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13
14 BEFORE THE INSURANCE COMMISSIONER
15 OF THE STATE OF CALIFORNIA
16

17 In the Matter of the Rate Application of
18 Esurance Property and Casualty
19 Insurance Company,
20
21 Applicant.

22 File No.: PA-2020-00001

23 **CONSUMER WATCHDOG'S REQUEST
24 FOR COMPENSATION**

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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
4 (b), and the intervenor regulations, California Code of Regulations, title 10 (“10 CCR”), § 2661.1
5 et seq. This Request seeks compensation in the total amount of \$14,083.50¹ for Consumer
6 Watchdog’s substantial contribution to the Insurance Commissioner’s (“Commissioner”)
7 Decision Denying Petition for Hearing (“Order”) regarding the rate application (File No.: 19-
8 3860) [“the Application”]) of Esurance Property and Casualty Insurance Company (“Applicant”
9 or “Esurance”). This Request includes time spent working on this matter, including preparing this
10 Request, through June 22, 2020. This Request is based on the facts and circumstances of this
11 matter as summarized below and in supporting exhibits, the record in this matter, and the
12 accompanying Declaration of Pamela Pressley (“Pressley Decl.”).

13 Consumer Watchdog initiated the proceeding when it filed a Petition for Hearing, Petition
14 to Intervene, and Notice of Intent to Seek Compensation (“Petition”) on December 23, 2019,
15 challenging Esurance’s Application. Consumer Watchdog represented the interests of consumers
16 and policyholders by raising issues with the proposed rates in its Petition that were separate and
17 distinct from those raised by the Department of Insurance (“Department” or “CDI”). Moreover,
18 on April 23, 2020, Consumer Watchdog submitted a public letter to the Department urging the
19 Commissioner to suspend approval of all applications of auto insurance rate increases until the
20 end of the COVID-19 “stay at home” restrictions, or September 1, whichever comes later. (See
21 Exh. B.) Esurance subsequently withdrew the Application.

22 Through the investment of time and resources by its attorneys and consulting actuary in
23 analyzing the Application and preparation of a petition for hearing, and by requesting the
24 Commissioner’s suspension of approval of applications of auto insurance rate increases,
25

26 ¹ Consumer Watchdog seeks advocacy fees and expenses in the amount of \$6,746.50 for the work
27 of Consumer Watchdog’s counsel and seeks \$7,337.00 in fees billed by its consulting actuary and
28 expert witness, Allan I. Schwartz. (See Exh. A (attached) for a summary of the fees and expenses
 requested.)

1 Consumer Watchdog made a substantial contribution to the Commissioner's decision to approve
2 the withdrawal of the Applicant's proposed rate increase. In light of the substantial contribution
3 Consumer Watchdog made to the Commissioner's decision in this proceeding, as discussed
4 further below, the compensation sought for its attorneys and actuarial expert fees is abundantly
5 reasonable.

6 **II. CONSUMER WATCHDOG IS ELIGIBLE TO SEEK COMPENSATION IN THIS
7 PROCEEDING, AND ITS REQUEST IS TIMELY**

8 The intervenor regulations provide, in part:

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

16 (10 CCR § 2662.3(a).) Consumer Watchdog is a longtime participant and intervenor in
17 Department proceedings and a nationally recognized consumer advocacy organization. The
18 Commissioner issued Consumer Watchdog's latest Finding of Eligibility on July 12, 2018, in
19 which he found Consumer Watchdog eligible for compensation and that Consumer Watchdog
20 "represents the interests of consumers."²

21 The Commissioner granted Consumer Watchdog's Petition to Intervene in the proceeding
22 on the Application on or about January 9, 2020. (Ruling Granting Consumer Watchdog's Petition
23 to Intervene, January 9, 2020, p. 4.) On May 15, 2020, Esurance submitted a request to withdraw
24 the Application. On May 21, 2020, the Commissioner issued an order denying Consumer
25 Watchdog's Petition for Hearing. Thus, Consumer Watchdog is eligible to seek compensation in
26 this matter.

27
28 ² Consumer Watchdog's current Finding of Eligibility succeeded prior determinations issued on
July 24, 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 Pursuant to 10 CCR § 2662.3(a), a request for compensation is due 30 days after service
2 of the Commissioner's decision in the proceeding in which intervention was sought or 30 days
3 after conclusion of the entire proceeding. On May 21, 2020, in light of Esurance's withdrawal of
4 its Application, the Commissioner issued an order denying Consumer Watchdog's Petition for
5 Hearing. Accordingly, Consumer Watchdog's Request is timely pursuant to 10 CCR § 2662.3(a).
6 (Pressley Decl., ¶ 31.)

7 **III. SUMMARY OF THE PROCEEDING**

8 To demonstrate Consumer Watchdog's substantial contribution to the Commissioner's
9 decision in this proceeding and to demonstrate the reasonableness of the advocacy and witness
10 fees requested, set forth below is a summary of Consumer Watchdog's participation in this
11 matter.

12 On or about October 28, 2019, Applicant filed a Prior Approval Rate Application with the
13 Department, seeking approval of an overall rate increase of 6.9% to its Private Passengers
14 Automobile plan. (Pressley Decl., ¶ 23.) The Department notified the public of the Application on
15 or about November 8, 2019. (*Ibid.*)

16 Consumer Watchdog and its actuarial expert, Allan I. Schwartz, reviewed the Application
17 in detail and determined that the proposed rate change was excessive and/or unfairly
18 discriminatory in violation of Insurance Code section 1861.05, subdivision (a), and the prior
19 approval rate regulations, 10 CCR § 2644.1, et seq. (Pressley Decl., ¶ 24.) Mr. Schwartz's
20 analysis of the Application included several specific issues that contributed to Applicant's
21 proposed rates being excessive. (*Ibid.*)

22 On December 23, 2019, pursuant to Insurance Code section 1861.10(a), Consumer
23 Watchdog filed its Petition identifying the issues on which it would provide evidence to show
24 why Applicant's proposed rate was excessive and/or unfairly discriminatory, including
25 unreasonably high loss trends, improper or unsupported excluded expenses, and unsupported
26 Variance 8D. (Petition for Hearing, ¶¶ 4–5; see also Pressley Decl., ¶ 24.)

27 On January 3, 2020, Esurance filed its Answer to Consumer Watchdog's Petition for
28 Hearing denying the allegations in Consumer Watchdog's Petition (Answer to Consumer

1 Watchdog’s Petition for Hearing, pp. 1–2.) along with its Answer to Consumer Watchdog’s
2 Petition to Intervene. (Answer to Consumer Watchdog’s Petition to Intervene, pp. 1–2.)

3 The Commissioner granted Consumer Watchdog’s Petition to Intervene in the proceeding
4 on the Application on January 9, 2020, finding that “the specific issues that CW seeks to address
5 … are relevant to the ratemaking process.” (Ruling Granting Consumer Watchdog’s Petition to
6 Intervene, January 9, 2020, p. 3.)

7 On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency as a result
8 of the threat of COVID-19. (Pressley Decl., ¶ 27.) On March 19, 2020, the California State Public
9 Health Officer and Director of the California Department of Public Health ordered all individuals
10 living in the State of California to stay home or at their place of residence except as needed to
11 maintain continuity of operations of the federal critical infrastructure sectors. (*Ibid.*) On April 13,
12 2020, the Commissioner issued Bulletin 2020-3, ordering auto insurance companies to refund
13 premiums to drivers affected by COVID-19, in part because the risk of loss had fallen
14 substantially as a result of the COVID-19 “stay at home” restrictions. (*Ibid.*)

15 On April 17, 2020, Consumer Watchdog accessed via SERFF the Application, which had
16 been updated to reflect Applicant’s responses to Consumer Watchdog’s and the Department’s
17 objections. (Pressley Decl., ¶ 28.) The updated Application was reviewed by Consumer
18 Watchdog’s consulting actuary.

19 On April 23, 2020, in light of the COVID-19 pandemic and the state’s “stay at home”
20 restrictions, Consumer Watchdog submitted a public letter to the Department urging the
21 Commissioner to suspend approval of all applications of auto insurance rate increases until the
22 end of the COVID-19 restrictions, or September 1, whichever comes later. (See Exh. B.) On May
23 5, 2020, recognizing that the COVID-19 pandemic had resulted in the projected loss exposures of
24 many insurance policies becoming overstated or misclassified, the Department filed an Objection
25 Letter encouraging Esurance to reconsider its rate change application. (Pressley Decl., ¶ 29.)

26 On May 15, 2020, Esurance filed via SERFF a Response Letter requesting to withdraw the
27 Application. (Pressley Decl., ¶ 30.)

28 On May 21, 2020, in light of Esurance’s withdrawal of its Application, the Commissioner

1 closed the matter by denying Consumer Watchdog's request for a hearing. (Decision Denying
2 Petitioner's Petition for Hearing, p. 2.)

3 **IV. CONSUMER WATCHDOG IS ENTITLED TO AN AWARD OF ITS REASONABLE
4 ADVOCACY AND WITNESS FEES**

5 **A. Consumer Watchdog Made a Substantial Contribution to the Commissioner's
6 Final Decision.**

7 Proposition 103 requires awards of reasonable advocacy and witness fees and expenses for
8 persons who represent the interests of consumers and who make a "substantial contribution" to
9 decisions or orders by the Commissioner or a court. Insurance Code section 1861.10(b), states:

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

14 (Emphasis added.) As the emphasized language makes clear, when the statutory criteria are met,
15 an award of reasonable advocacy fees and expenses is mandatory. This provision affords
16 insurance consumers the ability to have their interests represented on an equal basis with the
17 interests of insurers and facilitates consumer participation in the enforcement of Proposition 103.
18 (See *Econ. Empowerment Found. v. Quackenbush* (1997) 57 Cal.App.4th 677, 686 [the purpose
19 of intervenor fees is to encourage consumer participation].) Moreover, the courts have held that
20 section 1861.10(b) should be applied in a manner "which best facilitates compensation." (*Id.* at
21 686.)

22 Under the intervenor regulations,

23 "Substantial Contribution" means that the intervenor substantially contributed,
24 as a whole, to a decision, order, regulation, or other action of the Commissioner
25 by presenting relevant issues, evidence, or arguments which were separate and
26 distinct from those emphasized by the Department of Insurance staff or any
other party, such that ***the intervenor's participation resulted in more credible,
and non-frivolous information being available for the Commissioner to make
his or her decision than would have been available to a Commissioner had
the intervenor not participated.*** A substantial contribution may be
demonstrated without regard to whether a petition for hearing is granted or
denied.

27 (10 CCR § 2661.1(k), emphasis added.)

1 The detailed summary of this proceeding presented above, the accompanying Pressley
2 Declaration, and the record in this proceeding make clear that Consumer Watchdog presented
3 relevant issues and arguments that were separate and distinct from those presented by the
4 Department. Consumer Watchdog brought Esurance's Application to the attention of the
5 Department by filing a Petition, identifying at least three separate issues that would establish that
6 the proposed rate change was excessive and/or unfairly discriminatory. Additionally, after
7 Consumer Watchdog publicly urged the Commissioner to suspend approval of all applications of
8 auto insurance rate increases until the end of the COVID-19 restrictions, the Department
9 requested that Esurance withdraw its Application. The Commissioner granted Consumer
10 Watchdog's Petition to Intervene based on the "relevant" and non-frivolous information presented
11 therein, and denied Consumer Watchdog's Petition for Hearing because Esurance withdrew its
12 Application. As a result of the withdrawal of the Application, Esurance's policyholders were
13 spared a 6.9% rate increase, which would have cost them over \$26 million in premiums annually.
14 (See Pressley Decl., ¶¶8, 23, 28–31.)³

15 **B. Consumer Watchdog's Requested Advocacy Fees Are Reasonable.**

16 For its substantial contribution, Consumer Watchdog requests reasonable advocacy fees in
17 the amount of \$6,746.50 for the work of its counsel and paralegal. The requested fees, including
18 the total hours of work performed and the hourly rates of each Consumer Watchdog attorney, are
19 summarized in the attached Exhibit A, "Summary of Fees." Insurance Code section 1861.10,
20 subdivision (b), requires an award of all "reasonable advocacy and witness fees" once the
21 requirements of the statute are met, including making a substantial contribution. The procedural
22 history of this matter set forth above and supported by the Pressley Declaration demonstrates the
23 reasonableness of the compensation requested in light of the amount of work performed. The
24 procedural history and Consumer Watchdog's time records (Pressley Decl., Exh. 1a) also
25 demonstrate the work Consumer Watchdog performed in this proceeding.

26
27
28 ³ (+6.9% - 0.0%) x \$387,529,711 (Adjusted EARNED PREMIUM) = \$26,739,550

1 As required by the regulations, the specific tasks performed by Consumer Watchdog's
2 attorneys are set forth in its detailed time records attached as Exhibit 1a to the Pressley
3 Declaration. (See Pressley Decl., ¶ 3 & Exh. 1a.) These time records were maintained
4 contemporaneously and reflect the actual time spent and actual work performed, billed to the
5 tenth of an hour, by all Consumer Watchdog legal staff who worked on this matter. (Pressley
6 Decl., ¶ 6.) In preparing their respective time records for this request, Consumer Watchdog's legal
7 staff exercised billing judgment and eliminated time entries where appropriate. (Pressley Decl.,
8 ¶ 5.) Consumer Watchdog submits that the time expended and work performed in the proceeding,
9 as reflected in the time records, was reasonable and appropriate, and the minimum required to
10 make a substantial contribution in this proceeding and to achieve the result obtained. (*Ibid.*)

11 The 2020 hourly rates set forth in Exhibit A are also reasonable and consistent with
12 prevailing market rates. The intervenor regulations specify, “[t]he compensation awarded **shall**
13 **equal** the market rate of the services provided.” (10 CCR § 2662.6(b), emphasis added.) “Market
14 rate” is defined as the “prevailing rate for comparable services in the private sector in the Los
15 Angeles and San Francisco Bay Areas **at the time of the Commissioner's decision awarding**
16 **compensation** for attorney advocates, non-attorney advocates, or experts with similar experience,
17 skill and ability.” (10 CCR § 2661.1(c)(1), emphasis added.)

18 The qualifications and experience of Consumer Watchdog's attorneys and paralegal who
19 performed work in this matter, Pamela Pressley, Daniel Sternberg, and Kaitlyn Gentile, are
20 summarized in the Pressley Declaration. (Pressley Decl., ¶¶ 9–19.) The 2020 hourly rates of
21 Consumer Watchdog's attorneys and paralegal are consistent with, if not less than, the prevailing
22 market rates for attorneys of comparable skills and experience in the Los Angeles and San
23 Francisco Bay Areas. (Pressley Decl., ¶¶ 7, 11, 15, 19; see also *id.*, Exh. 2.)

