

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
TAX DIVISION**

AMERICAN PHILOSOPHICAL
ASSOCIATION, et al.,

Plaintiffs,

v.

DISTRICT OF COLUMBIA,

Defendant.

Civil Case No. 2019 CVT 000003

Judge Kimberly S. Knowles

Next Date: None

**DECLARATION OF SILVIJA A. STRIKIS IN SUPPORT OF
PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES,
AND A SERVICE AWARD**

I, SILVIJA STRIKIS, declare under the penalty of perjury and state as follows:

1. I am a Partner of the law firm of Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C. ("Kellogg Hansen") and Class Counsel for Plaintiff and Class Representative American Anthropological Association and the certified Class in the above-captioned matter.

2. I make this Declaration in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Expenses and for a Service Award. All of the facts stated herein are true and correct and are based upon my personal knowledge and various documents relevant to this matter.

3. My firm, Kellogg Hansen, has decades of experience prosecuting class actions involving complex and challenging issues. Kellogg Hansen has litigated numerous contingent matters, recovering billions of dollars for its clients. The firm therefore can command high contingency percentages in its engagements.

4. Below is a table summarizing some of Kellogg Hansen's pure contingency arrangements:*

Table 1

Year	Subject Matter	Contingency Fee
1998	Tortious Interference	50%
2000	Unfair Competition	50%
2004	Antitrust (tobacco)	33.33%
2005	Breach of Contract (employment)	33.33%
2009	Securities (banking)	25%
2010	False Claims Act	40% of relator's recovery
2012	Accounting Malpractice	33.33%
2014	False Claims Act	40% of relator's recovery
2015	False Claims Act	37% of relator's recovery
2016	Antitrust (healthcare)	33.33%
2017	Antitrust (automotive)	40%
2017	Antitrust (automotive)	33.33%
2018	Antitrust (automotive)	30%
2018	Antiterrorism (mass tort)	40%
2019	Antiterrorism (mass tort)	40%
2019	Whistleblower Retaliation	33.33%
2021	Antitrust (banking)	20% if settlement before end of discovery; 33% if settlement after summary judgment; 50% if settled or resolved after jury selection
2023	Antiterrorism (mass tort)	40%
2023	Consumer Protection (ticketing)	38.50%
2025	Antitrust (energy)	31%

5. A true and correct copy of Kellogg Hansen's firm resume is attached hereto as Exhibit A.

* This table lists Kellogg Hansen's pure contingent arrangements in both class actions and non-class actions.

6. To achieve the significant financial tax refunds obtained in this case, it has been necessary for Class Counsel to engage in substantial motion practice and discovery over the last eight years, review significant amounts of information regarding nonprofit organizations and related claims, as well as present the testimony of ten witnesses, present oral arguments, and submit many briefs during the damages phase of this case.

7. The history of the case and the work that Class Counsel has performed on behalf of Plaintiffs and the Class is set forth in greater detail in the Declaration of Jeffrey Klafter. Kellogg Hansen has been deeply involved in all aspects of that work since May 2017. Kellogg Hansen lawyers engaged in intensive litigation and case management efforts, including extensive motion practice and discovery; securing class certification; coordinating subpoenas and class notice; securing summary judgment on liability; and successfully opposing renewed motions to dismiss and to decertify the class. Kellogg Hansen attorneys also assisted in the preparations for multiple hearings, prepared and presented witness testimony to address the District's objections at the final hearing, and aided in the drafting of post-hearing submissions. All of this work culminated in significant tax refunds for the Class.

8. Kellogg Hansen has spent 989.5 hours litigating this case. These professional services amount to an aggregate lodestar of \$890,286.50. The hours reported are reasonable for a case of this complexity, magnitude, and length and were compiled from time records duly maintained and contemporaneously reported by each attorney and staff member of my Firm.

9. Specifically, the following attorneys and staff of my Firm worked on this case, for the hours set forth below, and at the current hourly rates set forth below to obtain the lodestar figures.

