

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

IN RE: SKECHERS TONING SHOES
PRODUCTS LIABILITY LITIGATION

MASTER FILE No. 3:11-MD-2308-TBR

MDL No. 2308

This document relates to:

Honorable Thomas B. Russell

Hochberg, et al., v. Skechers U.S.A., Inc.

Case No. 3:12-cv-00370

**DECLARATION OF KEVIN S. LANDAU AND MARC L. GODINO IN SUPPORT
OF HOCHBERG'S COUNSEL'S APPLICATION FOR ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES**

We, Kevin S. Landau and Marc L. Godino, declare, under penalty of perjury, as follows:

1. We are partners at the law firms Taus Cebulash & Landau LLP and Glancy Binkow & Goldberg LLP, respectively, and are counsel for Plaintiffs Wendie Hochberg and Brenda Baum (these two firms, along with Berger & Montague P.C, are referred to herein as “Hochberg’s Counsel”). We are both admitted to practice before this Court pursuant to Rule 2.1(c) of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation.

2. We submit this declaration in support of an accompanying motion for an award for reasonable attorneys fees of \$450,000, and reimbursement of out of pocket expenses, totaling \$1,251.97.

Procedural Background

3. On June 18, 2010, *Grabowski v. Skechers U.S.A., Inc.*, No. 10-cv-1300-JM (WVG) (S.D. Cal.) (the “*Grabowski Action*”), was filed in the Southern District of California, asserting claims under California consumer protection statutes on behalf of a nationwide class.

4. On November 23, 2011, Plaintiffs Wendie Hochberg and Brenda Baum filed their complaint in the United States District Court for the Eastern District of New York, captioned *Hochberg v. Skechers U.S.A. Inc.*, 11 Civ. 5751 (SLT)(MDG) (E.D.N.Y) (the “*Hochberg Action*”), alleged violations of New York General Business Law § 349, as well as claims of unjust enrichment, on behalf of Skechers purchasers in the State of New York only.

5. At the time the *Hochberg Action* was filed, the Ninth Circuit had already granted a Rule 23(f) petition in *Mazza v. American Honda Motor Co., Inc.* whereby it would consider whether a nationwide class could be certified under California’s Unfair Competition Law, Business and Professional Code §17200 *et seq.* and Consumer Legal Remedies Act, Civil Code §1750 *et seq.* In fact, the *Grabowski Action* was stayed pending the outcome in *Mazza*. While other cases, including the *Grabowski Action*, had been filed against Skechers on behalf of a

nationwide class, the potential decision in *Mazza* could imperil that nationwide class.

6. The *Hochberg* Action proved to be filed prudently, as on January 12, 2012, the Ninth Circuit Court of Appeals decided *Mazza v. American Honda Motor Co., Inc.*, 666 F.3d 581 (9th Cir. 2012). The *Mazza* decision significantly limited the ability of class actions filed under California consumer protection statutes, like the *Grabowski* Action, to be nationally certified. Accordingly, the filing and litigation of the *Hochberg* Action was necessary to protect New York consumers' claims in light of the Ninth Circuit's decision in *Mazza*.

7. On February 3, 2012, Defendant answered the complaint in the *Hochberg* Action, but also filed a Motion to Dismiss, or in the Alternative, Transfer or Stay, based solely on the "first to file" rule. Hochberg's Counsel filed a response to Defendant's motion, explaining why the "first to file" rule did not apply, and that Defendant's application of the first to file rule was inconsistent with its previous claims in other courts that the actions filed on behalf of California consumers would not encompass non-California consumers.

8. On March 14, 2012, Hochberg's Counsel and Defendant's Counsel held a Rule 26(f) discovery conference and met and conferred regarding scheduling issues and a confidentiality stipulation.

9. On March 23, 2012, Magistrate Judge Marilyn D. Go of the Eastern District of New York held a status conference. There Defendant urged that the Court stay the case pending resolution of the first-to-file motion, but Magistrate Judge Go stated "certainly based on what I read in the pre-motion letters would not be prepared to stay discovery at this point." As a result, Magistrate Judge Go rejected Defendant's motion to stay request, ordering the case to proceed and setting a class discovery deadline of September 24, 2012. Magistrate Judge Go encouraged the parties to coordinate with counsel in the *Grabowski* Action on discovery and potential

settlement issues. Magistrate Judge Go entered a minute entry on the docket on March 23 indicating, “Prior to the next conference, the parties must confer on coordinating discovery with the California action and explore settlement, including engaging in an informal exchange of information as may be appropriate.”

