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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 BYRON MCKNIGHT, JULIAN MENA,
17 TODD SCHREIBER, NATE COOLIDGE, and
18 ERNESTO MEJIA, individually and on behalf of
all others similarly situated,

19 Plaintiffs,

20 vs.

21 UBER TECHNOLOGIES, INC., a Delaware
22 Corporation; and RASIER, LLC, a Delaware
Limited Liability Company,

23 Defendants.
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Case No. 3:14-cv-05615-JST

The Honorable Jon S. Tigar

**DECLARATION OF MIKE ARIAS IN
SUPPORT OF PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES AND EXPENSES AND
FOR CLASS REPRESENTATIVE SERVICE
AWARDS**

Hearing

Date: February 8, 2018

Time: 2:00 P.M.

Location: Courtroom 9 - 19th Floor, 450 Golden
Gate Avenue, San Francisco, CA 94102

DECLARATION OF MIKE ARIAS

I, Mike Arias, declare:

1. I am admitted and licensed to practice before all courts of the State of California, the States of New York, New Jersey and the District of Columbia. I am the managing partner of the firm of Arias Sanguinetti Wang & Torrijos, LLP (“ASWT”), co-counsel of record for Plaintiff Byron McKnight. Pursuant to the Court’s August 7, 2017 Order Granting Motion for Preliminary Approval of Amended Class Action Settlement, I along with Alfredo Torrijos also of ASWT, Tina Wolfson and Robert Ahdoot of Ahdoot & Wolfson, PC, and Nicholas Coulson of Liddle & Dubin, PC have been preliminarily appointed Class Counsel for the class that the Court provisionally certified for settlement purposes. [ECF No 136 at 13:8-11.]

2. I submit this declaration in support of Plaintiffs’ Motion for Attorneys’ Fees and Expenses and for Class Representative Service Awards filed concurrently herewith.

3. I actively participated in the prosecution of the litigation of this action, I have personal knowledge of the matters described below and I am competent to testify thereto.

I. THE WORK UNDERTAKEN BY CLASS COUNSEL

4. This action was prosecuted by the attorneys of three firms: (i) Ahdoot & Wolfson, PC; (ii) Arias Sanguinetti Wang & Torrijos, LLP, and; (iii) Liddle & Dubin, PC (collectively, “Class Counsel”). Class Counsel made all reasonable efforts to litigate this case in an efficient manner and work was divided among the three firms to avoid duplication of efforts. I have reviewed the declaration of Robert Ahdoot in Support of Plaintiffs’ Motion for Attorneys’ Fees and Expenses and for Class Representative Service Awards which is filed concurrently herewith (the “Ahdoot Declaration”). Paragraphs 2 to 49 of the Ahdoot Declaration correctly summarizes the activities undertaken by Class Counsel in this case.

II. RISKS ASSUMED BY ASWT

5. Before agreeing to represent plaintiffs and the proposed class in this action, I and my partners carefully weighed our potential benefits and risks from committing to this litigation. I

1 fully expected that Uber would mount a vigorous defense to this action and that over-coming
2 Uber's arbitration and class action waiver provisions, certifying the class and ultimately prevailing
3 at trial would be both time consuming and difficult. As such, I recognized that that representing
4 plaintiff and the proposed class in this case would require a significant investment of time and
5 money by my firm. Since plaintiff was not willing or able to retain counsel on an hourly basis to
6 pursue this litigation, my firm would have to represent plaintiff and the proposed class on a
7 contingency basis, meaning that we would only get paid for our efforts if successful in recovering
8 damages – either through settlement or judgment – from Uber. I therefore understood that there
9 was a very real possibility that we would never be able to recoup our investment of time and money
10 in this case. I also understood that even if we were ultimately able to recoup its investment of time
11 and money, there would necessarily be a delay (potentially of many years) between the time these
12 expenditures were made by my firm and the time that we were paid. Because of the real risk of
13 obtaining no payment, the certainty that payment (if any) would be delayed, and the large
14 investment of time and money that would likely be required, we would not have agreed to represent
15 plaintiff and the proposed class on a pure hourly basis.