NAME	TITLE	TOTAL HOURS	HOURLY RATE	LODESTAR
Silvija A. Strikis	Partner	224.6	\$ 1,525.00	\$ 342,515.00
E. Perot Bissell	Associate	240	\$ 985.00	\$ 236,400.00
Gabriel A. Kohan	Associate	29.9	\$ 690.00	\$ 20,631.00
Rachel P. May	Associate	152.8	\$ 650.00	\$ 99,320.00
Kimberly A. Briggs	Staff Attorney	4.6	\$ 590.00	\$ 2,714.00
Mary Ann K. Endo	Research Director	1.2	\$ 625.00	\$ 750.00
Bernadette M. Murphy	Paralegal Director	20.8	\$ 545.00	\$ 11,336.00
David M. Burke	Paralegal	46.5	\$ 545.00	\$ 25,342.50
Tessa L. Cody	Paralegal	11.8	\$ 150.00	\$ 1,770.00
Lisa M. Harger	Paralegal	10.8	\$ 475.00	\$ 5,130.00
Alexandra C. Kavieff	Paralegal	9.2	\$ 475.00	\$ 4,370.00
Darrin D. Leverette	Paralegal	135.2	\$ 545.00	\$ 73,684.00
Renee L. Lowder	Paralegal	0.8	\$ 230.00	\$ 184.00
Emilia C. Lukeman	Paralegal	9.5	\$ 475.00	\$ 4,512.50
Maura M. MacDonald	Paralegal	8.5	\$ 475.00	\$ 4,037.50
Jonathan A. Rabkin	Paralegal	8.2	\$ 475.00	\$ 3,895.00
Robyn Sommerfield	Paralegal	102.1	\$ 475.00	\$ 48,497.50
Sean D. Sullivan	Paralegal	7.5	\$ 475.00	\$ 3,562.50
Vegas F. Kastberg	Research Analyst	7	\$ 140.00	\$ 980.00
Joseph E. Long	Research Analyst	2.5	\$ 150.00	\$ 375.00
Carver D. Sinn	Litigation Support Specialist	1	\$ 280.00	\$ 280.00
TOTAL		989.5 Hours		\$ 890,286.50

10. These hourly figures are rates that we charge paying clients for our services and reflect the knowledge and experience of the attorneys and paralegals, the complexity of the cases

we undertake, and the reputation of my Firm. Hourly Rates reflect 2025 rates, except for former employees, whose Hourly Rate is the rate when they left the firm.

11. These rates are comparable to those charged by Kellogg Hansen's peer firms, as reflected in Exhibit B attached hereto, which is a true and correct summary of the rates charged by similarly situated law firms as reflected in fee applications filed by those firms.

12. Expense items are billed separately, and such charges are not duplicated in Kellogg Hansen's billing rates. The time entries reflecting this lodestar are available for the Court's *in camera* review upon request.

13. Class Counsel expect that there will be significant additional work in this case including further post-hearing briefing, computation of the interest due each approved Claimant, and work to ensure the smooth distribution of funds to all approved Claimants by the Claims Administrator.

14. My Firm also seeks reimbursement for litigation expenses and costs incurred in prosecuting this case of \$21,142.19. These costs were all incurred by my Firm with no guarantee of repayment and were necessary for the prosecution of this case. They are all reflected in the books and records of my Firm. These expense records are available for the Court's inspection, should it so require. A summary of them by category follows:

Court Transcripts	\$2,041.65
Court Fees	\$1,434.91
LEXIS/Westlaw	\$3,605.56
Fedex/Postage	\$148.05

Subpoena/Service	\$2,893.75
Mediation	\$10,000.00
Transportation (Airfare/Taxi) & Meals	\$429.15
Lodging	\$547.28
Printer/Copying	\$41.84
TOTAL	\$21,142.19

15. Based on Class Counsel's experience, each of these amounts is fair and reasonable.

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

Dated: October 17, 2025

/s/ Silvija A. Strikis

Silvija A. Strikis

CERTIFICATE OF SERVICE

I certify that, on October 17, 2025, the foregoing submission was served on all counsel of record listed in eFileDC, via electronic filing.

/s/ Silvija A. Strikis

SILVIJA A. STRIKIS

Exhibit A

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Firm Overview

Kellogg Hansen is a trial and appellate litigation firm founded on the idea that talent, creativity, and hard work achieve the best results for clients. Formed in the spring of 1993 by law school classmates (Harvard '82) Michael Kellogg, Peter Huber, and Mark Hansen, our firm has grown over the past 30 years – with each year proving that our founding principle holds true. Today, Kellogg Hansen has more than 100 attorneys and boasts an extensive record of success for our clients.