10. On April 16, 2012, the parties exchanged Rule 26(a) initial disclosures and Plaintiff propounded discovery requests asking for documents produced in the *Grabowski* Action. Plaintiff also propounded a Rule 30(b)(6) deposition notice relating to advertising and marketing on Defendant’s ecommerce sites.

11. On April 24, 2012, Magistrate Judge Go held a second status conference where the parties updated her on the status of discovery and settlement discussions. On May 16, 2012, the Judicial Panel on Multidistrict Litigation transferred the *Hochberg* Action to the Western District of Kentucky.

12. Pursuant to Magistrate Judge Go’s directives, Hochberg’s Counsel reached out to Skechers and counsel in the *Grabowski* Action to coordinate discovery and settlement negotiations. Defendant indicated that it was trying to reach a global nationwide settlement of all Skechers consumer protection actions. Hochberg’s Counsel discussed the outline of a potential settlement, including the amount that would be available to the class and the settlement structure. Hochberg’s Counsel found that the terms were fair and reasonable to New York class members and found the settlement terms in the best interest of such class members.

13. In the course of actively litigating the *Hochberg* Action, Hochberg’s Counsel:

- conducted legal and factual research into claims and causes of actions on behalf of New York class;

- filed a complaint in the United States District Court for the Eastern District of New York, which Skechers answered;
- filed a response to Defendant’s Motion to Dismiss, or in the Alternative, Transfer or Stay based on “first to file” doctrine;
- engaged in Rule 26(f) conference with Defendant’s counsel;
- participated in March 23, 2012 status conference at which Hochberg’s Counsel persuaded Magistrate Judge Go to allow discovery to go forward and set a class certification deadline despite Skechers’ counsel urging the court to stay the action based on its “first to file” motion;
- exchanged Rule 26(a) initial disclosures;
- negotiated a confidentiality agreement with Skechers;
- facilitated a Rule 26(f) discovery conference with Defendant’s Counsel;
- propounded discovery upon Defendant, including (a) a Rule 30(b)(6) deposition notice relating to advertising and marketing on Defendant’s ecommerce sites; and (b) document requests relating to documents produced in the Grabowski Action; and
- participated in Settlement discussions to ensure that the claims of New York class members were fairly represented.

14. The litigation deadlines and propounded discovery in the *Hochberg* Action put the pressure on Defendants to move forward and enter into a timely and meaningful settlement. Resolution of the claims asserted in the *Hochberg* Action was necessary for a global settlement with Skechers.

15. Had the Settlement not been effectuated when it was, the *Hochberg* Action would have proceeded with substantive litigation. The litigation deadlines and propounded discovery in the *Hochberg* Action raised the pressure on Defendants to move forward and enter into a timely and meaningful settlement. Resolution of the claims asserted in the *Hochberg* Action was necessary for a global settlement with Skechers. In fact, David Weinberg, Skechers' CFO, stated that an impetus for the Settlement was that Skechers "could not ignore the exorbitant cost and endless distraction of several years spent defending multiple lawsuits in multiple courts across the country"

Hochberg's Counsel's Fee and Expense Requests Are Warranted

16. Hochberg's Counsel has expended a total of 279.85 hours litigating the *Hochberg* Action, for a total lodestar of \$157,223.25. The \$450,000 fee request represents a modest 2.8 multiplier of Hochberg's Counsel's lodestar. Lodestar charts from each of the three firms comprising Hochberg's Counsel are attached hereto as Exhibits A and B.

17. Hochberg's Counsel has prosecuted this case on an entirely contingent basis, with no guarantee of compensation for time expended or expenses incurred.

18. This litigation presented a number of complicated legal and factual issues concerning (1) whether Defendant's statements concerning the health benefits of Skechers Shape-Ups were material to purchasers; (2) to what extent consumers relied upon such statements; (3) whether the price of Skechers Shape-Ups was improperly inflated due to such statements; and (4) whether consumers suffered damages as a result of Defendant's conduct.