16 6. From the initiation of this case, my firm undertook considerable risk that – despite
17 our significant investment of time and money – we would never receive any payment from our
18 prosecution of this action. We knew that Uber would devote significant resources to this litigation,
19 including hiring aggressive and skilled attorneys who would provide a tenacious defense to this
20 case. We also knew that prevailing and ultimately collecting any recovery from Uber was never
21 anywhere near certain, especially in light of the significant issues regarding the legal viability of
22 plaintiffs' claims, whether plaintiffs would be able to obtain the necessary discovery and evidence
23 to support those claims and whether plaintiffs would be able to successfully certify a class. We
24 accepted and proceeded with this litigation in the face of this uncertainty, agreeing to undertake
25 this litigation on a wholly contingent basis and thereby initiating complex, expensive and lengthy
26 litigation, with no guarantee of compensation for the significant amount of time, money and effort
27 that we were prepared to and did invest to prosecute this case.

28 7. By pursuing this litigation and devoting the significant resources that this litigation

1 required, my firm necessarily had to forego developing and working on other cases available to us.

2 8. In short, prevailing and ultimately collecting any recovery from Uber was never
3 anywhere near certain, since this required satisfying a number of difficult thresholds (from
4 pleading and proof issues, to certification and establishing the extent of defendants' liability at
5 trial). Accordingly, my firm's contingency risk supports the requested fees.

6 III. TIMEKEEPING AND CALCULATION OF LODESTAR

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8 9. As of November 30, 2017, my firm's attorneys and professional support staff devoted a
9 total 712.70 hours of professional time to the prosecution of this action. At their reasonable and regular
10 hourly rates this represents a lodestar of \$494,185.00. As set forth below, this lodestar includes both
11 time devoted by attorneys and staff of my previous firm, Arias Ozzello and Gignac LLP (AOG), and
12 time devoted by attorneys and staff of my current firm, Arias Sanguinetti Wang & Torrijos, LLP
13 (ASWT). The lodestar for both AOG and ASWT are calculated using current hourly billing rates.

14 10. From December 17, 2014 to April 30, 2015, AOG had a lodestar of \$36,208.00
15 calculated as follows:

Name	Rate	Hours	Total
Mike Arias (partner)	\$850.00	10.10	\$ 8,585.00
Alfredo Torrijos (associate)	\$675.00	50.90	\$ 34,357.50
La Donna Mc Duffie (paralegal)	\$125.00	5.10	\$ 637.50
Total:		66.10	\$ 43,580.00

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22 11. From May 1, 2015 to November 30, 2017, ASWT has devoted an additional 646.60
23 hours (comprised of 634.4 hours of attorney time and 12.2 hours of staff time) to the prosecution of
24 this action. At their current reasonable and regular hourly rates this represents an additional
25 lodestar of \$450,605.00, calculated as follows:

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27 ///

28 ///

Name	Rate	Hours	Total
Mike Arias (partner)	\$850.00	119.20	\$ 101,320.00
Alfredo Torrijos (partner)	\$675.00	515.20	\$ 347,760.00
La Donna Mc Duffie (paralegal)	\$125.00	12.20	\$ 1,525.00
Total:		646.60	\$ 450,605.00

12. In total – that is, combining their lodestar for work done by AOG and work done by ASWT – counsel has devoted a total of 712.70 hours to the prosecution of this action. At their reasonable and regular hourly rates this represents a lodestar of \$494,185.00, calculated as follows:

Time Period	Hours	Lodestar
From December 17, 2014 to April 30, 2015	66.10	\$ 43,580.00
From May 1, 2015 to November 30, 2017	646.60	\$ 450,605.00
Total:		712.70 \$ 494,185.00

13. The above tables were prepared from contemporaneous time records that are regularly inputted by the attorneys and professional staff members of my firm and are maintained electronically. My partner, Alfredo Torrijos, and I have reviewed these time records in order to confirm their accuracy. A true and correct copy of AOG and ASWT’s time records are available for *in camera* inspection upon request of the Court.

14. As set forth in the Ahdoot Declaration, Class Counsel (in order to facilitate the tracking and monitoring of time billed to this action by all three firms) agreed to categorize their billable hours by litigation activity using the coding system provided by the American Bar Association’s Uniform Task-Based Management System (“UTBMS”). The schedule attached as **Exhibit B** to the Ahdoot Declaration details the amount of time devoted to the prosecution of this action by each timekeeper from AOG and ASWT categorized by UTBMS code. That portion of the schedule attached as **Exhibit B** to the Ahdoot Declaration relating to AOG and ASWT timekeepers (i.e., the portion of the schedule under the heading, “Arias Sanguinetti Stahle & Torrijos, LLP”) was prepared from the contemporaneous time records that are regularly inputted by the attorneys and professional staff members of my firm and are maintained electronically. My partner, Alfredo

1 Torrijos, and I have reviewed the schedule attached as **Exhibit B** to the Ahdoot Declaration and
2 confirm that this schedule accurately sets forth the time devoted to the prosecution of this action
3 by each timekeeper from AOG and ASWT.