24 The Declaration of Richard M. Pearl (“Pearl Decl.”), attached as Exhibit 2 to the Pressley
25 Declaration, also confirms that the requested rates for Consumer Watchdog's counsel are
26 consistent with prevailing market rates. The Pearl Declaration was filed on October 8, 2019 in
27 connection with a Writ of Administrative Mandamus by Mercury Insurance Company arising out
28 of a CDI noncompliance proceeding and is equally applicable to this proceeding, given that

1 Consumer Watchdog's 2020 rates are within the range of rates considered reasonable for
2 attorneys with comparable experience at that time. Mr. Pearl is a recognized expert on attorneys'
3 fees issues under California law. (See Pressley Decl., Exh. 2 [Pearl Decl.], ¶¶ 3–10.) The Pearl
4 Declaration shows that Consumer Watchdog counsel's and paralegal's 2020 rates are well within,
5 if not below, the range of non-contingent rates charged by California attorneys in the Los Angeles
6 areas of equivalent experience, skill, and expertise for comparable services. (See *id.*, ¶¶ 8–11.)
7 The Commissioner has also approved fee awards for Consumer Watchdog based on the same
8 hourly rates Consumer Watchdog's legal staff is currently using in 2020 for work done in 2017–
9 2019. (Pressley Decl., ¶ 7.)

10 Finally, this Request also includes the time expended preparing the instant Request for
11 Compensation. This is also reasonable because the regulations permit reimbursement for
12 preparation of a request for an award of compensation. (10 CCR § 2661.1(d).) Preparing such a
13 request requires the intervenor to perform a comprehensive review of the record, review the
14 regulations, cite to the record in this proceeding, review billing and expense records, and prepare
15 the Request and supporting documents.

16 **C. Consumer Watchdog's Expert Fees Are Reasonable.**

17 Consumer Watchdog incurred reasonable expert fees of \$7,337.00 for the actuarial
18 consulting services of Allan I. Schwartz at AIS Risk Consultants, Inc. (See Pressley Decl., Exh.
19 3.) The specific tasks performed by Mr. Schwartz are set forth in the detailed billing records of
20 AIS Risk Consultants, Inc. (*Ibid.*) Consumer Watchdog is informed and believes that these time
21 records were maintained contemporaneously and reflect the actual time spent and actual work
22 performed by Mr. Schwartz. (Pressley Decl., ¶ 22.) Pursuant to 10 CCR sections 2662.6(b) and
23 2661.1(c)(1), the expert fees billed for the actuarial consulting services of Mr. Schwartz and his
24 staff at AIS Risk Consultants, Inc. reflect the current market rates for such services and amount to
25 less than the total expert fees projected in Consumer Watchdog's Petition. (*Ibid.*; see Petition,
26 Exh. A.)

27 Mr. Schwartz's over 30 years of professional actuarial experience include being President
28 of AIS Risk Consultants, Assistant Commissioner of the New Jersey Department of Insurance,

1 and chief actuary of the North Carolina Department of Insurance. His resume is on file in several
2 other Department rate proceedings and can be viewed online at http://www.aisrc.com/allan_i_schwartz.htm. (Pressley Decl., ¶ 22.) Consumer Watchdog submits that the time expended and
3 work performed by Mr. Schwartz in this proceeding, as reflected in his time records, was
4 reasonable and appropriate and the minimum required to achieve the result obtained. (*Ibid.*)

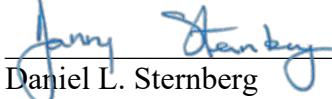
5 **V. CONCLUSION**

6 Accordingly, based on the demonstration of Consumer Watchdog's substantial
7 contribution to the Commissioner's final Order, the Commissioner should grant Consumer
8 Watchdog's Request in the total amount of \$14,083.50.

9
10 DATED: June 22, 2020

11 Respectfully submitted,
12 Harvey Rosenfield
13 Pamela Pressley
14 Daniel L. Sternberg

15 CONSUMER WATCHDOG

16 By: 

17 Daniel L. Sternberg
18 Attorneys for CONSUMER WATCHDOG

1
2 **VERIFICATION OF DANIEL L. STERNBERG**
3
4

5 1. I am a staff attorney for Consumer Watchdog. If called as a witness, I could and
6 would testify competently to the facts stated in this verification.
7

8 2. I personally oversaw the preparation of the attached pleading entitled "Consumer
9 Watchdog's Request for Compensation" filed in this matter.
10

11 3. All of the factual matters alleged therein are true of my own personal knowledge,
12 or I believe them to be true based upon the information available to me from Consumer
13 Watchdog's files regarding this matter.
14

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.
17

18 Executed on June 22, 2020, at Los Angeles, California.
19

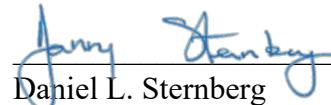
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21 _____
22 Daniel L. Sternberg
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EXHIBIT A

EXHIBIT A
SUMMARY OF FEES AND EXPENSES
File No. PA-2020-00001

<u>ITEMS</u>	<u>COST</u>
1. <u>Consumer Watchdog's Fees</u>	
(Detailed in Billing Records attached as Exhibit 1a to Pressley Decl.)	
Pamela Pressley @ \$595 per hour, 3.7 hours	\$2,201.50
Daniel Sternberg @ \$350 per hour, 9.1 hours	\$3,185.00
Kaitlyn Gentile @ \$200 per hour, 6.8 hours	\$1,360.00
Subtotal of Consumer Watchdog Fees	\$6,746.50
2. Expert Witness Fees – AIS Risk Consultants, Inc.	
(Detailed in Exh. 3 to Pressley Decl.)	
Allan I. Schwartz @ \$805 per hour, 7.0 hours	\$5,635.00
Katherine Tollar @ \$370 per hour, 4.6 hours	\$1,702.00
Subtotal of AIS Risk Consultants, Inc. Fees	\$7,337.00
TOTAL ADVOCACY FEES AND WITNESS FEES:	\$14,083.50

EXHIBIT B



April 23, 2020

VIA EMAIL

The Honorable Ricardo Lara
Insurance Commissioner
State of California
300 Capital Mall, Suite 1700
Sacramento, CA 95814

Re: Suspend Approval of All Auto Insurance Rate Increases

Dear Commissioner Lara:

We urge you to use your authority under Proposition 103 to immediately suspend approval of all applications for auto insurance rate increases until the end of the COVID-19 stay-at-home restrictions, or September 1, whichever comes later. The law requires your immediate action, and the devastating economic consequences of the pandemic compel it.

Californians are not driving. Current insurance rates are based on *pre-pandemic* projections of accidents, losses and claims that obviously do not reflect the unprecedented shutdown of virtually all economic activity in the state. The April 13 Bulletin you issued recognizes this situation and directs auto insurance companies to issue consumers refunds for the months of March and April. You cannot simultaneously order premium refunds to consumers – a move that is justified because people are driving fewer miles and existing rates are likely excessive – and also approve rate increases.

We received notice on Monday that Mercury Insurance Company has agreed that the Department will not proceed with a pending rate hike request to which Consumer Watchdog had objected. Consumer Watchdog has also urged the Commissioner to reject pending rate applications by Mercury's affiliate California Auto Insurance Company (CAIC), Farmers Insurance Exchange, and Esurance Property and Casualty Insurance Company, which were submitted prior to the pandemic. You should reject these rate hikes and the at least 17 other pending auto rate increase applications and put every California auto insurance company on notice that any requests for rate hikes are frozen.

Indeed, California law requires an immediate moratorium on increases. The voter's directive is straightforward: "No rate shall be *approved* or *remain in effect* which is excessive, inadequate, unfairly discriminatory or otherwise in violation of this chapter." (Insurance Code section 1861.05(a).) In light of the statewide shutdown, it is likely that most existing rates are excessive, and therefore unlawful. We do not, *at this time*, suggest that you commence formal proceedings to order companies to reduce overall rates, although such overall rate decreases will likely be necessary in the near future, and premium refunds pursuant to your April 13 Bulletin are necessary now. In the meantime, we urge you to suspend approval of any private passenger auto

Insurance Commissioner Ricardo Lara

April @@, 2020

Page 2 of 2

insurance applications for rate increases until September 1, 2020, at the earliest. By that time, we will have a better understanding of the longer-term impact on California's economy, and the change in insurance claims and losses that are likely to result from people staying at home and/or driving less due to the COVID-19 crisis. With that information, the Department will be able to order the appropriate rate relief as required by Proposition 103.

It is impossible to determine when economic and physical activity will return to pre-pandemic levels. But it is clear that it will not be anytime soon. The conditions set forth by Governor Newsom on April 14 for modification of the shelter-in-place order have not yet been met. Even assuming that the stay-at-home order is modified to permit the resumption of some activities within the coming months, scientists and other experts suggest that the nation may need to accommodate restrictions for months or even years to come.¹

These regulatory orders are well within your statutory authority, starting with the provisions of Proposition 103, which grant you broad power to protect the public's health and safety; that law and its enabling regulations have twice been unanimously upheld by the California Supreme Court, including the legal mandate that returned over \$2 billion in refunds after the measure passed. (*Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805; *20th Century Ins. Co. v. Garamendi* (1994) 8 Cal.4th 216.) Under Proposition 103 and the rate regulations that implement it, any insurance company that insists it will be unable to operate successfully unless it receives a rate increase will be entitled to a public hearing, at which it can seek to prove its need.

Refunds and rate increases are incompatible. At this unprecedented and calamitous moment in our history, you have the opportunity and responsibility to take decisive action to protect California's consumers.

Sincerely,



Harvey Rosenfield
Author of Prop. 103



Carmen Balber
Executive Director



Pamela Pressley
Senior Staff Attorney

¹ "The Coronavirus in America: The Year Ahead," New York Times, April 19, 2020.

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PROOF OF SERVICE
BY OVERNIGHT OR U.S. MAIL, FAX TRANSMISSION,
EMAIL TRANSMISSION AND/OR PERSONAL SERVICE

State of California, City of Los Angeles, County of Los Angeles

I am employed in the City and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 6330 South San Vicente Boulevard, Suite 250, Los Angeles, California 90048, and I am employed in the city and county where this service is occurring.

On June 22, 2020, I caused service of true and correct copies of the documents entitled

- **CONSUMER WATCHDOG'S REQUEST FOR COMPENSATION**
- **DECLARATION OF PAMELA PRESSLEY IN SUPPORT OF CONSUMER WATCHDOG'S REQUEST FOR COMPENSATION**

upon the persons named in the attached service list, in the following manner:

1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
2. If marked EMAIL, by electronic mail transmission this date to the email address stated.
3. If marked U.S. MAIL or OVERNIGHT or HAND DELIVERED, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service. If mailed Overnight, these envelopes would be deposited this day in a box or other facility regularly maintained by the express service carrier, or delivered this day to an authorized courier or driver authorized by the express service carrier to receive documents, in the ordinary course of business, fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 2020 at Los Angeles, California.


Kaitlyn Gentile

Service List

1
2 Daniel Goodell, Chief Counsel
3 Rate Enforcement Bureau
4 **California Department of Insurance**
5 45 Fremont Street, 21st Floor
6 San Francisco, CA 94105
7 Tel. (415) 538-4111
8 Fax (415) 904-5490
9 Daniel.Goodell@insurance.ca.gov

FAX
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 OVERNIGHT MAIL
 HAND DELIVERED
 EMAIL

10
11 Justin Colosimo, Assistant Product Manager
12 1011 Sunset Blvd., Suite 100
13 Rocklin, CA 95765
14 Tel. (916) 626-3278
15 jcolosimo@esurance.com

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 EMAIL

16 John Finston, Counsel for Esurance
17 McDermott Will & Emery LLP
18 425 Mission Street, Suite 5600
19 San Francisco, CA 94105
20 Tel. (628) 218-3800
21 jfinston@mwe.com

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 EMAIL

22
23 Edward Wu
24 Staff Counsel and Public Advisor
25 Office of the Public Advisor
26 **California Department of Insurance**
27 300 South Spring Street, 12th Floor
28 Los Angeles, CA 90013
Tel. (213) 346-6635
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danny@consumerwatchdog.org

Attorneys for CONSUMER WATCHDOG

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA

In the Matter of the Rate Application of
Esurance Property and Casualty
Insurance Company,
Applicant.

File No.: PA-2020-00001

DECLARATION OF PAMELA PRESSLEY IN SUPPORT OF CONSUMER WATCHDOG'S REQUEST FOR COMPENSATION

1 I, Pamela Pressley, declare:

2 1. I am over eighteen years of age and a senior staff attorney for Intervenor in this
3 proceeding, Consumer Watchdog. This declaration is submitted in support of Consumer Watchdog's
4 Request for Compensation in the above-captioned proceeding. I have personal knowledge of the matters
5 set forth herein, and if called as a witness, I could and would testify competently to the facts stated
6 herein.

7 2. Consumer Watchdog is a nonprofit, tax-exempt consumer research, education, litigation,
8 and advocacy organization. Consumer Watchdog advocates on behalf of consumers before regulatory
9 agencies, the Legislature, and the courts.

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

11 3. Attached as Exhibit 1a are true and correct printouts of detailed time billing reports
12 showing the tasks performed and hours expended by each Consumer Watchdog attorney and paralegal
13 in this rate proceeding, including Pamela Pressley, Daniel Sternberg, and Kaitlyn Gentile.¹

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

21 5. I have reviewed Consumer Watchdog's time billing records and believe that the hours
22 and fees listed were necessary and reasonable. In preparing their respective time records for this
23 submission, Consumer Watchdog's attorneys exercised billing judgment. The time expended and work
24 performed in the proceedings for which Consumer Watchdog seeks compensation, as reflected in the
25 time records, was reasonable and appropriate, and the minimum required to achieve the results
26 obtained.

27
28 ¹ Pursuant to a prior request of the Public Advisor, attached as Exhibit 1b is a list of all persons identified
in the billing reports.

1 6. Based upon Consumer Watchdog’s time billing reports attached hereto as Exhibit 1a,
2 Consumer Watchdog attorneys and paralegal have incurred 19.6 hours in these proceedings through
3 June 22, 2020. The billing reports detail the tasks performed, are based on contemporaneous daily time
4 records maintained by Consumer Watchdog attorneys and paralegal, and are billed in tenth-of-an-hour
5 increments.