Our highly credentialed and motivated attorneys offer businesses, individuals, and governments sound counsel and innovative solutions to complex disputes and high-stakes matters. We have substantial experience trying cases to verdict at trial, arguing matters before the United States Supreme Court and other appellate courts, and representing businesses and individuals in parallel proceedings before state and federal courts, agencies, and arbitration panels. We represent both plaintiffs and defendants, providing our clients with a balanced view of both sides of litigation.

We are most proud of the exceptional results we achieve for our clients. Kellogg Hansen has won multiple verdicts in excess of \$1 billion, obtained settlements in the hundreds of millions of dollars for numerous clients, and successfully defended clients against similarly large damages claims. Our experience, talent, and hard work ensure that our clients receive highest-quality representation and extraordinary service.

Our Attorneys

Kellogg Hansen attorneys are trial-ready litigators who are not afraid of complexity and have the experience to successfully try high-stakes and high-profile litigation. *Chambers USA* reports that our firm is a “highly effective litigation boutique, known for its expertise in contentious civil matters, including bet-the-company cases in antitrust,” and that our attorneys provide “highly sophisticated representation to a broad range of corporate clients, with trial and appellate experience that extends across multiple jurisdictions and all the way up to the Supreme Court.”

Kellogg Hansen attorneys have the track record and results to back up the accolades:

- Our partners have been lead counsel in more than 100 federal and state trials and appeals and have argued 68 cases before the Supreme Court of the United States.
- Our attorneys won a defense verdict and obtained a unanimous affirmance on appeal in a fraudulent conveyance bench trial in which the plaintiff sought more than \$9 billion in damages.
- We have secured recoveries in excess of \$5.1 billion for defective mortgage-backed securities against a wide range of Wall Street banks on behalf of the National Credit Union Administration.
- We have argued and won precedent-setting Supreme Court cases in areas such as civil procedure (*Bell Atlantic Corp. v. Twombly*), antitrust (*Pacific Bell Tel. Co. v. Linkline Communications, Inc.*), securities regulation (*Amgen*

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Inc. v. Connecticut Retirement Plans & Trust Funds and *Matrixx Initiatives, Inc. v. Siracusano*), and federal preemption (*Wyeth v. Levine* and *Altria Group, Inc. v. Good*).

Courts across the country have recognized the work of Kellogg Hansen's committed attorneys. In the *Urethane* MDL, Judge Lungstrum stated that the Kellogg Hansen trial team "achieved an incredible result for the class, . . . and . . . won what is reported to be one of the largest verdicts of its kind in United States history. Counsel had to build this case on their own, without the help of a governmental investigation." Judge Lungstrum said that in his "almost 25 years of service on the bench, this Court has not experienced a more remarkable result." In *Dial Corp. v. News Corp.*, Judge Pauley called the efforts of Kellogg Hansen as co-lead counsel, together with four other law firms, "a paradigm for smooth and efficient claims administration" and said he wished "all class action settlements could end on such a high note."

Kellogg Hansen hires only the most talented and motivated attorneys to join us in our fast-paced and challenging practice. Nearly all Kellogg Hansen partners and associates graduated from top-tier law schools and served as law clerks for federal appellate judges, and many Kellogg Hansen partners have held high-level positions in both the federal government and the private sector.

The bench of credentialed and qualified attorneys at Kellogg Hansen is deep. The firm was founded with the conviction that able young attorneys can assume substantial responsibility at an early point in their careers for matters at both the trial and the appellate levels. We believe that this benefits both our clients, who receive cost-effective service from highly motivated attorneys, and the attorneys, who experience the satisfaction of practice.

Our Practice

Our practice builds on the experience of the firm's partners as attorneys in federal agencies, the White House, and the general counsel's office of a Fortune 100 corporation. We pride ourselves as generalists with subject matter experience that is both broad and deep in areas including complex corporate disputes, antitrust, class actions, securities fraud, fiduciary duty, professional liability, government investigations, Supreme Court and appellate litigation, telecommunications, intellectual property, and patents.

Our wide range of experience allows us to regularly take on cases that do not fit neatly into a single category and enables us to bring skills and tactics learned in one practice to another. The matters we handle for our clients range from a complex 500-party interpleader action to relatively straightforward commercial disputes. Kellogg Hansen attorneys have represented clients in state court and federal district court actions throughout the country, administrative proceedings, all of the federal courts of appeals, and the Supreme Court of the United States.