4 15. The practice of both myself and the attorneys and professional staff at my firm is to
5 record time in tenth of an hour increments, and to do so contemporaneously. This method of
6 recording time is more accurate than recording time by quarter hour increments, which tends to
7 inflate the amount of time billed for short telephone conferences and other short tasks.

8 16. ASWT and AOG's computerized billing systems are not designed to ensure that all
9 time spent on a case is in fact recorded. As a result, the amount of time stated on our time records
10 is conservative and necessarily understates the actual amount of time that AOG and ASWT devoted
11 to the prosecution of this case. Also, in recording my time I did not record, and we do not seek
12 compensation for, many tasks and activities. For example, my own time records for work in this
13 case do not include many telephone conversations, meetings, and supervisory activities that I
14 undertook in the prosecution of this action but did not record.

15 17. In order to avoid any potential inefficiencies arising from the use of lawyers,
16 paralegals or law clerks who were unfamiliar with the case, the hours (and resulting lodestar)
17 reported here do not include the time for any attorney or staff member of AOG or ASWT who
18 worked less than 10 hours on this action.

19 18. I am the partner who oversaw the work performed by my firm in this litigation. In
20 my experience, the number of hours devoted to this case (both by AOG/ASWT and by Class
21 Counsel as a whole) is well within the range of hours that reasonably would be expected under the
22 circumstances based on the amount of investigation required relative to the issues presented in this
23 action. Although the case was settled prior to certification, the investigative and settlement process
24 were extensive and very hard fought.

25 19. The hours (and resulting lodestar) reported here are, as noted above, current as of
26 November 30, 2017. Accordingly, these hours do not include the additional time that will
27 necessarily be devoted by ASWT to the prosecution of this action going forward. I expect that
28 ASWT will devote a substantial amount of additional attorney hours to this action going forward.

1 In the near term I and other attorneys assigned to this case will incur additional hours in connection
 2 with preparing the motion for final approval, responding to objections (if any), preparing for and
 3 attending the final approval hearing, responding to class member inquiries, working with and
 4 supervising the settlement administrator to distribute the settlement fund, and potentially litigating
 5 any appeals. Based on past experience, I believe that these tasks will add significant time to the
 6 work that has already been undertaken in this case. In addition, over the next year or more
 7 following final approval ASWT will be required to interact with the settlement administrator
 8 regarding inquiries from class members and the distribution of settlement benefits, and generally
 9 shepherding the implementation of the settlement. ASWT does not intend to apply for
 10 reimbursement of additional fees, substantial as they may be, incurred after November 30, 2017.
 11 However, for purposes of evaluating the reasonableness of the present fee request, and in
 12 performing the lodestar cross-check, it is appropriate to consider that ASWT will necessarily have
 13 to devote additional time to the prosecution of this action beyond what is reflected in the lodestar
 14 figures set forth in this declaration.

15 20. In addition to professional time expended in the case, ASWT incurred \$3,200.63 in
 16 unreimbursed litigation expenses during the prosecution of this lawsuit. The litigation expenses
 17 incurred by ASWT are summarized below:

Item	Incurred Costs
Overnight delivery	\$ 14.58
Docket and case file download costs (PACER)	\$ 4.00
Parking and mileage	\$ 202.21
Air travel	\$ 1,639.64
Taxis and public transportation	\$ 64.52
Hotels	\$ 1,275.68
Total:	\$ 3,200.63

26 21. The expenses incurred by my firm in connection with this litigation are reflected on
 27 an expense by expense basis in the financial records of my firm maintained by my firm's
 28 accounting department. These records are prepared from expense reports, check requests, and cash

1 receipts, and are maintained in the ordinary course of business by ASWT. Attached hereto as
 2 **Exhibit 1** is a true and correct copy of a transaction report printed from ASWT's accounting
 3 system setting-forth the above expenses. The expenses reflected above were reasonably and
 4 necessarily incurred in connection with this litigation and were specifically reviewed and
 5 authorized by me or my partner, Mr. Torrijos. Upon the Court's request, ASWT will provide the
 6 supporting documents for the above expenses to the Court for review.

