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15 Attorneys for Plaintiff

16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA**  
18

19  
20 WILLIAM S. CALLAWAY, on behalf  
of himself and all others similarly  
21 situated,

22 Plaintiffs,

23 vs.

24 MERCEDES-BENZ USA, LLC, a  
Delaware limited liability company; and  
25 MISSION IMPORTS d/b/a Mercedes  
Benz of Laguna Niguel, a California  
26 corporation,

27 Defendants.  
28

CASE NO.: 8:14-CV-02011-JVS (DFMx)

**DECLARATION OF ERIC F. YUHL  
IN SUPPORT OF MOTION FOR  
ATTORNEYS' FEES, COSTS AND  
INCENTIVE AWARD**

Date: March 5, 2018  
Time: 1:30 p.m.  
Courtroom: 10C

1 **DECLARATION OF ERIC F. YUHL**

2 I, Eric F. Yuhl, declare as follows:

3 1. I am an attorney at law duly licensed to practice before all the courts of the  
4 State of California. I am a partner at Yuhl Carr LLP (“YC”) and represent Plaintiff  
5 William Scott Callaway (“Plaintiff”) in this action. I submit this declaration in support  
6 of Plaintiff’s Motion for Attorneys’ Fees, Costs and Incentive Award. I am admitted to  
7 practice law before this Court and the United States Court of Appeal for the Ninth Circuit,  
8 among other courts. I have personal knowledge of the facts set forth below, unless stated  
9 on information and belief, and if called as a witness, I would testify competently thereto.

10 **QUALIFICATIONS AS CLASS COUNSEL**

11 2. I am a founding partner of Yuhl Carr LLP (“YC”), a litigation firm based in  
12 Marina Del Ray, California. Since 1981, I have been an attorney duly licensed by, and a  
13 member of, the State Bar of California, and admitted to practice in this Court.

14 3. I have over 34 years of litigation and trial experience, including the handling  
15 of complex consumer product defect cases in federal and state courts. I have tried over  
16 30 cases to verdict.

17 4. My experience in consumer products cases includes cases related to  
18 automobiles and their component parts; medical devices, equipment and implants;  
19 pharmaceuticals; aircraft design; bicycles; water craft and vessel design; firearms;  
20 athletic equipment of various types; consumer household products; and work place  
21 equipment. Regarding class actions in particular, I was co-counsel with Frank Sims &  
22 Stolper LLP in Birbrower v. Quorn Foods, Inc., Central District of California Case No.  
23 2:16-cv-01346-DMG-AJW. In that case Judge Dolly Gee granted final approval of  
24 nationwide class action settlement. The settlement in that false advertising case made  
25 over \$120 million in refunds available to class members and included critical injunctive  
26 relief. Likewise, along with my co-counsel Akin Gump Strauss Feld & Hauer, I  
27 represented the plaintiffs in a consumer product class action entitled Christopher O’Shea,  
28 et al v. Epson America, Inc., et al., Central District of California Case No. CV09-8063

1 PSG (CWx). There, Judge Philip S. Gutierrez of the Central District ruled that that my  
2 firm and I were competent and adequate class counsel.

3 5. I have recovered over \$200 million for my plaintiff clients. Examples of  
4 complex cases I have successfully litigated include:

- 5 a. \$11 Million – Archdiocese of Los Angeles Sexual Abuse Litigation –  
6 Vietnamese immigrant sisters serially molested by pedophile employed by  
7 local church and which placed the clients under his custodial care.
- 8 b. \$8.3 Million – Jack Sholl vs. ICN Pharmaceuticals – wrongful  
9 termination/breach of employment contract to avoid payment to senior  
10 executive of compensation due upon reduction in title/duties.
- 11 c. \$7.5 Million – Barbara Carrasso vs. San Diego Rapid Transit – Dutch model  
12 hit by transit bus while riding her bike to UCSD.
- 13 d. \$7.1 Million – Doe Audience Member v. Broadcasting Company –  
14 Catastrophic spine injury when audience member tackled by cast member  
15 during the taping of a film screening event.
- 16 e. \$8.0 Million - Richard Houghton vs. Santa Barbara Transportation - cerebral  
17 palsy victim suffers spine injury when wheelchair security device fails in  
18 transport van.
- 19 f. \$5.0 Million – Don Peterman vs. “Mighty Joe Young Productions” –  
20 collapse of camera crane during movie shoot causing catastrophic injuries to  
21 prominent Director of Photography.
- 22 g. \$5.5 Million – Levine/Khwaja vs. California Commerce Bank – CFO and  
23 General Counsel sued to recover change of control benefits under deferred  
24 compensation agreement after Citigroup acquisition of holding company.
- 25 h. \$5.1 Million – Sylvia Rayner vs. White Consolidated Industries – laboratory  
26 researcher’s hand caught in autoclave due to auto-locking defects in design.

27 6. YC is a seven-attorney firm, and all of its attorneys are experienced in  
28 litigating complex cases. As such, the firm can only handle so many complex class

1 actions like this one, especially given that they are investing so much time and money in  
2 the case. By necessity, YC is required to be highly selective when choosing whether to  
3 invest in a case, because cases like this take years to resolve before they see any potential  
4 return.

5 7. Colin Yuhl is one of the partners of YC actively working on this matter.  
6 Colin Yuhl was admitted to the Bar in 2008 and has 8 years of experience litigating  
7 complex cases. He has been a member of the firm since the beginning of 2012. Prior to  
8 joining YC, Colin Yuhl began his career at Haight, Brown & Bonesteel. His practice  
9 areas focus primarily around complex personal injury and wrongful death, labor and  
10 employment litigation, and commercial disputes. He second-chaired two trials while at  
11 Haight, and since joining YC has also tried one case to verdict on his own. He has argued  
12 before the Second District Court of Appeals and has experience with every aspect of pre-  
13 trial and post judgment practice. Since joining YC he has recovered over \$10 million in  
14 settlements and verdicts for his clients – including a \$1.9 million settlement in a case  
15 involving a defective pharmaceutical drug – and has been named to the SuperLawyers  
16 "Rising Stars" list each year since 2014.

17 **THE SETTLEMENT**

18 8. Based on my professional experience and evaluation of this case, the  
19 Settlement in this case is not only fair and reasonable, but is an excellent result for the  
20 Class. The proposed Settlement is the result of serious, well informed, arms-length and  
21 non-collusive negotiations between the parties. I personally participated in nearly all  
22 settlement negotiations along with my co-counsel. The Settlement was also reached with  
23 the assistance of a respected mediator (the Hon. Layn Phillips).

24 **THE REQUESTED ATTORNEYS' FEES AND COSTS ARE REASONABLE**

25 9. Based on my professional experience, Class Counsel's requested attorneys'  
26 fees and costs are fair and reasonable under both the percentage of the benefit and the  
27 lodestar method.

1           10. To date, YC has spent 946.9 hours on this case, for a total of \$918,727.80  
2 in attorneys' fees. Attached hereto as Exhibit A is a true and correct copy of YC's  
3 timesheets for this matter. I personally expect to spend at least an additional 20 hours  
4 reviewing, analyzing and responding to any objections to the Settlement, talking to Class  
5 Members, working with the class administrator, preparing the motion for final approval  
6 and preparing for and attending the final approval hearing.

7           11. YC incurred \$96,880.41 in costs on this case. A true and correct copy of  
8 YC's cost ledger for this case is attached as Exhibit B.

9           12. If the Court chooses to use the lodestar method of calculating attorneys'  
10 fees, I believe a multiplier of 1.65 or more is fully justified and reasonable in this case.  
11 That is my belief for at least the following reasons:

12           a. Class Counsel took this case on a full contingency, and in doing so  
13 expected a risk enhancement if we prevailed.

14           b. Class Counsel's hourly rates as set forth in the Class Counsel's prior  
15 fee application do not reflect the risk associated with this being a contingency case.  
16 For FSS partners, I understand those hourly rates are \$900 (Jason Frank) and \$850  
17 (Scott Sims). For McNicholas & McNicholas those hourly rates are \$1,000 (for  
18 named partner Patrick McNicholas) and lower for others in his firm. From YC,  
19 my hourly rate is \$1000 and Colin Yuhl's is \$600.

20           c. Based on my experience, these rates are reasonable and  
21 commensurate with prevailing market rates in Los Angeles for attorneys of our  
22 experience, skill and expertise. In fact, in the Birbrower class action Judge Gee  
23 approved as reasonable my rate of \$1,000/hour and Colin Yuhl's rate of \$600/hour.

24           d. I know from experience that class action litigation is risky. Class  
25 action litigation is performed on a contingency basis (i.e., we only get paid if we  
26 recover for plaintiff and the class) and requires us to advance all litigation costs.  
27 This particular case involved many legal and factual challenges, as discussed in  
28 the final approval motion. Class Counsel knew expenses could exceed \$500,000,

1 which further added to the risk given that this money would not be recoverable if  
2 we did not prevail in the litigation.

3 e. Class Counsel could not have been reasonably expected to obtain a  
4 better result for the Class, at least in my professional opinion.

5 f. The quality of representation Class Counsel was excellent. We are  
6 experienced litigators and obtained a superb result for the Class despite facing off  
7 against a well-financed defendant with top-tier defense counsel.

8 g. The complexity and novelty of the issues presented was substantial.  
9 Those issues included for example, (a) when does an automobile manufacturer  
10 have a duty to disclose a defect under California law; (b) what qualifies as a “safety  
11 risk”; (c) what is the duty to disclose to a down-stream purchaser; (d) does the class  
12 member need to be in privity with the defendant; (e) is a purchaser of a used vehicle  
13 too far removed from the chain of sale to maintain fraud claims; (f) what do you  
14 need to show to establish knowledge of a defect; (g) what failure rate percentage  
15 is “material” in an automobile defect case; (h) how do you determine the market  
16 value of a component part in an automobile when there is no separate “market” for  
17 the component; (i) how do you determine the market value of a component part  
18 that is typically sold as part of a package; (j) is conjoint analysis an accepted  
19 method of damage analysis; (k) was the conjoint study properly conducted in this  
20 case; (l) does conjoint analysis improperly use averages to mask differences in  
21 consumer preferences that would otherwise create predominate individual issues;  
22 (m) can you obtain class certification in a case involving multiple models of  
23 vehicles with different failure rates; (n) can you maintain a class action when only  
24 some class members have experienced the malfunction; and the list goes on and  
25 on.

26 h. In my professional opinion and based on my experience, the division of  
27 work amongst Class Counsel was in the best interest of the Class and efficient.

28

1 I declare under penalty of perjury under the laws of the United States of America  
2 that the foregoing is true and correct. Executed this 18th day of October 2017, in Del  
3 Mar, California.

4  
5 /s/ Eric F. Yuhl  
ERIC F. YUHL

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# Exhibit A



**Yuhl Carr LLP**

4676 Admiralty Way, Suite 550  
 Marina Del Rey, California 90292  
 Telephone: (310) 827-2800  
 Facsimile: (310) 827-4200

**Bill To:**

**Invoice No.**  
**Invoice Date:**  
**Terms:**  
**Re: Callaway v. MBZ**

DATE	ATTY	DESCRIPTION OF SERVICES	HOURS	RATE	AMOUNT
		<u><b>Fees (June 2014-April 2017)</b></u>			
6/3/2014	EFY	Initial meeting with Elizabeth Callaway (EC) re: seat fire incident in MBZ; followup email exchanges with EC re: same; telephone interview with passenger witness Meghan Fitzgerald; memo to file re: same; TL with vehicle purchaser Scott Callaway; Memo to file; Open New Matter file	4.8	\$1,000.00	\$4,800.00
6/5/2014	EFY	Rec'd and rev'd San Diego MBZ dealer Release and email exchange between EC and dealer as pre-condition to seat replacement; email exchanges and TL with EC re: same	1.4	\$1,000.00	\$1,400.00
6/6/2014	EFY	Rec'd and rev'd seat photos and internet links from EC re: reported MBZ seat fires; Internet research re: same; email inquiry to Sean Kane at Safety Institute D.C.	4.0	\$1,000.00	\$4,000.00
6/7/2014	EFY	Research NTSB, auto industry, and CPSC data bases re: auto seat fires; research automobile	5.1	\$1,000.00	\$5,100.00

**Re: Callaway v. MBZ**

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		engineering and fire science links re: historical causes of seat fires			
6/8/2014	EFY	Meeting with EC and Scott Callaway (SC) to discuss potential claim v. MBUSA; memo to file	3.0	\$1,000.00	\$3,000.00
6/9/2014	EFY	Travel from San Diego to Los Angeles (LA to SD) for meeting with former MBZ service manager consultant; reviewed internet sources re: schematics of electrical designs in market comparable to MBZ, Daimler production of vehicles and distribution USA via MBUSA, seat component suppliers for MBZ models since 2000; detailed memo to file re: same; TL with EC and SC re: meeting with follow-on email re: case analysis	9.1	\$1,000.00	\$9,100.00
6/10/2014	EFY	San Diego to Orange County - Meeting with investigator Tom Nixon re: locating independent MBZ repair facilities to attempt to obtain information and schematic for 2005R Class MBZ; TL and email update to EC and SC	3.7	\$1,000.00	\$3,700.00
6/12/2014	EFY	TL with Mike Martinez re: wife seat fire incident in ML450 Model; memo to file re: same; email from EC re: summary of on-going dealings with SD MBZ over repairs and offered Release	1.6	\$1,000.00	\$1,600.00
6/15/2014	EFY	Research potential class action claims v. MBUSA under UCC, CLRA, and common law fraud under 9 <sup>th</sup> Circuit precedent	6.5	\$1,000.00	\$6,500.00
6/16/2014	EFY	Research venue with CAFA implication re: removal to USDC on state court filing	4.0	\$1,000.00	\$4,000.00
6/18/2014	EFY	Research federal law re: joinder foreign manufacturer Daimler Chrysler as defendant and ability to obtain discovery as German based parent	6.5	\$1,000.00	\$6,500.00

