

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEPHEN SULLIVAN, WHITE OAK FUND LP,
CALIFORNIA STATE TEACHERS' RETIREMENT
SYSTEM, SONTERRA CAPITAL MASTER FUND,
LTD., FRONTPOINT PARTNERS TRADING
FUND, L.P., AND FRONTPOINT AUSTRALIAN
OPPORTUNITIES TRUST on behalf of themselves
and all others similarly situated,

Plaintiffs,

- *against* -

BARCLAYS PLC, BARCLAYS BANK PLC, BARCLAYS
CAPITAL INC., BNP PARIBAS S.A., CITIGROUP,
INC., CITIBANK, N.A., COÖPERATIEVE
CENTRALE RAIFFEISEN-BOERENLEENBANK
B.A., CRÉDIT AGRICOLE S.A., CRÉDIT AGRICOLE
CIB, DEUTSCHE BANK AG, DB GROUP SERVICES
UK LIMITED, HSBC HOLDINGS PLC, HSBC BANK
PLC, ICAP PLC, ICAP EUROPE LIMITED, J.P.
MORGAN CHASE & CO., JPMORGAN CHASE
BANK, N.A., THE ROYAL BANK OF SCOTLAND
PLC, SOCIÉTÉ GÉNÉRALE SA, UBS AG AND JOHN
DOE NOS. 1-50,

Defendants.

Docket No. 13-cv-02811 (PKC)

**DECLARATION OF TODD A. SEAVER
IN SUPPORT OF CLASS COUNSEL'S MOTION FOR
AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, Todd A. Seaver, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner with the law firm of Berman Tabacco. The statements herein are true to the best of my personal knowledge, information and belief based on the books and records of Berman Tabacco and information received from its attorneys and staff.

2. Berman Tabacco serves as counsel for named plaintiff California State Teachers' Retirement System ("CalSTRS") and the putative class in the above-captioned action.

3. I respectfully submit this declaration in support of Class Counsel's Motion for Award of Attorneys' Fees and Reimbursement of Expenses and seek attorneys' fees and reimbursement of expenses in this Action.

4. During the course of this litigation, and as detailed herein, Berman Tabacco worked on assignments that it was specifically directed to perform by Class Counsel, Lowey Dannenberg, P.C. and Lovell Stewart Halebian Jacobson LLP and by client CalSTRS.

5. Set forth below are Berman Tabacco's legal services rendered in this litigation, the lodestar value of those services and the expenses reasonably incurred by the firm in connection with this litigation for which reimbursement is requested.

6. Among the services Berman Tabacco performed on behalf of the putative class in connection with the prosecution of the litigation include, but are not limited to, the following:

- a. Advise and counsel CalSTRS regarding all material aspects of the litigation, in conjunction with Class Counsel;
- b. Legal research and drafting in connection with amended complaints, oppositions to motions to dismiss and other motion practice;
- c. Responding to discovery requests propounded by Defendants on plaintiff CalSTRS, including draft responses and objections, meeting and conferring with defense counsel regarding areas of potential dispute, preparing litigation

- positions on discovery matters, search for and collection of responsive documents and data, and preparation of witnesses to give pretrial testimony;
- d. Review and analysis of documents and audio files produced by defendants HSBC, Deutsche Bank and JP Morgan, and creation of related work product for use at trial;
 - e. Close work with economic and industry expert witnesses in connection with class certification;
 - f. Defended deposition of Plaintiffs' testifying expert economist;
 - g. Provide input on all strategic matters in conjunction with Class Counsel, including key pleadings, class certification, experts and settlement; and
 - h. Participate directly in settlement negotiations including all mediations and the final, telephonic negotiations that took place July 13-17, 2018.

7. The schedule in ¶ 8 below is a summary reflecting the amount of time spent by the attorneys and professional support staff of Berman Tabacco involved in this litigation from (1) inception to February 28, 2019, and (2) from March 1, 2018 to February 28, 2019, as well as the lodestar calculations for both periods based on the firm's current hourly billing rates. The schedule was prepared based upon daily time records maintained by attorneys and professional support staff at Berman Tabacco. The schedule in ¶ 11 below reflects the expenses incurred by the firm in its representation of the putative class in this litigation from March 1, 2018 through present. The hourly billing rate for any timekeeper primarily involved in first-level document review has been capped at \$350/hour and, except for work relating to service as allocation counsel, the charges for timekeepers with less than 15 hours billed in this Action have been excluded.

