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Joshua D. Snyder
2 **BONI & ZACK LLC**
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6 *Attorneys for the Direct Purchaser Plaintiffs*

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11
12 IN RE: OPTICAL DISK DRIVE
13 ANTITRUST LITIGATION

Case No. 3:10-md-2143-RS
MDL No. 2143

14 This Document Relates to:

15 ALL DIRECT PURCHASER CLASS
16 ACTIONS

**DECLARATION OF JOSHUA D.
SNYDER IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND INCENTIVE
AWARDS**

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1 I, Joshua D. Snyder, declare and state as follows:

2 1. I am an attorney of the law firm of Boni & Zack LLC. I submit this declaration in
3 support of Direct Purchaser Plaintiffs (“DPP”) joint application for an award of attorneys’ fees in
4 connection with the services rendered in this litigation. I make this Declaration based on my own
5 personal knowledge, and if called as a witness, I could and would competently testify to the
6 matters stated herein.

7 2. My firm has served as counsel to Gregory Starrett and as counsel for the Direct
8 Purchaser Class (“Class”) throughout the course of this litigation. The background and experience
9 of Boni & Zack LLC attorneys who worked on this matter are summarized in the biographies
10 attached hereto as Exhibit 1.

11 3. Boni & Zack LLC has prosecuted this litigation solely on a contingent-fee basis,
12 and has been at risk that it would not receive any compensation for prosecuting claims against the
13 Defendants. While Boni & Zack LLC devoted its time and resources to this matter, it has
14 foregone other legal work for which it would have been compensated.

15 4. During the pendency of the litigation, Boni & Zack LLC performed work related to
16 the representation of plaintiff Gregory Starrett, including assistance with plaintiffs’ discovery.

17 5. Attached hereto as Exhibit 2 is my firm’s total hours and lodestar, computed at
18 historical rates, for the period of May 7, 2010 through December 31, 2014. This period reflects
19 the time spent after the appointment of the Chairman of the Executive Committee for the DPPs
20 (the “Chairman”) in this litigation. The total number of hours spent by Boni & Zack LLC during
21 this period of time was 14.75 hours, with a corresponding lodestar of \$9,368.75. This summary
22 was prepared from contemporaneous, daily time records regularly prepared and maintained by my
23 firm. The lodestar amount reflected in Exhibit 2 is for work assigned by the Chairman, and was
24 performed by professional staff at my law firm for the benefit of the Class.

25 6. The hourly rates for the attorneys and professional support staff in my firm
26 included in Exhibit 2 are the usual and customary hourly rates charged by Boni & Zack LLC.

27 7. My firm has expended a total of \$32.96 in unreimbursed costs and expenses in
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1 connection with the prosecution of this litigation. These costs and expenses are broken down in
2 the chart attached hereto as Exhibit 3. They were incurred on behalf of Direct Purchaser Plaintiffs
3 by my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this
4 action are reflected on the books and records of my firm. These books and records are prepared
5 from expense vouchers, check records and other source materials and represent an accurate
6 recordation of the expenses incurred.

7 8. I have reviewed the time and expenses reported by my firm in this case which are
8 included in this declaration, and I affirm that they are true and accurate.

9 I declare under penalty of perjury under the laws of the United States of America that the
10 foregoing is true and correct. Executed on this ^{2nd} day of February, 2015 at Bala Cynwyd,
11 Pennsylvania.

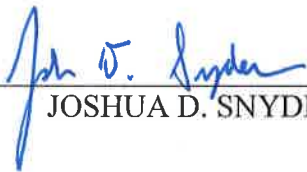
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14 _____
15 JOSHUA D. SNYDER
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EXHIBIT 1

Boni & Zack LLC

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Michael J. Boni

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Michael J. Boni co-founded Boni and Zack LLC in March 2007 after practicing complex commercial litigation at Kohn, Swift and Graf, P.C. for 14 years, another complex commercial litigation firm before that, and Schnader Harrison Segal & Lewis beginning in 1988. He specializes in antitrust, copyright, consumer and class action litigation.

Education

Mr. Boni graduated from the University of Pennsylvania School of Law in 1988, received an M.A. degree in psychology from the University of Connecticut, and received an A.B. degree from Albright College.

Experience

Mr. Boni has served as lead counsel in a number of complex matters, including:

- Authors Guild, et al. v. Google Inc., No. 05-CV-8136-JES (S.D.N.Y.) (copyright infringement class action settlement negotiations pending concerning the Google Book Search program);
- In re Literary Works in Electronic Databases Copyright Litig., MDL No. 1379 (S.D.N.Y.) (\$18 million copyright class action settlement approved and on appeal);
- Random House, Inc. v. Rosetta Books, LLC, et al., No. 01-Civ-1728 (S.D.N.Y.) (successful defense against copyright infringement claims brought by Random House against e-book publisher Rosetta Books);
- In re Pillar Point Partners Antitrust and Patent Litig., MDL No. 1202 (D. Ariz.) (\$50 million antitrust class action settlement approved);
- In re Western States Wholesale Natural Gas Antitrust Litig., MDL No. 1566 (D. Nev.) (\$25 million antitrust class action settlement approved);
- Mikhail, et al. v. Toshiba America Information Systems, Inc., No. BC 278163 (Superior Ct. Cal.) (\$32 million consumer class action settlement approved);
- Anderson v. Toshiba America Information Systems, Inc., BC 299977 (Cal. Sup. Ct., L.A. County) (consumer class action settlement approved);
- In re Yahoo! Litig., CV06-2737-CAS (C.D. Cal.) (class action settlement approved on behalf of Yahoo's advertising customers for alleged unfair business practices; settlement approved);
- Next Proteins International v. Radonsky, et al., No. BC 304799 (Superior Ct. Cal.) (consumer class action settlement approved);
- In re RF Tags Antitrust Litig., No. 02-CV-3730 (D.N.J.) (\$4.6 million antitrust class action settlement approved);
- Pilkington, et al. v. U.S.Search.com, No. BC 234858 (Superior Ct. Cal.) (\$1 million consumer class action settlement approved);
- True Communication, Inc., d/b/a Metrodate.com v. The Gator Corporation, No. CIV 430620 (Superior Ct. Cal.) (unfair competition class action settlement approved);
- Miller v. Pep Boys, Inc., et al., No. 0201-41489 (C.C.P. Phila. Cy.) (consumer class action settlement approved);

- Kleeman v. Verizon Communications Inc., et al. (\$24 million consumer class action settlement approved);
- In re Rio Hair Naturalizer Products Liability Litig., MDL No. 1055 (E.D. Mich.) (\$4.5 million product liability class action settlement approved);
- In re AMC Shareholder Derivative Litig., No. 12855 (Del. Chancery) (\$2.2 million settlement approved);
- Winograd v. Franklin Electronics (Superior Ct. N.J.) (consumer class action settlement approved);
- Pacillo v. Philips Electronics (Superior Ct. N.J.) (consumer class action settlement approved).

In its opinion granting final settlement approval in Rio, the court stated that "the work of [lead counsel] and the manner in which they conducted themselves exhibited the very highest level of professionalism and competence in our legal system." 1996 U.S. Dist. LEXIS 20440, *57 (E.D. Mich. December 20, 1996).

Mr. Boni has served on the Executive Committee in a number of complex matters, including:

- In re: OSB Antitrust Litig., Master File No. 06-CV-00826 (E.D. Pa.) (\$120 million antitrust class action settlement approved);
- In re: Sovereign Bancorp, Inc. Shareholders Litig., Nov. Term 2008, Case 2587 (Phila. C.C.P.) (shareholder class and derivative action settlement approved);
- In re: Payment Card Interchange Fee and Merchant Discount Antitrust Litig., No. 05-md-1720 (E.D.N.Y.) (antitrust class action pending).

In addition, Mr. Boni has played an integral role in the prosecution of other complex matters:

- In re Relafen Antitrust Litig., Master File No. 01-12239 (D. Mass.) (\$175 million antitrust class action settlement approved);
- In re Disposable Contact Lens Antitrust Litig., MDL Docket No. 1030 (M.D. Fla.) (\$75 million antitrust class action settlement approved);
- Schwab v. America Online, Inc., No. 96 CH 13732 (Cook County, Ill.) (consumer class action settlement approved);
- In re: Intelligent Electronics, Inc. Securities Litig., Master File No. 92-CV-1905 (E.D. Pa.) (\$10 million securities class action settlement approved);
- In re Lockheed Securities Litig., Master File No. CV89-6745-TJH (Bx) (C.D. Ca.) (\$17 million securities class action settlement approved);
- In re Orion Securities Litig., Civil Action No. 91-3304 DT (JRx) (E.D.N.Y.) (securities class action settlement approved);
- In re Budd Pension Plan Litig., Master File No. 91-4082 (E.D. Pa.) (ERISA class action settlement approved);
- In re: Toys "R" Us Antitrust Litig., MDL Docket No. 1211 (E.D.N.Y.) (antitrust class action settlement approved);
- First Eastern Corporation, et al. v. Mainwaring, et al., Civil Action No. 92-CV-1176 (RLB) (E.D. Pa.) (securities class action settlement approved).

Mr. Boni was named one of Pennsylvania's "Super Lawyers" in 2005, 2006, 2007, 2008, 2009 and 2010.

Other Information

Mr. Boni is admitted to practice in Pennsylvania, the Supreme Court of the United States, the United States Courts of Appeals for the Second, Third, Sixth and Ninth Circuits, and the United States District Courts for the Eastern District of Pennsylvania, Northern District of California, and Eastern District of Michigan.

Mr. Boni is a past Chair of the Board of Directors of the Anti-Defamation League (Metropolitan Philadelphia Board), and has long been a member of the Board of Directors of Community Legal Services in Philadelphia and serves on that Board's Leadership Council. In May 2010, Mr. Boni was a recipient of Community Legal Services's Equal Justice Award. Mr. Boni is married with three children.