**Re: Callaway v. MBZ**

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6/19/2014	EFY	Complete research re: ability to obtain and enforce discovery via subpoena on parent Daimler if non-party	4.0	\$1,000.00	\$4,000.00
7/11/2014	EFY	Follow-up email and TL with Sean Kane re: results research on reports of MBZ seat fires; memo to file	.8	\$1,000.00	\$800.00
7/15/2014	EFY	Received and reviewed email from Sean Kane with spreadsheet of MBZ seat heater complaints to NHTSA by model year; initial TL with Dr. Gerry Zamiski re: scope of failure analysis; memo to file	2.2	\$1,000.00	\$2,200.00
7/19/2014	EFY	Meeting with EC and SC to discuss class action service as class representative on joint venture basis with co-counsel	1.8	\$1,000.00	\$1,800.00
7/21/2014	EFY	Lengthy TL with Pat McNicholas of McNicholas & McNicholas re: potential class action v. MBUSA; follow-up email to PM; TL with clients re: status	1.1	\$1,000.00	\$1,100.00
7/22/2014	EFY	TL from EC re: initial discussions with PM re: potential class action	.5	\$1,000.00	\$500.00
9/17/2014	EFY	Email to PM re: status case review; TL and email exchanges with EC re: further interactions with SD MBZ including "offer to disconnect heaters"; memo to file	1.2	\$1,000.00	\$1,200.00
9/19/2014	EFY	TL with EC re: likely need to store vehicle if class action filed; TL Dave Galassi of Rest Your Case (evidence storage) re: storage vehicle	.8	\$1,000.00	\$800.00
9/23/2014	EFY	TL with and confirming email to EC re: meeting with PM to discuss class action and EC role as class representative	.9	\$1,000.00	\$900.00
9/27/2014	EFY	Confirming TL and email with M&M re: meeting with EC	.3	\$1,000.00	\$300.00

**Re: Callaway v. MBZ**

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10/2/2014	EFY	Meeting with PM in advance of client meeting; Meeting with PM and EC; detailed memo to file; follow-up email exchanges with PM re: retention and additional source documents	4.5	\$1,000.00	\$4,500.00
10/3/2014	EFY	Meeting with Scott Callaway, re: details and purchase of R model MBZ for EC; discuss class action and role serving as co-class representative with EC; memo to file re: same	3.0	\$1,000.00	\$3,000.00
10/6/2014	EFY	Received and reviewed from SC additional service warranty and vehicle purchase documents; TL with SC re: same	1.2	\$1,000.00	\$1,200.00
10/7/2014	EFY	Draft Retainer Agreement; exchange drafts with PM; TL with PM re: consideration of adding Jason Frank as co-counsel on case; received link to JF/firm bio; TL with EC re: same	2.8	\$1,000.00	\$2,800.00
10/8/2014	EFY	Draft Joint Prosecution Agreement; email exchanges with PM re: same	1.2	\$1,000.00	\$1,200.00
10/8/2014	EFY	Initial TL and email exchanges with Jason Frank re: joint venture as co-counsel with YC LLP and M&M; TL with EC and SC re: same	1.4	\$1,000.00	\$1,400.00
10/9/2014	EFY	Email exchanges with PM re: ensuring collection of all ownership/ purchase/service records on subject vehicle as well as storage; TL to Rest Your Case to re: storage of vehicle; preservation of evidence protocol during pendency of litigation	1.8	\$1,000.00	\$1,800.00
10/11/2014	EFY	Received and reviewed JF proposed retainer and JPA agreement; email to M&M and JF re: same; Finalize edits with PM to JPA and Retainer; TL and email exchanges with EC and SC to meet and review Retainer and JPA and SC	2.8	\$1,000.00	\$2,800.00

Re: **Callaway v. MBZ**

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10/15/2014	EFY	Integrated draft M&M/YC retainer with JF/firm retainer, JPA Agreement and client consent	2.0	\$1,000.00	\$2,000.00
10/16/2014	EFY	Email exchanges with PM and JF re: final edits to retainer documents; email to EC with draft documents	1.4	\$1,000.00	\$1,400.00
10/20/2014	EFY	Final further edits; exchanges with JF and PM to retainer documents; email exchanges with PM re: research for class action filing vs. MBUSA and other manufacturers re: seat heaters	2.2	\$1,000.00	\$2,200.00
10/21/2014	EFY	Meeting with EC to review and execute retainer documents; Separate meeting with SC to review and execute retainer documents	5.9	\$1,000.00	\$5,900.00
10/21/2014	EFY	Meeting with client; email to PM and JF re: same meeting with Elizabeth Callaway and review of retention documents and joint counsel relationship; received email from with link from MBUSA "Starmark Program"; review link	2.8	\$1,000.00	\$2,800.00
10/22/2014	EFY	Received and reviewed vehicle purchase documents from client; email to Pat McNicholas re: same	.6	\$1,000.00	\$600.00
11/5/2014	EFY	TL and email exchange with Elizabeth Callaway re: status	.3	\$1,000.00	\$300.00
11/6/2014	EFY	San Diego to Newport Beach (return NB-SD) meeting with Pat McNicholas of M&M and Jason Frank of EA to discuss joint counsel prosecution of Callaway v. MBUSA seat fire class action	4.0	\$1,000.00	\$4,000.00
11/7/2014	EFY	Email exchanges with Elizabeth Callaway re: signing over ownership vehicle and Scott willingness to be co class rep	.4	\$1,000.00	\$400.00

**Re: Callaway v. MBZ**

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11/8/2014	EFY	TL with Elizabeth Callaway explaining reasons to add Scott as co-class rep; followup on email report re: same	.7	\$1,000.00	\$700.00
11/12/2014	EFY	Meeting with Scott Callaway regarding retainer agreement and related documents; followup email re: same	1.5	\$1,000.00	\$1,500.00
11/18/2014	EFY	Internal email exchanges with retention documents and final edits	.3	\$1,000.00	\$300.00
11/19/2014	EFY	TL with Elizabeth Callaway re: additional signatures to retainer agreement; followup email re: same	.3	\$1,000.00	\$300.00
11/22/2014	EFY	Email and TL to Sean Kane regarding updated data on occurrence rates and customer complaints	.6	\$1,000.00	\$600.00
11/23/2014	EFY	Received additional Early Warning Reports from Sean Kane re: MBUSA; TL with Sean re: same; internal email	.7	\$1,000.00	\$700.00
11/24/2014	EFY	Internal email exchanges re: execution retention and co-counsel documents	.4	\$1,000.00	\$400.00
12/1/2014	EFY	Reviewed operative "Toyota Rollover" complaint; email exchanges with M&M re: initial draft status	.8	\$1,000.00	\$800.00
12/2/2014	EFY	TL with Scott Callaway re: status as class rep as "purchaser"; internal email and discussions re: Scott Callaway as co-class rep	.9	\$1,000.00	\$900.00
12/2/2104	EFY	Email exchange with M&M re: addition Scott Callaway as co-class rep as purchaser	.6	\$1,000.00	\$600.00
12/3/2014	EFY	Email from Philip Shaknis of M&M with first draft of complaint; reviewed and edited; received and reviewed 2006 operation manual	2.7	\$1,000.00	\$2,700.00

**Re: Callaway v. MBZ**

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12/3/2014	EFY	Email exchanges with Phil Shaknis of M&M re; draft complaint and responses MBUSA to customer complaints posted on-line; TL with Sean Kane re: customer complaints	1.0	\$1,000.00	\$1,000.00
12/4/2014	EFY	Reviewed further edits to complaint from M&M with MBUSA reports to NHTSA; reviewed NHTSA reports	.8	\$1,000.00	\$800.00
12/5/2014	EFY	Email exchanges with team re: review draft complaint and pleading Moss Magnuson claim	.4	\$1,000.00	\$400.00
12/8/2014	EFY	Edits to draft complaint	2.5	\$1,000.00	\$2,500.00
12/9/2014	EFY	Lengthy email to client with multiple questions; reviewed client responses; TL from EC to discuss responses and further email exchanges with Pam Green of SD MBZ re: repair order; received copies of email exchanges between client and SD MBZ re: seat replacement offer; email to clients re: locating warranty; received and reviewed Release offered by MBUSA in exchange for seat replacement; email with team re: same	1.6	\$1,000.00	\$1,600.00
12/9/2014	EFY	Conference call with Team MBZ re: draft complaints further edits	1.8	\$1,000.00	\$1,800.00
12/9/2014	EFY	TL and email exchanges with clients re: case status/issues	1.0	\$1,000.00	\$1,000.00
12/9/2014	EFY	TL to Sean Kane at Safety Research in Washington, D.C. re: review of spreadsheet for incidents beyond 2009 model years; followup email to Mr. Kane and internal email re: summary of discussions	1.3	\$1,000.00	\$1,300.00
12/10/2014	EFY	Email exchanges with Mr. Kane discussing post 2009 model year incident rates; email reply	.4	\$1,000.00	\$400.00

Re: **Callaway v. MBZ**

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12/11/2014	EFY	Internal emails re: execute Retainer, Joint Prosecution Agreement, and Client Consent Fee Sharing; email from Scott Sims to further EA edits to complaint	.6	\$1,000.00	\$600.00
12/12/2014	EFY	Received and reviewed further EA edits; email to Pat McNicholas re: same	1.0	\$1,000.00	\$1,000.00
12/16/2014	EFY	Final edits to complaint; email exchanges with team re: same	2.1	\$1,000.00	\$2,100.00
12/17/2014	EFY	Meeting with clients to review draft complaint	2.0	\$1,000.00	\$2,000.00
12/17/2014	CAY	Legal research re: CLRA letters; form of registered notices; draft CLRA letter	2.4	\$600.00	\$1,440.00
12/18/2014	CAY	Edit CLRA letter to dealer	.6	\$600.00	\$360.00
12/18/2014	CAY	Prepare Civil Case Cover Sheet; Notice of Interested Parties; file Complaint; associated documents	.5	\$600.00	\$300.00
12/18/2014	EFY	TL with Elizabeth Callaway re: final edits to complaint; final edits CLRA letter; reviewed <u>Morgan v. ATT</u> and <u>Grabe vs. Sprint</u> , CLRA notice cases	1.5	\$1,000.00	\$1,500.00
12/20/2014	EFY	TL with Elizabeth Callaway re: status with lengthy followup email report on "next 120 days" of case activity	.8	\$1,000.00	\$800.00
12/22/2014	EFY	Internal emails re: proceeding with service of summons on both defendants	.4	\$1,000.00	\$400.00
12/23/2014	EFY	Multiple emails with investigator Tom Nixon, Ms. Tunis court clerk and Scott Sims re: issuance summons and service on MBUSA and Mission Imports MBZ	.8	\$1,000.00	\$800.00



**Re: Callaway v. MBZ**

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1/7/2015	EFY	Email to Elizabeth Callaway re: retention vehicle/opportunity MBUSA inspect vehicle/preservation of evidence protocols	.3	\$1,000.00	\$300.00
1/8/2015	EFY	TL with defense counsel; email stipulation to defense counsel to extend 90 LR 23-3 time period for Plaintiffs to file class cert motion; received defense edits to Stipulation; also agreement with defense counsel extending time to plead	.8	\$1,000.00	\$800.00
1/8/2015	CAY	Research defense counsel Eric Knapp; review reported MBUSA cases re: anticipated legal arguments made in similar cases in anticipation of class certification; jury verdict search for trial records	6.0	\$600.00	\$3,600.00
1/9/2015	EFY	Email exchange with MBUSA counsel re: agreement to extend Local Rule 23-3	.2	\$1,000.00	\$200.00
1/12/2015	CAY	TL with witness Rodney Cummings re: potential prior similar incident; memo to file re: same	1.0	\$600.00	\$600.00
1/13/2015	CAY	TL with Reagan Sahadi at Wiggington Rumley Dunn re: mass tort pending litigation vs. MBZ in Georgia; defective leaking gasoline tank; strategy for handling similar mass litigation vs. MBZ; report to litigation team and memo to file re: same	2.5	\$600.00	\$1,500.00
1/20/2015	EFY	Received OSC from Judge Selna; internal email re: same; email to MBUSA counsel re: stip to continue class cert fling deadline	.4	\$1,000.00	\$400.00
1/23/2015	EFY	Email exchanges with MBUSA counsel Eric Knapp confirming representation of dealer as well	.3	\$1,000.00	\$300.00
1/27/2015	EFY	Email exchanges with defense counsel and team re: meet and confer arrangements	.3	\$1,000.00	\$300.00

