.2	\$139.00
2/28/18	Review script from Jay Angoff (.2)	0.2	\$139.00
3/1/18	Email from team re discovery (.3); Discussion with Jon Phenix re same (.1)	0.4	\$278.00
3/2/18	Reply to Jay Angoff re expert analysis (.1)	0.1	\$69.50
3/5/18	Reply to Jay Angoff re meet and confer and discussion with Jon Phenix re same, review team email (.2); Review Jay Angoff memo and telephone discussion with Jon Phenix and A Schwartz re same (.5)	0.7	\$486.50
3/14/18	Discussion with Jon Phenix re status of discovery, Farmers' proposal (.2); Catch up on team email re discovery, status conference and calendar (.2)	0.4	\$278.00
3/15/18	Review 3/12 letter from Farmers and email Jay Angoff re same (.2); Review Jay Angoff email re suggested scripts (.1); Telephone conference with Jay Angoff (.2); Review email to CALJ re calendar (.2)	0.7	\$486.50
3/16/18	Email with team re Jay Angoff analysis of Farmers memo, set call (.2)	0.2	\$139.00
3/19/18	Review Farmers memo and Angoff comments (.2); Telephone conference with Jon Phenix and A Schwartz re Farmers' memo (.2); Discussion with Jon Phenix re same (.1); Telephone conference with CDI and Harris plaintiffs and Jon Phenix re same (.6); Telephone conference with Jay Angoff, Jon Phenix and A Gold re same (1.0); Further follow up re draft email (.4)	2.5	\$1,737.50
3/22/18	Telephone conference with D Goodell re strategy re mediation and email team re same (.2)	0.2	\$139.00
3/23/18	Review team email re discovery (.2); Telephone conference with Jay Angoff and A Gold re same (.2); Review email and reply to team re discovery issue (.2)	0.6	\$417.00
4/3/18	Telephone conference with Jon Phenix and A Schwartz re status of matter (.2)	0.2	\$139.00
4/5/18	Discussion with Jon Phenix, Pam Pressley and J Flanagan re status, strategy and logistics (.6)	0.6	\$417.00
4/6/18	Review team email from previous week (.2); Email, telephone conference with and discussion with Jon Phenix re telephone conference with team re discovery issues (.3);	0.5	\$347.50

	Telephone conference with Jay Angoff re status conference (.5); Telephone conference with Jon Phenix re same (.2); Participate in status conference by phone (.6); Discussion with		
4/10/18	Jon Phenix re same (.2); Send Jay Angoff docs (.1)	1.6	\$1,112.00
4/11/18	Review letter to CALJ (.2)	0.2	\$139.00
4/11/18	Email document review firm (.1)	0.1	\$69.50
4/19/18	Email Jon Phenix re scheduling team call (.1)	0.1	\$69.50
	Telephone conference with Jon Phenix, CDI and Harris team		
4/23/18	re discovery (.9): Review CALJ Order (.1)	1	\$695.00
4/24/18	Review email from team and Jon Phenix re discovery (.2)	0.2	\$139.00
4/25/18	Discovery planning (.4)	0.4	\$278.00
	Follow up with Jay Angoff and Jon Phenix re discovery flaws		
4/26/18	(.2)	0.2	\$139.00
	Review CALJ discovery order, team email, email from Jay Angoff re issues, set Sunday call (.8); Review discovery		
4/27/18	productions (.3)	1.1	\$764.50
4/28/18	Review Farmers' letter to CALJ (.3)	0.3	\$208.50
	Telephone conference with CDI, Harris plaintiffs re discovery		
4/29/18	issues and case management conference (1.4)	0.1	\$69.50
4/30/18	Status conference (telephonic) (1.0)	1	\$695.00
	Skim team email re statement for court re discovery (.3);		
5/1/18	Discussion with Jon Phenix re same (.2)	0.5	\$347.50
5/2/18	Discussion with Jon Phenix re draft discovery letter to court (.1)	0.1	\$69.50
5/2/18	Review team email re discovery (.1)	0.1	\$69.50
5/3/18	Discussion with Jon Phenix re status (.1)	0.1	\$69.50
	Review team email re discovery (.3); Discussion with Jon		
5/4/18	Phenix re same and tasks, set call with team (.2)	0.6	\$417.00
	Telephone conference with team to discuss strategy (.5);		
	Review docs to prepare for states conference (.3); Participate		
	in telephone status conference (.5); Email team re same and		
5/7/18	follow up (.4)	1.7	\$1,181.50
5/10/18	Review discovery related email from team (.4)	0.4	\$278.00
	Telephone conference with team re Farmers' discovery		
5/11/18	production (.5); Further follow up re same (.3)	0.8	\$556.00
	Download documents from Farmers production and skim (.4);		
	Review team email re discovery and email Jon Phenix re same		
5/12/18	(.3);	0.7	\$486.50
	Download and skim documents from Farmers (.3); Email Jon		
	Phenix re same (.1); Review email from team re same re		
5/13/18	review of discovery (.3)	0.7	\$486.50
	Review email from team re discovery (.5); Call with CDI, J		
	Phenix and team re discovery production reviews (.6);		
	Discussion with Jon Phenix re same (.2); Discussion with Jon		
	Phenix and email team re CALJ continuation of Case		
5/14/18	Management Conference (.4)	1.7	\$1,181.50

	Discussion with Jon Phenix, Samantha Skouras, J Flanagan re discovery tasks and trial issues (.5); Review Angoff summary of discovery and notes of call with Farmers (.3); Review team email (.2); Review calendar and email from A Schwartz (.1);		
5/15/18	Review docs from team re discovery (.4)	1.5	\$1,042.50
5/16/18	Telephone conference with Jay Angoff re status (.2)	0.2	\$139.00
5/16/18	Review team email re discovery review and info from Farmers (.3)	0.3	\$208.50
5/17/18	Review team email re discovery and reply (.4); List issues and tasks (.5)	0.9	\$625.50
5/21/18	Telephone conference with A Schwartz and Jon Phenix re status (.3)	0.3	\$208.50
5/23/18	Telephone conference with Jay Angoff, A Gold, J Osterwise and R Binion, D Goodell re Farmers' request for informal meeting (.7); Further telephone conference with Jay Angoff and voice mail from R De La Mora, email A Schwartz re meeting (.3); Forward email to A Schwartz (.1); Email R De La Mora (.1); Set call with Farmers (.2); Review draft email to CALJ and reply, review final (.2)	1.6	\$1,112.00
5/24/18	Reply to R Binion email re strategy issues, further email re same, left message for Jay Angoff (.3); Telephone conference with A Schwartz (.2); Email team re scheduling (.1); Follow up (.3); Research Allianz and price optimization (1.2); Review email to CALJ (.1)	2	\$1,390.00
5/25/18	Review Jay Angoff email re strategy and telephone conference with him (.4); Telephone conference with CDI (R Binion) and Jay Angoff re same (.3); Telephone conference with CDI, Harris plaintiffs and Farmers (.4); Further telephone conference with CDI and Harris plaintiffs (.4); Research Praedicate firm (.9); Telephone conference with A Schwartz re discovery (.4)	2.8	\$1,946.00
5/29/18	Telephone conference with A Schwartz re scheduling meeting with Farmers (.1); Email team confirming same (.1); Telephone conference with A Schwartz re Farmers request and reply to Farmers (.2); Further correspondence with Farmers and with team re scheduling informal discussion (.3);	0.7	\$486.50
5/30/18	Review Jay Angoff memo on discovery (1.); Further email re same (.1); Telephone conference with Jay Angoff re same (.3); Telephone conference with Pam Pressley re A Schwartz logistics (.1); Telephone conference with A Schwartz (.1); Further email with team. (.2)	1.8	\$1,251.00
5/31/18	Review team email re strategy, discovery issues and CALJ amended order (.3); Review and respond to team email re scheduling (.3)	0.6	\$417.00

6/1/18	Telephone conference with R Binion re calendar issues and discovery (.2); Email team re same (.2); Review R Binion email re outstanding issues (.2)	0.6	\$417.00
6/4/18	Email team re scheduling (.2); Email from A Schwartz (.1); Reply to Jay Angoff re documents (.1); Telephone conference with CDI, Harris plaintiffs re strategy on informal and formal discovery (.7); Follow up with A Schwartz re same (.1); Revised memo from Jay Angoff (.1)	1.3	\$903.50
6/5/18	Email from Jay Angoff re his telephone conference with Castle (.1); Telephone conference with A Schwartz re status of meeting (.3); Telephone conference with CDI, Harris plaintiffs re same (.6); Email A Schwartz re same (.1); Discussion with Pam Pressley re same (.1); Reply to Jay Angoff email re update (.1)	1.2	\$834.00
6/6/18	Email from Jay Angoff re 6/21 meeting and reply, follow up with A Schwartz re same (.3); Review team email and Castle email 5/29 re discovery (.3); Telephone conference with and email R De La Mora re meeting (.4); Discussion with Samantha Skouras re discovery (.1); Telephone conference with A Schwartz re same (.1); Teleconference with J Angoff re same (.2); Review email and planning (.7)	2.1	\$1,459.50
6/7/18	Review team email and telephone conference with team re strategy for informal meeting, discovery (.7); Review draft email and reply (.2)	0.9	\$625.50
6/8/18	Revise draft email to Farmers and email team re same (.9); Follow up with team (.2)	1.1	\$764.50
6/9/18	Email team (.2); Review email from Farmers and other team members re revised drafts to Farmers (.4)	0.6	\$417.00
6/10/18	Email Jay Angoff re discovery (.2)	0.2	\$139.00
6/11/18	Discussion with Consumer Watchdog legal team re status and forwards docs to J Flanagan re same (.2); Telephone conference with Jay Angoff re same (.3); Email from Jay Angoff re discovery and review, reply (.2); Review email with docs from Jay Angoff and forward to Samantha Skouras and A Schwartz and check re receipt (1.2); Review Jay Angoff email re issues for meeting, replies (.2)	2.1	\$1,459.50
6/12/18	Reforward docs to A Schwartz and check received (.3); Prepare for team call (.5); Call with CDI, Harris re meeting strategy, logistics (.8); Reply to A Schwartz re hearing and calendar (.2); Discussion with Samantha Skouras re docs (.1); Email Jay Angoff re call (.1); Follow up re discovery (.2)	2.2	\$1,529.00
6/13/18	Review team email re logistics of meeting with Farmers and reply (.2); Review further and previous email (.5); Review new discovery from Farmers and ask Samantha Skouras to download all (.2)	0.9	\$625.50

6/14/18	Communicate with team re meeting with actuaries (.2); Telephone conference with A Schwartz re mediation (.2)	0.4	\$278.00
6/14/18	Review email from JAMS and reply to R De La Mora re same, follow up from Jay Angoff (.3); Review further email from JAMS (.1)	0.4	\$278.00
6/15/18	Telephone conference with Jay Angoff and left message for him (.1); Discussion with Samantha Skouras and email A Schwartz re discovery and schedule (.3)	0.4	\$278.00
6/16/18	Reply to R Binion (.1)	0.1	\$69.50
6/18/18	Review email from JAMS and forward to team, email Jay Angoff to A Schwartz call (.1);	0.1	\$69.50
6/18/18	Review memo from Jay Angoff for informal meeting and forward to A Schwartz (.1)	0.1	\$69.50
6/19/18	Follow up with A Schwartz re call with CDI (.1); Follow up with CDI re informal meeting (.2); Follow up with Pam Pressley re same (.1)	0.4	\$278.00
6/20/18	Reply to JAMS inquiry re informal meeting (.1); Email team re call with CDI actuaries (.2)	0.3	\$208.50
6/21/18	Review Jay Angoff email re documents for meeting, forward to A Schwartz (.2); Email team re strategy and review replies (.3); Email and telephone conference with R Binion re discovery issues and follow up re depositions dates (.4); Email JAMS (.1); Reply to J Castle re attendees and email Samantha Skouras re notices for withdrawal of Jon Phenix, review same (.2); Email A Schwartz re call with CDI actuaries (.1)	1.3	\$903.50
6/22/18	Email A Schwartz re meeting issues (.1); Email R Binion re same (.1)	0.2	\$139.00
6/23/18	Email Samantha Skouras re withdrawal notices (.1)	0.1	\$69.50
6/23/18	Review docs to prepare for meeting on 6-25 (.5); Review Jay Angoff email re strategy, reply, review further email (.3); Email A Schwartz re same (.2)	1	\$695.00
6/25/18	Travel downtown to meeting with Farmers, CDI, and Harris plaintiffs (.5); Breakfast with A Schwartz (1.8); Attend meeting (5.5); Return to office (.4); Discussion with Pam Pressley and A Schwartz (.1)	8.3	\$5,768.50
6/26/18	Telephone conference with D Goodell and R Binion re strategy (.3); Review email from Castle re depositions and reply, discussion with Pam Pressley re same (.2)	0.5	\$347.50
6/27/18	Review demo notice, forward to Pam Pressley and discussion with Pam Pressley re procedures (.2); Review prior ruling and follow up with Pam Pressley (.6); Review email from team and forward to A Schwartz and Pam Pressley re schedule, reply, and telephone conference with A Schwartz re same - reply to team (.3); Further email follow up (.2); Discussion with Pam Pressley (.2)	1.5	\$1,042.50

6/28/18	Email team re depo and proceeding scheduling (.2)	0.2	\$139.00
6/29/18	Reply to team re depositions (.1)	0.1	\$69.50
6/30/18	Reply to team re depo scheduling (.1)	0.1	\$69.50
7/2/18	Revise draft schedule and forward to A Schwartz (.3); Telephone conference with A Schwartz and revise and forward to team (.2); Telephone conference with team re schedule, depositions and related issues (.7); Email Farmers re their requested depositions, and forward to team, Consumer Watchdog (.3); Further follow up re research with Consumer Watchdog (.5)	2	\$1,390.00
7/3/18	Further follow up re research issue (.2); Reply to Pam Pressley re Farmers' response re depositions (.1); Email with team re depo logistics (.3)	0.3	\$208.50
7/5/18	Review files for depositions (.4); Review Faramola email, email and discussion with Samantha Skouras re same, reply to Faramola (.2); Further follow up re documents, depositions and schedule with A Schwartz and with team per Jay Angoff email (.9); Discussion with John re depo rules (.2); Review email from Farmers to CALJ and team email re depositions (.2)	1.9	\$1,320.50
7/6/18	Review team email and reply re depositions (.4); Left message for J Castle re depo request (.1); Email Samantha Skouras re docs and review docs in preparation for depositions (1.5)	1.8	\$1,251.00
7/10/18	Email R Binion @ CDI re depo and discovery (.2); Email team re same and review replies (.1); Review docs in preparation for depo (1.1); Follow up re depo logistics and scheduling with team (.4)	1.4	\$973.00
7/11/18	Travel to and attend Gunnell deposition (8.0)	8	\$5,560.00
7/12/18	Develop tasks (.1); Email R Binion re transcripts, timing and depo issues and reply (.2); Email J Castle and R De La Mora re depo of A Schwartz and calendar (.2); Review reply and further follow up with them (.2); Follow up with R Binion @ CDI (.2); Research re Zurich price opt (.5)	0.9	\$625.50
7/13/18	Follow up with A Schwartz, Jay Angoff and R Binion re depositions, stip re calendar (.3); Telephone conference with team (Harris plaintiffs, Jay Angoff, C Monahan, J Osterwise and CDI, D Goodell and R Binion) re strategy, issues (.6)	0.9	\$625.50
7/18/18	Review telephone conference with A Schwartz re status, depositions (.3); Review calendar for depositions and forward to A Schwartz (.2); Follow up with C Monahan, Samantha Skouras re same, transcripts (.3); Follow up re depositions with A Schwartz (.2)	1	\$695.00
7/19/18	Review email from team re depositions and forward to A Schwartz (.2); Review team docs and memos re depositions (.9); Follow up with Samantha Skouras re revised calendar (.1)	1.2	\$834.00
7/23/18	Reply to team re set team call (.1); Forward email to A Schwartz re depositions and review (.2)	0.3	\$208.50

7/24/18	Review email from team (.3); Telephone conference with R Binion re status (.3)	0.5	\$347.50
7/25/18	Review team email (.2); Email A Schwartz re depositions and telephone conference with him (.5); Telephone conference with CDI and Harris team re strategy (.4); Review docs and further team email (.5)	1.6	\$1,112.00
7/26/18	Telephone conference with Jay Angoff re depositions, strategy (.3); Discussion with J Flanagan re same (.3); Telephone conference with A Schwartz (.2); Email Jay Angoff re docs (.1); Review depo testimony, prepare for depositions (.6)	1.5	\$1,042.50
7/27/18	Review team email re deposition memos and telephone conference with A Schwartz re same (.5); Review documents and prior email (1.); Email all re schedule for further depositions (.1); Follow up re depo transcripts and review same, review hot docs for depositions (2.3)	3	\$2,085.00
7/28/18	Organize files for depositions, skim transcript Bugbee (1.0); Email Harris team and Samantha Skouras re docs (.2)	1.2	\$834.00
7/29/18	Review hot docs in preparation for depositions (4.6)	4.6	\$3,197.00
7/29/18	Prepare for depositions, email Harris team re docs for same (1.8)	1.8	\$1,251.00
7/30/18	Review depo exhibits and analyses (2.5); Telephone conference with A Schwartz (.1); Travel to and attend depo of Vreeman (7.0)	10.1	\$7,019.50
7/31/18	Prepare for depo (2.1); Follow up with A Schwartz re issues in depositions (.2); Travel to and attend depo (7.5); Email Jay Angoff re depo (.1)	9.6	\$6,672.00
8/1/18	Prepare for depo (1.9); Follow up with A Schwartz (.1)	2	\$1,390.00
8/2/18	Prepare for depo (.4); Travel to and attend depo (7.1); Further discussion with Jay Angoff and C Monahan after depo (.5); Review team email re further depositions (.2)	8.2	\$5,699.00
8/3/18	Telephone conference with A Schwartz re strategy and depositions (.3); Further telephone conference with A Schwartz re same (.5); Review hot docs for A Schwartz (.2)	1	\$695.00
8/6/18	Telephone conference with R Binion (1.0); Respond to Jay Angoff email re telephone conference with team (.1)	1.1	\$764.50
8/7/18	Email team re discovery and review replies (.2); Telephone conference with team re discovery (.9); Telephone conference with Jay Angoff re same (.3); Review all outstanding team email re discovery issues (.4); Reply re depo availability to Farmers (.1)	1.9	\$1,320.50
8/8/18	Telephone conference with A Schwartz re status, issues, memo to file (.6); Telephone conference with Jon Phenix re filing and other issues (.5); Email J Osterwise re transcripts (.1)	1.2	\$834.00
8/8/18	Review depositions, scan and draft hot doc summary for A Schwartz (2.4)	2.4	\$1,668.00
8/9/18	Telephone conference with Jay Angoff re issues (.5)	0.5	\$347.50

8/10/18	Review email re further depositions (.2); Further follow up re access to transcripts, etc. (.2)	0.4	\$278.00
8/13/18	Review team email re depositions and reply to R Binion re scheduling (.2)	0.2	\$139.00
8/15/18	Follow up with Harris plaintiffs re access to documents and deposition info (.4)	0.4	\$278.00
8/16/18	Telephone conference with Samantha Skouras and A Schwartz re deposition documents (.2); Telephone conference with A Schwartz re strategy (.2); Review exhibits and discovery re depositions (.7)	1.1	\$764.50
8/17/18	Email team re status of depositions, logistics (.1); Reply to Veritext (.1); Attempt to load Kaleidoscope, and contact S McCollum re same (.2); Email Jay Angoff to propose telephone conference with him (.1); Review case file and planning (.6); Email response to R Binion re deposition dates (.1); Load Kaleidoscope via web and reply (.2); Reply to J Osterwise (.1)	1.8	\$1,251.00
8/20/18	Email Veritext re bill (.1)	0.1	\$69.50
8/21/18	Email Jay Angoff requesting call and reply to team email re depositions (.2); Discussion with J Flanagan and Pam Pressley @ lit meeting re case and set meeting (.3); Reply to R Binion email (.1); Review email from J Osterwise re login to Kaleidoscope, attempt and reply (.5)	1.1	\$764.50
8/22/18	Telephone conference with S McCollum and telephone conference with C Monahan re access to discovery database (.4); Review documents for meeting (.3); Discussion with J Flanagan and Pam Pressley re strategy and issues (1.7); Email and telephone conference with A Schwartz re same and set call (.4); Email S McCollum re Veritext (.1); Further follow up with team re discovery (.2); Send sample re-filed direct testimony to team, review same (.4); Discussion with and email Samantha Skouras re database (.2); Download transcripts and skim, forward to A Schwartz (.4)	4.1	\$2,849.50
8/23/18	Email J Osterwise and C Monahan re exhibits for deposition, login to web site and reply to them (.3); Draft and email R Binion reply re scheduling issues (.2); Email Farmers/Castle re same (.1)	0.6	\$417.00
8/24/18	Travel to/prepare for and attend Antol deposition (7.5)	7.5	\$5,212.50
8/25/18	Review deposition documents, plan strategy for case (1.1)	1.1	\$764.50
8/27/18	Discussion with Consumer Watchdog lit team re status, change telephone conference with A Schwartz (.1); Telephone conference with Jay Angoff re Joint Statement, re-filed direct testimony, call with Hunter and A Schwartz (.2); Review email from R Binion re depositions and reply (.2)	0.5	\$347.50

8/27/18	Email and left message for Jay Angoff re case (.1); Telephone conference with Jay Angoff re case (.2); Discussion with Pam Pressley and J Flanagan and email A Schwartz to reschedule call (.1)	0.4	\$278.00
8/28/18	Email from R Binion re miscellaneous issues (.1); Review hot docs, transcripts and outline for team call (1.0); Telephone conference with A Schwartz, J Flanagan and Pam Pressley (.7); Further discussion with Pam Pressley and J Flanagan (.1); Telephone conference with B Hunter re call with team to discuss (.1); Email Jay Angoff and B Hunter re same (.1)	2.1	\$1,459.50
8/29/18	Email from Jay Angoff re outline of case (.1); Reply to email from B Hunter re call and reply (.1); Review Jay Angoff email with draft statement, forward to Pam Pressley and discussion with her re same (.3); Email J Flanagan and Pam Pressley re set up call with team (.2); Follow up from Farmers re scheduling further depositions, and email J Flanagan re same (.2); Review Antol depo exhibits for A Schwartz (.7)	1.6	\$1,112.00
8/30/18	Email from CDI re depositions, arrange call with actuaries and circulate call in info (.2); Review exhibits (1.0); Further email with Harris plaintiffs to set call with A Schwartz (.2)	1.4	\$973.00
9/2/18	Review Jay Angoff Statement of Facts draft (.5); Draft memo for A Schwartz (2.5)	3	\$2,085.00
9/3/18	Review and revise R Binion questions for Bugbee depo (.4)	0.4	\$278.00
9/4/18	Telephone conference with A Schwartz, Pam Pressley, B Hunter and Jay Angoff to discuss pre-filed direct testimony and duplication (.8); Review and revise and send R Binion revised depo questions for M Bugbee (.6)	1.4	\$973.00
9/5/18	Review notes re strategy (.2); Review M Bugbee testimony and docs to prepare for continued Bugbee depo (1.4); Travel to, meet with CDI and Harris counsel, and attend Bugbee depo (5.4)	7	\$4,865.00
9/6/18	Prepare for depo (.8)	0.8	\$556.00
9/7/18	Travel to and attend depo on Laitner (4.6); Email A Schwartz (.1)	4.7	\$3,266.50
9/7/18	Review docs in preparation for depo (.3)	0.3	\$208.50
9/9/18	Email R Binion, Jay Angoff and team re status (.2)	0.2	\$139.00
9/10/18	Email and telephone conference with team re pre-filed direct testimony and discovery issues (.9)	0.9	\$625.50
9/11/18	Review Statement of Facts and send to team (.2); Email A Schwartz and Pam Pressley re pre-filed direct testimony (.2); Review errata from Farmers (.1); Reply to R Binion and team re outstanding discovery (.1)	0.6	\$417.00
9/12/18	Review team email and email Pam Pressley re Farmers' request for depositions (.2); Review response and email team re Pam Pressley and J Flanagan suggestion (.4)	0.6	\$417.00

	Email A Schwartz and Samantha Skouras re discovery (.2); Review Jay Angoff email re issue, forward to Pam Pressley, and reply to Jay Angoff (.3)	0.5	\$347.50
9/17/18			
9/18/18	Email team re draft Statement of Facts, filing of same (.3)	0.3	\$208.50
9/20/18	Reply to Pam Pressley re Statement of Facts (.1)	0.1	\$69.50
	Set call with A Schwartz and review docs (.3); Email J Osterwise re transcripts (.1)	0.4	\$278.00
9/25/18			
	Review and annotate draft of A Schwartz pre-filed direct testimony and email him to set call re same, further email re same (1.6); Reply to team re pre-filed direct testimony (.2); Email Pam Pressley re same and discussion with Pam Pressley re same (.2); Further follow up with Consumer Watchdog team (.2); Reply to R Binion re stip for extension (.1); Telephone conference with A Schwartz and Pam Pressley and Samantha Skouras (.9); Email from J Castle @ Farmers requesting A Schwartz depo and forward to team (.1); Email and telephone conference with Jay Angoff re his telephone conference with CDI (.4)	3.7	\$2,571.50
9/26/18			
	Consider strategy and draft memo re same and forward to Consumer Watchdog team (1.2); Telephone conference with J Flanagan re same (.3); Reply to email from Jay Angoff (.1); Telephone conference with Jay Angoff (.2); Reply to R Binion re scheduling (.1); Review and reply to Pam Pressley email re strategy (.1); Telephone conference with R Binion, Jon Phenix, and J McCune re strategy (.9); Email Farmers and team re stip for extension (.3); Further email with CDI (.1); Telephone conference with them and D Goodell (1.2); Review and comment on A Schwartz draft pre-filed direct testimony (2.5); Telephone conference with A Schwartz (.6); Reply to A Schwartz email (.2); Telephone conference with J Flanagan re same (.3); Review and reply to R Binion re draft stip for extension (.1)	8.2	\$5,699.00
9/27/18			
	Reply to R De La Mora re stip for extension, review reply and reply (.2); Reply to J Castle re depo and forward to team (.3); Further email from team re drafts, extension, schedule (.7); Email A Schwartz re status of pre-filed direct testimony and discussion with Samantha Skouras re same (.1); Telephone conference with A Schwartz re status and email R Binion re same (.4); Review and sign stip for extension (.2)	1.9	\$1,320.50
9/28/18			
	Email from A Schwartz re pre-filed direct testimony (.1); Email team re stip, and left message for C Malbog re same (.2); email team, A Schwartz re signed stip (.2); Email with team re call and agenda for call (.3); Email Farmers following up re issues, meet and confer (.1); Telephone conference with Harris plaintiffs and CDI re status, schedule (.3); Telephone conference with them and J Castle re same (.7)	1.9	\$1,320.50
10/1/18			

10/2/18 (.1)	Telephone conference with Jay Angoff re status and strategy (.3); Review new Farmers witness (.2); Email Farmers re status of proposed stip (.1); Telephone conference with A Schwartz	0.7	\$486.50
10/3/18 (.2)	Review email from A Schwartz enclosing draft pre-filed direct testimony, reply, and review and annotate same, forward to Pam Pressley (.8); Review exhibits from A Schwartz (.1); Telephone conference with Pam Pressley (.1); Email R Binion and discussion with Pam Pressley re pre-filed direct testimony (.1); Discussion with Pam Pressley re her edits, forward to A Schwartz (.4); Telephone conference with A Schwartz re same (.6); Discussion with Samantha Skouras re logistics (.2); Research issue re pre-filed direct testimony for A Schwartz (.2); Email R Binion re pre-filed direct testimony and review reply re same (.1); Telephone conference with A Schwartz to set pre-filed direct testimony (.1); Review J Castle email, draft stip and calendar (.3); Further email and telephone conference with R Binion (.2); Telephone conference with C Monahan re same (.1); Review Jay Angoff email (.1); Reply to Jay Angoff (.1); Email team re same (.1); Review R Binion draft stip and reply	3.6	\$2,502.00
10/4/18	Email and telephone conference with R Binion re draft stip and CDI edits (.2), review and approve Harris edits and reply to team (.4); Reply to A Schwartz re pre-filed direct testimony (.1); Email and discussion with Samantha Skouras re filing and redaction (.3); Review Samantha Skouras edits and discussion with her re same (.5); Review revised edits and discussion with her (.2); Left message for and email A Schwartz to set call, email A Schwartz revised draft and note (.3); Review final draft stip to Farmers and reply to all, review C Monahan reply (.2); Review pre-filed direct testimony and draft redactions (.8); Discussion with Pam Pressley re redactions (.2); Further follow up with R Binion re strategy and redactions (.1); Research and reply to R Binion re CCP issue (.3) Review protective order (.3); Review email from 9-9 to 9-25, email Jay Angoff re discovery issue, forward to A Schwartz (.7); Review email correspondence re joint statement (.2); Review R Binion email re notice, review notice, discussion with Samantha Skouras and telephone conference with J Flanagan re pre-filed direct testimony, email C Malbog re clarification, further discussion with Samantha Skouras and review order, prepare redaction of pre-filed direct testimony, email and telephone conference with team and R Binion and discussion with Samantha Skouras re extension granted on pre-filed direct testimony (.7)	5.3	\$3,683.50

10/5/18	Review A Schwartz draft pre-filed direct testimony for redactions (.9); Follow up with A Schwartz re schedule (.1); Email from him re schedule (.2); Review email from Administrative Hearing Bureau and email team re same, telephone conference with Administrative Hearing Bureau, further email from team (.5)	1.7	\$1,181.50
10/8/18	Review Samantha Skouras redactions and revise (.7); Discuss revision with her (.3); Telephone conference with J Osterwise re depo exhibits (.1); Review A Schwartz pre-filed direct testimony and check exhibits, replace exhibits with bates numbered exhibits and review with Samantha Skouras (1.3); Email A Schwartz re same (.1); Telephone conference with A Schwartz and email Samantha Skouras re same (.2)	2.7	\$1,876.50
10/9/18	Email from CALJ re extension on pre-filed direct testimony (.1); Review Samantha Skouras edits to pre-filed direct testimony and exhibits (.2); Discussion with her re same (.1); Further email with proof from her and reply and reply to J Flanagan re same (.2); Discussion with D Sternberg and proof docs, discussion with Samantha Skouras re same (.3); Research and reply document issue (.1); Telephone conference with team re status conference (.5); Prepare for briefing re MacKay re previous orders concerning same (.5); Review status conference statements, email team re strategy (.4)	2.4	\$1,668.00
10/10/18	Follow up re previous email with R Binion re status conference (.1); Telephone conference with J Flanagan re filing, status conference (.1); Review docs to prepare for status conference (.4); Status conference, telephonic (1.3); Further discussion with D Sternberg re tasks, opposition to F brief (.2); Email J Flanagan and Samantha Skouras re brief, discussion with Samantha Skouras re same, telephone conference with J Flanagan re same, discussion with D Sternberg re same (.7); Email team re opposition brief and review replies (.3); Research docs, email to D Sternberg (.1); Email with R Binion re briefs (.1); Discussion with D Sternberg re proofs of pre-filed direct testimony (.1); Same discussion with Pam Pressley (.1); Email court reporter (1.); Review Pam Pressley email and review pre-filed direct testimony, reply (.2)	3.8	\$2,641.00
10/11/18	Review pre-filed direct testimony and correct cover sheet, reprint, forward to Samantha Skouras, discussion with Samantha Skouras re same and status of filing (.5); Consider and reply to J Castle re extension on PDT, reply to R Binion re same (.2)	0.7	\$486.50

10/11/18	Discussion with D Sternberg re opposition to Farmers' depo request (.2); Telephone conference with C Monahan (.1); Review CALJ order from C Monahan (.1); Draft same and incorporate his edits, multiple revisions and discussion with D Sternberg and Pam Pressley (8.2); Further telephone conference with C Monahan (.2); Telephone conference with Pam Pressley and forward draft to her (.2)	9	\$6,255.00
10/12/18	Review and revise Pam Pressley and D Sternberg edits to draft opposition to Farmers request for depositions, serve (1.6); Telephone conference with Jay Angoff (.2); Review C Monahan draft and reply to team, email re same (.2); Further follow up with Samantha Skouras, review Scheduling and Protective Order, telephone conference with Pam Pressley re filing confidential docs (.6); Forward pre-filed direct testimony to A Schwartz (.1); Reply to C Monahan and forward docs to her (.1); Review CDI opposition to depo request, reply to R Binion (.6); Review CDI depo objection notices (.1)	3.4	\$2,363.00
10/15/18	Telephone conference with Jay Angoff (.2); Reply to J Flanagan email re Motions to Strike (.2); Review ALJ order re depositions (.2); Review CDI and Harris plaintiffs' pre-filed direct testimony (.9); Email J Castle re request for extension (.1); Email J Flanagan re logistics (.1); Reply to Jay Angoff and C Monahan (.1)	1.8	\$1,251.00
10/16/18	Email R Binion and telephone conference with him (.1); Voice mail from Jay Angoff re strategy and left message for him and email him re same (.1)	0.2	\$139.00
10/17/18	Review email from J Castle re stip and reply (.1); Telephone conference with R Binion (.1); Email J Flanagan re dates (.1); Reply to C Monahan re stip (.1); Telephone conference with R Binion re stip (.1); Telephone conference with J Castle re stip (.1); Telephone conference with A Schwartz (.1); Follow up with D Sternberg, and with J Flanagan re same (.1); Telephone conference with CDI (.4); Telephone conference with A Schwartz re status (.1); Further follow up with team re strategy (.1)	1.4	\$973.00
10/18/18	Follow up email re stip for Farmers' extension on pre-filed direct testimony, and email Farmers re same (.2)	0.2	\$139.00
10/19/18	Review Farmers' Motion to Strike and review CALJ rulings in proceeding, superior court writ proceedings (1.3); Discussion with D Sternberg re opposition (.3); Discussion with D Sternberg and Pam Pressley (.3); Reply to Farmers re modified stip (.1); Email from R Binion re opposition to Motion to Strike, forward to him (.2); Further follow up with Jay Angoff (.1)	2.3	\$1,598.50
10/20/18	Team email to set call re opposition to Motion to Strike (.2)	0.2	\$139.00

10/21/18	Telephone conference with Jay Angoff re Motion to Strike Opposition strategy (.2); Email and text R Binion re setting call, and Jay Angoff (.1); Telephone conference with D Sternberg re strategy (.1); Email J Flanagan re status (.1); Telephone conference with Jay Angoff, D Sternberg and R Binion re strategy (.2); Telephone conference with D Sternberg re same (.1); Email J Flanagan and D Sternberg (.1)	0.9	\$625.50
10/22/18	Telephone conference with D Sternberg re opposition to Motion to Strike (.2); Review Jay Angoff briefing and forward to D Sternberg (.2); Telephone conference with D Sternberg re same (.1); Telephone conference with D Sternberg, Ben Powell, CDI and Harris plaintiffs re opposition strategy (.3); Telephone conference with D Sternberg and Ben Powell re same (.1); Review D Sternberg draft and forward suggested edits (.3)	1.2	\$834.00
10/23/18	Discussion with Pam Pressley and D Sternberg re tasks and issues (.2); Telephone conference with A Schwartz re opposition to Motion to Strike (.3); Further discussion with D Sternberg re draft (.1); Draft MacKay sections of brief (2.5); Review Jay Angoff section and telephone conference with him re same (.3); Further drafting of section (2.5)	6.5	\$4,517.50
10/24/18	Review and revise section of brief and forward to Consumer Watchdog team (2.2); Email copy to Jay Angoff and review his draft and comments (.4); Follow up with Consumer Watchdog re logistics of review and filing (.3); Meeting with Consumer Watchdog team re same (.3); Research Watkins testimony (.4); Review complete draft from D Sternberg and edit, forward to Pam Pressley and D Sternberg (1.6); Discussion with Pam Pressley and D Sternberg and review edits with D Sternberg (.8); Email R Binion re issue (.1); Review edits with D Sternberg and Pam Pressley (.3)	7	\$4,865.00
10/25/18	Create copy of opposition for CDI and email to CDI (.2); Review D Sternberg draft and revise and forward to D Sternberg and Pam Pressley with suggestions (.6); Email from Pam Pressley re edits, email reply and telephone conference with D Sternberg re same (.2); Discussion with Pam Pressley (.1); Review draft from D Sternberg and revise, insert citations and forward to team and A Schwartz (.7); Telephone conference with A Schwartz re review of same (.1); Telephone conference with J McCune re brief (.1)	2	\$1,390.00

	Review D Sternberg edits and reply to team and email from Pam Pressley re same (.3); Review email from J Castle and email A Schwartz (.1); Email Jay Angoff re status and Bugbee pre-filed direct testimony and review reply (.2); Telephone conference with Jay Angoff re opposition to Farmers' Motion to Strike (.1); Review D Sternberg redlines to opposition (.1); Telephone conference with A Schwartz re same (.1); Discussion with Pam Pressley re same and review her edits per A Schwartz (.1); Review final edit from Pam Pressley (.1); Discussion with D Sternberg re caption page (.2); Review CDI and Harris oppositions to Motion to Strike (.5); Email from Farmers re Bugbee deposition and email R Binion re same		
10/26/18	(.2); Telephone conference with R Binion (.2)	2.2	\$1,529.00
	Reply to C Monahan, email B Lee re service list (.1); Telephone conference with Jay Angoff re same, discussion with Pam Pressley re procedures and email Jay Angoff re same (.3); Telephone conference with R Binion re disclosure of filings and hearing on Motion to Strike (.1); Email Jay Angoff re Motion to Strike hearing, email J Flanagan re same (.1); Further email re call with team (.1); Further email with Jay Angoff re hearing procedures and review reg (.2); Email R Binion re		
10/29/18	hearing (.1)	1	\$695.00
	Confirm Pam Pressley call with team re hearing process and		
10/30/18	email Jay Angoff re same (.1)	0.1	\$69.50
	Email Ben Powell re hearing (.1); Discussion with Ben Powell		
10/31/18	and D Sternberg re hearing (.4)	0.5	\$347.50
	Update J Flanagan re hearing on Motion to Strike (.1); Review tentative re Motion to Strike and discussion with D Sternberg;		
11/1/18	email Jay Angoff re same (.8)	0.9	\$625.50
	Team call re hearing on Motion to Strike (.5); Discussion with D Sternberg and Ben Powell re same (.5); Email CALJ re telephonic appearance (.1); Review Motion to Strike tentative		
11/5/18	(.2); Organize files and review documents (.5)	1.8	\$1,251.00
	Telephone conference with court - hearing on motion to strike		
11/6/18	(1.0)	1	\$695.00
	Discussion with Pam Pressley re team briefing, and email team		
11/7/18	re same (.2)	0.2	\$139.00
	Telephone conference with team re general briefing on		
11/8/18	hearing process (1.2)	1.2	\$834.00
	Review pre-filed direct testimony final ruling, email R Binion		
11/9/18	and Jay Angoff re date for revisions (.3)	0.3	\$208.50
	Discussion with Consumer Watchdog litigation team re tasks		
11/12/18	(.1); Discussion with K Gentile re pre-filed direct testimony (.1)	0.2	\$139.00
11/14/18	Update A Schwartz re status (.1)	0.1	\$69.50

11/19/18	Discussion with D Sternberg and with J Flanagan re bar, telephone conference with Doug Heller, discussion with D Sternberg, discussion with Pam Pressley and review Doug Heller docs (.9)	0.9	\$625.50
11/20/18	Email A Schwartz, Pam Pressley, J Flanagan and K Gentile and Jay Angoff re pre-filed direct testimony strategy (.5)	0.5	\$347.50
11/23/18	Review and reply to A Schwartz re Motion to Strike Farmers' Pre-Filed Direct Testimony (.1)	0.1	\$69.50
11/26/18	Email Jay Angoff re telephone conference with CDI, set call re same (.2); Email A Schwartz re strategy, review team email during holiday (.1)	0.3	\$208.50
11/27/18	Telephone conference with Jay Angoff re call with team (.1); Left message for R Binion re same and review email from trip East (.1); Telephone conference with CDI, Harris plaintiffs re Motion to Strike pre-filed direct testimony (.5); Telephone conference with Jay Angoff (.1); Telephone conference with R Binion (.2); Telephone conference with Jay Angoff (.1); Telephone conference with D Sternberg, Pam Pressley and A Schwartz re same (.3); Telephone conference with Jay Angoff re same (.1); Review Watkins PDT (.7); Telephone conference with R Binion (.1)	2.3	\$1,598.50
11/28/18	Email R Binion re pre-filed direct testimony, forward reply to Pam Pressley (.1); Discussion with J Flanagan re status (.1); Telephone conference with Jay Angoff re status of Motion to Strike (.1); Review Watkins PDT (1.2); Telephone conference with J Flanagan re same (.1); Review Jay Angoff edits to Motion to Strike (.4)	2	\$1,390.00
11/29/18	Telephone conference with C Monahan re Motion to Strike (.1); Email Jay Angoff re same (.1); Redline draft Motion to Strike and forward to Jay Angoff (.9); Telephone conference with R Binion, Jay Angoff re same (.6); Review Watkins pre-filed direct testimony (.3)	2	\$1,390.00
11/30/18	Further revision to draft Motion to Strike Watkins (.8); Review and revise draft Motion to Strike employees and forward to team (.4); Telephone conference with Jay Angoff re same (.4); Review latest draft of Motion to Strike Watkins and revise, forward to team (1.1); telephone conference with Jay Angoff re same (.1)	2.8	\$1,946.00
12/2/18	Review regs re procedures, pre-filed direct testimony (1.4)	1.4	\$973.00
12/3/18	Discussion with Consumer Watchdog lit team re strategy (.4); Telephone conference with court reporter (.2)	0.6	\$417.00
12/4/18	Telephone conference with Jay Angoff re hearing process (.3); Review letter to Farmers from A Gold and review Jay Angoff memo and forward to Consumer Watchdog team (.2); Further review of team email re hearing procedures (.4); Email Jay Angoff re call with Farmers (.1)	1	\$695.00

12/5/18	Team email to set strategy call (.2); Review email from Jay Angoff re Farmers' writ, skim same and forward to Consumer Watchdog team (.3)	0.5	\$347.50
12/6/18	Skim Farmers' writ, telephone conference with Jay Angoff (.3); Review email from court reporter and request prices (.1); Follow up with Jay Angoff (.1); Email Jay Angoff re trial procedures (.1); Trial planning (1.1)	1.7	\$1,181.50
12/7/18	Forward pre-filed direct testimony to Pam Pressley (.1); Review transcripts (.6)	0.7	\$486.50
12/10/18	Telephone conference with Jay Angoff (.4); Review outstanding issues for hearing (.2); Telephone conference with CDI and Harris plaintiffs (1.0); Email A Gold and Jay Angoff re video (.1); Review email re tentative and check with K Gentile re same (.2); Email team re call with Farmers (.2); Review tentative (.6); Prepare for hearing (.8)	3.5	\$2,432.50
12/12/18	Review tentative ruling re Motion to Strike Farmers' employees pre-filed direct testimony (.3); Review tentative re Motion to Strike v Watkins pre-filed direct testimony (.3); Telephone conference with Jay Angoff re same (.1); Email A Schwartz and his office to set call, reply to Kathy (.2); Hearing on Motion to Strike v. Farmers pre-filed direct testimony (1.4); Discussion with J Flanagan and D Sternberg re hearing, planning (1.2); Review notes, telephone conference with R Binion (.1); Email to Harris and CDI re proposal for hearing procedures (.2); Further follow up with J Flanagan (.1); Further prep for hearing (.2)	4.1	\$2,849.50
12/14/18	Email Consumer Watchdog re binders, set call with team re hearing, review final ruling from CALJ (.4)	0.4	\$278.00
12/16/18	Hearing planning (2.5); Email Consumer Watchdog team re calendar and tasks (.1); Review email D Sternberg re hearing protocol list (.1)	2.7	\$1,876.50
12/17/18	Email R. Binion and Jay Angoff re team call (.1); Discussion with Consumer Watchdog lit team re planning and logistics for hearing (.6); Follow up with K Gentile re documents (.2); Telephone conference with Jay Angoff re same (.2); Hotel search and telephone conference and email re hotel reservation (.4); Reply to Pam Pressley re hearing issues (.2); Prepare for hearing (1.7)	3.4	\$2,363.00