Our Approach

Because of our confidence in our abilities and our record of success, we regularly consider a wide variety of fee structures, including straight contingency arrangements, traditional hourly fee arrangements, and hybrid structures. We hire only the most skilled lawyers who can work in small, efficient teams to provide effective representation for our clients.



Top & Precedent-Setting Cases

Kellogg Hansen's litigation and enforcement practices have reshaped the substantive and procedural law over the last three decades. Our precedent-setting appellate victories include *Verizon Communications Inc. v. Law Offices of Curtis V. Trinko, LLP*, 540 U.S. 398 (2004); *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007); *Pacific Bell Tel. Co. v. Linkline Communications, Inc.*, 555 U.S. 438 (2009); *American Express Co. v. Italian Colors Restaurant*, 570 U.S. 228 (2013); and *Ohio v. American Express Co.*, 138 S. Ct. 2274 (2018).

At the trial level, Kellogg Hansen has secured two of the largest antitrust verdicts and defended those verdicts on appeal. See *In re Urethane Antitrust Litig.*, 768 F.3d 1245 (10th Cir. 2014) (affirming \$1.2 billion price-fixing verdict); *Conwood Co. v. U.S. Tobacco Co.*, 290 F.3d 768 (6th Cir. 2002) (affirming \$1.05 billion monopolization verdict), *cert. denied*, 537 U.S. 1148 (2003). We have also obtained many large settlements and successfully defended against similarly large antitrust claims.

Top Cases

***Innovative Health LLC v. Biosense Webster Inc.*, No. 8:19-cv-02148 (C.D. Cal.)**

Kellogg Hansen served as trial counsel in a major antitrust win, in which a federal jury awarded \$147.4 million to Innovative Health after finding that Johnson & Johnson subsidiary Biosense Webster illegally tied provision of clinical support services to purchase of its heart catheters and monopolized the markets in its catheters through various anticompetitive means.

***Loop LLC v. CDK Global, LLC* No. 3:24-cv-00571 (W.D. Wisc.)**

Kellogg Hansen served as co-lead MDL counsel and class counsel and reached a \$630 million settlement in an antitrust case against CDK Global over its alleged conspiracy with Reynolds & Reynolds to restrict access to auto dealer data. Kellogg Hansen independently developed the legal theories and evidence over eight years, without relying on prior government or private litigation. If approved, the class settlement will return 82% of damages to class members—an exceptionally high recovery rate in antitrust class actions.

Duke Energy Carolinas, LLC v. NTE Carolinas II, LLC

Kellogg Hansen served as lead trial and appellate counsel in an antitrust monopolization case brought by wholesale electric company NTE Carolinas against Duke Energy. Obtained reversal by the Fourth Circuit of the district court's grant of summary judgment to Duke, in a decision that creates an important precedent on multiple important principles of U.S. antitrust law. Kellogg Hansen will serve as lead trial counsel on remand.

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United States ex rel. Scott v. Humana

Kellogg Hansen represented the relator in a federal False Claims Act case alleging that Humana intentionally overstated the value of its Medicare Part D Prescription Drug Plan when bidding for Part D contracts. Settled just before trial and recovered \$90 million for the client.

FuboTV et al. v. The Walt Disney Co. et al., Case No 1:24-mc-00070 (S.D.N.Y)

Kellogg Hansen currently represents fuboTV in an antitrust lawsuit against The Walt Disney Company, Fox Corporation, Warner Brothers Discovery, and these companies' respective affiliates, alleging violations of Section 7 of the Clayton Act, Section 1 of the Sherman Act, and New York's Donnelly Act.

Dexon Computer, Inc., v. Cisco Systems, Inc. No. 5:22-cv-00053-RWS-JBB (E.D. Tex)

Kellogg Hansen defended Cisco Systems against antitrust claims. Just before closing arguments in a jury trial, Dexon agreed to dismiss the claims and pay Cisco to resolve Cisco's counterfeit-trafficking claims pending in a separate case.

Petersen Energía Inversora v. Argentine Republic, No. 15-cv-2739 (S.D.N.Y.); Eton Park Capital Management, L.P. v. Argentine Republic, No. 16-cv-8569 (S.D.N.Y.)