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1/29/2015	EFY	Email to MBUSA counsel in advance of first meet and confer with cites to Sharma v. BMW and Cholokyan v. MBZU cases re: proof of defect	.5	\$1,000.00	\$500.00
1/29/2015	EFY	Internal emails re: proof of defect” and strict product liability theories; email reminder to client to provide entire repair history of vehicle; email to Sean Kane re: potential “defect experts”	.8	\$1,000.00	\$800.00
1/29/2015	EFY	Edit Client CLRA Affidavits; email to clients re: execution	.4	\$1,000.00	\$400.00
1/29/2015	EFY	Meet and Confer conference call with MBUSA counsel regarding 12(b)6 motion to dismiss and motion to strike class allegations; detailed memo to client re: same	1.0	\$1,000.00	\$1,000.00
1/30/2015	EFY	TL with EC re: storage of vehicle; email exchanges with team recommending preservation of vehicle with Rest Your Case as shared cost basis with MBUSA; TL with Dave Galassi re: same	.9	\$1,000.00	\$900.00
2/2/2015	EFY	Further Meet and Confer call with MBUSA counsel Eric Knapp	.5	\$1,000.00	\$500.00
2/2/2015	EFY	Telephone conference with SS re: MBUSA 12b6 motion	.6	\$1,000.00	\$600.00
2/2/2015	EFY	Telephone call with SS re: further M&C issues with MBUSA counsel EK	.7	\$1,000.00	\$700.00
2/20/2015	EFY	Telephone call with SS re: case issues	.8	\$1,000.00	\$800.00
2/24/2015	CAY	Received, reviewed and revised FAC	2.9	\$600.00	\$1,740.00
3/3/2015	EFY	Telephone conference with SS	.6	\$1,000.00	\$600.00
3/4/2015	CAY	Review/revise Joint Stipulation to continue Class Certification/Proposed Order	.3	\$600.00	\$180.00

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4/12/2015	EFY	Review and edit motion to dismiss and motion to strike oppositions	3.0	\$1,000.00	\$3,000.00
4/13/2015	EFY	Telephone conference with SS regarding oppositions to motion to dismiss and to strike; review and edit draft declaration	0.80	\$1,000.00	\$800.00
4/29/2015	EFY	Telephone conference with SS regarding motion to dismiss oral argument	.3	\$1,000.00	\$300.00
4/30/2015	CAY	Review new SCOTUS decision <u>Spokeo v Robins</u> and its application to instant case; discuss with litigation team	1.2	\$600.00	\$720.00
5/7/2015	EFY	Telephone conference with SS re: motion to dismiss	.5	\$1,000.00	\$500.00
5/8/2015	EFY	Review tentative ruling on MTD; telephone conference with SS, JF, PM	1.0	\$1,000.00	\$1,000.00
5/11/2015	EFY	Meeting with SS to prepare for oral argument on MTD; travel to/from and attend oral argument	6.0	\$1,000.00	\$6,000.00
5/26/2015	EFY	TL with SS re: Rule 26 conference	.4	\$1,000.00	\$400.00
6/5/2015	EFY	TL w/MBUSA Counsel re: Early meeting; memo to file re: same	1.0	\$1,000.00	\$1,000.00
6/5/2015	EFY	Edit SAC; internal email re: same	1.2	\$1,000.00	\$1,200.00
6/5/2015	EFY	Team Memo re advisory opinion motion; TL with SS	1.1	\$1,000.00	\$1,100.00
6/11/2015	CAY	Draft correspondence to defense counsel re: meet and confer on Defendant's Initial Disclosures	.8	\$600.00	\$480.00
6/12/2015	CAY	Review/revise stipulation re: preservation of subject vehicle	.3	\$600.00	\$180.00
6/15/2015	EFY	TL with SS re: scheduling conference; review order	.5	\$1,000.00	\$500.00

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6/16/2015	CAY	TL with Jo-Renee Hunter; potential witness that experienced a sudden seat heater fire; prepare memo to team re; same	1.5	\$600.00	\$900.00
6/18/2015	CAY	Review/revise Request for Production (Set One) to MBZ	1.7	\$600.00	\$1,020.00
6/23/2015	CAY	TL with EC re: preparing answers to first set of written discovery from Defendant	1.2	\$600.00	\$720.00
7/1/2015	CAY	TL with EC & Phil Shaknis re: preparing answers to written discovery; began drafting answer to interrogatories and inspection demands	3.8	\$600.00	\$2,280.00
7/2/2015	EFY	TL with JF and SS re: experts	.5	\$1,000.00	\$500.00
7/8/2015	EFY	TL with JF and SS re: litigation strategy	.5	\$1,000.00	\$500.00
7/8/2015	CAY	Edit/draft responses to Requests for Admission (Set One)	2.2	\$600.00	\$1,320.00
7/8/2015	CAY	Exchange emails with Scott Callaway re: answering written discovery from defendant	.8	\$600.00	\$480.00
7/10/2015	CAY	Exchange emails with Scott Callaway re: identifying prior model years and makes of other MBZ vehicles owned previously as part of responding to discovery	.5	\$600.00	\$300.00
7/10/2015	CAY	Review/revise client responses to Interrogatories and Request for Production from Defendant	2.5	\$600.00	\$1,500.00
7/25/2015	CAY	Research retention potential expert UC Irvine Professor Mike McCarthy, Ph.D. for qualifications, prior work, testifying history etc.	1.0	\$600.00	\$600.00
7/29/2015	CAY	Email to litigation team re: response to defendant's meet and confer letter on Plaintiff's discovery responses	.3	\$600.00	\$180.00
7/29/2015	EFY	Telephone call with expert Professor Dr. Mike McCarthy of UC Irvine; memo to file re: same	1.3	\$1,000.00	\$1,300.00

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7/30/2015	EFY	Call with SS re dealer depositions and scope of class re: inclusion of leased vehicles	.7	\$1,000.00	\$700.00
8/3/2015	CAY	Draft 30(b)(6) deposition notice to defendants	4.1	\$600.00	\$2,460.00
8/4/2015	EFY	TL with JF and SS re: discovery issues	.5	\$1,000.00	\$500.00
8/6/2015	CAY	Edit/revise 30(b)(6) deposition notice	1.3	\$600.00	\$780.00
8/6/2015	EFY	TL w/SS re: Meet and Confer issues with MBUSA	.8	\$1,000.00	\$800.00
8/16/2015	EFY	TL with SS re discovery issues	.6	\$1,000.00	\$600.00
8/18/2015	EFY	TL with SS re discovery issues	.8	\$1,000.00	\$800.00
8/21/2015	CAY	Further edit/revise interrogatories (Set One) to defendants	1.1	\$600.00	\$660.00
8/26/2015	EFY	TL SS re Stipulation/discovery dispute	.4	\$1,000.00	\$400.00
8/27/2015	EFY	Internal emails regarding discovery matters	.9	\$1,000.00	\$900.00
8/31/2015	EFY	TL with SS and JF re: discovery	.40	\$1,000.00	\$400.00
9/2/2015	EFY	Prepare for meet and confer conference call with defense counsel	1.0	\$1,000.00	\$1,000.00
9/8/2015	EFY	Telephone call with SS re: joint stipulation	.8	\$1,000.00	\$800.00
9/14/2015	EFY	Email memo to SS regarding discovery	.5	\$1,000.00	\$500.00
9/16/2015	EFY	Telephone call with SS re MBZ RSPs/extension; deposition dates for Diertl, Bowne, Coratekin; Customer rep Rachel at MBZ at San Diego	1.0	\$1,000.00	\$1,000.00
9/16/2015	EFY	Telephone call with SS re: Early Warning Reports; Draft amended responses to RFPs; internal email re: scheduling issues	2.5	\$1,000.00	\$2,500.00

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9/17/2015	EFY	Review prior notes and further M&C with MBUSA counsel	1.5	\$1,000.00	\$1,500.00
9/21/2015	CAY	Draft Statement of Opposition to Rule 37.2 Joint Statement of discovery disputes	4.2	\$600.00	\$2,520.00
9/21/2015	EFY	Meet and Confer with MBUSA counsel	.5	\$1,000.00	\$500.00
9/25/2015	EFY	TL with SS re discovery	.5	\$1,000.00	\$500.00
10/5/2015	EFY	TL with SS and Sean Caine re (EWRs) Early Warning Reports and discovery issues; TL with defense counsel; TL with SS re custodial depositions	1.8	\$1,000.00	\$1,800.00
10/6/2015	EFY	TL with SS regarding discovery and motion to compel	.50	\$1,000.00	\$500.00
10/8/2015	EFY	TL with SS regarding discovery and class certification	.50	\$1,000.00	\$500.00
10/9/2015	EFY	Lengthy meet and confer with MBUSA counsel re discovery issues; prepared follow-up email confirming same; received and reviewed Court denial Stip re: extension of case dates; Telephone call with SS re same; second email to MBUSA counsel re proposing new dates retaining TD and PTC per Judge Selna minute order; TL with SS	2.5	\$1,000.00	\$2,500.00
10/12/2015	EFY	San Diego to Orange County for meeting at EA with SS, JF and PM re review of discovery plan; telephone conference and email to MBUSA counsel re status agreement to amended Stip to extend case dates	5.0	\$1,000.00	\$5,000.00
10/13/2015	EFY	Reviewed email exchanges including Hogan & Harston subpoena and filing revised Stip re extension case dates; Telephone call with SS re subpoena to H& H; prepared email to MBUSA counsel re further meet and confer issues	1.4	\$1,000.00	\$1,400.00

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10/14/2015	EFY	Exchanged emails with defense counsel; Telephone call with SS re deposition of MBZ SD dealer 30b6 witness	1.0	\$1,000.00	\$1,000.00
10/15/2015	EFY	Lengthy M&C with defense counsel; follow up email re same; TL and email report to clients re court granting extension of case schedule; received and reviewed SD MBZ Objections to PMQ and customer service representative deposition; TL with attorney for John Brownstein, counsel for SDMBZ.	3.5	\$1,000.00	\$3,500.00
10/18/2015	EFY	Email from MBUSA counsel re: claimed deficiencies in plaintiffs' discovery responses; internal email exchanges with SS re same; email and telephone exchanges with witness Megan Fitzgerald re: scheduling deposition	1.6	\$1,000.00	\$1,600.00
10/19/2015	EFY	Telephone call with SS to review SD MBZ objections to document requests, discuss Tim Lowery deposition date and strategies on cross: rev'd rough deposition transcript Mission Imports dealer 30b(6) witness: internal emails re same including discovery of new data base previously not disclosed by MBUSA re "LN": email and TL to John Brownstein counsel for SD MBZ re new date for customer rep 30b6 deposition and clarification on documents to be produced over objections.	4.0	\$1,000.00	\$4,000.00
10/20/2015	EFY	TL with SS regarding discovery issues	.40	\$1,000.00	\$400.00
10/21/2015	EFY	Email exchanges with defense counsel re moving site for Plaintiff's depositions; also request for clarification on reasons to depose Plaintiff's mother; finished review of transcript first session dealer Mission Imports 30b(6) rep; Rec'd and rev'd MBUSA responses to Plaintiff's RAs and RFPs; reviewed SS letter summarizing discovery disputes ripe for meet and confer; also strategy re MBUSA production of NHTSA documents	5.0	\$1,000.00	\$5,000.00

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10/22/2015	EFY	Reviewed and edited MBUSA supplemental responses including review Dropbox document production; reviewed 2 rough transcripts of Mission Imports 30b(6) PMQs; internal email re issues of commonality and unifying defect theory	6.0	\$1,000.00	\$6,000.00
10/25/2015	EFY	Email exchanges with defense counsel re request to depose Elizabeth's mother and demand for proffer via email; Phone interview with passenger witness Megan Fitzgerald including accepting subpoena and arrangements for deposition and pre-preparation meeting; TL with SS re same; TL with EC re: case status and follow-up email report; TL with SC re: case status	2.7	\$1,000.00	\$4,000.00
10/26/15	EFY	Rec'd and rev'd Motion to Quash from Hogan Lovells; Rec'd and reviewed Order from USDC Maryland; TL with SS re same	1.3	\$1,000.00	\$1,300.00
10/27/15	EFY	Reviewed defense counsel letter re meet and confer issues; Drafted lengthy email response to defense counsel on issue of liaison counsel for discovery purposes	1.5	\$1,000.00	\$1,500.00
10/28/15	EFY	TLs with SS and Jason Frank (JF) Re Hogan & Harston response to subpoena and retention of local Maryland counsel if HH does not consent to transfer to CD USDC	.6	\$1,000.00	\$600.00
10/29/2015	EFY	Received and reviewed emails between counsel David Newmann at Hogan & Harston and SS re subpoena and Protective Order; received and reviewed lengthy email from MBUSA counsel re additional meet and confer issues; TL with SS re same	3.8	\$1,000.00	\$3,800.00
10/30/2015	EFY	Lengthy TL/M&C with attorney John Bronstein re subpoena to SD MBZ; email to same; follow-up TL with SS	1.8	\$1,000.00	\$1,800.00



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11/1/2015	EFY	Received and reviewed MBUSA Motion to Compel; Email exchanges with defense re venue for Plaintiffs' depositions	1.6	\$1,000.00	\$600.00
11/2/2015	EFY	Telephone call with SS re MBUSA motion to compel further responses to "defect" contention ints and strategy re hearing; drafted proposed supplementation as part of re-considering opposition and/or use notes for hearing; emails with Maryland counsel re retention to handle filing opposition and any hearing on Hogan Harston Protective Order re Plaintiff's subpoena for NHTSA file	2.4	\$1,000.00	\$2,400.00
11/4/2015	EFY	Lengthy TL with JF and SS re "electrical diagram" and strategy re 30b6 subpoena to WET (heat seat manufacturer); rec'd and rev'd MBUSA supplemental discovery responses	2.0	\$1,000.00	\$2,000.00
11/5/2015	EFY	Lengthy TL with SS re subpoenas and 30b6 notices to WET and Johnson Controls tracking heated seat origination, models, part numbers, and component parts; reviewed defense counsel class cert Opposition in <u>Cholokayan</u> case; received and reviewed email from defense counsel re Diertl and Coratekin declarations of no knowledge in lieu of deposition and ditto re client's mother; TL with SS re same as well as further meet and confer with MBUSA counsel; prepared responsive email to defense counsel re preparations of declarations	3.6	\$1,000.00	\$3,600.00
11/6/2015	EFY	Meet and confer with defense re declarations in lieu of depositions including Mrs. Callaway; prepared deposition outline and revised draft 30b6 with production request to W.E.T. (heated seat component supplier to MBUSA) with cover email to SS re same	4.0	\$1,000.00	\$4,000.00