	Review email from J Castle re hearing procedures (.1); Telephone conference with A Schwartz re hearing process (.2); Review proposed procedures, Pam Pressley email, regs and Notice of Hearing (.4); Telephone conference with CDI, Harris plaintiffs and D Sternberg re hearing procedures and status conference (1.2); Discussion with D Sternberg (.4); Telephone conference with J Phenix re rate impact issue (.1); Reschedule vacation air travel (.3); Review and revise letter requesting permission for telephone call (.1); Email re hotels (.2); Report from Jay Angoff re his discussion with Farmers re procedures, forward to CWD team (.1); Email K Gentile re sending docs to A		
12/18/18	Schwartz (.2)	3.1	\$2,154.50
	Telephone conference with Jay Angoff (.3); Telephone conference with A Schwartz re planning (.2); Telephone status conference with court re hearing procedures (.9); Organize meeting with A Schwartz and Jay Angoff (.1); Discussion with D Sternberg, email Pam Pressley re same (.1); Review J Flanagan cheat sheet (.2); Review depositions and pre-filed direct		
12/19/18	testimony (1.5)	3.1	\$2,154.50
	Telephone conference with Jay Angoff re call with team (.1); Teleconference RE Jan. 6 CDI hearing with P. Pressley, D Sternberg, and Harris counsel (1.2); Follow up with team after telephone conference with A Schwartz, D Sternberg and Pam		
12/20/18	Pressley (.3)	1.6	\$1,112.00
	Email D Sternberg re hearing binders (.1); Review R Binion email re mediation, forward to Consumer Watchdog and discussion with M Levy re same (.3); Further email with Consumer Watchdog team re same (.3); Further email with A Schwartz re same (.1); Email Jay Angoff to set call (.1); Email R		
12/21/18	Binion re his email, telephone conference with him (.5)	1.4	\$973.00
12/22/18	Email from Jay Angoff re mediation (.1)	0.1	\$69.50
	Set call with Jay Angoff and C Mehri (.1); Telephone conference with them re mediation (.8); Email A Schwartz re status (.1); Email D Sternberg re status (.1); Review Jay Angoff		
12/23/18	notes re CDI call (.1)	1.2	\$834.00
	Email J McCune and email Jay Angoff re mediation, dates, review draft stip and reply to Jay Angoff (.4); Review team email re scheduling mediation, reply to CDI (.1); Email from C		
12/24/18	Mehri and Jay Angoff re mediation (.1)	0.6	\$417.00
	Update A Schwartz re mediation (.1); Discussion with C Balber and J Court re status (.2); Review Jay Angoff email re		
12/26/18	scheduling (.2); Review team email and draft stip (.1)	0.5	\$347.50
	Review stip and email CDI re same (.1); Email J Flanagan re same and forward to A Schwartz (.1); Review email with		
12/27/18	various filings (.3)	0.5	\$347.50

12/28/18	Email from CALJ setting Status Conference, email team re same (.2); Follow up with team, A Schwartz email (.2)	0.4	\$278.00
12/30/18	Follow up with team re scheduling issues (.2)	0.2	\$139.00
12/31/18	Telephone conference with court re status conference re mediation (.4); Telephone conference with Jay Angoff re same (.1); Telephone conference with A Schwartz re same (.1); Telephone conference with team re same (.2); Email team re scheduling issues (.2)	1	\$695.00
1/2/19	Email Jay Angoff and telephone conference with Jay Angoff re hearing dates and strategy (.4); Discussion with J Flanagan and D Sternberg re same (.4); Follow up with team re scheduling, email A Schwartz and email R Binion re same (.4); Catch up on team email (.3); Review CALJ order re dates (.1)	1.6	\$1,112.00
1/3/19	Review email from team re scheduling and reply (.2); Telephone conference with Jay Angoff re same (.1); voice mail and email A Schwartz re same (.1); Review remaining vacation email from team (.3); Telephone conference with A Schwartz re mediation and hearing (.4); Telephone conference with Jay Angoff re dates (.1); Email Farmers and all re same (.1); Further follow up with A Schwartz (.2); Confirm A Schwartz hearing dates and notify all parties (.1)	1.6	\$1,112.00
1/4/19	Reply to team confirming mediation dates 3/4, 25 (.1); Email from R De La Mora re changing hearing dates, email CDI and email Jay Angoff and review response from CDI, reply to Farmers re same, further email re mediation, reply to J Flanagan re same (.8); Telephone conference with A Schwartz re same (.2); Email team re second week of hearing (.1); Review Email from Jay Angoff, Justice Low re mediation (.1); Telephone conference with R Binion (.2); Follow up court reporters (.2)	1.7	\$1,181.50
1/6/19	Review and organize files, planning (1.3)	1.3	\$903.50
1/6/19	Review proposed email to CALJ from C Monahan and reply (.2)	0.2	\$139.00
1/7/19	Email Jay Angoff re Montana enforcement action (.1); Review and reply to C Monahan proposed email to CALJ (.2); Review date proposal and forward to A Schwartz (.1); Email R Binion re proposed dates for hearings (.1); Telephone conference with R Binion re same (.2); Follow up with A Schwartz, CDI and team to finalize hearing dates (.4)	1.1	\$764.50
1/9/19	Confirm call with mediator (.1)	0.1	\$69.50
1/11/19	Confirm hearing dates for A Schwartz (.1)	0.1	\$69.50
1/14/19	Review/catch up email (.6); Discussion with Consumer Watchdog legal team (.2); Email Justice Low's office re participants (.1); Email Harris plaintiffs re motion (.1); Strategy (.3)	1.3	\$903.50

1/15/19	Develop strategy (.2); Left message for and telephone conference with Jay Angoff re mediation (.6); Review 1/9 order via K Gentile (.1)	0.9	\$625.50
1/17/19	Telephone conference with Jay Angoff re mediation (.1); Email J Castle re writ proceeding and discussion with D Sternberg re same (.2); Telephone conference with Justice Low and CDI, Harris plaintiffs, Farmers re mediation (.9);	1.2	\$834.00
1/18/19	Email Jay Angoff re issues in mediation (.1); Email A Schwartz re mediation issues and strategy (.2); Discussion with J Flanagan re same (.2); Telephone conference with A Schwartz, Pam Pressley and D Sternberg re strategy (.7)	1.2	\$834.00
1/23/19	Review pre-filed direct testimony and documents for mediation (.9)	0.9	\$625.50
1/24/19	Telephone conference with Jay Angoff re damages issue (.1); Research (.3)	0.4	\$278.00
1/25/19	Telephone conference with J Angoff re mediation (.2); Email A Schwartz, set call with him and confirm (.3); Discussion with Consumer Watchdog legal team re strategy (1.3); Review notes re calendar (.1); Follow up with JAMS (.1); Research mediation statement, review pre-filed direct testimony (1.0)	3	\$2,085.00
1/29/19	Review Jay Angoff draft document (.2); Discussion with Consumer Watchdog (.2)	0.4	\$278.00
1/31/19	Email Jay Angoff re scheduling hearing discussion (.2)	0.2	\$139.00
2/1/19	Telephone conference with Jay Angoff re A Schwartz call (.1); Review notes for call with A Schwartz (.2); Telephone conference with Jay Angoff, A Schwartz, Pam Pressley and C Monahan re issues (1.1)	1.4	\$973.00
2/1/19	Prepare for hearing (2.0)	2	\$1,390.00
2/3/19	Research and draft mediation letter brief forward to Consumer Watchdog team (1.8); Email with J Flanagan and Pam Pressley re mediation brief (.3)	2.1	\$1,459.50
2/5/19	Telephone conference with Jay Angoff re issue regarding Watkins pre-filed direct testimony, Prop 103 regs (.1); Discussion with Pam Pressley re same, convert doc and email Jay Angoff re same, left message for him (.2)	0.3	\$208.50
2/7/19	Email and telephone conference with C Monahan re mediation and forward pre-filed direct testimony to her (.2); Email A Schwartz re mediation (.1)	0.3	\$208.50
2/8/19	Telephone conference with Justice H Low, memo to file (.2); Telephone conference with R Binion (.3)	0.5	\$347.50
2/9/19	Review docs for mediation brief (.9); Strategy (.5)	1.4	\$973.00
2/10/19	Review Pam Pressley edits to mediation brief (.2); Revise mediation brief (3.2); Review pre-filed direct testimony and prepare for hearing (.8)	4.2	\$2,919.00

2/11/19	Reply to A Schwartz email, set call (.1); Review Pam Pressley edits to mediation letter and further revise (.5); Draft cover email, review K Gentile PDF and discussion with her re same, forward to Justice Low (.5); Follow up with C Monahan request (.2); Reply to Justice H Low (.1); Review notes from meetings re hearing procedures, prepare for hearing (1.3)	2.7	\$1,876.50
2/12/19	Reply to Jon Phenix re missing doc (.1); Review Harris mediation brief (.3); Review pleadings for mediation (.2); Planning (2.0); Telephone conference with A Schwartz (.3); Left message for Jay Angoff and telephone conference with him (.2); Email team re scheduling meet and confer re hearing, meet with team prior to mediation, email D Sternberg re same, send docs (.5); Reserve hotel and air for mediation (.4);	3.9	\$2,710.50
2/13/19	Email from D Sternberg (.1); Email setting call for all parties (.1); Email Jay Angoff re call with mediator, email Judge H Low re same, review reply (.2); Discussion with K Gentile re booking hotel rooms for hearing (.1); Email A Schwartz re mediation briefs and discussion with K Gentile re same (.1); Email from K Gentile re hotels for hearing and check same (.3)	0.9	\$625.50
2/14/19	Telephone conference with Judge H Low (.3); Telephone conference with Jay Angoff (.3); Email A Schwartz (.1)	0.7	\$486.50
2/14/19	Address hotel problems, confer with Consumer Watchdog set hotel (.8)	0.8	\$556.00
2/15/19	Email A Schwartz to set call, follow up with K Gentile re revised document (.2); Send Jay Angoff document (.1); Prepare for hearing (.6); Email from CDI (.1)	1	\$695.00
2/18/19	Travel to San Francisco and prepare for mediation (3.5); Telephone conference with A Schwartz re same (.3); Travel to meeting with Harris Ps and R Binion (1.4); Review mediation briefs (.7) Prepare for hearing - planning (2.0)	7.9	\$5,490.50
2/19/19	Attend mediation (7.6); Email with J Flanagan re same (.1); Email and telephone conference with A Schwartz re same (.1); Return to LA (3.0)	10.6	\$7,367.00
2/20/19	Review voicemail from Jay Angoff and left message for him (.1); Telephone conference with M Levy (.1); Strategize (.2); Telephone conference with A Schwartz (.5); Telephone conference with J Flanagan (.4); Telephone conference with R Binion (.3); Telephone conference with Jay Angoff (.5); Telephone conference with CDI (.8); Telephone conference with C Mehri and telephone conference with CDI (.1); Telephone conference with D Sternberg (.1); Strategize (.2); Further calls (1.); Planning and review for hearing (1.5)	5.5	\$3,822.50

	Telephone conference with A Schwartz (.6); Email C Monahan and K Gentile for revised pre-filed direct testimony (.2); Email Harris plaintiffs re mediation (.2); Review revised pre-filed direct testimony for Farmers witnesses, forward to A Schwartz and and prepare for hearing (3.1); Follow up with C Mehri re mediation (.1)	4.2	\$2,919.00
2/21/19	Review transcripts from previous hearings to prepare (.6)	0.6	\$417.00
	Telephone conference with Jay Angoff re status (.1); Review subpoena for J Laucher from Farmers and telephone conference with Jay Angoff re same, email from CALJ (.9); Email with R Binion re same (.2)	1.1	\$764.50
2/22/19	Review checklist for hearing and review docs, review transcripts from hearing in prior case (2.0)	2	\$1,390.00
2/23/19	Telephone conference with A Schwartz and email him re status, subpoena (.2)	0.2	\$139.00
	Email from R Binion re Motion to Quash Subpoena (.1); Telephone conference with Jay Angoff re hearing (.3); Email K Gentile re documents for hearing, discussion with her re same (.2); Skim additional pre-filed direct testimony from Harris (.2); Review email and prepare for hearing (1.5); Email Pam Pressley subpoena and discussion with her (.3); Review CDI Response to subpoena (.1); Review Binion stip and reply, further team email re stip (.4); Email A Schwartz re status (.1);	3.2	\$2,224.00
2/25/19	Email with team re stip to continue hearing (.2); Email with team, A Schwartz re scheduling same (.5); Reply to A Schwartz (.1); Email all re availability and further email re hearing dates (.3); Review draft stip for CALJ and authorize sig (.1); Further email re scheduling, email with A Schwartz re same, and reply to all re availability, further email re same (.4); Discussion with J Flanagan re status (.1);	1.6	\$1,112.00
2/26/19	Review email re hearing calendar and email A Schwartz re same, follow up from team re same (.2); Telephonic status conference with parties re stip and review ruling approving same (.2)	0.4	\$278.00
2/27/19	Telephone conference with Jay Angoff (.3); Planning (.2)	0.5	\$347.50
3/2/19	Telephone conference with Jay Angoff re status (.2); Discussion with D Sternberg (.2); Telephone conference with Jay Angoff (.2); Telephone conference with D Sternberg and CDI (.5); Email R Binion, telephone conference with him and CDI (.4)	1.5	\$1,042.50
3/4/19	Telephone conference with Jay Angoff re status (.4); Further telephone conference with him (.1); Telephone conference with M Levy (.3); Telephone conference with A Schwartz (.1)	0.9	\$625.50
3/5/19	Telephone conference with Jay Angoff re status of mediation (.1);	0.1	\$69.50
3/6/19			

3/6/19	Email team suggesting call (.1)	0.1	\$69.50
3/7/19	Telephone conference with Jay Angoff re status (.1)	0.1	\$69.50
3/8/19	Email with team re status, hearing schedule (.3); Email from A Schwartz re scheduling (.1)	0.3	\$208.50
3/11/19	Email Jay Angoff, email R Binion, email A Schwartz re scheduling, status of mediation (.3); Email re order of witnesses (.1)	0.4	\$278.00
3/12/19	Telephone conference with R Binion re status of hearing (.1); Telephone conference with Jay Angoff re status (.2); Email A Schwartz and Consumer Watchdog re status and tasks for hearing (.1)	0.4	\$278.00
3/12/19	Review email from CALJ staff re hearing (.1)	0.1	\$69.50
3/13/19	Reply to A Schwartz re schedule for hearing (.1); Telephone conference with Jay Angoff re same (.1); Discussion with D Sternberg re same, call with A Schwartz (.1); Telephone conference with A Schwartz (.1); Email team (CDI & Harris) re hearing (.1); Preparation for hearing (1.7)	2.3	\$1,598.50
3/14/19	Prepare for hearing, telephone conference with Jay Angoff (.5)	0.5	\$347.50
3/15/19	Email D Sternberg and K Gentile re hotel for hearing (.1); Prepare (1.4)	1.5	\$1,042.50
3/18/19	Telephone conference with R Binion re status, hearing (.6); Telephone conference with Jay Angoff (.3)	0.9	\$625.50
3/19/19	Email R Binion re scheduling meeting (.1)	0.2	\$139.00
3/20/19	Telephone conference with M Levy to set meeting, email R Binion re same (.1); Telephone conference with Jay Angoff (.1)	0.2	\$139.00
3/21/19	Telephone conference with A Schwartz and D Sternberg and discussion with D Sternberg re status (.2); Telephone conference with Jay Angoff (.7); Research and forward docs to Jay Angoff (.2); Email CDI and Harris plaintiffs re prep for hearing (.1); Telephone conference with A Schwartz and D Sternberg (.3); Telephone conference with Jay Angoff and C Mehri re hearing (.6); Telephone conference with D Sternberg and J Flanagan re request from CDI to postpone (.2); Reply to CDI email (.1.); Planning (.3); Reply to email from R Binion, forward to A Schwartz and left message for him (.2); Scheduling issues - email with team (.2)	3.1	\$2,154.50
3/22/19	Discussion with D Sternberg and CDI team re issues (2.0); Email to set team call, email A Schwartz re same (.1); Telephone conference with Jay Angoff (.2)	2.3	\$1,598.50
3/23/19	Email team re call, email A Schwartz (.1); Telephone conference with A Schwartz re status, review his email re calendar (.4)	0.5	\$347.50
3/23/19	Memo to file re meeting with CDI (.2)	0.2	\$139.00

3/24/19	Telephone conference with Jay Angoff and C Mehri re hearing (.6); Email A Schwartz re same and reply (.2)	0.8	\$556.00
3/25/19	Reply to email from R Binion re team call (.1); Left message for and telephone conference with Jay Angoff re same (.2); Discussion with Consumer Watchdog legal team (.1); Resume preparation for hearing (1.5); Further telephone conference with Jay Angoff (.1); Telephone conference with Harris plaintiffs, D Sternberg and CDI re hearing (.4); Further discussion with D Sternberg (.3); Telephone conference with R Binion (.3); Email team re notification (.1); Email A Schwartz re update (.1); Further email from Jay Angoff (.1)	3.2	\$2,224.00
3/26/19	Email and telephone conference with Jay Angoff re status (.3); Reply to R Binion email re stip (.1); Review stip, sign and forward to team (.1); Discussion with D Sternberg re scheduling (.1)	0.6	\$417.00
3/27/19	Reply to A Schwartz email (.1); Further email and telephone conference with A Schwartz (.5); Review email from J Castle re scheduling and reply, discussion with D Sternberg re same, email A Schwartz re same (.2); Further email with Castle and with A Schwartz and with team re scheduling (.5); Review and reply to R Binion re resetting Motion for Preliminary Injunction hearing and discussion with D Sternberg re same (.1); Further team email and discussion with D Sternberg (.2); Telephone conference with Jay Angoff re status(.1); Email A Schwartz re status (.1)	1.8	\$1,251.00
3/28/19	Telephone conference with A Schwartz re hearing status (.1); Telephone conference with Jay Angoff re status (.2); Email A Schwartz re status (.2); Telephone conference with Jay Angoff (.2); Review CALJ ruling on stip for extension, forward to K Gentile and D Sternberg (.1); Discussion with K Gentile re set accommodations (.1); Email Pam Pressley re SCPIE case per A Schwartz, review doc (.2)	1.1	\$764.50
4/8/19	Telephone conference with A Schwartz re status (.2)	0.2	\$139.00
4/10/19	Telephone conference with R Binion re status (.1);	0.1	\$69.50
4/12/19	Reply to A Schwartz re status (.1)	0.1	\$69.50
4/15/19	Telephone conference with Jay Angoff re status (.2)	0.2	\$139.00
4/17/19	Email team re email from JAMS re mediation (.2)	0.2	\$139.00
4/18/19	Review email and telephone conference with JAMS re email re meeting, review email re meeting and forward to D Sternberg (.2)	0.2	\$139.00
4/22/19	Telephone conference with Jay Angoff re status and email team re same (.3);	0.3	\$208.50
4/23/19	Telephone conference with A Schwartz re status (.1); Reply to J Flanagan re protective order (.1)	0.2	\$139.00
4/24/19	Reply to J Flanagan re hearing (.1)	0.1	\$69.50
4/25/19	Reply to A Schwartz re hearing date (.1)	0.1	\$69.50

4/28/19	Planning re hearing and communications with J Flanagan re same (.4)	0.4	\$278.00
5/1/19	Telephone conference with Jay Angoff re status (.2); Review pre-filed direct testimony for hearing, Jay Angoff trial plan (.8)	1	\$695.00
5/2/19	Telephone conference with Jay Angoff re issues and strategy and memo to file re same (.7)	0.7	\$486.50
5/3/19	Email R Binion re status (.3); Telephone conference with C Monahan (.1); Telephone conference with Jay Angoff re strategy (.5); Review and evaluate draft stip from Jay Angoff (.5); Reply (.1); Telephone conference with Jay Angoff and C Mehri (.6); Set call with Harris team (.1)	2.3	\$1,598.50
5/4/19	Email from Jay Angoff re call with team (.1); Review plan, telephone conference with Harris plaintiffs re strategy, telephone conference with Jay Angoff (1.0); Email C Mehri and Jay Angoff (.1)	1.2	\$834.00
5/6/19	Review notes re calls (.1); Email and telephone conference with J Flanagan and D Sternberg re status (.3); Telephone conference with Jay Angoff (.1)	0.5	\$347.50
5/6/19	Email Jay Angoff to set call (.1); Review and reply to D Sternberg email re status (.2)	0.3	\$208.50
5/7/19	Update D Sternberg and J Flanagan re status (.1)	0.1	\$69.50
5/8/19	Legal Services: Email C Mehri to set call (.1)	0.1	\$69.50
5/9/19	Email C Mehri and Jay Angoff re status (.1); Email R Binion re same, M Levy (.1); Telephone conference with Jay Angoff and C Mehri (1.1); Further telephone conference with Jay Angoff (.2); Email Consumer Watchdog with update (.1)	1.7	\$1,181.50
5/13/19	Planning/strategy for hearing (.4); Email C Mehri and Jay Angoff re status of settlement and hearing (.4); Replies to C Mehri (.2); Email M Levy to set call (.1)	1.1	\$764.50
5/14/19	Review Jay Angoff email re strategy (.1); Telephone conference with M Levy re status (.3); Email A Schwartz and Consumer Watchdog team re status (.1); Telephone conference with A Schwartz re status (.1); Telephone conference with C Mehri and Jay Angoff (.6); Email Consumer Watchdog team (.1); Telephone conference with J McCune (.2)	1.5	\$1,042.50
5/14/19	Discussion with Consumer Watchdog legal team re issues (.3); Email and telephone conference with R Binion re status (.4)	0.7	\$486.50
5/15/19	Discussion with J Flanagan and D Sternberg re status, strategy (.3); Telephone conference with Jay Angoff re status and strategy (.1)	0.4	\$278.00
5/16/19	Prepare for hearing (1.)	1	\$695.00

5/20/19	Telephone conference with K Gentile re caller inquiry, telephone conference with him and forward doc to him (.3); Telephone conference with Jay Angoff re status (.1); Review pre-filed direct testimony and some discovery (.3)	0.7	\$486.50
5/20/19	Email C Johnson and all parties re rulings on Farmers' motions and reply to R Binion re same, email R De La Mora (.3); Left message for and telephone conference with Jay Angoff re status (.2)	0.5	\$347.50
5/21/19	Telephone conference with M Levy re status (.2); Telephone conference with R Binion (.5)	0.7	\$486.50
5/22/19	Email Jay Angoff, email R Binion re status, informing CALJ Rosi of witnesses, status (.1); Telephone conference with Jay Angoff re status (.1)	0.1	\$69.50
5/23/19	Telephone conference with Jay Angoff re status and email team re same (.2); Discussion with D Sternberg re status (.1)	0.3	\$208.50
5/24/19	Review and ok witness order doc, email R Binion re same, email A Schwartz (.3)	0.3	\$208.50
5/26/19	Telephone conference with A Schwartz re hearing status (.3)	0.3	\$208.50
5/30/19	Telephone conference with Jon Phenix re issues in case (.4)	0.4	\$278.00
5/31/19	Email and left message for Jay Angoff re status, telephone conference with him re settlement (.3)	0.3	\$208.50
6/3/19	Discussion with Consumer Watchdog lit team re settlement and fee issues, review pro forma reports (.3)	0.3	\$208.50
6/4/19	Telephone conference with D Goodell, J McCune, R Binion re settlement plan (.4); Memo to file (.2)	0.6	\$417.00
6/5/19	Telephone conference with R Binion and D Goodell re status of settlement (.2); Text Jay Angoff and C Mehri re same, review reply (.1); Further follow up with team re same (.1); Follow up with CDI (.1)	0.5	\$347.50
6/6/19	Multiple email, texts and calls with Consumer Watchdog, CDI and Harris plaintiffs re status of settlement, telephone conference with C Johnson re departure time (3.9); Scan Memorandum of Understanding and forward to D Sternberg (.1)	4	\$2,780.00
6/7/19	Review Memorandum of Understanding and stipulation and email Harris plaintiffs, CDI re same, telephone conference with D Sternberg re same, Harris plaintiffs and CDI re same, review replies (2.6); Telephonic status conference with CALJ re continuance (.3); Email A Schwartz re same (.1)	3	\$2,085.00
6/10/19	Telephone conference with A Schwartz re settlement (.1)	0.2	\$139.00
6/14/19	Planning, email A Schwartz (.2)	0.2	\$139.00
6/18/19	Discussion with Pam Pressley and reply to A Schwartz (.2)	0.2	\$139.00
6/24/19	Telephone conference with Jay Angoff re status (.1)	0.1	\$69.50
6/27/19	Telephone conference with A Schwartz re status (.1); Email Consumer Watchdog team re same, case (.1)	0.2	\$139.00

6/27/19	Email from Jay Angoff re CALJ order, ask K Gentile re same (.1)	0.1	\$69.50
7/25/19	Telephone conference with CDI and Jay Angoff re status (.1)	0.1	\$69.50
7/29/19	Status conference (telephonic) (.2)	0.2	\$139.00
8/20/19	Email and left message for Jay Angoff re status (.1)	0.1	\$69.50
8/22/19	Reply to A Schwartz re status (.1)	0.1	\$69.50
8/26/19	Email Jay Angoff re Settlement (.1)	0.1	\$69.50
8/26/19	Telephone conference with CDI (D Goodell, Jon Phenix and Jennifer McCune, CDI) re settlement (.3)	0.3	\$208.50
8/27/19	Telephone conference with Jay Angoff re settlement (.3); Telephone conference with M Levy re same (.2);	0.5	\$347.50
8/28/19	Telephonic status conference - all parties (.4); Telephone conference with Jay Angoff (.1)	0.5	\$347.50
9/4/19	Discussion with J Flanagan re settlement (.2); Review CALJ order (.1)	0.3	\$208.50
9/5/19	Review letter from J Osterman to J Rosi and request K Gentile calendar Motion for Preliminary Approval hearing in Harris case (.1)	0.1	\$69.50
9/6/19	Email A Schwartz re status, request info re fees (.1)	0.1	\$69.50
9/8/19	Review A Schwartz email and forward to C Balber (.2)	0.2	\$139.00
9/11/19	Telephone conference with Jay Angoff re case (.1)	0.2	\$139.00
9/24/19	Discussion with Pam Pressley re Request for Compensation and email K Gentile re same (.2); Discussion with Consumer Watchdog team (.1); Review and revise K Gentile draft of same, forward to team (.3)	0.4	\$278.00
9/24/19	Discussion with Pam Pressley re updated fees request, email K Gentile re same, review docs and ask K Gentile to update (.3)	0.3	\$208.50
9/26/19	Follow up with K Gentile and Pam Pressley re amended budget (.2)	0.2	\$139.00
10/8/19	Reply to C Mehri re court action on preliminary approval, forward to team (.2)	0.2	\$139.00
12/3/19	Discussion with Consumer Watchdog legal team at staff meeting (.1)	0.1	\$69.50
12/4/19	Review team email (.2); Discussion with D Sternberg re status of proceedings (.2)	0.4	\$278.00
12/6/19	Reply to A Schwartz re status (.1); Review preliminary approval papers in civil case (.9)	0.9	\$625.50
12/9/19	Discussion with Consumer Watchdog legal team re fee request, discussion with C Balber and propose meeting re same (.4); Review revised budget and email K Gentile re same (.2); Discussion with J Court, C Balber, J Flanagan and Pam Pressley re fee application (.4); Review supplemental declaration in civil case (1.0); Prepare revised budget in consultation with K Gentile (.9); Revise budget submission and forward to K Gentile (.8)	3.7	\$2,571.50

12/11/19	Email D Sternberg re hearing, review reply (.1)	0.1	\$69.50
12/12/19	Travel to and attend hearing on 2018 writ and motion for preliminary approval, email Consumer Watchdog re same (3.8); Summarize court issues with Motion for Preliminary Approval, forward to Consumer Watchdog (.3); Review budget revision (.2); Reply to A Schwartz re status (.1)	4.4	\$3,058.00
1/6/20	Email K Gentile re court call for hearing (.1); Review court call doc and discussion with her (.1)	0.2	\$139.00
1/7/20	Telephone conference with Jay Angoff re court hearing on Motion for Preliminary Approval, next steps (.1)	0.1	\$69.50
1/8/20	Discussion with D Sternberg re proceedings at CDI post Motion for Preliminary Approval order, email team re same (.1)	0.1	\$69.50
1/9/20	Email team re preliminary approval (.1)	0.1	\$69.50
1/10/20	Email team re preliminary approval notification of CALJ (.1)	0.2	\$139.00
1/22/20	Email Pam Pressley re set call (.1); Review email from J Flanagan discussion with J Flanagan, J Court and D Sternberg re status (.2); Review letter from CDI to CALJ proposing dismissal, associated docs (.1); Telephone conference with J McCune re same (.1); Email Consumer Watchdog team re same (.1)	0.6	\$417.00
1/31/20	Conference with Pam Pressley and D Sternberg re fee motion (.4)	0.4	\$278.00
2/5/20	Review team email and miscellaneous docs, planning (.3)	0.3	\$208.50
2/13/20	Email from CDI re stip and draft Motion to Dismiss (.3)	0.3	\$208.50
2/14/20	Email D Sternberg re stip and Motion to Dismiss (.1)	0.1	\$69.50
2/18/20	Email Jon Phenix re stip, email with D Sternberg re same (.2)	0.2	\$139.00
2/19/20	Discussion with Jon Phenix re stip (.1)	0.1	\$69.50
2/20/20	Review stip and revise, telephone conference with J Flanagan re same, telephone conference with D Sternberg re same (.4)	0.4	\$278.00
2/21/20	Request K Gentile list docs for fee motion, review reply (.2)	0.2	\$139.00
2/25/20	Email Jon Phenix re status of edits to stip (.1)	0.1	\$69.50
3/3/20	Telephone conference with Jay Angoff re transcripts to prepare for fee motion (.1); Telephone conference with Jon Phenix, CDI, re same (.1); Email Harris attorneys re same (.1); Review transcript list and forward to CDI (.1)	0.4	\$278.00
3/6/20	Review Jon Phenix and Farmers' edits to settlement stip (.2); Email Jon Phenix re same, review reply (.1); Email Farmers re same, copy team (.2); Review transcripts, forward to K Gentile (.1)	0.6	\$417.00
3/9/20	Email Jon Phenix re stip, telephone conference with him (.1); Telephone conference with Jay Angoff re same (.1)	0.2	\$139.00
3/10/20	Email Jay Angoff re stip (.1); Review previous email re same (.1); Email J Osterwise (.1)	0.3	\$208.50

	Email team re status of email to J Castle re stip (.1); Telephone conference with Jon Phenix, CDI, re same (.1); Telephone		
3/17/20	conference with D Sternberg re same (.1)	0.3	\$208.50
3/19/20	Reply to Consumer Watchdog re status of stip (.1)	0.1	\$69.50
3/24/20	Review email from J Castle re stip to dismiss and telephone conference with D Sternberg re same (.2); Telephone conference with Harris counsel same (.1); Review Farmers' edits to stip (.1); Telephone conference with D Sternberg re his edits to stip, revise and forward to J Castle and CDI (.4); Further team from CDI Re same (.1)	0.9	\$625.50
3/25/20	Left message for and email J Castle re stipulation, reply (.2); Reply to A Schwartz re inquiry (.1)	0.3	\$208.50
3/31/20	Follow up Jay Angoff re status (.1)	0.1	\$69.50
4/1/20	Review docs for fee motion (1.0)	1	\$695.00
4/6/20	Email Farmers re status of stip, review draft, telephone conference with Jon Phenix (.3)	0.3	\$208.50
4/7/20	Review draft stipulation from Farmers, forward to D Sternberg, copy R De La Mora (.2); Reply to all re stipulation, sign, scan and forward (.2)	0.4	\$278.00
4/10/20	Review template fee motion docs from Pam Pressley, review server files for outline of motion (3.2)	3.2	\$2,224.00
4/12/20	Review email from Farmers with signed stipulation re Motion to Dismiss (1.)	0.1	\$69.50
4/14/20	Email from CDI re filing stipulation to dismiss (.1)	0.1	\$69.50
4/14/20	Review record (1.5)	1.5	\$1,042.50
4/15/20	Research and draft intro fee motion, email Pam Pressley re same (2.8)	2.8	\$1,946.00
4/15/20	Review email from CDI to CALJ filing stip to dismiss (.1)	0.1	\$69.50
4/16/20	Research/draft fee motion (1.7)	1.7	\$1,181.50
4/16/20	Review stip and forward to Consumer Watchdog (.1)	0.1	\$69.50
4/17/20	Research fee motion (.2)	0.2	\$139.00
4/23/20	Research fee motion (.3)	0.3	\$208.50
4/24/20	Review notes re trial planning for fee motion (.3)	0.3	\$208.50
4/27/20	Research fee motion	1	\$695.00
4/29/20	Research fee motion	1.5	\$1,042.50
4/30/20	Research fee motion	3.8	\$2,641.00
5/12/20	Draft fee motion (1.0)	1	\$695.00
5/12/20	Reply to J Flanagan email re status (.1); Telephone conference with Jon Phenix re motion (.1); Email Administrative Hearing Bureau re status, review reply and forward to J Flanagan (.3)	0.5	\$347.50
5/12/20	Email Administrative Hearing Bureau re confirm receipt of Motion to Dismiss, review reply, research same and forward to J Flanagan; (.4); Telephone conference with Jon Phenix re status of Motion to Dismiss (.2)	0.4	\$278.00

5/13/20	Telephone conference with Jay Angoff re calendar of civil motion for final approval and status of administrative action (.2)	0.2	\$139.00
5/14/20	Review LASC schedule re final approval and forward to Jay Angoff (.1)	0.1	\$69.50
5/15/20	Research/draft fee motion (5.3)	5.3	\$3,683.50
5/16/20	Draft fee motion/fact section (3.2)	3.2	\$2,224.00
5/18/20	Telephone conference with Consumer Watchdog team re fee motion, and telephone conference with K Gentile re same (.2); Continue drafting motion (4.5); Email draft to Pam Pressley (.1)	4.8	\$3,336.00
5/18/20	Review draft and reply to Jeff Osterwise email re status conference (.2); Review Jon Phenix email re same and reply (.1)	0.3	\$208.50
5/20/20	Email and telephone conference with Ed Wu re filing requirements for fee motion (.2); Email with Pam Pressley re same, review case (.2); Review letter from Harris plaintiffs to CALJ and forward to Consumer Watchdog (.1)	0.5	\$347.50
5/21/20	Email K Gentile re Motion for Final Approval settlement docs (.1); Review same (.5)	0.6	\$417.00
5/21/20	Research facts for fee motion (.8)	0.8	\$556.00
5/29/20	Check superior court calendar, email Jay Angoff re same (.1)	0.1	\$69.50
6/8/20	Review email re request for status conference (.1)	0.1	\$69.50
6/9/20	Telephone conference with Jay Angoff re hearing re Motion for Final Approval, and review email from K Gentile re continuance, forward to Jay Angoff, email Jay Angoff, email J Flanagan re same (.6)	0.6	\$417.00
6/10/20	Electronic appearance at status conference re motion to dismiss (.1)	0.1	\$69.50
6/17/20	Review team email re status of draft order for CALJ (.2)	0.2	\$139.00
6/17/20	Review Jon Phenix email to CALJ Rosi re draft order Motion to Dismiss (.1);	0.1	\$69.50
6/23/20	Email from Pam Pressley re latest draft of fee motion (.1)	0.1	\$69.50
7/1/20	Reply to inquiry (.1)	0.1	\$69.50
7/4/20	Reply to inquiry (.1)	0.1	\$69.50
7/30/20	Review proposed order of dismissal, email from Jay Angoff concerning procedures, reply (.1); Review time sheets, email Pam Pressley re same (.1); Telephone conference with Pam Pressley re motion (.1); Reply to J Flanagan re procedure (.1)	0.3	\$208.50
8/25/20	Telephone conference with Jennifer McCune, CDI re status of proposed order (.1); Telephone conference with Jay Angoff re same (.3); Telephone conference with Jennifer McCune, CDI re same [ex parte] (.3); Telephone conference with Jay Angoff (.1) Review CDI email re CALJ order and email team re same, telephone conference with Jay Angoff (.6)	1.4	\$973.00

	Team email re Superior Court hearing on Motion for Approval		
8/28/20	(.1)	0.1	\$69.50
<b>Harvey Rosenfield Total:</b>		<b>693</b>	<b>\$481,635.00</b>

**Jonathan Phenix**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
4/7/16	Review email from J Angoff re Allstate/Farmers and appealability	0.1	\$35.00
4/24/17	Research and send materials to A Schwart re price optimization (.4); conference with J Angoff (.7); conference with team re same (.5)	1.6	\$560.00
4/25/17	Telephonic conference with A Schwartz, J Flanagan, H Rosenfield re intervention (.5); follow-up conference with H Rosenfield and J Flanagan re same (.2)	0.7	\$245.00
4/27/17	Revise petition to intervene (1.1); revise case memo (1.7)	2.8	\$980.00
5/3/17	Meeting with litigation team re intervention (1.7); conferences with B Powell and S Skouras re same (.3); email conference and conference with S Skouras and H Rosenfield re proposed budget (.2)	2.2	\$770.00
5/9/17	Email conference with H Rosenfield re scheduling conference (.1); review email traffic re issues re scope of proceeding (.1)	0.2	\$70.00
5/11/17	Telephone conference with CDI and Harris plaintiffs re scheduling conference and other issues	1.2	\$420.00
5/12/17	Research re post-intervention procedures (.6); research re APA provisions (.4); email conference with J Angoff re same (.2); research re price optimization (.7)	1.9	\$665.00
5/17/17	Review joint scheduling conference statement; research re same; email conference with team re same; propose revisions	2.3	\$805.00
5/25/17	Review CDI revisions to joint conference statement	0.1	\$35.00
5/25/17	Telephone conference with CDI and Harris plaintiffs re CMC statement	0.4	\$140.00
5/30/17	Legal Services: Telephone conferences with A Schwartz re status conferences statement (.2); research re same and forward materials to A Schwartz (1.8)	2	\$700.00
5/30/17	Review ruling granting CWD intervention (.2); email conference with A Schwartz re same (.1)	0.3	\$105.00
5/31/17	Telephone conference with A Schwartz re status conference statement	0.8	\$280.00
6/1/17	Email conference with H Rosenfield re discovery (.2); email conferences with A Schwartz re new class plan (.5); email conference with J Angoff re discovery (.1); review Harris plaintiffs petition to participate (.2)	1	\$350.00

6/5/17	Revise settlement letter (.6); research re same (.3); email conference with team re same (.2)	1.1	\$385.00
6/5/17	Telephone conference with J Angoff and H Rosenfield re discovery, status conference, other issues (.3); follow up email conferences with J Angoff and H Rosenfield re same (.3)	0.6	\$210.00
6/6/17	Review Farmers' revisions to joint statement (.2); email conference with S Volkmer re same (.1); telephone conference with team and H Rosenfield re same (.2); further telephone conference with H Rosenfield and team re response to edits (.4)	0.9	\$315.00
6/7/17	Review J Angoff revisions to case management conference statement and revise (.4); conference with H Rosenfield re same (.1); research re same (.4); email conferences with counsel re same (.3)	1.3	\$455.00
6/7/17	Review CDI edits to case management conference statement (.2); conference with J Angoff, S Volkmer, and H Rosenfield re same (.2); research and revise re same and email counsel (.9); sign and return signature page (.1); telephone conference with S Volkmer re Farmers' additional revisions (.1); sign and return signature page to revised version (.1)	1.6	\$560.00
6/8/17	Review and revise discovery requests (.5); forward to A Schwartz re same (.1); further research re same and revise re same (1.4); review and revise notice of telephonic appearance and email conference with team re same (.2)	2.2	\$770.00
6/13/17	Prepare for status conference	0.6	\$210.00
6/14/17	Prepare for and attend status conference (4.0); email conference with A Schwartz re same (.1); email conferences with team re same (.4)	4.5	\$1,575.00
6/16/17	Telephone conference with J Angoff re record (.1); email conference with CWD team re strategy call (.1)	0.2	\$70.00
6/21/17	Review discovery materials (.4); conference with P Pressley, H Rosenfield, and A Schwartz re same and re strategy (.8)	1.2	\$420.00
6/29/17	Email conference with S Volkmer re status	0.1	\$35.00
6/30/17	Email conferences with S Volkmer re ALJ order (.1); review and research ALJ order (.5); email conference with team re same (.1); conference with B Powell re same (.1); email conference with A Schwartz re same (.1)	0.9	\$315.00
7/5/17	Email conference with S Volkmer re transcript and discovery issues (.1); email conference with team re same (.1)	0.2	\$70.00
7/6/17	Telephone conference with CDI and Harris counsel re discovery issues (.5); conference with P Pressley and H Rosenfield re same (.2); telephone conference with H Rosenfield and A Schwartz re same (.2)	0.9	\$315.00
7/7/17	Review and research re discovery documents and requests (1.0); email conference with CWD team re same (.2)	1.2	\$420.00