8 **IV. EVIDENCE IN SUPPORT OF PREVAILING RATES**

9 22. The above hourly rates used to calculate lodestar for the work done in prosecuting
 10 this action are the reasonable and regular rates that are commensurate with the experience and
 11 expertise of each attorney (as set forth below in paragraphs 29 through 37 of this declaration) who
 12 worked on this case.

Attorney	Position	Year of Admission
Mike Arias	Managing Partner	1984
Alfredo Torrijos	Partner	2002

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 17 23. The hourly rates used to calculate the lodestar set-forth herein fall well within the
 18 range approved as reasonable by courts in similar class action cases. See *Prison Legal News v.*
 19 *Schwarzenegger*, 608 F.3d 446, 455 (9th Cir. 2010) (district court did not abuse its discretion in
 20 awarding 2008 hourly rates for Bay Area attorneys of up to \$875 for a partner, \$700 for an attorney
 21 with 23 years of experience, \$425 for an attorney with approximately five years of experience, and
 22 \$190 for paralegals); *In re High-Tech Employee Antitrust Litig.*, 2015 WL 5158730, at *9 (N.D.
 23 Cal. Sept. 2, 2015) (finding reasonable "billing rates for partners [that] range from about \$490 to
 24 \$975 ... billing rates for non-partner attorneys, including senior counsel, counsel, senior associates,
 25 associates, and staff attorneys, [that] range from about \$310 to \$800, with most under \$500 ... [and]
 26 billing rates for paralegals, law clerks, and litigation support staff [that] range from about \$190 to
 27 \$430, with most in the \$300 range."); *Gutierrez v. Wells Fargo Bank, N.A.*, 2015 WL 2438274, at
 28 *5 (N.D. Cal. May 21, 2015) (finding reasonable rates for Bay Area attorneys of between \$475 to

1 \$975 for partners, \$300 to \$490 for associates, and \$150 to 430 for litigation support and
2 paralegals).

3 24. Moreover, these hourly rates are commensurate with the market rate for fees
4 according to the Laffey Matrix, a court approved and adopted survey of attorney hourly rates.
5 Attached hereto as **Exhibit 2** is the current version of the Laffey Matrix.¹

6 25. Furthermore, the hourly rates requested here are comparable to the rates requested –
7 and awarded – for work done by ASWT’s attorneys in other class actions. Some of the more recent
8 examples included:

9 a. On May 4, 2017, the Honorable Kenneth R. Freeman approved an attorney fee
10 request in connection with a class action settlement in *Fahmie, et al. v. City of Los Angeles*
11 (Los Angeles Superior Court - Case No. BC381773) for work done between May of 2015
12 and January of 2017 at the following hourly rates:

- 13 - Mike Arias (Partner) \$750.00/hr.
- 14 - Alfredo Torrijos (Partner) \$650.00/hr.

15 Judge Freeman did not reduce the hourly rates for these attorneys or any of the
16 attorney time submitted by my firm in the *Fahmie* matter.

17 b. On November 29, 2016, the Honorable Jesus B. Bernal approved a contested
18 attorney fee request in connection with a wage an hour action in *Bickley v. CenturyLink, Inc.*
19 (U.S. District Court for the Central District of California) for work done between June 2015
20 and March 2016 at the following hourly rate:

- 21 - Mike Arias (Partner) \$750.00/hr.

22 c. On August 30, 2016, the Honorable Ronald J. Israel ordered attorneys’ fees
23 against defendants in connection with a class action in *First Service Credit Union v. United*
24 *Road Towing, Inc.* (District Court of Nevada for Clark County – Case No. A-10-616806-C)

25
26 ¹ Since the hourly rates in the Laffey Matrix were established for D.C. Lawyers, these rates should be
27 adjusted upward 4.6% to reflect the current rates typical of attorneys litigating within California. See *In*
28 *re Chiron Corp. Securities Litigation*, 2007 WL 4249902, at *6 (N.D. Cal., Nov. 30, 2007) (“Adjusting
the Laffey matrix figures accordingly will yield appropriate rates for the respective geographical
regions: ... +4.6% for Los Angeles.”).

1 for work done between May of 2015 and September of 2015 at the following hourly rates:

- 2 - Mike Arias (Partner) \$750.00/hr.
- 3 - Alfredo Torrijos (Partner) \$650.00/hr.

