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9 *Executive Committee for the Direct Purchaser*
 10 *Plaintiffs*

11
 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

15
 16 IN RE: OPTICAL DISK DRIVE
 17 ANTITRUST LITIGATION

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

18 This Document Relates to:
 19
 20 ALL DIRECT PURCHASER CLASS
 21 ACTIONS

**DECLARATION OF TODD SEAVER IN
 SUPPORT OF MOTION FOR
 ATTORNEYS' FEES, REIMBURSEMENT
 OF EXPENSES, AND INCENTIVE
 AWARDS**

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1 I, Todd Seaver, declare and state as follows:

2 1. I am a partner of the law firm of Berman DeValerio. I submit this declaration in
3 support of Direct Purchaser Plaintiffs' ("DPPs") joint application for an award of attorneys' fees,
4 expenses, and incentive awards in connection with the services rendered in this litigation. I make
5 this Declaration based on my own personal knowledge, and if called as a witness, I could and
6 would competently testify to the matters stated herein.

7 2. My firm has served as counsel to Seneca Data Distributors, Inc. and Univisions-
8 Crimson Holding, Inc. and as counsel for the Direct Purchaser Class ("Class") throughout the
9 course of this litigation. My firm's curriculum vitae was previously submitted to the Court in
10 connection with Direct Purchaser Plaintiffs' prior motion for an award of attorneys' fees,
11 reimbursement of expenses and class representative incentive awards on March 16, 2015 (Prior
12 Request for Attorneys' Fees"). (Dkt. No. 1535).

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

17 4. During the pendency of the litigation, Berman DeValerio performed the following
18 work: Searched defendants' documents for class certification issues and conducted document
19 searches and research for Expert. Attorneys from Berman DeValerio coordinated the purchase
20 records for class representative Seneca Data Distributors, Inc., and completed claims forms for
21 Seneca Data Distributors, Inc. and former class representative Central New York Univisions
22 Video Systems, Inc.

23 5. Attached hereto as Exhibit 1 is my firm's hours and lodestar, computed at historical
24 rates, for the period of January 1, 2015 through November 3, 2015. This period does not reflect
25 any time previously submitted to the Court in connection with the Prior Request for Attorneys'
26 Fees in this litigation. The total number of hours spent by Berman DeValerio during this period of
27 time was 391.50, with a corresponding lodestar of \$161,206.50. This summary was prepared from

1 contemporaneous, daily time records regularly prepared and maintained by my firm. The lodestar
2 amount reflected in Exhibit 1 is for work assigned by the Chairman of the Executive Committee,
3 and was performed by professional staff at my law firm for the benefit of the Class.

4 6. The hourly rates for the attorneys and professional support staff in my firm
5 included in Exhibit 1 are the usual and customary hourly rates charged by Berman DeValerio.

6 7. My firm has expended a total of \$947.46 in unreimbursed costs and expenses in
7 connection with the prosecution of this litigation from January 1, 2015 to the present. None of the
8 costs reflected in Exhibit 2 have been previously submitted to the Court for reimbursement in
9 connection with the Prior Request for Attorneys' Fees in this matter. These costs and expenses are
10 broken down in the chart attached hereto as Exhibit 2. They were incurred on behalf of the Class
11 by my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this
12 action are reflected on the books and records of my firm. These books and records are prepared
13 from expense vouchers, check records and other source materials and represent an accurate
14 recordation of the expenses incurred.

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

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct. Executed on this 28th day of January, 2016 at San Francisco, CA.

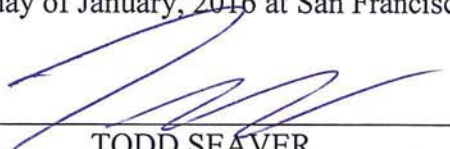
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20 _____
TODD SEAVER

EXHIBIT 1

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

BERMAN DEVALERIO

Reported Hours and Lodestar

January 1, 2015 through November 3, 2015

TIME REPORT

NAME	STATUS	TOTAL HOURS	HISTORICAL HOURLY RATE	LODESTAR
ATTORNEYS				
DeValerio, Glen (2015)	P	3.80	\$875.00	\$3,325.00
DeValerio, Kyle (2015)	P	66.80	\$580.00	\$38,744.00
McGrath-Khorasanee, Sarah (2015)	A	119.30	\$390.00	\$46,527.00
McGrath-Khorasanee, Sarah (2015)	A	193.20	\$350.00	\$67,620.00
Seaver, Todd (2015)	P	4.20	\$690.00	\$2,898.00
Tabacco, Jr., Joseph (2015)	P	1.10	\$875.00	\$962.50
Watson, Marie (2015)	P	1.20	\$435.00	\$522.00
NON-ATTORNEYS				
Becker, Kathy (2015)	PL	1.90	\$320.00	\$608.00
TOTAL:		391.50		\$161,206.50

(P) Partner
(A) Associate

(INV) Investigator
(PL) Paralegal

EXHIBIT 2

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

BERMAN DEVALERIO

Reported Unreimbursed Expenses Incurred on Behalf of Direct Purchaser Class

January 1, 2015 to November 3, 2015

EXPENSE REPORT

CATEGORY	AMOUNT INCURRED
Court Fees (filing, etc.)	\$0.00
Experts/Consultants	\$0.00
Federal Express	\$0.00
Transcripts (Hearing, Deposition, etc.)	\$600.00
Computer Research	\$25.90
Messenger Delivery	\$118.46
Photocopies - In House	\$186.80
Photocopies - Outside	\$0.00
Postage	\$16.30
Service of Process	\$0.00
Telephone/Telecopier	\$0.00
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	\$0.00
Litigation Assessment	\$0.00
TOTAL	\$947.46