6 7. The 2020 hourly rates sought by Consumer Watchdog for its attorneys and paralegal are
7 \$595 for Pamela Pressley, \$350 for Daniel Sternberg, and \$200 for Kaitlyn Gentile. The hourly rates for
8 Consumer Watchdog attorneys who worked on these proceedings are consistent with the prevailing
9 market rates for attorneys of similar experience, qualifications, and expertise in insurance regulatory
10 law. The Commissioner has approved fee awards for Consumer Watchdog based on the same hourly
11 rates Consumer Watchdog’s legal staff is currently using in 2020 for work done in 2017–2019.
12 Consumer Watchdog arrived at these hourly rates based on the experience and qualifications of its
13 attorneys, information obtained from other attorneys working at several reputable law firms in Los
14 Angeles and San Francisco, the opinion of attorneys’ fees expert Richard M. Pearl, and historical rates
15 awarded or paid for Consumer Watchdog attorneys’ professional services in civil and administrative
16 proceedings. Mr. Pearl is a recognized expert on attorneys’ fees issues in the California market.² His
17 attached declaration evidences the reasonableness of Consumer Watchdog’s hourly rates. (See Exh. 2,
18 Declaration of Richard M. Pearl in Support of Intervenor Consumer Watchdog’s Motion for Attorneys’
19 Fees and Expenses [“Pearl Decl.”], ¶¶12–16.)³ In his declaration, Mr. Pearl concludes that Consumer
20 Watchdog’s rates are “well within, if not below, the range of non-contingent market rates charged for
21 reasonably similar services by Los Angeles area attorneys of reasonably similar qualifications and
22 experience.” (Pearl Decl., ¶12.) Mr. Pearl’s declaration contains substantial details on attorneys’ fees
23 and hourly rates and shows that Consumer Watchdog’s 2019 rates are within the market rates charged
24 by attorneys with similar experience level and skill, which are its same rates for 2020.

25 _____
26 ² Richard M. Pearl is the author of the Continuing Education of the Bar’s treatise on attorneys’ fees in
27 California.
28 ³ This Pearl Declaration was filed in October 2019 in support of a fee motion by Consumer Watchdog in
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 paralegal.

1 8. In this proceeding, Consumer Watchdog attorneys performed the following general
2 tasks:

- 3 • Conferred regarding overall strategy and positions;
- 4 • Drafted, reviewed, and edited Consumer Watchdog’s Petition for Hearing, Petition to
5 Intervene, and Notice of Intent to Seek Compensation;
- 6 • Reviewed Esurance Property and Casualty Insurance Company (“Esurance” or
7 “Applicant”) rate filing, underwriting guidelines, and rule manual;
- 8 • Reviewed and conferred with Consumer Watchdog’s actuarial experts regarding
9 Applicant’s rate filing and updated data submitted by the Applicant;
- 10 • Submitted a public letter to the Department of Insurance urging the Commissioner to
11 suspend approval of all applications of auto insurance rate increases until the end of the
12 COVID-19 stay-at-home-restrictions, or September 1, whichever comes later; and
- 13 • Drafted, reviewed, and edited Consumer Watchdog’s Request for Compensation,
14 including this supporting declaration and exhibits.

15 Pamela Pressley

16 9. I am an attorney with over 24 years of professional experience advocating on behalf of
17 consumers. For over 16 years, I served as Consumer Watchdog’s Litigation Director and now serve as
18 Senior Staff Attorney. During this time, my legal work with Consumer Watchdog has focused primarily
19 on insurance regulatory and litigation matters before the California Department of Insurance (the
20 “Department” or “CDI”) and the courts, and particularly on the enforcement and implementation of
21 Proposition 103. Several of these matters involved issues of first impression before the courts in which I
22 was primarily responsible for litigating the matters through trial and on appeal. Examples include:

23 a. *Mercury Insurance Company v. Lara* (2019) 35 Cal.App.5th 82, in which I
24 served as lead counsel representing Consumer Watchdog as Intervenor to successfully defend against a
25 petition for writ of mandate by Mercury, resulting in the Court of Appeal upholding a \$27.6 million
26 civil penalty against Mercury for violations of Proposition 103’s prior approval requirement and
27 prohibition against unfair rate discrimination (sections 1861.01 and 1861.05) based on its agents
28 charging unapproved fees in addition to the approved premium amounts on over 180,000 insurance

1 transactions over a four year period from 1999–2004.

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

9 c. *Association of California Insurance Companies v. Poizner* (2009) 180
10 Cal.App.4th 1029, in which I served as lead counsel representing Consumer Watchdog as Intervenor to
11 successfully defend against a petition for writ of mandate by insurance trade associations seeking to
12 invalidate the Commissioner’s amendments to the intervenor regulations clarifying the scope of a rate
13 proceeding.

14 d. *Allstate Insurance Co. v. Poizner* (Super. Ct. S.F. County, 2008, No. CPF-08-
15 50821), in which I served as lead counsel representing Consumer Watchdog as Intervenor to
16 successfully defend against Allstate’s petition for a stay of the Commissioner’s order requiring Allstate
17 to lower its private passenger auto insurance rates by 15.9%, and serving as supervising counsel in the
18 rate proceeding that led to that rate decrease order, *In the Matter of the Rate Application of Allstate*
19 *Insurance Co. and Allstate Indemnity Co.*, File No. 2007-00004 (Cal. Ins. Comm’r, Mar. 14, 2008).

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

27 f. A successful writ of mandate action to invalidate an insurer-sponsored
28 amendment to Proposition 103 that purported to allow a rating factor based on prior insurance with any

1 carrier in violation of Insurance Code section 1861.02(c). (*The Found. for Taxpayer and Consumer*
2 *Rights v. Garamendi* (2005) 132 Cal.App.4th 1354). In that proceeding, I participated in overall strategy
3 discussions, drafted and edited pleadings and the appellate brief, performed legal research, appeared at
4 all court hearings, and argued the case before the Court of Appeal, among other tasks.

5 g. Class action and representative lawsuits to enforce Insurance Code section
6 1861.02(c)'s prohibition against surcharging motorists with an absence of prior insurance (*Proposition*
7 *103 Enforcement Project v. GEICO*, Case No. BC266220; *Proposition 103 Enforcement Project v.*
8 *Interinsurance Exch. of the Auto. Club*, Case No. BC266218; *Landers v. Interinsurance Exch. of the*
9 *Auto. Club*, JCCP No. 4438; and *Donabedian v. Mercury Ins. Co.* (2004) 116 Cal.App.4th 968), which
10 resulted in settlements that required the insurers to make refunds to affected auto policyholders.

11 h. *Mitchell v. Allstate Ins. Co.* (Super. Ct. L.A. County, 2003, No. BC212492), in
12 which I drafted all Consumer Watchdog pleadings submitted to the Court and the Department and made
13 court appearances on Consumer Watchdog's behalf, successfully objecting to the class action
14 settlement.

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

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

24 k. Two successful noncompliance proceedings, including *In the Matter of Mercury*
25 *Ins. Co., Mercury Cas. Co., and California Auto. Ins. Co.* (Cal. Ins. Comm'r, Feb. 6, 2015), in which I
26 represented Consumer Watchdog as intervenor, resulting in a \$27.5 million penalty against Mercury for
27 its illegal brokers fees charges; and *In the Matter of the Rates, Rating Plans, or Rating Systems of*
28 *Farmers Ins. Exch., Fire Ins. Exch., and Mid-Century Ins. Co.* (Cal. Ins. Comm'r, Aug. 8, 2007) in

1 which I served as Consumer Watchdog's lead counsel representing Consumer Watchdog as Intervenor
2 in a "non-compliance" administrative proceeding against Farmers Insurance, alleging that the company
3 had been misapplying its own rating guidelines to overcharge certain homeowners policyholders based
4 on the number of claims they made or how far they lived from a fire hydrant. According to the 2007
5 settlement approved by the Commissioner, Farmers refunded its policyholders \$1.4 million for the
6 overcharges, was ordered to pay a \$2 million penalty to the CDI, will use rating practices that comply
7 with the law, had to review its computer data to find and refund any other policyholders who were
8 overcharged, and was subject to another review of its practices in 2008.

9 l. Successful rate challenges before the CDI to insurers' earthquake and
10 homeowners rate hikes in which I served as lead counsel for Consumer Watchdog, resulting in
11 combined savings of over \$790 million, including PA-04041210, PA-2007-00008, and PA-2007-00019,
12 regarding the earthquake insurance rates of Safeco, GeoVera, and Fireman's Fund; and PA06093080,
13 PA06093078, PA06092759/PA-2006-00016, PA-2006-00006, and PA-2007-00017, regarding the
14 homeowners rates of Safeco, Fire Insurance Exchange, State Farm, Allstate, and Fireman's Fund.

15 m. Hearings regarding LCAIP proposed rates in 2003, 2005, 2006, 2012, 2014,
16 2015, and 2016. In 2012, Consumer Watchdog's participation and comments contributed to the
17 Commissioner's decision requiring the California Automobile Assigned Risk Pool ("CAARP") to
18 implement an overall rate decrease for the LCAIP of -2.8%, 11.1% *lower than* the overall +8.3% rate
19 increase requested by CAARP. In 2014, Consumer Watchdog's participation and comments contributed
20 to the Commissioner's decision requiring CAARP to implement an overall LCAIP rate of +2.2%, 5.4%
21 *lower than* the overall +7.6% rate increase requested by CAARP, resulting in an overall savings of \$140
22 thousand in annual premiums. In 2015, Consumer Watchdog's participation resulted in an approved rate
23 that was 10.5% *lower than* the rate requested by CAARP for a savings of nearly \$318 thousand in
24 annual premiums, and in 2016 Consumer Watchdog's participation contributed to an approved rate that
25 was 5.8% lower than requested, resulting in \$237 thousand in savings.

26 n. Numerous other successful challenges to automobile, homeowners, and medical
27 malpractice insurers' rate applications since 2003, resulting in collective savings to consumers of over
28 \$3.4 billion. Examples include *In the Matter of the Rate and Class Plan Applications of Liberty Mutual*

1 *Fire Ins. Co.*, PA-2017-00007 and PA-2018-00001 (Ins. Comm'r 2018), resulting in an annual savings
2 of \$3 million in auto insurance premiums; *In the Matter of the Rate and Class Plan Applications of*
3 *GEICO Cas. Co.*, PA-2017-00005 and PA-2017-00006 (Ins. Comm'r 2017), resulting an annual savings
4 of \$9.3 million in auto insurance premiums; *In the Matter of the Rate Applications of Allstate Ins. Co.*
5 and *Allstate Indemnity Co.*, PA-2015-00009 (Ins. Comm'r 2016), resulting in a savings of \$34.2 million
6 in annual homeowners insurance premiums; *In the Matter of the Rate Application of Mercury Ins. Co.*,
7 PA-2014-00010 (Ins. Comm'r 2015), resulting in a savings of \$7 million in annual auto insurance
8 premiums; *In the Matter of the Rates and Rate Applications of United Services Auto. Ass'n., Garrison*
9 *Prop. and Cas. Ins. Co. and USAA Gen. Ins. Co.*, PA-2013-00009, PA-2013-00009, and PA-2013-
10 00010 (Ins. Comm'r 2014), resulting in an annual savings of \$40.5 million in homeowners insurance
11 premiums; *In the Matter of the Rate Application of State Farm Gen. Ins. Co.*, PA-2013-00012 (Ins.
12 Comm'r 2014), resulting in \$86 million in savings for annual homeowners insurance premiums; *In the*
13 *Matter of the Rate Application of Mercury Cas. Co.*, PA-2013-00004 (Ins. Comm'r 2013), resulting in
14 over \$11 million of savings per year in homeowners insurance premiums; *In the Matter of the Rate*
15 *Application of Allstate Ins. Co., Allstate Indem. Co., and Northbrook Indem. Co.*, PA-2013-00003 (Ins.
16 Comm'r 2013), resulting in over \$92 million in savings per year in auto insurance premiums; *In the*
17 *Matter of the Rates and Rating Plan Application of GEICO Indem. Co., GEICO Gen. Ins. Co. and*
18 *Gov't Emp. Ins. Co.*, PA-2013-00002 (Ins. Comm'r 2013), resulting in a savings of \$9.4 million in
19 annual auto insurance premiums; *In the Matter of the Rate Application of Progressive West Insurance*
20 *Company*, PA-2012-00008 (Ins. Comm'r 2013), resulting in savings of almost \$1.5 million in annual
21 auto insurance premiums; *In the Matter of the Rate Application of Coast Nat'l Ins. Co.*, PA-2012-00007
22 (Cal. Ins. Comm'r 2013), resulting in \$10.9 million in annual auto insurance premium savings; *In the*
23 *Matter of the Rate Applications of State Farm Mut. Auto. Co.*, PA-2012-00006 (Cal. Ins. Comm'r
24 2013), resulting in auto insurance premium savings of \$69 million per year; *In the Matter of the Rate*
25 *Application of Mercury Cas. Co.*, PA-2009-00009 (Cal. Ins. Comm'r 2013), resulting in savings of over
26 \$16 million per year in homeowners insurance premiums; *In the Matter of the Rate Application of State*
27 *Farm Gen. Ins. Co.*, PA-2011-00010 (Cal. Ins. Comm'r 2013), resulting in savings of over \$157 million
28 per year in homeowners insurance premiums; *In the Matter of the Rate Application of Interinsurance*

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

27 o. Several rulemaking proceedings implementing Proposition 103's prior approval
28 and automobile rating factor, and public participation requirements including: (1) the Intervenor

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

19 10. Prior to my employment with Consumer Watchdog, I served for two years as
20 CALPIRG's lead consumer attorney and for one year as a staff attorney for The Center for Law in the
21 Public Interest in Los Angeles litigating in the areas of civil rights, justice, and consumer issues. I am a
22 1995 graduate of Pepperdine University School of Law and was admitted to the California State Bar in
23 November 1995.

24 11. I am informed through the Pearl Declaration and conversations with attorneys in the Los
25 Angeles and San Francisco Bay Areas discussing their billing rates that \$595 per hour is a very
26 reasonable rate in 2020 for the professional services of an attorney with experience and qualifications
27 comparable to mine.

28 Daniel Sternberg

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

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

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

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

16 Kaitlyn Gentile

17 16. Ms. Gentile is a paralegal at Consumer Watchdog with over thirteen years of
18 professional experience in litigation matters. Ms. Gentile provides legal support to all members of the
19 litigation team.