7/7/17	Email conference with A Schwartz re discovery	0.1	\$35.00
7/10/17	Telephone conference with A Schwartz re discovery requests	0.1	\$35.00
7/11/17	Conference with H Rosenfield re revisions (1.0); telephone and email conferences with A Schwartz re same (.3); revisions re same (4.8); conference with H Rosenfield re additional revisions (.5); further revisions re same and send to Harris plaintiffs and CDI (1.0)	7.6	\$2,660.00
7/12/17	Skim CDI revisions	0.1	\$35.00
7/13/17	Review CDI revisions to discovery requests (1.0); telephone conference with CDI and Harris plaintiffs re same (.4); conference with H Rosenfield re same (.2)	1.6	\$560.00
7/13/17	Conference with B Powell re case law research (.1); follow up conference with same (.2)	0.3	\$105.00
7/14/17	Review and revise discovery requests; send to counsel	2.3	\$805.00
7/17/17	Review and markup Farmers request for certification (1.1); research re same and email conference with CWD team re findings (1.0)	2.1	\$735.00
7/17/17	Conference with CWD team re certification request and next steps	0.5	\$175.00
7/18/17	Conference with B Powell re hearing issues (.2); telephone conference with CDI and CWD team re same and follow-up conference with CWD team (1.1); further conference with B Powell re research and drafting (.6); draft and revise opposition letter (3.1)	4.8	\$1,680.00
7/18/17	Review email traffic from P Pressley re certification procedures	0.2	\$70.00
7/19/17	Conference with B Powell re Farmers arguments (.5); revisions to draft re same (3.1)	3.6	\$1,260.00
7/20/17	Revisions to opposition to certification request (.7); conference with B Powell (.2); final revisions and forward to H Rosenfield (1.3); review CDI opposition and email conference with team re same (.3); conference with CWD re same (.3)	2.6	\$910.00
7/21/17	Review and revise opposition to certification motion; forward to CWD team	3	\$1,050.00
7/24/17	Conference with H Rosenfield re oppo motion (.5); conference with J Angoff re same (.2); revise oppo motion re same and forward to CWD team (3.1); review P Pressley revisions and conference with H Rosenfield re same (.2)	4	\$1,400.00
7/25/17	Review J Angoff letter (.2)	0.2	\$70.00
7/25/17	Conference with B Powell, H Rosenfield, and P Pressley re strategy and next steps re certification and discovery	0.5	\$175.00
7/26/17	Review Farmers email and conference with H Rosenfield re same (.2); email conference with R De La Mora re same (.4)	0.6	\$210.00

7/26/17	Prepare for meeting with P Pressley (.5); conference with H Rosenfield, P Pressley, and B Powell (.2); research re discovery (2.9)	3.6	\$1,260.00
7/27/17	Research re discovery requests (3.7); conference with J Flanagan, H Rosenfield, P Pressley, and B Powell re same (1.4) conference with B Powell re same and next steps (.2)	5.3	\$1,855.00
7/28/17	Email conference with CDI and Harris plaintiffs re call	0.1	\$35.00
7/28/17	Review Farmers reply brief in support of certification; draft memo and circulate with team	0.6	\$210.00
7/28/17	Conference with H Rosenfield and B Powell re discovery issue (.2); Conference with B Powell re same (.1); telephone conference with H Rosenfield, B Powell, R Binion, S Volkmer, and J Osterman re discovery (.9); research and draft responses to Farmers discovery requests (2.3)	3.5	\$1,225.00
7/31/17	Review documents in connection with Farmers' discovery requests	2.9	\$1,015.00
8/1/17	Draft and revise discovery requests	4.1	\$1,435.00
8/2/17	Conference with B Powell re discovery documents (.2); draft and revise same (5.0)	5.2	\$1,820.00
8/3/17	Conference with B Powell re status (.2); draft and revise responses to discovery requests (2.3); draft and revise responses to other affiliate's discovery requests (1.3); draft and revise interrogatories (2.8)	6.6	\$2,310.00
8/4/17	Revisions to interrogatories; forward to B Powell for revisions (1.8); review research materials (.4)	2.2	\$770.00
8/7/17	Revisions to responses to discovery requests, interrogatories, and notice of intent to take deposition; forward to H Rosenfield and B Powell for review (3.9); conference with B Powell re same (.1); email conference with A Schwartz re class plan issues (.1)	4.1	\$1,435.00
8/8/17	Review H Rosenfield revisions to responses to discovery requests and make revisions re same	1	\$350.00
8/8/17	Review documents potentially responsive to Farmers discovery requests	1.8	\$630.00
8/9/17	Telephone conference with A Gold re discovery (.1); research case file (.2); email conference re same (.1)	0.4	\$140.00
8/9/17	Revisions to response to notice of deposition	0.9	\$315.00
8/9/17	Conference with H Rosenfield re discovery responses; conference with H Rosenfield re interrogatories and deposition responses	0.7	\$245.00
8/10/17	Revisions to discovery and reg responses	3.8	\$1,330.00
8/11/17	Review and revise all responses following B Powell revisions (4.3); conference with B Powell re same (.1)	4.4	\$1,540.00

8/14/17	Conference with P Pressley, H Rosenfield, and B Powell re status (.2); final revisions to discovery responses and prepare for filing (2.6); conference with B Powell and H Rosenfield re strategy (.9); conference with B Powell re same and next steps (.2)	3.9	\$1,365.00
8/15/17	Telephone conference with CDI and Harris plaintiffs re Farmers discovery responses (.9); draft and revise letter to ALJ re Farmers production; email conference with H Rosenfield and B Powell re same (1.7); email conferences with A Schwartz re status (.2)	2.8	\$980.00
8/16/17	Review email traffic re letter to ALJ; review final version (.2); telephone conference with A Schwartz re same (.1)	0.3	\$105.00
8/18/17	Research sanctions; email conference with H Rosenfield re same	0.7	\$245.00
8/18/17	Review Farmers document production and responses	1.8	\$630.00
8/21/17	Review email re service of writ; conference with H Rosenfield; email conference with parties (.2); email conference with B Powell re filing (.1); telephone conference with A Schwartz re status (.1); telephone conference with B Binion re same (.1); conference with H Rosenfield re same (.1)	0.6	\$210.00
8/22/17	Conference with H Rosenfield re status conference issues (.1); research court docket (.2); conference with H Rosenfield re same (.1)	0.4	\$140.00
8/23/17	Telephone conference with parties; follow up conference with H Rosenfield and B Powell re same	1.4	\$490.00
8/23/17	Review and markup Farmers writ petition (1.5); research re procedures and judicial officers' profiles (.8)	2.3	\$805.00
8/23/17	Research re stipulated protective order	0.3	\$105.00
8/24/17	Conference with P Pressley, H Rosenfield, and J Flanagan re strategic next steps	0.3	\$105.00
8/28/17	Review case law research	0.3	\$105.00
8/29/17	Email conference with H Rosenfield re Stipulation for Protective Order	0.1	\$35.00
8/29/17	Prep for status conference (.7); conference with H Rosenfield re strategy (.2); status conference with parties (.6); conference with H Rosenfield re next steps (.1); telephone conference with J Angoff and H Rosenfield re same (.3); telephone conference with R Binion (.4); telephone conference with A Schwartz (.3)	2.6	\$910.00
8/30/17	Email conferences with H Rosenfield and P Pressley re status conference and next steps (.3); draft and revise letter re supplemental discovery (2.8); research re Stipulation for Protective Order (.4); email conference with team re same (.1)	3.6	\$1,260.00

8/31/17	Draft and revise letter re supplemental discovery (.7); email conference with S Skouras re same (.1)	0.8	\$280.00
9/11/17	Review order re briefing schedule	0.2	\$70.00
9/12/17	Research re 170.6 challenge (.6); email conference with P Pressley and H Rosenfield re same (.1)	0.7	\$245.00
9/22/17	Call and leave message for C Johnson re Motion to Compel hearing	0.1	\$35.00
9/22/17	Revise stipulated protective order (1.1); email conference with H Rosenfield and P Pressley re same (.1)	1.2	\$420.00
9/29/17	Conference with P Pressley re stipulated protective order draft	0.2	\$70.00
9/29/17	Telephone conference with CDI and Harris plaintiffs re motion to compel	0.3	\$105.00
9/29/17	Telephone conference with A Schwartz re status and next steps	0.3	\$105.00
10/2/17	Conference with H Rosenfield re draft stipulated protective order (1.7); revisions to stipulated protective order (2.7); conference with H Rosenfield re same (.3); finalize revisions and send to CDI and Harris Plaintiffs (.6)	5.3	\$1,855.00
10/4/17	Review and revise outline for demurrer and Motion for Preliminary Injunction	0.6	\$210.00
10/6/17	Conference with H Rosenfield and P Pressley re status (.1); review and revise stipulation (1.1); email conference with H Rosenfield re same (.1); conference with H Rosenfield re same (.1); email conference with CDI and Harris plaintiffs re same (.1)	1.5	\$525.00
10/12/17	Email conference with CDI and Harris plaintiffs re stipulated protective order (.1); final revisions to stipulated protective order (.2); email conference with parties re same (.1)	0.4	\$140.00
10/13/17	Email conference with A Schwartz re witness designation (.1); email conference with S Skouras re same (.1); email conference with R Binion re meet and confer letter (.1)	0.3	\$105.00
10/16/17	Research re motion to compel (.4); email conference with J Osterwise re same (.1)	0.5	\$175.00
10/18/17	Conference with P Pressley and H Rosenfield re status	0.1	\$35.00
10/19/17	Revisions to objection to witness designation (1.5); email conference with S Skouras re same (.2)	1.7	\$595.00
10/19/17	Review and research Motion to Compel; email conference with H Rosenfield re same	1.6	\$560.00
10/20/17	Email conference with Harris plaintiffs and CDI re motion to compel	0.1	\$35.00
10/20/17	Email conference with S Skouras re objection to witness designation	0.1	\$35.00

	Conference with S Skouras re drafting witness designation objection (.2); review and revise draft; send to H Rosenfield for		
10/26/17	review (.1); final revisions to draft and send to S Skouras (.1)	0.4	\$140.00
10/26/17	Email conference with R Binion re serving on CDI	0.1	\$35.00
	Telephone conference with CDI and Harris plaintiffs re strategy		
11/6/17	(.8); telephone conference with H Rosenfield re follow-up (.1)	0.9	\$315.00
11/7/17	Prepare for Motion to Compel hearing	5.8	\$2,030.00
11/8/17	Travel to hearing	4	\$1,400.00
	Conference with H Rosenfield re strategy for Motion to Compel hearing (.5); review ALJ tentatives, review record and filed		
11/8/17	pleadings, prepare for hearing (4.2)	4.7	\$1,645.00
	Final preparation for hearing (2.5); appear at Motion to Compel hearing (1.0)		
11/9/17		3.5	\$1,225.00
11/9/17	Travel home from hearing	4	\$1,400.00
	Review emails re time limitation on discovery request (.1); research re same (.2); email conference with CDI and Harris plaintiffs re same (.2); set up strategy call with same (.1); email conference with A Schwartz re deadlines (.1); telephone conference with A Schwartz re same (.2); research and email		
11/15/17	conference with H Rosenfield re same (.4)	1.3	\$455.00
	Telephone conference with CDI and Harris plaintiffs re strategy and next steps for discovery and depositions (.4); conference		
11/16/17	with H Rosenfield re same (.2)	0.6	\$210.00
	Research regarding draft stipulated protective order, burden shifting, and case law; draft email to J Castle re same		
11/21/17		3.3	\$1,155.00
	Conference with R Binion re Farmers proposal (.1); conference		
11/27/17	with H Rosenfield re same (.1)	0.2	\$70.00
	Telephone conference with CDI and Harris plaintiffs re protective order, Farmers proposal, and other strategy issues		
11/28/17		1	\$350.00
11/28/17	Email conferences with J Angoff re protective order	0.3	\$105.00
	Research re confidentiality case law; email conference with A		
11/29/17	Gold re same	1.5	\$525.00
	Review and revise letter and protective order (.8); email conference with CDI and Harris plaintiffs re same (.2); finalize		
11/29/17	letter and exhibits and forward to S Skouras for service (.2)	1.2	\$420.00
	Review CDI document production and supplemental		
12/4/17	responses	0.2	\$70.00
	Telephone conference with H Rosenfield re letter to Rosi (.1); review CDI edits and revisions to letter (1.1); conference with H Rosenfield re schedule and deadlines (.2); email conferences		
12/5/17	with CDI and Harris plaintiffs re same (.7)	2.2	\$770.00

12/6/17	Email conference with CDI and Harris plaintiffs re proposed schedule changes (.5); email conference with J Osterwise re same (.2); revisions to letter in accordance with proposed changes (.9); email conference with CDI and Harris plaintiffs re same and re document production (.2)	1.8	\$630.00
12/8/17	Research re scheduling issues and other issues for status conference (1.7); telephone conference with Harris plaintiffs re same (.4)	2.1	\$735.00
12/11/17	Conference with H Rosenfield re status conference (.2); prepare re same (3.5); participate in status conference (1.0); email conference with R Binion re same (.1); email conference with Harris plaintiffs and CDI re Farmers informal meeting proposal (.3)	5.1	\$1,785.00
12/13/17	Telephone conference with R De La Mora re scheduling issues and call and leave voicemail re same (.2); email conference with J Castle re same (.2); email conference with CDI and Harris plaintiffs re same (.1)	0.5	\$175.00
12/13/17	Review ALJ order	0.1	\$35.00
12/14/17	Review and revise SPO (.2); conference with H Rosenfield re same (.1); email conference with CDI and Harris plaintiffs re same (.2); email conference with J Castle re schedule (.1)	0.6	\$210.00
12/18/17	Conference with H Rosenfield re discovery deadlines (.1); pre-hearing conference with CDI and Harris plaintiffs (.4); status conference with parties re hearing (.4); email conferences with A Schwartz re discovery (.3); email conference with S Skouras re SPO (.1); email conference with J Castle re dates (.1); email conference with H Rosenfield re schedule (.1); telephone conference with A Schwartz re same (.2); further conference with H Rosenfield re deadlines (.3)	2	\$700.00
12/19/17	Review discovery; draft email to CDI and Harris plaintiffs re same	0.6	\$210.00
12/20/17	Conference with H Rosenfield re meet and confer issues (.1); conference with S Skouras re retrieving discovery (.2); email conference with A Schwartz re discovery issues (.1)	0.4	\$140.00
12/27/17	Email conference with S Skouras re discovery issue; email conference with A Schwartz re same	0.1	\$35.00
1/3/18	Email conference with A Schwartz re informal meeting proposal (.2); telephone conference with A Schwartz re same (.2)	0.4	\$140.00
1/3/18	Review document production and emails regarding document production; review deponent list organization; inoperative links (2.2); telephone conference with H Rosenfield, CDI, and Harris Plaintiffs re same (1.2)	3.4	\$1,190.00
1/4/18	Review and revise supplemental discovery	1.3	\$455.00

	Revisions to meet and confer letter (1.4); conference with H Rosenfield re same (.2); further revisions to letter and email conference with CDI and Harris plaintiffs re same (1.3); telephone conference with A Schwartz re discovery requests		
1/4/18	(1.0); revisions to discovery requests (2.4)	6.3	\$2,205.00
	Final revisions to supplemental discovery and meet and confer		
1/5/18	letter	2.3	\$805.00
1/8/18	Email conference with CDI and Harris plaintiffs re next steps	0.4	\$140.00
	Email conference with CDI and Harris plaintiffs re discovery		
1/9/18	issues, hearing date	0.2	\$70.00
	Email conference with R De La Mora and J Castle re		
1/11/18	evidentiary hearing dates	0.1	\$35.00
	Review and revise discovery letter to CALJ; conference with H		
1/18/18	Rosenfield re same	0.4	\$140.00
	Review and revise discovery letter (1.0); telephone conference		
1/19/18	with J Angoff re same (.1); email conference with CDI and Harris plaintiffs re same (.1)	1.2	\$420.00
	Prepare for telephonic status conference with parties and court		
1/30/18	(1.5); attend telephonic status conference and meet and confer with parties (1.0); conference with H Rosenfield (.1)	2.6	\$910.00
1/30/18	Telephone conference with A Schwartz re status and issues	0.3	\$105.00
	Telephone conference with R Binion and H Rosenfield re CDI		
1/30/18	document production questions	0.5	\$175.00
2/12/18	Draft and revise letter memorializing meet and confer	1.3	\$455.00
	Further revisions to meet and confer letter; forward to H		
2/13/18	Rosenfield (3.0); email conference with H Rosenfield re meet and confer (.1)	3	\$1,050.00
	Email conference with A Schwartz re schedule (.1); email		
	conference with H Rosenfield re same (.1); telephone		
	conferences with H Rosenfield re revisions to letter		
	memorializing 2/8 meet and confer (.2); revisions to letter (1.7);		
	email conference with CDI and Harris plaintiffs re same (.1);		
	Telephone conference with CDI and Harris plaintiffs re		
	schedule and search terms (.4); telephone conference with		
2/14/18	Farmers, CDI, and Harris plaintiffs re same (.3)	2.9	\$1,015.00
2/20/18	Revisions to meet and confer letter	0.9	\$315.00
	Review conference statement (.1); conference with H		
2/22/18	Rosenfield re same (.1); conference with CDI and Harris plaintiffs re same (.1)	0.3	\$105.00
	Revisions to meet and confer letter; send to CDI and Harris		
2/23/18	plaintiffs	0.3	\$105.00
	Prepare for status conference with parties (.5); status		
2/26/18	conference with parties (.2)	0.7	\$245.00
2/28/18	Email conference with A Gold re meet and confer letter	0.1	\$35.00

3/1/18	Conference with H Rosenfield re search term issue (.1); email conference with A Gold re same (.3)	0.4	\$140.00
3/5/18	Email conference with CDI and Harris plaintiffs re meet and confer call (.1); email conference with A Schwartz re liability memo (.1)	0.2	\$70.00
3/5/18	Conference with H Rosenfield re meet and confer call (.1); participate in meet in confer (.3)	0.4	\$140.00
3/10/18	Email conferences with A Gold re deadlines	0.4	\$140.00
3/12/18	Prepare for status conference (.2); attend status conference (.4)	0.6	\$210.00
3/13/18	Telephone conference with A Schwartz re schedule	0.1	\$35.00
3/14/18	Review informal document production from Farmers (.4); email conference with team re same (.1); email conference with S Skouras re transmitting documents to A Schwartz (.1); email conference with A Schwartz re same (.2)	0.8	\$280.00
3/15/18	Conference with H Rosenfield and P Pressley re next steps	0.1	\$35.00
3/15/18	Telephone conference with J Angoff re settlement letter	0.2	\$70.00
3/16/18	Email conference with A Schwartz re Farmers memo	0.2	\$70.00
3/19/18	Review and analyze Farmers memo (.9); telephone conference with A Schwartz and H Rosenfield re same (.5); telephone conference with CDI and Harris plaintiffs re same (.5); telephone conference with Harris plaintiffs re same (1.0)	2.9	\$1,015.00
3/20/18	Email conference with A Gold re response to Farmers	0.1	\$35.00
4/3/18	Telephone conference with A Schwartz and H Rosenfield re status	0.2	\$70.00
4/10/18	Telephone conference with H Rosenfield re status conference (.2); prepare for status conference (1.3); participate in status conference (.6); follow up conference with CDI and Harris plaintiffs (.3); research re sanctions issue (1.4); conference with H Rosenfield re same (.1); revisions to A Gold letter (1.4)	5.3	\$1,855.00
4/11/18	Review final draft of letter to ALJ and email conference with team re same	0.4	\$140.00
4/11/18	Review discovery productions	4.6	\$1,610.00
4/11/18	Review proposed deposition list and research re same (.4); email conference with A Schwartz re same (.1)	0.5	\$175.00
4/11/18	Telephone conference with R Binion re deposition list, discovery status, strategy	0.5	\$175.00
4/20/18	Document review	5.3	\$1,855.00
4/23/18	Meet and confer with CDI and Harris plaintiffs re discovery issues and next steps	0.9	\$315.00
4/23/18	Document review	4.7	\$1,645.00
4/24/18	Review J Osterwise letter; research re same; draft and revise re same	2.2	\$770.00

4/25/18	Conference with S Skouras re task re document review (1.2); conference with H Rosenfield, J Flanagan, and S Skouras re same (1.0); document review (3.2)	5.4	\$1,890.00
4/26/18	Document review	5.7	\$1,995.00
4/26/18	Prepare document review task for S Skouras; email conference with S Skouras re same	0.5	\$175.00
4/27/18	Complete document review of assigned sections and prepare memo re same; forward to Harris plaintiffs and CDI re same	4.6	\$1,610.00
4/30/18	Conference with H Rosenfield re status conference (.2); prepare for same (.3); participate in status conference (1.1); research re privilege log and email conference with CDI and Harris plaintiffs re same (.3)	1.9	\$665.00
5/1/18	Conference with S Skouras re document review	0.2	\$70.00
5/2/18	Email conference with R Binion re draft discovery letter (.1); revise draft discovery letter to court (1.4); review subsequent revisions (.2)	1.7	\$595.00
5/4/18	Research re document productions and conferences with S Skouras re same	2.9	\$1,015.00
5/7/18	Telephone conference with CDI and Harris plaintiffs re strategy re status conference (.5); prepare for status conference (.5); participate in status conference (.5); telephone conference with CDI and Harris plaintiffs re next steps re discovery (.4)	2.2	\$770.00
5/8/18	Review order following telephone conference and email conference with S Skouras re same	0.1	\$35.00
5/11/18	Telephone conference with CDI and Harris plaintiffs re status conference and discovery issues (.5); conference with S Skouras re document review issues (.4); document review (1.4)	2.3	\$805.00
5/12/18	Download and troubleshoot problems with production	1.5	\$525.00
5/13/18	Doc review (3.2); email conference with team re same (.4)	3.6	\$1,260.00
5/14/18	Telephone conference with CDI and Harris plaintiffs re strategy for status conference (.3); conference with H Rosenfield re scheduling issue (.1)	0.4	\$140.00
5/15/18	Conference with team re S Skouras doc review (.5); fix tech problems with production (.2); email conference with CDI and Harris plaintiffs re document review (.2); research re document review and email conference with S Skouras and team re same (.9)	1.8	\$630.00

	Email conference with R Binion re transcripts; research re same; further email conference with R Binion re same (.3); research and review hot docs (1.8); email conference with team re missing attachment issues (.4); telephone conference with A Schwartz re status (.2); research protective order and other issues re confidential designation and email conference		
5/16/18	with CDI and Harris plaintiffs re same (.4)	3.1	\$1,085.00
5/17/18	Email conference with R Binion re transcripts	0.1	\$35.00
	Telephone conference with A Schwartz and H Rosenfield re status and next steps (.5); research re document productions		
5/21/18	and send A Schwartz hot docs (.3)	0.8	\$280.00
<b>Jonathan Phenix Total:</b>		<b>305.1</b>	<b>\$106,785.00</b>

### Kaitlyn Gentile

Date	Description	Hours	Total
11/9/18	Redacted Pre-Filed Direct Testimony per court order	0.3	\$60.00
	Prepared, filed, and served Revised pre-filed direct testimony of A Schwartz (Confidential Sealed version and Redacted version), including CWD exhibits for convenience of court, in		
11/28/18	electronic and hard copy via Fed Ex	2	\$400.00
	Researched filing rules re Notice of Appearance for D		
11/28/18	Sternberg and corresponded with him re same	1	\$200.00
	Corresponded with J Phenix of CDI re POS and updated latest		
11/28/18	version per his request	0.2	\$40.00
	Edited Stipulated Protective Order, met with H Rosenfield re		
11/29/18	same	0.6	\$120.00
12/3/18	Prepare, file and serve Notice of Appearance of D Sternberg	0.5	\$100.00
	Corresponded with R Ortega of JAMS re incorrect CWD		
2/5/19	address on service list	0.1	\$20.00
2/11/19	Input edits to Mediation Brief and finalize for filing	0.4	\$80.00
	Corresponded with H Rosenfield re discovery files; updated		
2/21/19	files as necessary	0.2	\$40.00
	Per H Rosenfield, emailed C Johnson requesting date of status		
7/10/19	conference	0.1	\$20.00
	Discuss amended budget with team; pull and circulate Petition for Hearing and pro forma invoices; draft and circulate		
9/24/19	amended budget	3.1	\$620.00
12/6/19	Proofed draft of amended budget and sent to H Rosenfield	1	\$200.00
	Ran Pro Forma reports for all related cases; created spreadsheet breakdowns of all hours and accrued totals of CWD staff and circulated to P Pressley and H Rosenfield; reviewed edits and calculations by H Rosenfield and re-checked all calculations; input edits to Amended Budget;		
12/9/19	emailed with H Rosenfield and P Pressley	3.3	\$660.00

12/10/19	Finalized Amended Budget and prepared proof of service; discussed filing and service process with H Rosenfield and P Pressley; filed and served	0.9	\$180.00
5/18/20	Ran time report for H Rosenfield; converted report to Excel spreadsheet and pulled out all slips pertaining to team calls and meetings	3.3	\$660.00
5/19/20	Finished compiling team phone calls in Excel spreadsheet based on time slips; formatted sheet and forwarded to H Rosenfield	2.5	\$500.00
6/24/20	send H Rosenfield Word documents to prepare fee motion and declaration; compile exhibits from case folders; correspond with H Rosenfield and P Pressley re same	1	\$200.00
6/25/20	input edits to Request for Compensation and send to H Rosenfield; compile exhibits	2.5	\$500.00
7/1/20	Format time entries for all users for Request for Compensation	1.2	\$240.00
7/1/20	pull and order exhibits to Request for Compensation	1.1	\$220.00
7/2/20	Format time entries for all users	0.5	\$100.00
7/6/20	edit time entries for all users	1	\$200.00
7/7/20	formatted/edited time entries for all users	3.3	\$660.00
7/8/20	edited citations to Request for Compensation exhibits and compiled and ordered further exhibits	4	\$800.00
7/8/20	edited/formatted time entries for all users	0.5	\$100.00
7/9/20	edit citations to exhibits to Request for Compensation and compile and order exhibits; email draft to H Rosenfield and note questions about specific exhibits	3.7	\$740.00
7/10/20	input edits to Request for Compensation per H Rosenfield; correspond with H Rosenfield re missing exhibits	0.5	\$100.00
7/13/20	edits/formatting of time entries for all users; conversation with B Powell re his missing time and correspond with team re same	1.2	\$240.00
7/15/20	run time reports for all associated cases and make edits to entries of inactive users; circulate individual time reports to all CWD counsel with requests for edits and input edits to entries as instructed	3	\$600.00
7/16/20	edit time entries for inactive users	3.7	\$740.00
7/21/20	input edits to Declaration of H Rosenfield and circulated to H Rosenfield and P Pressley	3.8	\$760.00
7/24/20	telephone conference with H Rosenfield re edits to Declaration; update H Rosenfield Declaration with Prop 103 case information	2.6	\$520.00
7/27/20	edits to H Rosenfield declaration; correspond with H Rosenfield re time entries and reports	1.5	\$300.00
7/28/20	edits to Declaration of H Rosenfield	4.2	\$840.00
7/29/20	input edits to time entries for D Sternberg and H Rosenfield	1.4	\$280.00
7/29/20	input edits to improperly transmitted time entries for all users	1.1	\$220.00

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**Kaitlyn Gentile Total: 61.3 \$12,260.00**

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**Pamela Pressley**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
2/24/16	review and reply to Harvey Rosenfield email re Farmers primary jurisdiction referral	0.3	\$178.50
3/3/16	email Harvey Rosenfield re PJ referral	0.1	\$59.50
9/22/16	review emails re price op case	0.5	\$297.50
4/25/17	conference with Harvey Rosenfield and J Phenix re status (.2); conference with Harvey Rosenfield and review Jay Angoff email, intervenor reg (.2); review notice of hearing, regs (.4); review and reply to Harvey Rosenfield email re notice of hearing (.3)	1.1	\$654.50
4/26/17	review A Schwartz email	0.1	\$59.50
4/27/17	review and edit petition to intervene, email Harvey Rosenfield and J Phenix re same (1.0); review Harvey Rosenfield email re same (.1)	1.1	\$654.50
5/3/17	review case memo (.8); conference with J Flanagan, Harvey Rosenfield, B Powell, and Samantha Skouras re strategy, next steps (1.); email Harvey Rosenfield and review case memo (.3)	2.1	\$1,249.50
5/4/17	review email re petition to intervene; Farmers answer (.2); review emails (.2); review and reply to J Angoff emails re APA, review Farmers answer (1.2) review emails, conference with J Phenix re petition to intervene (.2)	1.8	\$1,071.00
5/10/17	review and reply to Harvey Rosenfield emails re call, scheduling conference (.2); review and reply to emails (.2); review calendar, hearing dates (.1)	0.5	\$297.50
5/11/17	review emails (.2); review scheduling conference order (.1); telephone conference with CDI (1.2); email J Angoff re joint statement (.3); review emails/scheduling order (.3)	2.1	\$1,249.50
5/12/17	review emails re request for eligibility/APA	0.2	\$119.00
5/15/17	conference with Harvey Rosenfield and J Phenix re status	0.2	\$119.00
5/16/17	review Harvey Rosenfield email re questions to J Angoff	0.1	\$59.50
5/17/17	review and reply to emails (.2); review emails re joint scheduling conf statement (.1)	0.3	\$178.50
5/25/17	review emails re joint statement	0.2	\$119.00
5/26/17	conference with Harvey Rosenfield and J Phenix re status	0.1	\$59.50
5/31/17	review emails	0.3	\$178.50
6/5/17	emails re status conf	0.2	\$119.00
6/6/17	review emails	0.1	\$59.50
6/7/17	emails re notice of hearing, scope of hearing	0.3	\$178.50
6/8/17	review joint conference statement	0.3	\$178.50
6/14/17	scheduling conference with ALJ (1.2); review and reply to J Phenix email re scheduling conf (.4); review emails (.2)	1.8	\$1,071.00

6/16/17	email J Phenix re call with A Schwartz	0.1	\$59.50
6/21/17	telephone conference with A Schwartz re issues, evidence (.8); review A Schwartz email re Farmers actuaries (.1)	0.9	\$535.50
6/27/17	conference with J Phenix and Harvey Rosenfield re status, next steps	0.2	\$119.00
7/6/17	review calendar, emails (.1); conference with Harvey Rosenfield re status (.2);	0.3	\$178.50
7/17/17	review emails and reply (.2); conference with Harvey Rosenfield and J Phenix re status, request for certification (.2); research re certification issues and email Harvey Rosenfield, J Phenix and J Flanagan re same (1.0)	1.4	\$833.00
7/18/17	telephone conference with CDI re certification issues (.5); conference with Harvey Rosenfield and J Phenix re opposition (.3)	0.8	\$476.00
7/19/17	review emails re discovery (.2); review 2008 FIE petition for hearing (.2)	0.4	\$238.00
7/20/17	conference with Harvey Rosenfield and J Phenix re status (.2)	0.2	\$119.00
7/21/17	review burden of proof issues and email J Phenix and Harvey Rosenfield re same (.7); conference with J Phenix and B Powell re burden of proof (.5)	1.2	\$714.00
7/24/17	review emails re letter to Rosi opposing certification (.1); edit opposition letter (1.5)	1.6	\$952.00
7/25/17	review discovery requests, FIE/MCA 2008 files (1.2); review and forward sample discovery responses to J Phenix (.3); review discovery (.5)	2	\$1,190.00
7/26/17	review R DeLaMora email to parties/ALJ (.1); review discovery (.1); conference with J Phenix, Harvey Rosenfield, and B Powell re discovery, review CMC order, requests (.8)	1	\$595.00
7/27/17	conference with Harvey Rosenfield re burden of proof (.2); conference with Harvey Rosenfield and J Phenix re status, next steps (.2); email J Phenix re discovery (.2); conference with J Flanagan and Harvey Rosenfield and J Phenix re discovery responses (1.3); email J Flanagan re same (.2); review sample responses (.5)	2.6	\$1,547.00
7/28/17	review emails (.1); conference with J Phenix and Harvey Rosenfield re call with CDI (.1)	0.2	\$119.00
8/7/17	review and reply to emails re discovery	0.3	\$178.50
8/14/17	review emails re responses to discovery (.1); conference with Harvey Rosenfield re same (.2); conference with J Phenix and Harvey Rosenfield re status (.2); review 2008/2010 MCA/Farmers class plan files (1.0); review and edit responses to discovery requests (1.5); review emails (.1)	3.1	\$1,844.50
8/16/17	review letter to ALJ	0.1	\$59.50

conference with J Flanagan and Harvey Rosenfield, B Powell, J Phenix re status, next steps, deadlines (.2); review and reply to emails (.1)	8/18/17	0.3	\$178.50
conference with J Phenix re next steps (.2)	8/21/17	0.2	\$119.00
review email re case status (.1); review emails (.3)	8/23/17	0.4	\$238.00
conference with Harvey Rosenfield and J Phenix re next steps (.3); review tasks (.3)	8/24/17	0.6	\$357.00
email Harvey Rosenfield and J Phenix re status conf (.1); review emails re same (.2); email Harvey Rosenfield re PO issue (.1); telephone conference with Harvey Rosenfield re same (.1); email Harvey Rosenfield re PO (.1); review emails and email Harvey Rosenfield re draft PO/issues (.3); email Harvey Rosenfield re trade secret issue (.1); telephone conference with J Flanagan re status (.1)	8/30/17	1.1	\$654.50
review Harvey Rosenfield edits to letter and review final letter to Farmers re discovery	8/31/17	0.2	\$119.00
conference with Harvey Rosenfield and J Phenix re status	9/6/17	0.1	\$59.50
review Rosi order (.1); conference with J Phenix and Harvey Rosenfield re next steps (.1)	9/11/17	0.3	\$178.50
conference with J Phenix re hearing	9/18/17	0.1	\$59.50
review emails (.1); conference with J Phenix re call with CDI (.1)	9/19/17	0.2	\$119.00
conference with J Phenix and Harvey Rosenfield re status	9/20/17	0.4	\$238.00
review J Phenix email re Protective Order	9/22/17	0.1	\$59.50
telephone conference with A Schwartz re status (.2); conference with Harvey Rosenfield and J Phenix re Protective Order draft (.3); research and review same (.2); conference with J Phenix re same (.2); review protective order and email Harvey Rosenfield and J Phenix re same (.7); conference with J Phenix re same (.2)	9/29/17	1.5	\$892.50
review Harvey Rosenfield comments to Protective Order and email Harvey Rosenfield and J Phenix re same (1.0); review action plan and email Harvey Rosenfield and J Flanagan re same (.4)	10/2/17	1.4	\$833.00
conference with J Phenix and Harvey Rosenfield re status	10/3/17	0.1	\$59.50
review emails	10/3/17	0.1	\$59.50
review emails	10/4/17	0.1	\$59.50
conference with Harvey Rosenfield re next steps	10/6/17	0.1	\$59.50
review emails re protective order	10/9/17	0.1	\$59.50
review emails re Protective Order (.1)	10/12/17	0.1	\$59.50
review CWD, CDI witness designation list (.2); review Farmers witness designation list and email J Phenix and Harvey Rosenfield re same (.2)	10/17/17	0.4	\$238.00
email T Foreman/AIS re Farmers witness list (.2); conference with J Phenix and Harvey Rosenfield re status (.2)	10/18/17	0.4	\$238.00
review emails	10/18/17	0.1	\$59.50

10/19/17	review emails re motion to compel	0.1	\$59.50
10/26/17	review emails (.2); conference with Harvey Rosenfield and J Phenix re next steps (.2)	0.4	\$238.00
10/27/17	review and edit motion to compel	1.3	\$773.50
11/2/17	review emails	0.2	\$119.00
11/3/17	review emails	0.2	\$119.00
11/8/17	review orders (.7); conference with Harvey Rosenfield (.1); email J Phenix re order (.2)	1	\$595.00
11/9/17	review Harvey Rosenfield email re tasks	0.1	\$59.50
11/13/17	conference with J Phenix re status (.1); review S Skouras email re final ruling (.1)	0.2	\$119.00
11/15/17	review emails re motion to compel/production	0.2	\$119.00
11/21/17	review emails	0.1	\$59.50
11/21/17	conference with Harvey Rosenfield and J Phenix re next steps, protective order	0.2	\$119.00
11/21/17	telephone conference with A Schwartz re next steps (.2) review emails (.2); review draft stip and email Harvey Rosenfield and J Phenix re same (.8)	1.2	\$714.00
11/27/17	conference with Harvey Rosenfield and J Phenix re status	0.2	\$119.00
11/28/17	review J Castle email re SPO and emails re call (.2); review emails (.3)	0.5	\$297.50
11/29/17	review emails re SPO (.2); review SPO, conference with J Phenix re same (1.3)	1.5	\$892.50
11/30/17	review Jay Angoff memo re price op questions	0.2	\$119.00
12/1/17	review emails (.2); conference with T Warren and R Binion re productions (.2); conference with S Skouras and email R Binion re CDI docs (.1)	0.5	\$297.50
12/1/17	review emails	0.2	\$119.00
12/4/17	review and reply to emails	0.4	\$238.00
12/5/17	review emails (.2); review J McCune email (.1); conference with J Phenix and Harvey Rosenfield re status (.1); review emails (.1)	0.5	\$297.50
12/6/17	review emails	0.5	\$297.50
12/8/17	review emails re call/schedule (.1); review J Angoff email re schedule, status conf (.1);	0.2	\$119.00
12/11/17	review emails (.2)	0.2	\$119.00
12/12/17	review emails (.1); review and reply to J Phenix email re briefing (.2); review emails (.2)	0.5	\$297.50
12/13/17	review emails	0.1	\$59.50
12/14/17	review order re protective order	0.1	\$59.50
12/15/17	review emails re protective order/schedule (.3); review stipulated protective order and email to J Phenix (.3); review email re schedule (.1); review calendar, emails (.1); review emails and reply (.1)	0.9	\$535.50
12/18/17	review emails	0.3	\$178.50
12/19/17	review emails	0.1	\$59.50

12/21/17 review emails	0.2	\$119.00
1/8/18 review emails	0.2	\$119.00
1/10/18 review emails (.3)	0.3	\$178.50
1/25/18 review emails re status conf/hearing	0.2	\$119.00
2/5/18 review J Phenix emails	0.1	\$59.50
conference with Harvey Rosenfield and J Phenix re status (.1);		
2/13/18 review emails (.1)	0.2	\$119.00
2/27/18 review emails	0.1	\$59.50
3/1/18 review J Castle email	0.1	\$59.50
3/13/18 review emails	0.1	\$59.50
3/14/18 review J Phenix email re mediation	0.1	\$59.50
3/15/18 conference with Harvey Rosenfield and J Phenix re next steps	0.1	\$59.50
4/13/18 review emails re production	0.2	\$119.00
4/16/18 review emails re discovery	0.2	\$119.00
4/23/18 review emails re doc production	0.1	\$59.50
4/26/18 review email re production (.1)	0.1	\$59.50
4/27/18 review emails	0.1	\$59.50
5/30/18 review Jay Angoff memo	0.5	\$297.50
6/4/18 review emails re meeting	0.2	\$119.00
6/14/18 review emails	0.3	\$178.50
review R DeLaMora/JAMS emails (.1); telephone conference with A Schwartz and Harvey Rosenfield re meeting with parties		
6/18/18 (.1)	0.2	\$119.00
6/19/18 review emails	0.2	\$119.00
email Harvey Rosenfield re call (.1); review emails re call (.1); review emails re call with Low (.1); review and reply to emails		
6/20/18 (.2)	0.5	\$297.50
review and reply to A Schwartz email re meeting with parties, email Farmers counsel re same (.2); review and forward email re meeting to A Schwartz (.1); review JAMS emails (.1); review		
6/21/18 emails re calls (.2)	0.6	\$357.00
6/25/18 review emails	0.1	\$59.50
conference with Harvey Rosenfield and A Schwartz re meeting with parties, next steps	1	\$595.00
review Harvey Rosenfield email (.1); conference with Harvey Rosenfield re depo (.1) review R Binion email re depositions (.1)	0.3	\$178.50
review emails re schedule/depositions (.2); review Harvey Rosenfield emails, research, reply and conference with Harvey		
6/27/18 Rosenfield re depositions of experts, attorneys (.5)	0.7	\$416.50
review emails re schedule, review discovery rulings, objections		
6/27/18 (.3)	0.3	\$178.50
6/27/18 conference with Harvey Rosenfield re schedule, depositions	0.5	\$297.50
6/28/18 review emails re hearing schedule	0.1	\$59.50
6/29/18 review emails re depositions	0.1	\$59.50

7/2/18	review and reply to emails re research on depositions (.3); conference with law clerk re same (.2); review Harvey Rosenfield email to J Castle re A Schwartz deposition (.1); review and reply to emails re deposition research (.2); telephone conference with Harvey Rosenfield and A Schwartz re same (.2); email to Harvey Rosenfield and review Harvey Rosenfield reply re research (.2)	1.2	\$714.00
7/3/18	conference with intern re research on depositions and email Harvey Rosenfield re same	0.2	\$119.00
7/9/18	review emails re depositions	0.2	\$119.00
7/11/18	review law clerk memo re PMK depositions (.7); email law clerk re expert depositions and review reply (.5)	1.2	\$714.00
7/12/18	review emails re depositions/schedule	0.2	\$119.00
7/19/18	review emails	0.1	\$59.50
8/22/18	conference with Harvey Rosenfield and J Flanagan re evidence, case theory, discovery, Schwartz pre-filed direct testimony	1.1	\$654.50
8/28/18	telephone conference with A Schwartz re case issues for pre-filed direct testimony (.7); conference with J Flanagan and Harvey Rosenfield re same (.3)	1	\$595.00
8/30/18	review and reply to email re call with A Schwartz and B Hunter (.2); conference with Harvey Rosenfield re call (.1)	0.3	\$178.50
9/4/18	telephone conference with A Schwartz, J Angoff re pre-filed direct testimony, issues (.3)	0.3	\$178.50
9/11/18	review and reply to A Schwartz email re statement of facts/issues (.1); review Harvey Rosenfield email re pre-filed direct testimony (.1)	0.2	\$119.00
9/12/18	review and reply to Harvey Rosenfield email re expert deposition (.2); review memos, deposition statutes and email Harvey Rosenfield, conference with J Flanagan re same (1.0); review and reply to A Schwartz email re deposition transcripts/exhibits (.2); email to J Angoff and review replies (.3)	1.8	\$1,071.00
9/12/18	review emails, research subpoena issues	2	\$1,190.00
9/13/18	review and forward email from A Schwartz re depositions (.2); review and reply to A Schwartz emails (.1); review and reply to emails (.2)	0.5	\$297.50
9/14/18	review and forward email re transcripts	0.1	\$59.50
9/18/18	review and reply to Harvey Rosenfield email	0.1	\$59.50
9/20/18	review and reply to A Schwartz emails and email Harvey Rosenfield re exhibits/joint statement (.3); review scheduling order and email A Schwartz re exhibits and email R Binion re joint statement (.3); review and forward R Binion email re joint statement (.2)	0.8	\$476.00
9/21/18	review Harvey Rosenfield emails re pre-filed direct testimony, depositions (.2)	0.2	\$119.00