Represent former shareholders of Argentina's national oil company, YPF, in lawsuit against the Argentine Republic for breach of corporate bylaws. After a multi-day trial, the district court recently rendered a \$16.1 billion judgment for the firm's clients. The case is ongoing.

Federal Trade Commission v. U.S. Anesthesia Partners, Inc., et al., Case No. 4:23-cv-03560 (S.D. Tex.)

Kellogg Hansen is currently representing USAP against the U.S. Federal Trade Commission in a case alleging violations of Section 7 of the Clayton Act, Sections 1 and 2 of the Sherman Act, and Section 5(a) of the FTC Act.

Electrical Medical Trust, et al. v. U.S. Anesthesia Partners, Inc., et al., Case No.: 4:23-cv-04398 (S.D. Tex.)

Kellogg Hansen is currently representing USAP against two employee-benefit plans purporting to represent a class of similarly situated entities in a case alleging violations of Section 7 of the Clayton Act, and Sections 1 and 2 of the Sherman Act.

Federal Trade Commission v. Meta Platforms, Inc., Mark Zuckerberg, and Within Unlimited, Inc., No. 3:22-cv-04325 (N.D. Cal 2023)

Kellogg Hansen defeated a request by the U.S. Federal Trade Commission to preliminarily enjoin Meta's acquisition of Within Unlimited, Inc. After the district court ruled in favor of Meta, the FTC abandoned its parallel administrative complaint in the administrative home court.

In re Dealer Management Systems Antitrust Litigation, MDL No. 2817 (N.D. Ill.)

Kellogg Hansen served as co-lead counsel for the plaintiffs in major antitrust litigation against the two leading providers of dealer management systems, CDK Global, LLC and The Reynolds & Reynolds Company. Kellogg Hansen attorneys have spearheaded the investigation of the core claims in this antitrust litigation. In 2017, they obtained a rare preliminary injunction on behalf of their client, Authenticom, Inc.

Glaz LLC, et al. v. Sysco Corp., No. 225609 (London Ct. Int'l Arb.)

Kellogg Hansen represented litigation finance company Burford Capital in international arbitration dispute with Sysco Corporation. After a multi-day evidentiary hearing, the arbitral panel issued a preliminary injunction in favor of Burford, and Sysco then settled.

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SEC v. Ripple Labs Inc. (S.D.N.Y.)

Kellogg Hansen represents Ripple Labs Inc. in an ongoing securities enforcement action by the SEC alleging that Ripple sold unregistered securities. In 2023, the team won partial summary judgment in what is believed to be the first time the SEC lost any part of a cryptocurrency enforcement action on the merits.

U.S. ex rel. Ruckh v. Salus Rehabilitation, 963 F.3d 1089 (11th Cir. 2020)

Kellogg Hansen obtained jury verdict and then reinstatement on appeal of more than \$250 million judgment in False Claims Act litigation involving fraudulent upcoding at Florida skilled nursing facilities.

CDK Global LLC, et al. v. Brnovich, No. CV-19-04849 (D. Ariz.); CDK Global, LLC v. Brnovich, 16 F.4th 1266 (9th Cir. 2021)

Kellogg Hansen represented Arizona Automobile Dealers Association in successfully defending constitutional challenge to Arizona consumer protection and competition law. After a multi-day evidentiary hearing, the district court held the statute constitutional, and the Ninth Circuit affirmed.

Stuart v. Global Tel*Link Corp., 956 F.3d 555 (8th Cir. 2020)

Kellogg Hansen obtained complete dismissal of plaintiffs' class-action claims against telecommunications carrier and successfully defended dismissal on appeal.

Liu v. SEC, 140 S. Ct. 1936 (2020)

Kellogg Hansen successfully represented petitioner in the United States Supreme Court on issue of whether a disgorgement award constitutes permissible equitable relief under the securities laws.

Johnson v. Copyright Royalty Board, 969 F.3d 363 (D.C. Cir. 2020)

Kellogg Hansen represented a provider of a major music streaming service and argued before the D.C. Circuit in a successful challenge to a Copyright Royalty Board decision, and represented that provider in administrative proceedings before the Copyright Royalty Board on remand.

Social Ranger, LLC v. Facebook, Inc. (D. Del.)