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11/6/2015	EFY	Finalized subpoenas and 30b(6) topics to WET and Johnson Controls re specific document requests.	1.2	\$1,000.00	\$1,200.00
11/6/2015	EFY	Edits to Motion to Compel; prepare EFY Declaration; email exchanges with defense counsel, client Scott Callaway, and witness Megan Fitzgerald re deposition dates	3.5	\$1,000.00	\$3,500.00
11/7/2015	EFY	Prepare outline for clients' deposition preparation	4.3	\$1,000.00	\$4,300.00
11/8/2015	EFY	Meeting with clients Scott and Elizabeth Callaway for depo preparation.	7.5	\$1,000.00	\$7,500.00
11/10/2015	EFY	Review tentative ruling w SS pre-hearing; TL with SS re: results on hearing; Reviewed Hogan & Harston non-consent and discussed with SS filing response on transfer issue; rec'd email from MBUSA re protocol; prepared response to defense	2.2	\$1,000.00	\$2,200.00
11/11/2015	EFY	Interview Keith Clarke re: seat fire incident; and possible new class rep; memo to file re: same.	1.5	\$1,000.00	\$1,500.00
11/12/2015	EFY	Reviewed Eric Knapp Declaration in Opposition to Plaintiffs' Motion re EWRs and prepare counter EFY declaration	1.6	\$1,000.00	\$1,600.00
11/12/2015	EFY	TL with client SC and SS re deposition cancellation; TLs, texts and emails to defense counsel; edit Hogan Lovells brief	1.5	\$1,000.00	\$1,500.00
11/13/2015	EFY	Rev'd and further edits to Plaintiffs' EWR motion to compel; TL with SS re same; rec'd and rev'd email response from John Bronstein, counsel for SD MBZ re deposition subpoena and document request; two follow-up emails to same	3.0	\$1,000.00	\$3,000.00

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11/16/15	EFY	Edits to ESI Motion to Compel and to EFY Declaration to EWR MTC; email exchanges with defense counsel, client Scott Callaway, and witness Megan Fitzgerald re: deposition dates	2.8	\$1,000.00	\$2,800.00
11/17/15	EFY	Reviewed MBUSA Supplemental Responses to RAs and internal email exchanges re strategy to move to compel full production re related EWR documents based on suspicion of under-reporting to NHTSA; rec'd and rev'd MBUSA Oppositions to EIS MTC and EWR MTC; email to SS re same; email exchanges with SS re Dec 1 deposition of former MBUSA employer Browne, need to reschedule and ability to contact witness directly if not represented; email to defense counsel re witness Browne' representation at deposition	3.0	\$1,000.00	\$3,000.00
11/18/15	EFY	Rec'd response from MBUSA counsel re proposed protocol for destructive testing; email with additional questions re proposal; rec'd responsive email and prepared a M&C letter to defense counsel proposing submission to Magistrate McCormick for resolution; rec'd Hogan & Harston letter objection to subpoena for NHSTA file re MBUSA seat heater incidents; email exchanges with defense counsel re identity of witness Browne counsel for purposes of setting deposition; lengthy TL with SS re Browne, Hogan & Harston Objections, strategy re propounding additional discovery to MBUSA in light of supplemental responses to RAs on EWRs	2.9	\$1,000.00	\$2,900.00
11/19/15	EFY	Numerous emails exchanges with SS and JF re drafting additional interrogatories to MBUSA re EWRs; Draft and editing additional interrogatories; prepared memo to client SC re summary of anticipated key deposition topics	2.5	\$1,000.00	\$2,500.00

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11/20/15	EFY	Rec'd Hogan & Harston production of NHTSA docs from MBUSA; rec'd meet and confer response from defendant re destructive testing protocol; prepared final response thereto; email exchanges with SS re discovery of new documents in Lowery production relative to MBSUA misrepresentations to court and Plaintiffs re EWRs and document retention policy; TL with SS re same; reviewed Sean Kane summary of MBUSA recalls and retrofits	4.0	\$1,000.00	\$4,000.00
11/21/15	EFY	TL with SS re review of Hogan & Harston opposition re telephonic hearing on MTN to quash; email exchanges with defense counsel re Lowery deposition and documents	.7	\$1,000.00	\$700.00
11/22/15	EFY	Multiple TL and email exchanges with team	1.1	\$1,000.00	\$1,100.00
11/23/15	EFY	Review letter order; conference with team	1.0	\$1,000.00	\$1,000.00
11/24/15	EFY	Lengthy strategy call with SS re "proof of defect", RP re exemplar seats, protocol and source documents; reviewed multiple emails with defense counsel on discovery/meet and confer issues	1.3	\$1,000.00	\$1,300.00
11/25/15	EFY	Further edits to WET and Johnson Controls subpoenas; TL SS re amending subpoenas to Johnson Controls and WET	1.6	\$1,000.00	\$1,600.00
11/27/15	EFY	Prepare memo for SS re 30b6 cross-examination of Tim Lowery	3.2	\$1,000.00	\$3,200.00
11/30/15	EFY	Calls with SS re: Scott Callaway depo	.80	\$1,000.00	\$800.00
12/1/15	EFY	TL with SS and JS re post-hearing debrief; internal email exchanges re review and discussion of order; TL with client SC post-deposition; rec'd and rev'd MBUSA responses to EC Ints;	1.9	\$1,000.00	\$1,900.00

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12/2/15	EFY	Lengthy TL with SS during Lowery deposition re cross examination tactics and topics	.8	\$1,000.00	\$800.00
12/3/15	EFY	Review "sharelink" MBUSA production of EWR documents;	1.5	\$1,000.00	\$3,100.00
12/4/15	EFY	Lengthy TL with SS re Lowery deposition and strategy re M&C to magistrate on outstanding discovery issues	1.0	\$1,000.00	\$1,000.00
12/8/15	EFY	TL with SS pre M&C; lengthy meet and confer with defense counsel; With SS review issues re MBUSA intent to file MTC re: arbitration	2.2	\$1,000.00	\$2,200.00
12/9/15	EFY	Lengthy TL with PM re non-delegable duties of Daimler re sale of cars in USA and potential of MBSUA as agent therefore triggering access to Daimler documents over Chinese Wall MBUSA has erected; TL with Dr. Diaz a potential additional class rep - recent victim of seat fire; email exchange with team	1.7	\$1,000.00	\$1,700.00
12/9/15	EFY	Rev'd Callaway Elizabeth rough depo transcript; Team emails and TLs re MBUSA MTC arbitration: email PM re Dr. Diaz new class rep; Drafted proposed expert protocol for vehicle inspection and training	2.8	\$1,000.00	\$2,800.00
12/11/15	EFY	Lengthy internal email re protocol, inspection, and discovery directed to design documents; TL with SS; lengthy meet and confer with Genthern Atty John Alfs re: Plaintiffs' 30b(6) subpoena	2.5	\$1,000.00	\$2,500.00
12/12/15	EFY	Rec'd and rev'd emails from defense counsel on discovery issues; email exchanges with SS re protocol and dismissal of dealer	.9	\$1,000.00	\$900.00
12/13/15	EFY	TL with SS regarding Genthern strategy; review discovery	1.0	\$1,000.00	\$1,000.00

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12/15/15	EFY	TL with MBUSA counsel re Rule 41 dismissal of dealer Mission Imports; Follow-up email to same and litigation team; email exchanges with SD MBZ attorney John Bronstein re production of subpoenaed documents; email to safety consultant Sean Kane; rec'd notice from Magistrate's clerk re telephone conference; email exchanges internally re letter to Magistrate addressing discovery issues; additional edits; email exchanges with expert Dr. Gerry Zamiski re setting up phone conference with team to discuss protocol for destructive testing and exemplar inspections	4.0	\$1,000.00	\$4,000.00
12/16/15	EFY	TLs with SS re Magistrate letter; final edits to Magistrate letter re summary discovery issues; rec'd proposed draft dismissal from Dealer ; TL with SS re same; email to defense counsel re same	1.6	\$1,000.00	\$1,600.00
12/17/15	EFY	Rec'd and rev'd draft declaration of Diertl from defense counsel; TL with SS re same	.5	\$1,000.00	\$500.00
12/17/15	EFY	Rev'd MBUSA letter and prepared for hearing with Magistrate; Appear at hearing; follow-up conversation with SS and team re hearing	2.0	\$1,000.00	\$2,000.00
12/17/15	EFY	Revised Stip re dismissal dealer: email to defense counsel re same; TL and email report to client re approval for dismissal	.6	\$1,000.00	\$600.00
12/22/15	EFY	Rec'd and rev'd Magistrate's Minutes of Hearing	.4	\$1,000.00	\$1,000.00
12/28/15	EFY	Rev'd responses MBUSA RFP Set 3 from EC; prepared notes for M&C with SS	1.0	\$1,000.00	\$1,000.00
1/5/16	EFY	TL with SS re meet and confer with further edits to letter to Magistrate McCormick post supplemental MBUSA production	.8	\$1,000.00	\$800.00
1/5/16	EFY	Conf call with Dr. Gerry Zamiski; memo to file	.9	\$1,000.00	\$900.00

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1/6/16	EFY	Post hearing email to MBUSA re protocol; further email exchanges with Dave Galassi re sourcing exemplar seats for testing	.7	\$1,000.00	\$700.00
1/7/16	EFY	Rec'd email demand from MBUSA for supplemental responses; email confirming supplementation; prepare finalized supplemental responses; obtain client verifications	1.6	\$1,000.00	\$1,600.00
1/8/16	EFY	Rec'd and rev'd Joint Stip re motion to compel class discovery; Lengthy TL with SS re list of exemplar seats for inspection; exchanged emails with Dave Galassi re acquisition exemplar seats; email exchange with defense counsel re further meet and confer on custodian identification/depositions	1.7	\$1,000.00	\$1,700.00
1/8/16	EFY	Lengthy email exchange with defense counsel re protocol for destructive testing; TL with expert Dr. Zamiski re same	1.0	\$1,000.00	\$1,000.00
1/8/16	EFY	TL with SD MBZ counsel re discovery of additional email thread including discussion of redactions based on privilege; confirming email re same; email clients re verifications of supplemental discovery responses	1.0	\$1,000.00	\$1,000.00
1/11/16	EFY	Rev'd Motion to Compel; email to SS with edits	1.2	\$1,000.00	\$1,200.00
1/12/16	EFY	Review Dr. Zamiski protocol; TL with team re same; revised MBUSA protocol	1.1	\$1,000.00	\$1,100.00
1/14/16	EFY	TL with SS re M&C on MSJ by MBUSA- internal email exchanges – including setting briefing schedule; email exchanges with MBUSA re formalization of revised protocol; email to expert Gerald Zamiski with Protective Order requesting affirmation; email exchanges with MBUSA re protocol for delivery of Callaway seat to Vollmer Gray Labs re wrap and	4.0	\$1,000.00	\$4,000.00

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		delivery conditions; TL with SS re finalization of exemplar acquisition list; email to Dave Galassi re final acquisition list of heated seat exemplars for destructive testing			
1/15/16	EFY	Internal email exchanges re Diaz burned seat securing for testing at VG; email exchanges with John Bronstein of Arent Fox for SD MBZ re waiver of privilege and plaintiffs demand further production; email exchanges with MBUSA counsel re same; rec'd email from MBUSA re identification of additional custodians; TL with SS re additional discovery issues for class cert	2.0	\$1,000.00	\$2,000.00
1/18/16	EFY	Rec'd and rev'd MBUSA Opposition to Plaintiffs motion re "pre- class certification"; TL with SS re same; internal emails and TLs to arrange attendance of counsel rep at Jan 21 <sup>st</sup> inspection of Callaway seat; rec'd and rev'd Plaintiff's further production of documents	3.6	\$1,000.00	\$3,600.00
1/19/16	EFY	Multiple emails and TLs with Rest Your Case and Vollmer Gray Labs re packaging and delivery of Callaway seat for Jan 21 mutual inspection; email exchange with SS re Tennessee claimant/witness; email counsel in Memphis re referral; TL with SS re research CA strict product liability including failure to warn/ <u>Ault vs. International Harvester</u> and design defect/chain of commerce; pull briefs re same	2.3	\$1,000.00	\$2,300.00
1/20/16	EFY	Lengthy TL with SS re anticipated MSJ on defect issue; emailed research on SPL and negligent failure to warn/Consumer Expectation Test theories to team; Lengthy TL with Phil Shaknis of M&M re attending joint vehicle inspection January 21 <sup>st</sup>	3.1	\$1,000.00	\$3,100.00
1/21/16	EFY	Rev'd and edited Joint Stip re M&C on MBUSA MSJ; three lengthy TLs with expert Dr. Zamiski	1.5	\$1,000.00	\$1,500.00