9/25/18	review emails	0.1	\$59.50
	review emails re call/reply (.2); conference with Harvey Rosenfield re pre-filed direct testimony (.2); review PDT/exhibits templates and email S Skouras (.4); telephone conference with A Schwartz re PDT/exhibits (.8); review and		
9/26/18	reply to texts/emails re schedule (.2)	1.8	\$1,071.00
	review Harvey Rosenfield email (.1); review and reply to S		
9/27/18	Skouras email (.1); review emails (.1)	0.3	\$178.50
	review emails re schedule/stip (.2); conference with S Skouras		
9/28/18	re exhibits (.2); review emails (.2)	0.6	\$357.00
10/1/18	review emails re extension/schedule	0.2	\$119.00
10/2/18	review emails re depos/schedule	0.2	\$119.00
	review A Schwartz email, conference with Harvey Rosenfield re pre-filed direct testimony, review emails re stip (.3); review A Schwartz pre-filed direct testimony (1.0); conference with Harvey Rosenfield re same (.6); email and text J Flanagan re		
10/3/18	revised schedule (.1); review emails (.2)	1.9	\$1,130.50
	review and reply to emails re pre-filed direct testimony/exhibits, review emails re schedule (.3); review emails and conference with Harvey Rosenfield re redactions (.5); review Harvey Rosenfield and R Binion emails re depos (.2); review emails		
10/4/18	(.2); review emails re extension stip/PDT (.1)	1.3	\$773.50
	review emails re pre-filed direct testimony (.2); review calendar,		
10/5/18	emails (.2)	0.4	\$238.00
10/8/18	review CDI objection to A Gammel depo	0.2	\$119.00
10/9/18	review filing - objection to Chan depo	0.2	\$119.00
	review PDT, exhibits (.7); conference with H Rosenfield re		
10/10/18	same (.1)	0.8	\$476.00
	review emails, calendar (.2); conference with Harvey Rosenfield re pre-filed direct testimony, evidence, filing (.2);		
10/11/18	edit opposition to Farmers brief re depos (1.2)	1.6	\$952.00
	review emails, final opposition and reply to Harvey Rosenfield		
10/12/18	email re same (.3); review briefs re depos (.7)	1	\$595.00
	review emails (.2); email D Sternberg re opposition to Motion to		
10/17/18	Strike (.3); conference with D Sternberg re opposition (.1)	0.6	\$357.00
10/18/18	email D Sternberg re opposition to Motion to Strike (.3)	0.3	\$178.50
	review Harvey Rosenfield email re motion to strike (.1); review Farmers motion to strike (1.0) conference with Harvey		
10/19/18	Rosenfield and D Sternberg re same (.3)	1.4	\$833.00
10/21/18	review Harvey Rosenfield email	0.1	\$59.50
	conference with Harvey Rosenfield and D Sternberg re		
10/23/18	opposition to motion to strike (.3)	0.3	\$178.50

10/24/18	review and reply to email re draft opposition to Motion to Strike (.1); conference with Harvey Rosenfield and D Sternberg re same (.4); review 2008 Farmers file and stip and email Harvey Rosenfield and D Sternberg re same (1.2); conference with Harvey Rosenfield re stip and approval of 2008 Farmers class plans (.3); review files and conference with Harvey Rosenfield re same (.3); conference with Harvey Rosenfield re next steps (.1); conference with Harvey Rosenfield and D Sternberg re opposition (.3); review Evidence Code, scheduling order (1.0)	3.7	\$2,201.50
10/25/18	review and reply to email re opposition draft (.2); edit opposition to Motion to Strike (3.0); conference with D Sternberg re same and email D Sternberg and Harvey Rosenfield re same (.3); conference with Harvey Rosenfield re draft (.1); review Harvey Rosenfield email re final draft (.1)	3.7	\$2,201.50
10/26/18	review and edit opposition, telephone conference with A Schwartz re same (2.0); review calendar, emails (.3); review final opposition, revisions to Bugbee testimony and forward to A Schwartz (.7); conference with Harvey Rosenfield and D Sternberg re subpoenas (.1); review and reply to Harvey Rosenfield email re hearing procedures (1.0)	4.1	\$2,439.50
10/29/18	review and reply to Harvey Rosenfield email re meeting re hearing procedures (.2); review calendar (.1)	0.3	\$178.50
10/30/18	emails re meeting	0.2	\$119.00
11/1/18	review Motion to Strike ruling and conference with H Rosenfield re same (.3)	0.3	\$178.50
11/5/18	review emails	0.1	\$59.50
11/7/18	conference with Harvey Rosenfield re hearing prep call	0.1	\$59.50
11/8/18	review Harvey Rosenfield email re call (.1); briefing call re hearing process (1.3); email J Flanagan re hearing process outline (.1)	1.5	\$892.50
11/9/18	review email re final ruling on motion to strike (.1); conference with M Strumwasser re MacKay issues (.7)	0.8	\$476.00
11/13/18	review emails	0.1	\$59.50
11/14/18	review emails	0.2	\$119.00
11/19/18	conference with Harvey Rosenfield and review regs re advocate representation	0.3	\$178.50
11/20/18	review and reply to Jay Angoff email re Motion to Strike evidentiary standards (.6)	0.6	\$357.00
11/21/18	conference with D Sternberg and email re stip template	0.3	\$178.50
11/26/18	review and reply to emails (.2);	0.2	\$119.00
11/27/18	review emails, calendar (.2); telephone conference with A Schwartz re next steps (.3)	0.5	\$297.50
12/3/18	conference with team re hearing prep (.5)	0.5	\$297.50
12/4/18	review Harvey Rosenfield email and reply re list of hearing issues (.2); email Harvey Rosenfield re hearing items (.2)	0.4	\$238.00

12/5/18	review Farmers motion to compel	0.3	\$178.50
12/6/18	review emails, calendar (.2);	0.2	\$119.00
12/7/18	review and reply to A Schwartz email re motion to strike	0.2	\$119.00
12/10/18	review emails	0.1	\$59.50
12/11/18	review Harvey Rosenfield email	0.1	\$59.50
12/12/18	review and reply to Harvey Rosenfield emails (.2); review and reply to emails (.5)	0.7	\$416.50
12/16/18	review and reply to Harvey Rosenfield email re questions on hearing procedures	0.5	\$297.50
12/17/18	review and reply to Harvey Rosenfield email (.2); review hearing checklist (.5);	0.7	\$416.50
12/18/18	review and reply to Harvey Rosenfield email re conference call with CALJ Rosi (.2); conference with K Gentile re letter requesting telephonic appearance (.1); conferences with J Flanagan and Harvey Rosenfield re same (.2); review emails re conference (.1)	0.6	\$357.00
12/18/18	review J Angoff email re telephone conference with J Castle	0.1	\$59.50
12/19/18	emails re call	0.2	\$119.00
12/20/18	telephone conference with Harvey Rosenfield, J Angoff, A Schwartz re hearing prep (1.1); review Harvey Rosenfield email (.1)	1.2	\$714.00
1/2/19	review emails	0.3	\$178.50
1/4/19	review emails re hearing dates	0.2	\$119.00
1/7/19	review emails	0.7	\$416.50
1/10/19	review emails re mediation (.1)	0.1	\$59.50
1/14/19	review emails	0.1	\$59.50
1/16/19	review emails	0.1	\$59.50
1/17/19	review emails	0.1	\$59.50
1/18/19	review Harvey Rosenfield and A Schwartz emails re Farmers damages (.2); telephone conference with A Schwartz (.7)	0.9	\$535.50
1/25/19	review email re mediation (.2); conference with team re same (.2); review and reply to emails (.2)	0.6	\$357.00
1/29/19	conference with lit team re status	0.2	\$119.00
2/1/19	telephone conference with Harvey Rosenfield and J Angoff	1	\$595.00
2/4/19	review mediation brief	0.5	\$297.50
2/5/19	review email re mediation, review J Angoff email (.2); conference with Harvey Rosenfield re same (.1)	0.3	\$178.50
2/6/19	conference with Harvey Rosenfield re status	0.3	\$178.50
2/7/19	conference with Harvey Rosenfield re status, mediation brief (.5); review and reply to J Angoff email re Watkins argument (.2); review emails (.2)	0.9	\$535.50
2/11/19	edit mediation brief	0.5	\$297.50
2/15/19	review emails re call	0.1	\$59.50
2/19/19	telephone conference with Harvey Rosenfield and email K Gentile re documents (.5); review rulings re penalty and email Harvey Rosenfield (.4)	0.9	\$535.50

2/25/19	review emails re settlement, conference with Harvey Rosenfield re same	0.2	\$119.00
2/26/19	review emails re hearing/stip (.2); review and reply to emails (.8)	1	\$595.00
2/27/19	review emails re hearing dates	0.2	\$119.00
3/4/19	review emails	0.3	\$178.50
3/7/19	review emails	0.2	\$119.00
3/8/19	review emails	0.1	\$59.50
3/11/19	review emails	0.2	\$119.00
3/13/19	review emails re settlement/hearing (.2); review emails re hearing (.3)	0.5	\$297.50
3/21/19	review emails	0.1	\$59.50
3/27/19	review emails re stip/hearing	0.2	\$119.00
5/6/19	telephone conference with A Schwartz re status	0.2	\$119.00
5/16/19	review emails	0.1	\$59.50
5/17/19	review emails/texts re status	0.1	\$59.50
5/20/19	review Harvey Rosenfield email re writ proceeding decision to Rosi	0.1	\$59.50
5/23/19	review Harvey Rosenfield email	0.1	\$59.50
5/31/19	review email re settlement	0.1	\$59.50
6/18/19	review A Schwartz email and conference with J Flanagan re status	0.2	\$119.00
8/27/19	conference with J Flanagan and D Sternberg re status conf	0.3	\$178.50
9/24/19	conference with Harvey Rosenfield re amended budget (.2); emails and conferences with K Gentile re same (.2); review and reply to email re same (.2)	0.6	\$357.00
9/25/19	review and reply to J Flanagan email re D Sternberg hourly rate (.2); edit amended budget (1.2); conference with J Flanagan re same (.1)	1.5	\$892.50
9/26/19	review and reply to Harvey Rosenfield email re amended budget	0.1	\$59.50
9/27/19	review and reply to emails	0.2	\$119.00
10/9/19	review court order in Harris case, review calendar entries	0.3	\$178.50
10/14/19	conference with D Sternberg re status, expert depositions (.1)	0.2	\$119.00
10/21/19	review D Sternberg email	0.1	\$59.50
11/11/19	conference with K Gentile re proposed budget	0.1	\$59.50
12/6/19	review emails	0.2	\$119.00
12/9/19	conference with Harvey Rosenfield re fee motion (.3); conference with J Flanagan, Harvey Rosenfield and J Court re fees (.4); review amended budget, conference with Harvey Rosenfield re same (.7); review Harvey Rosenfield email re revised budget (.1)	1.5	\$892.50
12/9/19	conference with K Gentile re proposed budget	0.2	\$119.00
1/22/20	review emails, reply to Harvey Rosenfield email re fees	0.2	\$119.00
1/31/20	telephone conference with Harvey Rosenfield and D Sternberg re fees (.2)	0.2	\$119.00

4/30/20	review H Rosenfield email re update	0.1	\$59.50
5/18/20	review emails re letter to Judge Rosi, review letter and proposed edits	0.5	\$297.50
5/18/20	review H Rosenfield email re fee request	0.1	\$59.50
5/19/20	review request for compensation (1.0), email H Rosenfield comments (1.2) review and reply to H Rosenfield email and teleconference with H Rosenfield re same (.3)	2.5	\$1,487.50
5/20/20	review and reply to H Rosenfield email re fees (.1); review emails re same (.2)	0.3	\$178.50
5/27/20	teleconference with H Rosenfield and J Flanagan re call with M Levy re fee motion	0.1	\$59.50
5/27/20	teleconference with H Rosenfield re call with M Levy	0.1	\$59.50
6/10/20	teleconference with H Rosenfield re fee request	0.1	\$59.50
6/23/20	review and reply to H Rosenfield email re request for compensation (.1); review and edit request for compensation (3.2)	3.3	\$1,963.50
6/24/20	review and reply to H Rosenfield email re declaration (.4); review K Gentile email re declaration and review fee request (.4); edit request for compensation (2.3)	3.1	\$1,844.50
6/25/20	review H Rosenfield email to A Schwartz, A Schwartz reply re fee request	0.2	\$119.00
6/26/20	review A Schwartz and H Rosenfield emails re request for compensation (.1); review emails re request for compensation (.2); review A Schwartz email (.1)	0.4	\$238.00
6/29/20	review emails from A Schwartz and H Rosenfield re fees request (.2)	0.2	\$119.00
7/2/20	teleconference with A Schwartz re fee request	0.1	\$59.50
7/10/20	review H Rosenfield and A Schwartz emails re fee request	0.2	\$119.00
7/15/20	emails re time records	0.2	\$119.00
7/21/20	review K Gentile email re H Rosenfield declaration	0.1	\$59.50
7/28/20	review H Rosenfield email and reply re request for compensation	0.1	\$59.50
7/29/20	review request for compensation (.5); teleconference with H Rosenfield re same (.1)	0.6	\$357.00
7/30/20	review and edit request for compensation, email H Rosenfield (1.8); teleconference with H Rosenfield (.2); review and edit declaration, email H Rosenfield (1.6); teleconference with H Rosenfield re same, review declaration and email H Rosenfield re same (.3)	3.9	\$2,320.50
7/31/20	review H Rosenfield email	0.1	\$59.50
8/3/20	review and reply emails re fees	0.2	\$119.00
8/9/20	review emails re request for compensation	0.1	\$59.50
8/10/20	review and reply to emails re request for compensation	0.2	\$119.00
8/12/20	review and reply to H Rosenfield email, review statute, regs	0.4	\$238.00
8/13/20	review and edit request for compensation	0.9	\$535.50

8/21/20	review and reply to H Rosenfield email/text re request for compensation	0.2	\$119.00
8/23/20	email H Rosenfield re regulation	0.2	\$119.00
8/24/20	review emails	0.1	\$59.50
8/24/20	review J McCune email to AHB re proposed order transmission to Commissioner	0.1	\$59.50
8/25/20	review and reply to J Flanagan and H Rosenfield emails re request for compensation	0.1	\$59.50
8/27/20	review and reply to H Rosenfield email (.1); review and forward Commissioner's order (.2);	0.3	\$178.50
8/29/20	review and reply to H Rosenfield emails re review and editing request for compensation (.2)	0.2	\$119.00
8/30/20	edit request for compensation (2.2); review and reply H Rosenfield email (.1); follow up emails (.2)	2.5	\$1,487.50
8/31/20	email H Rosenfield re call re edits to Request for Compensation (.1); teleconference with J Flanagan re same (.1)	0.2	\$119.00
8/31/20	teleconference with H Rosenfield re edits to request for compensation (.5); review D Sternberg and H Rosenfield emails re same (.1)	0.6	\$357.00
<b>Pamela Pressley Total:</b>		<b>146.3</b>	<b>\$87,048.50</b>

### Samantha Skouras

Date	Description	Hours	Total
5/3/17	discussion w/ J Phenix & B Powell re issues; litigation meeting with litigation team re issues and strategy; draft paralegal budget paragraph for petition to intervene	1.9	\$380.00
5/4/17	prepare proof of service for Petition to Participate; edit/finalize/file Petition via email/mail/Fed Ex	2.1	\$420.00
5/17/17	read joint scheduling conference statement	0.3	\$60.00
6/5/17	email J Phenix re P Pressley's tel. appearance, review notice of scheduling conference for deadline to file notice of telephonic appearance, add deadline to Daylite	0.2	\$40.00
6/7/17	draft request to appear telephonically for H Rosenfield & P Pressley (0.5); review joint scheduling statement (0.1)	0.6	\$120.00
6/8/17	call T Warren re her message; prepare original signature of joint statement and envelope to mail; forward draft of request for telephonic appearance to team, make edits, edit proof of service	1	\$200.00
6/9/17	finalize/file request for telephonic appearance, mail original joint statement signature and request to AHB	0.5	\$100.00
6/30/17	email J Phenix re order	0.1	\$20.00
7/7/17	read order thoroughly and calendar deadlines	1.3	\$260.00
7/19/17	read J Phenix email re discovery	0.1	\$20.00

8/14/17	prepare proof of service for discovery responses; fix formatting of word docs of discovery responses; convert into pdf; add signed signature pages to each doc; last review of final discovery response pdfs and pos; send to parties;	1.9	\$380.00
8/15/17	download production disc from Farmers, scan disc for H Rosenfield and email to H Rosenfield and J Phenix (0.2); search for clerk's phone number for department handling Harris case in LASC and email to H Rosenfield, email all filed discovery docs to A Schwartz via Dropbox (0.4);	0.6	\$120.00
8/31/17	proof and edit letter to Farmers re supplemental discovery, finalize with J Phenix's signature and send to counsel	0.6	\$120.00
10/16/17	read letter from CDI	0.2	\$40.00
10/17/17	prepare witness designation and email to J Phenix; prepare pdf with exhibit; prepare proof of service; finalize with signature and email to AHB and parties; prepare copies for mail service and original for ALJ; place in mail and Fed Ex bin	1.4	\$280.00
10/18/17	review Farmers' witness designation and point out to J Phenix non-compliance with post-scheduling order	0.1	\$20.00
10/18/17	begin drafting objection to Farmers' witness designation	0.2	\$40.00
10/19/17	draft Objection to Farmers' Witness Designation and send to J Phenix for review	0.5	\$100.00
10/25/17	read various emails re including more counsel in service of pleadings; respond to S Volkmer's email re service; update operative proof of service to include R Binion, D Goodell and J McCune; email last-filed pleading to R Binion, D Goodell and J McCune	0.4	\$80.00
10/26/17	prepare shell on pleading paper for Opposition to Farmers' Motion to Compel and send to H Rosenfield (0.5); conversation with J Phenix re draft of objection to witness designation, make edits discussed, review and send back to J Phenix (0.5)	1	\$200.00
10/27/17	prepare proofs of service for Opposition to Motion to Compel and Objection to Witness Designation; make final edits and proof; prepare documents into pdfs and send to H Rosenfield for review; print original documents for signatures; sign proofs of service; file via email with C Johnson with courtesy copy to parties; prepare originals and copies to overnight to ALJ; place package in Fed Ex bin	1.1	\$220.00
11/7/17	prepare and file request for telephonic appearance	0.5	\$100.00
11/8/17	reply to email from C Johnson	0.1	\$20.00
11/10/17	check ALJ's order re filing procedures, email Harris plaintiffs' counsel re filing procedures	0.2	\$40.00

	read emails, read draft of protective order; proof and edit letter requesting entry of protective order, prepare proof of service; finalize letter with exhibits; attempt many times to print letter; finally file and e-serve on parties; drive to Fed Ex to overnight		
11/29/17	copy to ALJ	2.5	\$500.00
11/30/17	check tracking that letter was delivered to ALJ	0.1	\$20.00
	read emails from counsel; call T Warren back re discovery;		
12/1/17	help T Warren send production CWD didn't receive	0.5	\$100.00
	read emails; save Farmers' production to shared folder (0.5);		
12/6/17	finalize, file and serve letter (1.0)	1.5	\$300.00
12/7/17	read emails; check that the filed letter was delivered to the ALJ	0.1	\$20.00
12/15/17	read emails; download and save received production	0.4	\$80.00
	email C Monahan re discovery links, download discovery		
12/21/17	production, check the docs for corruption/errors, read letter	0.7	\$140.00
12/27/17	figure out how to encrypt discovery docs produced	0.5	\$100.00
	send encrypted production documents to A Schwartz; talk to J Phenix re A Schwartz unable to open encrypted production		
12/28/17	documents; read emails	0.7	\$140.00
	discuss different ways and costs to send production documents to A Schwartz; send production documents to A Schwartz; read		
12/29/17	emails	0.5	\$100.00
	spotlight search in the shared folder for production docs; talk to		
1/2/18	H Rosenfield re findings;	0.4	\$80.00
2/27/18	email meet and confer letter to parties	0.2	\$40.00
3/14/18	download and save discovery production	0.4	\$80.00
3/28/18	prepare notice of change of address	0.2	\$40.00
3/29/18	finalize, file and serve notice of change of address	0.7	\$140.00
4/12/18	download and save production from Farmers	0.1	\$20.00
4/13/18	download and save production from Farmers	0.1	\$20.00
	read background materials for discovery from J Phenix, reply to J Phenix's email re time to discuss discovery review project, meet with J Phenix re discovery review project (2.8); meet with J Phenix, J Flanagan and H Rosenfield re discovery review		
4/25/18	project (0.6)	3.4	\$680.00
4/26/18	download and save production from Farmers	0.2	\$40.00
4/30/18	discovery review prep;	0.2	\$40.00
5/1/18	review discovery	0.8	\$160.00
5/1/18	read emails; download and save production from Farmers	0.7	\$140.00
5/2/18	review discovery	1.6	\$320.00
5/3/18	review discovery	1.1	\$220.00
5/4/18	review discovery	1.3	\$260.00
	respond to email from J Phenix re dedicating more time to		
5/7/18	discovery review	0.1	\$20.00
5/8/18	review discovery	4.9	\$980.00

5/9/18	review discovery; conversation with J Phenix re discovery; download and save production	1.9	\$380.00
5/10/18	finish discovery review; send document to J Phenix	1.3	\$260.00
5/11/18	catch up on missed emails; send questions/notes on discovery review to J Phenix; read and discuss J Phenix's answers re discovery review	1.6	\$320.00
5/15/18	pull and save docs to case folder	0.3	\$60.00
5/15/18	meeting with J Phenix, H Rosenfield and J Flanagan re discovery review	0.5	\$100.00
5/16/18	review discovery documents	0.5	\$100.00
5/16/18	print discovery docs to review while at home sick	0.4	\$80.00
5/18/18	review discovery documents while at home sick	1	\$200.00
5/21/18	type up notes and questions from discovery review, email questions to J Phenix; conference with J Phenix re his responses to my discovery review questions	1.1	\$220.00
5/23/18	catch up on emails; download and save farmers production	1.2	\$240.00
6/12/18	forward discovery docs from Mehri firm's intern to A Schwartz; organize and save discovery docs in shared folder; correspond with Mehri firm's intern re missing docs	0.6	\$120.00
6/13/18	read and respond to emails from Mehri firm's intern; save discovery docs in shared folder and forward more to A Schwartz	0.2	\$40.00
6/14/18	download and save docs from Mehri firm and discovery production from Farmers	0.2	\$40.00
6/15/18	send link to discovery to A Schwartz	0.1	\$20.00
6/18/18	put discovery documents in Dropbox and send to A Schwartz	0.2	\$40.00
6/22/18	prepare J Phenix notice of withdrawal and send to P Pressley and H Rosenfield to review	0.2	\$40.00
6/25/18	prepare proof of service, finalize, file and serve J Phenix Notice of Withdrawal	0.6	\$120.00
7/5/18	correspond with intern at Angoff's firm; share Dropbox folder with intern	0.1	\$20.00
7/19/18	remove staples from exhibits to Gunnell deposition, scan and save in shared folder for H Rosenfield	0.4	\$80.00
7/26/18	send Gunnell deposition exhibits to A Schwartz for H Rosenfield	0.1	\$20.00
7/27/18	conversation with H Rosenfield re exhibits to depositions; pull and save Bugbee deposition exhibits; download and save deposition exhibits; send deposition documents to A Schwartz via Dropbox;	0.8	\$160.00
7/30/18	pull deposition exhibits and send to H Rosenfield and A Schwartz	2.4	\$480.00
8/3/18	conversation with H Rosenfield re exhibits to depos	0.1	\$20.00
8/6/18	organize Bugbee deposition exhibits in shared folder	0.4	\$80.00

8/8/18	remove staples from docs, scan and send to H Rosenfield; forward deposition exhibits to A Schwartz; save deposition exhibits to shared folder	0.3	\$60.00
8/10/18	download and save deposition transcript; email H Rosenfield re access to MyVeritext to download deposition exhibits; read emails;	0.1	\$20.00
8/15/18	read and respond to various emails re Kaleidoscope; attempt to download discovery, inform H Rosenfield access to discovery denied; attempt to download Kaleidoscope software	0.2	\$40.00
8/16/18	read emails; conversation with H Rosenfield re Kaleidoscope; conversation with H Rosenfield re call with A Schwartz; call with H Rosenfield and A Schwartz; re-send A Schwartz exhibits to depositions via Dropbox;	0.4	\$80.00
8/22/18	read emails; download and save deposition documents from Kaleidoscope;	0.4	\$80.00
8/23/18	finish editing caption pages and formatting final approval drafts	0.5	\$100.00
9/14/18	read emails; download and save docs from Laitner deposition; log onto Kaleidoscope to access docs; reply to J Osterwise email; put Laitner depo docs in Dropbox and send to A Schwartz at H Rosenfield's request; inform P Pressley I sent Laitner depo docs to A Schwartz;	0.2	\$40.00
9/18/18	read emails, download and save docs from Farmers; download, save and send to A Schwartz Antol deposition docs from Kaleidoscope; realize docs for other depositions are missing, download and save;	0.5	\$100.00
9/19/18	download missing discovery docs from Kaleidoscope; send docs to A Schwartz via Dropbox;	0.2	\$40.00
9/25/18	download and save Bugbee second deposition day docs from Kaleidoscope; email J Osterwise re doc with error;	0.1	\$20.00
9/26/18	call with A Schwartz, H Rosenfield and P Pressley re pre-filed direct testimony filing; conversation with H Rosenfield and P Pressley re logistics of filing	0.8	\$160.00
9/27/18	prepare exhibits to A Schwartz's pre-filed direct testimony; email P Pressley and H Rosenfield re large exhibit for A Schwartz pre-filed direct testimony	0.9	\$180.00
9/28/18	respond to P Pressley's email re PDT exhibits; conversation with H Rosenfield re possible extension to pre-filed direct testimony deadline; review stipulation and proposed order; read emails; conversation with P Pressley re procedures for PDT exhibits; edit page numbers for exhibits;	0.4	\$80.00
10/3/18	read/respond to email from H Rosenfield; paginate new exhibits to A Schwartz's pre-filed direct testimony; conversation with H Rosenfield re finalizing and filing pre-filed direct testimony and exhibits on Friday; create exhibit tabs and compile exhibits to pre-filed direct testimony	0.9	\$180.00

	read/respond to emails re exhibits to pre-filed direct testimony; proof/edit pre-filed direct testimony for formatting, punctuation and grammar errors; review/revise edits with H Rosenfield; prepare exhibit indices; prepare proofs of service; confirm with H Rosenfield that extension was denied; conversation with H Rosenfield re redacting tomorrow; prepared Fed Ex shipping label for tomorrow; conversation with H Rosenfield re printing;		
10/4/18	review order from ALJ and notice extension was granted;	4.2	\$840.00
10/5/18	conversation with H Rosenfield re new deadline for pre-filed direct testimony; read emails; work on redactions of pre-filed direct testimony; send redacted version to H Rosenfield, P Pressley, A Schwartz and J Flanagan; ask H Rosenfield to confirm redacted exhibits;	0.4	\$80.00
10/8/18	review pre-filed direct testimony docs with H Rosenfield; fix redactions and edit exhibit list; edit pre-filed direct testimony with H Rosenfield; review exhibits C9 and C19; call A Schwartz with H Rosenfield to clarify exhibits; replace exhibits with bates-stamped versions; edit confidential & public versions of the pre-filed direct testimony and exhibits lists; reply to H Rosenfield's email re exhibit lists;	2.1	\$420.00
10/9/18	conversation with H Rosenfield re logistics to file pre-filed direct testimony and exhibits; conversation with H Rosenfield re finalizing public and redacted versions of testimony and exhibits; finalize both versions of testimony and exhibits	2.4	\$480.00
10/10/18	conversation with H Rosenfield re pre-filed direct testimony and opposition brief due on Friday	0.2	\$40.00
10/11/18	read email re pre-filed direct testimony; edit confidential exhibit list; conversation with H Rosenfield re filing schedule for tomorrow; send template to H Rosenfield for opposition brief; print and bind confidential and public versions of pre-filed direct testimony and exhibits; send service email example to H Rosenfield;	1.9	\$380.00
10/12/18	conversation with H Rosenfield re filings today; print copies of opposition brief for ALJ; review orders re filing confidential materials; file pre-filed direct testimony and exhibits by email and place hard copies in Fed Ex receptacle;	1.4	\$280.00
10/17/18	update operative proof of service; download and save other pre-filed direct testimonies and exhibits from kaleidoscope	1	\$200.00
10/22/18	send file pathway to K Gentile for word version; convert DAT file for D Sternberg	0.1	\$20.00
<b>Samantha Skouras Total:</b>		<b>76.6</b>	<b>\$15,320.00</b>
<b>Consumer Watchdog Total:</b>		<b>1478.1</b>	<b>\$771,578.50</b>

## **EXHIBIT 2B**

**Consumer Watchdog  
Farmers v. Jones 2017  
Los Angeles Superior Court, BS170584**

**Harvey Rosenfield**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
8/15/17	Review Farmers responses to discovery (.4); Telephone conference with Jay Angoff re discovery and writ (.5); Telephone conference with Jon Phenix, Ben Powell, CDI, Harris team re same (.9); Review CDI responses to discovery request (.3)	2.1	\$1,459.50
8/17/17	Further research info re court from Samantha Skouras (.3); Email J Court re issue.	0.3	\$208.50
8/18/17	Telephone conference with Jay Angoff re strategy and email Consumer Watchdog team re same (.3); Telephone conference with J Court re strategy issue (.2); Further discussion with team and research re sanctions issue (.2); Further research on use of price optimization (.5)	1.2	\$834.00
8/21/17	Follow up with CDI and Jon Phenix re writ proceeding (.2); Reply to Jay Angoff email re strategy (.1)	0.3	\$208.50
8/22/17	Email from CDI re writ case, and reply, research court case, discussion with Jon Phenix re same, email CALJ office re request for status conference (.4); Review price optimization research and articles (1.); Review and follow up with Jon Phenix re his summary of Farmers discovery (.4)	1.8	\$1,251.00
8/23/17	Review email, email Jon Phenix and Pam Pressley re writ, discussion with Jon Phenix re same, discussion with Samantha Skouras re filing, email R Binion re same and set time for telephone conference with team; email CDI (.5); Draft summary of filed rate immunity argument (.3); Review Petition (.5)	1.3	\$903.50
8/23/17	Set and telephone conference with Jon Phenix, Ben Powell and CDI, Harris team re writ and further discussion with Jon Phenix and Ben Powell (1.6) Follow up from CDI and Farmers re service of writ (.1)	1.7	\$1,181.50
8/24/17	Discussion with Pam Pressley, Jon Phenix and J Flanagan re case (.3); Discussion with attorney re issues, research case in Westlaw, forward to Jon Phenix (.5)	0.8	\$556.00
8/24/17	Review Jon Phenix email re ex parte (.1); Review email from CDI re calendar and forward to Samantha Skouras (.1); Research Younger case and Westlaw re exhaustion (.7); Further research Westlaw (.8)	1.7	\$1,181.50
8/25/17	Discussion with Jon Phenix re strategy (.1); Telephone conference with M Levy and email Consumer Watchdog re same (.3)	0.4	\$278.00

8/29/17	Telephone conference with attorney re procedures (.2); Research potential stay issues (.5)	0.7	\$486.50
9/1/17	Reply to Pam Pressley email and review 170.6 by Farmers, and review Jon Phenix email re same (.3);	0.3	\$208.50
9/5/17	Review court notice (.1)	0.1	\$69.50
9/6/17	Discussion with Consumer Watchdog team re status (.1); Discussion with Jon Phenix re same (.1)	0.2	\$139.00
9/7/17	Reply to Jay Angoff re answer (.1)	0.1	\$69.50
9/11/17	Discussion with Consumer Watchdog lit team re status (.1); Email with team re possible writ issues and set call re same (.3)	0.4	\$278.00
9/12/17	Review email from Farmers re assignment of judge (.1); Email J Flanagan re same (.1); Reply to Jay Angoff email (.1); Email Jon Phenix re same (.1); Telephone conference with attorney re LASC and email Consumer Watchdog team re same (.3); Review Jon Phenix email re court rules (.1); Telephone conference with team, Jay Angoff and CDI re strategy (.7); Further telephone conference with Harris team and Jon Phenix re strategy (.3); Research re court assignment (.2)	2.2	\$1,529.00
9/13/17	Review email from team re hearing (.1); Telephone conference with Jon Phenix re same (.2); Email team re same (.3); Further discussion with Jon Phenix re same (.2); Telephone conference with attorney re strategy issue (.1); Discussion with Jon Phenix re strategy, issues in referral; and other legal issues (.8); Telephone conference with L Robbins (AG) re same (.2); Email Jay Angoff re strategy (.2)	2.1	\$1,459.50
9/14/17	Reply to Jay Angoff voice mail and text (.2)	0.2	\$139.00
9/18/17	Review email from Jon Phenix re rate filing question (.1)	0.1	\$69.50
9/19/17	Reply to team email re setting conference call and discussion with Jon Phenix (.3); Telephone conference with Jon Phenix, CDI, Jay Angoff and A Gold re status of hearing at LASC (.3); Further discussion with Jon Phenix (.1); Review email from Farmers and CDI re assignment, further discussion with Jon Phenix re same, strategy (.3); Email with team re assignment (.2);	1.2	\$834.00
9/20/17	Review email from Farmers and email Jon Phenix re same (.1)	0.1	\$69.50
9/21/17	Complete review of Farmers' writ petition and memo to file (.9); Email from team re conference (.1)	1	\$695.00
9/27/17	Review email to set time for team call, check calendar (.1); Skim summary from Jay Angoff (.2)	0.3	\$208.50
9/28/17	Voice mail from Jay Angoff, review email from team re Motion for Preliminary Injunction and email and left message for him (.3); Skim Motion for Preliminary Injunction papers per Jay Angoff voicemail (.2); Discussion with Consumer Watchdog team re tasks, status (.3); Further discussion with Jon Phenix re Motion for Preliminary Injunction (.1); Review Jon Phenix draft action plan (.2)	1	\$695.00

9/29/17	Review Farmers Motion for Preliminary Injunction, declarations and exhibits (1.4); Telephone conference with Jon Phenix, CDI, AG, Harris plaintiffs re same, possible motions, strategy and allocation of tasks (.4); Telephone conference with Jon Phenix, Pam Pressley and A Schwartz re status (.3);	2.1	\$1,459.50
9/30/17	Review email from Pam Pressley re redlines and from Samantha Skouras re POS (.1); Review call notes and draft Action Plan (.9); Review email and demurrer outline from Jon Phenix and reply, forward Action Plan to him (.1)	1.1	\$764.50
10/1/17	Review Jon Phenix draft outline of demurrer and email him re task plan (.3); Review Jon Phenix list of issues and discussion with him re same (.3)	0.6	\$417.00
10/2/17	Discussion with Jon Phenix re tasks (.3); Review Jon Phenix outline of issues in MPI, writ (.2)	0.5	\$347.50
10/3/17	Review Jon Phenix list of arguments (.2); Discussion with Jon Phenix re allocation of same and strategy (.2); Discussion with Consumer Watchdog lit team re same (.6); Further discussion with Jon Phenix and email re scheduling call with CDI, Harris plaintiffs to discuss Motion for Preliminary Injunction, demurrer (.2); Email J Flanagan re research task for intern (.1)	1.3	\$903.50
10/4/17	Reply to J Flanagan re research task (.1); Telephone conference with Jon Phenix, CDI and Harris plaintiffs team re Motion for Preliminary Injunction and possible demurrer (.7); Further discussion with Jon Phenix re same (.3); Reply to Pam Pressley (.1); Reach out to attorney and email re same (.1); Review Rutter and other sources (.5); Discussion with Jon Phenix and J Flanagan re same (.2); Telephone conference with appellate expert re same (.2); Telephone conference with appellate expert re same (.2); Further research and email Consumer Watchdog team re input (.2);	2.6	\$1,807.00
10/5/17	Review Jon Phenix outline of Consumer Watchdog opposition to Motion for Preliminary Injunction and research previous such oppositions, prepare opposition brief (2.4); Telephone conference with clerks at superior court re calendar and email team and discussion with Jon Phenix re same (.7); Further telephone conference with clerk re status conference, email team re outcome (.2); Telephone conference with L Robbins @ AG re same (.2); Research re exhaustion (.3);	3.8	\$2,641.00

10/6/17	Discussion with legal team re status of case, re Farmers' FAC and impact on calendar, further discussion with team re same (.4); Left message for L Robbins and telephone conference with L Chao @ AG re same (.2); Telephone conference with R Binion and Jon Phenix re same (.3); Review Jon Phenix draft email to Farmers re same and discussion with him (.3); Review draft meet and confer letter from R Binion and discussion with Jon Phenix re same (.1); Review R Binion edit to draft stipulate PO and review edit to same; Further discussion with Jon Phenix re Farmers (.3)	1.6	\$1,112.00
10/8/17	Email from Jon Phenix and reply re status of draft opposition to Motion for Preliminary Injunction	0.1	\$69.50
10/9/17	Email Jon Phenix re status of inquiry to Farmers and review email from Farmers re same, review reply from Jon Phenix (.3); Review Jon Phenix draft of opposition to Motion for Preliminary Injunction (.6); Discussion with Jon Phenix re same (.6); Revise draft (1.5);	3	\$2,085.00
10/10/17	Discussion with Jon Phenix re Motion for Preliminary Injunction opposition (.6)	0.6	\$417.00
10/10/17	Email from CDI re status (.1); Review Jay Angoff draft per Jon Phenix notes (.2); Discussion with team re opposition to Motion for Preliminary Injunction (.8)	1.1	\$764.50
10/11/17	Review Jon Phenix draft opposition to Motion for Preliminary Injunction (.6); Discussion with Jon Phenix re same (.4); Further edits and discussion with Jon Phenix (5.0)	6	\$4,170.00
10/12/17	Email from Farmers and team re complaint and extension for demurrer (.3) Review Jon Phenix draft opposition to Motion for Preliminary Injunction with edits from Pam Pressley (and review exhibits to same) and revise, forward to Jon Phenix (2.8); Discussion with Jon Phenix re same (.8); Draft text, research statutes for opposition (.7); Left message for and email Jay Angoff (.1); Review and revise next draft of opposition and discussion with Jon Phenix, Samantha Skouras and skim final (1.6); Research filed rate immunity cases (.4)	6.7	\$4,656.50
10/13/17	Research (.3); Read AG and Harris opposition to MPI (.7); Reply to Jon Phenix re demurrer (.1); Telephone conference with Jay Angoff (.1); Review team and CDI email re demurrer schedule (.1); Review stip and email re same (.1); Research issue in CDI and Harris oppositions (.7)	2.1	\$1,459.50
10/18/17	Review team email (.2); Reply to A Gold email re demurrers, and review team response, and email Samantha Skouras to secure demurrer date per same (.3); Email Jon Phenix re demurrer and discussion with him (.1); Discussion with Consumer Watchdog legal team (.2)	0.8	\$556.00

10/19/17	Discussion with Samantha Skouras re demurrer (call with court clerk) and discussion with Jon Phenix re same (.1); Review meet and confer draft letter to Farmers and discussion with Jon Phenix (.2)	0.2	\$139.00
10/20/17	Review email re team call (.1); Discussion with Jon Phenix re demurrer meet and confer (.1); Review email re same (.1); Review Farmers Reply to opposition to Motion for Preliminary Injunction, research and discussion with Jon Phenix re same, and hearing (1.1)	0.2	\$139.00
10/23/17	Telephone conference with Jon Phenix, CDI and Harris plaintiffs, re hearing, division of issues for argument, and discussion with Jon Phenix re same (1.3); Research and draft demurrer, discussion with Jon Phenix re same (4.4)	5.7	\$3,961.50
10/24/17	Research and demurrer, discussion with Jon Phenix re same (4.2); Email Jon Phenix re tasks, court reporter (.2); Discussion with Samantha Skouras and email Jon Phenix re demurrer filing logistics (.2); Review pleadings, research and prepare for hearing on Motion for Preliminary Injunction (1.7)	6.3	\$4,378.50
10/25/17	Prepare for hearing on Motion for Preliminary Injunction (1.); Follow up with counsel for another case re Farmers/Mackay (.2); Email from Jon Phenix re demurrer draft and discussion with Jon Phenix (1.1); Further preparation for Motion for Preliminary Injunction (1.6); Travel to, attend and return from hearing on Motion for Preliminary Injunction (5.3); Review tentative and Jay Angoff email to team re hearing and reply to same, prepare notes for demurrer, email court reporter (1.4); Review email from Jay Angoff (.1); Further discussion with Jay Angoff (.4)	10.3	\$7,158.50
10/26/17	Review tentative in Motion for Preliminary Injunction (.4); Email and telephone conference with court reporter (.2); Review further team email re demurrer, follow up with court reporter re hearing on Motion for Preliminary Injunction (.4); Demurrer notes and research (3.8); Discussion with Jon Phenix re demurrer (.2); Discussion with Consumer Watchdog team re hearing on Motion for Preliminary Injunction (.2); Telephone conference with court reporter, review email from them and discussion with J Flanagan, further email (.3); Review notice of demurrer, dec etc (.5); Further review of demurrer (.5)	6.5	\$4,517.50
10/27/17	Demurrer: Review Jon Phenix and Pam Pressley drafts, telephone conference with Pam Pressley, review email from Jay Angoff, discussion with Samantha Skouras, review and proof final drafts, prepare for filing (2.2); Arrange call re case with attorney (.2); Follow up with court reporter re transcript and discussion with J Flanagan re same (.1)	2.5	\$1,737.50
10/28/17	Organize files, review calendar and develop strategy (.8)	0.8	\$556.00

10/29/17	Skim Harris plaintiffs' demurrer and related email (.1); Reply to Jay Angoff re transcript (.1); research Westlaw re filed rate and 103 cases, primary jurisdiction (1.4)	1.6	\$1,112.00
10/31/17	Telephone conference re Frias case (.2); Review his email docs from case and forward filed rate immunity materials (.3); Follow up with court reporter and Jay Angoff re transcript (.2)	0.7	\$486.50
11/2/17	Email court reporter re quote and reply (.1); Westlaw research re 103 cases, filed rate immunity cases etc and review same (2.0)	2.1	\$1,459.50
11/5/17	Read Harris demurrer (.3);	0.3	\$208.50
11/6/17	Review and email Samantha Skouras re demurrer calendar (.1); Email Jay Angoff re MPI hearing, A Schwartz re call (.1)	0.2	\$139.00
11/7/17	Voicemail from Jay Angoff re order and reply and telephone conference with his associate to obtain copy of court ruling on Motion for Preliminary Injunction, email CDI re same (.2); Telephone conference with Jay Angoff re same (.2); Review court order denying Motion for Preliminary Injunction, compare to tentative (.5); Discussion with Jon Phenix re same (.1); Discussion with team re sign up for CaseAnywhere (.2); Further follow up re calendar (.1); Follow up with M Levy (.2); Email A Schwartz re status (.1)	1.6	\$1,112.00
11/8/17	Email A Schwartz re status (.1); Email M Levy re same (.1)	0.2	\$139.00
11/9/17	Telephone conference with A Schwartz re status (.3); Email attorney re primary jurisdiction issue (.4); Follow up with Samantha Skouras re CaseAnywhere (.1);	0.8	\$556.00
11/16/17	Telephone call with Jon Phenix, CDI and Harris plaintiffs re strategy, possible appeal of denial of Motion for Preliminary Injunction (.2); Discussion with Jon Phenix re same (.3); Telephone conference with Jay Angoff re his telephone conference with Farmers (.3); Further telephone conference with Jay Angoff re telephone conference with CDI re same (.2); Further discussion with Jon Phenix re same (.1); Email CDI re rule making file (.1)	1.2	\$834.00
11/21/17	Telephone conference with Jon Phenix and A Schwartz re status (.1)	0.1	\$69.50
11/22/17	Email from team re demurrer schedule (.2)	0.2	\$139.00
11/27/17	Email re demurrer briefing schedule (.1)	0.1	\$69.50
12/11/17	Discussion with Consumer Watchdog team re status (.1)	0.1	\$69.50
1/2/18	Discussion with Pam Pressley and Jon Phenix re status (.1)	0.1	\$69.50
1/17/18	Email and discussion with Jon Phenix re issue (.2); Further research (.3)	0.5	\$347.50
1/20/18	Review CALJ Rosi motion to quash and supporting docs (.3)	0.3	\$208.50
1/22/18	Email with team re status of Farmers' opposition to demurrer (.2)	0.2	\$139.00
1/23/18	Discussion with Pam Pressley, Jon Phenix and Samantha Skouras re status of Farmers' opposition to demurrer (.1); Review email re demurrer (.1)	0.2	\$139.00