Kellogg Hansen served as co-lead trial counsel defending Facebook, Inc., against antitrust claims brought by Social Ranger, LLC, relating to social games on Facebook. The case settled shortly before trial.

GAMCO Asset Management, Inc. v. iHeart Media, Inc., et al. (Del. Ch. and Del. Sup. Ct.)

Kellogg Hansen served as lead counsel for Bain Capital, Thomas H. Lee Partners, and iHeart Media defending against claims of breach of fiduciary duty in derivative action relating to iHeart's relationship with its subsidiary Clear Channel Outdoor Holdings. Obtained dismissal of all claims in Delaware Chancery Court. Presented argument in Delaware Supreme Court and won summary affirmance.

UFCW & Employers Benefit Trust v. Sutter Health, No. CGC 14-538451 (Cal. Super. Ct.)

Successfully represented a certified class of employers, unions, and government entities alleging that the Sutter Health hospital system leveraged its market power to engage in anticompetitive conduct, insulate itself from competition, and charge inflated prices. Sutter agreed to pay \$575 million and to comprehensive injunctive relief, including changing its practices under the supervision of a court-appointed monitor.

United States v. AT&T Inc., 310 F. Supp. 3d 161 (D.D.C. 2018), *aff'd*, 916 F.3d 1029 (D.C. Cir. 2019)

Kellogg Hansen represented AT&T in the Department of Justice's challenge to the merger of AT&T and Time Warner.

Peerless Network, Inc. v. MCI Communications Services, Inc., 917 F.3d 538 (7th Cir. 2019)

Kellogg Hansen represented a major telecommunications company before the Seventh Circuit and successfully argued for reversal of a \$50 million judgment.

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***Viamedia Inc. v. Comcast Corp.*, No. 16-cv-05486 (N.D. Ill. 2017)**

Kellogg Hansen represented Viamedia Corporation in an antitrust suit alleging unlawful tying and exclusive dealing in the local cable advertising representation market.

***In re Text Messaging Antitrust Litigation*, 782 F.3d 867 (7th Cir. 2015)**

Kellogg Hansen successfully defended Verizon Wireless against a multi-billion dollar price-fixing suit, winning summary judgment and affirmance on appeal and taking the lead in briefing and argument on behalf of all defendants.

***Anderson News, L.L.C. v. American Media, Inc.*, 680 F.3d 162 (2d Cir. 2012), cert. denied, 568 U.S. 1087 (2013)**

Kellogg Hansen argued successfully that the district court judgment granting defendants' motion to dismiss for failure to state a claim under § 1 of the Sherman Act, 15 U.S.C. § 1, be vacated and remanded.

***Ritz Camera & Image, LLC v. SanDisk Corp.*, 700 F.3d 503 (Fed. Cir. 2012)**

Kellogg Hansen successfully represented Ritz Camera and proposed class action in an interlocutory appeal to the Federal Circuit in a case establishing that the Supreme Court's decision in *Walker Process Equipment, Inc. v. Food Machinery & Chemical Corp.*, 382 U.S. 172 (1965), allowed direct purchasers to bring antitrust claims under Section 2 of the Sherman Act for monopolization based on fraudulently procured patents regardless of whether the purchaser would have independent standing to challenge the validity of the patent.

***In re Urethane Antitrust Litigation*, MDL No. 1616 (D. Kan. 2013)**

In one of the few antitrust class actions to go to trial, Kellogg Hansen served as co-lead trial counsel for a class of direct purchasers in a four-week jury trial in 2013 alleging price fixing by the Dow Chemical Company. The jury ultimately rendered a \$1.2 billion verdict, the largest antitrust verdict in U.S. history. The verdict was upheld on appeal at the circuit level, and the case was settled while under review by the Supreme Court. In its final approval order, the District Court wrote: "[i]n almost 25 years of service on the bench, this Court has not experienced a more remarkable result."

***Verizon Communications Inc. v. Law Offices of Curtis V. Trinko, LLP*, 540 U.S. 398 (2004)**

Kellogg Hansen successfully represented Verizon in a leading case limiting firms' affirmative obligations to assist competitors under Section 2 of the Sherman Act.

***United States v. AT&T Inc.*, No. 17-cv-02511 (D.D.C.)**

Kellogg Hansen represented AT&T in the Department of Justice's challenge to the merger of AT&T and Time Warner.