4 Judge Israel did not reduce the hourly rates for these attorneys or any of the attorney
5 time submitted by my firm in United Road Towing matter.

6 d. On January 8, 2016, the Honorable J. Stephen Czuleger approved an attorney
7 fee request in connection with a class action settlement in *Gutierrez, et al. v. California*
8 *Commerce Club, Inc.* (Los Angeles Superior Court - Case No. BC360704) for work done
9 between May of 2015 and January of 2016 at the following hourly rates:

- 10 - Mike Arias (Partner) \$750.00/hr.
- 11 - Alfredo Torrijos (Partner) \$650.00/hr.

12 Judge Czuleger did not reduce the hourly rates for these attorneys or any of the
13 attorney time submitted by my firm in the *Gutierrez* matter.

14
15 **V. EXPERIENCE AND BIOGRAPHIES OF ASWT ATTORNEYS AND**
16 **PARAPROFESSIONALS**

17 26. The partners of ASWT, have been engaged in the representation of plaintiffs in class
18 action lawsuits in the fields of consumer fraud, employment, disability rights, insurance, banking, and
19 antitrust. My partners and I collectively have been involved in the representation of plaintiffs in more
20 than 150 different class action cases and have been appointed as class counsel in numerous state and
21 federal courts.

22 27. ASWT and my previous firm (Arias Ozzello Gignac, LLP) have successfully prosecuted
23 and obtained significant recoveries in numerous class action and “mass action” lawsuits. Some of those
24 recoveries include:

- 25 • \$49 million in cash equivalent calling cards recovered for failure to
26 prorate monthly service fees charged to customers during final month
27 of service prior to termination; *Rolnik, et al. v. AT&T Wireless*
28 *Services, Inc., et al.* (New Jersey Superior Court).

- 1 • \$42 million recovery on behalf of a class of customers for inadequately
2 disclosed out-of-cycle billing policies; *Lozano v. AT&T Wireless*
3 *Services, Inc.* (C.D. Cal.).
- 4 • \$38 million recovery on behalf of a class of customers for inadequately
5 disclosed service fees on billing statements; *Sterns v. AT&T Mobility*
6 *Corp.* (C.D. Cal.).
- 7 • \$20 million in cash equivalent calling cards recovered for overcharges
8 on long distance telephone calls erroneously carried by AT&T and
9 improperly billed by Verizon California; *Roark, et al. v. GTE*
10 *California Inc., et al.* (Santa Barbara Superior Court).
- 11 • \$16 million recovery on behalf of a class of victims of fraud and
12 negligent cemetery operations; *In re: Woodlawn Memorial Park*
13 *Litigation* (Los Angeles Super. Ct.).
- 14 • \$15 million recovery of unpaid overtime wages and meal break
15 premiums for home healthcare workers; *Costa, et al. v. Vitas*
16 *Healthcare Corporation of California* (Los Angeles Superior Court).
- 17 • \$14 million Judgment entered against Cal-ISO after trial for unpaid
18 overtime; *Hardie v. California Independent System Operator* (Los
19 Angeles Superior Court).
- 20 • \$10 million recovery on behalf of employees of ERISA violation
21 related to 401(k) plans; *Gottlieb, et al. v. SBC Communications, et al.*
22 (U.S. District Court, Central District of California).
- 23 • \$10 million recovery of unpaid wages, break premiums, and other
24 relief in class action alleging the misclassification of Store Managers in
25 *Mosse v. CVS Caremark Corp.* (Los Angeles Superior Court).
- 26 • \$9 million recovery for victims of racial profiling harassment at an
27 amusement park; *Armendarez v. Six Flags Magic Mountain* (Los
28 Angeles Superior Court).

- 1 • \$8.3 million recovery for class members in suit asserting improper
2 handling of decedents' remains; *In re: Paradise Memorial Park*
3 *Litigation* (Los Angeles Superior Court).
- 4 • \$8 million recovery of unpaid overtime wages and meal break
5 premiums for fast food restaurant managers; *Elias, et al. v. El Pollo*
6 *Loco, Inc.* (Los Angeles Superior Court).

7 28. I and my partner, Alfredo Torrijos, have an extensive background in all aspects of class
8 action litigation (including the trial of certified class actions). Representing consumers in class actions
9 constitutes a significant part of ASWT's practice. Below I set forth the biographies of the attorneys and
10 paraprofessionals who worked on this matter.