20 17. Prior to joining Consumer Watchdog in November 2018, Ms. Gentile worked for eight
21 years as a legal assistant at Lambda Legal. She also worked for four years as a legal secretary at
22 Sullivan & Cromwell, LLP.

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

26 19. I am informed through the Declaration of Richard M. Pearl, which details his extensive
27 familiarity with the billing practices and schedules for numerous private law firms in San Francisco and
28 Los Angeles, and believe that a rate of \$200 per hour is a very reasonable rate in 2020 for the

1 professional services in comparable matters of a paralegal with experience and qualifications
2 comparable to Ms. Gentile's.

3 **Consumer Watchdog's Fees**

4 20. In accordance with the well-established standards set forth by the California Supreme
5 Court for private-attorney-general statutes, the "lodestar" is the product of each attorney's reasonable
6 hours, at that attorney's prevailing market rate, plus expenses. Consumer Watchdog's attorneys are
7 responsible for entering their contemporaneous time billing records into the organization's time billing
8 software. The time billing software is then used to multiply each attorney's billed hours by that
9 individual's prevailing market rate. The lodestar component of Consumer Watchdog's attorney fees for
10 work performed in these proceedings for which compensation is requested (which does not include the
11 fees incurred by Consumer Watchdog's experts that are accounted for separately), totals \$6,746.50 as
12 follows:

14 Attorney	15 Total Hours	16 Hourly Rate	17 Total Lodestar
15 Pamela Pressley	3.7	\$595.00	\$2,201.50
16 Daniel Sternberg	9.1	\$350.00	\$3,185.00
17 Kaitlyn Gentile	6.8	\$200.00	\$1,360.00
18 Total	19.6		\$6,746.50

19 **Consumer Watchdog's Expert Witness Fees**

20 21. Consumer Watchdog incurred \$ 7,337.00 in fees for its consulting actuary, as set forth
21 in the detailed time billing records of AIS Risk Consultants, Inc., attached as Exhibit 3. These time
22 billing records show Consumer Watchdog's consulting actuary, Allan I. Schwartz, reviewed and
23 provided analysis regarding Esurance Property and Casualty Insurance Company's ("Esurance" or
24 "Applicant") rate filing.

25 22. I am informed and believe that the time billing report for AIS Risk Consultants, Inc.
26 detail the actual tasks performed in these proceedings, are based on contemporaneous time records, and
27 accurately represent the total time spent by Consumer Watchdog's actuarial expert in these proceedings.
28 I am informed and believe that the rates charged by AIS Risk Consultants reflect Mr. Schwartz's 2020

1 hourly rate. Pursuant to 10 CCR §§ 2662.6(b) and 2661.1(c)(1), the expert fees billed for the actuarial
2 consulting services of Mr. Schwartz and his staff at AIS Risk Consultants, Inc. reflect the current
3 market rates for such services. Mr. Schwartz's over 30 years of professional actuarial experience
4 includes being President of AIS Risk Consultants, Assistant Commissioner of the New Jersey
5 Department of Insurance, and chief actuary of the North Carolina Department of Insurance. His resume
6 is on file in several other Department rate proceedings and can be viewed online at
7 http://www.aisrc.com/allan_i_schwartz.htm.

8 **Facts Regarding This Proceeding and Consumer Watchdog's Substantial Contribution**

9 23. On or about October 28, 2019, Applicant filed a Prior Approval Rate Application with
10 the Department, seeking approval of an overall rate increase of 6.9% to its Private Passengers
11 Automobile plan. The Department notified the public of the Application on or about November 8, 2019.

12 24. On December 23, 2019, pursuant to Insurance Code section 1861.10(a), Consumer
13 Watchdog filed its Petition identifying the issues on which it would provide evidence to show why
14 Applicant's proposed rates were excessive and/or unfairly discriminatory, including unreasonably high
15 loss trends, improper or unsupported excluded expenses, and unsupported Variance 8D. (Petition for
16 Hearing, pp. 4–5.)

17 25. On January 3, 2020, Esurance filed its Answer to Consumer Watchdog's Petition to
18 Intervene and Answer to Consumer Watchdog's Petition for Hearing denying the allegations in
19 Consumer Watchdog's Petition. (Answer to Consumer Watchdog's Petition to Intervene, pp. 1–2;
20 Answer to Consumer Watchdog's Petition for Hearing, pp. 1–2.)

21 26. The Commissioner granted Consumer Watchdog's Petition to Intervene in the proceeding
22 on the Application on January 9, 2020, finding that "the specific issues that CW seeks to address ... are
23 relevant to the ratemaking process." (Ruling Granting Consumer Watchdog's Petition to Intervene,
24 January 9, 2020, p. 3, lines 27–28.)

25 27. On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency as a result
26 of the threat of COVID-19. On March 19, 2020, the California State Public Health Officer and Director
27 of the California Department of Public Health ordered all individuals living in the State of California to
28 stay home or at their place of residence except as needed to maintain continuity of operations of the
federal critical infrastructure sectors. On April 13, 2020, the Commissioner issued Bulletin 2020-3,

1 ordering auto insurance companies to refund premiums to drivers affected by COVID-19, in part
2 because the risk of loss had fallen substantially as a result of the COVID-19 “stay at home” restrictions.

3 28. On April 17, 2020, Consumer Watchdog accessed via SERFF the Application, which had
4 been updated to reflect Applicant’s responses to Consumer Watchdog’s and the Department’s
5 objections. The updated Application was reviewed by Consumer Watchdog’s consulting actuary.

6 29. On April 23, 2020, in light of the COVID-19 pandemic and the state’s “stay at home”
7 restrictions, Consumer Watchdog submitted a public letter to the Department urging the Commissioner
8 to suspend approval of all applications of auto insurance rate increases until the end of the COVID-19
9 restrictions, or September 1, whichever comes later. (Exh. B attached to accompanying Request for
10 Compensation.) On May 5, 2020, recognizing that the COVID-19 pandemic had resulted in the
11 projected loss exposures of many insurance policies becoming overstated or misclassified, the
12 Department filed an Objection Letter encouraging Esurance to withdraw its rate change application.

13 30. On May 15, 2020, Esurance filed a Response Letter via SERFF requesting to withdraw
14 the Application.

15 31. On May 21, 2020, the Commissioner approved Esurance’s request to withdraw its
16 Application. As a result, Esurance’s policyholders were spared a 6.9% rate hike, which would have cost
17 them over \$26 million in premiums annually. The Commissioner closed the matter by denying
18 Consumer Watchdog’s request for a hearing. (Decision Denying Petitioner’s Petition for Hearing, p. 2.).

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

21 Executed on June 22, 2020 at Los Angeles, California.

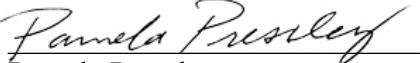
22 
23 Pamela Pressley
24
25
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27
28

EXHIBIT 1a

Work in Progress Report (06/22/2020)

Kaitlyn Gentile

544: Esurance Auto

Time

Date	Activity	Description	Hours	Total
06/17/2020	Pleadings	Prepare draft Request for Compensation and Declaration of P Pressley; forward to D Sternberg for his edits	1.10	\$220.00
06/16/2020	Pleadings	Drafted Request for Compensation and Declaration of P Pressley	3.30	\$660.00
06/15/2020	Pleadings	Prepared request for compensation; searched internal files for relevant language	1.50	\$300.00
12/19/2019	Pleadings	Legal Admin: Prepared Petition for Hearing and Proof of Service draft; created new job code and circulated to team; created new projects in Outlook and Billings Pro	0.90	\$180.00
			Activity Type Total:	6.80
			Matter Total:	\$1,360.00
			User Total:	6.80
				\$1,360.00

Pam Pressley

544: Esurance Auto

Time

Date	Activity	Description	Hours	Total
06/19/2020	Motions (Non-Dispositive)	email D Sternberg re request for compensation, review/edit same	0.90	\$535.50
05/21/2020	Motions (Non-Dispositive)	emails to K Gentile re decision/ request for compensation	0.20	\$119.00
05/19/2020	Communications Among Counsel	review and reply to H Rosenfield email re status	0.10	\$59.50
05/18/2020	Communications Among Counsel	review filing, withdrawal letter and email team re same	0.40	\$238.00
05/12/2020	Communications Among Counsel	review and reply to A Schwartz email re CDI letter, forward to D Sternberg (.1); teleconference with A Schwartz re CDI letter, rate indication (.1); review CDI letter and email team re same (.2); email H Rosenfield re teleconference with A Schwartz (.1)	0.50	\$297.50
04/27/2020	Experts/Consultants	teleconference with A Schwartz re status	0.10	\$59.50
04/17/2020	Case Management, Planning, and Strategy	review filing, download and email to A Schwartz, D Sternberg and C Balber	0.50	\$297.50
03/12/2020	Communications Among Counsel	telephone conference with CDI	0.30	\$178.50
12/27/2019	Pleadings	email D Sternberg re Petition for hearing	0.10	\$59.50
12/23/2019	Pleadings	review petition for hearing	0.30	\$178.50
12/20/2019	Pleadings	review and reply to D Sternberg email re Petition for Hearing	0.10	\$59.50
12/18/2019	Pleadings	emails re petition for hearing	0.20	\$119.00
			Activity Type Total:	3.70
			Matter Total:	\$2,201.50
			User Total:	3.70
				\$2,201.50

Daniel Sternberg

544: Esurance Auto

Time

Date	Activity	Description	Hours	Total
06/22/2020	Pleadings	Review time report for request for compensation	0.20	\$70.00
06/19/2020	Pleadings	Finalize request for compensation (.8); email P Pressley and K Gentile re same (.2)	1.00	\$350.00
06/17/2020	Pleadings	Draft Request for Compensation	3.60	\$1,260.00
06/15/2020	Pleadings	Discussion w K Gentile re Request for Compensation	0.30	\$105.00
05/12/2020	Case Management, Planning, and Strategy	Review emails from P Pressley re SERFF filing updates from CDI	0.10	\$35.00
03/12/2020	Communications Among Counsel	Telephone conference with CDI	0.30	\$105.00
01/15/2020	Case Management, Planning, and Strategy	Email CDI re service list and including K Gentile	0.10	\$35.00
01/10/2020	Case Management, Planning, and Strategy	Review Order granting petition to intervene	0.10	\$35.00
12/27/2019	Communications Among Counsel	Review and respond to email and VM from J Finston	0.40	\$140.00
12/26/2019	Communications Among Counsel	Review email from J Colosimo	0.20	\$70.00
12/23/2019	Pleadings	Finalize and file Petition For Hearing (1.0); email P Pressley and A Schwartz re same (.1)	1.10	\$385.00
12/20/2019	Pleadings	Draft and edit Petition for Hearing (1.5); discuss same w K Gentile (.1); email P Pressley re Petition for Hearing (.1)	1.70	\$595.00
			Activity Type Total:	9.10
			Matter Total:	\$3,185.00
			User Total:	\$3,185.00
			Total:	19.60
				\$6,746.50

EXHIBIT 1b

Identification and Association of Individuals Referenced in Billing Records

Consumer Watchdog

Carmen Balber, Executive Director
Kaitlyn Gentile, Paralegal
Pamela Pressley, Senior Staff Attorney
Harvey Rosenfield, Founder
Daniel Sternberg, Staff Attorney

AIS Risk Consultants, Inc.

Allan I. Schwartz, consulting actuary for Consumer Watchdog

Esurance

Justin Colosimo, Product Manager
John Finston, Counsel

EXHIBIT 2

1 HARVEY ROSENFIELD (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

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

17 WYLIE AITKEN (SBN 37770)
18 AITKEN, AITKEN, & COHN
19 3 MacArthur Pl #800
20 Santa Ana, CA 92707
21 Tel. (714) 434-1424
22 Fax (714) 434-3600
23 wylie@aitkenlaw.com

24 *Attorneys for Intervenor Consumer Watchdog*

25 IN THE SUPERIOR COURT OF CALIFORNIA

26 COUNTY OF ORANGE

27 CIVIL COMPLEX CENTER

28 MERCURY INSURANCE COMPANY,
MERCURY CASUALTY COMPANY,
CALIFORNIA AUTOMOBILE INSURANCE
COMPANY,

29 Petitioners and Plaintiffs,

30 v.

31 RICARDO LARA, in his capacity as Insurance
32 Commissioner of the State of California,

33 Respondent and Defendant,

34 CONSUMER WATCHDOG,
35 Intervenor.

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

37 [Assigned for all purposes to Hon. Glenda
38 Sanders]

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

43 Date Action Filed: Feb. 9, 2015

44 Hearing Date: Dec. 20, 2019

45 Time: 1:30 p.m.

46 Dept.: CX 101

1

DECLARATION OF RICHARD M. PEARL

2

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

9

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

16

My Background and Experience

17

3. Briefly summarized, my background is as follows: I am a 1969 graduate of Boalt
18 Hall (now Berkeley) School of Law, University of California, Berkeley, California. I took the
19 California Bar Examination in August 1969 and passed it in November of that year, but because I
20 was working as an attorney in Atlanta, Georgia for the Legal Aid Society of Atlanta (LASA), I
21 was not admitted to the California Bar until January 1970. I worked for LASA until the summer of
22 1971, then went to work in California's Central Valley for California Rural Legal Assistance, Inc.
23 (CRLA), a statewide legal services program. From 1977 to 1982, I was CRLA's Director of
24 Litigation, supervising more than fifty attorneys. In 1982, I went into private practice, first in a
25 small law firm, then as a sole practitioner. Martindale Hubbell rates my law firm "AV." I also have
26 been selected as a Northern California "Super Lawyer" in Appellate Law for 2005, 2006, 2007,
27

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
28

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
28

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;

27

28

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

- *Rosenfeld v. United States Dep’t of Justice*, 904 F. Supp. 2d 988, 1002 (N.D. Cal. 2012);
- *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);
- *Armstrong v. Brown*, 2011 U.S. Dist. LEXIS 87428 (N.D. Cal. 2011);
- *Lira v. Cate*, 2010 WL 727979 (N.D. Cal. 2010);
- *Californians for Disability Rights, Inc. v. California Dep’t of Transportation*, 2010 U.S. Dist. LEXIS 141030 (N.D. Cal. 2010);
- *Nat'l Federation of the Blind v. Target Corp.*, 2009 U.S. Dist. LEXIS 67139 (N.D. Cal. 2009);
- *Prison Legal News v. Schwarzenegger*, 561 F.Supp.2d 1095 (N.D. Cal. 2008) (an earlier motion);
- *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);
- *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);
- *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).