***Coordination Proceedings Special Title (Rule 1550(b)) Microsoft I – V Cases*, J.C.C.P. No. 4106 (Cal. Super. Ct., San Fran.)**

Kellogg Hansen represented the plaintiffs in Coordination Proceedings Special Title (Rule 1550(b)) Microsoft I – V Cases. Kellogg Hansen attorneys investigated, drafted, and filed the complaint in *Lingo v. Microsoft Corp.*, No. 301357 (Cal. Super. Ct., San Fran.), which became the lead case against Microsoft in California after consolidation, on February 18, 1999. On January 10, 2003, plaintiffs' counsel and the class representatives reached an agreement with Microsoft on a settlement, which provided \$1.1 billion in monetary benefits to California consumers and municipalities. This settlement is the largest recovery of a monopoly overcharge ever achieved in the United States and the largest recovery ever achieved under California's Cartwright Act or California's Unfair Competition Act.

Smokeless Tobacco Consumer Class Actions (2000-2008)

Kellogg Hansen represented classes of California, Kansas, New York, and Wisconsin consumers of moist smokeless tobacco in antitrust and related actions against U.S. Smokeless Tobacco, in which the consumers alleged, among other things, that U.S. Smokeless Tobacco engaged in anticompetitive behavior that had the effect of unlawfully raising prices paid by consumers, thereby causing hundreds of millions of dollars in damages. After plaintiffs scored numerous

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victories on class certification, discovery, and other issues, these matters settled on favorable terms collectively for hundreds of millions of dollars in value for consumers.

***Conwood Co., L.P. v. U.S. Tobacco Co.*, 290 F.3d 768 (6th Cir. 2002), cert. denied, 537 U.S. 1148 (2003)**

Kellogg Hansen represented Conwood in obtaining and defending the largest antitrust verdict ever affirmed on appeal. The jury found that United States Tobacco (UST) abused its monopoly power and awarded Conwood \$1.05 billion in damages. UST ultimately paid the entire verdict plus interest after appeals were exhausted. The trial team included now-Supreme Court Justice Neil Gorsuch.

***In re Copper Antitrust Litigation*, MDL 1303 (W.D. Wis. 2000)**

Kellogg Hansen represented a group of industrial copper purchasers in an antitrust action against J.P. Morgan, in which the purchasers alleged that J.P. Morgan participated in a conspiracy to manipulate the worldwide price of copper, thereby causing hundreds of millions of dollars in damages. Plaintiffs successfully opposed a motion for summary judgment, and the matter settled favorably immediately before trial with the clients recovering approximately forty times more than their share of the class recovery against the other defendants in an earlier phase of the litigation.

***Dial Corp. v. News Corp.*, No. 13-cv-06802 (S.D.N.Y.)**

Kellogg Hansen successfully represented six corporate class representative clients, including Dial Corporation and other plaintiffs, in this Sherman Act monopolization case involving in-store promotions. On the first day of trial, Kellogg Hansen attorneys secured a settlement of \$250 million and significant injunctive relief for both their clients and the certified class of 699 consumer product goods companies. The American Antitrust Institute named Kellogg Hansen a 2017 Antitrust Enforcement Awards honoree for “Outstanding Antitrust Litigation Achievement in Private Law Practice” for their representation in this case.

***In re Steel Antitrust Litigation*, No. 08-cv-5214 (N.D. Ill.)**

Kellogg Hansen attorneys served as court-appointed co-lead class counsel on behalf of a class of direct purchasers that included all the major automakers as well as a number of other Fortune 500 companies in a proposed class action alleging several manufacturers colluded to inflate steel prices. After defeating a motion to dismiss and persuading the court to certify a class, the claims were settled for approximately \$194 million in the aggregate.

***Volumetrics Medical Imaging, Inc. v. ATL Ultrasound, Inc.*, No. 01-cv-00182 (M.D.N.C.)**

Kellogg Hansen obtained a jury verdict of \$318.75 million for fraud and unfair trade practices arising out of contract negotiations between plaintiff, a high-technology start-up company, and defendant, a major ultrasound company. This was one of the largest unfair trade practices judgments (\$180 million collected in a settlement).

