

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Laydon v. Mizuho Bank, Ltd., et al.

No. 12-cv-3419 (GBD)

Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.

No. 15-cv-5844 (GBD)

**DECLARATION OF BENJAMIN M. JACCARINO IN SUPPORT OF
CLASS COUNSEL'S MOTION FOR AWARD OF ATTORNEYS' FEES**

I, Benjamin M. Jaccarino, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a Partner with the law firm of Lovell Stewart Halebian Jacobson LLP (“Lovell Stewart”). The statements herein are true to the best of my personal knowledge, information and belief based on the books and records of Lovell Stewart and information received from its attorneys and staff.
2. Lovell Stewart serves as additional Plaintiffs’ counsel for the putative class in this action.
3. I respectfully submit this declaration in support of Class Counsel’s Motion for Award of Attorneys’ Fees, and seek attorneys’ fees in these actions.
4. During the course of this litigation, and as detailed herein, Lovell Stewart worked on assignments that it was specifically directed to perform by Class Counsel Lowey Dannenberg, P.C.
5. Set forth below in ¶ 7 are the lodestar value of the attorneys and professional staff of Lovell Stewart from inception to September 30, 2017 and also from September 1, 2016 to September 30, 2017, describing the lodestar value of the hours worked since Class Counsel’s previous motion seeking an award of attorneys’ fees in these actions. The lodestar calculations are 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 Lovell Stewart. The schedule in ¶ 10 below reflects the expenses incurred by the firm in its representation of the putative class in this litigation since Class Counsel’s previous motion seeking reimbursement of expenses incurred in these actions.
6. Among the services Lovell Stewart performed on behalf of the putative class in connection with the prosecution of the litigation include, but are not limited to, the following:
 - Strategized and planned with Class Counsel regarding the case.
 - Helped Class Counsel draft and prepare the amended complaint.
 - Drafted memos and participated in strategy calls with the clients regarding multiple issues, including litigation strategy and specific settlements.
 - Prepared, formatted, and analyzed data for further use.
 - Drafted memorandum of law regarding settlement approval and negotiated with Defendants on settlement approval.
 - Communicated with clients regarding the status of the action, and numerous potential strategies and courses of action.
 - Reviewed and analyzed transcripts from related actions.
 - Reviewed and analyzed documents produced in this action.
 - Reviewed and translated Japanese language documents.
 - Worked on the antitrust, CEA, and the summary of allegation portions of the opposition to the motion to dismiss.

- Researched, prepared for, and argued the antitrust and RICO portions of the second motion to dismiss.
- Conducted legal research for and drafted portions of legal briefs regarding jurisdiction, 1292(b), and other matters.
- Received calls from Defendants inquiring about settlement.
- Prepared for, conducted and participated in settlement negotiations, conferences, communications, presentations, and mediation with Defendants.
- Communicated with the economist, Dr. Craig Pirrong, regarding numerous matters.
- Conducted extensive work and legal research on potential plan of allocation and allocation counsel.
- Retained Arthur Miller and worked with Lead Counsel and Arthur Miller on personal jurisdiction issues.
- Retained nationally recognized mediator, Ken Feinberg; worked with Mr. Feinberg and Class Counsel on plan of allocation issues.
- Researched, prepared for, and attended oral arguments.

7. Lovell Stewart’s total fee compensable time for which it seeks an award of attorneys’ fees is summarized below.

Attorneys	Role¹	Rates	Hours from inception to 9/30/2017	Lodestar from inception to 9/30/2017	Hours from 9/1/2016 to 9/30/2017	Lodestar from 9/1/2016 to 9/30/2017
Christopher Lovell	P	\$1,045	860.55	\$899,274.75	336.60	\$351,747.00
Gary Jacobson	P	\$990	100.65	\$99,643.50	85.65	\$84,793.50
Victor Stewart	P	\$990	177.74	\$175,962.60	19.80	\$19,602.00
Jody Krisiloff	P	\$870	151.95	\$132,196.50	50.55	\$43,978.50
Christian Siebott	P	\$825	325.00	\$268,125.00	325.00	\$268,125.00
Ian Stoll	P	\$815	85.25	\$69,478.75	0.25	\$203.75
Craig Essenmacher	P	\$790	44.00	\$34,760.00	0.00	\$0.00
Misa Shimada	P	\$775	1,026.70	\$795,692.50	1,026.70	\$795,692.50
Merrick Rayle	OC	\$760	176.80	\$134,368.00	78.30	\$59,508.00
Jason Eyster	P	\$745	517.75	\$385,723.75	13.00	\$9,685.00

¹ “P” refers to Partners. “A” refers to Associates. “SA” refers to Staff Attorneys. “OC” refers to Of Counsel. “PL” refers to Paralegals. “LA” refers to Legal Assistants.

Keith Essenmacher	P	\$735	97.00	\$71,295.00	0.00	\$0.00
Robert Rodriguez	P	\$675	166.70	\$112,522.50	0.00	\$0.00
Rikiya Sakamoto	OC	\$510	1,175.75	\$599,632.50	764.50	\$389,895.00
Benjamin Jaccarino	P	\$500	198.25	\$99,125.00	108.25	\$54,125.00
Amanda Miller	P	\$500	2.10	\$1,050.00	0.00	\$0.00
Fred Isquith	P	\$500	367.30	\$183,650.00	97.40	\$48,700.00
Michael Gallagher	A	\$420	161.00	\$67,620.00	0.00	\$0.00
James Payne	OC	\$400	591.60	\$236,640.00	277.00	\$110,800.00
Matthew Kuipers	SA	\$375	317.60	\$119,100.00	0.00	\$0.00
Christopher Mooney	A	\$330	20.10	\$6,633.00	0.00	\$0.00
Chris Rodriguez	SA	\$320	105.00	\$33,600.00	105.00	\$33,600.00
John Hudak	AA	\$250	18.60	\$4,650.00	0.00	\$0.00
Paralegals and Legal Assistants						
Lisa Claire	LA	\$350	367.60	\$128,660.00	184.00	\$64,400.00
Keith Andrews	PL	\$205	67.80	\$13,899.00	31.50	\$6,457.50
Bonnie Lockwood	PL	\$185	11.10	\$2,053.50	0.00	\$0.00
Lotan Korenblit	PL	\$175	13.75	\$2,406.25	6.50	\$1,137.50
TOTALS			7,147.54	\$4,677,762.10	3,509.90	\$2,342,450.25

8. Thus, the total time for which my firm is requesting an award of legal fees is 7,147.54 hours. The total lodestar value of these professional services is \$4,677,762.10.

9. The above hourly rates for Lovell Stewart'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 current billing rates.

10. As detailed and categorized in the below schedule, Lovell Stewart has incurred a total of \$18,437.82 in expenses from September 1, 2016 through September 30, 2017 for which it will be reimbursed from the litigation expense fund created by this Court. *See Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*, No. 15-cv-5844 (GBD), ECF No. 297 ¶ 3.

Expense Categories	Cumulative Expenses
Expert/Mediation	\$ 13,940.56
Shipping	\$ 107.82
Legal Research	\$ 4,335.25
Meals	\$ 34.19
TOTAL	\$18,437.82

11. The above schedule was prepared based upon expense records reflected in the books and records of Lovell Stewart. 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 October 27, 2017


Benjamin M. Jaccarino