11 **A. Mike Arias (Managing Partner)**

12 29. I was the founding and managing partner of AOG and am the founding and managing
13 partner of ASWT. I have significant experience in managing and litigating cases, having served as lead,
14 co-lead or liaison counsel in well over 100 class and mass tort actions. I have resolved hundreds of
15 matters, either by trial, arbitration or settlement, resulting in hundreds of millions of dollars in recovery
16 for the firm's clients. My most recent class action trial victories resulted in judgments in excess of \$19
17 million and \$5 million.

18 30. I am the President-Elect of the Consumer Attorneys Association of Los Angeles
19 (CAALA), the President-Elect of the Consumer Attorneys of California (CAOC), and serve on the
20 Board of Governors of the American Association for Justice (AAJ). In 2016 I was awarded the AAJ
21 Above and Beyond Award and in 2015 I was awarded the AAJ President's Distinguished Service
22 Award. I serve as Co-Chair of the Class Action Litigation Group of AAJ, Chair of the AAJ Convention
23 Planning Committee, Chair of the AAJ Leaders Forum Advisory Committee, Chair of the Membership
24 Committee of CAOC, am a member of the LACBA Litigation Section Executive Committee and I am
25 the Founding Chair of CAALA's Plaintiffs Trial Academy.

26 31. I have given numerous lectures and presentations on class action issues, including:
27 *Optimizing the Likelihood of Obtaining Approval Of Your Settlement* (2017 Consumer Attorneys of
28 California 11th Annual Class Action and Mass Tort Seminar); *Trying the Class Action* (2016

1 Consumer Attorneys of California Hawaii Travel Seminar); *Fee Applications – Recent*
2 *Developments* (2016 Consumer Attorneys of California Annual Convention); *Evaluating Potential*
3 *Class Actions: What’s Hot and What’s Not* (2015 Consumer Attorneys of California Hawaii Travel
4 Seminar); *Professional Objectors: Recent Developments and How to Deal with Them* (2015
5 Consumer Attorneys of California Annual Convention); *Trying the Class Action: Opening*
6 *Statements* (2015 AAJ Class Action Seminar); *Trying the Class Action: Closing Arguments* (2015
7 AAJ Class Action Seminar); *Evaluating Potential Class Actions* (2015 Consumer Attorneys of
8 California 9th Annual Class Action Seminar); *Bad Actions Equal Class Actions: Identifying the*
9 *Differing Types* (2015 Consumer Attorneys of California Hawaii Travel Seminar); *Are Wage and*
10 *Hour Class Actions the Beginning of the End?* (2014 JAMS Class Action Seminar); *Getting Your*
11 *Settlements Approved* (2014 Bridgeport Class Action Conference); *AT&T Mobility v. Concepcion:*
12 *Assessing the Impact on Class Action Litigation* (2013 Bridgeport Class Action Conference); *Class*
13 *Certification Motions in the Post Brinker Era* (2013 Consumer Attorneys of California Annual
14 Convention); *Jury Selection – Special Issues for Class Actions* (2012 American Association for
15 Justice Annual Convention); *Recent Developments on the Use of Cy Pres Awards in Class Actions*
16 (2012 Consumer Attorneys of California Annual Convention); *Class Actions: An A To Z Crash*
17 *Course* (2012 Consumer Attorneys of California Hawaii Travel Seminar); *Class Action Settlement*
18 *Strategies* (2010 Strafford CLE Webinar and Teleconference); *Certifying a Class Action* (2009
19 Consumer Attorneys Association of Los Angeles Annual Conference). In addition, I have co-
20 chaired the two-day Annual Class Action Litigation Management Conference presented by
21 Bridgeport Programs for five years. I have also written and co-authored numerous articles on class
22 action issues, including: *Class Actions: Getting Your Class Certified* (Advocate Feb. 2010); and *A*
23 *Class Action Primer* (Advocate Mar. 2010).

24 **B. Alfredo Torrijos (Partner)**

25 32. Alfredo Torrijos was a senior associate of AOG and is a partner of ASWT.

