

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JEFFREY LAYDON, on behalf of himself and all others  
similarly situated,

Plaintiff,

- against -

THE BANK OF TOKYO-MITSUBISHI UFJ, LTD., THE  
SUMITOMO TRUST AND BANKING CO., LTD., THE  
NORINCHUKIN BANK, MITSUBISHI UFJ TRUST AND  
BANKING CORPORATION, SUMITOMO MITSUI  
BANKING CORPORATION, J.P. MORGAN CHASE & CO.,  
J.P. MORGAN CHASE BANK, NATIONAL  
ASSOCIATION, J.P. MORGAN SECURITIES PLC,  
MIZUHO CORPORATE BANK, LTD., DEUTSCHE BANK  
AG, THE SHOKO CHUKIN BANK, LTD., SHINKIN  
CENTRAL BANK, UBS AG, UBS SECURITIES JAPAN CO.  
LTD., THE BANK OF YOKOHAMA, LTD., SOCIETE  
GENERALE SA, THE ROYAL BANK OF SCOTLAND  
GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC,  
RBS SECURITIES JAPAN LIMITED, BARCLAYS BANK  
PLC, CITIBANK, NA, CITIGROUP, INC., CITIBANK,  
JAPAN LTD., CITIGROUP GLOBAL MARKETS JAPAN,  
INC., COOPERATIEVE CENTRALE RAIFFEISEN-  
BOERENLEENBANK B.A., HSBC HOLDINGS PLC, HSBC  
BANK PLC, LLOYDS BANKING GROUP PLC, ICAP  
EUROPE LIMITED, R.P. MARTIN HOLDINGS LIMITED,  
MARTIN BROKERS (UK) LTD., TULLETT PREBON PLC,  
AND JOHN DOE NOS. 1-50,

Defendants.

Docket No. 12-cv-3419  
(GBD)

FUND LIQUIDATION HOLDINGS LLC as assignee and successor-in-interest to Sonterra Capital Master Fund, Ltd., HAYMAN CAPITAL MASTER FUND, L.P., JAPAN MACRO OPPORTUNITIES MASTER FUND, L.P., and CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM, on behalf of themselves and all others similarly situated,

Plaintiffs,

- against -

UBS AG, UBS SECURITIES JAPAN CO. LTD., SOCIÉTÉ GÉNÉRALE S.A., NATWEST GROUP PLC, NATWEST MARKETS PLC, NATWEST MARKETS SECURITIES JAPAN LTD, NATWEST MARKETS SECURITIES, INC., BARCLAYS BANK PLC, BARCLAYS PLC, COÖPERATIEVE RABOBANK U.A., LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, NEX INTERNATIONAL LIMITED, ICAP EUROPE LIMITED, TP ICAP PLC, BANK OF AMERICA CORPORATION, BANK OF AMERICA, N.A., MERRILL LYNCH INTERNATIONAL, AND JOHN DOE NOS. 1-50,

Defendants.

Docket No. 15-cv-5844  
(GBD)

**DECLARATION OF VINCENT BRIGANTI  
IN SUPPORT OF CLASS COUNSEL'S MOTION FOR AWARD  
OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, Vincent Briganti, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a member of the Bar of this Court and the Chairman and a shareholder of the law firm Lowey Dannenberg, P.C. (“Lowey”).

2. At all times relevant hereto, Lowey served as counsel for Representative Plaintiffs and the Court-appointed class counsel for the proposed Settlement Class for purposes of the Settlements in the above-captioned actions (the “Actions”).

3. I respectfully submit this declaration in support of Class Counsel’s Motion for Award of Attorneys’ Fees, Reimbursement of Expenses and Request for Service Award in connection with the Settlements with Defendants Barclays Bank Plc, Barclays Capital Inc., and Barclays Plc (collectively, “Barclays”); Nex International Limited (f/k/a ICAP Plc) and ICAP Europe Limited (collectively, “ICAP”); TP ICAP Plc (f/k/a Tullett Prebon Plc and n/k/a TP ICAP Finance Plc) (“Tullett Prebon”). Unless otherwise noted, ECF citations are to the docket in the *Laydon v. The Bank of Tokyo-Mitsubishi UFJ, Ltd., et al. (Laydon v. Mizuho Bank, Ltd.)*, No. 12-cv-3419 (GBD) (S.D.N.Y.) (“*Laydon*”). Unless otherwise defined, capitalized terms herein have the same meaning as in the Settling Defendants’ Settlement Agreements. *See* ECF Nos. 1049-1, 1049-2, 1049-3.