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		during inspection; TL with SS re Reply brief and discussed strategy on MSJ re defect issue			
1/22/16	EFY	EFY Edits to Reply to MBUSA Opp. To MTC pre-class certification; email to team re same	2.0	\$1,000.00	\$2,000.00
1/26/16	EFY	Reviewed and edited supplemental Rule 26 disclosures; TL with SS regarding Mrs. Diaz re potential disclosure/declaration; TL with TN attorneys re referral TN MBZ owner with seat fire incident; reviewed MBUSA letter brief to Magistrate and Plaintiff's Reply letter in preparation for telephonic hearing; emails to expert Gerry Zamiski re testing; email exchange with Dave Galassi re exemplar acquisition; attend telephonic hearing with Magistrate McCormick	4.0	\$1,000.00	\$4,000.00
1/28/16	EFY	Rec'd and rev'd MBUSA MSJ – TL with SS re same; TL with NHTSA expert Allan Kam; email to team re same; follow-up email to Mr. Allan Kam re setting up conf call; rec'd and rev'd emails with MBUSA re stip to ascertainability in exchange for limiting Plaintiffs RP; TL with SS re same and internal email re same; TL with Gerry Zamiski re results of inspection, request for additional testing, and cost of exemplar inspections; internal email exchanges re Dr. Zamiski conversation; rec'd draft and prepared edits to Plaintiffs' 30b6 for MBUSA; email to SS and JF re same	6.5	\$1,000.00	\$6,500.00
2/1/16	EFY	TL with SS re Elizabeth Callaway re purchase other class model MBZ; TL EC re same; email SS re same; Rec'd email confirmation from Allan Kam re retention; EFY responsive email; Additional TL with NHTSA expert Allan Kam; TL with SS re issue of scope of Kam declaration for Opp to MSJ;	2.0	\$1,000.00	\$2,000.00

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2/2/16	EFY	TL with SS re internal discussions re materiality issue for class cert; reviewed MBUSA prior summary judgments and class cert opposition filings from SS; Meeting with EC and review of 2004 purchase documents M class model; Conference call with expert Dr. Gerry Zamiski re supplying declaration for Opp to MBUSA MSJ; email exchanges with MBUSA counsel re setting declarant depositions	5.0	\$1,000.00	\$5,000.00
2/3/16	EFY	Begin drafting Dr. Zamiski declaration for Opp to MSJ; internal emails re same; rec'd and rev'd BMW 2004 NHTSA recall for 15,000 vehicles same issue with internal emails re same	3.6	\$1,000.00	\$3,600.00
2/4/16	EFY	TL with SS re declaration from EC; lengthy TL with EC; Draft declaration for OPP to MS	2.8	\$1,000.00	\$2,800.00
2/4/16	EFY	TL with SS re Tennessee witness declaration; edit same; further TL with SS re Seattle witness declaration and legal standards for unreasonable safety hazard under CLRA	1.4	\$1,000.00	\$1,400.00
2/4/16	EFY	Review of CA/CLRA and federal case law on materiality and "gravity of harm" re unreasonable safety hazard	4.5	\$1,000.00	\$4,500.00
2/5/15	EFY	Reviewed and summarized deposition of Daniel Bud former MBZ plaintiff in Washington seat fire case vs. MBUSA; TL and emails with SS re same re potential use as declaration in Opp to MSJ	3.3	\$1,000.00	\$3,300.00
2/8/16	EFY	Rec'd and rev'd Draft Opposition to MSJ including Memorandum, Statement of Facts, etc; edits to Opp; Conference call with expert Gerry Zamiski re expert declaration; Tl with SS re declarations of TN and NY witnesses; second lengthy TL with SS re final edits to Opposition	6.5	\$1,000.00	\$6,500.00

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2/9/16	EFY	Research and review case law re cost of repairs as proper measure not of damages but valuation – see “we point out that cost of repairs is not of itself the proper measure of damages (Central Mutual Ins. Co. v. Schmidt, 152 Cal.App.2d 671, 675–676, 313 P.2d 132), although it may be resorted to as a means of determining value (Unger v. Campau, 142 Cal.App.2d 722, 727–728, 298 P.2d 891).”; reviewed Defense Counsel Eric Knapp’s <u>Choloyakan</u> motion in opposition to class certification for MBUSA	5.1	\$1,000.00	\$5,100.00
2/19/16	EFY	Reviewed deposition notes for witness Browne; rec’d and rev’d MBUSA motion for PO re: Plaintiffs’ 30b6 notice; prepare notes for Opposition	2.3	\$1,000.00	\$2,300.00
2/21/16	EFY	TLs and email exchanges with Dave Galassi of Rest Your Case re: status exemplars and transfer to Vollmer Gray lab for inspection by Dr. Zamiski	.5	\$1,000.00	\$500.00
2/23/16	EFY	Review Reply papers MBUSA; internal email re same; email exchanges with NHTSA expert Allan Kam	2.6	\$1,000.00	\$2,600.00
2/24/2016	CAY	TL with witness Damian in New York re: prior similar seat heater fire; memo to team	.8	\$600.00	\$480.00
2/25/2016	CAY	Drafted Opposition to Defendant’s Objection to Plaintiff’s Request for Judicial Notice	4.7	\$600.00	\$2,820.00
2/25/2016	EFY	TL with SS regarding class cert and MBUSA response to Zamiski	1.0	\$1,000.00	\$1,000.00
2/26/2016	CAY	Legal research re: Kim v. Toyota for use in Opposition to Defendant’s Motion for Protective Order	.9	\$600.00	\$540.00

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2/26/16	EFY	Email exchanges with Dave Galassi re exemplars; email exchanges with defense counsel re requested discovery "limitations"; research oppositions to MBUSA evidentiary objections to MSJ Opp	3.4	\$1,000.00	\$3,400.00
2/26/16	EFY	Reviewed opposition to motion for protective order re 30b(6); TL with SS re same and discovery issues; TL defense counsel re stipulation for 90 day continuance of case dates; Follow-up email to defense counsel re same	1.7	\$1,000.00	\$1,700.00
2/26/16	EFY	Internal emails and team calls regarding structure class-action certification motion, continuance class-action filing date, retention Boston damages expert, other case strategy issues; letter to NHTSA expert Allan Kam	1.5	\$1,000.00	\$1,500.00
2/27/2016	CAY	Edited Opposition to Defendant's Objection to Plaintiff's Request for Judicial Notice	1.5	\$600.00	\$1,500.00
2/27/16	EFY	Final edits to response to MBUSA evidentiary objections	2.3	\$1,000.00	\$2,300.00
2/27/16	EFY	Edited response to objections to Dr. Zamiski declaration: internal emails and analysis re same	2.2	\$1,000.00	\$2,200.00
2/29/2016	CAY	Edit/revise Opposition to Defendant's Objection to Plaintiff's Request for Judicial Notice	.8	\$600.00	\$480.00
2/29/16	EFY	TL with SS re MBUSA offer stipulation to extension of class cert filing deadline; email response to defense counsel re same; internal email exchanges re evidentiary objections by defense in opposition to the MSJ	1.5	\$1,000.00	\$1,500.00
3/3/16	EFY	Email exchanges with defense counsel and Judge Selna's clerk re new date for hearing on MSJ and dispute over EWR production per former MBUSA witness Browne disclosures.	.6	\$1,000.00	\$600.00

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3/7/16	EFY	Rev'd proposed damages survey; edits to same; rev'd email exchanges with expert Scott Wier re survey and calculation class damages; TL with SS re tentative ruling of Magistrate on MTC: rec'd and rev'd tentative ruling ; email to Dr Zamiski re test results	1.7	\$1,000.00	\$1,700.00
3/9/16	EFY	Rev'd minute order final ruling on 30b6; internal emails with team re taking specific issues to Judge Selna	.4	\$1,000.00	\$400.00
3/9/16	EFY	Conf call with NHTSA expert: Alan Kam; internal emails re declaration for class cert; TL with SS re agenda for conf call with NHTSA expert	1.3	\$1,000.00	\$1,300.00
3/15/2016	CAY	Draft Motion for Review of Magistrate Decision granting in part Defendant's Motion for Protective Order	8.1	\$600.00	\$8,100.00
3/15/16	EFY	TL with SS regarding deposition preparation and strategy	.5	\$1,000.00	\$500.00
3/16/16	EFY	Rev'd and edited letter brief to Magistrate	1.3	\$1,000.00	\$1,300.00
3/17/16	EFY	Email exchanges with Dave Galassi re exemplar search; rev'd and revised amended 30b6 notice; TL with Dr. Gerald Zamiski re results of inspection and testing of 12 heated seats; memo to team re same; rec'd and rev'd power point and inspection table with results from Vollmer Gray Labs; Rec'd draft motion on Magistrate's ruling on two topics; edited same and email to team	3.7	\$1,000.00	\$2,000.00
3/17/16	EFY	Reviewed Thomas Brunner rough transcript – email to SS in NJ for 30b6 depositions re same	1.0	\$1,000.00	\$1,000.00
3/21/16	EFY	TL with SS re revisions to survey/consult with damages expert; rec'd and rev'd changes to survey and email from Jason Frank to damages expert; rev'd email exchanges with defense counsel re continued meet and confer on 30b6 topics; multiple emails re inspection of the	2.3	\$1,000.00	\$1,900.00

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		“Diaz” seat by Vollmer Gray; internal emails re Wednesday conference all with Dr. Zamiski; TL with Allan Kam regarding document review.			
3/22/16	EFY	Reviewed USSC <u>Tyson</u> decision relative to use of statistical sampling in class actions to establish damage; TL with SS re same and exchange of emails internally with team; reviewed and edited proposed stipulation with defense counsel re 2 week continuance of class cert filing deadline; internal emails with Dave Galassi of Rest Your Case regarding new exemplars for S and C class 2010 and 2011 model heated seats; email to defense counsel re proposed dates for Megan Fitzgerald deposition in San Diego; TL with SS in New Jersey re 30b6 deposition testimony on EWRs and releases; TL with EC and SC re: case status with followup email report	5.0	\$1,000.00	\$5,000.00
3/23/16	EFY	Conf call with SS and Dr. Gerry Zamiski; lengthy TL with JF and SS re determination of class size for class cert motion; email exchanges with MBUSA counsel and witness Megan Fitzgerald re setting deposition on short notice; rec’d and rev’d stipulation edits from MBUSA counsel re extension of class cert filing date; rec’d and rev’d Magistrate’s minutes of last hearing; TL with Megan Fitzgerald re setting deposition March 29 at 2pm in San Diego; email confirmation to defense counsel re noticing same and YC LLP	3.8	\$1,000.00	\$3,800.00
3/24/16	EFY	TL with NHTSA expert Allan Kam re declaration for class cert; rec’d and rev’d article written by Mr. Kam while Sr. Attorney at Office of Defect Investigations NHTSA; Rec’d and rev’d Judge Selna minute order on additional briefing and continuance hearing on MSJ; TL with SS re Kam Declaration and strategy for responding to Judge Selna’s minute order re request for additional briefing on chain of title	5.5	\$1,000.00	\$5,500.00

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		Callaway “vehicle” and disclosure duty under CLRA for sale pre-owned certified vehicle by dealer; TL from Pat McNicholas co-counsel discussing damages model specifically including E Class; rec’d and rev’d Dropbox of documents submitted to Mr. Kam by Egan & Avenatti LLP; Rec’d and rev’d recent additional testing data from Dr. Zamiski on the “Diaz” E Class 2007; TL with SS and Dr. Zamiski to discuss updated data and Declaration in support of class cert motion; email exchanges with Dave Galassi re acquisition of additional 4 exemplars, 3 E class and 1M Class			
3/28/16	EFY	Prepare for deposition of witness Megan Fitzgerald; Email and TL with Elizabeth Callaway re same; TL with SS re declaration of NHTSA expert Allan Kam and Fitzgerald deposition; Begin drafting Kam Declaration in support of MTN for Class cert; rec’d and rev’d Judge Selna approving modification case schedule; report to clients re case status; rec’d and rev’d additional document production from MBUSA; additional edits to revised 30b6 notice on remaining topics post Magistrate ruling on MBUSA’s protective order	6.2	\$1,000.00	\$6,200.00
3/29/16	EFY	Meeting with Megan Fitzgerald for deposition preparation; attend and defend Fitzgerald deposition; meeting with MBUSA counsel after deposition to discuss case issues including deposition in TN of witness and additional briefing requested by Judge Selna; TL with SS re discussed deposition testimony; prepared testimony summary for file; email to MBUSA counsel re sending YC LLP transcript; email exchanges with Dave Galassi re exemplar search status	8.5	\$1,000.00	\$8,500.00
3/31/16	EFY	TL with SS re Galassi exemplar search, revisions to survey, Kam Declaration, addressing with Dr.	6.2	\$1,000.00	\$6,200.00