8. Berman Tabacco's total fee compensable time for which it seeks an award of attorneys' fees is summarized as follows.

Timekeeper	Role ¹	Hourly Rate	Hours from Inception to 2/28/2019	Lodestar from Inception to 2/28/2019	Hours from 3/1/2018 to 2/28/2019	Lodestar from 3/1/2018 to 2/28/2019
Attorneys:						
Egan, Patrick	P	\$840.00	239.40	\$201,096.00	64.30	\$54,012.00
Lavallee, Nicole	P	\$920.00	21.90	\$20,148.00	1.70	\$1,564.00
Seaver, Todd	P	\$840.00	880.80	\$739,872.00	356.70	\$299,628.00
Stern, Leslie	P	\$900.00	29.20	\$26,280.00		\$0.00
Tabacco, Joseph	P	\$940.00	458.60	\$431,084.00	141.90	\$133,386.00
Sutter, John	OC	\$600.00	150.6	\$90,360.00	4.00	\$2,400.00
Hammarskjold, Carl	A	\$515.00	174.60	\$89,919.00	174.60	\$89,919.00
McGrath, Sarah	A	\$350.00	46.60	\$16,310.00		\$0.00
Poppler, Chowning	A	\$525.00	55.20	\$28,980.00	0.20	\$105.00
Bastien, Mackline	SA	\$350.00	1,626.75	\$569,362.50	622.25	\$217,787.50
Falardeau, Laura	SA	\$350.00	88.00	\$30,800.00		\$0.00
Lee, Berna	SA	\$350.00	1,328.50	\$464,975.00	413.50	\$144,725.00
McKim, Ellee	SA	\$350.00	1,005.90	\$352,065.00	84.80	\$29,680.00
Girard, Wyndham	CA	\$350.00	211.75	\$74,112.50		\$0.00
Green, Denis	CA	\$350.00	1,412.50	\$494,375.00	707.25	\$247,537.50
Lee, Thomas	CA	\$350.00	228.60	\$80,010.00		\$0.00
Paralegals and Legal Assistants:						
Becker, Kathy	PL	\$370.00	24.40	\$9,028.00	5.20	\$1,924.00
Lopez, Jennifer	PL	\$325.00	26.75	\$8,693.75		\$0.00
Misra, Jessica	PL	\$395.00	23.00	\$9,085.00	23.00	\$9,085.00
TOTALS			8,033.05	\$3,736,555.75	2,599.40	\$1,231,753.00

9. Thus, the total time for which my firm is requesting an award of legal fees is 8,033.05 hours. The total lodestar value of these professional services is \$ 3,736,555.75

10. The above hourly rates for Berman Tabacco's attorneys and professional support staff are the firm's current hourly rates. The firm's lodestar figures do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in the firm's

¹ "P" refers to Partners. "A" refers to Associates. "OC" refers to Of Counsel. "SA" refers to Staff Attorneys. "CA" refers to Contract Attorneys. "PL" refers to Paralegals.

current billing rates. Further, expense items do not contain any general overhead costs and do not contain a surcharge over the amount paid to the corresponding vendor(s).

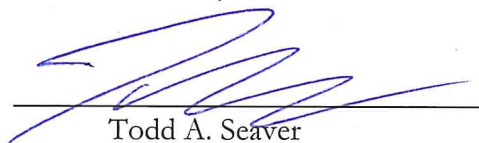
11. As detailed and categorized in the below schedule, Berman Tabacco has incurred a total of \$69,561.07 in expenses from March 1, 2018 to present for which it is currently requesting reimbursement.

Expense Categories	Expenses from 03/01/2018 to 02/28/2019
Travel - Airfare, Lodging, Meals, Taxi	\$21,860.72
Computer Research, Databases & Docket	\$492.73
Conferences, Meetings, Telephone, & Telecopier	\$203.90
Acquisition of Court Transcripts/Court Reporter Fees	\$90.00
Document Review, IT and Maintenance	
Professional, Consulting, or Expert Fees	
In-House Copying	\$46,513.72
Outside Copying	
Payroll-Overtime	
Postage, Mailing, FedEx, UPS, Fares & Messengers	
Publications, Library, Subscriptions, and Promotion	
Service and Filing Fees	\$400.00
TOTAL	\$69,561.07

12. The above schedule was prepared based upon expense records reflected in the books and records of Berman Tabacco. These books and records are prepared from expense vouchers, check records, receipts and other source materials.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 15, 2019
in San Francisco, California


Todd A. Seaver