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

Counsel's Requested Hourly Rates Are Reasonable.

11. Through my writing and practice, I have become familiar with the non-contingent market rates charged by attorneys in California and elsewhere. I have obtained this familiarity in several ways: (1) by handling attorneys' fee litigation; (2) by discussing fees with other attorneys; (3) by obtaining declarations regarding prevailing market rates in cases in which I represent

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
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
28

1 attorneys of reasonably similar qualifications and experience. The following data support my
2 opinion:

3 **Rates Found Reasonable in Other Cases**

4
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:

<u>Boies, Schiller & Flexner</u>	<u>Bar Admittance or Law School Graduation</u>	<u>2016/2017 Rates</u>
Partners:	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
Associates:	2004	\$680
	2009	\$610
	2013	\$460/\$533
	2013	\$490
	2010	\$630
	2011	\$480/\$602

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

Gibson Dunn & Crutcher	Bar Admittance or Law School Graduation	2017 Rates
	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
Non-Attorneys Timekeepers:		\$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:

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

Public Counsel	Bar Admittance or Law School Graduation	2017 Rates
	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)
Partners:	1966	\$1,000 (2015); 1,245 (2016)
	1977	\$1,110 (2015)
	1981	\$910
	1985	\$995
	1992	\$875-885
	1995	\$910
	2002	\$750
Of Counsel:	1976	\$705
Associates:	2009	\$615 (2015); \$660 (2016)
Non-Attorneys Timekeepers:		\$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)¹:

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

26 ¹ The *Kennedy Commission* fee award was remanded in conjunction with the reversal of the
 27 merits. 2017 Cal.App.Unpub.Lexis 7488 (2017).

1

2 • In *Willits et al v. City of Los Angeles*, No. CV 10-5782 CCBM (RZx) (C.D.

3 Cal.), Order Granting Motion for Attorneys' Fees and Costs, filed August 25, 2016 (Dkt. No.

4 418), a class action lawsuit against the City of Los Angeles by persons with mobility

5 disabilities under the Americans with Disabilities Act and the Rehabilitation Act of 1973

6 challenging the inaccessibility of the City's sidewalks, the court found the following 2015

7 hourly rates reasonable:

Law School Graduation	Rates
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

1

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

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

14

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

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

24

25 • In *Perfect 10, Inc. v. Giganews, Inc.*, 2015 U.S. Dist. LEXIS 54063 (C.D. Cal.
26 2015), filed March 24, 2015, *affirmed* 847 F.3d 657 (9th Cir. 2017), a copyright infringement
27 action, the court found the following 2015 hourly rates reasonable:

28

Years of Experience	2015 Rate
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 (9th 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:

Years of Experience	Rate
45	\$975

1	28	700-775
2	26	775
3	10	600
4	6	500
5	Senior Paralegal	295
6	Other Paralegals	175-235
7	Law Clerk	250

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

11 **Whatley Kallas**

12 Years of Experience	13 Rate
13 36	14 \$950
14 27	15 900
15 32	16 800
16 33	17 750
17 21	18 700
18 10	19 600
19 4	20 400
20 2	21 375
21 Paralegal	22 225

23 **Consumer Watchdog**

24 Years of Experience	25 Rate
25 35	26 \$925
26 19	27 650
27 4	28 425

1 • In *Pierce v. County of Orange*, 905 F. Supp. 2d 1017 (C.D. Cal. 2012), a civil
2 rights class action brought by pre-trial detainees, the court approved a lodestar based on the
3 following 2011 rates:

Years of Experience	Rate
42	\$850
32	825
23	625
18	625
Law Clerks	250
Paralegals	250

Rate Information from Surveys

15. Consumer Watchdog and its counsel's requested rates here also are consistent with the range of rates described in credible surveys of legal rates, including the following:

- In December 2015, Thomson Reuters published its Legal Billing Report, Volume 17, Number 3. A true and correct copy of the pages of that report listing California and West Region firms is attached to hereto as Exhibit B. It shows that the rates claimed by Consumer Watchdog and its counsel are well within the range of rates charged by Los Angeles area law firms for reasonably comparable work.
- On January 5, 2015, the National Law Journal published an article about its most recent rate survey entitled "Billing Rates Rise, Discounts Abound." A true and correct copy of that article is attached hereto to the as Exhibit C. It contains the rates charged by numerous Los Angeles area law firms handling comparably complex litigation. Consumer Watchdog's counsel's rates here are well within the range of those rates.

Hourly Rates Charged by Other Law Firms

16. Consumer Watchdog's counsel's, law clerk's and paralegals hourly rates also are

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.² These rates include, in
4 alphabetical order:

5 **Altshuler Berzon LLP**

6 2018 Rates	7 Graduation Year	8 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
16 2017 Rates:	17 Years of Experience/Level	18 Rates
	Senior Partners	\$930
	Junior Partners (1991-2001)	\$875-690
	Associates (2008-2013)	\$510-365
	Paralegals	\$250
19 2015 Rates:	20 Years of Experience/Level	21 Rates
	32	\$895
	Junior Partners	\$825-630
	Associates	\$450-340
	Paralegals	\$250
22 2014 Rates:	23 Years of Experience	24 Rates
	38	\$895
	Paralegals	\$215

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

Arnold Porter LLP

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

The Arns Law Firm LLP

2014 Rates:	Years of Experience	Rates
	37	\$950
	Law Clerks	\$165

Cooley LLP

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

Covington & Burling

2015 Rates:	Years of Experience	Rates
	30	\$805
	2	\$410
2014 Rates:	Level	Rates
	Average Partner	\$780
	Highest Partner	\$890
	Lowest Partner	\$605
	Average Associate	\$415
	Highest Associate	\$565
	Lowest Associate	\$320
2013 Rates:	Years of Experience	Rates
	28	\$750
	16	\$670
	14	\$670

1	7	\$510
2	2	\$375
3	5	\$490
4	Litigation Support	\$110-355

Duane Morris LLP

2018 Rates:	Bar Admission Year	Rates
5	1973	\$1,005
6	2008	\$605
7	2011	\$450
8	2017	\$355
9	Sr. Paralegal	\$395
2016 Rates:	Years of Experience	Rates
10	43	\$880
11	41	\$880
12	26	\$720
13	25	\$695

Fenwick & West

2014 Rates:	Years of Experience/Level	Rates
12	29	\$825-930
13	17-18	\$715-750
14	9-11	\$660-690
15	5	\$375-560
16	3	\$505
17	Paralegal	\$240-345
18	Staff Support	\$290
2013 Rates:	Years of Experience	Rates
19	18	\$755
20	11	\$595
21	2	\$425
2012 Rates:	Years of Experience	Rates
22	40	\$865
23	17	\$755
24	10	\$595

Hadsell, Stormer, Richardson & Renick

2015 Rates:	Years of Experience/Level	Rates
22	42	\$1,050
23	20	\$750
24	26	\$700
25	16	\$650
26	13	\$600
27	5	\$425
28	4	\$375
29	Law Clerks	\$225
30	Paralegals	\$175-250
2012 Rates:	Years of Experience	Rates
31	38	\$825

1	33	\$775
2	22-23	\$625
3	17	\$600
4	12	\$525
5	10	\$425
6	4	\$275
7	3	\$250

Hausfeld LLP

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

Irell & Manella

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

Jones Day

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

Kaye, McLane, Bednarski & Litt

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

1	2014 Rates:	Law Clerk	\$200
2		Years of Experience	Rates
3		45	\$975
4		28	\$700-775
5		26	\$775
6		10	\$600
7		6	\$500
8		Senior Paralegal	\$295
9		Other Paralegal	\$175-235
10		Law Clerk	\$250

Kirkland & Ellis

8	2017 Rates:	Years of Experience	Rates
9		20	\$1,165
10		9	\$995
11		8	\$965
12		5	\$845
13		4	\$845
14		3	\$810
15		2	\$555

Latham & Watkins

14	2016 Rates:	Average Partner	\$1,185.83
15		Highest Partner	\$1,595
16		Lowest Partner	\$915
17		Average Associate	\$754.62
18		Highest Associate	\$1,205
19		Lowest Associate	\$395

Lieff Cabraser Heimann & Bernstein, LLP

19	2015 Rates:	Year of Bar Admission	Rates
20		1972	\$975
21		1989	\$850
22		2001	\$625
23		2006	\$435
24		2009	\$435
25	2014 Rates:	Year of Bar Admission	Rates
26		1998	\$825
27		2001	\$600
28		2006	\$435
1		2009	\$415
2		2013	\$325
3		Paralegal/Clerk	\$305
4	2013 Rates:	Year of Bar Admission	Rates
5		1975	\$925
6		1998	\$800
7		2001	\$525
8		2003	\$490
9		2006	\$415

1	2009	\$395
2	2013	\$320
2	Paralegal/Clerk	\$285

3 **Michelman & Robinson LLP**

4 2018 Rates:	5 Bar Admission Date	6 Rates
	Partners	\$995
	Senior Associate	\$580
	Associate	\$480

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

9 2016 Rates:	10 Bar Admission Date	11 Rates
	1983	\$1,025
	1984	\$1,350
	1992	\$1,350
	2002 (associate)	\$915

12 **Morrison Foerster LLP**

13 2018 Rates:	14 Years of Practice	15 Rates
	40	\$1,050
	22	\$950
	11	\$875
	3	\$550
	Paralegal	\$325
16 2017 Rates:	17 Bar Admission Date:	18 Rates
	2007	\$608
	2012	\$575
18 2016 Rates:	19 Bar Admission Date	20 Rates
	1975	\$1,025
	1999	\$975
	1993	\$975
20 2013 Rates:	21 Level	22 Rates
	Average Partner	\$865
	Highest Partner	\$1,195
	Lowest Partner	\$595
	Average Associate	\$525
	Highest Associate	\$725
	Lowest Associate	\$230

24 **Munger, Tolls & Olson**

25 2016 Rates (unless otherwise noted):	26 Bar Admittance or Law School Graduation	27 Rates
Partners:	1966	\$1,000 (2015); 1,245 (2016)
	1977	\$1,110 (2015)

1		1981	\$910
2		1985	\$995
3		1992	\$875-885
4		1995	\$910
5		2002	\$750
6	Of Counsel:	1976	\$705
7	Associates:	2009	\$615 (2015); \$660 (2016)
8	Non-Attorneys Timekeepers:		\$380-90

O'Melveny & Myers

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

Orrick Herrington & Sutcliffe

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

Paul Hastings LLP

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

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

Pearson Simon & Warshaw LLP

2019 Rates:	Years of Experience	Rates
23-38	\$1,150	
10	\$900	
Of Counsel	\$825	
6	\$500	
4	\$450	
Paralegals	\$225	

2018 Rates:		
22-37	\$1,050	
9	\$650	
Of Counsel	\$725	
5	\$450	
3	\$400	

2017 Rates:		
35-36	\$1,035	
8	\$520	
4	\$400	
2	\$350	

Proskauer Rose LLP

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

Quinn Emanuel Urquhart & Sullivan

2013 Rates:	Level	Rates
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

1		Law Students:	\$275
2	2018 Rates	Word Processing:	\$85
3		Class/Level:	Rates:
4		Partners:	
5		1962	\$1,000
6		1980	\$965
7		1981	\$920
8		1984	\$835
9		1997	\$780
10		2005	\$650
11		Of Counsel:	
12		1983	\$800
13		1993	\$700
14		2003	\$675
15		Senior Counsel:	
16		2008	\$585
17		Associates:	
18		2009	\$535
19		2010	\$525
20		2011	\$500
21		2013	\$440
22		2015	\$410
23		2016	\$375
24		Paralegals:	\$340-240
25		Litigation Support/Paralegal	\$225
26		Clerks:	
27		Law Students:	\$275
28		Word Processing:	\$85
1	2017 Rates:	Class/Level	Rates
2		Partners	
3		1962	\$1,000
4		1980	\$950
5		1981	\$900
6		1984	\$825
7		1997	\$780
8		2005	\$650
9		Of Counsel	
10		1983	\$800
11		1993	\$700
12		2003	\$675
13		Associates	
14		2008	\$575
15		2009	\$515
16		2010	\$500
17		2011	\$490
18		2013	\$425
19		2015	\$400
20		2016	\$375
21		Paralegals	\$325-240
22		Litigation Support/Paralegal	\$225
23		Clerks	
24		Law Students	\$275

1	Word Processing	\$85
2	2016 Rates:	
3	Class	Rates
4	1962	\$995
5	1980	\$900
6	1985	\$800
7	1997	\$740
8	2008	\$545
9	2009	\$490
10	Certified Law Student	\$275
11	Paralegal	\$275
12	2015 Rates:	
13	Years of Experience	Rates
14	Partners	
15	53	\$930
16	35	\$840
17	33	\$775
18	31	\$710
19	18	\$690
20	9	\$525
21	Of Counsel	\$590-610
22	Associates	
23	9	\$490
24	8	\$480
25	7	\$470
26	6	\$440
27	5	\$420
28	4	\$400
29	3	\$380
30	Paralegals	\$250-295
31	Litigation Support/Paralegal Clerks	\$200-220
32	Law Students	\$275
33	Word Processing	\$85

18 Schonbrun, DeSimone, Seplow, Harris & Hoffman

19	2019 Rates:	Years of Experience	Rates
20		43	\$1,050
21	2014 Rates:	Years of Experience	Rates
22		29	\$750
23		24	\$700
24	2012 Rates:	Years of Experience	Rates
25		27	\$695
26		22	\$630

24 Sheppard, Mullin, Richter & Hampton

25	2014 Rates:	Level	Rates
26		Highest Partner	\$875
27		Lowest Partner	\$490
28		Average Partner	\$685
		Highest Associate	\$535
		Lowest Associate	\$275

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

Skadden, Arps, Slate, Meagher & Flom

2013 Rates:	Level	Rates
	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

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

Wilson Sonsini Goodrich & Rosati PC

2017 Rates:	Bar Admission Date	Rates
	2000	\$950

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

1	2017 Rates:	
2	Partners:	
3		\$1,365
4		\$1,120
5		\$990
6	Associates:	
7		\$760
8		\$690
9		\$645
10		\$520
11		\$495
12	Paralegals:	\$165-295
13	2016 Rates:	
14	Partners:	
15		\$1,290
16		\$1,095
17		\$965
18		\$960
19		\$885
20	Associates:	
21		\$715
22		\$615
23		\$575
24		\$470
25	Paralegals:	\$170-280
26	Litigation Support Mgr.:	\$250
27	2015 Rates:	
28	Partners:	\$1,225
29		\$1,000
30		\$910
31		\$820
32	Associates:	\$680
33		\$555
34		\$515
35		\$480
36		\$450
37	Review Attorneys:	\$85-95
38	Paralegals:	\$90-265
39	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.4th 553, 583;
4 *Robles v. Emp. Dev. Dept.*, 38 Cal.App.5th 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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9 Richard M. Pearl
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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

Alcose 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.