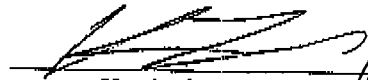
19. Hochberg's Counsel consists of the law firms of (1) Chaney Binkow and Goldberg LLP and (2) Taus Cebrulash & Landau LLP.¹¹ Each of these three law firms has considerable experience in the field of class action litigation, especially class action consumer litigation, and has each recovered many millions of dollars for consumers in similar settlements. Resumes of each of the three firms comprising Hochberg's Counsel are included at Exhibits C and D of this Declaration.

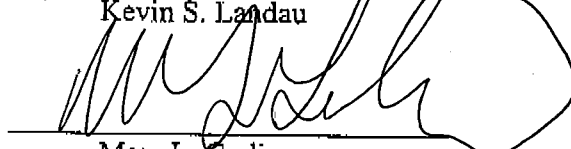
20. Defendant was represented by O'Melveny & Myers, LLP, a first-tier law firm with over 800 attorneys in 16 offices worldwide.

21. Counsel seeks reimbursement of a total of \$1,291.97 for various properly incurred expenses, including filing and service fees, postage and photocopying costs, and research costs. Expense charts from each of the three firms comprising Hochberg's Counsel are attached hereto as Exhibits E and F.

Under penalty of perjury, the foregoing is true and correct.

Dated December 28, 2012



Kevin S. Landau


Marc L. Godino

¹¹ Berger & Montague P.C. also expended minimal time and expenses in this litigation. Such times and expenses have not been reflected in this Declaration.

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2012, a copy of the foregoing was filed electronically, and served via ECF to all counsel listed on the Court's Attorney Service List. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 28th day of December, 2012, at Los Angeles, California.

s/Marc L. Godino

Marc L. Godino

EXHIBIT A

In re Skechers Toning Shoes Litigation
3:11-md-2308 (W.D.Ky)
TAUS, CEBULASH & LANDAU, LLP
Reporting Period: Inception- present Time Report

Timekeeper Name	Position	Time Charges	Current Billing Rate	Cumulative Time Charges at Current Billing Rate
Brett Cebulash	P	32.00	\$650.00	\$20,800.00
Kevin Landau	P	115.80	\$625.00	\$72,375.00
Archana Tamoshunas	P	15.00	\$550.00	\$8,250.00
Miles Greaves	A	15.00	\$290.00	\$4,350.00
Yakov Gershfeld	S.A.	11.00	225.00	\$2,475.00
Totals:		188.80		\$108,250.00

S.A. = "Summar Associate"

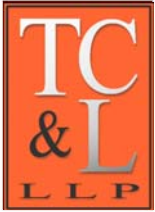
EXHIBIT B

**GLANCY BINKOW & GOLDBERG LLP
IN RE SKECHERS LITIGATION
FIRM LODESTAR**

FROM INCEPTION THROUGH 12 21 2012

Attorneys	Hours	Rate	Amount
Marc Godino	64.35	\$ 615.00	\$ 39,575.25
Casey Sadler	21.00	\$ 375.00	\$ 7,875.00
Total Attorney	85.35		\$ 47,450.25
Paralegal			
Tia Reiss	2.00	\$ 295.00	\$ 590.00
Harry Kharadjian	3.00	\$ 255.00	\$ 765.00
Erin Krikorian	0.70	\$ 240.00	\$ 168.00
Total Paralegal	5.70		\$ 1,523.00
TOTAL	91.05		\$ 48,973.25

EXHIBIT C



TAUS, CEBULASH & LANDAU, LLP

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FIRM RESUME

TAUS, CEBULASH & LANDAU, LLP is a litigation firm with a focus in complex antitrust and consumer protection class actions. The firm was founded in July 2009 with a few basic guiding principles: we are dedicated to providing the highest quality legal representation to our clients and class members, while working in an environment that inspires collaboration, inventiveness and productivity. Our founding partners have worked together for many years before starting the firm, and we have over 50 years combined experience in our practice areas.