4. The statements herein are true to the best of my personal knowledge, information, and belief based on the books and records of Lowey and information received from Lowey attorneys and staff.

5. Set forth below are Lowey’s expenses reasonably incurred in connection with this litigation for which reimbursement is requested. Expense items are billed separately, and such charges are not duplicated in the firm’s 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).

6. As detailed and categorized in the below schedule, Lowey has incurred a total of \$854,321.32 in expenses from November 1, 2019 through December 31, 2022. Of these expenses, \$750,000.00 were reimbursed from the litigation expense fund that was established in this case. *See* ECF Nos. 724 ¶ 3, 892 ¶ 3; 1011 ¶ 3. Therefore, Lowey seeks a reimbursement of \$104,321.32 in unreimbursed expenses. The costs of Plaintiffs' experts and consultants (\$609,960.35) represent 71.4% of Lowey's expenses during this period.

<b>Expense Categories</b>	<b>Cumulative Expenses (November 2019 - December 2022)</b>	<b>Unreimbursed Expenses (November 2019 - December 2022)</b>
Professional, Consulting, or Expert Fees	\$609,960.35	\$104,321.32
Document Review, IT and Maintenance	\$209,198.52	
In-House Copying	\$5,318.60	
Computer Research, Databases & Docket	\$11,175.36	
Travel - Airfare, Lodging, Meals, Taxi	\$16,909.95	
Conferences, Meetings, Telephone, & Telecopier	\$259.58	
Service and Filing Fees	\$505.00	
Postage, Mailing, FedEx, UPS, Fares & Messengers	\$163.86	
Outside Copying	\$830.10	
<b>TOTAL</b>	<b>\$854,321.32</b>	<b>\$104,321.32</b>

7. Due to these expenses and the expenses of additional Plaintiff's Counsel, the above-referenced litigation fund has been fully utilized. Lowey asks this Court to approve an award of \$500,000 to replenish the litigation fund.

8. The above schedule was based upon expense records recorded in Lowey's books and records. These books and records are prepared from expense vouchers, check records, receipts, and other source materials.



# **EXHIBIT A**

**Schedule of Attorneys' Rates and Total Hours Billed in the Actions**

<b>Name and Position<sup>1</sup></b>	<b>Rate</b>	<b>Hours from inception to 12/31/22</b>	<b>Lodestar from inception to 12/31/22</b>	<b>Hours from 10/1/19 to 12/31/22</b>	<b>Lodestar from 10/1/19 to 12/31/22</b>
Vincent Briganti (S)	\$1,295	7,995.90	\$7,760,840.50	584.90	\$757,445.50
Geoffrey M. Horn (S)	\$1,295	5,791.20	\$5,578,279.00	301.70	\$390,701.50
Raymond Girmys (P)	\$1,015	9,090.00	\$5,550,282.00	735.30	\$746,329.50
Peter D. St. Phillip, Jr. (S)	\$1,295	4,547.60	\$4,297,832.00	1.00	\$1,295.00
Sitso Bediako (P)	\$1,015	5,665.20	\$3,812,034.00	695.60	\$706,034.00
John D'Amico (A)	\$650	6,046.20	\$3,325,650.00	2.40	\$1,560.00
Frank Strangeman (SA)	\$725	4,530.50	\$2,759,102.50	1,027.10	\$744,647.50
Christian Levis (P)	\$1,015	4,141.60	\$2,500,132.00	269.80	\$273,847.00
Ian Sloss (A)	\$550	4,472.60	\$2,459,930.00	0.00	\$0.00
Jennifer Tembeck (SA)	\$650	5,011.10	\$2,409,755.00	773.80	\$502,970.00
Thomas M. Skelton (P)	\$1,015	2,350.85	\$2,221,675.75	1.75	\$1,776.25
Lee Yun Kim (A)	\$390	4,733.70	\$1,846,143.00	0.00	\$0.00
Lee J. Lefkowitz (A)	\$550	3,197.60	\$1,758,680.00	0.00	\$0.00
Roland R. St. Louis III (A)	\$725	2,749.30	\$1,499,535.00	954.00	\$691,650.00
Sylvie Bourassa (A)	\$460	3,683.70	\$1,436,790.00	2.10	\$966.00
Michelle Conston (A)	\$400	3,516.80	\$1,406,720.00	0.00	\$0.00
Margaret C. MacLean (P)	\$1,015	1,375.40	\$1,309,505.00	982.10	\$996,831.50
Yong Kim (A)	\$340	3,799.10	\$1,291,694.00	0.00	\$0.00
Richard C. Frank (A)	\$340	2,647.70	\$900,218.00	0.00	\$0.00
Samantha L. Breitner (A)	\$430	2,455.30	\$835,747.00	10.50	\$4,515.00
Craig Mairer (A)	\$485	2,039.62	\$758,873.30	120.10	\$58,248.50
Andrew Sacher (SA)	\$900	886.75	\$744,588.00	377.35	\$339,615.00
Henry J. Kusjanovic (A)	\$430	1,920.70	\$701,991.50	14.40	\$6,192.00
Melissa Cabrera (A)	\$400	1,646.10	\$658,440.00	0.00	\$0.00
Jennifer Risener (A)	\$420	1,463.90	\$614,838.00	0.00	\$0.00
Matthew Guarnero (A)	\$325	1,806.20	\$587,015.00	0.00	\$0.00