(9th 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.4th 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* (9th 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*, (9th Cir. 2017) 701 Fed. Appx. 613

Graham v. DaimlerChrysler Corp.
(2004) 34 Cal. 4th 553

Heron Bay Home Owners Assn. v. City of San Leandro
(2018) 19 Cal.App.5th 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 (9th 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.4th 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
(9th 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 (9th Cir. 1992) 976 F.2d 1536,
modified on rehearing (9th 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)

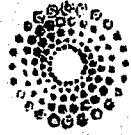
REPRESENTATIVE CASES (cont.)

Velez v. Wynne

(9th Cir. 2007) 2007 U.S. App. LEXIS 2194

EXHIBIT B

THOMSON REUTERS



Volume 17, Number 3
December 2015

Journal of Financial Crime
Volume 17, Number 3, December 2015

Journal of Financial Crime
Volume 17, Number 3, December 2015

California Region

Firm: Snell & Wilmer

Firm Size: 419 Firm Rank: 104

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

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

Name:

Eric S. Pazold

Title:

Partner

State:

CA

Graduated:

2004

Admitted:

2004

Rate:

\$520

Hours:

0.10

Fees:

\$52.00

Firm: Klee, Tuchin, Bogdanoff & Stern, LLP
Firm Size: 19 Firm Rank: 0

Court Name: California Central
Case Name: State Fish Co., Inc.
Case Number: 2:15-bk-11034-SK

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

Name:

Kenneth Klee

Title:

Partner

State:

CA

Graduated:

1974

Admitted:

1975

Rate:

\$1,300

Hours:

0.20

Fees:

\$260.00

Name:

David Stern

Title:

Partner

State:

CA

Graduated:

1975

Admitted:

1975

Rate:

\$1,080

Hours:

189.50

Fees:

\$204,550.00

Name:

Michael Tuchin

Title:

Partner

State:

CA

Graduated:

1990

Admitted:

1990

Rate:

\$1,080

Hours:

137.10

Fees:

\$148,068.00

Name:

Maria Sountas Argiroopoulos

Title:

Associate

State:

CA

Graduated:

2006

Admitted:

2006

Rate:

\$675

Hours:

25.20

Fees:

\$17,310.00

Name:

Colleen M. Keating

Title:

Counsel

State:

CA

Graduated:

2008

Admitted:

2008

Rate:

\$650

Hours:

111.20

Fees:

\$72,250.00

Name:

Jonathan M. Weiss

Title:

Associate

State:

CA

Graduated:

2012

Admitted:

2012

Rate:

\$475

Hours:

525.00

Fees:

\$249,375.00

Name:

Kathryn T. Zwicker

Title:

Associate

State:

CA

Graduated:

1986

Admitted:

1986

Rate:

\$440

Hours:

9.50

Fees:

\$4,180.00

Name:

Sasha M. Gurvitz

Title:

Associate

State:

CA

Graduated:

2014

Admitted:

2014

Rate:

\$295

Hours:

40.80

Fees:

\$16,116.00

Total: 1038.50

Total: \$711,949.00

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

Total: 1038.50

Total: \$714,00

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

Firm: Brown Rudnick LLP
Firm Size: 184 Firm Rank: 211

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

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

Name:

Ronald Rus

Title:

Partner

State:

CA

Graduated:

1975

Admitted:

1975

Rate:

\$880

Hours:

1.50

Fees:

\$1,320.00

Name:

Lauren E. Curry

Title:

Partner

State:

CA

Graduated:

2010

Admitted:

2010

Rate:

\$730

Hours:

78.50

Fees:

\$57,597.00

Name:

Joe R. Holf

Title:

Partner

State:

CA

Graduated:

1969

Admitted:

1969

Rate:

\$790

Hours:

0.60

Fees:

\$474.00

Volume 17 Issue 3

By Region, By Firm

California Region

Firm: Choate LLP

Firm Size: 613 Firm Rank: 63

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

Name	Title	State	Graduated	Admitted	Date	Hours	Fees
Seth A. Raffin	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
					Total:	17.90	\$13,094.00

Firm: Gibson Dunn & Crutcher LLP

Firm Size: 1039 Firm Rank: 21

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

Name	Title	State	Graduated	Admitted	Date	Hours	Fees
Matthew Bouslog	Associate	CA	2011	2011	\$625	5.10	\$3,187.50
					Total:	5.10	\$3,187.50

Firm: Kirkland & Ellis LLP

Firm Size: 1442 Firm Rank: 13

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

Name	Title	State	Graduated	Admitted	Date	Hours	Fees
Mike Rehuis	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	\$685	35.00	\$22,225.00
Sarah Stock	Associate	CA	2013	2013	\$635	121.60	\$77,216.00
Anna Terteryan	Associate	CA	2014	2014	\$555	241.80	\$134,199.00
James Bardo	Associate	CA	2014	2014	\$555	108.60	\$60,273.00
Kevin Chang	Associate	CA	2014	2014	\$555	170.80	\$94,794.00
					Total:	1560.60	\$1,115,092.00

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

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

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

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	\$40,058.00
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 Antropoulos	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
					Total:	174.20	\$129,265.50

Firm: Morrison & Foerster LLP

Firm Size: 1025 Firm Rank: 22

Court Name: Delaware
Case Name: ENERGY FUTURE HOLDINGS CORP
Case Number: 14-101979 (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
					Total:	48.10	\$29,381.50

California Region

Firm: Munger Tolles & Olson LLC

Firm Size: 181 Firm Rank: 216

Court Name: Delaware
Case Name: ENERGY FUTURE HOLDINGS CORP
Case Number: 14-10079 (ESS)

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

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
John W. Spiegel	Partner	CA	1977	1977	\$1,065	36.30	\$38,569.50
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. Fujitari	Partner	CA	1984	1984	\$830	92.50	\$76,775.00
Kevin S. Alfred	Partner	CA	1986	1986	\$830	94.50	\$78,435.00
Seth Goldmann	Partner	CA	2002	2002	\$750	154.70	\$116,025.00
Bradley R. Schneider	Of Counsel	CA	2004	2004	\$680	115.10	\$78,268.00
Emily A. Bussigel	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 F. Boos	Associate	CA	2014	2014	\$395	11.40	\$4,503.00
					Total:	1245.55	\$934,885.25

Firm: O'Melveny & Myers LLP

Firm Size: 193 Firm Rank: 16

Court Name: Delaware
Case Name: CDT Holdings Company
Case Number: 15-11296 (ESS)

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

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
John-Paul McTey	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 Martin	Associate	CA	2014	2014	\$415	1.20	\$508.00
Joseph Zukowski	Counsel	CA	2008	2008	\$390	183.60	\$71,604.00
					Total:	212.62	\$92,768.00

California Region

Firm: **Pachulski Stang Ziehl Young Jones & Wei**

Firm Size: 55 Firm Rank: 0

Court Name: Delaware
Case Name: DDMG Estate
Case Number: 12-12568(BLS)

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

Name

Debra J. Grassgreen

William Ramseyer

Title

Partner

Of Counsel

State

CA

Graduated

1991

Admitted

1994

Rate

\$925

Hours

1.30

Fees

\$1,207.50

Name

William L. Ramseyer

Title

Of Counsel

State

CA

Graduated

1980

Admitted

1980

Rate

\$650

Hours

1.10

Fees

\$715.00

Total:

2.40

\$1,922.50

Firm: **Pachulski Stang Ziehl Young Jones & Wei**

Firm Size: 55 Firm Rank: 0

Court Name: Delaware
Case Name: JCL Holdings Company, INC
Case Number: 12-12519

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

Name

William L. Ramseyer

Title

Of Counsel

State

CA

Graduated

1980

Admitted

1980

Rate

\$650

Hours

7.60

Fees

\$4,940.00

Total:

7.60

\$4,940.00

Firm: **Pachulski Stang Ziehl Young Jones & Wei**

Firm Size: 55 Firm Rank: 0

Court Name: Delaware
Case Name: NE OFCO Int
Case Number: 14-13-BK-11483

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

Name

Andrew W. Caine

William L. Ramseyer

William Ramseyer

Title

Partner

Of Counsel

Of Counsel

State

CA

Graduated

1983

Admitted

1983

Rate

\$925

Hours

0.20

Fees

\$185.00

Name

Jeffrey Pomerantz

Shirley S. Cho

Title

Of Counsel

Partner

Of Counsel

State

CA

Graduated

1989

Admitted

1989

Rate

\$895

Hours

0.90

Fees

\$805.50

Total:

2.10

\$1,365.00

Total:

3.60

\$2,335.00

Firm: **Pachulski Stang Ziehl Young Jones & Wei**

Firm Size: 55 Firm Rank: 0

Court Name: Delaware
Case Name: SEAL123, INC., et al.
Case Number: 15-10381 (CSS)

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

Name

Andrew W. Caine

Jeffrey Pomerantz

Shirley S. Cho

Title

Of Counsel

Partner

Of Counsel

State

CA

Graduated

1983

Admitted

1983

Rate

\$925

Hours

0.40

Fees

\$370.00

Name

Shirley S. Cho

Andrew W. Caine

Jeffrey Pomerantz

Title

Of Counsel

Partner

Of Counsel

State

CA

Graduated

1989

Admitted

1989

Rate

\$750

Hours

13.10

Fees

\$9,825.00

Total:

14.40

\$11,000.50

California Region

Firm: Patchulski Strang Young Jones & Weil

Firm Size: 55 Firm Rank: 0

Court Name: Delaware
Case Name: S9 Body Armor, INC
Case Number: 10-11255 (PJM)

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

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Alan J. Komfeld	Partner	CA	1987	1987	\$925	8.90	\$8,252.50
Andrew Cafne	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	\$1,377.50
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	45.60	\$29,125.00
William Ramseyer	Of Counsel	CA	1980	1980	\$625	2.40	\$1,500.00
					Total:	73.70	\$51,671.00

Firm: Paul Hastings LLP

Firm Size: 881 Firm Rank: 30

Court Name: Delaware
Case Name: Maptive, Inc.
Case Number: 15-11557 (CCS)

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

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Leslie A. Plaskon	Partner	CA	1988	1988	\$1,150	11.10	\$127,775.00
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
					Total:	140.30	\$145,238.50

Firm: Paul Hastings LLP

Firm Size: 881 Firm Rank: 30

Court Name: Delaware
Case Name: SEAL123, INC., et al.
Case Number: 15-10087 (CCS)

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

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Nancy L. Abell	Partner	CA	1979	1979	\$995	0.30	\$895.50
Stephen D. Cooke	Partner	CA	1985	1985	\$973	0.30	\$292.13
					Total:	1.20	\$1,187.63

By Region, By Firm

Volume 17 Issue 3

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)

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	\$32,304.00
Total:						269.90	\$197,664.50

Firm: Robins Kaplan LLP

Firm Size: 250 Firm Rank: 0

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. Sherman	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. Manton, 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
Total:						1536.50	\$330,700.50

Firm: Torys LLP

Firm Size: 236 Firm Rank: 0

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
Total:						172.10	\$136,244.00

California Region

Finn Copley LLP

Firm Size: 613 Firm Rank: 63

Court Name: Virginia Eastern
Case Name: Health Diagnostic Laboratory, Inc.
Case Number: 1532919-KRH

Name	Title	State	Graduated	Admitted	Rate	Hours	Fees
Aarti G. Reddy	Associate	CA	2010	2010	\$655	11.20	\$7,356.00
Amanda B. Pacheco	Associate	CA	2013	2013	\$470	3.30	\$1,551.00
				Total:		14.50	\$8,857.00

For fee applications
6/7/2015 through 8/31/2015

West Region

Firm: Faegre Baker Daniels LLP	Court Name: Colorado	For fee applications 9/1/2013 through 11/18/2015
Firm Size: 750 Firm Rank: 0	Case Name: ROBERT D. MORDINI, JR.	
Name	Case Number: 11-15493-ABC	
	State	Graduated Admitted
Michael K. Bolton	CO	2001 2001
Brandan K. Oliver	CO	2010 2010
		\$540 \$276.00
		\$295 3.50
		Total: 4.00 \$1,032.50
Firm: Greenberg Traurig LLP	Court Name: Delaware	For fee applications 8/1/2015 through 8/31/2015
Firm Size: 1699 Firm Rank: 9	Case Name: ATLS Acquisition LLC	
Name	Case Number: 13-10762 (P/MV)	
	State	Graduated Admitted
Matthew L. Hinkler	CO	2010 2010
		\$635 \$1,460.50
		Total: 2.30 \$1,460.50
Firm: O'Melveny & Myers LLP	Court Name: Delaware	For fee applications 8/1/2015 through 9/30/2015
Firm Size: 1193 Firm Rank: 16	Case Name: Colt Holding Company	
Name	Case Number: 15-11296 (LS)	
	State	Graduated Admitted
Robert J. Lashak	CO	1977 1977
Peter Friedman	CO	1998 1998
		\$1,075 1.50
		\$935 \$1,612.50
		Total: 108.50 \$101,657.50
Firm: Jenner & Block LLP	Court Name: Alabama Northern	For fee applications 7/15/2015 through 10/31/2015
Firm Size: 453 Firm Rank: 98	Case Name: Walter Energy Inc.	
Name	Case Number: 15-02741-TOM11	
	State	Graduated Admitted
Jarrell A. Cook	WA	2014 2014
		\$460 10.00
		Total: 10.00 \$4,600.00

West Region

Firm: Akin Gump Strauss Hauer & Feld LLP

Firm Size: 790 Firm Rank: 40

Court Name: Delaware
Case Name: Quicksilver Resources Inc
Case Number: 15-10585(CSS)

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

Name:	Title:	State:	Graduated	Admitted	Rate	Hours	Fees
Matthew W. Kinskey	Associate	WA	2014	2014	\$430	115.10	\$49,493.00
					Total:	115.10	\$49,493.00