We have extensive knowledge and experience in pharmaceutical and medical device antitrust actions. Prior to the founding of Taus, Cebulash & Landau, LLP, our attorneys played leadership roles in cases where hundreds of millions of dollars were recovered for class members, including the largest settlement of any direct purchaser class action alleging impeded generic pharmaceutical competition in the Hatch-Waxman antitrust context (the \$250 million *Tricor* settlement). We currently represent plaintiffs and class members in pharmaceutical antitrust actions including *In re Effexor XR Direct Purchaser Antitrust Litigation*, 11-cv-05479 (D.N.J.) (Executive Committee); *In re Prandin Direct Purchaser Antitrust Litigation*, 10-cv-12141 (E.D. Mich.) (Executive Committee); *Giant Eagle, Inc. v. Cephalon, Inc. et al.*, 10-cv-5164 (E.D. Pa.), *In Re Wellbutrin XL Antitrust Litigation*, 08-cv-2431 (E.D. Pa.), *In re Skelaxin (Metaxalone) Antitrust Litigation* MDL 2343 (E.D. Tenn.), *In re Lipitor Antitrust Litigation*, 12-cv-2389 (D.N.J.) and *Mylan Pharm., et al. v. Warner Chilcott PLC*, 12-cv-3824 (E.D. Pa.). Additionally, Taus, Cebulash & Landau, LLP and our co-counsel represent class members in various other complex antitrust actions in a variety of industries including *In Re Mushrooms Direct Purchaser Antitrust Litigation*, 06-cv-620 (E.D. Pa.), *Marchese v. Cablevision Systems Corp., and CSC Holdings, Inc.*, 10-cv-02190 (D.N.J.), *Universal Delaware Inc. v. Ceridian Corp., et al.*, 09-cv-2327 (E.D. Pa.), *In re Photochromic Lens Antitrust Litigation*, 10-md-2173 (M.D. Fl.); and *Wallach, et al. v. Eaton, et al.*, 10-cv-260 (D. Del.) (Executive Committee).

Our attorneys also have significant experience in consumer protection class actions, currently representing class members in *Esslinger, et al. v. HSBC*, 10-cv-3213 (E.D. Pa.) (Co-Lead Counsel); *In re Discover Payment Protection Plan Marketing and Sales Practices Litigation*, 10-cv-6994 (N.D. Ill.); *In re Bank of America Credit Protection Marketing and Sales Practices Litigation*, 11-md-02269 (N.D. Cal.) (Executive Committee); *Arnett v. Bank of America*, 11-cv-1372 (D.Or.); and *Scheetz v. JP Morgan Chase*, 12-cv-4113 (S.D.N.Y.). Our attorneys have also previously taken active roles in such cases as *McCoy v. Capital One Bank (USA), N.A. and Capital One Services, L.L.C.*, 10-cv-0185 (S.D. Cal.), and *In Re National Arbitration Forum Trade Practices Litigation*, 09-cv-01939 (D. Minn.).

ATTORNEYS

BARRY S. TAUS, PARTNER

Barry S. Taus currently represents plaintiffs and class members in various antitrust class actions including *Universal Delaware Inc. v. Ceridian Corp., et al.*, *In re Wellbutrin XL Antitrust Litigation*, *In re Prandin Direct Purchaser Antitrust Litigation*, *Wallach, et al. v. Eaton, et al.*, *Marchese v. Cablevision Systems Corp., et al.*, *In re Effexor XR Direct Purchaser Antitrust Litigation* and *In re Skelaxin (Metaxalone) Antitrust Litigation*; and *In re Lipitor Antitrust Litigation*.

Prior to founding Taus, Cebulash & Landau, LLP, Mr. Taus was a partner for 13 years at a New York law firm that specialized in class action litigation. At his prior firm, he acted as Lead Counsel or Co-Lead Counsel for classes of direct purchasers in a number of major, complex antitrust litigations, including *In re Cardizem CD Antitrust Litigation* (E.D. Mich.) (settled for \$110 million); *In re Terazosin Hydrochloride Antitrust Litigation* (S.D. Fla.) (settled for \$75 million); and *In re Tricor Antitrust Litigation* (D. Del.) (settled for \$250 million). He also actively participated in a number of successfully resolved antitrust actions, including *In re Buspirone Antitrust Litigation* (S.D.N.Y.) (settled for \$220 million); *In re Relafen Antitrust Litigation* (D. Mass.) (settled for \$175 million); and *In re Remeron Antitrust Litigation* (D. N.J.) (settled for \$75 million), and led a number of major antitrust actions that are still pending, including *In re Ciprofloxacin Hydrochloride Antitrust Litigation* (E.D. N.Y.); *In re K-Dur Antitrust Litigation* (D.N.J.); and *In re Modafinil Antitrust Litigation* (E.D. Pa.).