[Law.com article on Michael Boni](#)

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Boni & Zack LLC

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Joshua D. Snyder has been with Boni & Zack LLC since it opened in March 2007 and became a partner in 2008. His practice focuses on complex litigation, including antitrust, consumer protection, copyright, ERISA, and securities class actions.

Education

Mr. Snyder is a graduate of the Pennsylvania State University (B.A., History, B.A. Philosophy 1998) and the Harvard Law School (J.D. 2001), where he was a member of the Harvard Legal Aid Bureau.

Experience

Mr. Snyder is participating or has participated in the following cases, among others:

- The Authors Guild, et al. v. Google Inc., No. 05-CV-8136 (S.D.N.Y.);
- In re Apple In-App Purchase Litigation, Master File No. 11-CV-1758 (N.D. Cal.);
- In re Automotive Refinishing Paint Antitrust Litigation, MDL Docket No. 1426 (E.D. Pa.);
- In re Domestic Drywall Antitrust Litigation, MDL No. 2437, 13-MD-2437 (E.D. Pa.);
- In re Foreign Exchange Benchmark Rates Antitrust Litigation, No. 1:13-cv-07789-LGS (S.D.N.Y.);
- In re Freelance Works in Literary Databases Copyright Litigation, MDL No. 1379 (S.D.N.Y.);
- Garber, et al. v. Office of the Commissioner of Baseball, et al., No. 12-cv-3704 (SAS) (S.D.N.Y.); Laumann, et al. v. National Hockey League, et al., No. 12-cv-1817 (SAS) (S.D.N.Y.);
- In re LIBOR -Based Financial Instruments Antitrust Litigation, No. 11-MD-2262 (NRB) (S.D.N.Y.);
- In re OSB Antitrust Litigation, Civ. A. No. 06-0826 (E.D. Pa.);
- In re Payment Card Interchange Fee & Merchant Discount Antitrust Litigation, No. 05-md-1720 (E.D.N.Y.);
- In re Rail Freight Fuel Surcharge Antitrust Litigation, MDL No. 1869 (D.D.C.);
- In re Sovereign Bancorp Inc. Shareholders Litigation, Nov. Term, 2008, No. 2587 (Phila. Cty. Ct. Common Pleas);
- In re Steel Antitrust Litigation, No. 08-cv-5214 (N.D. Ill.);
- In re Urethane (Polyether Polyols) Antitrust Litigation, MDL No. 1616 (D. Kan.);
- Webster v. Hercules, Inc., Civ. A. No. 05-6404 (E.D. Pa.);
- In re Western States Wholesale Natural Gas Antitrust Litigation, MDL No. 1566 (D. Nev.);
- In re Yahoo! Litigation, No. 06-2737 (C.D. Cal).

Mr. Snyder has been named one of Pennsylvania's "Super Lawyers Rising Stars" in each Rising Stars publication from 2008 through 2014. Mr. Snyder recently served as co-lead counsel in In re Apple In-App Purchase Litigation, a case in which the court recognized the work of plaintiffs' counsel as "clear, cogent, and direct."

Other Information

Prior to joining Boni & Zack, Mr. Snyder was an associate with Kohn, Swift & Graf, P.C., where his practice also focused on complex litigation. Following law school, he served as a law clerk to the Honorable Berle M. Schiller of the United States District Court for the Eastern District of Pennsylvania and to the Honorable Thomas L. Ambro of the United States Court of Appeals for the Third Circuit.

He has handled a variety of pro bono matters, including First Amendment litigation and criminal proceedings. Mr. Snyder regularly serves as a judge in law school moot court competitions.

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EXHIBIT 2

EXHIBIT 2

In re Optical Disk Drive Antitrust Litigation, Case No. 3:10-md-2143-RS

BONI & ZACK LLC

Reported Hours and Lodestar

May 7, 2010 through December 31, 2014

TIME REPORT

NAME	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
ATTORNEYS			
Joshua D. Snyder (P)	2.25	\$500	\$1,125.00
Joshua D. Snyder (P)	.25	\$525	\$131.25
Joshua D. Snyder (P)	1.25	\$550	\$687.50
Michael J. Boni (P)	11.00	\$675	\$7,425.00
NON-ATTORNEYS			
n/a			
TOTAL:		14.75	\$9,368.75

- (P) Partner
- (OC) Of Counsel
- (A) Associate
- (PL) Paralegal
- (LC) Law Clerk

EXHIBIT 3

EXHIBIT 3*In re Optical Disk Drive Antitrust Litigation*, Case No. 3:10-md-2143-RS**BONI & ZACK LLC**

Reported Unreimbursed Expenses Incurred on Behalf of Direct Purchaser Class

May 7, 2010 through December 31, 2014

EXPENSE REPORT

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	
Experts/Consultants	
Federal Express	
Transcripts (Hearing, Deposition, etc.)	
Computer Research	\$25.76
Messenger Delivery	
Photocopies – In House	\$7.20
Photocopies – Outside	
Postage	
Service of Process	
Telephone/Telecopier	
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	
TOTAL:	\$32.96