Firm: Bracewell & Giuliani LLP

Firm Size: 422 Firm Rank: 103

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

Fees: For fee applications 2/12/2014 through 3/15/2015

Name:	Title:	State:	Graduated	Admitted	Rate	Hours	Fees
Nancy Jo Nelson	Partner	WA	1984	1984	\$975	28.60	\$27,885.00
Jacqueline Java	Counsel	WA	2000	2000	\$670	0.90	\$603.00
Jacqueline Java	Counsel	WA	2000	2000	\$650	54.50	\$35,432.50
Sandra Snyder	Associate	WA	2006	2006	\$529	106.80	\$56,583.71
Sandra Snyder	Associate	WA	2006	2006	\$520	2.30	\$1,196.00
Blake Urban	Associate	WA	2009	2009	\$481	5.10	\$2,455.50
Serena Rwejuna	Associate	WA	2013	2013	\$363	37.00	\$13,449.87
					Total:	235.20	\$137,605.71

Firm: Foley & Lardner LLP

Firm Size: 874 Firm Rank: 31

Court Name: Delaware
Case Name: Universal Cooperatives Inc
Case Number: 14-11187 (MFV)

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

Name:	Title:	State:	Graduated	Admitted	Rate	Hours	Fees
Jack G. Haake	Associate	WA	2011	2011	\$315	12.40	\$3,906.00
					Total:	12.40	\$3,906.00

Firm: Jones Day

Firm Size: 2407 Firm Rank: 3

Court Name: Delaware
Case Name: Motycorp, Inc.
Case Number: 15-11357 (CSS)

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

Name:	Title:	State:	Graduated	Admitted	Rate	Hours	Fees
Kent L. Killelea	Of Counsel	WA	1984	1984	\$750	5.30	\$3,975.00
					Total:	5.30	\$3,975.00

California Region

Title	Firm	Graduated	Admitted	Hours	Rate	Total
Professional						
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1975	1974	0.2	\$1,300	\$260.00
Partner	Kirkland & Ellis LLP	1999	1999	3.1	\$1,220	\$3,782.00
Partner	Paul Hastings LLP	1988	1988	111.1	\$1,150	\$127,755.00
Partner	Torys LLP					
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1974	1974	5.1	\$1,050	\$5,319.00
Partner	Kirkland & Ellis LLP	1975	1975	189.5	\$1,080	\$204,650.00
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	1985	1985	7.3	\$1,080	\$77,884.00
Partner	Munger, Tolles & Olson LLP	1990	1990	174.2	\$1,080	\$188,136.00
Partner	Munger, Tolles & Olson LLP	1977	1977	36.3	\$1,065	\$38,559.50
Partner	Kirkland & Ellis LLP	1980	1980	184.05	\$1,065	\$196,013.25
Partner	Paul Hastings LLP	1997	1997	198.5	\$1,025	\$203,452.50
Partner	Paul Hastings LLP	1979	1979	0.9	\$995	\$895.50
Partner	Paul Hastings LLP	1996	1996	3.9	\$975	\$38,202.50
Partner	Munger, Tolles & Olson LLP	1985	1985	0.3	\$973	\$292.13
Partner	O'Melveny & Myers LLP	1991	1991	29.2	\$960	\$2,832.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1999	1999	6.7	\$930	\$56,231.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1987	1987	5.9	\$925	\$48,232.50
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1983	1983	0.6	\$925	\$555.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1994	1991	1.3	\$925	\$1,202.50
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1983	1983	0.2	\$895	\$179.00
Partner	Brown Rudnick LLP	1989	1989	0.9	\$895	\$805.50
Partner	Munger, Tolles & Olson LLP	1975	1975	1.5	\$880	\$1,320.00
Partner	Kirkland & Ellis LLP	1999	1999	53.2	\$875	\$46,550.00
Partner	Klee, Tuchin, Bogdanoff & Stern, LLP	2002	2002	75.5	\$855	\$64,552.50
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1998	1997	12.7	\$850	\$10,795.00
Partner	Pachulski Stang Ziehl Young Jones & Weintraub	1981	1981	0.3	\$850	\$255.00
Partner	Quinn Emanuel Urquhart & Sullivan, LLP	1993	1989	10	\$850	\$88,500.00
Partner	Munger, Tolles & Olson LLP	2005	2004	11.2	\$840	\$94,408.00
Associate	Munger, Tolles & Olson LLP	1986	1986	92.5	\$830	\$76,775.00
Associate	Kirkland & Ellis LLP	2009	2009	94.5	\$830	\$78,435.00
Associate	Robins Kaplan LLP	1995	1995	213.4	\$825	\$176,055.00
Associate	Cooley LLP	1998	1998	5.7	\$810	\$46,177.00
Associate	Robins Kaplan LLP	2014	2014	0.5	\$795	\$415.00
Associate	Klee, Tuchin, Bogdanoff & Stern, LLP	2001	2001	60.3	\$775	\$47,358.50
Associate	Bracewell & Gluckson LLP	1969	1969	0.2	\$755	\$159.00
Associate	Torys LLP	2007	2007	0.6	\$750	\$474.00
Associate	Pachulski Stang Ziehl Young Jones & Weintraub	2001	2001	183	\$750	\$126,355.00
Counsel	Conley LLP	2004	2004	1.7	\$750	\$5,317.50
Partner	O'Melveny & Myers LLP	2004	2004	14.6	\$750	\$12,023.00
Partner	Munger, Tolles & Olson LLP	2002	2002	11.2	\$750	\$8,456.00
Of Counsel	Pachulski Stang Ziehl Young Jones & Weintraub	1997	1997	154.7	\$750	\$116,025.00
				13.1		\$9,815.00

California	Region	Total			
Title	Professional	Firm	Hours	Rate	State
Counsel	Jeaho Lee	O'Melveny & Myers LLP	5	\$3,775.00	
Associate	Katherine Scherling	Quinn Emanuel Urquhart & Sullivan, LLP	211.5	\$155,452.50	
Partner	Lauren E. Curry	Brown Rudnick LLP	20.0	\$57,597.00	
Partner	Joshua M. Fried	Pachulski Stang Ziehl Young, Jones & Weintraub	20.0	\$2,030.00	
Associate	Alexander Davis	Kirkland & Ellis LLP	2006	\$136,746.00	
Associate	Justin Sowa	Kirkland & Ellis LLP	2012	\$141,787.00	
Partner	David M. Guess	Klee, Tuchin, Bogdanoff & Stern, LLP	2013	\$141,787.00	
Partner	Randa Osman	Quinn Emanuel Urquhart & Sullivan, LLP	2005	\$46,773.50	
Of Counsel	Bradley R. Schneider	Munger, Tolles & Olson LLC	1990	\$32,804.00	
Partner	David B. Sherman	Robins Kaplan LLP	2004	\$78,268.00	
Partner	Maria Sountas Antipoulos	Klee, Tuchin, Bogdanoff & Stern, LLP	2014	\$11,475.00	
Partner	Scott F. Gautier	Robins Kaplan LLP	2014	\$305,100.00	
Of Counsel	Jonathan Kim	Pachulski Stang Ziehl Young, Jones & Weintraub	1995	\$532.00	
Associate	Aarti G. Reddy	Cooley LLP	2010	\$7,335.00	
Counsel	Colleen M. Kerling	Klee, Tuchin, Bogdanoff & Stern, LLP	2008	\$72,280.00	
Partner	James P. Merton, Jr.	Robins Kaplan LLP	2014	\$11,310.00	
Of Counsel	William L. Ramseyer	Pachulski Stang Ziehl Young, Jones & Weintraub	1980	\$5,785.00	
Of Counsel	William Ramseyer	Pachulski Stang Ziehl Young, Jones & Weintraub	1980	\$2,080.00	
Associate	Austin Klar	Kirkland & Ellis LLP	2013	\$22,225.00	
Associate	Clara Lin	Morrison & Foerster LLP	2012	\$25,273.00	
Associate	Emily A. Bussigal	Munger, Tolles & Olson LLC	2010	\$117,348.00	
Associate	Sarah Stock	Kirkland & Ellis LLP	2013	\$77,216.00	
Associate	Elissa Wagner	Pachulski Stang Ziehl Young, Jones & Weintraub	2001	\$29,125.00	
Associate	Justin D. Yi	Klee, Tuchin, Bogdanoff & Stern, LLP	2009	\$500.00	
Associate	Matthew Bouslog	Gibson Dunn & Crutcher, LLP	2011	\$3,187.50	
Associate	William Ramseyer	Pachulski Stang Ziehl Young, Jones & Weintraub	1980	\$1,500.00	
Associate	Sam Greenberg	Munger, Tolles & Olson LLC	2010	\$37,945.50	
Associate	Shannon L. Sorrells	Cooley LLP	2011	\$1,666.00	
Associate	Anna Terteryan	Kirkland & Ellis LLP	2014	\$134,159.00	
Associate	James Barolo	Kirkland & Ellis LLP	2014	\$60,273.00	
Associate	Kevin Chang	Kirkland & Ellis LLP	2014	\$94,794.00	
Associate	Daniel C. Tola	Paul Hastings LLP	2013	\$11,275.00	
Partner	Eric S. Pezold	Snell & Wilmer	2004	\$52.00	
Associate	Alex D. Terepka	Munger, Tolles & Olson LLC	2012	\$45,594.00	
Associate	Andrea M. Weintraub	Munger, Tolles & Olson LLC	2013	\$34,833.00	
Associate	Sara N. Taylor	Munger, Tolles & Olson LLC	2012	\$35,904.00	
Associate	Chika Arakawa	Morrison & Foerster LLP	2013	\$46,108.50	
Associate	Kevin Kraft	Paul Hastings LLP	2014	\$2,376.00	
Associate	Jonathan M. Weiss	Klee, Tuchin, Bogdanoff & Stern, LLP	2012	\$265,857.50	
Associate	Amada B. Pacheco	Cooley LLP	2013	\$1,551.00	
Associate	Cynthia C. Hernandez	Robins Kaplan LLP	2009	\$187,013.00	

California Region

Title	Professional	Firm	Graduated	Admitted	State	Rate	Hours	Total
Associate	Joannah Caneda	O'Melveny & Myers LLP	2015	2015	CA	\$460	4.9	\$2,254.00
Associate	Lorie A. Ball	Robins Kaplan LLP	2014	2014	CA	\$450	568.1	\$25,645.00
Associate	Kathryn T. Zwicker	Klee, Tuchin, Bogdanoff & Stern, LLP	1986	1986	CA	\$440	21.9	\$9,635.00
Partner	Amy Chutin	Robins Kaplan LLP	2001	2001	CA	\$420	38.1	\$7,502.00
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 Zajkowksi	O'Melveny & Myers LLP	2008	2008	CA	\$390	183.6	\$71,604.00

West Region	Graduated	Admitted	State	Rate	Hours	Total
Professional						
Partner	Robert Blashek	1977	CO	\$1,075	1.5	\$1,612.50
Partner	Peter Friedman	1998	CO	\$935	107	\$100,045.00
Associate	Matthew L. Hinkler	2010	CO	\$635	2.3	\$1,460.50
Partner	Michael K. Bolton	2001	CO	\$540	0.5	\$270.00
Associate	Brandon K. Oliver	2010	CO	\$295	3.5	\$1,032.50
Partner	Nancy Jo Nelson	1994	WA	\$975	28.6	\$27,385.00
Of Counsel	Kent L. Killelea	1994	WA	\$750	5.3	\$3,975.00
Counsel	Jacqueline Java	2000	WA	\$670	0.9	\$603.00
Counsel	Jacqueline Java	2000	WA	\$650	54.5	\$35,452.63
Associate	Sandra Snyder	2006	WA	\$529	106.8	\$56,583.71
Associate	Sandra Snyder	2006	WA	\$520	2.3	\$1,196.00
Associate	Blake Urban	2009	WA	\$481	5.1	\$2,455.50
Associate	Jarrell A. Cook	2014	WA	\$450	10	\$4,500.00
Associate	Matthew W. Kinskey	2014	WA	\$430	115.1	\$49,495.00
Associate	Serena Rwejuna	2013	WA	\$363	37	\$13,449.87
Associate	Jack G. Haake	2011	WA	\$315	12.4	\$3,906.00
Foley & Lardner LLP						

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	Attorneys FTE	Partner Billing Rate High	Partner Billing Rate Low	Associate Billing Rate High	Associate Billing Rate Low	Paralegal Billing Rate Avg	Administrative Billing Rate Avg	Contract Avg	Contract High	Contract Low	NLJ Billing Source	Notes
2014	Adams and Reese	New Orleans, LA	318	\$700.00	\$305.00	\$420.00	\$315.00	\$220.00	\$270.00	\$500.00	\$425.00	\$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	\$980.00	\$360.00	\$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	\$690.00	\$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 Gamble Mallory & Natsis	Los Angeles, CA	181	\$880.00	\$250.00	\$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	Aiston & 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	\$1050.00	\$745.00	\$880.00	\$1030.00	\$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	\$350.00	\$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	\$850.00	\$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	\$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 Arnold & Porter	Washington, DC	720	\$950.00	\$670.00	\$815.00	\$610.00	\$345.00	\$560.00	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	National Law Journal, December 2014
2014 Arstein & Lehr	Chicago, IL	144	\$595.00	\$350.00	\$465.00	\$350.00	\$175.00	\$250.00	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	National Law Journal, December 2014
2014 Baker & Hostetler	Cleveland, OH	793	\$670.00	\$275.00	\$449.00	\$350.00	\$210.00	\$272.00	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	National Law Journal, December 2014
2014 Baker & McKenzie	Chicago, IL	4087	\$1130.00	\$260.00	\$755.00	\$925.00	\$100.00	\$395.00	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	National Law Journal, December 2014
2014 Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, TN	588	\$495.00	\$340.00	\$400.00	\$465.00	\$245.00	\$295.00	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	National Law Journal, December 2014
2014 Ballard Spahr	Philadelphia, PA	483	\$550.00	\$395.00	\$475.00	\$465.00	\$235.00	\$315.00	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	National Law Journal, December 2014
2014 Barnes & Thornburg	Indianapolis, IN	522	\$560.00	\$350.00	\$480.00	\$370.00	\$260.00	\$320.00	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	National Law Journal, December 2014
2014 Benesch, Friedlander, Coplan & Aronoff	Cleveland, OH	150	\$625.00	\$360.00	\$455.00	\$475.00	\$155.00	\$280.00	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	National Law Journal, December 2014
2014 Best Best & Krieger	Riverside, CA	176	\$655.00	\$340.00	\$455.00	\$385.00	\$235.00	\$280.00	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	National Law Journal, December 2014
2014 Bingham McCutchen	Boston, MA	795	\$1080.00	\$220.00	\$795.00	\$605.00	\$185.00	\$450.00	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	National Law Journal, December 2014

