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9 *Counsel for the Direct Purchaser Plaintiffs*

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

15 IN RE: OPTICAL DISK DRIVE  
16 ANTITRUST LITIGATION

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

17 This Document Relates to:

18 ALL DIRECT PURCHASER CLASS  
19 ACTIONS

**DECLARATION OF JASON S. KILENE  
IN SUPPORT OF MOTION FOR  
ATTORNEYS' FEES, REIMBURSEMENT  
OF EXPENSES, AND INCENTIVE  
AWARDS**

1 I, Jason S. Kilene, declare and state as follows:

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

7 2. My firm has served as counsel to The Stereo Shop and as counsel for the Direct  
8 Purchaser Class (“Class”) throughout the course of this litigation. My firm’s curriculum vitae was  
9 previously submitted to the Court in connection with Direct Purchaser Plaintiffs’ prior motion for  
10 an award of attorneys’ fees, reimbursement of expenses and class representative incentive awards  
11 on March 16, 2015 (Prior Request for Attorneys’ Fees”). (Dkt. No. 1535).

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

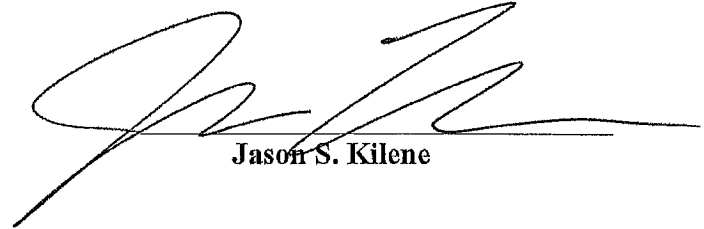
16 4. My firm has expended a total of \$160.77 in unreimbursed costs and expenses in  
17 connection with the prosecution of this litigation from January 1, 2015 to the present. None of the  
18 costs reflected in Exhibit 1 have been previously submitted to the Court for reimbursement in  
19 connection with the Prior Request for Attorneys’ Fees in this matter. These costs and expenses are  
20 broken down in the chart attached hereto as Exhibit 1. They were incurred on behalf of the Class  
21 by my firm on a contingent basis, and have not been reimbursed. The expenses incurred in this  
22 action are reflected on the books and records of my firm. These books and records are prepared  
23 from expense vouchers, check records and other source materials and represent an accurate  
24 recordation of the expenses incurred.

25 5. Gustafson Gluek paid a total of \$5,000.00 in assessments for the joint prosecution  
26 of the litigation against the Defendants after the Prior Request for Attorneys’ Fees. This  
27 assessment was not included in the previous Declaration submitted to the Court in connection to

1 the Prior Request for Attorneys' Fees.

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

4 I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct. Executed on this 23 day of November, 2015 at Minneapolis,  
6 Minnesota.

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Jason S. Kilene

# **EXHIBIT 1**

**EXHIBIT 1**

*In re Optical Disk Drive Antitrust Litigation*, Case No. 3:10-md-2143-RS  
**GUSTAFSON GLUEK PLLC**  
 Reported Unreimbursed Expenses Incurred on Behalf of Direct Purchaser Class  
 January 1, 2015 through November 3, 2015

**EXPENSE REPORT**

<b>CATEGORY</b>	<b>AMOUNT INCURRED</b>
Court Fees (filing, etc.)	
Experts/Consultants	
Federal Express	\$17.67
Transcripts (Hearing, Deposition, etc.)	
Computer Research	\$118.10
Messenger Delivery	
Photocopies – In House	\$25.00
Photocopies – Outside	
Postage	
Service of Process	
Telephone/Telecopier	
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	
<b>TOTAL:</b>	\$160.77