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		Zamiski “repeated use” issue in conference call, M&M review of customer complaints and EWR in 12,000 lines of spreadsheet entries produced from MBUSA; research Beverly Song Warranty Act re pre-certified vehicles; review Exhibits from NHTSA to Ford and Suzuki re effects DOI closing resume; review MBUSA supplemental briefing re MSJ; rec’d MBUSA responses to Scott Callaway interrogatories; TL with SS re same			
4/5/16	EFY	Prepared second draft of Kam Declaration; rev’d final 30b6 amended notice; rec’d and rev’d MBUSA’s responses to Scott Callaway additional interrogatories; prepared memo re potential meet and confer topics re same; email exchanges internally re TN witness deposition	3.7	\$1,000.00	\$3,700.00
4/6/16	EFY	TL with Allan Kam re declaration; email and TL with SS re same; additional edits to Kam Declaration; rec’d and rev’d rough deposition transcript MBUSA Tim Lowery; memo to file re: same	4.0	\$1,000.00	\$4,000.00
4/9/16	EFY	Extensive re-drafting and editing of Zamiski Declaration for Class Cert Motion including re-review two MBUSA NHTSA investigations and Zamiski summary of testing and inspection findings	3.8	\$1,000.00	\$3,800.00
4/11/16	EFY	TL with team re: initial survey results and effect on damages modeling as well as Zamiski declaration; rec’d and rev’d initial draft economist Bruce McFarlane declaration for class cert; rec’d and rev’d further production of documents from MBUSA limited to CA class only; TL with SS and email exchanges with MBUSA counsel over failure to provide nationwide class information;	2.9	\$1,000.00	\$2,900.00



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4/12/16	EFY	Conference call with Dr. Zamiski re declaration for class cert; TL with SS re same and additional edits to Zamiski Declaration; TL with SS re revisions to survey; Rec'd and reviewed Fitzgerald transcript; memo to file re: same; letter to witness re review and signature; rec'd and rev'd additional document production and email exchanges from MBUSA and letter to Magistrate McCormick seeking hearing over refusal MBUSA to provide nationwide information; internal email exchanges re cancellation and rescheduling of TN deposition	4.6	\$1,000.00	\$4,600.00
4/13/16	EFY	Additional edits to Zamiski declaration; email to SS re Fitzgerald transcript and adding to Zamiski review and declaration re "passenger eyewitness observations"	1.5	\$1,000.00	\$1,500.00
4/15/16	EFY	Review tentative ruling; TL with SS re: tentative ruling	.80	\$1,000.00	\$800.00
4/17/16	EFY	Analyze Judge Selna tentative ruling, motion papers and cases cited by Court in preparation for hearing on MBUSA MSJ; multiple internal emails among legal team re tentative ruling and strategy for oral argument	3.0	\$1,000.00	\$3,000.00
4/18/2016	CAY	TL with witness Geoff in Arkansas re: similar seat heater defect incident; memo to team	.8	\$600.00	\$480.00
4/18/16	EFY	Travel to Orange County (USDC- Santa Ana) from San Diego for 12 noon meeting with SS to prepare for argument on MSJ; attend 1:30pm hearing before Judge Selna; Return trip to San Diego; Report to clients with follow-on email; Lengthy TL with Mrs. Callaway re Judge Selna decision to dismiss her from the case as class representative based on lack of standng	8.0	\$1,000.00	\$8,000.00
4/19/16	EFY	Rec'd Judge Selna Order requesting additional briefing on <u>LiMandri</u> issues; TL with SS re	3.1	\$1,000.00	\$3,100.00

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		same; rec'd and rev'd internal emails from legal team re same; TL with SS re seeking Stip to Continue class cert filing deadline 2 weeks from Judge Selna final ruling on MBSUA MSJ; rev'd and edited proposed stip; rec'd and rev'd email to MBUSA counsel with proposed stip and order; rev'd Daimler 2008 design change documents to rear seat heater; email exchange with SS re same: email exchange with SS re edits to EFY email on agenda for Zamiski April 20 conference call to review Declaration for Class Cert motion			
4/20/16	EFY	Multiple TLs with SS re review of Dr. Zamiski's Declaration edits, MBUSA edits to Proposed Stip/Order extending class cert motion filing date, and briefing strategy re 'ostensible agency' of Mission Imports and MBUSA downloading portal and execution of Certification/Inspection documents ; Lengthy TL with SS and Dr. Zamiski to review Declaration; Prepared further revisions to Dr. Zamiski Declaration; internal legal team emails re preliminary survey results	5.7	\$1,000.00	\$5,700.00
4/21/16	EFY	TL w SS to review EFY edits to Zamiski declaration: telephone call with SS and JF current survey results; telephone call with John Boone at Econ One in Los Angeles; additional internal emails exchanges among the team re survey/damages modeling; TL with SS and JF re: draft survey questions	3.8	\$1,000.00	\$3,800.00
4/22/2016	EFY	Multiple telephone calls and email exchanges with Econ One, SS and JF re survey and damages modeling	1.8	\$1,000.00	1,800.00
4/24/2016	EFY	Further emails exchanges with EconOne John Boone; TL with SS re: same	1.0	\$1,000.00	\$1,000.00
4/25/2016	EFY	Internal emails and TLs re survey results; TL with Dr. Zamiski and SS re further testing results E Class; rec'd and rev'd transcript on MSJ	1.9	\$1,000.00	\$1,900.00

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		hearing in preparation for Supplemental Briefing Order of Judge Selna			
4/26/2016	EFY	TL and email exchanges with Econ One (Brian Klieger and John Boone) and SS/JF re survey and damages modeling; internal TLs re same; research Jennifer Bloom and Russell Research firms;	1.4	\$1,000.00	\$1,400.00
4/28/2016	EFY	TL with SS re survey and damages modeling; Rec'd and reviewed Dr. Sukumar sample Expert Declaration; Lengthy Conf Call with legal team re retention survey experts and damages modeling	2.9	\$1,000.00	\$2,900.00
4/29/2016	EFY	Rev'd and edited Supplemental Briefing on "transaction" issue in MBUSA MSJ per Order of Judge Selna on common law fraud cause of action	1.3	\$1,000.00	\$1,300.00
4/29/2016	EFY	Reviewed MBUSA supplemental briefing; researched Judge Selna cited opinion on the issue of warranty and "transaction"; internal email exchanges discussing whether or not to seek leave to file Reply; TL with clients Elizabeth & Scott Callaway followed by email report to clients	2.1	\$1,000.00	\$2,100.00
5/3/2016	EFY	Review engineering, fire and materials science articles including cause and origin of automobile seat fires, superheating conductive materials (e.g. carbon heating mats), combustion vs. arcing, and physical evidence of arcing on wires, e.g. beading; Conference call with Dr. Gerry Zamiski regarding these topics and structure of his Declaration in Support of Class Certification Motion	4.9	\$1,000.00	\$4,900.00
5/9/2016	EFY	TL with SS, JF and experts regarding damages issues	1.5	\$1,000.00	\$1,000.00

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5/10/2016	EFY	Drafting and editing Zamiski Class Certification Declaration; TL with JF re: current iteration of Zamiski Declaration and status survey by damages consultant	4.6	\$1,000.00	\$4,600.00
5/11/2016	EFY	Edits to Zamiski Declaration; email edits to team; TL with JF re edits; reviewed Dr. Sukumar "Quantitative Survey Questionnaire"	6.8	\$1,000.00	\$6,800.00
5/12/16	EFY	Pull and email excerpts from Fitzgerald deposition to Dr. Zamiski; TL with Dr. Zamiski re same	1.6	\$1,000.00	\$1,600.00
5/18/16	EFY	Draft EFY Class Certification Declaration	1.5	\$1,000.00	\$1,500.00
5/19/16	CAY	Edit/revise Declaration of EFY in support of Motion for Class Certification	.5	\$600.00	\$300.00
5/19/16	EFY	Final edits to additional discovery to be served on MBUSA; Reviewed spreadsheets produced by MBUSA for "Manufacturer's Suggested Retail Price" for class vehicle; TL with SS re impact MSRFP on class damages modeling and discussions with retained economist; prepared for Zamiski conference call to finalize Declaration for Class Cert motion; additional edits to EFY Class Cert Declaration; Conference call with Dr. Zamiski; TL call with Megan Fitzgerald regarding review of deposition transcript; follow-up email confirmation to Ms. Fitzgerald	5.6	\$1,000.00	\$5,600.00
5/20/16	EFY	Reviewed Zamiski Testing/Inspection Spreadsheet (exhibit for Class Cert Declaration); lengthy TL with SS re same; prepared lengthy email to Dr. Zamiski re final edits to Spreadsheet; TL with Dr. Zamiski re same	3.8	\$1,000.00	\$3,800.00
5/23/15	EFY	TL with JF re necessity of request to seek page extension on brief; researched and review articles pertaining to conjoint analysis	5.0	\$1,000.00	\$5,000.00

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5/26/16	EFY	Reviewed and revised Class Cert Motion; call with Dr. Zamiski re: completed edits to Declaration; rec'd and rev'd Vollmer Gray exhibits to Zamiski Declaration; edits to exhibits	8.5	\$1,000.00	\$8,500.00
5/27/16	EFY	Rev'd Sukumar conjoint analysis and Bruce MacFarlane preliminary damages model; TL with SS and JF re same; rev'd draft Sukumar and MacFarlane Declarations; research each expert's CV to identify prior articles, writings, or testimony bearing on any draft Class Cert opinions;	7.5	\$1,000.00	\$7,500.00
5/30/16	EFY	Further edits and revisions to Class Cert Motion given page limit/denial request to exceed page limit; additional legal research on Daubert motions/9 <sup>th</sup> Circuit cases on damage based on survey evidence	8.5	\$1,000.00	\$8,500.00
5/31/16	EFY	Meeting with Scott Callaway to discuss status of case, Class Cert Motion, and client Declaration for Class Cert Motion; TL and email exchanges with Dr. Zamiski re proposed dates for deposition	5.8	\$1,000.00	\$5,800.00
6/2/16	EFY	Email exchanges with MBUSA counsel re setting Dr. Zamiski deposition for June 29; TL from Dr. Zamiski re scheduling prep session; TL with JF re production of Dr. Sukumar data in advance of deposition	1.2	\$1,000.00	\$1,200.00
6/3/16	EFY	Telephone conversations with clients; Prepare substitution of Frank Sims Stolper in lieu of Eagan Avenetti; multiple email exchanges with MBUSA counsel regarding scheduling expert depositions Dr. Zamiski, Dr. Sukumar, and Economist MacFarlane	4.1	\$1,000.00	\$4,100.00
6/15/16	EFY	Rec'd and rev'd MBUSA's Deposition Notice and Production Request for Dr. Zamiski; TL with Dr. Zamiski assistant to walk through the	3.4	\$1,000.00	\$3,400.00

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		document pull and copying for deposition exhibits; follow-up email to Dr. Zamiski re setting meeting at Vollmer Gray Labs for pre-deposition preparation			
6/20/16	EFY	Rec'd and rev'd MBUSA responses to W. Callaway additional discovery; TL with and confirming email to witness Megan Fitzgerald re finalizing deposition review, signing, and errata procedures; TL and follow-on email exchanges with Vollmer Gray Labs and Dr. Zamiski re locating the Diaz vehicle seat repair documentation; received and reviewed large Dropbox folder with Dr. Sukumar source documents and discoverable expert writings; also received and reviewed Economist McFarlane source documents and discoverable writings; prepared detailed notes for anticipated cross examination and pre-deposition preparation areas	6.4	\$1,000.00	\$6,400.00
6/23/16	EFY	TL with JF re oral summary of Dr. Sukumar testimony and discussions with MBUSA counsel re conjoint analysis/anticipated Daubert challenge; Reviewed and summarized Dr. Sukumar rough deposition transcript; discussion with JF and SS re additional discovery to MBUSA re: "absorption of diminution cost/profit" ; TL with SS re Dr. Zamiski deposition preparation strategy	4.8	\$1,000.00	\$4,800.00
	EFY	SD to LA/LA to SD to Vollmer Gray Labs to prepare Dr. Zamiski for deposition including reviewing document pull in response to MBUSA Deposition Notice Production Request	9.0	\$1,000.00	\$9,000.00
6/28/2016	EFY	TL with JF re Fitzgerald deposition and joint TL with Dr. Zamiski re same	.8	\$1,000.00	\$800.00
6/30/2016	EFY	TL with JF and SS re email from MBUSA counsel re resumption of Dr. Zamiski deposition	1.1	\$1,000.00	\$1,100.00

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		for failure to produce fire testing and video; TL with Dr. Zamiski re same			
7/1/2016	EFY	Received and reviewed Economist MacFarlane rough transcript; prepared additional suggested discovery topics via interrogatories and production request to MBUSA	3.1	\$1,000.00	\$3,100.00
7/5/2016	EFY	Lengthy TL with SS re additional discovery to MBUSA via interrogatories; rec'd SS draft discovery; detailed edits and comments re same; also TL with JF re: MBUSA "offset" fully mitigated on resale/no Article III standing for all but current owners; legal research "offset" defense	4.0	\$1,000.00	\$4,000.00
7/6/2016	EFY	Rec'd email from defense counsel re request for telephonic hearing with Magistrate over dispute regarding Dr. Zamiski "flame video" and testing; rev'd and edited Plaintiff's letter brief response; Telephonic hearing with Magistrate McCormick	2.8	\$1,000.00	\$2,800.00
7/13/2016	EFY	Final edits to additional Scott Callaway Interrogatories to MBUSA relating to issues of 'absorption of profit' and "full mitigation on resale" defenses; call with JF and SS re same; email report to client re status	4.0	\$1,000.00	\$4,000.00
7/14/2016	EFY	Review and summarize Dr. Zamiski deposition transcript with internal memo re: "errata"	2.6	\$1,000.00	\$2,600.00
7/28/2016	EFY	Review final Dr. Sukumar and Economist MacFarlane transcripts	4.8	\$1,000.00	\$4,800.00
8/2/2016	EFY	TL with JF and SS re Dr. Zamiski deposition	.5	\$1,000.00	\$500.00
8/3/2016	EFY	TL with JF and SS re changes to Dr. Zamiski errata	.4	\$1,000.00	\$400.00
8/4/2016	EFY	TL with SS re additional discovery served on MBUSA; Magistrate call re strategic needs for	.6	\$1,000.00	\$600.00