<sup>1</sup> "S" refers to Shareholders, "P" refers to Partners, and "OC" refers to Of Counsel. "SA" refers to Senior Associates and "A" refers to Associates of the Firm. "AA" refers to law graduates who were awaiting admission. "PL" refers to paralegals. The hourly rates for the shareholders, associate attorneys and professional support staff in my firm included above are the same rates charged for their services in non-contingent matters and/or which have been accepted and approved in other complex class action litigation. *See, e.g., Sullivan v. Barclays plc et al.*, No. 13-cv-2811 (PKC), ECF No. 550 (S.D.N.Y. Nov. 15, 2022) (order granting fee award based on in part on the reasonableness of Lowey's hourly rates and lodestar).

<b>Name and Position<sup>1</sup></b>	<b>Rate</b>	<b>Hours from inception to 12/31/22</b>	<b>Lodestar from inception to 12/31/22</b>	<b>Hours from 10/1/19 to 12/31/22</b>	<b>Lodestar from 10/1/19 to 12/31/22</b>
Gerald Lawrence (S)	\$945	542.50	\$512,662.50	0.00	\$0.00
Matthew Acocella (A)	\$375	1,346.20	\$504,825.00	0.00	\$0.00
Anthony Christina (A)	\$520	1,355.80	\$495,192.50	2.10	\$1,092.00
Katherine Vogel (PL)	\$340	1,634.80	\$474,677.00	11.70	\$3,978.00
Adam Settle (A)	\$325	1,456.50	\$473,362.50	0.00	\$0.00
William J. Olson (A)	\$365	1,120.40	\$408,946.00	0.00	\$0.00
Bracha Gefen (A)	\$460	950.40	\$380,098.50	349.50	\$160,770.00
Christina McPhaul (A)	\$400	884.30	\$324,645.50	53.60	\$21,440.00
Bonnie Espino (A)	\$350	810.10	\$283,535.00	0.00	\$0.00
Peter Demato, Jr. (SA)	\$725	760.70	\$281,183.50	9.80	\$7,105.00
Barbara J. Hart (P)	\$980	295.10	\$278,880.00	0.30	\$294.00
Anita Alexander (A)	\$325	833.10	\$270,757.50	0.00	\$0.00
Anthony Odorisi (A)	\$365	731.85	\$267,125.25	0.00	\$0.00
Adebola M. Aderinto (A)	\$325	720.00	\$234,000.00	0.00	\$0.00
Richard W. Cohen (P)	\$945	242.20	\$228,879.00	0.00	\$0.00
Charles Z. Kopel (A)	\$520	465.30	\$226,332.00	364.50	\$189,540.00
Amir Alimehri (A)	\$410	642.30	\$224,706.50	90.35	\$37,043.50
Peter Barile III (OC)	\$900	235.00	\$211,500.00	235.00	\$211,500.00
Renee Nolan (P)	\$365	552.40	\$201,626.00	0.00	\$0.00
Garam Choe (A)	\$325	574.50	\$186,712.50	0.00	\$0.00
David C. Harrison (P)	\$1,015	212.70	\$178,878.00	1.20	\$1,218.00
Deborah Rogozinski (SA)	\$550	275.10	\$151,305.00	0.00	\$0.00
Amanda G. Fiorilla (A)	\$485	364.10	\$147,740.75	165.15	\$80,097.75
Scott Papp (SA)	\$650	221.50	\$141,002.50	102.60	\$66,690.00
Shelly Chauncey (A)	\$365	254.10	\$92,746.50	0.00	\$0.00
Johnathan P. Seredynski (SA)	\$725	139.90	\$89,977.50	25.40	\$18,415.00
Timothy B. Rode (A)	\$390	205.70	\$80,223.00	0.00	\$0.00
Gregory Santiago (PL)	\$180	477.70	\$76,522.00	4.50	\$810.00
Stephen Fay (PL)	\$180	468.40	\$75,184.00	12.00	\$2,160.00
Romina Curecheriu (AA)	\$300	227.60	\$68,280.00	0.00	\$0.00
Luke Goveas (A)	\$460	153.80	\$66,588.00	127.80	\$58,788.00
Sung-Min Lee (A)	\$600	110.10	\$66,060.00	0.00	\$0.00
Grace Lee (A)	\$365	126.90	\$46,318.50	0.00	\$0.00
Joanne Mannion (PL)	\$180	286.10	\$45,816.00	2.00	\$360.00