1/24/18	Telephone conference with Jay Angoff re Farmers	0.1	\$69.50
1/24/18	Discussion with Jon Phenix re Farmers' failure to file opposition (.1); Telephone conference with Jay Angoff re same (.1)	0.2	\$139.00
1/29/18	Review clerk's note re demurrer and email team re same (.2); Call clerk at court to follow up re dismissal, opposition to demurrer, etc. (.3)	0.5	\$347.50
1/29/18	Review court ruling re demurrer and email team (.1)	0.1	\$69.50
1/30/18	Discussion with Jon Phenix and Samantha Skouras re status (.1); Telephone conference with A Schwartz and Jon Phenix re status (.1); Telephone conference with Jon Phenix and R Binion re status (.1); Review CDI Reply ISO Demurrer (.1)	0.4	\$278.00
2/1/18	Review EEF, email re dismissal and request for fees, research (.5)	0.5	\$347.50
2/22/18	Email re fee request (.1)	0.1	\$69.50
2/27/18	Email from Pam Pressley re fee request (.1)	0.1	\$69.50
3/13/18	Email Pam Pressley and Jon Phenix re fee issue and review reply (.2)	0.2	\$139.00
3/15/18	Discussion with Consumer Watchdog legal team re strategy re fees (.2); Email D Goodell re same (.1)	0.3	\$208.50
3/17/18	Email D Goodell re fee question (.1)	0.1	\$69.50
3/22/18	Telephone conference with D Goodell re fee recovery issues (.2)	0.2	\$139.00
3/23/18	Read and highlight EEF case and email CDI re same (.6)	0.6	\$417.00
<b>Harvey Rosenfield Total:</b>		<b>102</b>	<b>\$70,890.00</b>

### Jonathan Phenix

Date	Description	Hours	Total
8/29/17	Work on Answer	1.7	\$595.00
8/30/17	Research re opposition to motion for stay (.3); email conference with team re same (.1)	0.4	\$140.00
8/30/17	Further work and research re Answer	2.3	\$805.00
8/31/17	Research re answer and revisions re same	4.7	\$1,645.00
8/31/17	Review and sign Notice of Acknowledgement of Receipt (.1); conference with S Skouras re same and re deadlines (.2); email conference with J Castle re same (.1)	0.4	\$140.00
9/1/17	Review 170.6 challenge (.1); research re remaining judge (.7); email conference with H Rosenfield and P Pressley re same (.2)	1	\$350.00
9/1/17	Conference with P Pressley re Farmers arguments (.1); research re same (.2); further research and revisions to answer (2.0)	2.3	\$805.00
9/5/17	Factual research re responses to writ petition	2.6	\$910.00

9/6/17	Conference with P Pressley and H Rosenfield re status (.1); email conference with S Skouras re deadlines (.1); conference with S Skouras re status of draft answer (.2)	0.4	\$140.00
9/12/17	Research re stay issues	1.6	\$560.00
9/13/17	Conference with H Rosenfield re strategy (.6); telephone conference with L Robbins (.1)	0.7	\$245.00
9/13/17	Ex parte hearing (1.0); telephone conference with H Rosenfield re same (.1); travel to and from (1.9)	3	\$1,050.00
9/19/17	Telephone conference with H Rosenfield, CDI, and Harris plaintiffs re status of hearing at LASC (.3); telephone conference with court clerk re status and further discussion with H Rosenfield re same (.3); review email from Farmers and CDI re assignment, further discussion with Jon Phenix re same, strategy (.3); email conference with CDI and Harris plaintiffs re assignment (.1)	1	\$350.00
9/20/17	Review notice of trial setting conference and attached orders thereon (.1); email conference with CWD team re same (.1)	0.2	\$70.00
9/20/17	Conference with P Pressley and H Rosenfield re strategy, next steps	0.3	\$105.00
9/21/17	Conference with S Skouras re answer	0.3	\$105.00
9/21/17	Email conference with CDI and Harris plaintiffs re strategy call	0.2	\$70.00
9/22/17	Email conference with A Gold re docket (.1); email conference with CDI and Harris plaintiffs re strategy call (.1)	0.2	\$70.00
9/22/17	Research re extension re answer/demurrer (.1); email conference with R De La Mora re same (.1)	0.2	\$70.00
9/27/17	Telephone conference with clerk re procedures for extension (.2); email conference with parties re extension (.2)	0.4	\$140.00
9/28/17	Conference with team re status and next steps (.2); review Farmers' motion for preliminary injunction (.6); research re same (1.5); conference with H Rosenfield re strategy (.5); draft work plan (.5); email conference with H Rosenfield re same (.2)	3.5	\$1,225.00
9/29/17	Telephone conference with CDI, AG, and Harris plaintiffs re demurrer and opposition to Motion for Preliminary Injunction	0.7	\$245.00
9/29/17	Research demurrer & draft outline	1.4	\$490.00
9/30/17	Further research re demurrer; finalize outline; email conference with H Rosenfield re same	1.1	\$385.00
10/2/17	Research and outline motion for preliminary injunction (2.1); research re demurrer (.6); conference with H Rosenfield re same (.2); email conference with counsel re same (.1)	3	\$1,050.00
10/3/17	Conference with H Rosenfield re strategy re opposition to Motion for Preliminary Injunction and re demurrer (.4); email conference with CDI and Harris plaintiffs re scheduling call re same (.1); conference with H Rosenfield, P Pressley and J Flanagan re action plan and next steps (.4)	0.9	\$315.00

10/4/17	Research re issue re motion for preliminary injunction and email conference with H Rosenfield re same (.8); conference with CDI and Harris Plaintiffs re same (.7); conference with H Rosenfield re same (.3); conference with H Rosenfield and J Flanagan re demurrer procedures (.1)	1.9	\$665.00
10/6/17	Conference with H Rosenfield and P Pressley re Farmers amended complaint (.3); telephone conference with R Binion and H Rosenfield re Farmers amended complaint (.2); email conference with Farmers counsel re same (.4); conference with H Rosenfield re same (.1); email conference with H Rosenfield re same (.1)	1.1	\$385.00
10/7/17	Draft opposition to Motion for Preliminary Injunction	5.4	\$1,890.00
10/8/17	Draft and revise opposition to motion (8.8); email conference with H Rosenfield re same (.1)	8.9	\$3,115.00
10/9/17	Revisions to opposition to motion	3	\$1,050.00
10/10/17	Research and draft opposition to Motion for Preliminary Injunction (5.8); email conference with R Binion re same (.1); conference with H Rosenfield re same (.1); email conference with H Rosenfield re same (.1); review Harris plaintiff opposition and email conference with J Angoff re same (1.5)	7.6	\$2,660.00
10/11/17	Conference with H Rosenfield re opposition (.2); email conference with J Angoff re same (.1); research re declaration (1.4); draft and revise declaration and opposition to Motion for Preliminary Injunction (3.1); conference with H Rosenfield re same (.1); conference with telephone conference with P Pressley re same (.2)	5.1	\$1,785.00
10/11/17	Conference with H Rosenfield re Motion for Preliminary Injunction (.4); conference with S Skouras re filing (.2)	0.6	\$210.00
10/12/17	Conference with H Rosenfield re opposition and declaration (.3); final revisions to opposition motion and declaration (4.2); conference with H Rosenfield re HR revisions (.1); conference with P Pressley re revisions (.1); conference with S Skouras re next steps re filing (.2); sign and send for filing (.1)	5	\$1,750.00
10/13/17	Review opposition filings for CDI and Harris plaintiffs	0.9	\$315.00
10/13/17	Draft and revise stipulation and order extending time (1.5); conference with H Rosenfield re same (.1); email conference with CDI and Harris plaintiffs re same (.2); email conference with J Castle re same (.2); email conference with A Gold re same (.1)	2.1	\$735.00
10/16/17	Research re demurrable causes of action	2.8	\$980.00
10/18/17	Conference with P Pressley and H Rosenfield re status and demurrer	0.1	\$35.00
10/19/17	Research re demurrer and meet and confer (.3); draft letter (.2); email conference with H Rosenfield re same (.1); prepare and send to Farmers counsel (.2)	0.8	\$280.00
10/20/17	Meet and confer with R De La Mora re demurrer	0.1	\$35.00

10/20/17	Research re real party in interest re demurrer (1.2); conference with H Rosenfield re demurrer (.2); conference and email conference with S Skouras re same (.2)	1.6	\$560.00
10/23/17	Conference with Harris Plaintiffs and CDI re preliminary injunction hearing; conference with H Rosenfield re same; conference with Harris plaintiffs, CDI, and AG's office re additional issues; Conference with H Rosenfield re demurrer (.3)	1.7	\$595.00
10/25/17	Prepare for hearing on Motion for Preliminary Injunction (3.3); draft and revise demurrer (2.5); email conference with H Rosenfield re demurrer draft (.3); conference with H Rosenfield re demurrer draft and discussion with Jon Phenix (1.1); Further preparation for Motion for Preliminary Injunction; Travel to, attend and return from hearing on Motion for Preliminary Injunction (5.3); Review tentative and Jay Angoff email to team re hearing and reply to same (1.4); Review emails from Jay Angoff (.2)	14.1	\$4,935.00
10/26/17	Conference with P Pressley, H Rosenfield, and J Flanagan re Motion for Preliminary Injunction hearing (.2); revisions to demurrer and case law research re same (5.2); conference with S Skouras re preparing attendant demurrer docs (.2); review and revise proposed order (.2); review and revise J Phenix declaration (.7); review and revise Request for Judicial Notice; research re documents to attach and send to S Skouras re same (.4); review and revise notice of demurrer (.2); email conference with H Rosenfield re demurrer documents (.2) conference with H Rosenfield re same (.2); revisions to notice of demurrer (.1); review H Rosenfield revisions to demurrer and further revisions re same (2.5); conference with H Rosenfield re same (.2)	10.3	\$3,605.00
11/15/17	Review Preliminary Injunction hearing transcript (.4); email conference with A Schwartz re same (.1)	0.5	\$175.00
11/16/17	Research re e-filing procedures (.2); email conference with H Rosenfield re same (.2)	0.4	\$140.00
11/20/17	Telephone conference with H Rosenfield Phenix, Jay Angoff, R Binion, A Gold re settlement issue (.5); research re procedure for appellate review and related issues (3.7); telephone conference with H Rosenfield re appellate issues (.7)	4.9	\$1,715.00
11/21/17	Email conference with S Skouras re appeal and petition for supersedes	0.1	\$35.00
11/27/17	Email conference with CDI and Harris plaintiffs re demurrer briefing schedule (.1); email conference with A Gold re same (.1)	0.2	\$70.00
12/11/17	Conference with H Rosenfield re demurrer dates and other issues	0.2	\$70.00
1/8/18	Email conference with A Gold re demurrer deadlines	0.2	\$70.00

	Research re demurrer and deadlines; email conference with H		
1/16/18	Rosenfield and P Pressley re same	0.7	\$245.00
1/23/18	Telephone conference with R Binion re demurrer issues	0.7	\$245.00
	Review clerk's note and email conference with CDI and Harris		
1/30/18	plaintiffs re same	0.2	\$70.00
	Email conference with J Flanagan, P Pressley, and H		
2/1/18	Rosenfield re meeting re fee request	0.1	\$35.00
	Research case law on dismissal; draft and send memorandum		
2/27/18	to P Pressley and H Rosenfield re same	1.6	\$560.00
3/15/18	Conference with H Rosenfield and P Pressley re next steps	0.1	\$35.00
<b>Jonathan Phenix Total</b>		<b>117.5</b>	<b>\$41,125.00</b>

### Pamela Pressley

Date	Description	Hours	Total
8/21/17	review emails re service of writ action	0.2	\$119.00
8/24/17	review emails/tasks	0.3	\$178.50
8/25/17	emails to S Skouras re new case	0.2	\$119.00
	emails to Harvey Rosenfield re stay/exhaustion (.5); review J		
8/29/17	Phenix emails re same (.2)	0.7	\$416.50
	review and reply to Harvey Rosenfield email re opposition to		
	stay briefing (.2); telephone conference with Harvey Rosenfield		
8/30/17	re same (.1)	0.3	\$178.50
	review email re peremptory challenge and email Harvey		
8/31/17	Rosenfield re same	0.1	\$59.50
	review order re demurrer in Harris case (.2); review J Phenix		
9/1/17	emails re judges (.2)	0.4	\$238.00
9/11/17	conference with J Phenix and Harvey Rosenfield re next steps	0.1	\$59.50
9/12/17	conference with Harvey Rosenfield re ex parte	0.1	\$59.50
	review J Angoff and R Binion emails re stay hearing (.1); review		
	and reply to emails re ex parte hearing (.2); review Farmers ex		
9/13/17	parte papers (.2)	0.5	\$297.50
10/3/17	conference with J Phenix and Harvey Rosenfield re status	0.2	\$119.00
10/4/17	review and reply to email re research questions on demurrer	0.2	\$119.00
10/5/17	review emails	0.1	\$59.50
10/6/17	conference with J Phenix and Harvey Rosenfield re status	0.3	\$178.50
	review meet and confer letter (.1); review emails (.2); conference		
10/6/17	with Harvey Rosenfield re next steps (.1)	0.4	\$238.00
10/9/17	review J Castle email re Motion for Preliminary Injunction	0.1	\$59.50
10/10/17	review emails, calendar	0.1	\$59.50
	review emails re PO, demurrer, amended complaint (.2); review		
10/10/17	Jay Angoff email re opposition to MPI (.1); review emails (.1)	0.4	\$238.00
10/11/17	edit opposition	2.3	\$1,368.50
10/11/17	conference with Harvey Rosenfield re opposition, draft	0.2	\$119.00

10/12/17	review Harvey Rosenfield edits to opposition (.2); review Doug Heller email and email Harvey Rosenfield and J Phenix re disclosure of MCEs (.2); review final opposition (.8); review final pdfs (.2)	1.4	\$833.00
10/13/17	revis and reply to JP email re demurrer (.2); review and reply to emails (.1)	0.3	\$178.50
10/18/17	conference with Harvey Rosenfield and J Phenix re status (.2); review emails (.3)	0.5	\$297.50
10/19/17	review emails re call (.1)	0.1	\$59.50
10/20/17	review emails	0.1	\$59.50
10/23/17	review emails	0.2	\$119.00
10/24/17	telephone conference with J Flanagan, J Court, and Harvey Rosenfield re fees	0.3	\$178.50
10/25/17	review and reply to Harvey Rosenfield email re response for hearing (.3); review and reply to Harvey Rosenfield email re hearing (.2)	0.5	\$297.50
10/26/17	conference with Harvey Rosenfield and J Phenix re next steps	0.1	\$59.50
10/26/17	conference with J Flanagan re fees	0.1	\$59.50
10/26/17	conference with Harvey Rosenfield, J Flanagan and J Phenix re hearing	0.3	\$178.50
10/27/17	review and edit demurrer (1.3); review Harvey Rosenfield edits to same (.2)	1.5	\$892.50
10/30/17	review emails (.2)	0.2	\$119.00
11/1/17	review emails	0.1	\$59.50
11/3/17	review emails	0.1	\$59.50
11/6/17	review emails	0.1	\$59.50
11/6/17	review emails	0.2	\$119.00
11/7/17	review court order denying preliminary injunction	0.2	\$119.00
11/8/17	conference with J Phenix and Harvey Rosenfield re status/next steps	0.4	\$238.00
11/13/17	conference with J Phenix re status	0.1	\$59.50
11/14/17	review emails (.1)	0.1	\$59.50
11/14/17	review emails	0.1	\$59.50
11/16/17	review emails	0.1	\$59.50
11/27/17	review emails	0.1	\$59.50
1/2/18	conference with J Phenix and Harvey Rosenfield re status	0.1	\$59.50
1/16/18	conference with Harvey Rosenfield and J Phenix re status (.2); review J Phenix email and court docket (.2)	0.4	\$238.00
1/18/18	review emails/calendar	0.2	\$119.00
1/22/18	emails re opp/reply	0.2	\$119.00
2/1/18	review and reply to J Phenix email re fee motion (.5); review Harvey Rosenfield email re same (.1); review EEF case and email to Harvey Rosenfield and J Phenix (.5)	1.1	\$654.50
2/5/18	telephone conference with Harvey Rosenfield, J Flanagan, and J Phenix re fee request	0.8	\$476.00
2/13/18	conference with J Phenix and Harvey Rosenfield re status/fee motion	0.1	\$59.50

2/27/18	review and reply to J Phenix email re fees (.2)	0.2	\$119.00
3/13/18	review and reply to Harvey Rosenfield email re fees	0.4	\$238.00
3/15/18	conference with Harvey Rosenfield and J Phenix re next steps	0.1	\$59.50
3/22/18	conference with J Flanagan re fees	0.1	\$59.50
<b>Pamela Pressley Total:</b>		<b>18.1</b>	<b>\$10,769.50</b>

**Samantha Skouras**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
8/24/17	make new projects in Billings Pro, Daylite and new folder in the shared folder for new writ case filed in LA Superior Court	0.3	\$60.00
8/28/17	conversation with J Phenix re drafting answer to petition; make new case code	0.4	\$80.00
9/11/17	prepare needed materials for drafting answer to writ petition	0.3	\$60.00
9/12/17	begin drafting answer to writ petition	1.4	\$280.00
9/13/17	conversation with J Phenix re status of draft for answer	0.1	\$20.00
9/14/17	work on draft for answer to writ petition	1.8	\$360.00
9/18/17	continue drafting answer to writ	2.4	\$480.00
9/19/17	continue drafting answer to writ	1.4	\$280.00
9/20/17	schedule time with J Phenix to go over questions re answer draft	0.1	\$20.00
9/21/17	chat with J Phenix re answer to writ draft, finish drafting answer to writ, proof, and email to J Phenix	1.8	\$360.00
10/11/17	determine department to file opposition to preliminary injunction; call Harris plaintiffs' counsel to inform which department to file; chat with J Phenix to prepare for next day's filing; prepare exhibits and proofs of service	1.1	\$220.00
10/12/17	email J Dingman to expect filing; proof opposition, mark citations and build table of contents and table of authorities, check that page numbers match and fix those that do not, edit proofs of service and exhibit tabs, finalize opposition and declaration with signatures and signed proofs of service; send to J Dingman to file	4.2	\$840.00
10/13/17	proof stipulation for extension of time; prepare proof of service and signatures; finalize stipulation and send to J Dingman for Monday morning filing	0.9	\$180.00
10/18/17	read emails between counsel re demurrer hearing date, attempt to contact clerk	0.3	\$60.00
10/18/17	check shared folder for missing pleadings, email H Rosenfield to clarify which are missing	0.3	\$60.00
10/19/17	call clerk re demurrer hearing reservation; tell J Phenix and H Rosenfield CWD needs to meet and confer re issues before reserving hearing date	0.3	\$60.00

10/20/17	help co-counsel with LA Superior Court pro hac vice filing procedures (0.5); insert demurrer outline in pleading paper, conference with J Phenix re which parts of Opposition to Preliminary Injunction to insert in demurrer draft, insert parts discussed and send to J Phenix and H Rosenfield (1.1)	1.6	\$320.00
10/24/17	call clerk to reserve hearing date for demurrer, inform J Phenix and H Rosenfield of the date and time (0.2); conversation with H Rosenfield re status of demurrer drafting (0.1)	0.3	\$60.00
10/25/17	search docket for transfer order J Phenix requested, inform him it is not on the docket (0.2); read emails for H Rosenfield and J Phenix re drafts demurrer and supporting papers	0.3	\$60.00
10/26/17	get update from J Phenix and H Rosenfield on the hearing (0.3); conversation with J Phenix re drafting Notice of Demurrer and Demurrer, J Phenix Declaration and Request for Judicial Notice; prepare documents and exhibits and send to J Phenix for review; prepare proofs of service (2.2)	2.5	\$500.00
10/27/17	email J Dingman re upcoming filing in LASC; proof notice, memo, Request for Judicial Notice, J Phenix declaration and proposed order for glaring grammatical/spelling/formatting errors; mark citations and headings in memo and build table of contents and table of authorities; check pages of TOC/TOA; make various last minute edits to documents; edit proofs of service; prepare documents with exhibits into pdfs; prepare signatures for each document; send to team for final review; email final documents to J Dingman for filing; email to parties for courtesy e-service and prepare documents for mail service to parties; prepare envelopes and place in USPS bin	5	\$1,000.00
11/6/17	send docket to H Rosenfield (0.1); check rule re response dates and reply to H Rosenfield's email re demurrer response dates;	0.3	\$60.00
11/8/17	talk to J Phenix re demurrer hearing; respond to email re Case Anywhere	0.2	\$40.00
11/9/17	send ruling to A Schwartz, send courtesy copies of filed pleadings to T Warren	0.2	\$40.00
11/10/17	email Case Anywhere re Harris plaintiffs' case docket	0.4	\$80.00
11/13/17	email J Phenix re Case Anywhere	0.2	\$40.00
11/14/17	research LASC local rules	0.2	\$40.00
11/15/17	review transcript and talk to J Phenix re deadlines	0.5	\$100.00
11/20/17	read J Phenix email re service; read Notice of Appeal	0.1	\$20.00
11/21/17	email J Phenix re demurrer deadlines	0.1	\$20.00
11/22/17	call clerk re demurrer; review emails	0.4	\$80.00
1/16/18	read emails; check docket for Farmers' filing	0.1	\$20.00
1/17/18	check docket for Farmers' opposition; tell J Phenix Farmers' opposition is still not posted to the docket	0.1	\$20.00
1/23/18	talk to J Phenix re status of case	0.1	\$20.00
1/24/18	check docket for opposition to demurrer	0.1	\$20.00
<b>Samantha Skouras Total:</b>		<b>29.8</b>	<b>\$5,960.00</b>

**Consumer Watchdog Total: 267.4 \$128,744.50**

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## **EXHIBIT 2C**

**Consumer Watchdog  
Farmers v. Jones 2018  
Los Angeles Superior Court, 18STCP02982**

**Daniel Sternberg**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
12/6/18	Review previous order denying Motion for Preliminary Injunction (.4); review Farmers' November 28, 2018 Petition for Writ of Mandate (.9); review Farmers' motion to lift stay of LASC proceeding (1.1)	2.3	\$805.00
12/7/18	Teleconference w. Harris and CDI counsel RE November 28, 2018 writ of mandate	1	\$350.00
12/7/18	Draft opposition to November 28, 2018 Writ	2.3	\$805.00
12/13/18	Review writ and outline demurrer/opposition to Preliminary Injunction	2.7	\$945.00
12/14/18	Research and draft demurrer/opposition to Motion for Preliminary Injunction	2.9	\$1,015.00
12/17/18	Draft opposition to November 28, 2018 Writ	4.3	\$1,505.00
12/19/18	Draft opposition to November 28, 2018 Writ	3.1	\$1,085.00
12/20/18	Draft opposition to November 28, 2018 Writ	3.6	\$1,260.00
3/29/19	Prepare for hearing (.6); Travel to and attend hearing, enter (2.6)	3.2	\$1,120.00
5/16/19	Hearing prep	0.3	\$105.00
5/17/19	Travel to/from court, prepare for and attend hearing on Motion for Preliminary Injunction (3)	3	\$1,050.00
<b>Daniel Sternberg Total:</b>		<b>28.7</b>	<b>\$10,045.00</b>

**Harvey Rosenfield**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
12/6/18	Email team to set team call, telephone conference with R Binion re same (.2); Email R De La Mora requesting documents and review same from J Castle (.8); Telephone conference with CDI and Harris plaintiffs (.6); Telephone conference with Jay Angoff (.1); Email J Flanagan and Pam Pressley re same and discussion with Pam Pressley (.2); Telephone conference with J Flanagan re issues (.2); Review court web sites to determine assignments, email Jay Angoff re same (.3); Telephone conference with attorney re procedures (.2); Telephone conference with Jay Angoff (.1); Telephone conference with D Goodell (.1);	2.8	\$1,946.00
12/7/18	Telephone conference with Jay Angoff re case (.2); Telephone conference with team re strategy and logistics, follow up with Jay Angoff (1.)	1.2	\$834.00
12/10/18	Review filings in courts (.7); Telephone conference with clerk (.3); Email Harris and CDI re same (.1); Telephone conference with Jay Angoff re court cases (.2); Email CDI re notice to CALJ (.1)	1.4	\$973.00
12/17/18	Telephone conference with court clerk at J Nelson (.2); Confirm Farmers' writ answer date, locate service info, reply to Consumer Watchdog team (.3);	0.5	\$347.50
12/18/18	Telephone conference with team re Farmers' plans and discuss with Consumer Watchdog team (.2)	0.2	\$139.00
12/19/18	Email K Gentile re court call for ex parte (.1)	0.1	\$69.50

12/23/18	Review D Sternberg draft of opposition to ex parte motion for stay (.3)	0.3	\$208.50
	Email Farmers re status of writs, reply to R Binion re same, telephone conference with Jay Angoff re same (.2); Text with J Flanagan, with KG re same, with D Sternberg re J Flanagan text (.2); Telephone		
1/2/19	conference with D Sternberg and J Castle re same (.1);	0.5	\$347.50
1/3/19	Reply to R De La Mora voice mail re writ status (.1);	0.1	\$69.50
	Discussion with D Sternberg re stip, and further discussion with him re Farmers' email re stay, and review J Nelson's procedures (.3);		
1/4/19	Telephone conference with R Binion (.4)	0.7	\$486.50
	email team, discuss with Consumer Watchdog, telephone conference with team (1.3); Review scheduling order from Judge Nelson RE writ		
1/16/19	(.1)	1.4	\$973.00
	Email Farmers re ex parte, discussion with D Sternberg, forward J Castle voice mail to team (.4); Telephone conference with Jay Angoff re writ ex parte hearing (.2); Telephone conference with CDI re same (.2); Review ex parte papers, D Sternberg draft opposition and prior		
1/17/19	writ pleadings (1.2); Reply to J Osterwise re ex parte (.1)	2.1	\$1,459.50
	Reply to J Flanagan re writ and tasking (.1); Review ex parte papers (.5); Telephone conference with Jay Angoff re ex parte (.2); Travel to and attend ex parte hearing, email team re same, telephone conference with Jay Angoff re same, return to office and discussion		
1/18/19	with Consumer Watchdog re same (2.7)	3.5	\$2,432.50
	Discussion with K Gentile re Case Anywhere and email J Castle re		
1/22/19	same (.2)	0.2	\$139.00
	Review 2017 Farmers petition and Motion for Preliminary Injunction, 2018 writ petition, D Sternberg draft opposition (2.8)		
1/23/19		2.8	\$1,946.00
	Review writ petition to prepare for Opposition to Motion for Preliminary Injunction (.8); Discussion with CWD litigation team (.2)		
1/29/19		1	\$695.00
1/30/19	Review writ docs (.4)	0.4	\$278.00
	with J Flanagan and K Gentile re same (.1); Review motion (1.0);		
1/31/19	Outline (.3);	1.5	\$1,042.50
	Email and telephone conference with Jay Angoff re Motion for Preliminary Injunction opposition (.3); Further telephone conference with him (.1); Drafting (.5); Telephone conference with Pam Pressley and Ben Powell re logistics (.2); Drafting (.9)		
2/1/19		1.7	\$1,181.50
	Draft Opposition to Motion for Preliminary Injunction, research (7.7);		
2/2/19	Email Jay Angoff (.1)	7.8	\$5,421.00
	Draft Opposition to Motion for Preliminary Injunction and forward to Pam Pressley, J Flanagan (7.4)		
2/3/19		7.4	\$5,143.00
	Discussion with Pam Pressley re regs governing Commissioner's review (.2); Organize research & files for Motion for Preliminary		
2/4/19	Injunction (.4); Research issues in draft opposition (.5)	1.1	\$764.50
2/5/19	Telephone conference with M Levy re writ, injunction (.3)	0.3	\$208.50
	Review Pam Pressley edits to draft opposition to Motion for Preliminary Injunction and revise (1.5), and discussion with her re same (.1); Email K Gentile re dec and further revisions and review		
2/5/19	exhibits for declaration (1.3); Email document to M Levy (.1)	3	\$2,085.00

2/6/19	Discussion with Pam Pressley re draft opposition, set meeting to review (.1); Discussion with K Gentile re filing logistics (.1); Review and revise draft opposition (1.5)	1.7	\$1,181.50
2/7/19	Review draft opposition to Motion for Preliminary Injunction with Pam Pressley (.2); Discussion with K Gentile re filing (.1); Revise draft and draft Harvey Rosenfield declaration for same (2.5); Discussion with K Gentile re preparation of filing (.1); Email C Monahan re question (.1)	3	\$2,085.00
2/8/19	Email Pam Pressley re same and discussion with Pam Pressley (.1); Prepare exhibits for declaration (.2); Review K Gentile draft of declaration, edit and reply, further revisions and discussion with K Gentile re same (.3); Discussion with Pam Pressley re draft and discussion with K Gentile, further revisions (1.4); Follow up with K Gentile re filing (.2)	2.8	\$1,946.00
2/10/19	Review K Gentile draft and reply to her (.2); Review draft and revise, send corrections/ edits (1.0);	1.2	\$834.00
2/11/19	Review final (.2); Email K Gentile re service (.2); Discussion with K Gentile re clerk rejection, discussion with Pam Pressley re same (.4); Research same (.3); Further email from Pam Pressley (.1); Review final docs, review CDI, Harris opposition (.6);	1.8	\$1,251.00
2/12/19	Discussion with K Gentile re error in filing, discussion with J Flanagan and her re same, telephone conference with J Dingman re filing, research rule (.5); Revise draft supplemental declaration re same and forward to K Gentile, discussion with her re next steps (.4); Follow up with filing service to confirm, confirm K Gentile serving parties (.2); Telephone conference with J Flanagan re status (.1)	1.2	\$834.00
2/13/19	Follow up with K Gentile and J Dingman re service and filing (.2)	0.2	\$139.00
2/21/19	Review Farmers' Reply re Motion for Preliminary Injunction (.8)	0.8	\$556.00
2/25/19	Email and communications with team re Motion for Preliminary Injunction hearing, telephone conference with Jay Angoff re same and email Consumer Watchdog team, follow up with Pam Pressley, with CDI (.7); Review J Castle case anywhere messages and email K Gentile re same (.2); Email re court call (.2); Telephone conference with R De La Mora and email from J Castle (.1); Email Consumer Watchdog team re status (.1)	1.3	\$903.50
2/26/19	with Castle and court (.2); telephone conference with M Levy re status (.2); Telephone conferences with J Castle (.2); Review court message board (.1); Telephone conference with Jay Angoff (.2); Review draft stip from J Castle and reply authorizing okay (.1); Review further team email re same and telephone conference with J Castle re 3/29 court date (.4)	1.6	\$1,112.00
3/21/19	Review Jay Angoff draft opposition to lift stay (.3)	0.3	\$208.50
3/26/19	Review court message board re hearing on Motion for Preliminary Injunction (.1); Telephone conference with Jay Angoff and discussion with D Sternberg re hearing continued (.1);	0.2	\$139.00
3/27/19	telephone conference with R Binion re same (.2); Telephone conference with J Castle re same re resume schedule for Motion for Preliminary Injunction (.1); Telephone conference with Jay Angoff re hearing (.2)	0.6	\$417.00

	draft, email J Castle re opposition to scheduling proposal (.6); Review brief re Motion to Strike in underlying action (.4); Further call with Jay Angoff (.2); Discussion with D Sternberg re attending		
3/28/19	hearing (.1)	1.4	\$973.00
	(2.); Travel to, attend and return from hearing, enter continued dates in calendar (2.6); Telephone conference with Jay Angoff re hearing		
3/29/19	(.1);	4.7	\$3,266.50
	Review Castle email requesting approval for posting on CaseAnywhere re status, no reply (.1); Email Jay Angoff (.1); Review		
5/10/19	Farmers' posting and court reply (.1)	0.3	\$208.50
	Review email from Jay Angoff and review Farmers' Reply ISO motion to lift stay (.4); Telephone conference with Jay Angoff re same (.2)		
5/13/19		0.6	\$417.00
	Review email from Deputy Attorney General enclosing Status Conference Statement, review J Castle reply, reply (.8); Email J		
5/13/19	Castle re CaseAnywhere posting (.1)	0.9	\$625.50
	Review draft status conference statement, email A Schoor re same, revise, email all (.5); Telephone conference with A Schoor re same (.1); Review revision and email from A Schoor @ 455pm and reply (.2); Email from A Schoor, re-enter and further edits to statement,		
5/14/19	forward to team (.9)	1.7	\$1,181.50
	Review team email re Status Conference Statement, review draft and authorize filing (.4); Reply to Jay Angoff email with doc (.1)		
5/15/19		0.5	\$347.50
	Travel to court, prepare for and attend hearing on Motion for Preliminary Injunction, meet with team, email Consumer Watchdog, return home (.4)		
5/17/19		6.3	\$4,378.50
9/27/19	Reply to AG re status conference statement (.1)	0.1	\$69.50
<b>Harvey Rosenfield Total:</b>		<b>75.2</b>	<b>\$52,264.00</b>

#### Kaitlyn Gentile

Date	Description	Hours	Total
12/19/18	Create caption and cover page for B Powell; correspond with H Rosenfield re CourtCall	0.9	\$180.00
1/25/19	Emailed opposing counsel and R Ortega re incorrect service address	0.2	\$40.00
2/4/19	Added page numbers to exhibit	0.1	\$20.00
2/5/19	Prepared declaration template for H Rosenfield	0.2	\$40.00
	Proofed and edited Opposition to Preliminary Injunction and transferred to pleading paper; met with H Rosenfield re same		
2/7/19		1.1	\$220.00
	and Declaration of H Rosenfield; corresponded with H Rosenfield and P Pressley re same; corresponded with J Digman re filing; compiled exhibits to declaration; emailed with H Rosenfield re filing		
2/8/19	details	2.1	\$420.00
	Finalize Opposition to Motion for Preliminary Injunction and Declaration of H Rosenfield; submit for filing; correspond with J Dingman re filing issues and meet with P Pressley and H Rosenfield		
2/11/19	re same; serve relevant documents on all parties	3.1	\$620.00

2/12/19	Dingman to discuss same and coordinate court filing; drafted Supplemental Declaration of H Rosenfield and finalized; submitted filing documents to Case Anywhere for service on all parties with note re filing issues	2.6	\$520.00
2/13/19	Corresponded with H Rosenfield and J Dingman to ensure proper filing in LA Superior Court	1	\$200.00
1/6/20	for call on all documents; prepare proof of service and serve on all parties	0.2	\$40.00
<b>Kaitlyn Gentile Total:</b>		<b>11.5</b>	<b>\$2,300.00</b>

### Pamela Pressley

Date	Description	Hours	Total
12/6/18	email Harvey Rosenfield, et al re Farmers writ (.3); conference with Harvey Rosenfield re opposition to stay/response to writ (1.0); conference with K Gentile re Farmers writ action (.3)	1.6	\$952.00
12/10/18	review emails	0.1	\$59.50
12/17/18	review dates, conference with K Gentile re same (.2); review and confer re writ, answer (.6)	0.8	\$476.00
12/18/18	review emails and reply to Harvey Rosenfield email re ex parte (.3)	0.3	\$178.50
1/14/19	review order and update case deadlines	0.5	\$297.50
1/16/19	review Harvey Rosenfield and J Castle emails	0.2	\$119.00
1/25/19	conference with team re status	0.2	\$119.00
1/30/19	review filing	0.1	\$59.50
1/31/19	review filing	0.1	\$59.50
2/4/19	conference with Harvey Rosenfield re opposition (.2); edit opposition to preliminary injunction motion (2.0); conference with Harvey Rosenfield re same (.1)	2.3	\$1,368.50
2/7/19	conference with Harvey Rosenfield re opposition (.7); conference with Harvey Rosenfield re same (.1)	0.8	\$476.00
2/8/19	conference with Harvey Rosenfield re citations	0.3	\$178.50
2/11/19	conference with K Gentile re filing (.2); conference with Harvey Rosenfield re same (.1)	0.3	\$178.50
2/12/19	email Harvey Rosenfield re declaration (.2); review and edit declaration (.5)	0.7	\$416.50
2/13/19	review emails re filing (.1)	0.1	\$59.50
2/25/19	review J Castle email (.1); review calendar, emails (.2); emails re hearing date (.1)	0.4	\$238.00
2/26/19	review emails re hearing/stip (.2); review and reply to emails (.8)	1	\$595.00
4/2/19	review emails re status	0.2	\$119.00
5/17/19	review emails/texts re status	0.2	\$119.00
<b>Pamela Pressley Total:</b>		<b>10.2</b>	<b>\$6,069.00</b>

**Consumer Watchdog Total: 125.6 \$70,678.00**

## **EXHIBIT 2D**

**Consumer Watchdog Time Entries**  
**Farmers v. Jones 2017 Appeal**  
**Court of Appeals, B286385**

**Harvey Rosenfield**

<b>Date</b>	<b>Note</b>	<b>Hours</b>	<b>Total</b>
11/20/17	Reply Jay Angoff re telephone conference with Farmers and set call (.1); Telephone conference with Jon Phenix, Jay Angoff, R Binion, A Gold re settlement issue (.5); Research review issue (.2); Review Notice of Appeal (.1); Review Jon Phenix research and reply (.1); Left message for appellate expert, email him re issue and telephone conference with him and Jon Phenix re appellate issues (.8); Forward documents to appellate expert (.1); Email M Levy re same (.1); Memo to file re tasks (.2); Review appeal and docs (.5)	2.7	\$1,876.50
11/21/17	Email Jon Phenix re AG response (.1); Telephone conference with CDI, Jon Phenix, Harris plaintiffs re appeal (.2); Call Court of Appeals re same (.3); Research and email team re options for response (.8); Telephone conference with M Levy re same (.2); Review email re jurisdictional issue (.2); Email Jay Angoff (.1); Further research re appeal (.3)	2.2	\$1,529.00
11/26/17	Review research and team email re appeal (.2); Review previous oppositions (.3); Research and draft outline of argument (1.6)	2.1	\$1,459.50
11/27/17	Discussion with Jon Phenix re jurisdictional question (.2); Email R Binion and J McCune re research question (.2); Review docs from CDI and reply, forward to team (.3); Telephone conference with attorney re jurisdictional question (.1); Further research, outline (.6); Email appellate expert and follow up re his reply (.2); Discussion with Pam Pressley and Jon Phenix re strategy, opposition brief (.3)	1.9	\$1,320.50
11/28/17	Research and review articles, forward to team (.7); Telephone conference with appellate expert re jurisdictional issue (.1); Telephone conference with appellate expert (.2)	1	\$695.00
11/29/17	Review denial of writ of supersedes and discussion with Consumer Watchdog team, forward to experts and consultants (.3)	0.3	\$208.50
11/30/17	Reply to CDI (.1); Discussion with Jon Phenix re same (.1)	0.2	\$139.00
12/1/17	Discussion with J Flanagan re writ issues (.1)	0.2	\$139.00
12/2/17	Email J Flanagan docs re writ issues (.2); Email Jon Phenix re service list (.1)	0.2	\$139.00
12/5/17	Discussion with Consumer Watchdog team re possible Motion to Dismiss (.1); Email CDI, AG re request for telephone conference with them, and further follow up with Jon Phenix re same (.2)	0.3	\$208.50
12/12/17	Telephone conference with Jon Phenix, CDI, AG and Harris plaintiffs re Court of Appeals status, further discussion with Jon Phenix re same (.3)	0.3	\$208.50
1/16/18	Discussion with Consumer Watchdog team re appealability (.1)	0.1	\$69.50
<b>Harvey Rosenfield Total:</b>		<b>11.5</b>	<b>\$7,992.50</b>

**Jonathan Phenix**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
11/27/17	Review Farmers petition and motion for stay	0.9	\$315.00
11/27/17	Research re standards re motion for stay; email conference with H Rosenfield re same	0.7	\$245.00
12/4/17	Email conference with S Skouras re legislative history (.1); review legislative history (.1)	0.2	\$70.00
12/11/17	Conference with H Rosenfield re conference with CDI re possible motion to dismiss (.1); review email traffic re same (.1)	0.2	\$70.00
1/2/18	Research re briefing deadlines (.2); research re jurisdictional threshold question (1.0); conference with P Pressley and H Rosenfield re same (.2)	1.4	\$490.00
2/1/18	Research re dismissal	0.2	\$70.00
2/27/18	Check docket for status of dismissal	0.1	\$35.00
<b>Jonathan Phenix Total:</b>			<b>3.7 \$1,295.00</b>

**Pamela Pressley**

<b>Date</b>	<b>Description</b>	<b>Hours</b>	<b>Total</b>
11/20/17	review J Phenix email re stay order, appeal (.2); review emails (.2)	0.4	\$238.00
11/21/17	conference with Harvey Rosenfield and J Phenix re appeal	0.2	\$119.00
11/21/17	review emails (.1)	0.1	\$59.50
11/22/17	review emails (.1); review and reply to Harvey Rosenfield email re preliminary opp (.2)	0.3	\$178.50
11/29/17	review C Monahan email re opposition to writ of supersedes (.1); review Court order denying writ of supersedes, conference with Harvey Rosenfield and email Harvey Rosenfield re motion to dismiss (.5)	0.6	\$357.00
1/2/18	conference with J Phenix and Harvey Rosenfield re status	0.1	\$59.50
1/3/18	review J Phenix memo and trial court ruling	0.2	\$119.00
3/2/18	review court notice re remittitur	0.1	\$59.50
<b>Pamela Pressley Total:</b>			<b>2 \$1,190.00</b>

**Consumer Watchdog: 17.2 \$10,477.50**

## **EXHIBIT 3**

## **Identification and Association of Individuals Referenced in Billing Records**

### **Consumer Watchdog**

Laura Antonini, former Staff Attorney  
Carmen Balber, Executive Director  
Jamie Court, President  
Jerry Flanagan, Litigation Director  
Kaitlyn Gentile, Paralegal  
Jonathan Phenix, former Staff Attorney  
Benjamin Powell, Staff Attorney  
Pamela Pressley, Senior Staff Attorney  
Harvey Rosenfield, Founder and Of Counsel  
Samantha Skouras, former Paralegal  
Daniel Sternberg, Staff Attorney  
Mai Tram Ly, former Staff Attorney

### **AIS Risk Consultants, Inc.**

Allan I. Schwartz, Consulting Actuary for Consumer Watchdog  
Kathy Tollar, Actuary

### **California Department of Justice**

Lisa W. Chao  
Laura E. Robbins  
Andrea Schoor

### **California Department of Insurance**

Robert Binion  
Daniel Goodell  
Camille Johnson  
Michael Levy  
Carmencita Malbog  
Jennifer McCune  
Summer Volkmer  
Tina Warren  
Edward Wu

### **Harris Plaintiffs' Counsel**

Jay Angoff, Mehri & Skalet PLLC  
Andrea Gold, Tycko & Zavareei LLP  
Cyrus Mehri, Mehri & Skalet PLLC  
Christine Monahan, former Associate, Mehri & Skalet PLLC  
Jeffrey Osterwise, Berger Montague

### **Farmers Counsel**

James Castle, Hinshaw & Culbertson, LLP  
Richard De La Mora, formerly Hinshaw & Culbertson, LLP, now Farmers

**Judicial Officers**

Retired Justice Harry Low

Judge Maren E. Nelson

Chief Administrative Law Judge Kristin L. Rosi

**Expert Witnesses**

Edward D. Cimini, Jr. for CDI

Allan I. Schwartz for CWD

Matthew Antol for Farmers

Morgan Bugbee for Farmers

Todd Gunnell for Farmers

J. Robert Hunter for *Harris* plaintiffs

Matthew Laitner for Farmers

Russina Sgoureira for Farmers

Alissa Vreman for Farmers

Nancy Watkins for Farmers

Mark Weston for Farmers

**Others**

Janis Dingman, Class Action Research

Douglas Heller, Consumer Federation of America

Rosalinda Ortega, JAMS

## **EXHIBIT 4**

1 HARVEY ROSENFELD (SBN 123082)  
2 PAMELA PRESSLEY (SBN 180362)  
3 CONSUMER WATCHDOG  
4 6330 San Vicente Blvd., Suite 250  
5 Los Angeles, CA 90048  
6 Tel. (310) 392-0522  
7 Fax (310) 861-0862  
8 harvey@consumerwatchdog.org  
9 pam@consumerwatchdog.org

7 ARTHUR D. LEVY (SBN 95659)  
8 1814 Franklin Street  
9 Suite 1040  
10 Oakland, CA 94612  
11 Tel. (415) 702-4551  
12 Fax (415) 814-4080  
13 arthur@yesquire.com

12 WYLIE AITKEN (SBN 37770)  
13 AITKEN, AITKEN, & COHN  
14 3 MacArthur Pl #800  
15 Santa Ana, CA 92707  
16 Tel. (714) 434-1424  
17 Fax (714) 434-3600  
18 wylie@aitkenlaw.com

16 *Attorneys for Intervenor Consumer Watchdog*

18 IN THE SUPERIOR COURT OF CALIFORNIA  
19 COUNTY OF ORANGE  
20 CIVIL COMPLEX CENTER

21 MERCURY INSURANCE COMPANY,  
22 MERCURY CASUALTY COMPANY,  
23 CALIFORNIA AUTOMOBILE INSURANCE  
24 COMPANY,

23 Petitioners and Plaintiffs,

24 v.