2014 Blank Rome	Philadelphia, PA	447	\$940.00	\$445.00	\$640.00	\$555.00	\$175.00	\$350.00	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, Schoenbeck & King	Syracuse, NY	198	\$520.00	\$240.00	\$355.00	\$310.00	\$160.00	\$225.00	\$360.00	\$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 Bowles Rice	Charleston, WV	140	\$285.00	\$165.00	\$230.00	\$180.00	\$115.00	\$135.00	\$135.00	\$135.00	\$350.00 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	\$350.00 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	\$350.00 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	\$350.00 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	\$855.00	\$855.00	\$855.00	\$855.00	\$855.00	\$855.00	\$350.00 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	\$350.00 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	985	\$900.00	\$410.00	\$620.00	\$595.00	\$220.00	\$405.00	\$635.00	\$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	\$595.00	\$475.00	\$605.00	\$375.00	\$350.00	\$365.00	\$365.00	\$365.00	\$350.00 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 Burt & Forman	Birmingham, AL	261	\$525.00	\$300.00	\$371.00	\$275.00	\$200.00	\$241.00	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	National Law Journal, December 2014
2014 Butler Snow	Ridgeland, MS	280	\$335.00	\$235.00	\$302.00	\$750.00	\$395.00	\$605.00	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	National Law Journal, December 2014
2014 Cartwright, Wickert & Taft	New York, NY	437	\$1050.00	\$800.00	\$950.00	\$750.00	\$395.00	\$605.00	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	National Law Journal, December 2014
2014 Carlton Fields	Tampa, FL	272	\$840.00	\$455.00	\$600.00	\$600.00	\$395.00	\$605.00	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	National Law Journal, December 2014
2014 Cole, Schotz, Meisel, Forman & Leonard	Hackensack, NJ	118	\$730.00	\$590.00	\$693.00	\$340.00	\$275.00	\$302.00	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	National Law Journal, December 2014
2014 Connell Foley	Roseland, NJ	129	\$575.00	\$275.00	\$425.00	\$325.00	\$200.00	\$265.00	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	National Law Journal, December 2014
2014 Cooley	Palo Alto, CA	673	\$990.00	\$560.00	\$820.00	\$640.00	\$335.00	\$515.00	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	National Law Journal, December 2014
2014 Covington & Burling	Washington, DC	760	\$890.00	\$505.00	\$780.00	\$566.00	\$320.00	\$415.00	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	National Law Journal, December 2014
2014 Cozen O'Connor	Philadelphia, PA	495	\$1135.00	\$275.00	\$570.00	\$640.00	\$180.00	\$355.00	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	National Law Journal, December 2014
2014 Curtis, Mallet-Prevost, Colt & Mosle	New York, NY	323	\$860.00	\$730.00	\$800.00	\$785.00	\$345.00	\$460.00	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	National Law Journal, December 2014

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
2014 Davis Polk & Wardwell	New York, NY	810	\$985.00	\$850.00	\$975.00	\$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
2014 Debevoise & Plimpton	New York, NY	595	\$1075.00	\$955.00	\$1055.00	\$760.00	\$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
2014 Dichter	New York, NY	845	\$1095.00	\$670.00	\$960.00	\$735.00	\$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
2014 Dentons	New York, NY	2503	\$1050.00	\$345.00	\$700.00	\$685.00	\$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
2014 Dickstein Shapiro	Washington, DC	254	\$1250.00	\$590.00	\$750.00	\$585.00	\$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
2014 Dinsmore & Shohl	Cincinnati, OH	415	\$850.00	\$250.00	\$411.00	\$565.00	\$160.00	\$298.00	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 DLA Piper	New York, NY	3962	\$1025.00	\$450.00	\$765.00	\$750.00	\$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
2014 Dorsey & Whitney	Minneapolis, MN	501	\$585.00	\$340.00	\$435.00	\$510.00	\$15.00	\$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
2014 Duane Morris	Philadelphia, PA	613	\$960.00	\$415.00	\$589.00	\$585.00	\$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

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	\$860.00	\$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 Harg	Boston, MA	221	\$775.00	\$590.00	\$670.00	\$385.00	\$290.00	\$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	\$780.00	\$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 Gardner Wynne Sewell	Dallas, TX	218	\$775.00	\$430.00	\$635.00	\$350.00	\$250.00	\$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 Gibbons	Newark, NJ	201	\$865.00	\$440.00	\$560.00	\$475.00	\$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 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	\$346.00	\$285.00	\$175.00	\$230.00	\$287.50	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 Sterret & Emery	Rochester, NY	132	\$465.00	\$305.00	\$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	463	\$1020.00	\$450.00	\$670.00	\$580.00	\$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	\$835.00	\$0.00	\$0.00	\$0.00	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	\$363.00	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	\$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 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	\$690.00	\$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	\$215.00	\$418.00	\$240.00	\$625.00	National Law Journal, December 2014
2014 Ice Miller	Indianapolis, IN	291	\$530.00	\$335.00	\$450.00	\$305.00	\$245.00	\$270.00				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	\$365.00	\$535.00				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				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				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				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	\$580.00	\$690.00							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	\$925.00	\$565.00	\$745.00	\$550.00	\$380.00	\$465.00				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				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	\$385.00	\$240.00	\$200.00	\$225.00				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, Torre & Friedman	New York, NY	372	\$1195.00	\$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 Kays Schooler	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	253	\$815.00	\$435.00	\$840.00	\$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	874	\$985.00	\$645.00	\$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	\$550.00	\$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	\$465.00	\$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	\$477.00	\$300.00	\$650.00 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	260	\$110,00	\$895,00	\$990,00	\$725,00	\$465,00	\$605,00
2014 Lathrop & Gage	Kansas City, MO	283	\$700,00	\$285,00	\$420,00	\$375,00	\$195,00	\$250,00
2014 Lewis Roca Rothgerber	Phoenix, AZ	228	\$685,00	\$380,00	\$505,00	\$525,00	\$205,00	\$400,00
2014 Lindquist & Vennum	Minneapolis, MN	178	\$600,00	\$460,00	\$520,00	\$470,00	\$275,00	\$365,00
2014 Littler Mendelson	San Francisco, CA	1002	\$615,00	\$365,00	\$560,00	\$420,00	\$245,00	\$290,00
2014 Lowenstein Sandler	Roseland, NJ	261	\$950,00	\$600,00	\$765,00	\$650,00	\$300,00	\$450,00
2014 Manatt, Phelps & Phillips	Los Angeles, CA	329	\$755,00	\$640,00	\$740,00			
2014 McCarter & English	Newark, NJ	371	\$625,00	\$450,00	\$550,00	\$370,00	\$220,00	\$300,00
2014 McDermott Will & Emery	Chicago, IL	1021	\$835,00	\$525,00	\$710,00			
2014 McElroy, Deutsch, Mulvaney & Carpenter	Morristown, 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

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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	\$540.00	\$478.00	\$425.00	\$230.00	\$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 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	\$520.00	\$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	\$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 Nelson Mullins	Columbia, SC	466	\$600.00	\$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	\$450.00	\$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 Nutt McClellan & Fish	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	663	\$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 Orrick Herrington & Sutcliffe	New York, NY	954	\$1085.00	\$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	186	\$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	\$578.00	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	\$10	\$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 Coie	Seattle, WA	\$61	\$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	\$860.00	\$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 Polisini	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	\$890.00	\$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
2014 Rutan & Tucker	Costa Mesa, CA	147	\$675.00	\$345.00	\$490.00	\$500.00	\$230.00	\$320.00
2014 Saul Ewing	Philadelphia, PA	240	\$875.00	\$375.00	\$546.00	\$590.00	\$225.00	\$344.00
2014 Schiff Hardin	Chicago, IL	317			\$415.00	\$250.00		\$335.00
2014 Sedgwick	San Francisco, CA	342	\$615.00	\$305.00	\$425.00	\$475.00	\$250.00	\$325.00
2014 Seward & Kissel	New York, NY	143	\$650.00	\$255.00	\$735.00	\$600.00	\$290.00	\$400.00
2014 Seyfarth Shaw	Chicago, IL	779	\$860.00	\$375.00	\$610.00	\$505.00	\$225.00	\$365.00
2014 Sheppard Mullin Richter & Hampton	Los Angeles, CA	549	\$875.00	\$490.00	\$885.00	\$835.00	\$275.00	\$415.00
2014 Shumaker Loop & Kendrick	Toledo, OH	224	\$595.00	\$305.00	\$413.00	\$330.00	\$160.00	\$256.00
2014 Shutts & Bowen	Miami, FL	230	\$660.00	\$250.00	\$430.00	\$345.00	\$195.00	\$260.00

National Law Journal, 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.

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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	\$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 Squire Patton Boggs	Charleston, WV	131							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, 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	\$300.00	\$492.00	\$205.00	\$483.57	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 Stoel Rives	Portland, OR	365	\$800.00	\$465.00	\$365.00	\$210.00	\$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	\$435.00	\$210.00	\$270.00	\$1275.00	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 Stroock & Stroock & Lavan	New York, NY	285	\$1125.00	\$675.00	\$840.00	\$350.00	\$549.00	\$579.00	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 Tart Stettinius & Hollister	Cincinnati, OH	357	\$535.00	\$285.00	\$415.00	\$475.00	\$290.00	\$285.00
2014 Thompson & Knight	Dallas, TX	290	\$740.00	\$425.00	\$535.00	\$610.00	\$240.00	\$370.00
2014 Thompson Coburn	St. Louis, MO	317	\$510.00	\$350.00	\$440.00	\$350.00	\$220.00	\$270.00
2014 Trotman Sanders	Atlanta, GA	562	\$375.00	\$400.00	\$620.00	\$570.00	\$245.00	\$340.00
2014 Ulmer & Berne	Cleveland, OH	178	\$415.00	\$315.00	\$315.00	\$380.00	\$380.00	\$380.00
2014 Varnum	Grand Rapids, MI	133	\$465.00	\$290.00	\$390.00	\$390.00	\$390.00	\$390.00
2014 Venable	Washington, DC	533	\$1075.00	\$470.00	\$660.00	\$575.00	\$295.00	\$430.00
2014 Vinson & Elkins	Houston, TX	650	\$770.00	\$475.00	\$600.00	\$565.00	\$275.00	\$350.00
2014 Waller Lansden Dortch & Davis	Nashville, TN	178	\$600.00	\$350.00	\$460.00	\$335.00	\$190.00	\$245.00
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

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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	\$875.00	\$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	\$685.00	\$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 Mullen	Richmond, VA	233	\$410.00	\$380.00	\$385.00	\$350.00-\$260.00	\$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 Wilkie Farr & Gallagher	New York, NY	526	\$1090.00	\$780.00	\$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	\$554.00	\$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	\$280.00	\$418.00	\$418.00	\$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 3

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: May 27, 2020

To: Pamela Pressley
Consumer Watchdog

From: Allan I. Schwartz

Re: Bill for Actuarial Analysis of
Esurance Prop & Cas Ins Co - Private Passenger Auto, File No. 19-3860

<u>Name</u>	<u>Time</u>	<u>Hourly Rate</u>	<u>Time Charges</u>
Allan Schwartz	7.0	\$805	\$5,635.00
Katherine Tollar	4.6	\$370	\$1,702.00
Time Charges			\$7,337.00

Time for Allan I. Schwartz

Actuarial Analysis of
Esurance Prop & Cas Ins Co - Private Passenger Auto, File No. 19-3860

<u>Date</u>	<u>Description</u>	<u>Time</u>
12/16/2019	Review / analysis of filing	3.8
12/17/2019	Review / analysis of filing, work on PFH	2.2
12/18/2019	Review / analysis of filing, work on PFH	1.0
Total		7.0

Katherine Tollar

Consumer Watch Dog Esurance PPA; 19-3860

Time Spent

Date	Activity	Time
12/03/2019	Made initial review of rate filing. Worked on trend and templates.	2.3
12/17/2019	Wrote petition issues.	1.0
12/18/2019	Wrote petition issues.	1.3
Total		4.60

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PROOF OF SERVICE
BY OVERNIGHT OR U.S. MAIL, FAX TRANSMISSION,
EMAIL TRANSMISSION AND/OR PERSONAL SERVICE

State of California, City of Los Angeles, County of Los Angeles

I am employed in the City and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 6330 South San Vicente Boulevard, Suite 250, Los Angeles, California 90048, and I am employed in the city and county where this service is occurring.

On June 22, 2020, I caused service of true and correct copies of the documents entitled

- **CONSUMER WATCHDOG'S REQUEST FOR COMPENSATION**
- **DECLARATION OF PAMELA PRESSLEY IN SUPPORT OF CONSUMER WATCHDOG'S REQUEST FOR COMPENSATION**

upon the persons named in the attached service list, in the following manner:

1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
2. If marked EMAIL, by electronic mail transmission this date to the email address stated.
3. If marked U.S. MAIL or OVERNIGHT or HAND DELIVERED, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service. If mailed Overnight, these envelopes would be deposited this day in a box or other facility regularly maintained by the express service carrier, or delivered this day to an authorized courier or driver authorized by the express service carrier to receive documents, in the ordinary course of business, fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 2020 at Los Angeles, California.


Kaitlyn Gentile

Service List

1
2 Daniel Goodell, Chief Counsel
3 Rate Enforcement Bureau
4 **California Department of Insurance**
5 45 Fremont Street, 21st Floor
6 San Francisco, CA 94105
7 Tel. (415) 538-4111
8 Fax (415) 904-5490
9 Daniel.Goodell@insurance.ca.gov

FAX
 U.S. MAIL
 OVERNIGHT MAIL
 HAND DELIVERED
 EMAIL

10
11 Justin Colosimo, Assistant Product Manager
12 1011 Sunset Blvd., Suite 100
13 Rocklin, CA 95765
14 Tel. (916) 626-3278
15 jcolosimo@esurance.com

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 U.S. MAIL
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 HAND DELIVERED
 EMAIL

16 John Finston, Counsel for Esurance
17 McDermott Will & Emery LLP
18 425 Mission Street, Suite 5600
19 San Francisco, CA 94105
20 Tel. (628) 218-3800
21 jfinston@mwe.com

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22
23 Edward Wu
24 Staff Counsel and Public Advisor
25 Office of the Public Advisor
26 **California Department of Insurance**
27 300 South Spring Street, 12th Floor
28 Los Angeles, CA 90013
Tel. (213) 346-6635
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FAX
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 HAND DELIVERED
 EMAIL