***United States v. AT&T Inc., T-Mobile USA, Inc., and Deutsche Telekom AG*, No. 11-01560 (D.D.C.)**

Kellogg Hansen was retained by AT&T Inc. to serve as lead trial counsel in the Department of Justice lawsuit to enjoin the merger of AT&T Inc. and T-Mobile USA, Inc.

Precedent-Setting Cases

***Apple Inc. v. Pepper et al.*, 139 S. Ct. 1514 (2019)**

Kellogg Hansen represented iPhone owners in one of the most significant victories for private antitrust plaintiffs in the Supreme Court’s recent history.

***Ohio v. American Express Co.*, 138 S. Ct. 2274 (2018)**

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Kellogg Hansen successfully served as appellate counsel to American Express in the Supreme Court's most significant Rule of Reason antitrust case in two decades.

***American Express Co. v. Italian Colors Restaurant*, 570 U.S. 228 (2013)**

In a major Supreme Court antitrust arbitration victory, Kellogg Hansen attorneys argued successfully for American Express that the Federal Arbitration Act does not permit courts, invoking the "federal substantive law of arbitrability," to invalidate arbitration agreements on the ground that they do not permit class arbitration of federal antitrust claims.

***Pacific Bell Telephone Co. v. Linkline Communications, Inc.*, 555 U.S. 438 (2009)**

Kellogg Hansen won the reversal of a Ninth Circuit "price squeeze" decision, overturning a 60-year-old precedent, and persuaded the Supreme Court to adopt a broad ruling that, in the absence of a duty to deal, a wholesale monopolist has no obligation to avoid setting prices that disadvantage downstream rivals.

***Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007)**

Kellogg Hansen successfully represented AT&T and other telecommunications firms in securing the reversal of the Second Circuit ruling and dismissal of antitrust conspiracy claim in the most significant decision on pleading standards in 50 years. This landmark decision established that parallel conduct, absent plausible evidence of an agreement, is insufficient to state a claim under § 1 of the Sherman Act.

Exhibit B

2024 Market Rates of Peer Firms

Firm Name	Partner (Highest)	Partner (Lowest)	Associate (Highest)	Associate (Lowest)	Citation
Kellogg Hansen	\$ 1,925.00	\$ 1,150.00	\$ 1,040.00	\$ 725.00	
Akin Gump	\$ 2,195.00	\$ 1,540.00	\$ 995.00	\$ 840.00	<i>In re Endi Int'l plc</i> , No. 22-22549 (Bankr. S.D.N.Y. May 17, 2024), ECF No. 4314
Boies Schiller	\$ 2,330.00	\$ 1,020.00	\$ 920.00	\$ 730.00	<i>Chason Brown, et al. v. Google LLC, et al.</i> , No. 20-3664 (N.D. Cal. Apr. 23, 2024), ECF No. 1107-20
Kirkland Ellis	\$ 2,445.00	\$ 1,365.00	\$ 1,395.00	\$ 785.00	<i>In re Rite Aid Corp.</i> , No. 23-18993 (Bankr. D.N.J. June 21, 2024), ECF No. 3888
Latham	\$ 1,965.00	\$ 1,645.00	\$ 1,275.00	\$ 890.00	<i>In re Endi Int'l plc</i> , No. 22-22549 (Bankr. S.D.N.Y. May 17, 2024), ECF No. 4265
MoloLamken	\$ 1,975.00	\$ 1,100.00	\$ 950.00	\$ 850.00	<i>In re LTL Mgmt. LLC</i> , No. 23-12825 (Bankr. D.N.J. Oct. 29, 2024), ECF No. 1916
Paul Hastings	\$ 2,300.00	\$ 1,835.00	\$ 1,395.00	\$ 885.00	<i>In re Cano Health, Inc.</i> , No. 24-10164 (Bankr. D. Del. Aug. 12, 2024), ECF No. 1322
Paul Weiss	\$ 2,395.00	\$ 1,815.00	\$ 1,560.00	\$ 895.00	<i>In re Prodigy Invs. Holdings, Inc.</i> , No. 23-11120 (Bankr. D. Del. Apr. 29, 2024), ECF No. 1297
Susman Godfrey	\$ 2,500.00	\$ 850.00	\$ 800.00	\$ 725.00	<i>Chason Brown, et al. v. Google LLC</i> , No. 20-3664 (N.D. Cal. Apr. 23, 2024), ECF No. 1107-21