25 RICARDO LARA, in his capacity as Insurance  
26 Commissioner of the State of California,

26 Respondent and Defendant,

27 CONSUMER WATCHDOG,  
28 Intervenor.

Case No. 30-2015-00770552-CU-JR-CXC

[Assigned for all purposes to Hon. Glenda Sanders]

**DECLARATION OF RICHARD PEARL IN  
SUPPORT OF INTERVENOR CONSUMER  
WATCHDOG'S MOTION FOR ATTORNEYS'  
FEES AND EXPENSES**

Date Action Filed: Feb. 9, 2015

Hearing Date: Dec. 20, 2019

Time: 1:30 p.m.

Dept.: CX 101

**DECLARATION OF RICHARD M. PEARL**

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1. I am a member in good standing of the California State Bar. I am in private practice as the principal of my own law firm, the Law Offices of Richard M. Pearl, in Berkeley, California. I specialize in issues related to court-awarded attorneys' fees, including the representation of parties in fee litigation and appeals, serving as an expert witness, and serving as a mediator and arbitrator in disputes concerning attorneys' fees and related issues. In this case, I have been asked by Intervenor Consumer Watchdog's counsel to render my opinion on the reasonableness of the hourly rates they and their outside counsel are requesting in this matter.

2. I make this Declaration in Support of the Consumer Watchdog's Motion for Attorneys' Fees and Expenses. To form my opinions, I have reviewed materials that describe the history of this matter, including the Court of Appeal's opinion, Appellant's Opening Brief, the draft declarations of Pamela Pressley, Arthur D. Levy, and Wylie A. Aitken, which include the qualifications and experience of each of the attorneys, law clerk, and paralegals from Consumer Watchdog and its outside counsel's firms who billed time in this matter as well as the nature of the work required by this case, and the hourly rates requested..

**My Background and Experience**

3. Briefly summarized, my background is as follows: I am a 1969 graduate of Boalt Hall (now Berkeley) School of Law, University of California, Berkeley, California. I took the California Bar Examination in August 1969 and passed it in November of that year, but because I was working as an attorney in Atlanta, Georgia for the Legal Aid Society of Atlanta (LASA), I was not admitted to the California Bar until January 1970. I worked for LASA until the summer of 1971, then went to work in California's Central Valley for California Rural Legal Assistance, Inc. (CRLA), a statewide legal services program. From 1977 to 1982, I was CRLA's Director of Litigation, supervising more than fifty attorneys. In 1982, I went into private practice, first in a small law firm, then as a sole practitioner. Martindale Hubbell rates my law firm "AV." I also have been selected as a Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007,

1 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019. A true and correct copy  
2 of my Resume is attached as Exhibit A.

3 4. Since 1982, my practice has been a general civil litigation and appellate practice,  
4 with an emphasis on cases and appeals involving court-awarded attorneys' fees. I have lectured  
5 and written extensively on court-awarded attorneys' fees. I have been a member of the California  
6 State Bar's Attorneys' Fees Task Force and have testified before the State Bar Board of Governors  
7 and the California Legislature on attorneys' fee issues. I am the author of California Attorney Fee  
8 Awards (3d ed Cal. CEB 2010) and its 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, and  
9 March 2019 Supplements. I also was the author of California Attorney Fee Awards, 2d Ed. (Calif  
10 Cont. Ed. of Bar 1994), and its 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004,  
11 2005, 2006, 2007, and 2008 Supplements. This treatise has been cited by the California appellate  
12 courts on more than 35 occasions. *See, e.g., Graham v. DaimlerChrysler Corp.*, 34 Cal.4th 553,  
13 576, 584 (2004); *Lolley v. Campbell*, 28 Cal.4th 367, 373 (2002); *Equilon Enters. v. Consumer*  
14 *Cause, Inc.*, 29 Cal.4th 53, 62 (2002); *In re Conservatorship of Whitley*, 50 Cal.4th 1206, 1214-  
15 15, 1217 (2010); *Chodos v. Borman*, 227 Cal.App.4th 76, 100 fn. 12 (2014); *Chacon v. Litke*,  
16 181 Cal.App.4th 1234, 1259 (2010); *Syers Properties Ill, Inc. v. Rankin*, 226 Cal.App.4th 691,  
17 698, 700 (2014). Federal courts also have cited it. *See In re Hurtado*, Case No. 09-16160-A-13,  
18 2015 WL 6941127 (E.D. Cal. Nov. 6, 2015); *TruGreen Companies LLC v. Mower Brothers*,  
19 *Inc.*, 953 F. Supp. 2d 1223, 1236 nn.50, 51 (D. Utah 2013). I also authored the 1984, 1985,  
20 1987, 1988, 1990, 1991, 1992, and 1993 Supplements to its predecessor, CEB's California  
21 Attorney's Fees Award Practice. In addition, I authored a federal manual on attorneys' fees  
22 entitled "Attorneys' Fees: A Legal Services Practice Manual," published by the Legal Services  
23 Corporation. I also co-authored the chapter on "Attorney Fees" in Volume 2 of CEB's  
24 Wrongful Employment Termination Practice, 2d Ed. (1997).

25 5. More than 95% of my practice is devoted to issues involving court-awarded  
26 attorney's fees. I have been counsel in over 200 attorneys' fee applications in state and federal  
27 courts, primarily representing other attorneys. I also have briefed and argued more than 40  
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1 appeals, at least 30 of which have involved attorneys' fees issues. I have successfully handled five  
2 cases in the California Supreme Court involving court-awarded attorneys' fees: (1) *Maria P. v.*  
3 *Riles*, 43 Cal. 3d 1281 (1987), which upheld a C.C.P. section 1021.5 fee award based on a  
4 preliminary injunction obtained against the State Superintendent of Education, despite the fact that  
5 the case ultimately was dismissed under C.C.P. section 583; (2) *Delaney v. Baker*, 20 Cal. 4th 23  
6 (1999), which held that heightened remedies, including attorneys' fees, are available in suits  
7 against nursing homes under California's Elder Abuse Act; (3) *Ketchum v. Moses*, 24 Cal. 4th  
8 1122 (2001), which held, *inter alia*, that contingent risk multipliers remain available under  
9 California attorney fee law, despite the United States Supreme Court's contrary ruling on federal  
10 law (note that in *Ketchum*, I was primary appellate counsel in the Court of Appeal and "second  
11 chair" in the Supreme Court); (4) *Flannery v. Prentice*, 26 Cal. 4th 572 (2001), which held, again  
12 despite an adverse United States Supreme Court ruling on federal law, that in the absence of an  
13 agreement to the contrary, statutory attorneys' fees belong to the attorney whose services they are  
14 based upon; and (5) *Graham v. DaimlerChrysler Corp.*, 34 Cal. 4th 553 (2004), which held, *inter*  
15 *alia*, that the catalyst theory of fee recovery remained valid under California law despite adverse  
16 federal law and that lodestar multipliers could be applied to fee motion work. In that case, I  
17 represented trial counsel in both the Court of Appeal (twice) and Supreme Court, as well as on  
18 remand in the trial court. I also represented and argued on behalf of *amicus curiae* in  
19 *Conservatorship of McQueen*, 59 Cal. 4th 602 (2014), which held that statutory attorneys' fees for  
20 appellate work were not considered "enforcement fees" subject to California's Enforcement of  
21 Judgments law; I presented the argument relied upon by the Court. Along with Richard Rothschild  
22 of the Western Center on Law and Poverty, I also prepared and filed an *amicus curiae* brief in  
23 *Vasquez v. State of California*, 45 Cal.4th 243 (2009). I also have handled numerous other  
24 appeals, including: *Davis v. City & County of San Francisco*, 976 F.2d 1536 (9th Cir. 1992);  
25 *Mangold v. CPUC*, 67 F.3d 1470 (9th Cir. 1995); *Velez v. Wynne*, 2007 U.S. App. LEXIS 2194  
26 (9th Cir. 2007); *Camacho v. Bridgeport Financial, Inc.*, 523 F.3d 973 (9th Cir. 2008); *Center for*  
27 *Biological Diversity v. County of San Bernardino*, 185 Cal.App.4th 866 (2010); and  
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1 *Environmental Protection Information Center v. California Dept. of Forestry & Fire*  
2 *Protection et al*, 190 Cal.App.4th 217 (2010); and *Heron Bay Home Owners Association v. City*  
3 *of San Leandro*, 19 Cal. App. 5th 376 (2018). For an expanded list of my reported decisions, see  
4 Exhibit A.

5 6. I have been retained by various governmental entities, including the California  
6 Attorney General's office, at my then current rates to consult with them regarding their affirmative  
7 attorney fee claims.

8 7. I am frequently called upon to opine about the reasonableness of attorneys' fees,  
9 and numerous state and federal courts have relied on my testimony on those issues.

10 8. The following California appellate cases have referenced my testimony favorably:

- 11 • *Kerkeles v. City of San Jose*, 243 Cal.App.4th 88 (2015);
- 12 • *People v. Native Wholesale Supply Co.*, 37 Cal.App.5th 73 (2019) (in unpublished  
13 section);
- 14 • *Habitat and Watershed Caretakers v. City of Santa Cruz*, 2015 Cal. App. Unpub.  
15 LEXIS 7156 (2015);
- 16 • *Laffitte v. Robert Half Int'l Inc.*, 231 Cal.App.4th 860 (2014), *aff'd* (2016) 1  
17 Cal.5th 480;
- 18 • *In re Tobacco Cases I*, 216 Cal.App.4th 570 (2013);
- 19 • *Heritage Pacific Financial, LLC v. Monroy*, 215 Cal.App.4th 972 (2013);
- 20 • *Wilkinson v. South City Ford*, 2010 Cal. App. Unpub. LEXIS 8680 (2010);
- 21 • *Children's Hospital & Medical Center v. Bonta*, 97 Cal.App.4th 740 (2002);
- 22 • *Church of Scientology v. Wollersheim*, 42 Cal.App.4th 628 (1996).

23 9. The following federal cases also have referenced my testimony favorably:

- 24 • *Ridgeway v. Wal-Mart Stores, Inc.*, 269 F. Supp. 3d 975 (N.D. Cal. 2017);
- 25 • *Antoninetti v. Chipotle Mexican Grill, Inc.*, No. 08-55867 (9th Cir. 2012), Order  
26 filed Dec. 26, 2012, at 6;

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- 1 • *Prison Legal News v. Schwarzenegger*, 608 F.3d 446, 455 (9th Cir. 2010) (the  
2 expert declaration referred to is mine);
- 3 • *Beaver v. Tarsadia Hotels*, 2017 U.S. Dist. LEXIS 160214 (S.D. Cal. 2017)
- 4 • *Notter v. City of Pleasant Hill*, 2017 U.S. Dist. LEXIS 197404, 2017 WL 5972698  
(N.D. Cal. 2017);
- 5 • *Villalpondo v. Exel Direct, Inc.*, 2016 WL 1598663 (N.D. Cal. 2016);
- 6 • *State Compensation Insurance Fund v. Khan et al*, Case No. SACV 12-01072-CJC  
(JCGx) (C.D. Cal.), Order Granting in Part and Denying in Part the Zaks  
7 Defendants' Motion for Attorneys' Fees, filed July 6, 2016 (Dkt. No. 408);
- 8 • *In re Cathode Ray Tube Antitrust Litig.*, Master File No. 3:07-cv-5944 JST, MDL  
9 No. 1917 (N.D. Cal. 2016) 2016 U.S. Dist. LEXIS 24951 (Report And  
10 Recommendation Of Special Master Re Motions (1) To Approve Indirect  
11 Purchaser Plaintiffs' Settlements With the Phillips, Panasonic, Hitachi, Toshiba,  
12 Samsung SDI, Technicolor, And Technologies Displays Americas Defendants, and  
13 (2) For Award Of Attorneys' Fees, Reimbursement Of Litigation Expenses, And  
14 Incentive Awards To Class Representative, Dkt. 4351, dated January 28, 2016,  
15 *adopted in relevant part*, 2016 U.S. Dist. LEXIS 88665;
- 16 • *Gutierrez v. Wells Fargo Bank*, 2015 U.S. Dist. LEXIS 67298 (N.D. Cal. 2015);
- 17 • *Holman v. Experian Information Solutions, Inc.*, 2014 U.S. Dist. LEXIS 173698 13  
(N.D. Cal. 2014);
- 18 • *In re TFT-LCD (Flat Panel) Antitrust Litig.*, No. M 07-1827 SI, MDL No. 1827  
(N.D. Cal.), Report and Recommendation of Special Master Re Motions for  
19 Attorneys' Fees and Other Amounts by Indirect-Purchaser Class Plaintiffs And  
20 State Attorneys General, Dkt. 7127, filed Nov. 9, 2012, *adopted in relevant part*,  
21 2013 U.S. Dist. LEXIS 49885 (N.D. Cal. 2013) ("*TFT-LCD (Flat Panel) Report &*  
22 *Recommendation*");
- 23 • *Walsh v. Kindred Healthcare*, 2013 U.S. Dist. LEXIS 176319 (N.D. Cal. 2013);
- 24 • *A.D. v. California Highway Patrol*, 2009 U.S. Dist. LEXIS 110743, at \*4 (N.D.  
25 Cal. 2009), *rev'd on other grounds*, 712 F.3d 446 (9th Cir. 2013), *reaffirmed and additional*  
26 *fees awarded on remand*, 2013 U.S. Dist. LEXIS 169275 (N.D. Cal. 2013);
- 27 • *Hajro v. United States Citizenship & Immigration Service*, 900 F. Supp. 2d 1034,  
28 1054 (N.D. Cal. 2012);
- *Garcia v. Resurgent Capital Servs.*, 2012 U.S. Dist. LEXIS 123889 (N.D. Cal.  
2012);

- 1 • *Rosenfeld v. United States Dep't of Justice*, 904 F. Supp. 2d 988, 1002 (N.D. Cal. 2012);
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- 3 • *Stonebrae, L.P. v. Toll Bros., Inc.*, 2011 U.S. Dist. LEXIS 39832, at \*9 (N.D. Cal. 2011) (thorough discussion), aff'd 2013 U.S. App. LEXIS 6369 (9th Cir. 2013);
- 4 • *Armstrong v. Brown*, 2011 U.S. Dist. LEXIS 87428 (N.D. Cal. 2011);
- 5 • *Lira v. Cate*, 2010 WL 727979 (N.D. Cal. 2010);
- 6 • *Californians for Disability Rights, Inc. v. California Dep't of Transportation*, 2010 U.S. Dist. LEXIS 141030 (N.D. Cal. 2010);
- 7
- 8 • *Nat'l Federation of the Blind v. Target Corp.*, 2009 U.S. Dist. LEXIS 67139 (N.D. Cal. 2009);
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- 10 • *Prison Legal News v. Schwarzenegger*, 561 F.Supp.2d 1095 (N.D. Cal. 2008) (an earlier motion);
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- 12 • *Bancroft v. Trizechahn Corp.*, No. CV 02-2373 SVW (FMOx), Order Granting Plaintiffs Reasonable Attorneys' Fees and Costs In the Amount of \$168,886.76, Dkt. 278 (C.D. Cal. Aug. 14, 2006);
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- 14 • *Willoughby v. DT Credit Corp.*, No. CV 05-05907 MMM (CWx), Order Awarding Attorneys' Fees After Remand, Dkt. 65 (C.D. Cal. July 17, 2006);
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- 16 • *Oberfelder v. City of Petaluma*, 2002 U.S. Dist. LEXIS 8635 (N.D. Cal. 2002), aff'd 2003 U.S. App. LEXIS 11371 (9th Cir. 2003).

17 10. In addition, countless trial courts and arbitrators have relied on my testimony,  
18 including several awards in this area. In particular, I testified before a jury as Beats/Apple's expert  
19 on attorneys' fees in *Monster, LLC, et al., v. Beats Electronics, LLC et al.*, Los Angeles Superior  
20 Court Case No. BC595235 (2017), a commercial dispute, in which, based in part on my live  
21 testimony, a jury awarded Beats the entire \$11,578,265.49 attorneys' fees and expenses claimed  
22 for work on the merits.

23 **Counsel's Requested Hourly Rates Are Reasonable.**

24 11. Through my writing and practice, I have become familiar with the non-contingent  
25 market rates charged by attorneys in California and elsewhere. I have obtained this familiarity in  
26 several ways: (1) by handling attorneys' fee litigation; (2) by discussing fees with other attorneys;  
27 (3) by obtaining declarations regarding prevailing market rates in cases in which I represent  
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1 attorneys seeking fees; and (4) by reviewing attorneys' fee applications and awards in other cases,  
2 as well as surveys and articles on attorney's fees in the legal newspapers and treatises.

3 12. In this case, I have consulted with Consumer Watchdog's counsel regarding their  
4 fee application in this matter. I am aware that Consumer Watchdog and its counsel and paralegals  
5 request the following hourly rates for their work in this matter, including the successful appeal:

6 **Consumer Watchdog counsel**

7 Harvey Rosenfield (admitted CA Bar in 1979)	\$695
8 Pamela M. Pressley (admitted CA Bar in 1995)	\$595
9 Laura Antonini (admitted CA Bar in 2010)	\$375
10 Jon Phenix (admitted CA Bar in 2015)	\$350
11 Jon Phenix (law clerk prior to Dec. 2015)	\$150
12 Paralegals	\$200

13 **Outside counsel**

14 Arthur D. Levy, admitted CA Bar in 1980	\$800
15	
16 Aitken Aitken Cohn	
17 Wylie A. Aitken, admitted CA Bar in 1966	\$875
18 Casey R. Johnson, admitted CA Bar in 2002	\$500
19 Megan G. Demshki, admitted CA Bar in 2015	\$350

20 In my opinion, these rates are eminently reasonable, for the following reasons.

21 13. Under California law, successful attorneys are entitled to their requested rates if  
22 those rates are "within the range of reasonable rates charged by and judicially awarded comparable  
23 attorneys for comparable work" in the applicable community. *Children's Hosp. & Med. Ctr. v.*  
24 *Bonta*, 97 Cal.App.4th 740, 783 (2002). Based on the information regarding hourly rates that I  
25 have gathered, some of which is summarized below, I am of the opinion that the requested hourly  
26 rates for Consumer Watchdog and its outside counsel are well within, if not below, the range of  
27 non-contingent market rates charged for reasonably similar services by Los Angeles Area  
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1 attorneys of reasonably similar qualifications and experience. The following data support my  
2 opinion:

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4 **Rates Found Reasonable in Other Cases**

5 14. The hourly rates requested by Consumer Watchdog and its counsel, law clerk and  
6 paralegals are well within the range of the Los Angeles area rates found reasonable by various  
7 local courts for reasonably comparable services:

8 • In *Wishtoyo Foundation et al v. United Water Conservation Dist.*, 2019  
9 U.S.Dist.LEXIS 39927 (C.D. Cal. 2019), an environmental action under the federal Endangered  
10 Species Act, the court found that in 2018, an hourly rate for a 1986 Bar Admittee was \$840 per  
11 hour.

12 • In *Monster, LLC, et al., v. Beats Electronics, LLC et al.*, Los Angeles Superior  
13 Court Case No. BC595235 (2017), Order Granting Defendant and Cross-Complainant Beats  
14 Electronics, LLC's Motion for Attorneys' Fees and Costs, filed June 27, 2018, a commercial  
15 dispute, the court found the following hourly rates reasonable for Beats' attorneys' work on the  
16 successful jury trial that determined the amount of reasonable attorneys' fees Monster would be  
17 required to pay as damages:

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<b>Boies, Schiller &amp; Flexner</b>	<b>Bar Admittance or Law School Graduation</b>	<b>2016/2017 Rates</b>
<b>Partners:</b>	1986	\$960/\$1,049
	2006	\$920/\$972
	2000	\$880
	2001	\$880
	2002	\$830
	1999	\$830
	2004	\$740 (2015); \$760 (2016)
	2006	\$680
	2007	\$650/\$714
	2009	\$600/\$800
<b>Associates:</b>	2004	\$680
	2009	\$610
	2013	\$460/\$533
	2013	\$490
	2010	\$630
	2011	\$480/\$602

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<b>Boies, Schiller &amp; Flexner</b>	<b>Bar Admittance or Law School Graduation</b>	<b>2016/2017 Rates</b>
	2014-2015	\$420
<b>Non-Attorneys Timekeepers:</b>		\$190-284

<b>Gibson Dunn &amp; Crutcher</b>	<b>Bar Admittance or Law School Graduation</b>	<b>2017 Rates</b>
	1987	\$852 (through Aug. 2017)
		\$956 (from Sept. 2017)
	2008	\$592 (through Aug. 2017)
		\$696 (from Sept. 2017)
	2013	\$404 (through Aug. 2017)
		\$600 (from Sept. 2017)
	2015	\$520
	2016	\$472
	1997	\$960
	2006	\$736
	1987	\$944
<b>Non-Attorneys Timekeepers:</b>		\$216-\$335

• In *Nozzi v. Housing Authority*, 2018 U.S. Dist. LEXIS 26049 (C.D. Cal. 2018), a tenant class action, the court approved the following hourly rates as reasonable:

<b>Kaye McLane Bednarski &amp; Litt</b>	<b>Bar Admittance or Law School Graduation</b>	<b>2017 Rates</b>
	1969	\$1,150
	1992	\$750
	1993	\$765
	2008	\$730
	Sr. Paralegal	\$335
	Jr. Paralegal	\$150
	Law Clerk	\$200

<b>Public Counsel</b>	<b>Bar Admittance or Law School Graduation</b>	<b>2017 Rates</b>
	1989	\$1,150
	1988	\$750
	1994	\$765
	2004	\$730
	2010	\$335
	Paralegal	\$150
	Litigation Coordinator	\$200

1 • In *Monster, LLC, et al., v. Beats Electronics, LLC et al.*, Los Angeles Superior  
 2 Court Case No. BC595235 (2017), the same commercial dispute listed above, the court found the  
 3 following 2017 rates to be reasonable for Beats’s co-defendants who had obtained relief by  
 4 summary judgment (see Order Granting Motions for Attorneys’ Fees, filed October 12, 2017, p.  
 5 2):

	Bar Admittance or Law School Graduation	2016 Rates (unless otherwise noted)
<b>Partners:</b>	1966	\$1,000 (2015); 1,245 (2016)
	1977	\$1,110 (2015)
	1981	\$910
	1985	\$995
	1992	\$875-885
	1995	\$910
	2002	\$750
<b>Of Counsel:</b>	1976	\$705
<b>Associates:</b>	2009	\$615 (2015); \$660 (2016)
<b>Non-Attorneys Timekeepers:</b>		\$380-90

13 • In *The Kennedy Commission v. City of Huntington Beach*, Los Angeles County  
 14 Superior Court No. 30-2015-00801675, Order Granting Petitioners' Motion for Attorneys' Fees  
 15 Pursuant to California Code of Civil Procedure § 1021.5, filed July 13, 2016, a writ of mandate  
 16 action challenging a land use amendment adopted by the City of Huntington Beach, the court  
 17 found the following hourly rates reasonable for the Plaintiffs’ private *pro bono* law firm (prior to  
 18 application of a 1.4 multiplier)<sup>1</sup>:

2016 Rates:	Bar Admission Year	Rates
	2001	\$900
	2014	\$450
2015 Rates:	Bar Admission Year	Rates
	2001	\$875
	2014	\$400

26 <sup>1</sup> The *Kennedy Commission* fee award was remanded in conjunction with the reversal of the  
 27 merits. 2017 Cal.App.Unpub.Lexis 7488 (2017).  
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• In *Willits et al v. City of Los Angeles*, No. CV 10-5782 CCBM (RZx) (C.D. Cal.), Order Granting Motion for Attorneys' Fees and Costs, filed August 25, 2016 (Dkt. No. 418), a class action lawsuit against the City of Los Angeles by persons with mobility disabilities under the Americans with Disabilities Act and the Rehabilitation Act of 1973 challenging the inaccessibility of the City's sidewalks, the court found the following 2015 hourly rates reasonable:

<b>Law School Graduation</b>	<b>Rates</b>
1976	\$1,115.60
1977 (associate)	700
1981	795
1987	680-775
1993	750
1999	644-695
2001	625
2003	550
2006	525 — 550
2007	450
2008	473
2009	450
2010	350-400
2011	300-385
2012	300
2013	300-325
Paralegals and Law Clerks	110-250
Case Assistants	220-230
Docket Clerk	230

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• In *State Compensation Insurance Fund v. Khan et al*, Case No. SACV 12-01072-CJC(JCGx) (C.D. Cal.), Order Granting in Part and Denying in Part the Zaks Defendants' Motion for Attorneys' Fees, filed July 6, 2016 (Dkt. No. 408), a multi-defendant RICO action, the court found the following hourly rates reasonable:

<b>Years of Experience</b>	<b>Rates</b>
22	\$890
20	\$840
5	\$670
4	\$560
Paralegals	\$325-340
Case Assistants	\$220-230
Docket Clerk	\$230

• In *ScriptsAmerica, Inc. Ironridge Global LLC et al*, Case No. CV 14-03962-SJO (AGRx) (C.D. Cal.), Order Granting Defendant Ironridge Global LLC, John Kirkland, Brendan O'Neill's Motion for Attorney's Fees, filed January 12, 2016 (Dkt. No. 50), a contract dispute, the court found the following 2015 hourly rates reasonable:

<b>Years of Experience</b>	<b>Rates</b>
37	\$950
11	\$700
4	\$450
Paralegals	\$200-350

• In *Perfect 10, Inc. v. Giganews, Inc.*, 2015 U.S. Dist. LEXIS 54063 (C.D. Cal. 2015), filed March 24, 2015, *affirmed* 847 F.3d 657 (9<sup>th</sup> Cir. 2017), a copyright infringement action, the court found the following 2015 hourly rates reasonable:

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<b>Years of Experience</b>	<b>2015 Rate</b>
29	\$825-930
18	\$750
17	\$705-750
12	\$610-640
11	\$660-690

10	670
9	660-690
8	470-525
7	640
5	375-560
4	350-410
3	505
2	450
1	360-370
Paralegals	240-345
Discovery Support Staff	245-290

• In *Rodriguez v. County of Los Angeles*, 96 F.Supp.3d 990 (C.D. Cal. 2014), Order Granting Plaintiffs' Motion for Attorneys' Fees, filed December 29, 2014, *affirmed* 891 F.3d 779 (9<sup>th</sup> Cir. May 30, 2018), a civil rights action on behalf of five county jail prisoners, the district court found the following hourly rates reasonable, plus a 2.0 lodestar multiplier for merits work performed on the plaintiffs' California cause of action; the entire award was affirmed on appeal:

<b>Years of Experience</b>	<b>Rate</b>
45	\$975

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28	700-775
26	775
10	600
6	500
Senior Paralegal	295
Other Paralegals	175-235
Law Clerk	250

• In *Doe v. United Healthcare Insurance Co., et al.*, No. SACV13-0864 DOC(JPRx) (C.D. Cal.), Order Granting Attorney's Fees and Costs, filed October 15, 2014, a multi-Plaintiff consumer action, the court found the following hourly rates reasonable:

**Whitley Kallas**

Years of Experience	Rate
36	\$950
27	900
32	800
33	750
21	700
10	600
4	400
2	375
Paralegal	225

**Consumer Watchdog**

Years of Experience	Rate
35	\$925
19	650
4	425



1 well within the range of the standard hourly non-contingent rates for comparable civil litigation  
 2 stated in court filings, depositions, surveys, or other reliable sources by numerous California law  
 3 firms that have offices in or regularly practice in the Los Angeles area.<sup>2</sup> These rates include, in  
 4 alphabetical order:

5 **Altshuler Berzon LLP**

2018 Rates	Graduation Year	Rate
	1968-1983	\$940
	1985	920
	1989	900
	1991	885
	1992	875
	1994	835
	1998	795
	2000	740
	2001	725
	2008	540
	2009	515
	2010	485
	2012	435
	2013	415
	2014	390
	2015	365
	Law Clerks	285
	Paralegals	250
<b>2017 Rates:</b>	<b>Years of Experience/Level</b>	<b>Rates</b>
	Senior Partners	\$930
	Junior Partners (1991-2001)	\$875-690
	Associates (2008-2013)	\$510-365
	Paralegals	\$250
<b>2015 Rates:</b>	<b>Years of Experience/Level</b>	<b>Rates</b>
	32	\$895
	Junior Partners	\$825-630
	Associates	\$450-340
	Paralegals	\$250
<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	38	\$895
	Paralegals	\$215

26 <sup>2</sup> Although some of these firms are based in Northern California, these firms regularly practice in  
 27 the Los Angeles area, and the fact is that hourly rates charged in the Los Angeles area are  
 28 generally higher than Northern California rates. Accordingly, if rates are reasonable by Northern  
 California standards, they also are reasonable as Los Angeles area rates.

**Arnold Porter LLP**

<b>2015 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Partners	Up to \$1,085
	Associates	Up to \$710
<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	49	\$995
	45	\$720
	39	\$655
<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$815
	Highest Partner	\$950
	Lowest Partner	\$670
	Average Associate	\$500
	Highest Associate	\$610
	Lowest Associate	\$345

**The Arns Law Firm LLP**

<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	37	\$950
	Law Clerks	\$165

**Cooley LLP**

<b>2017 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	22	\$905
<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	31	\$1,095
	17	\$770
	9	\$685
<b>2013 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	30	\$1,035
	16	\$710
	8	\$645

**Covington & Burling**

<b>2015 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	30	\$805
	2	\$410
<b>2014 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$780
	Highest Partner	\$890
	Lowest Partner	\$605
	Average Associate	\$415
	Highest Associate	\$565
<b>2013 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	28	\$750
	16	\$670
	14	\$670

	7	\$510
	2	\$375
	5	\$490
	Litigation Support	\$110-355

**Duane Morris LLP**

<b>2018 Rates:</b>	<b>Bar Admission Year</b>	<b>Rates</b>
	1973	\$1,005
	2008	\$605
	2011	\$450
	2017	\$355
	Sr. Paralegal	\$395
<b>2016 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	43	\$880
	41	\$880
	26	\$720
	25	\$695

**Fenwick & West**

<b>2014 Rates:</b>	<b>Years of Experience/Level</b>	<b>Rates</b>
	29	\$825-930
	17-18	\$715-750
	9-11	\$660-690
	5	\$375-560
	3	\$505
	Paralegal	\$240-345
	Staff Support	\$290
<b>2013 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	18	\$755
	11	\$595
	2	\$425
<b>2012 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	40	\$865
	17	\$755
	10	\$595

**Hadsell, Stormer, Richardson & Renick**

<b>2015 Rates:</b>	<b>Years of Experience/Level</b>	<b>Rates</b>
	42	\$1,050
	20	\$750
	26	\$700
	16	\$650
	13	\$600
	5	\$425
	4	\$375
	Law Clerks	\$225
	Paralegals	\$175-250
<b>2012 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	38	\$825

	33	\$775
	22-23	\$625
	17	\$600
	12	\$525
	10	\$425
	4	\$275
	3	\$250

**Hausfeld LLP**

<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	45	\$985
	37	\$935-895
	15	\$610-510
	14	\$600
	7	\$490
	3	\$370
	Paralegals	\$300-320
	Law Clerks	\$325

**Irell & Manella**

<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$890
	Highest Partner	\$975
	Lowest Partner	\$800
	Average Associate	\$535
	Highest Associate	\$750
	Lowest Associate	\$395

**Jones Day**

<b>2016 Rates:</b>	<b>Bar Admission Year</b>	<b>Rates</b>
	2001	\$900
	2014	\$450
<b>2015 Rates:</b>	<b>Bar Admission Year</b>	<b>Rates</b>
	2001	\$875
	2014	\$400

**Kaye, McLane, Bednarski & Litt**

<b>2019 Rates:</b>	<b>Graduation Year</b>	<b>Rates</b>
	1969	\$1,200
<b>2017 Rates:</b>	<b>Graduation Year:</b>	<b>Rates</b>
	1969	\$1,150
	1992	\$750
	1993	\$765
	2008	\$730
	Sr. Paralegal	\$335
	Jr. Paralegal	\$150

	Law Clerk	\$200
<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	45	\$975
	28	\$700-775
	26	\$775
	10	\$600
	6	\$500
	Senior Paralegal	\$295
	Other Paralegal	\$175-235
	Law Clerk	\$250

**Kirkland & Ellis**

<b>2017 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	20	\$1,165
	9	\$995
	8	\$965
	5	\$845
	4	\$845
	3	\$810
	2	\$555

**Latham & Watkins**

<b>2016 Rates:</b>	Average Partner	\$1,185.83
	Highest Partner	\$1,595
	Lowest Partner	\$915
	Average Associate	\$754.62
	Highest Associate	\$1,205
	Lowest Associate	\$395

**Lieff Cabraser Heimann & Bernstein, LLP**

<b>2015 Rates:</b>	<b>Year of Bar Admission</b>	<b>Rates</b>
	1972	\$975
	1989	\$850
	2001	\$625
	2006	\$435
	2009	\$435
<b>2014 Rates:</b>	<b>Year of Bar Admission</b>	<b>Rates</b>
	1998	\$825
	2001	\$600
	2006	\$435
	2009	\$415
	2013	\$325
	Paralegal/Clerk	\$305
<b>2013 Rates:</b>	<b>Year of Bar Admission</b>	<b>Rates</b>
	1975	\$925
	1998	\$800
	2001	\$525
	2003	\$490
	2006	\$415

	2009	\$395
	2013	\$320
	Paralegal/Clerk	\$285

**Michelman & Robinson LLP**

<b>2018 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	Partners	\$995
	Senior Associate	\$580
	Associate	\$480

**Milbank, Tweed, Handley & McCloy LLP**

<b>2016 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	1983	\$1,025
	1984	\$1,350
	1992	\$1,350
	2002 (associate)	\$915

**Morrison Foerster LLP**

<b>2018 Rates:</b>	<b>Years of Practice</b>	<b>Rates</b>
	40	\$1,050
	22	\$950
	11	\$875
	3	\$550
	Paralegal	\$325
<b>2017 Rates:</b>	<b>Bar Admission Date:</b>	<b>Rates</b>
	2007	\$608
	2012	\$575
<b>2016 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	1975	\$1,025
	1999	\$975
	1993	\$975
<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$865
	Highest Partner	\$1,195
	Lowest Partner	\$595
	Average Associate	\$525
	Highest Associate	\$725
	Lowest Associate	\$230

**Munger, Tolls & Olson**

<b>2016 Rates (unless otherwise noted):</b>	<b>Bar Admittance or Law School Graduation</b>	<b>Rates</b>
<b>Partners:</b>	1966	\$1,000 (2015); 1,245 (2016)
	1977	\$1,110 (2015)

	1981	\$910
	1985	\$995
	1992	\$875-885
	1995	\$910
	2002	\$750
<b>Of Counsel:</b>	1976	\$705
<b>Associates:</b>	2009	\$615 (2015); \$660 (2016)
<b>Non-Attorneys Timekeepers:</b>		\$380-90

**O'Melveny & Myers**

<b>2019 Rates:</b>	<b>Level</b>	<b>Rate</b>
	Senior Partner	\$1,250
	Partner (1998 Bar Admittee)	\$1,050
	3 <sup>rd</sup> Year Associate	\$640
	2 <sup>nd</sup> Year Associate	\$565
<b>2016 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	1985	\$1,175
	2004	\$895
	2005	\$780
	2007	\$775
	2010	\$725
	2011	\$700
	2012	\$655
	2013	\$585
	2014	\$515
	2015	\$435
<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$715
	Highest Partner	\$950
	Lowest Partner	\$615

**Orrick Herrington & Sutcliffe**

<b>2014 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$845
	Highest Partner	\$1,095
	Lowest Partner	\$715
	Average Associate	\$560
	Highest Associate	\$710
	Lowest Associate	\$375

**Paul Hastings LLP**

<b>2016 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	1973	\$1,175
	1997	\$895
	1990	\$750

<b>2014 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$815
	Highest Partner	\$900
	Lowest Partner	\$750
	Average Associate	\$540
	Highest Associate	\$755
	Lowest Associate	\$350

**Pearson Simon & Warshaw LLP**

<b>2019 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	23-38	\$1,150
	10	\$900
	Of Counsel	\$825
	6	\$500
	4	\$450
	Paralegals	\$225
<b>2018 Rates:</b>	22-37	\$1,050
	9	\$650
	Of Counsel	\$725
	5	\$450
	3	\$400
	<b>2017 Rates:</b>	35-36
	8	\$520
	4	\$400
	2	\$350

**Proskauer Rose LLP**

<b>2016 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	1974	\$1,475
	1983	\$1,025
	1979	\$950
	2007	\$850
	2013	\$495
	2015	\$440-445

**Quinn Emanuel Urquhart & Sullivan**

<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$915
	Highest Partner	\$1,075
	Lowest Partner	\$810
	Average Associate	\$410
	Highest Associate	\$675
	Lowest Associate	\$320

**Reed Smith LLP**

2014 Rates:	Years of Experience	Rates
	37	\$830
	18	\$695
	15	\$585
	6	\$485
	5	\$435
2013 Rates:	Years of Experience	Rates
	Partner	
	36	\$830
	30	\$805
	17	\$610-615
	14	\$570
	Associates	
	8	\$450-535
6	\$495	

**Ropes & Gray**

2016 Rates:	Level	Rates
	Partner	\$880-1,450
	Counsel	\$605-1,425
	Associate	\$460-1050
	Paralegals	\$160-415

**Rosen, Bien, Galvan & Grunfeld LLP**

2019 Rates:	Class	Rates
	Partners:	
	1962	\$1,050
	1980	\$1,000
	1981	\$940
	1984	\$860
	1997	\$800
	2005	\$700
	2008	\$640
	Of Counsel:	
	1993	\$725
	2003	\$700
	Senior Counsel:	
	2008	\$610
	2009	\$585
	Associates:	
	2010	\$540
	2011	\$525
	2013	\$460
	2015	\$440
	2016	\$400
	2017	\$350
	Senior Paralegals:	\$350
	Litigation Support/Paralegal Clerks:	\$225

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**2018 Rates**

Law Students:	\$275
Word Processing:	\$85
Class/Level:	Rates:
Partners:	
1962	\$1,000
1980	\$965
1981	\$920
1984	\$835
1997	\$780
2005	\$650
Of Counsel:	
1983	\$800
1993	\$700
2003	\$675
Senior Counsel:	
2008	\$585
Associates:	
2009	\$535
2010	\$525
2011	\$500
2013	\$440
2015	\$410
2016	\$375
Paralegals:	\$340-240
Litigation Support/Paralegal Clerks:	\$225
Law Students:	\$275
Word Processing:	\$85
<b>2017 Rates:</b>	
<b>Class/Level</b>	<b>Rates</b>
Partners	
1962	\$1,000
1980	\$950
1981	\$900
1984	\$825
1997	\$780
2005	\$650
Of Counsel	
1983	\$800
1993	\$700
2003	\$675
Associates	
2008	\$575
2009	\$515
2010	\$500
2011	\$490
2013	\$425
2015	\$400
2016	\$375
Paralegals	\$325-240
Litigation Support/Paralegal Clerks	\$225
Law Students	\$275

	Word Processing	\$85
<b>2016 Rates:</b>	<b>Class</b>	<b>Rates</b>
	1962	\$995
	1980	\$900
	1985	\$800
	1997	\$740
	2008	\$545
	2009	\$490
	Certified Law Student	\$275
	Paralegal	\$275
<b>2015 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	Partners	
	53	\$930
	35	\$840
	33	\$775
	31	\$710
	18	\$690
	9	\$525
	Of Counsel	\$590-610
	Associates	
	9	\$490
	8	\$480
	7	\$470
	6	\$440
	5	\$420
	4	\$400
	3	\$380
	Paralegals	\$250-295
	Litigation Support/Paralegal Clerks	\$200-220
	Law Students	\$275
	Word Processing	\$85

**Schonbrun, DeSimone, Seplow, Harris & Hoffman**

<b>2019 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	43	\$1,050
<b>2014 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	29	\$750
	24	\$700
<b>2012 Rates:</b>	<b>Years of Experience</b>	<b>Rates</b>
	27	\$695
	22	\$630

**Sheppard, Mullin, Richter & Hampton**

<b>2014 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Highest Partner	\$875
	Lowest Partner	\$490
	Average Partner	\$685
	Highest Associate	\$535
	Lowest Associate	\$275

	Average Associate	\$415
<b>2010 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Partners	\$495-820
	Associates	\$270-620

**Skadden, Arps, Slate, Meagher & Flom**

<b>2013 Rates:</b>	<b>Level</b>	<b>Rates</b>
	Average Partner	\$1,035
	Highest Partner	\$1,150
	Lowest Partner	\$845
	Average Associate	\$620
	Highest Associate	\$845
	Lowest Associate	\$340

**Law Office of Carol Sobel**

<b>2019 Rate</b>	<b>Years of Experience</b>	<b>Rate</b>
	41	\$1,000
<b>2015 Rates:</b>	<b>Years of Experience</b>	<b>Rate</b>
	37	\$875

**Wilson Sonsini Goodrich & Rosati PC**

<b>2017 Rates:</b>	<b>Bar Admission Date</b>	<b>Rates</b>
	2000	\$950

<b>Winston &amp; Strawn</b>		
<b>2019 Rates:</b>		<b>Rates</b>
	Partners:	
		\$1,515
		\$1,245
		\$1,105
		\$1,025
	Associates:	
		\$825
		\$660
		\$615
<b>2018 Rates:</b>	Partners:	
		\$1,445
		\$1,185
		\$1,050
		\$820
	Associates:	
		\$765
		\$585
	Paralegals:	\$170-340
	Litigation Support Mgr.	\$275
Review Attorneys	\$85	

<b>2017 Rates:</b>		
	Partners:	
		\$1,365
		\$1,120
		\$990
	Associates:	
		\$760
		\$690
		\$645
		\$520
		\$495
	Paralegals:	\$165-295
<b>2016 Rates:</b>		
	Partners:	
		\$1,290
		\$1,095
		\$965
		\$960
		\$885
	Associates:	
		\$715
		\$615
		\$575
		\$470
	Paralegals:	\$170-280
	Litigation Support Mgr.:	\$250
<b>2015 Rates:</b>		
	Partners:	
		\$1,225
		\$1,000
		\$910
		\$820
	Associates:	
		\$680
		\$555
		\$515
		\$480
		\$450
	Review Attorneys:	\$85-95
	Paralegals:	\$90-265
	Litigation Support Mgr.	\$250


17. The hourly rates set forth above are those charged where full payment is expected promptly upon the rendition of the billing and without consideration of factors other than hours and rates. If any substantial part of the payment were to be contingent or deferred for any substantial period of time, for example, the fee arrangement would be adjusted accordingly to compensate the attorneys for those factors.