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		Reply and discussion deposition schedule of experts identified in MBUSA Opposition			
8/10/2016	EFY	Received and reviewed MBUSA Opposition to Class Certification including all Declarations, <u>Daubert</u> motions, and related filings; Prepared comprehensive internal memo re same for Reply strategy; TL and email report to clients re same	8.0	\$1,000.00	\$8,000.00
8/13/2016	EFY	Review Dropbox of documents from MBUSA regarding sales and reconditioning of pre-certified vehicles re “improper assumption loss profit absorption/no sales” defense arguments; prepared internal memo re same both for deposing expert economist and potential <u>Daubert</u> motion/evidentiary objections	4.6	\$1,000.00	\$4,600.00
8/15/2016	EFY	Prepare for D. Zamiski conference call re review of defense engineer Livernois declaration; TL with Dr. Zamiski re same; send MBUSA 30b6 witness Tim Lowery deposition transcript to D. Zamiski	2.7	\$1,000.00	\$2,700.00
8/19/2016	EFY	Prepared cross examination outline for Dr. Livernois MBUSA expert deposition	6.0	\$1,000.00	\$6,000.00
8/22/2016	EFY	Reviewed rough deposition transcript of Olivier Toubia, Ph.D., MBUSA expert- prepared notes for rebuttal Declaration from Plaintiff’s survey expert; rec’d and rev’d MBUSA responses to Plaintiff’s 4 <sup>th</sup> Set of Ints and 3 <sup>rd</sup> set of RP	4.9	\$1,000.00	\$4,900.00
8/23/2016	EFY	Internal discussions re mediator candidates; email exchanges with defense counsel re ADR deadline and proposed mediator candidates	1.4	\$1,000.00	\$1,400.00
8/25/2016	EFY	TL with JF re Livernois deposition and Reply strategies	.7	\$1,000.00	\$700.00
8/31/2016	EFY	Reviewed deposition of MBUSA electrical engineer expert Dr. Livernois; prepare internal	3.8	\$1,000.00	\$3,800.00



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		memo re Reply and further edits to Dr. Zamiski declaration			
9/1/2016	EFY	Final edits to Dr. Zamiski Declaration for Reply; reviewed second deposition transcript of Dr. Zamiski; internal memo re Reply; email exchanges with MBUSA counsel re: mediation date October 3 and extension errata deadline for Dr. Zamiski re complete review second deposition transcript	5.8	\$1,000.00	\$5,800.00
9/2/2016	EFY	Phone conference with Dr. Zamiski to review draft Reply declaration; phone conference with JF and SS re: October 3 mediation date and strategies re same as well as seeking continuance class hearing date 2 weeks post mediation	2.0	\$1,000.00	\$2,000.00
9/5/2016	EFY	Review and revise Opposition to <u>Daubert</u> motion re: Dr. Zamiski; final EFY edits to Dr. Zamiski declaration; received and reviewed proposed stip from MBUSA counsel to continue class cert hearing from Sept 19 <sup>th</sup> to October 17 <sup>th</sup> ; email report to client re case status	6.0	\$1,000.00	\$6,000.00
9/6/2016	EFY	Reviewed and edited Plaintiffs' Reply; internal emails and TLs re same	7.5	\$1,000.00	\$7,500.00
9/7/2016	EFY	TL with SS re mediation strategy; JF and EFY confer with client re recommendation and authorization to continue class cert hearing; follow-up email to client re same	.8	\$1,000.00	\$800.00
9/9/2016	EFY	Listen to live <u>Con Agra</u> oral argument; memo to file and TL with SS re: same	1.0	\$1,000.00	\$1,000.00
9/14/2016	EFY	Initial revisions to draft mediation brief to Judge Phillips	1.9	\$1,000.00	\$1,900.00
9/16/2016	EFY	Team call re mediation tactics and strategies	.8	\$1,000.00	\$800.00

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9/21/2016	EFY	Rev'd six (6) Reply briefs filed by MBUSA re: evidentiary objections to each of Plaintiff's Expert Declarations in Support of Class certification; research case cites; prepared oral argument memo each brief	6.9	\$1,000.00	\$6,900.00
9/23/2016	EFY	Rec'd and rev'd MBUSA mediation brief; internal email exchanges re: same	2.1	\$1,000.00	\$2,100.00
9/27/2016	EFY	Rev'd SS research re MBUSA class action settlements and approvals	1.4	\$1,000.00	\$1,400.00
9/28/2016	EFY	TL with SS re preparation Plaintiff's term sheet and mediation; edits to term sheet; Meeting with client Scott Callaway to explain mediation process, Term Sheet, MBUSA Term Sheet, expectations and objections first mediation session	4.6	\$1,000.00	\$4,600.00
9/29/2016	EFY	Rec'd MBUSA TERM SHEET; TL with SS and JF re same; Research options to expand MBUSA exposure to national class action; TL with attorney colleagues in WA, OR, NY, ILL, TX and FLA re consumer remedies; detailed memo re options as adjunct to JF legal research on individual state laws	5.3	\$1,000.00	\$5,300.00
9/30/2016	EFY	Final edits to Plaintiff Mediation Brief and Term Sheet	2.7	\$1,000.00	\$2,700.00
10/3/2016	EFY	San Diego to Orange County to attend mediation (8:30am to 6:15pm); post mediation team meeting; return to SD	12.5	\$1,000.00	\$13,500.00
10/4/2016	EFY	Three lengthy team phone calls post- mediation re go forward strategy including settlement including analysis of MBUSA customer warranty data; TL with Scott Callaway with follow-up status report letter re mediation; reviewed JF's post-mediation draft email to MBUSA counsel; prepared alternative draft letter to Judge Phillips	4.0	\$1,000.00	\$4,000.00

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		re questions on MBUSA counsel's comments at conclusion of mediation			
10/4/2016	EFY	Research and review <i>In re: General Motors LLC Ignition Switch Litigation</i> , 2016 WL 3920353 (S.D. N.Y. July 15, 2016) ( <i>In re: General Motors LLC Ignition Switch Litigation</i> , 2016 WL 3920353 (S.D. N.Y. July 15, 2016) re nationwide filings strategy; <i>Canon USA, Inc. v. Cavin's Business Solutions, Inc.</i> --- F.Supp.3d – 2016 WL 5349785 (Sept. 23, 2016); internal email to team re: same	2.9	\$1,000.00	\$2,900.00
10/5/2016	EFY	TL from Scott Callaway re follow-up to telephone and email report of October 4	.4	\$1,000.00	\$400.00
10/6/2016	EFY	Reviewed MBUSA customer and warranty data to determine identities of potential witnesses on issue of 'injuries' and "driver distraction"; TLs to and with seven (7) potential witnesses to discuss events of defect manifestation mid-operation; detailed memo to file re same; further performed with SS statistical analysis whether the number of manifested defects for owners out of warranty likely exceeds reported number of repair demands per MBUSA; lengthy TL with SS re structure of likely counter offer to MBUSA including such items as inspections, disabling of seat heater, vouchers for 'former class members', etc.	6.8	\$1,000.00	\$6,800.00
10/10/2016	EFY	TL with SS and JF re settlement issues; Prepare for oral argument class certification hearing	5.0	\$1,000.00	\$5,000.00
10/25/2016	EFY	Client call with JFF to discuss status settlement negotiations	.7	\$1,000.00	\$700.00
10/27/2016	EFY	Reviewed Judge Selna order granting class certification in <u>Doyle vs. Chrysler</u> ; Live stream of 9 <sup>th</sup> Circuit argument in <u>Doyle vs. Chrysler</u> ; internal email exchanges and TL re same as to	4.2	\$1,000.00	\$4,200.00

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		any effect Callaway vs MBUSA issues; follow-up with SS re further response from defense counsel re continued negotiations			
11/2/2016	EFY	TL with Scott Callaway re updated status of settlement talks; follow on email report re same; rec'd correspondence from Judge Phillips' office re: December 6 mediation session; TL with SS re same	1.5	\$1,000.00	\$1,500.00
11/11/2016	EFY	Team teleconference re settlement issues prior to LA meeting with MBUSA counsel	.8	\$1,000.00	\$800.00
11/15/2016	EFY	TL with team re settlement issues; TL with Scott Callaway to discuss the Nov 18 planned meeting with MBUSA counsel for direct talks re purpose and goals	1.0	\$1,000.00	\$1,000.00
11/18/2016	EFY	San Diego to downtown Los Angeles for lengthy meeting with MBUSA defense counsel re continuing settlement discussions prior to second mediation sessions; return trip to SD	9.0	\$1,000.00	\$9,000.00
11/19/2016	EFY	Emails exchanges with team re settlement issues and TL with SS re same as well as details of client report/update; report to client	1.0	\$1,000.00	\$1,000.00
11/28/2016	EFY	Team phone call re JFF discussions with MBUSA counsel, Judge Phillips and settlement strategy	1.0	\$1,000.00	\$1,000.00
11/29/2016	EFY	Research coupon settlements including cases cited by MBUSA counsel supporting court approval	3.0	\$1,000.00	\$3,000.00
12/2/2016	EFY	Internal emails and TL with SS re follow-up email to Judge Phillips re status settlement negotiations and "sticking points"; rec'd and rev'd draft confidential "mediator eyes only" email to from SS to Judge Phillips; edited last iteration	1.6	\$1,000.00	\$1,600.00

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12/5/2016	EFY	Rec'd and rev'd letter from Judge Phillips' research attorney re coupon and co-pay issues; legal research co-pays by consumer on invocation remedial measure or warranty extension; team call to discuss same in preparation for next mediation session; TL with team re SS research other automobile class action settlements re coupons or co-pays; Reviewed pre-mediation Analysis of Warranty Claim Data prepared by economist Bruce McFarland; Rev'd Judge Cross' Order of Approval and Settlement Agreement in <u>Porsche Tubes</u> class action, <u>Sanborn Nissan Settlement Agreement</u> , and <u>Alin vs. Honda</u> cases	5.7	\$1,000.00	\$5,700.00
12/6/2016	EFY	San Diego to Orange County second mediation session with Judge Layne Phillips; post mediation meeting with team; return to San Diego	8.5	\$1,000.00	\$8,500.00
12/7/2016	EFY	Rec'd and rev'd Proposed Joint Stipulation continuing class cert hearing date and Judge Selna approving continuance to January 23, 2017; TL with client re: update on second mediation and recommendations/ authorization for second continuance class cert motion	1.1	\$1,000.00	\$1,100.00
12/9/2016	EFY	Rec'd and rev'd summary of Summary of Second Mediation from Judge Phillips; Email exchanges and TL with SS re content EFY draft report to client; finalize client report; Further legal research "coupon settlements" in non-CAFA cases	3.1	\$1,000.00	\$3,100.00
12/13/2016	EFY	Email exchanges with Judge Phillips' office regarding hold date for third mediation session in San Francisco	.3	\$1,000.00	\$300.00
12/22/2016	EFY	Conference call with MBUSA counsel re settlement discussions; post call conference call	1.4	\$1,000.00	\$1,400.00

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		with team; TL with clients and follow-up extensive report on current status settlement discussions and disputed terms			
12/23/2016	EFY	Received and reviewed revised term sheet from defense counsel; further email exchanges re clarification of “stopping point” for invocation extended warranty based on mileage/age of vehicle; TL with Scott Callaway and addendum to client report	1.2	\$1,000.00	\$1,200.00
12/28/2016	EFY	TL with SS re settlement issues	.3	\$1,000.00	\$300.00
1/9/2017	EFY	JFF/EFY TL with client Scott Callaway	.2	\$1,000.00	\$200.00
1/10/2017	EFY	TL from CA attorney with referral potential new class rep; detailed phone interview of the claimant included review of documents provided by email	1.8	\$1,000.00	\$1,800.00
1/11/2017	EFY	Lengthy TL with JF re potential new class representative and settlement negotiations	.8	\$1,000.00	\$800.00
1/12/2017	EFY	Review/revised term sheet from MBUSA counsel; Call with SS and JFF to discuss same	1.2	\$1,000.00	\$1,200.00
1/25/2017	EFY	EFY draft of email to MBUSA counsel email on issue of further mediation; Lengthy TL with JF re same; rec'd letter confirmation from Judge Phillips office third mediation session Feb 21 <sup>st</sup>	1.0	\$1,000.00	\$1,000.00
1/28/2017	EFY	Meeting with client Scott Callaway	2.2	\$1,000.00	\$2,200.00
2/17/2017	EFY	Rev'd MBUSA mediation brief; internal email re analysis of same	1.0	\$1,000.00	\$1,000.00
2/21/2017	EFY	San Diego to Newport Beach- all day mediation 9:00 a.m.- 6:20pm with Judge Phillips; return to San Diego	11.5	\$1,000.00	\$11,500.00