As Lead Counsel for the direct purchaser class in the *Tricor* case, Mr. Taus successfully negotiated the largest settlement of any direct purchaser class action alleging impeded generic pharmaceutical competition in the Hatch-Waxman antitrust context (\$250 million). Prior to settlement, Mr. Taus was responsible for overseeing all material aspects of the litigation on behalf of the direct purchases class, including the extensive research leading to the initial complaint, analyzing thousands of pages of discovery documents and taking numerous depositions to marshal evidence to support plaintiffs' theories relating to liability, antitrust impact, causation, monopoly power and class certification, retaining and working closely with numerous experts, and ultimately preparing for and proceeding to trial.

In addition to his antitrust experience, Mr. Taus took a central, active role in numerous stockholder class action and derivative actions in which his prior firm was Lead Counsel or an Executive Committee member. These actions included *Rebenstock v Fruehauf Trailer Corp.*; *In re Par Pharmaceutical Securities Litigation*; *In re F&M Distributors, Inc. Securities Litigation*; *In re Taxable Municipal Bond Litigation*; *In re Bay Financial Securities Litigation*; and *Sanders v. Wang, et. al* (resulting in recovery from certain senior executives of stock valued in excess of \$225 million for the benefit of Computer Associates).

Furthermore, Mr. Taus has successfully played a leading role in various complex consumer class actions, including *Cicarell v. Provident Mutual Life Ins. Co.* (sales practice litigation settled for \$45 million) and *Provident Demutualization Litigation* (enjoined demutualization that would have harmed policyholders).

Mr. Taus graduated *cum laude* from the State University of New York at Albany in 1986 with a Bachelor of Science degree in Accounting. Mr. Taus graduated from Brooklyn Law

School in 1989, and is admitted to the Bar of the State of New York, as well as the United States District Court for the Southern District of New York and the United States Courts of Appeals for the Second and Eleventh Circuits. He is also a member of the New York State Bar Association and the American Bar Association.

BRETT CEBULASH, PARTNER

Brett Cebulash currently represents plaintiffs and class members in various antitrust and consumer class actions including *Marchese v. Cablevision Systems Corp., and CSC Holdings, Inc.; Wallach, et al. v. Eaton, et al.; In re Bank of America Credit Protection Marketing and Sales Practices Litigation; In re Effexor XR Direct Purchaser Antitrust Litigation; In re Lipitor Antitrust Litigation; Marchbanks Truck Service, et al. v. Comdata Network, Inc., et al; In re Discover Payment Protection Plan Marketing and Sales Practices Litigation; Esslinger, et. al. v. HSBC; and Arnett v. Bank of America*

Prior to founding Taus, Cebulash & Landau, LLP in July 2009, Mr. Cebulash was a partner for a decade at a New York law firm that specialized in class action litigation. At his prior firm, he litigated complex class actions in the fields of antitrust, securities, consumer fraud, insurance and employment law as well as stockholder derivative actions. Representative cases in these areas include *In re Neurontin Antitrust Litigation* (D.N.J); *Natchitoches Parish Hosp. v. Tyco* (D. Mass.); *In re Nifedipine Antitrust Litigation* (D.D.C.); *In re Terazosin Hydrochloride Antitrust Litigation* (S.D. Fla.); *In re Nasdaq Antitrust Litigation* (S.D.N.Y.); *Rebenstock v. Fruehauf Trailer Corp.* (E.D.Mich.); *In re F&M Distributors, Inc. Securities Litigation* (E.D.Mich.); *Gutter v. Dupont* (S.D.Fla.); *In re Cendant Derivative Litigation* (D.N.J.); *In re Bay Financial Securities Litigation* (D.Mass.); *In re Nuveen Funds Litigation* (N.D.Ill.); *In re Kemper Funds Litigation* (N.D.Ill); *In re Bank One Securities Litigation* (N.D.Ill); *Provident Demutualization Litigation* (Pa. Ct. Common Pleas); *In re Diet Drug Litigation* (N.J.Civ.); *Davis v. Kodak* (W.D.N.Y.) and *Diaz v. Electronics Boutique* (W.D.N.Y.).

Mr. Cebulash graduated from the University of Virginia with a Bachelor of Arts degree and from Brooklyn Law School, *cum laude*. Mr. Cebulash is admitted to practice by the State Bars of New York and New Jersey, as well as the United States District Courts for the Southern, Eastern and Western Districts of New York and the United States Courts of Appeals for the First, Third and Ninth Circuits. He is also a member of the New York State Bar Association.