18. In my experience, fee awards are almost always determined based on current rates,

1 i.e., the attorney's rate at the time a motion for fees is made, rather than the historical rate at the  
2 same time the work was performed. This is a common and accepted practice to compensate  
3 attorneys for the delay in being paid. See *Graham v. DaimlerChrysler* (2004) 34 Cal.4<sup>th</sup> 553, 583;  
4 *Robles v. Emp. Dev. Dept.*, 38 Cal.App.5<sup>th</sup> 191, 205 (2019).

5 I declare under penalty of perjury that the foregoing facts are true and correct.

6 Executed on October 4, 2019 at Berkeley, California.

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Richard M. Pearl

**EXHIBIT A**

# RESUME OF RICHARD M. PEARL

## **RICHARD M. PEARL**

### **LAW OFFICES OF RICHARD M. PEARL**

1816 Fifth Street  
Berkeley, CA 94710  
(510) 649-0810  
(510) 548-3143 (facsimile)  
rpearl@interx.net (e-mail)

## **EDUCATION**

University of California, Berkeley, B.A., Economics (June 1966)  
Boalt Hall School of Law, Berkeley, J.D. (June 1969)

## **BAR MEMBERSHIP**

Member, State Bar of California (admitted February 1970)  
Member, State Bar of Georgia (admitted June 1970) (inactive)  
Admitted to practice before all California State Courts; the United States Supreme Court; the United States Court of Appeals for the District of Columbia and Ninth Circuits; the United States District Courts for the Northern, Central, Eastern, and Southern Districts of California, for the District of Arizona, and for the Northern District of Georgia; and the Georgia Civil and Superior Courts and Court of Appeals.

## **EMPLOYMENT**

LAW OFFICES OF RICHARD M. PEARL (April 1987 to Present): Civil litigation practice (AV rating), with emphasis on court-awarded attorney's fees, class actions, and appellate practice. Selected Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019.

QUALIFIED APPELLATE MEDIATOR, APPELLATE MEDIATION PROGRAM, California Court of Appeal, First Appellate District (October 2000 to 2013) (program terminated).

ADJUNCT PROFESSOR, HASTINGS COLLEGE OF THE LAW (January 1988 to 2014): Taught *Public Interest Law Practice*, a 2-unit course that focused on the history, strategies, and issues involved in the practice of public interest law.

PEARL, McNEILL & GILLESPIE, Partner (May 1982 to March 1987): General civil litigation practice, as described above.

CALIFORNIA RURAL LEGAL ASSISTANCE, INC. (July 1971 to September 1983) (part-time May 1982 to September 1983):

Director of Litigation (July 1977 to July 1982)

Responsibilities: Oversaw and supervised litigation of more than 50 attorneys in CRLA's 15 field offices; administered and supervised staff of 4-6 Regional Counsel; promulgated litigation policies and procedures for program; participated in complex civil litigation.

Regional Counsel (July 1982 to September 1983 part-time)

Responsibilities: Served as co-counsel to CRLA field attorneys on complex projects; provided technical assistance and training to CRLA field offices; oversaw CRLA attorney's fee cases; served as counsel on major litigation.

Directing Attorney, Cooperative Legal Services Center (February 1974 to July 1977) (Staff Attorney February 1974 to October 1975)

Responsibilities: Served as co-counsel on major litigation with legal services attorneys in small legal services offices throughout California; supervised and administered staff of four senior legal services attorneys and support staff.

Directing Attorney, CRLA McFarland Office (July 1971 to February 1974) (Staff Attorney July 1971 to February 1972)

Responsibilities: Provided legal representation to low income persons and groups in Kern, King, and Tulare Counties; supervised all litigation and administered staff of ten.

HASTINGS COLLEGE OF THE LAW, Instructor, Legal Writing and Research Program (August 1974 to June 1978)

Responsibilities: Instructed 20 to 25 first year students in legal writing and research.

CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD, Staff Attorney, General Counsel's Office (November 1975 to January 1976, while on leave from CRLA)

Responsibilities: Prosecuted unfair labor practice charges before Administrative Law Judges and the A.L.R.B. and represented the A.L.R.B. in state court proceedings.

ATLANTA LEGAL AID SOCIETY, Staff Attorney (October 1969 to June 1971)

Responsibilities: Represented low-income persons and groups as part of 36-lawyer legal services program located in Atlanta, Georgia.

## **PUBLICATIONS**

Pearl, *California Attorney Fee Awards, Third Edition* (Cal. Cont. Ed. Bar 2010) and February 2011, 2012, 2013, 2014, 2015, 2016, 2017, and March 2018 Supplements

Pearl, *California Attorney Fee Awards, Second Edition* (Cal. Cont. Ed. Bar 1994), and 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008 Supplements

*Graham v. DaimlerChrysler Corp.* and *Tipton-Whittingham v. City of Los Angeles*, Civil Litigation Reporter (Cal. Cont. Ed. Bar Feb. 2005)

*Current Issues in Attorneys' Fee Litigation*, California Labor and Employment Law Quarterly (September 2002 and November 2002)

*Flannery v. Prentice: Shifting Attitudes Toward Fee Agreements and Fee-Shifting Statutes*, Civil Litigation Reporter (Cal. Cont. Ed. Bar Nov. 2001)

*A Practical Introduction to Attorney's Fees*, Environmental Law News (Summer 1995)

Wrongful Employment Termination Practice, Second Edition (Cal. Cont. Ed. Bar 1997) (co-authored chapter on "Attorney Fees")

California Attorney's Fees Award Practice (Cal. Cont. Ed. Bar 1982) (edited), and 1984 through 1993 Supplements

Program materials on attorney fees, prepared as panelist for CEB program on Attorneys' Fees: Practical and Ethical Considerations in Determining, Billing, and Collecting (October 1992)

Program materials on Attorney's Fees in Administrative Proceedings: California Continuing Education of the Bar, prepared as panelist for CEB program on Effective Representation Before California Administrative Agencies (October 1986)

Program materials on Attorney's Fees in Administrative Proceedings: California Continuing Education of the Bar, prepared as panelist for CEB program on Attorneys' Fees: Practical and Ethical Considerations (March 1984)

*Settlers Beware/The Dangers of Negotiating Statutory Fee Cases* (September 1985) Los Angeles Lawyer

Program Materials on Remedies Training (Class Actions), sponsored by Legal Services Section, California State Bar, San Francisco (May 1983)

Attorneys' Fees: A Legal Services Practice Manual (Legal Services Corporation 1981)

## **PUBLIC SERVICE**

Member, Attorneys' Fee Task Force, California State Bar

Member, Board of Directors, California Rural Legal Assistance Foundation

## **REPRESENTATIVE CASES**

*Alcoser v. Thomas*

(2011) 2011 Cal.App.Unpub.LEXIS 1180

*Arias v. Raimondo*

(2018) 2018 U.S.App.LEXIS 7484

*Boren v. California Department of Employment*

(1976) 59 Cal.App.3d 250

*Cabrera v. Martin*

(9th Cir. 1992) 973 F.2d 735

*Camacho v. Bridgeport Financial, Inc.*

(9<sup>th</sup> Cir. 2008) 523 F.3d 973

*Campos v. E.D.D.*

(1982) 132 Cal.App.3d 961

*Center for Biological Diversity v. County of San Bernardino*

(2010) 185 Cal.App.4th 866

*Children & Families Commission of Fresno v. Brown*

(2014) 228 Cal.App.4<sup>th</sup> 45

*Committee to Defend Reproductive Rights v. A Free Pregnancy Center*

(1991) 229 Cal.App.3d 633

*David C. v. Leavitt*

(D. Utah 1995) 900 F.Supp. 1547

*Delaney v. Baker*

(1999) 10 Cal.4th 23

*Dixon v. City of Oakland*

(2014) 2014 U.S.Dist.LEXIS 169688

## **REPRESENTATIVE CASES (cont.)**

*Employment Development Dept. v. Superior Court (Boren)*  
(1981) 30 Cal.3d 256

*Environmental Protection Info. Ctr. v Department of Forestry & Fire Protection*  
(2010) 190 Cal.App.4th 217

*Environmental Protection Information Center, Inc. v. Pacific Lumber Co.*  
(N.D. Cal. 2002) 229 F. Supp.2d 993, *aff'd* (9<sup>th</sup> Cir. 2004) 103 Fed. Appx. 627

*Flannery v Prentice*  
(2001) 26 Cal. 4th 572

*Guerrero v. Cal. Dept. of Corrections etc.*  
(2016) 2016 U.S. Dist. LEXIS 78796, *aff'd in relevant part*, (9<sup>th</sup> Cir. 2017) 701  
Fed.Appx. 613

*Graham v. DaimlerChrysler Corp.*  
(2004) 34 Cal. 4<sup>th</sup> 553

*Heron Bay Home Owners Assn. v. City of San Leandro*  
(2018) 19 Cal.App.5<sup>th</sup> 376

*Horsford v. Board of Trustees of Univ. of Calif.*  
(2005) 132 Cal.App.4th 359

*Ketchum v. Moses*  
(2001) 24 Cal.4th 1122

*Kievlan v. Dahlberg Electronics*  
(1978) 78 Cal.App.3d 951, *cert. denied* (1979)  
440 U.S. 951

*Lealao v. Beneficial California, Inc.*  
(2000) 82 Cal.App.4th 19

*Lewis v. California Unemployment Insurance Appeals Board*  
(1976) 56 Cal.App.3d 729

*Local 3-98 etc. v. Donovan*  
(N.D. Cal. 1984) 580 F.Supp. 714,  
*Aff'd* (9<sup>th</sup> Cir. 1986) 792 F.2d 762

## **REPRESENTATIVE CASES (cont.)**

*Mangold v. California Public Utilities Commission*  
(9th Cir. 1995) 67 F.3d 1470

*Maria P. v. Riles*  
(1987) 43 Cal.3d 1281

*Martinez v. Dunlop*  
(N.D. Cal. 1976) 411 F.Supp. 5,  
*aff'd* (9th Cir. 1977) 573 F.2d 555

*McQueen, Conservatorship of*  
(2014) 59 Cal.4<sup>th</sup> 602 (argued for *amici curiae*)

*McSomebodies v. Burlingame Elementary School Dist.*  
(9th Cir. 1990) 897 F.2d 974

*McSomebodies v. San Mateo City School Dist.*  
(9th Cir. 1990) 897 F.2d 975

*Molina v. Lexmark International*  
(2013) 2013 Cal.App. Unpub. LEXIS 6684

*Moore v. Bank of America*  
(9<sup>th</sup> Cir. 2007) 2007 U.S. App. LEXIS 19597

*Moore v. Bank of America*  
(S.D. Cal. 2008) 2008 U.S. Dist. LEXIS 904

*Mora v. Chem-Tronics, Inc.*  
(S.D. Cal. 1999) 1999 U.S. Dist. LEXIS 10752,  
5 Wage & Hour Cas. 2d (BNA) 1122

*Nadaf-Rahrov v. Nieman Marcus Group*  
(2014) 2014 Cal.App. Unpub. LEXIS 6975

*Orr v. Brame*  
(2018) 2018 U.S.App.LEXIS 6094

*Pena v. Superior Court of Kern County*  
(1975) 50 Cal.App.3d 694

## REPRESENTATIVE CASES (cont.)

*Ponce v. Tulare County Housing Authority*  
(E.D. Cal. 1975) 389 F.Supp. 635

*Ramirez v. Runyon*  
(N.D. Cal. 1999) 1999 U.S. Dist. LEXIS 20544

*Rubio v. Superior Court*  
(1979) 24 Cal.3d 93 (amicus)

*Ruelas v. Harper*  
(2015) 2015 Cal.App. Unpub.LEXIS 7922

*Sokolow v. County of San Mateo*  
(1989) 213 Cal. App. 3d. 231

*S.P. Growers v. Rodriguez*  
(1976) 17 Cal.3d 719 (amicus)

*Swan v. Tesconi*  
(2015) 2015 Cal.App. Unpub. LEXIS 3891

*Tongol v. Usery*  
(9th Cir. 1979) 601 F.2d 1091,  
*on remand* (N.D. Cal. 1983) 575 F.Supp. 409,  
*revs'd* (9th Cir. 1985) 762 F.2d 727

*Tripp v. Swoap*  
(1976) 17 Cal.3d 671 (amicus)

*United States (Davis) v. City and County of San Francisco*  
(N.D. Cal. 1990) 748 F.Supp. 1416, *aff'd in part*  
*and revs'd in part sub nom Davis v. City and County*  
*of San Francisco* (9<sup>th</sup> Cir. 1992) 976 F.2d 1536,  
*modified on rehearing* (9<sup>th</sup> Cir. 1993) 984 F.2d 345

*United States v. City of San Diego*  
(S.D.Cal. 1998) 18 F.Supp.2d 1090

*Vasquez v. State of California*  
(2008) 45 Cal.4th 243 (amicus)

**REPRESENTATIVE CASES (cont.)**

*Velez v. Wynne*

(9<sup>th</sup> Cir. 2007) 2007 U.S. App. LEXIS 2194

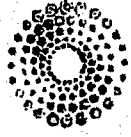
**EXHIBIT B**

# LEGAL BILLING REPORT

By Benjamin L. Hill

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Volume 17, Number 3  
December 2015



THOMSON REUTERS

# California Region

## Firm: Snell & Wilmer

Firm Size: 419 Firm Rank: 104

Name  
Eric S. Pezold

Court Name: Arizona  
Case Name: Xhibit Corp., et al.  
Case Number: 2:15-bk-00679-BKM

For fee applications  
1/22/2015 through 9/11/2015

Title	State	Graduated	Admitted	Rate	Hours	Fees
Partner	CA	2004	2004	\$520	0.10	\$52.00
<b>Total:</b>					<b>0.10</b>	<b>\$52.00</b>

## Firm: Klee, Tuchin, Bogdanoff & Stern, LLP

Firm Size: 19 Firm Rank: 0

Name  
Kenneth Klee  
David Stern  
Michael Tuchin  
Maria Sountas Argiropoulos  
Colleen M. Keating  
Jonathan M. Weiss  
Kathryn T. Zwicker  
Sasha M. Guvritz

Court Name: California Central  
Case Name: State Fish Co., Inc  
Case Number: 2:15-bk-11084-SK

For fee applications  
6/1/2015 through 9/30/2015

Title	State	Graduated	Admitted	Rate	Hours	Fees
Partner	CA	1974	1975	\$1,300	0.20	\$260.00
Partner	CA	1975	1975	\$1,080	189.50	\$204,660.00
Partner	CA	1990	1990	\$1,080	137.10	\$148,068.00
Partner	CA	2006	2006	\$675	25.20	\$17,010.00
Counsel	CA	2008	2008	\$650	111.20	\$72,280.00
Associate	CA	2012	2012	\$475	525.00	\$249,375.00
Associate	CA	1986	1986	\$440	9.50	\$4,180.00
Associate	CA	2014	2014	\$395	40.80	\$16,116.00
<b>Total:</b>					<b>1038.50</b>	<b>\$711,949.00</b>

## Firm: Bracewell & Giuliani LLP

Firm Size: 422 Firm Rank: 103

Name  
Joe R. Hull

Court Name: Delaware  
Case Name: Optim Energy, LLC, et al.  
Case Number: 14-10262 (BLS)

For fee applications  
2/12/2014 through 10/15/2015

Title	State	Graduated	Admitted	Rate	Hours	Fees
Partner	CA	1969	1969	\$790	0.60	\$474.00
<b>Total:</b>					<b>0.60</b>	<b>\$474.00</b>

## Firm: Brown Rudnick LLP

Firm Size: 184 Firm Rank: 211

Name  
Ronald Rus  
Lauren E. Curry

Court Name: Delaware  
Case Name: Corinthian Colleges Inc.  
Case Number: 15-10952 (KIC)

For fee applications  
5/4/2015 through 9/21/2015

Title	State	Graduated	Admitted	Rate	Hours	Fees
Partner	CA	1975	1975	\$880	1.50	\$1,320.00
Partner	CA	2010	2010	\$730	78.90	\$57,597.00
<b>Total:</b>					<b>80.40</b>	<b>\$58,917.00</b>

# California Region

## Firm Cooley LLP

Firm Size: 613 Firm Rank: 63

For fee applications  
8/1/2015 through 10/7/2015

Court Name Delaware  
Case Name RS Legacy Corporation  
Case Number 15-10197 (815)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Seth A. Raffkin	Partner	CA	1998	1998	\$810	0.50	\$405.00
Janet D. Gertz	Associate	CA	2004	2004	\$755	14.60	\$11,023.00
Shannon L. Sorrells	Associate	CA	2011	2011	\$595	2.80	\$1,666.00
<b>Total:</b>						<b>17.90</b>	<b>\$13,094.00</b>

## Firm Gibson Dunn & Crutcher LLP

Firm Size: 1099 Firm Rank: 21

For fee applications  
8/1/2015 through 8/31/2015

Court Name Delaware  
Case Name ENERGY FUTURE HOLDINGS CORP  
Case Number 14-10979 (CS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Matthew Bouslog	Associate	CA	2011	2011	\$625	5.10	\$3,187.50
<b>Total:</b>						<b>5.10</b>	<b>\$3,187.50</b>

## Firm Kirkland & Ellis LLP

Firm Size: 1442 Firm Rank: 13

For fee applications  
8/1/2015 through 8/31/2015

Court Name Delaware  
Case Name ENERGY FUTURE HOLDINGS CORP  
Case Number 14-10979 (CS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Mike Belnus	Partner	CA	1999	1999	\$1,220	3.10	\$3,782.00
Mark E. McKane	Partner	CA	1997	1997	\$1,025	198.50	\$203,462.50
Christopher Keegan	Partner	CA	2002	2002	\$855	75.50	\$64,552.50
Michael Esser	Associate	CA	2009	2009	\$825	213.40	\$176,055.00
Alexander Davis	Associate	CA	2012	2012	\$710	192.60	\$136,746.00
Justin Sowa	Associate	CA	2013	2013	\$710	199.70	\$141,787.00
Austin Klar	Associate	CA	2013	2013	\$635	35.00	\$22,225.00
Sarah Stock	Associate	CA	2013	2013	\$635	121.60	\$77,216.00
Anna Tertnyan	Associate	CA	2014	2014	\$555	241.80	\$134,199.00
James Bardio	Associate	CA	2014	2014	\$555	108.60	\$60,273.00
Kevin Chang	Associate	CA	2014	2014	\$555	170.80	\$94,794.00
<b>Total:</b>						<b>1560.60</b>	<b>\$1,115,092.00</b>

# California Region

Firm: **Klee, Tuchin, Bogdanoff & Stern, LLP**

Firm Size: 19 Firm Rank: 0

Court Name: Delaware  
 Case Name: SEAL123, INC., et al  
 Case Number: 15-10081 (CSS)

For fee applications  
 7/1/2015 through 11/30/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Lee Bogdanoff	Partner	CA	1985	1985	\$1,080	7.30	\$7,884.00
Michael Tuchin	Partner	CA	1990	1990	\$1,080	37.10	\$40,068.00
David Fidler	Partner	CA	1997	1998	\$850	12.70	\$10,795.00
Robert J. Pfister	Partner	CA	2001	2001	\$795	0.20	\$159.00
David M. Guess	Partner	CA	2005	2005	\$695	67.30	\$46,773.50
Maria Sountas Argiropoulos	Partner	CA	2006	2006	\$675	1.70	\$1,147.50
Justin D. Yi	Partner	CA	2009	2009	\$625	0.80	\$500.00
Jonathan M. Weiss	Associate	CA	2012	2012	\$475	34.70	\$16,482.50
Kathryn T. Zwicker	Associate	CA	1986	1986	\$440	12.40	\$5,456.00
					<b>Total:</b>	<b>174.20</b>	<b>\$129,265.50</b>

Firm: **Morrison & Foerster LLP**

Firm Size: 1025 Firm Rank: 22

Court Name: Delaware  
 Case Name: ENERGY FUTURE HOLDINGS CORP  
 Case Number: 14-10979 (CSS)

For fee applications  
 8/1/2015 through 8/31/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Clara Lim	Associate	CA	2012	2012	\$635	39.80	\$25,273.00
Chika Arakawa	Associate	CA	2013	2013	\$495	8.30	\$4,108.50
					<b>Total:</b>	<b>48.10</b>	<b>\$29,381.50</b>

# California Region

## Firm: Munger Tolles & Olson LLC

Firm Size: 181 Firm Rank: 216

For fee applications  
8/1/2015 through 8/31/2015

Court Name: Delaware  
Case Name: ENERGY FUTURE HOLDINGS CORP

Case Number: 14-10979 (CSS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
John W. Spiegel	Partner	CA	1977	1977	\$1,065	36.30	\$38,659.50
Thomas B. Walper	Partner	CA	1980	1980	\$1,065	184.05	\$196,013.25
Stephen D. Rose	Partner	CA	1991	1991	\$960	29.20	\$28,032.00
Todd J. Rosen	Partner	CA	1999	1999	\$875	53.20	\$46,550.00
Jay M. Fujitani	Partner	CA	1984	1984	\$830	92.30	\$76,775.00
Kevin S. Alfred	Partner	CA	1986	1986	\$830	94.50	\$78,435.00
Seth Goldman	Partner	CA	2002	2002	\$750	154.70	\$116,025.00
Bradley R. Schmelder	Of Counsel	CA	2004	2004	\$680	115.10	\$78,268.00
Emily A. Bussigal	Associate	CA	2010	2010	\$635	184.80	\$117,348.00
Sam Greenberg	Associate	CA	2010	2010	\$615	61.70	\$37,945.50
Alex D. Terepka	Associate	CA	2012	2012	\$510	89.40	\$45,594.00
Andrea M. Weintraub	Associate	CA	2013	2013	\$510	68.30	\$34,833.00
Sara N. Taylor	Associate	CA	2012	2012	\$510	70.40	\$35,904.00
Peter E. Boos	Associate	CA	2014	2014	\$395	11.40	\$4,503.00
<b>Total:</b>						<b>1245.55</b>	<b>\$934,885.25</b>

## Firm: O'Melveny & Myers LLP

Firm Size: 1193 Firm Rank: 16

For fee applications  
8/1/2015 through 9/30/2015

Court Name: Delaware  
Case Name: Colt Holding Company

Case Number: 15-11296 (LSS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
John-Paul Mctley	Partner	CA	1999	1999	\$930	6.70	\$6,231.00
Sarah Hoffner	Counsel	CA	2004	2004	\$755	11.20	\$8,456.00
Jeeho Lee	Counsel	CA	2007	2007	\$745	5.00	\$3,725.00
Joannah Caneda	Associate	CA	2015	2015	\$460	4.90	\$2,254.00
Christopher Marcin	Associate	CA	2014	2014	\$415	1.20	\$498.00
Joseph Zujkowski	Counsel	CA	2008	2008	\$390	183.60	\$71,604.00
<b>Total:</b>						<b>212.60</b>	<b>\$92,768.00</b>

# California Region

## Firm Pachulski Stang Ziehl Young Jones & Wei

Firm Size: 55 Firm Rank: 0

For fee applications  
8/1/2015 through 8/31/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Debra I. Grassgreen	Partner	CA	1991	1994	\$925	1.30	\$1,202.50
William Ramseyer	Of Counsel	CA	1980	1980	\$650	1.10	\$715.00
					<b>Total:</b>	<b>2.40</b>	<b>\$1,917.50</b>

## Firm Pachulski Stang Ziehl Young Jones & Wei

Firm Size: 55 Firm Rank: 0

For fee applications  
6/1/2015 through 8/31/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
William L. Ramseyer	Of Counsel	CA	1980	1980	\$650	7.60	\$4,940.00
					<b>Total:</b>	<b>7.60</b>	<b>\$4,940.00</b>

## Firm Pachulski Stang Ziehl Young Jones & Wei

Firm Size: 55 Firm Rank: 0

For fee applications  
8/1/2015 through 9/30/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Andrew W. Caine	Partner	CA	1983	1983	\$925	0.20	\$185.00
William L. Ramseyer	Of Counsel	CA	1980	1980	\$650	1.30	\$845.00
William Ramseyer	Of Counsel	CA	1980	1980	\$650	2.10	\$1,365.00
					<b>Total:</b>	<b>3.60</b>	<b>\$2,395.00</b>

## Firm Pachulski Stang Ziehl Young Jones & Wei

Firm Size: 55 Firm Rank: 0

For fee applications  
7/1/2015 through 11/30/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Andrew W. Caine	Of Counsel	CA	1983	1983	\$925	0.40	\$370.00
Jeffrey Pomerantz	Partner	CA	1989	1989	\$895	0.90	\$805.50
Shirley S. Cho	Of Counsel	CA	1997	1997	\$750	13.10	\$9,825.00
					<b>Total:</b>	<b>14.40</b>	<b>\$11,000.50</b>

# California Region

## Firm Pakulski Stang Ziehl Young Jones & Wei

Firm Size: 55 Firm Rank: 0

For fee applications:  
9/1/2014 through 9/30/2015

Court Name: Delaware  
Case Name: S3 Body Armor, J. INC

Case Number: 10-11255-(PW)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Alan J. Kornfeld	Partner	CA	1987	1987	\$925	8.90	\$8,232.50
Andrew Caline	Of Counsel	CA	1983	1983	\$895	0.20	\$179.00
David J. Barton	Partner	CA	1981	1981	\$850	0.30	\$255.00
David M. Bertenthal	Partner	CA	1989	1993	\$850	10.00	\$8,500.00
Maxim B. Litvak	Partner	CA	2001	2001	\$775	1.70	\$1,317.50
Joshua M. Fried	Partner	CA	2006	2006	\$725	2.80	\$2,030.00
Jonathan Kim	Of Counsel	CA	1995	1995	\$665	0.80	\$532.00
Elissa Wagner	Of Counsel	CA	2000	2001	\$625	46.60	\$29,125.00
William Ramseyer	Of Counsel	CA	1980	1980	\$625	2.40	\$1,500.00
						<b>Total:</b>	<b>\$51,671.00</b>

## Firm Paul Hastings LLP

Firm Size: 881 Firm Rank: 30

For fee applications:  
8/1/2015 through 9/30/2015

Court Name: Delaware  
Case Name: Milycorp, inc.

Case Number: 15-11357 (CSS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Leslie A. Plaskon	Partner	CA	1988	1988	\$1,150	111.10	\$127,765.00
Peter Burke	Partner	CA	1996	1996	\$975	3.90	\$3,802.50
Daniel C. Tola	Associate	CA	2013	2013	\$550	20.50	\$11,275.00
Kevin Kraft	Associate	CA	2014	2014	\$495	4.80	\$2,376.00
						<b>Total:</b>	<b>\$145,218.50</b>

## Firm Paul Hastings LLP

Firm Size: 881 Firm Rank: 30

For fee applications:  
7/1/2015 through 11/30/2015

Court Name: Delaware  
Case Name: SEAI 128, INC., et al.

Case Number: 15-10081 (CSS)

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Nancy L. Abell	Partner	CA	1979	1979	\$995	0.90	\$895.50
Stephen D. Cooke	Partner	CA	1985	1985	\$973	0.30	\$292.13
						<b>Total:</b>	<b>\$1,187.63</b>

# California Region

## Firm: Quinn Emanuel Urquhart & Sullivan, LLP

Firm Size: 647 Firm Rank: 58

Court Name: Delaware  
Case Name: RS Legacy Corporation  
Case Number: 15-10197 (BLS)

For fee applications  
6/1/2015 through 10/7/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Benjamin Finestone	Partner	CA	2004	2005	\$840	11.20	\$9,408.00
Katherine Scherling	Associate	CA	2008	2010	\$735	211.50	\$155,452.50
Randa Osman	Partner	CA	1990	1990	\$695	47.20	\$32,804.00
<b>Total:</b>						<b>269.90</b>	<b>\$197,664.50</b>

## Firm: Robins Kaplan LLP

Firm Size: 250 Firm Rank: 0

Court Name: Delaware  
Case Name: Corinthian Colleges Inc  
Case Number: 15-10952 (KIC)

For fee applications  
5/4/2015 through 9/21/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Roman M. Silberfeld	Partner	CA	1995	1995	\$810	5.70	\$4,617.00
Howard Weg	Partner	CA	2014	2014	\$795	60.30	\$47,938.50
David B. Shemanó	Partner	CA	2014	2014	\$675	17.00	\$11,475.00
Scott F. Gautier	Partner	CA	2014	2014	\$675	452.00	\$305,100.00
James P. Menton, Jr.	Partner	CA	2014	2014	\$650	17.40	\$11,310.00
Cynthia C. Hernandez	Associate	CA	2009	2009	\$470	397.90	\$187,013.00
Lorie A. Ball	Associate	CA	2014	2014	\$450	568.10	\$255,645.00
Amy Churan	Partner	CA	2001	2001	\$420	18.10	\$7,602.00
<b>Total:</b>						<b>1536.50</b>	<b>\$830,700.50</b>

## Firm: Tonys LLP

Firm Size: 236 Firm Rank: 0

Court Name: Delaware  
Case Name: Nortel Networks Inc.  
Case Number: 09-10138

For fee applications  
8/1/2015 through 8/31/2015

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Sheila Block	Partner	CA	1974	1974	\$1,090	9.10	\$9,919.00
Adam Slavens	Associate	CA	2007	2007	\$775	163.00	\$126,325.00
<b>Total:</b>						<b>172.10</b>	<b>\$136,244.00</b>

# California Region

**Firm:** Copley LLP  
**Firm Size:** 613 **Firm Rank:** 63  
**Name:** Aarti G. Reddy  
 Amanda B. Pacheco  
**Court Name:** Virginia Eastern  
**Case Name:** Health Diagnostic Laboratory, Inc.  
**Case Number:** 15-32919-KRH  
**For fee applications:** 6/7/2015 through 8/31/2015

State	Graduated	Admitted	Rate	Hours	Fees
CA	2010	2010	\$655	11.20	\$7,336.00
CA	2013	2013	\$470	3.30	\$1,551.00
<b>Total:</b>				<b>14.50</b>	<b>\$8,887.00</b>

# West Region

## Firm Faegre Baker Daniels LLP

Firm Size: 750 Firm Rank: 0

Name

Michael K. Bolton  
 Brandon K. Oliver

Title  
 Partner  
 Associate

Court Name Colorado

Case Name ROBERT D. MORDINI, JR.,

Case Number 11-15491-ABC

State	Graduated	Admitted	Rate	Hours	Fees
CO	2001	2001	\$540	0.50	\$270.00
CO	2010	2010	\$295	3.50	\$1,032.50
<b>Total:</b>					<b>\$1,302.50</b>

For fee applications  
 9/1/2013 through 11/18/2015

## Firm Greenberg Traurig LLP

Firm Size: 1699 Firm Rank: 9

Name

Matthew L. Hinker

Title  
 Associate

Court Name Delaware

Case Name ATLS Acquisition LLC

Case Number 13-10262 (PW)

State	Graduated	Admitted	Rate	Hours	Fees
CO	2010	2010	\$635	2.30	\$1,460.50
<b>Total:</b>					<b>\$1,460.50</b>

For fee applications  
 8/1/2015 through 8/31/2015

## Firm O'Melveny & Myers LLP

Firm Size: 1193 Firm Rank: 16

Name

Robert Blashek  
 Peter Friedman

Title  
 Partner  
 Partner

Court Name Delaware

Case Name Colt Holding Company

Case Number 15-11296 (LSS)

State	Graduated	Admitted	Rate	Hours	Fees
CO	1977	1977	\$1,075	1.50	\$1,612.50
CO	1998	1998	\$935	107.00	\$100,045.00
<b>Total:</b>					<b>\$101,657.50</b>

For fee applications  
 8/1/2015 through 9/30/2015

## Firm Jenner & Block LLP

Firm Size: 433 Firm Rank: 98

Name

Jarrell A. Cook

Title  
 Associate

Court Name Alabama Northern

Case Name Walter Energy Inc

Case Number 15-02741-TOM11

State	Graduated	Admitted	Rate	Hours	Fees
WA	2014	2014	\$460	10.00	\$4,600.00
<b>Total:</b>					<b>\$4,600.00</b>

For fee applications  
 7/15/2015 through 10/31/2015

# West Region

## Firm Akin Gump Strauss Hauer & Feld LLP

Firm Size: 790 Firm Rank 40

For fee applications  
7/1/2015 through 10/31/2015

Court Name	Delaware				
Case Name	Chickster Resources Inc				
Case Number	15-10583(LSS)				
State	WA	Graduated	Admitted	Rate	Fees
		2014	2014	\$430	\$49,493.00
				<b>Total:</b>	<b>\$49,493.00</b>

Name: Matthew W. Kinskey  
Title: Associate

## Firm Bracewell & Giuliani LLP

Firm Size: 422 Firm Rank 103

For fee applications  
2/12/2014 through 10/15/2015

Court Name	Delaware				
Case Name	Optim Energy, LLC, et al,				
Case Number	14-10262 (BLS)				
State	WA	Graduated	Admitted	Rate	Fees
		1984	1984	\$975	\$27,885.00
		2000	2000	\$670	\$603.00
		2000	2000	\$650	\$35,432.63
		2006	2006	\$529	\$56,583.71
		2006	2006	\$520	\$1,196.00
		2009	2009	\$481	\$2,455.50
		2013	2013	\$363	\$13,449.87
				<b>Total:</b>	<b>\$137,605.71</b>

Name: Nancy Jo Nelson  
Title: Partner

Jacqueline Java  
Title: Counsel

Jacqueline Java  
Title: Counsel

Sandra Snyder  
Title: Associate

Sandra Snyder  
Title: Associate

Blake Urban  
Title: Associate

Sarena Rwejtuna  
Title: Associate

## Firm Foley & Lardner LLP

Firm Size: 874 Firm Rank 31

For fee applications  
8/1/2015 through 8/31/2015

Court Name	Delaware				
Case Name	Universal Cooperatives Inc				
Case Number	14-11187 (MPW)				
State	WA	Graduated	Admitted	Rate	Fees
		2011	2011	\$315	\$3,906.00
				<b>Total:</b>	<b>\$3,906.00</b>

Name: Jack G. Haake  
Title: Associate

## Firm Jones Day

Firm Size: 2407 Firm Rank 3

For fee applications  
8/1/2015 through 9/30/2015

Court Name	Delaware				
Case Name	MolyCorp, Inc				
Case Number	15-11357 (CSS)				
State	WA	Graduated	Admitted	Rate	Fees
		1984	1984	\$750	\$3,975.00
				<b>Total:</b>	<b>\$3,975.00</b>

Name: Kent L. Killelea  
Title: Of Counsel

# California Region

Professional Title	Firm	Graduated	Admitted	State	Rate	Hours	Total
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1975	1974	CA	\$1,300	0.2	\$260.00
Partner	Kirkland & Ellis LLP	1999	1999	CA	\$1,220	3.1	\$3,782.00
Partner	Paul Hastings LLP	1988	1988	CA	\$1,150	111.1	\$127,765.00
Partner	Torlys LLP	1974	1974	CA	\$1,090	5.1	\$9,919.00
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1975	1975	CA	\$1,080	189.5	\$204,660.00
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1985	1985	CA	\$1,080	7.3	\$7,884.00
Partner	Munger Tolles & Olson LLC	1990	1990	CA	\$1,080	174.2	\$188,136.00
Partner	Munger Tolles & Olson LLC	1977	1977	CA	\$1,065	36.3	\$38,659.50
Partner	Kirkland & Ellis LLP	1980	1980	CA	\$1,065	184.05	\$196,013.25
Partner	Paul Hastings LLP	1997	1997	CA	\$1,025	198.5	\$203,492.50
Partner	Paul Hastings LLP	1979	1979	CA	\$995	0.9	\$895.50
Partner	Paul Hastings LLP	1996	1996	CA	\$975	3.9	\$3,802.50
Partner	Paul Hastings LLP	1985	1985	CA	\$973	0.3	\$292.13
Partner	Munger Tolles & Olson LLC	1991	1991	CA	\$960	29.2	\$28,092.00
Partner	O'Mevey & Myers LLP	1999	1999	CA	\$930	6.7	\$6,231.00
Of Counsel	Pachulski Stang Ziehl Young Jones & Weintraub	1987	1987	CA	\$925	8.9	\$8,232.50
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1983	1983	CA	\$925	0.6	\$555.00
Of Counsel	Pachulski Stang Ziehl Young Jones & Weintraub	1994	1991	CA	\$925	1.3	\$1,202.50
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1983	1983	CA	\$895	0.2	\$179.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1989	1989	CA	\$895	0.9	\$805.50
Partner	Brown Rudnick LLP	1975	1975	CA	\$880	1.5	\$1,320.00
Partner	Munger Tolles & Olson LLC	1999	1999	CA	\$875	53.2	\$46,550.00
Partner	Kirkland & Ellis LLP	2002	2002	CA	\$855	75.5	\$64,557.50
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1998	1997	CA	\$850	12.7	\$10,785.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1981	1981	CA	\$850	0.3	\$255.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1993	1989	CA	\$850	10	\$8,500.00
Partner	Quinn Emanuel Urquhart & Sullivan, LLP	2005	2004	CA	\$840	11.2	\$9,408.00
Partner	Munger Tolles & Olson LLC	1984	1984	CA	\$830	92.5	\$76,775.00
Associate	Munger Tolles & Olson LLC	1986	1986	CA	\$830	94.5	\$78,435.00
Partner	Kirkland & Ellis LLP	2009	2009	CA	\$825	213.4	\$176,055.00
Partner	Robins Kaplan LLP	1995	1995	CA	\$810	5.7	\$4,617.00
Partner	Cooley LLP	1998	1998	CA	\$810	0.5	\$405.00
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	2014	2014	CA	\$795	60.3	\$47,938.50
Partner	Bracewell & Giuliani LLP	2001	2001	CA	\$795	0.2	\$159.00
Associate	Torlys LLP	1969	1969	CA	\$790	0.6	\$474.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	2007	2007	CA	\$775	163	\$126,325.00
Associate	Cooley LLP	2004	2001	CA	\$775	1.7	\$1,317.50
Partner	O'Mevey & Myers LLP	2004	2004	CA	\$755	14.6	\$11,023.00
Partner	Munger Tolles & Olson LLC	2004	2004	CA	\$755	11.2	\$8,456.00
Of Counsel	Pachulski Stang Ziehl Young Jones & Weintraub	2002	2002	CA	\$750	154.7	\$116,025.00
		1997	1997	CA	\$750	13.1	\$9,825.00

# California Region

Professional Title	Firm	Graduated	Admitted	State	Rate	Hours	Total
Counsel	Jeeho Lee	2007	2007	CA	\$745	5	\$3,725.00
Associate	Katherine Scharling	2010	2008	CA	\$735	211.5	\$155,452.50
Partner	Lauren E. Curry	2010	2010	CA	\$730	78.9	\$57,597.00
Partner	Joshua M. Fried	2006	2006	CA	\$725	2.8	\$2,030.00
Associate	Alexander Davis	2012	2012	CA	\$710	192.6	\$136,746.00
Associate	Justin Sowa	2013	2013	CA	\$710	199.7	\$141,787.00
Partner	David M. Guess	2005	2005	CA	\$695	67.3	\$46,775.50
Partner	Randa Osman	1990	1990	CA	\$695	47.2	\$32,804.00
Of Counsel	Bradley R. Schneider	2004	2004	CA	\$680	115.1	\$78,268.00
Partner	David B. Sherman	2014	2014	CA	\$675	17	\$11,475.00
Partner	Maria Sountas Argiropoulos	2006	2006	CA	\$675	26.9	\$18,157.50
Partner	Scott F. Gautier	2014	2014	CA	\$675	452	\$305,100.00
Of Counsel	Jonathan Kim	1995	1995	CA	\$665	0.8	\$532.00
Associate	Aarti G. Reddy	2010	2010	CA	\$655	11.2	\$7,336.00
Counsel	Colleen M. Kenting	2008	2008	CA	\$650	111.2	\$72,280.00
Partner	James P. Menton, Jr.	2014	2014	CA	\$650	17.4	\$11,310.00
Of Counsel	William L. Ramseyer	1980	1980	CA	\$650	8.9	\$5,785.00
Of Counsel	William Ramseyer	1980	1980	CA	\$650	3.2	\$2,080.00
Associate	Austin Klar	2013	2013	CA	\$635	35	\$22,225.00
Associate	Clara Lim	2012	2012	CA	\$635	39.8	\$25,273.00
Associate	Emily A. Bussigel	2010	2010	CA	\$635	184.8	\$117,348.00
Associate	Sarah Stock	2013	2013	CA	\$635	121.6	\$77,216.00
Of Counsel	Elissa Wagner	2001	2009	CA	\$625	46.6	\$29,125.00
Partner	Justin D. Yi	2009	2009	CA	\$625	0.8	\$500.00
Associate	Matthew Bouslog	2011	2011	CA	\$625	5.1	\$3,187.50
Of Counsel	William Ramseyer	1980	1980	CA	\$625	2.4	\$1,500.00
Associate	Sam Greenberg	2010	2010	CA	\$615	61.7	\$37,945.50
Associate	Shannon L. Sorrells	2011	2011	CA	\$595	2.8	\$1,666.00
Associate	Anna Terteryan	2014	2014	CA	\$555	241.8	\$134,199.00
Associate	James Barolo	2014	2014	CA	\$555	108.6	\$60,273.00
Associate	Kevin Chang	2014	2014	CA	\$555	170.8	\$94,794.00
Associate	Daniel C. Tola	2013	2013	CA	\$550	20.5	\$11,275.00
Partner	Eric S. Pezold	2004	2004	CA	\$520	0.1	\$52.00
Associate	Alex D. Terepka	2012	2012	CA	\$510	89.4	\$45,594.00
Associate	Andrea M. Weintraub	2013	2013	CA	\$510	68.3	\$34,833.00
Associate	Sara N. Taylor	2012	2012	CA	\$510	70.4	\$35,904.00
Associate	Chika Arakawa	2013	2013	CA	\$495	8.3	\$4,108.50
Associate	Kevin Kraft	2014	2014	CA	\$495	4.8	\$2,376.00
Associate	Jonathan M. Weiss	2012	2012	CA	\$475	559.7	\$265,857.50
Associate	Amanda B. Pacheco	2013	2013	CA	\$470	3.3	\$1,551.00
Associate	Cynthia C. Hernandez	2009	2009	CA	\$470	397.9	\$187,013.00

# California Region

Title	Professional	Firm	Graduated	Admitted	State	Rate	Hours	Total
Associate	Jeanmah Caneda	O'Melveny & Myers LLP	2015	2015	CA	\$450	4.9	\$2,254.00
Associate	Lyle A. Ball	Robins Kaplan LLP	2014	2014	CA	\$450	568.1	\$255,645.00
Associate	Kathryn T. Zwicker	Klee, Tuchin, Bogdanoff & Stern, LLP	1986	1986	CA	\$440	21.9	\$9,635.00
Partner	Amy Churain	Robins Kaplan LLP	2001	2001	CA	\$420	18.1	\$7,602.00
Associate	Christopher Martin	O'Melveny & Myers LLP	2014	2014	CA	\$415	1.2	\$498.00
Associate	Peter E. Boos	Munger Tolles & Olson LLC	2014	2014	CA	\$395	11.4	\$4,503.00
Associate	Sasha M. Gurvitz	Klee, Tuchin, Bogdanoff & Stern, LLP	2014	2014	CA	\$395	40.8	\$16,116.00
Counsel	Joseph Zujkowski	O'Melveny & Myers LLP	2008	2008	CA	\$390	183.6	\$71,604.00

# West Region

Title	Professional	Firm	Graduated	Admitted	State	Rate	Hours	Total
Partner	Robert Blashek	O'Melveny & Myers LLP	1977	1977	CO	\$1,075	1.5	\$1,612.50
Partner	Peter Friedman	O'Melveny & Myers LLP	1998	1998	CO	\$935	107	\$100,045.00
Associate	Matthew L. Hinker	Greenberg Traurig LLP	2010	2010	CO	\$635	2.3	\$1,460.50
Partner	Michael K. Bolton	Faegre Baker Daniels LLP	2001	2001	CO	\$540	0.5	\$270.00
Associate	Brandon K. Oliver	Faegre Baker Daniels LLP	2010	2010	CO	\$295	3.5	\$1,032.50
Partner	Nancy Jo Nelson	Bracewell & Giuliani LLP	1984	1984	WA	\$975	28.6	\$27,885.00
Of Counsel	Kent L. Killelea	Jones Day	1984	1984	WA	\$750	5.3	\$3,975.00
Counsel	Jacqueline Java	Bracewell & Giuliani LLP	2000	2000	WA	\$670	0.9	\$603.00
Counsel	Jacqueline Java	Bracewell & Giuliani LLP	2000	2000	WA	\$650	54.5	\$35,432.63
Associate	Sandra Snyder	Bracewell & Giuliani LLP	2006	2006	WA	\$529	106.8	\$56,583.71
Associate	Blake Urban	Bracewell & Giuliani LLP	2006	2006	WA	\$520	2.3	\$1,196.00
Associate	Blake Urban	Bracewell & Giuliani LLP	2009	2009	WA	\$481	5.1	\$2,455.50
Associate	Jarrell A. Cook	Jeimer & Block LLP	2014	2014	WA	\$460	10	\$4,600.00
Associate	Matthew W. Kinsky	Akin Gump Strauss Hauer & Feld LLP	2014	2014	WA	\$430	115.1	\$49,493.00
Associate	Serena Rwejuna	Bracewell & Giuliani LLP	2013	2013	WA	\$363	37	\$13,449.87
Associate	Jack G. Haake	Foley & Lardner LLP	2011	2011	WA	\$315	12.4	\$3,906.00

# **Exhibit C**

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## Billing Rates Rise, Discounts Abound

A 10 percent increase is offset by price cuts.