<b>Name and Position<sup>1</sup></b>	<b>Rate</b>	<b>Hours from inception to 12/31/22</b>	<b>Lodestar from inception to 12/31/22</b>	<b>Hours from 10/1/19 to 12/31/22</b>	<b>Lodestar from 10/1/19 to 12/31/22</b>
Noelle F. Ruggiero (P)	\$575	62.60	\$35,995.00	0.00	\$0.00
Uriel Rabinovitz (P)	\$1,015	60.00	\$35,028.00	1.20	\$1,218.00
Elisa Horn (PL)	\$150	208.20	\$31,230.00	0.00	\$0.00
Noelle Forde (A)	\$520	46.90	\$24,388.00	46.90	\$24,388.00
Yuanchen Lu (A)	\$460	52.25	\$24,035.00	52.25	\$24,035.00
Julia R. McGrath (A)	\$365	62.20	\$22,703.00	0.00	\$0.00
Alesandra Greco (A)	\$460	52.60	\$22,196.00	40.10	\$18,446.00
Melonie Penrhyn (PL)	\$315	67.00	\$21,105.00	67.00	\$21,105.00
David Zepeda (A)	\$370	61.85	\$20,095.00	22.00	\$8,140.00
Radhika Gupta (A)	\$460	43.50	\$20,010.00	43.50	\$20,010.00
Thomas Griffith (A)	\$485	37.85	\$18,357.25	37.85	\$18,357.25
Matthew Roberts (A)	\$370	46.50	\$17,205.00	46.50	\$17,205.00
Sylvia Hoffmann (PL)	\$160	86.70	\$13,872.00	0.00	\$0.00
Joseph Mansilla (A)	\$350	38.60	\$13,510.00	38.60	\$13,510.00
Christopher DeVivo (A)	\$430	29.50	\$12,685.00	29.50	\$12,685.00
Vincent Cappucci (A)	\$485	12.00	\$5,820.00	12.00	\$5,820.00
James Pedersen (A)	\$430	13.50	\$5,805.00	13.50	\$5,805.00
Maribel Valentin (PL)	\$160	35.50	\$5,680.00	0.00	\$0.00
Myra Fromholz (PL)	\$340	2.40	\$816.00	2.40	\$816.00
<b>TOTALS</b>		<b>118,261.42</b>	<b>\$67,173,114.30</b>	<b>8,864.70</b>	<b>\$7,277,465.75</b>