26 33. Mr. Torrijos has significant experience in technology related litigation, intellectual
27 property law and class actions. Mr. Torrijos has handled class actions through trial and appeal and has
28 successfully represented consumers in class actions against some of the biggest technology and

1 insurance companies in the country, including: Google, Yahoo!, CitySearch, Network Solutions,
2 Nationwide Insurance, Progressive and State Farm. In addition to his class action and commercial
3 litigation experience, Mr. Torrijos also maintains a strong appellate practice, having written and argued
4 dozens of appellate briefs, many of which resulted in reversals of the trial court. Among the opinions he
5 has helped publish are: *Cordova v. 21st Century Ins. Co.*, 129 Cal.App.4th 89 (2005); *Johnson v.*
6 *GlaxoSmithKline, Inc.*, 166 Cal.App.4th 1497 (2008); *Hughes v. Progressive Direct Insurance*
7 *Company*, 196 Cal.App.4th 754 (2011) (petition for review granted on Sept. 28, 2011 and review
8 dismissed on Sept. 11, 2013); *Johnson v. Wal-Mart Stores, Inc.*, 544 F. App'x 696, 698 (9th Cir. 2013);
9 and *Safeway, Inc. v. Superior Court of Los Angeles*, 238 Cal.App.4th 1138 (2015) (review denied Oct.
10 21, 2015).

11 34. Mr. Torrijos received his Juris Doctor degree from Stanford Law School in 2001 and
12 graduated summa cum laude from California State University, Northridge where he received a Bachelor
13 of Science degree in business administration with an emphasis in finance.

14 35. Prior to attending law school, Mr. Torrijos worked for Litton Industries as a staff
15 accountant in the company's corporate financial consolidations and reporting department. Mr. Torrijos
16 was subsequently promoted and placed in charge of designing, programming and implementing the
17 transition of the company's financial consolidation system from a legacy mainframe platform to a
18 client/server system. Mr. Torrijos has significant experience in designing databases, stored procedures,
19 reports, and data input interfaces using Microsoft SQL server, Visual Basic, and C#. In addition, Mr.
20 Torrijos has developed and programmed enterprise software using Visual Basic .NET, C# and C++.
21 Following law school, Mr. Torrijos worked as a Management Consultant at The Boston Consulting
22 Group (BCG), where he focused on the telecommunications, pharmaceutical, utilities and consumer
23 sectors and on projects involving strategy development, organization/change management and cost
24 management.

25 36. Mr. Torrijos has spoken extensively on class action topics, including: *Structuring Class*
26 *Settlements to Obtain Court Approval* (September 20, 2017, Stafford Publications); *Class Actions in the*
27 *Age of Big Data* (November 15, 2014, 2014 Consumer Attorneys of California Annual Convention);
28 *Class Action Settlements: Rule 68 Offers of Judgment and Other Strategic Tools* (April 11, 2014,

1 Bridgeport Continuing Education 2014 Class Action Conference); *Getting Your Settlement Approved*
2 (September 2014, JAMS Class Action Seminar); *The Changing Standards of Class Certification*
3 (January 10, 2014, Bridgeport Continuing Education Consumer Class Action Conference); *Class*
4 *Actions: Recent Developments* (January 2014, myLawCLE); *CAFA Removal and Remand: Latest*
5 *Developments* (March 29, 2011, Stafford Publications); and *Is it better to file a nationwide class action*
6 *or state-only class action?* (January 28, 2010, Consumer Attorneys of California 4th Annual Class
7 Action Seminar). Mr. Torrijos has also co-authored numerous articles concerning class action law,
8 including: *Notice 2.0: How Technology is Changing Class Action Notice Procedures* (January 2011,
9 Westlaw Journal); *The Internet, Indispensable for Providing Class Action Notice* (August 16, 2010, Los
10 Angeles Daily Journal); *The Rise of "Professional Objectors" in the Class Action Settlements* (July 8,
11 2010, Los Angeles Daily Journal); and *The End of Consumer Class Action Arbitrations* (May 14, 2010,
12 Los Angeles Daily Journal).

13 **C. La Donna R. Mc Duffie (Paralegal)**

14 37. La Donna Mc Duffie, a Certified Paralegal, was a paralegal at AOG and is a
15 Paralegal at ASWT. Ms. Mc Duffie, who has over ten years' experience as a paralegal, obtained
16 her Bachelor of Science from Pepperdine University in 1996 and completed the ABA-Approved
17 Paralegal Certification Program at West Los Angeles College. Her experience includes civil
18 litigation specializing in Business and Commercial Litigation and Products Liability cases.

19 I declare under penalty of perjury of the laws of the United States that the foregoing is true
20 and correct, executed on December 7, 2017 in Los Angeles, California.