Katelyn Polantz, The National Law Journal

January 5, 2015

The price of a billable hour has risen by more than 10 percent in four years, as large corporate law firms focused on their most expensive work and saved clients' money elsewhere.

"The question is: Is anybody paying that?" Maurice Watson, chairman at Husch Blackwell, said, looking back at hourly rates charged last year for lawyers. Husch's average rate for partners is about \$449 per hour, the firm told The National Law Journal in response to our 2014 billing survey. But \$407 is closer to what the firm collects for its work.

The former number represents the "rack rate," Watson said, while the lower price factors in discounts given to clients on the billable hour and in alternative billing arrangements.

Husch's fees are indicative of the pricier billable hour and complementary cost cuts that law firms find for clients. The Kansas City, Mo.-founded firm was among the firms that have reported their rates to The National Law Journal since 2010. Almost all of the highest- and lowest-charging partners among the firms increased rates since 2010.

Partners' hourly prices at the 40 firms that reported their numbers in 2014 now hover around \$500 an hour on average. The highest-billing partner among the survey came from Kaye Scholer, with a \$1,250 rate. The lowest-billing partner, from Frost Brown Todd, made \$220, the firms told the NLJ.

**See chart: [Billing Rates at the Nation's Priciest Law Firms](#)**

The NLJ billing data also includes rates collected from public records — mostly bankruptcy filings — for 128 additional firms during the past three years.

Although the rates charged have gone up in recent years, the amounts that clients pay have not kept pace with inflation, legal industry leaders say.

"I think the story of billing rates is no longer as full or clear as it once was," Watson said.

Lawyers often give discounts on their stated rates, or firms arrange alternative fee plans with clients, including caps on fees, retainers or other flat rates for legal work. Still, firms lean on hourly pricing more than any other model. Generally, 15 percent to 20 percent of work comes from alternative fee structures, according to Steve Nelson of the McCormick Group Inc., a legal consulting firm in Northern Virginia.

Dinsmore & Shohl, a Cincinnati-based firm, has changed the way it sets rates instead of ditching the billable model.

"The billable hour is still very important. There's probably 100 reasons for that," firm chairman George Vincent said.

Dinsmore opened an office in Washington in 2011, so billing rates for lawyers in the nation's capital notched higher than at the rest of the firm. At the same time, associates faced a shift away from rates that rise in lockstep to individualized pricing, Vincent said. Dinsmore also has added nonpartner-track associates to cut some fees. The firm's lawyers charged between \$590 and \$175 in 2010, but they ranged between \$850 and \$160 in 2014.

The spread shows a rate expansion that mimics the decisions made by other firms — increases for top earners while squeezing value where they can.

Associates, on average, charged \$306 an hour at 28 firms in the NLJ study in 2014, an increase of 12 percent from those firms' average rate four years previously. The most expensive associates' rates pushed up at about the same pace, while a number of firms increased their lowest-paid associates' rates by only \$15 or less an hour.

The deleveraging of lawyers in the industry may account for this. Many clients now refuse to pay for legal work performed by first-year associates, Nelson said. Associates instead train during their first year, or work on pro bono or the equivalent of clerk and paralegal tasks. Outsourcing some work to cheaper consultants and firms plays into the pricing models more every year.

Many large firms are shedding lower-end practices, which fueled partners' lateral moves in 2014, Nelson added. Large firms now often mandate that partners meet or exceed certain rates. Some practices become priced out, so the lawyers move to less strict or lower-tiered firms to keep their clients. Practices that work on large corporate mergers or high-stakes litigation saw less lateral movement because of rate pressure. Gibson, Dunn & Crutcher, with an \$1,800 hourly rate for Theodore Olson, an outlier, had the highest rate the NLJ could find in public records.

The billing rate story was different in bankruptcy matters. Those numbers showed that the practice area, which runs countercyclical to the U.S. economy, suffered as companies recovered from the economic recession. Partners and associates working with clients in bankruptcy often must report their hourly rates in court.

Those partners averaged \$452 per hour in 2014, compared with an average rate of \$480 in 2012. The NLJ found fewer partners mentioned in new bankruptcy filings in 2014 compared with the previous years. On average over three years, bankruptcy partners charged about \$475 an hour, according to records from more than 2,300 firm shareholders.

In 2012, when rates were higher, elite New York firms told courts their partners earned \$1,000 an hour or more on the work. This \$1,000-an-hour club included three partners from Paul, Weiss, Rifkind, Wharton & Garrison and two partners from Weil, Gotshal & Manges.

It also included a team of nine Sullivan & Cromwell partners who charged \$1,150 an hour each to represent Eastman Kodak Co. in its bankruptcy.

In 2014, the rates for bankruptcy work topped out at about \$900 an hour, according to the data. Two partners from Pachulski Stang Ziehl & Jones, a Los Angeles corporate restructuring boutique, charged \$875 and \$895 each for their work on the bankruptcy of staffing company Ablest Inc.

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Year	Firm Name	Location	Average FTE Attorneys	Partner Billing Rate High	Partner Billing Rate Low	Partner Billing Rate Avg	Associate Billing Rate High	Associate Billing Rate Low	Associate Billing Rate Avg	Counsel Avg	Counsel Low	Counsel High	NLJ Billing Source	NLJs
2014	Adams and Reese	New Orleans, LA	318	\$700.00	\$305.00	\$420.00	\$315.00	\$220.00	\$270.00	\$500.00	\$425.00	\$575.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Akerman	Miami, FL	523	\$880.00	\$380.00	\$535.00	\$465.00	\$205.00	\$305.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Akin Gump Strauss Hauer & Feld	Washington, DC	809	\$1220.00	\$615.00	\$785.00	\$660.00	\$365.00	\$525.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Allen Matkins Leck Gumbie Malloy & Natis	Los Angeles, CA	181	\$680.00	\$525.00	\$615.00							National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Alelon & Bird	Atlanta, GA	789	\$875.00	\$485.00	\$675.00	\$575.00	\$280.00	\$425.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Andrews Kurth	Houston, TX	337	\$1090.00	\$745.00	\$690.00	\$1090.00	\$265.00	\$670.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Archer & Greiner	Haddonfield, NJ	194	\$460.00	\$330.00	\$400.00	\$295.00	\$200.00	\$245.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Arent Fox	Washington, DC	330	\$860.00	\$500.00	\$650.00	\$595.00	\$275.00	\$395.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014	Arnall Golden Gregory	Atlanta, GA	140	\$520.00	\$430.00	\$490.00							National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Arnold & Porter	Washington, DC	720	\$850.00	\$670.00	\$815.00	\$610.00	\$345.00	\$500.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Arnstein & Lehr	Chicago, IL	144	\$595.00	\$350.00	\$465.00	\$350.00	\$175.00	\$250.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Baker & Hostetler	Cleveland, OH	798	\$670.00	\$275.00	\$449.00	\$350.00	\$210.00	\$272.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Baker & McKenzie	Chicago, IL	4087	\$1130.00	\$260.00	\$755.00	\$925.00	\$100.00	\$395.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, TN	588	\$495.00	\$340.00	\$400.00	\$465.00	\$245.00	\$295.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Ballard Spahr	Philadelphia, PA	483	\$550.00	\$395.00	\$475.00	\$195.00	\$235.00	\$315.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Barnes & Thornburg	Indianapolis, IN	522	\$580.00	\$330.00	\$480.00	\$370.00	\$260.00	\$320.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Benesch, Friedlander, Coplan & Aronoff	Cleveland, OH	150	\$635.00	\$360.00	\$465.00	\$475.00	\$155.00	\$280.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Best Best & Krieger	Riverside, CA	176	\$655.00	\$340.00	\$455.00	\$385.00	\$235.00	\$280.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bingham McCutchen	Boston, MA	795	\$1080.00	\$220.00	\$795.00	\$605.00	\$185.00	\$450.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Blank Rome	Philadelphia, PA	447	\$940.00	\$445.00	\$640.00	\$665.00	\$175.00	\$350.00	\$350.00	\$275.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bond, Schoenack & King	Syracuse, NY	198	\$520.00	\$240.00	\$355.00	\$310.00	\$160.00	\$225.00	\$225.00	\$360.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bowles Rice	Charleston, WV	140	\$285.00	\$165.00	\$230.00	\$180.00	\$115.00	\$135.00	\$135.00	\$135.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bracewell & Giuliani	Houston, TX	441	\$1125.00	\$575.00	\$760.00	\$700.00	\$275.00	\$440.00	\$440.00	\$440.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bradley Arant Boult Cummings	Birmingham, AL	413	\$605.00	\$325.00	\$430.00	\$340.00	\$200.00	\$260.00	\$260.00	\$260.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Broad and Cassel	Orlando, FL	150	\$465.00	\$295.00	\$380.00	\$380.00	\$380.00	\$380.00	\$380.00	\$380.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Brown Rudnick	Boston, MA	187	\$1045.00	\$650.00	\$856.00	\$856.00	\$856.00	\$856.00	\$856.00	\$856.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Brownstein Hyatt Farber Schreck	Denver, CO	214	\$700.00	\$310.00	\$520.00	\$345.00	\$265.00	\$305.00	\$305.00	\$305.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Bryan Cave	St. Louis, MO	965	\$900.00	\$410.00	\$620.00	\$595.00	\$220.00	\$405.00	\$405.00	\$355.00	\$665.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Buchalter Nemer	Los Angeles, CA	139	\$695.00	\$475.00	\$605.00	\$375.00	\$350.00	\$365.00	\$365.00	\$365.00	\$485.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Burr & Forman	Birmingham, AL	261	\$525.00	\$300.00	\$371.00	\$275.00	\$200.00	\$241.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Butler Snow	Ridgeland, MS	280	\$335.00	\$235.00	\$302.00				National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Cadwalader, Wickersham & Taft	New York, NY	437	\$1050.00	\$800.00	\$930.00	\$750.00	\$395.00	\$605.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Carlton Fields	Tampa, FL	272	\$940.00	\$455.00	\$600.00				National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Cole, Schetz, Miesel, Forman & Leonard	Hackensack, NJ	118	\$730.00	\$590.00	\$653.00	\$340.00	\$275.00	\$302.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Connell Foley	Roseland, NJ	129	\$575.00	\$275.00	\$425.00	\$325.00	\$200.00	\$255.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Cooley	Palo Alto, CA	673	\$990.00	\$660.00	\$820.00	\$640.00	\$335.00	\$515.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Covington & Burling	Washington, DC	760	\$890.00	\$605.00	\$780.00	\$565.00	\$320.00	\$415.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Cozen O'Connor	Philadelphia, PA	495	\$1135.00	\$275.00	\$570.00	\$640.00	\$180.00	\$355.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ
2014 Curtis, Mallet-Prevost, Colt & Mosie	New York, NY	323	\$860.00	\$730.00	\$600.00	\$785.00	\$345.00	\$480.00	National Law Journal, December 2014	350 report Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ

2014 Davis Graham & Stubbs	Denver, CO	145	\$635.00	\$315.00	\$435.00	\$350.00	\$200.00	\$255.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Davis Polk & Wardwell	New York, NY	810	\$985.00	\$650.00	\$975.00	\$130.00	\$615.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Debevoise & Plimpton	New York, NY	595	\$1075.00	\$955.00	\$1055.00	\$120.00	\$490.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Dechert	New York, NY	845	\$1095.00	\$670.00	\$900.00	\$395.00	\$530.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Dentons	New York, NY	2503	\$1050.00	\$345.00	\$700.00	\$210.00	\$425.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Dickstein Shapiro	Washington, DC	254	\$1250.00	\$590.00	\$750.00	\$310.00	\$475.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Dinsmore & Shohl	Cincinnati, OH	415	\$850.00	\$250.00	\$411.00	\$160.00	\$238.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 DLA Piper	New York, NY	3862	\$1025.00	\$450.00	\$765.00	\$250.00	\$510.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Dorsey & Whitney	Minneapolis, MN	501	\$585.00	\$340.00	\$435.00	\$215.00	\$315.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Duane Morris	Philadelphia, PA	613	\$960.00	\$415.00	\$589.00	\$280.00	\$373.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	

2014 Edwards Wildman Palmer	Boston, MA	540	\$765.00	\$210.00	\$535.00	\$415.00	\$245.00	\$325.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Faegre Baker Daniels	Minneapolis, MN	673	\$580.00	\$355.00	\$455.00	\$315.00	\$110.00	\$260.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Foley & Lardner	Milwaukee, WI	844	\$660.00	\$405.00	\$600.00	\$470.00	\$210.00	\$335.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Foley Hoag	Boston, MA	221	\$775.00	\$590.00	\$670.00	\$365.00	\$250.00	\$325.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Fox Rothschild	Philadelphia, PA	531	\$750.00	\$335.00	\$530.00	\$500.00	\$245.00	\$310.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Fried, Frank, Harris, Shriver & Jacobson	New York, NY	450	\$1100.00	\$930.00	\$1000.00	\$760.00	\$375.00	\$595.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Frost Brown Todd	Cincinnati, OH	414	\$600.00	\$220.00	\$387.00	\$315.00	\$150.00	\$234.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Gardere Wynne Sewell	Dallas, TX	218	\$775.00	\$430.00	\$635.00	\$330.00	\$290.00	\$303.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Gibbons	Newark, NJ	201	\$665.00	\$440.00	\$560.00	\$475.00	\$295.00	\$360.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Gibson, Dunn & Crutcher	New York, NY	1154	\$1800.00	\$765.00	\$980.00	\$930.00	\$175.00	\$590.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Gordon Rees Scully Mansukhani	San Diego, CA	478	\$475.00	\$375.00	\$420.00	\$325.00	\$285.00	\$300.00	\$300.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Greenberg Traurig	New York, NY	1690	\$955.00	\$535.00	\$763.00	\$570.00	\$325.00	\$470.00	\$470.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Harris Beach	Rochester, NY	198	\$400.00	\$298.00	\$348.00	\$285.00	\$175.00	\$230.00	\$230.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Harter Secrest & Emary	Rochester, NY	132	\$455.00	\$300.00	\$385.00	\$290.00	\$195.00	\$250.00	\$250.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Haynes and Boone	Dallas, TX	483	\$1020.00	\$450.00	\$670.00	\$560.00	\$310.00	\$405.00	\$405.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Hogan Lovells	Washington, DC	2313	\$1000.00	\$705.00	\$835.00					National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Holland & Hart	Denver, CO	423	\$725.00	\$305.00	\$442.00	\$425.00	\$175.00	\$277.00	\$277.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Holland & Knight	Washington, DC	956	\$1085.00	\$355.00	\$625.00	\$595.00	\$210.00	\$340.00	\$340.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Honigman Miller Schwartz and Cohn	Detroit, MI	231	\$560.00	\$290.00	\$390.00	\$225.00	\$205.00	\$220.00	\$220.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.
2014 Hughes Hubbard & Reed	New York, NY	351	\$995.00	\$725.00	\$880.00	\$675.00	\$365.00	\$555.00	\$555.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report.

2014 Husch Blackwell	St. Louis, MO	539	\$785.00	\$250.00	\$449.00	\$440.00	\$190.00	\$275.00	\$418.00	\$240.00	\$625.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Ice Miller	Indianapolis, IN	291	\$530.00	\$335.00	\$450.00	\$305.00	\$245.00	\$270.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Irell & Manella	Los Angeles, CA	166	\$975.00	\$800.00	\$890.00	\$750.00	\$395.00	\$535.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jackson Kelly	Charleston, WV	179	\$535.00	\$270.00	\$345.00	\$315.00	\$200.00	\$243.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jackson Lewis	Los Angeles, CA	724	\$440.00	\$310.00	\$380.00	\$315.00	\$275.00	\$290.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jackson Walker	Dallas, TX	333	\$675.00	\$575.00	\$622.00	\$385.00	\$255.00	\$335.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jeffer, Mangels, Butler & Mitchell	Los Angeles, CA	125	\$875.00	\$560.00	\$690.00							National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jenner & Block	Chicago, IL	434	\$325.00	\$565.00	\$745.00	\$550.00	\$380.00	\$465.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jones Day	New York, NY	2464	\$975.00	\$445.00	\$745.00	\$775.00	\$205.00	\$435.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Jones Walker	New Orleans, LA	363	\$425.00	\$275.00	\$365.00	\$240.00	\$200.00	\$225.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Kasowitz, Benson, Torres & Friedman	New York, NY	372	\$1185.00	\$600.00	\$835.00	\$625.00	\$200.00	\$340.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Katten Muchin Rosenman	Chicago, IL	612	\$745.00	\$500.00	\$615.00	\$595.00	\$340.00	\$455.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Kaye Scholer	New York, NY	392	\$1250.00	\$725.00	\$860.00	\$795.00	\$370.00	\$597.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Kelley Drye & Warren	New York, NY	293	\$915.00	\$435.00	\$640.00	\$500.00	\$305.00	\$430.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Kilpatrick Townsend & Stockton	Atlanta, GA	561	\$775.00	\$400.00	\$550.00	\$475.00	\$315.00	\$385.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 King & Spalding	Atlanta, GA	674	\$995.00	\$545.00	\$775.00	\$735.00	\$125.00	\$460.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Kirkland & Ellis	Chicago, IL	1554	\$995.00	\$590.00	\$825.00	\$715.00	\$235.00	\$540.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Knobbe Martens Olson & Bear	Irvine, CA	260	\$810.00	\$450.00	\$575.00	\$455.00	\$305.00	\$360.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Kramer Levin Naftalis & Frankel	New York, NY	313	\$1100.00	\$745.00	\$921.00	\$815.00	\$515.00	\$675.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Lane Powell	Seattle, WA	170	\$675.00	\$375.00	\$516.00	\$425.00	\$260.00	\$331.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Latham & Watkins	New York, NY	2060	\$1110.00	\$895.00	\$990.00	\$725.00	\$485.00	\$605.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Lathrop & Gage	Kansas City, MO	283	\$700.00	\$285.00	\$420.00	\$375.00	\$195.00	\$250.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Lewis Roca Rothgerber	Phoenix, AZ	228	\$695.00	\$380.00	\$505.00	\$525.00	\$205.00	\$400.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Lindquist & Vannum	Minneapolis, MN	178	\$600.00	\$460.00	\$520.00	\$470.00	\$275.00	\$355.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Littler Mendelson	San Francisco, CA	1002	\$615.00	\$395.00	\$550.00	\$420.00	\$245.00	\$290.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Lowenstein Sandler	Roseland, NJ	261	\$990.00	\$600.00	\$765.00	\$650.00	\$300.00	\$450.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Manatt, Phelps & Phillips	Los Angeles, CA	329	\$795.00	\$640.00	\$740.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 McCarter & English	Newark, NJ	371	\$625.00	\$450.00	\$530.00	\$370.00	\$220.00	\$300.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 McDermott Will & Emery	Chicago, IL	1021	\$835.00	\$525.00	\$710.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 McElroy, Deutsch, Mulvaney & Carpenter	Monticello, NJ	274	\$560.00	\$325.00	\$445.00	\$335.00	\$200.00	\$295.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 McGuireWoods	Richmond, VA	931	\$725.00	\$450.00	\$595.00	\$525.00	\$285.00	\$360.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 McKenna Long & Aldridge	Atlanta, GA	518	\$650.00	\$480.00	\$530.00	\$425.00	\$375.00	\$395.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Michael, Best & Friedrich	Milwaukee, WI	189	\$650.00	\$235.00	\$445.00	\$425.00	\$200.00	\$283.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Miles & Stockbridge	Baltimore, MD	226	\$740.00	\$340.00	\$478.00	\$425.00	\$230.00	\$250.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Moore & Van Allen	Charlotte, NC	274	\$870.00	\$315.00	\$490.00	\$430.00	\$190.00	\$280.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Morgan, Lewis & Bockius	Philadelphia, PA	1363	\$765.00	\$430.00	\$620.00	\$585.00	\$270.00	\$390.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Morris, Manning & Martin	Atlanta, GA	148	\$575.00	\$400.00	\$480.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Morrison & Foerster	San Francisco, CA	1020	\$1195.00	\$595.00	\$865.00	\$725.00	\$230.00	\$525.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Neison Mullins	Columbia, SC	466	\$900.00	\$250.00	\$444.00	\$395.00	\$215.00	\$271.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Nixon Peabody	Boston, MA	584	\$850.00	\$295.00	\$520.00	\$550.00	\$180.00	\$300.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Norris McLaughlin & Marcus	Bridgewater, NJ	128	\$505.00	\$485.00	\$495.00	\$365.00	\$185.00	\$275.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Norton Rose Fulbright	Houston, TX	3537	\$900.00	\$525.00	\$775.00	\$515.00	\$300.00	\$400.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Nossaman	Los Angeles, CA	148	\$800.00	\$370.00	\$579.00	\$490.00	\$255.00	\$340.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Nutter McClennen & Fish Boston, MA	Boston, MA	146	\$715.00	\$470.00	\$575.00	\$460.00	\$295.00	\$375.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Ogletree Deakins	Atlanta, GA	668	\$550.00	\$250.00	\$360.00	\$365.00	\$200.00	\$260.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 O'Melveny & Myers	Los Angeles, CA	721	\$950.00	\$615.00	\$715.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Orick Herrington & Sutcliffe	New York, NY	954	\$1095.00	\$715.00	\$845.00	\$375.00	\$710.00	\$560.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Parker Poe Adams & Bernstein	Charlotte, NC	185	\$500.00	\$425.00	\$450.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Paul Hastings	New York, NY	889	\$900.00	\$750.00	\$815.00	\$755.00	\$335.00	\$540.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Paul, Weiss, Rifkind, Wharton & Garrison	New York, NY	854	\$1120.00	\$760.00	\$1040.00	\$735.00	\$595.00	\$678.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Pepper Hamilton	Philadelphia, PA	510	\$950.00	\$465.00	\$645.00	\$525.00	\$280.00	\$390.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Perkins Cole	Seattle, WA	861	\$1000.00	\$330.00	\$615.00	\$610.00	\$215.00	\$425.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Pillsbury Winthrop Shaw Pittman	Washington, DC	591	\$1070.00	\$615.00	\$865.00	\$375.00	\$520.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report	
2014 Poisinelli	Kansas City, MO	616	\$775.00	\$325.00	\$435.00	\$350.00	\$235.00	\$279.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Proskauer Rose	New York, NY	712	\$950.00	\$725.00	\$880.00	\$675.00	\$295.00	\$465.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Quarles & Brady	Milwaukee, WI	422	\$625.00	\$425.00	\$519.00	\$600.00	\$210.00	\$335.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Quinn Emanuel Urquhart & Sullivan	New York, NY	673	\$1075.00	\$810.00	\$915.00	\$675.00	\$320.00	\$410.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Reed Smith	Pittsburgh, PA	1555	\$880.00	\$605.00	\$737.00	\$530.00	\$295.00	\$420.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Richards, Layton & Finger	Wilmington, DE	124	\$800.00	\$600.00	\$678.00	\$465.00	\$350.00	\$414.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Riker Danzig Scherer Hyland & Perretti	Morristown, NJ	146	\$495.00	\$430.00	\$455.00	\$295.00	\$210.00	\$250.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Robinson & Cole	Hartford, CT	201	\$700.00	\$295.00	\$500.00	\$445.00	\$215.00	\$300.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Rutan & Tucker	Costa Mesa, CA	147	\$675.00	\$345.00	\$490.00	\$500.00	\$230.00	\$320.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Saul Ewing	Philadelphia, PA	240	\$875.00	\$375.00	\$545.00	\$590.00	\$225.00	\$344.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Schiff Hardin	Chicago, IL	317				\$415.00	\$250.00	\$333.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Sedgwick	San Francisco, CA	342	\$615.00	\$305.00	\$425.00	\$475.00	\$250.00	\$325.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Seward & Kissel	New York, NY	143	\$850.00	\$625.00	\$735.00	\$600.00	\$290.00	\$400.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Seyfarth Shaw	Chicago, IL	779	\$860.00	\$375.00	\$610.00	\$505.00	\$225.00	\$365.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Sheppard Mullin Richter & Hampton	Los Angeles, CA	549	\$875.00	\$490.00	\$685.00	\$535.00	\$275.00	\$415.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Shumaker Loop & Kendrick	Toledo, OH	224	\$595.00	\$305.00	\$413.00	\$330.00	\$160.00	\$256.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Shutts & Bowen	Miami, FL	230	\$660.00	\$250.00	\$430.00	\$345.00	\$195.00	\$260.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Skadden, Arps, Slate, Meagher & Flom	New York, NY	1664	\$1150.00	\$845.00	\$1035.00	\$845.00	\$340.00	\$620.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Snell & Wilmer	Phoenix, AZ	411	\$845.00	\$325.00	\$525.00	\$470.00	\$180.00	\$280.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Spilman Thomas & Battle	Charleston, WV	131						\$280.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Squire Patton Boggs			\$950.00	\$350.00	\$655.00	\$530.00	\$250.00	\$365.00	National Law Journal, December 2014	Location data not available due to merger in 2014. Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Sterne, Kessler, Goldstein & Fox	Washington, DC	122	\$795.00	\$450.00	\$577.00	\$470.00	\$265.00	\$346.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Stevens & Lee	Reading, PA	154	\$800.00	\$525.00	\$625.00			\$463.57	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Stoal Rives	Portland, OR	365	\$800.00	\$300.00	\$492.00	\$465.00	\$205.00	\$287.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Strasburger & Price	Dallas, TX	217	\$690.00	\$290.00	\$495.00	\$365.00	\$210.00	\$270.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Strouck & Stroock & Lavan	New York, NY	265	\$1125.00	\$675.00	\$950.00	\$840.00	\$350.00	\$549.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 Taft Steinfels & Hollister	Cincinnati, OH	357	\$535.00	\$265.00	\$415.00	\$475.00	\$200.00	\$285.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Thompson & Knight	Dallas, TX	290	\$740.00	\$425.00	\$535.00	\$510.00	\$240.00	\$370.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Thompson Coburn	St. Louis, MO	317	\$510.00	\$330.00	\$440.00	\$350.00	\$220.00	\$270.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Troutman Sanders	Atlanta, GA	567	\$875.00	\$400.00	\$620.00	\$570.00	\$245.00	\$340.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Ulmer & Berne	Cleveland, OH	178	\$415.00	\$375.00	\$380.00				National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Varnum	Grand Rapids, MI	133	\$465.00	\$290.00	\$390.00				National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Venable	Washington, DC	533	\$1075.00	\$470.00	\$660.00	\$575.00	\$295.00	\$430.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Vinson & Elkins	Houston, TX	650	\$770.00	\$475.00	\$600.00	\$565.00	\$275.00	\$390.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Waller Lansden Dortch & Davis	Nashville, TN	178	\$600.00	\$350.00	\$460.00	\$335.00	\$180.00	\$245.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Weil, Gotshal & Manges	New York, NY	1157	\$1075.00	\$625.00	\$930.00	\$790.00	\$300.00	\$600.00	National Law Journal, December 2014 Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

2014 White & Case	New York, NY	1895	\$1050.00	\$700.00	\$675.00	\$1050.00	\$220.00	\$525.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Wiley Rein	Washington, DC	277	\$950.00	\$550.00	\$665.00	\$535.00	\$320.00	\$445.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Williams Mullan	Richmond, VA	233	\$410.00	\$350.00	\$385.00	\$350.00	\$260.00	\$285.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Willkie Farr & Gallagher	New York, NY	526	\$1090.00	\$790.00	\$950.00	\$790.00	\$350.00	\$580.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Wilmer Cutler Pickering Hale and Dorr	Washington, DC	988	\$1250.00	\$735.00	\$905.00	\$695.00	\$75.00	\$290.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Winston & Strawn	Chicago, IL	822	\$995.00	\$650.00	\$800.00	\$590.00	\$425.00	\$520.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Wolff & Samson	West Orange, NJ	125	\$450.00	\$325.00	\$400.00	\$450.00	\$225.00	\$340.00	National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Womble Carlyle Sandridge & Rice	Winston-Salem, NC	492	\$540.00	\$470.00	\$554.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report
2014 Wyatt Tarrant & Combs	Louisville, KY	202	\$500.00	\$290.00	\$418.00				National Law Journal, December 2014	Full-time equivalent (FTE) attorneys at the firm and the city of the firm's largest U.S. office as listed in the 2014 NLJ 350 report

## **EXHIBIT 5**

**AIS RISK CONSULTANTS, INC.**

Consulting Actuaries · Insurance Advisors

4400 Route 9 South · Suite 1000 · Freehold, NJ 07728 · (732) 780-0330 · Fax (732) 780-2706

Date: July 10, 2020

To: Harvey Rosenfield  
Consumer Watchdog

From: Allan I. Schwartz

Re: Bill for Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Name</u>	<u>Time</u>	<u>Hourly Rate</u>	<u>Time Charges</u>
Allan Schwartz	265.0	\$805	\$213,325.00

<b>Time Charges</b>	<b>\$213,325.00</b>
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Travel Expenses : June 25, 2018 Meeting at CADOL

Airfare	\$2,042.40
Hotel	\$317.65
Uber	\$24.74
Mileage to / from Newark Airport (70 miles @ \$0.50 / mile)	\$35.00
Total Expenses	\$2,419.79

<b>Amount Due : Total Time Charges Plus Expenses</b>	<b>\$215,744.79</b>
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Time for Allan I. Schwartz

Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Date</u>	<u>Description</u>	<u>Time</u>
4/24/2017	Review docs (e.g., CDI NOH, Complaint, Court Rulings, Correspondence between CDI and Farmers), e mails with CWD	3.4
5/27/2017	Work on Joint Scheduling Conf Statement, review docs	1.7
5/30/2017	Work on Joint Scheduling Conf Statement, review docs Call with JP (CWD)	1.2 0.1
5/31/2017	Review Farmers Class Plan Call with JP (CWD)	3.0 0.7
6/2/2017	Review 2/19/16 letter from DeLaMora to Commissioner	0.2
6/5/2017	Research on Price Opt related to 2/19/16 letter from De La Mora to Commissioner	3.7
6/21/2017	Call with CWD (JP, PP, HR) e mail with CWD re: Farmers actuaries / depos Work on discovery / RPD requests	0.8 0.2 1.6
6/28/2017	Review ALJ Order dated 6/28/17 and JSCS dated 6/7/17	0.9
7/6/2017	Call with CWD (JP & HR) re: discovery	0.2
7/7/2017	Review transcript of 6/14/17 e mail with CWD Work on discovery	1.1 0.2 1.9
7/10/2017	Review documents, work on discovery requests	4.3
7/11/2017	Review documents, work on discovery requests Call with CWD (JP) re: discovery requests	2.8 0.3
7/15/2017	Review Farmers Request for Certification dated 7/14/17	1.8
8/8/2017	Review CDI, CWD & Harris response to RFC, Farmers Reply and CALJ Ruling on RFC	1.3

Time for Allan I. Schwartz

Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Date</u>	<u>Description</u>	<u>Time</u>
8/16/2017	Review responses to discovery from Farmers, CDI, CWD, Harris Call with JP	3.4 0.1
8/18/2017	Review 8/16 letter to ALJ from CDI	0.1
8/23/2017	Review Farmers Petition for Writ dated 8/17	1.8
8/30/2017	Call with JP re: ALJ decision	0.2
10/20/2017	Review Farmers Witness Designations - 10/17	0.1
11/9/2017	Review 2017.11.07 Ruling on Petitioner's Motion for Preliminary Injunction Call with HR (CWD) re: ruling and schedule	0.3 0.2
11/16/2017	Review transcript of hearing of Superior Court hearing on 10/25, ALJ rulings on MTC re: Farmers and CDI	1.9
1/1/2018	Review Discovery Responses from Farmers	4.9
1/2/2018	Review Discovery Responses from Farmers Phone Call with JP (CWD) e mails with JP (CWD)	6.4 0.3 0.2
1/3/2018	Review Discovery Responses from Farmers	6.8
1/4/2018	Review Discovery Responses from Farmers, work on supplemental discovery Call with CWD (JP & HR)	6.5 1.0
1/5/2018	Review Discovery Responses from Farmers, work on supplemental discovery, e mail with JP (CWD)	2.3
3/4/2018	Read JA memo and related documents / Farmers discovery responses	1.2
3/5/2018	Call with JP & HR re: JA memo, price optimization issues	0.4
3/13/2018	Call with CWD (JP) re: schedule and discovery	0.2

Time for Allan I. Schwartz

Actuarial Analysis of  
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<u>Date</u>	<u>Description</u>	<u>Time</u>
3/14/2018	Review 3/14 letter from De La Mora and attachments	1.8
3/19/2018	Call with CWD (JP & HR) re: 3/14 letter from De La Mora	0.2
4/3/2018	Call with CWD (JP & HR) re: mediation	0.1
4/11/2018	Call with CWD (JP) re: schedule / discovery E mails with CWD (JP) re: Farmers production	0.2 0.2
5/8/2018	Review e mail and attachment from CWD (JP) re: Farmers discovery production Call with CWD (JP)	0.4 0.2
5/21/2018	Call with CWD (HR & JP) re: discovery, documents, schedule	0.4
5/25/2018	Review e mails / attachments from CWD & JA Call with CWD re: schedule / case issues	0.4 0.3
5/29/2018	Call with CWD (HR) re: discovery and scheduling	0.1
6/5/2018	Call with HR (CWD) re: case & scheduling e mails with HR re: case & scheduling	0.3 0.1
6/6/2018	Review discovery & documents, preparation for 6/25 meeting	4.5
6/7/2018	Review discovery & documents, preparation for 6/25 meeting	5.2
6/11/2018	Review discovery & documents, preparation for 6/25 meeting	4.2
6/12/2018	Review discovery & documents, preparation for 6/25 meeting	3.8
6/13/2018	Review discovery & documents, preparation for 6/25 meeting	4.3

Time for Allan I. Schwartz

Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Date</u>	<u>Description</u>	<u>Time</u>
6/15/2018	Review discovery & documents, preparation for 6/25 meeting	5.6
6/18/2018	Review discovery & documents, preparation for 6/25 meeting	4.9
	Call with CWD (PP & HR)	0.3
6/22/2018	Conf Call with CDI & JA (intervenor)	1.3
6/24/2018	Review docs, preparation for meeting	8.0
6/25/2018	Meeting with CWD, CDI, Farmers, Harris plaintiffs	8.0
7/2/2018	Calls / e mail with HR & PP (CWD), work on revised schedule dates	0.6
7/18/2018	Call / e mails with HR re: case, schedule, depositions	0.6
	Work on case, Actuarial Standards of Practice Nos 9 and 41, e mail with HR	0.7
7/30/2018	Review Morgan Bugbee deposition transcript (7/12)	3.6
7/31/2018	E mails with HR (CWD) re: Russina Depo	0.4
8/3/2018	Calls / e mails with HR (CWD), review docs on persistency & increased limits	2.4
8/6/2018	Call with HR (CWD)	0.6
8/14/2018	Review Alissa Persistency documents	2.2
8/15/2018	Review Gunell Depo Exhibits and Transcript	5.8
8/16/2018	Review Weston Depo Exhibits	1.0
	Calls with HR (CWD) re: case, depos, exhibits, plans	0.7
8/22/2018	Call with HR (CWD)	0.2
8/27/2018	Review Russina Depo Transcript and Exhibits, Research on Price Opt	6.9

Time for Allan I. Schwartz

Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Date</u>	<u>Description</u>	<u>Time</u>
8/28/2018	Review Allissa Depo Transcript and Exhibits, Bugbee Depo Exhibits	4.8
9/4/2018	Call with CWD (HR, JF, PP) and Harris Plaintiffs (JA, BH)	0.4
9/17/2018	Review Laitner Depo and exhibits Research on Persistency experience	4.5 2.9
9/18/2018	Review Laitner Depo and exhibits	3.2
9/19/2018	Review Laitner Depo and exhibits	1.7
9/20/2018	Work on Pre-filed Direct Testimony (PDT), review of documents	7.3
9/24/2018	Work on PDT, review of documents	6.8
9/25/2018	Work on PDT, review of documents	2.5
9/26/2018	Work on PDT Call with CWD (HR & PP)	1.4 0.7
9/27/2018	Work on PDT	1.0
9/28/2018	Call and e mails with HR (CWD)	0.5
10/1/2018	work on PDT, calls / e mails with CWD (HR)	5.8
10/2/2018	work on PDT, calls / e mails with CWD (HR)	2.5
10/3/2018	work on PDT, calls / e mails with CWD (HR)	3.1
10/4/2018	work on PDT, e mails with CWD (HR)	1.0
10/5/2018	Review scheduling documents, e mails with CWD (HR)	0.4
10/8/2018	Call / e mail with CWD (HR) re: PDT	0.2
10/10/2018	Call with CWD (HR) re: ALJ hearing, schedule	0.1

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Actuarial Analysis of  
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<u>Date</u>	<u>Description</u>	<u>Time</u>
10/15/18	Review CDI & Harris PDT & exhibits	5.3
10/16/18	Review briefs re: deposition of CDI, CWD, Harris	1.1
10/17/18	Call with CWD (HR) Review ALJ decision (10/15/18) regarding deposition request	0.2 0.3
10/21/18	Review Farmers MTS	1.2
10/25/18	Work on response to Farmers MTS, e mail / call with CWD (HR)	1.6
10/26/18	Work on response to Farmers MTS, calls with CWD (PP)	1.8
10/29/18	Review revisions to Bugbee depo	0.2
11/01/18	Review tentative ruling on Farmers MTS	0.3
11/21/18	Review Farmers PDT testimony and exhibits	6.4
11/23/18	Review Farmers PDT testimony and exhibits, work on cross and rebuttal issues, e mail with CWD (PP & HR)	4.3
11/27/18	Call with CWD (HR & PP)	0.3
12/19/18	Call with HR Conference Call with ALJ, CDI, CWD, Harris, Farmers Review ALJ decisions on MTS Farmers PDT	0.2 0.9 0.8
12/20/18	Conf Call with CWD (HR&PP) & Harris (JA)	1.2
01/03/19	Call with CWD (HR) re: Mediation and Hearing	0.4
01/04/19	Call / e mail with CWD (HR) re: schedule	0.3
01/18/19	Call with CWD (HR & PP) re: mediation, hearing	0.6
02/01/19	Conf Call with CWD (HR&PP) and Harris Counsel (JA)	1.0

Time for Allan I. Schwartz

Actuarial Analysis of  
Farmers and Mid Century Rating Practices : File No. NC 2017-00003

<u>Date</u>	<u>Description</u>	<u>Time</u>
02/11/19	Work on mediation brief	0.6
02/12/19	Call with CWD (HR)	0.4
02/14/19	Review PDT of parties, review discovery docs, prepare for hearing	4.7
02/18/19	Review Mediation Briefs, PDT of parties, review docs, prepare for hearing	7.5
	Call with CWD (HR)	0.3
02/19/19	Call / text with CWD (HR)	0.3
02/21/19	Call / e mail with CWD (HR)	0.8
	Review Farmers Motion for a Stay (2/19)	0.4
02/21/19	Review Farmers Subpoena for Joel Laucher	0.2
	Texts / e mail with CWD (HR)	0.2
03/19/19	Review docs, preparation for hearing	4.2
03/20/19	Review docs, preparation for hearing	3.0
03/21/19	Review docs, preparation for hearing	3.3
03/22/19	Review docs, preparation for hearing	3.8
03/23/19	Call with HR (CWD)	0.4
03/28/19	Call with HR (CWD)	0.2
06/26/20	Work on RFC, e mails with CWD (HR & PP)	2.6
06/28/20	Work on RFC, e mails with CWD (HR & PP)	1.7
07/08/20	Work on RFC, e mails with CWD (HR & PP)	1.0
Total		265.0