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2/25/2017	EFY	Report to client on mediation; lengthy TL with MBUSA counsel Eric Knapp re settlement issues; TL with JF regarding same; second report to client re granting extension to March 8 <sup>th</sup> to respond to settlement counter-proposals.	1.4	\$1,000.00	\$1,400.00
3/8/2017	EFY	TL from MBUSA counsel re further discussions on fee resolution; internal TLs and emails re same; TL with Scott Callaway re same	1.1	\$1,000.00	\$1,100.00
3/8/2017	EFY	Email from MBUSA counsel requesting call; TL with MBUSA counsel to discuss mediation with Judge Phillips; email to team re summary off call and recommendations	.8	\$1,000.00	\$800.00
3/9/2017	EFY	Further internal TLs and email exchanges re fee negotiations	.8	\$1,000.00	\$800.00
3/10/2017	EFY	TLs with JF/SS in advance of conference call with MBUSA counsel; conf call with MBUSA counsel re further negotiations on fee resolution; post call discussions with team	1.3	\$1,000.00	\$1,300.00
3/13/2017	EFY	Email exchange with MBUSA counsel to arrange further conference call to continue settlement discussions; Conf call with JF and MBUSA counsel re settlement: post call discussions with JF re same	.8	\$1,000.00	\$800.00
3/14/2017	EFY	TL with PM re update on status negotiations	.5	\$1,000.00	\$500.00
3/15/2017	EFY	Multiple lengthy TL exchanges with MBUSA counsel and JF/SS re continued negotiations	2.0	\$1,000.00	\$2,000.00
3/15/2107	EFY	Draft agreed settlement terms re fees, costs, service award, stipulations for binding mediation; draft email to Judge Phillips with agreed terms and procedure for mediation	2.5	\$1,000.00	\$2,500.00
3/17/2017	EFY	Multiple telephone calls and email exchanges with team and MBUSA counsel on final terms of	2.6	\$1,000.00	\$2,600.00

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		mediation with Judge Phillips; final edits to letter to Judge Phillips			
3/22/17	EFY	Email exchanges with defense counsel and Judge Phillips confirming mediation date April 30	.3	\$1,000.00	\$300.00
3/22/17	EFY	Multiple email exchanges with defense counsel rescheduling of mediation	.5	\$1,000.00	\$500.00
3/23/17	EFY	Multiple email exchanges with and final edits to MBUSA email to Judge Phillips regarding mediation	.9	\$1,000.00	\$900.00
3/27/17	EFY	Internal call/email re pushing defense counsel to provide a draft of proposed settlement agreement; prepared email to defense counsel proposing circulation of draft settlement agreement prior to April 30 mediation	.6	\$1,000.00	\$600.00
4/6/17	EFY	Review and edit mediation brief: lengthy TL with JF re same	3.8	\$1,000.00	\$3,800.00
4/7/17	EFY	Reviewed MBUSA mediation brief; emails and TL with JSS and strategy for discussions with MBUSA counsel re same; email exchanges with MBUSA counsel re arranging call to discuss issues	2.0	\$1,000.00	\$2,000.00
4/8/17	EFY	Multiple email exchanges with team re mediation/submission agreement with MBUSA	.8	\$1,000.00	\$800.00
4/8/17	EFY	Three lengthy telephone calls with MBUSA counsel regarding issues asserted defense mediation brief: two lengthy team calls with FSS re same; internal memos regarding calls two and three with MBUSA counsel	2.5	\$1,000.00	\$2,500.00
4/9/17	EFY	Email summary to PM of third call with MBUSA counsel and strategy re joint call with Judge Phillips	.4	\$1,000.00	\$400.00



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4/10/17	EFY	TL with JF; TL with MBUSA counsel re mediation procedure; email to Judge Phillips re: telephonic conference	1.1	\$1,000.00	\$1,100.00
4/11/17	EFY	TL with JF; Conf call with Judge Phillips; post TL with JF: TL with Scott Callaway	1.8	\$1,000.00	\$1,800.00
4/13/17	EFY	Final review and edits to Plaintiff's Reply Brief and exhibits (59 pages)	4.0	\$1,000.00	\$4,000.00
4/14/17	EFY	Follow up email to MBUSA counsel re status draft proposed settlement agreement	.3	\$1,000.00	\$300.00
4/14/17	EFY	Received and reviewed MBUSA Reply Brief; research new citations they're in and prepare internal memo for oral argument before Judge Phillips on April 30; email report to client re: status	4.0	\$1,000.00	\$4,000.00
4/16/17	EFY	Reviewed <u>Seifi vs. MBUSA</u> and <u>Digby Adler Group vs MBUSA</u> settlement agreements as template for Callaway; internal email re drafting Callaway settlement agreement; email exchanges with MBUSA counsel re same	1.0	\$1,000.00	\$1,000.00
4/24/17	EFY	Received and reviewed draft settlement agreement from MBUSA counsel; edited same; email exchange with team re initial edits	1.4	\$1,000.00	\$1,400.00
4/30/17	EFY	Prepare for oral argument before Judge Phillips: travel San Diego to orange county for meeting with JF and SS to rehearse argument; attend oral argument; post hearing discussions with PM, JF and SS; return trip orange county to San Diego	8.5	\$1,000.00	\$8,500.00
5/1/17	EFY	Reviewed and revised submittal brief to Judge Phillips	.9	\$1,000.00	\$900.00
5/3/17	EFY	Received and reviewed MBUSA supplemental reply; email exchange with Pat McNicholas re same	.3	\$1,000.00	\$300.00

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5/7/17	EFY	Email report to clients re May 4 Judge Phillips mediation	.6	\$1,000.00	\$600.00
5/12/17	EFY	Telephone call from client re status post mediation with Judge Phillips; follow on email update re same	.4	\$1,000.00	\$400.00
5/15/17	EFY	Receive correspondence from Judge Phillips; telephone conversation with team re same; email analysis from Pat McNicholas; telephone call with client Scott Callaway; follow up email report to client process and procedure for seeking court preapproval	1.3	\$1,000.00	\$1,300.00
5/17/17	EFY	Received and revised MBUSA edits to settlement agreement and email exchange to discuss telephonically	1.	\$1,000.00	\$1,00.00
5/18/17	EFY	TL with team re strategy for preliminary approval and settlement	1.6	\$1,000.00	\$1,600.00
5/19/17	EFY	TL with Scott Callaway re settlement agreement negotiations; email follow-up to client re same; email to MBUSA counsel re Tuesday deadline for MBSUA additional edits; internal email re preparation motion for pre-approval	.8	\$1,000.00	\$800.00
5/25/17	EFY	Review MBUSA redline edits: made additional revisions; email exchanges with team	.7	\$1,000.00	\$700.00
6/1/17	EFY	Reviewed further redline changes and edits from MBUSA; email exchanges with defense counsel re same	.7	\$1,000.00	\$700.00
6/5/17	EFY	Reviewed further MBUSA edits; Conference call with MBUSA counsel and SS to review further changes to proposed Settlement Agreement	1.6	\$1,000.00	\$1,600.00
6/9/17	EFY	Further email exchanges with defense counsel re revisions to settlement agreement; email exchange with SS where additional language to	1.0	\$1,000.00	\$1,000.00

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		claims the termination provision; telephone call with defense counsel and SS re same			
6/19/17	EFY	Reviewed Brown v Hain Celestial Group decision from Ninth Circuit.	.4	\$1,000.00	\$400.00
6/28/17	EFY	TL from Scott Callaway re status; follow-up email report to Scott and Elizabeth Callaway; internal email exchanges re status final edits to Notice and Claim Form	1.1	\$1,000.00	\$1,100.00
7/15/17	EFY	Reviewed email exchanges with defense counsel re final agreement all changes except MBUSA need to select claims admin; review last iteration to confirm all edits made; TL with and follow up email to clients re status	1.0	\$1,000.00	\$1,000.00
7/25/17	EFY	Meeting with Elizabeth and Scott Callaway to review Settlement documents and discuss procedures and process moving forward	2.0	\$1,000.00	\$2,000.00
8/6-8/8	EFY	Review and final EFY edits to motion for preliminary approval	5.0	\$1,000.00	\$5,000.00
8/10/17	EFY	TL and email exchanges with MBUSA counsel re continued vehicle Storage/evidence preservation; TL and email exchanges with Dave Galassi at Rest Your Case facility re same; TL and email exchange with client re vehicle release	1.2	\$1,000.00	\$1,200.00
8/28/17	EFY	Emails with client regarding vehicle and release of vehicle	.3	\$1,000.00	\$300.00
8/31/17	EFY	Emails with E. Knapp and client regarding Callaway vehicle	.4	\$1,000.00	\$400.00
9/8/17	EFY	Email from E. Knapp regarding Callaway vehicle	.1	\$1,000.00	\$100.00
9/15/17	EFY	Review and analyze tentative ruling on preliminary approval and email update to client	.6	\$1,000.00	\$600.00

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9/18/17	EFY	Prepare for and attend preliminary approval hearing; email update to client; strategy conference with SS and JF	5.0	\$1,000.00	\$5,000.00
9/21/17	EFY	Review final preliminary approval order; email update to client	.8	\$1,000.00	\$800.00
10/16/17	EFY	Conference with SS; Review and edit motion for attorneys' fees; review and edit EFY declaration	5.5	\$1,000.00	\$5,500.00
<b>TOTAL</b>			946.9		\$918,727.80

# Exhibit B

**Callaway**

<u>Date</u>	<u>Check #</u>	<u>Payee</u>	<u>Description</u>	<u>Amount-CAY</u>	<u>EFY</u>
8/26/2014	6933	Safety Research & Strategies Inc	Research	\$	500.00
12/2/2014	6970	Christopher P. Yuhl (FedEx)	Delivery of cases to EFY	\$	86.88
12/22/2014	CC-1173	US District Court/Central District	Filing fee - CMP	\$ 400.00	-
1/7/2015	6979	Safety Research & Strategies Inc	Research	\$	1,337.50
1/21/2015	6987	Source Investigative Group, Inc.	Service (SMS/CMP) -MBZ-USA-CT Corp; Mission Imports dba MBZ	\$	-
			Expert research	\$	150.00
3/18/2015	7021	Safety Research & Strategies Inc	Expert research	\$	1,531.25
4/29/2015	7042	FedEx	Delivery to Jason Frank	\$	21.93
8/10/2015	7076	Safety Research & Strategies Inc	Expert research	\$	337.50
9/15/2015	7084	Safety Research & Strategies Inc	Expert research	\$	200.00
10/15/2015	7093	Rest Your Case	Bill of service (Transport & delivery MBZ to RYC)	\$	-
			\$624.00; Storage (9/16 to 12/14/15-\$630)	\$	-
			Expert research	\$	1,254.00
10/26/2015	7095	The Montlake Group, Inc.	Expert research	\$	3,334.00
11/12/2015	7105	Safety Research & Strategies Inc	Expert research	\$	9,432.50
12/30/2015	7123	Safety Research & Strategies Inc	Expert research	\$	8,911.25
1/19/2016	400667	Reimbursement/Carroll Burdick	Rest Your Case		(\$627.00)
2/2/2016		Check FedEx	Delivery to Sims (Liz DCs)	\$	40.46
2/11/2016	7148	Rest Your Case	Storage (12/15/15-3/13/16)	\$	630.00
2/23/2016	7150	Highway Traffic Safety Associates, LLC	Expert retainer (Allan Kam)	\$	6,000.00
3/1/2016	7152	Vollmer Gray Engineering Laboratories, Inc.	Expert services; RV photos;	\$	-
				\$	2,306.25
3/17/2016	7162	FedEx	Delivery to Allan Kam	\$	39.15
4/12/2016	7174	Mona Garcia & Associates	Depo of Megan Fitzgerald	\$	294.75
5/3/2016	7183	Rest Your Case Evidence Storage	Research; salvage 15 seats Inv. 22978	\$	-
			Storage (3/14/16-6/11/16)	\$	8,122.69
5/3/2016	7184	Rest Your Case Evidence Storage	Storage (2/16 to 4/16)	\$	630.00
5/3/2016	7186	Vollmer-Gray Engineering Laboratories Inc.	Storage (2/16 to 4/16)	\$	450.00
5/24/2016	7199	Vollmer-Gray Engineering Laboratories Inc.	Expert services-44727/44850	\$	50,468.75
6/16/2016	7205	Genesis Parcel Services	Delivery to/from USDC (Certification)	\$	-
			Storage (9/10/16 to 12/8/16)	\$	348.60
9/21/2016	7241	Rest Your Case Evidence Storage	Storage (9/10/16 to 12/8/16)	\$	630.00
9/30/2016	401961	Reimbursement/Squire Patton Boggs	Rest Your Case		(\$945.00)
12/15/2016	7270	Rest Your Case Evidence Storage	Storage (12/9/16 to 3/8/17)		\$630.00
1/19/2017	7279	Optimal Strategix Group, Inc.	Sukumar, Ph.D-Depo; Prep travel; etc. (\$28,808.23 plus 3%-\$864.24)		-
			Parking fee-Mediation	\$	29,672.36
2/21/2017		Cash Irvine Company-Pacific Financial Plaza	Optimal/Sukumar	\$	20.00
3/7/2017	REIMBURSE	McNicholas & McNicholas	Optimal/Sukumar		(\$28,808.23)
3/8/2017	7291	FedEx	Delivery to Sukumar		\$29.95
3/16/2017	REIMBURSE	McNicholas & McNicholas	Optimal/Sukumar		(\$864.13)
4/12/2017	7296	Rest Your Case Evidence Storage	Storage (3/9/17 to 6/6/17)		\$630.00
4/17/2017	415936	Reimbursement/Squire Patton Boggs	Rest Your Case		(\$630.00)
6/13/2017	7303	Rest Your Case Evidence Storage	Storage (6/7/17 to 9/4/17)		\$630.00
7/31/2017	422641	Reimbursement/Squire Patton Boggs	Rest Your Case		(\$315.00)
				\$400.00	\$ 96,480.41
<b>TOTAL</b>					<b>\$96,880.41</b>