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24 Mike Arias
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EXHIBIT 1

Arias Sanguinetti Wang & Torrijos, LLP Transaction Report

January 1, 2015 - December 7, 2017

Date	Transaction Type	Name	Memo/Description	Amount	Balance
05/22/2015	Bill	Federal Express	Filing 5/19/15 - Clerk of The Court U.S. District Court - Judge Tiga	14.58	14.58
03/11/2016	Check	Alfredo Torrijos	10/8/15 - Parking for Mediation w Judge West	8.00	22.58
03/11/2016	Check	Alfredo Torrijos	10/30/15 - Parking for Mediation with Judge West	8.00	30.58
03/11/2016	Check	Alfredo Torrijos	11/10/15 - Hotel for interview of Uber Executives	1,158.06	1,188.64
03/11/2016	Check	Alfredo Torrijos	11/9/15 - BART fare from S.F. to OAK Airport	11.00	1,199.64
03/11/2016	Check	Alfredo Torrijos	11/9/15 - Taxi from Burbank Airport to Home	21.52	1,221.16
03/11/2016	Check	Alfredo Torrijos	11/8/15 - Flight reservation changed for additional day of interviews	28.00	1,249.16
03/11/2016	Check	Alfredo Torrijos	11/3/15 - Flight from Burbank to OAK to interview Uber executives	451.96	1,701.12
03/11/2016	Check	Alfredo Torrijos	8/24/15 - Parking for Mediation w Judge West	8.00	1,709.12
03/11/2016	Check	Alfredo Torrijos	11/5/15 - BART from OAK Airport to SF	11.00	1,720.12
08/26/2016	Bill	Alfredo Torrijos	3/3/16 - Flight from Burbank to Oakland for Preliminary Hearing	127.96	1,848.08
12/16/2016	Bill	Alfredo Torrijos	11/22/16 - Uber - Parking at Judicate West, San Diego for Mediation before R. Kaplan in San Diego (\$30)	30.00	1,878.08
12/16/2016	Bill	Alfredo Torrijos	11/22/16 - Uber - Travel to San Diego for mediation with R. Kaplan for 107.4 miles at \$.54/mile (\$58)	58.00	1,936.08
12/16/2016	Bill	Alfredo Torrijos	11/22/16 - Uber - Travel from San Diego following mediation with R. Kaplan for 107.8 miles at \$.54/mile (\$58.21)	58.21	1,994.29
12/16/2016	Bill	Alfredo Torrijos	08/10/16 - Uber - Flight to Oakland for hearing on motion for preliminary approval of class action settlement (\$135.96)	135.96	2,130.25
03/04/2017	Bill	Alfredo Torrijos	01/05/17 - Uber - BART fare for traveling to/from Oakland Airport to San Francisco for Mediation before R. Kaplan in San Francisco (\$21)	21.00	2,151.25
03/04/2017	Bill	Alfredo Torrijos	01/05/17 - Uber - Parking at Burbank Airport for Mediation before R. Kaplan in San Francisco (\$32)	32.00	2,183.25
03/04/2017	Bill	Alfredo Torrijos	03/04/17 - Uber - Hotel in San Francisco for Mandatory settlement conference with Judge Spero in San Francisco (\$117.62)	117.62	2,300.87
03/04/2017	Bill	Alfredo Torrijos	03/04/17 - Uber - Southwest flight to Oakland for Mandatory settlement conference with Judge Spero in San Francisco (\$447.88)	447.88	2,748.75
03/04/2017	Bill	Alfredo Torrijos	Kaplan in San Francisco (\$447.88)	447.88	3,196.63
08/30/2017	Bill	Alfredo Torrijos	Pacer Account for A. Torrijos	4.00	3,200.63
TOTAL \$				3,200.63	

Thursday, Dec 07, 2017 09:31:11 PM GMT-8 - Accrual Basis

EXHIBIT 2

LAFFEY MATRIX

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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., McDowell v. District of Columbia, Civ. A. No. 00-594 (RCL), LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); Salazar v. Dist. of Col., 123 F.Supp.2d 8 (D.D.C. 2000).

* "Years Out of Law School" is calculated from June 1 of each year, when most law students graduate. "1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). "4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier "1-3" from June 1, 1996 until May 31, 1999, would move into tier "4-7" on June 1, 1999, and tier "8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.