KEVIN LANDAU, PARTNER

Kevin Landau currently represents plaintiffs and class members in various antitrust and consumer class actions, including *In Re Mushrooms Direct Purchaser Antitrust Litigation; In re Metoprolol Succinate Antitrust Litigation; In re Skelaxin (Metaxalone) Antitrust Litigation; Esslinger, et. al. v. HSBC; Arnett v. Bank of America; In re Bank of America Credit Protection Marketing and Sales Practices Litigation; and In re Discover Payment Protection Plan Marketing and Sales Practices Litigation*. Mr. Landau also represents Giant Eagle, Inc. in *Giant Eagle, Inc. v. Cephalon, Inc. et al.*, an antitrust action alleging that Cephalon paid its generic competitors to stay off the market with their competing generic versions of Provigil.

Prior to founding Taus, Cebulash & Landau, LLP., Mr. Landau was a partner at a New York law firm that specialized in class action litigation. Mr. Landau has taken a central role in a

number of successful antitrust, shareholder class and derivative actions class action litigations including, *Gutter v. Dupont* (S.D. Fl.) (recovery of \$77.5 million for shareholder class); *In re Cendant Corporation Derivative Litigation* (D.N.J.) (\$54 million recovery for the corporation in derivative action); *LiPuma v. American Express* (S.D. Fl.) (\$75 million recovery for cardholders in consumer class action); *McCoy v. Capital One Bank (USA), N.A. and Capital One Services, LLC*. He also led major antitrust litigations that are still pending, including *In re Mushrooms Antitrust Litig.* (E.D. Pa.).

Mr. Landau graduated with high honors from Lehigh University in 1993 with a Bachelor of Arts in Government. Mr. Landau graduated from Brooklyn Law School in 1996, where he was a member of the *Brooklyn Law Review*. Mr. Landau is admitted to the Bar of the State of New York, as well as the United States District Courts for the Southern and Eastern Districts of New York, and the United States Court of Appeals for the Second Circuit, Third Circuit, Eleventh Circuit and D.C. Circuit. He is also a member of the New York State Bar Association and the American Bar Association.

ARCHANA TAMOSHUNAS, PARTNER

Archana Tamoshunas currently represents classes of drug wholesalers in antitrust class actions including *In re Wellbutrin XL Antitrust Litigation*, *In re Prandin Direct Purchaser Antitrust Litigation*, *Mylan Pharm., et al. v. Warner Chilcott PLC*, and represents Giant Eagle, Inc. in *Giant Eagle, Inc. v. Cephalon, Inc. et al.*

Prior to joining Taus, Cebulash & Landau, LLP in July 2009, Ms. Tamoshunas was an associate at a New York law firm that specialized in class action litigation. At her prior firm, Ms. Tamoshunas was counsel in several complex federal antitrust class actions including those involving the pharmaceutical and medical device industries, as well as employment class actions. She has been heavily involved in all aspects of the litigation process in cases in which her firm was lead or co-lead counsel. She has been active in the day to day management of discovery, briefing, class certification and trial preparation in a number of cases including *In re Relafen Antitrust Litigation* (D. Mass.); *In re Terazosin Hydrochloride Antitrust Litigation* (S.D. Fla.) and *Natchitoches Parish Hospital District et al. v. Tyco International, et al.* (D. Mass.).

Ms. Tamoshunas graduated from Williams College, *cum laude*, in 1995 (B.A. Political Science and Studio Art) and New York University School of Law in 1999, where she was a member of the Moot Court Board. Ms. Tamoshunas is admitted to the Bar of the State of New York as well as the Southern and Eastern Districts of New York and the First Circuit Court of Appeals. After graduating from law school, Ms. Tamoshunas represented the City of New York in Family Court for three years.

EXHIBIT D

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FIRM RESUME

Glancy Binkow & Goldberg LLP has represented investors, consumers and employees in federal and state courts throughout the United States for sixteen years. Based in Los Angeles, California and with offices in New York, New York and San Francisco, California, Glancy Binkow & Goldberg has developed expertise prosecuting securities fraud, antitrust and complex commercial litigation. As Lead Counsel or as a member of Plaintiffs' Counsel Executive Committees, Glancy Binkow & Goldberg has recovered in excess of \$1 billion for parties wronged by corporate fraud and malfeasance. The firm's efforts on behalf of individual investors have been the subject of articles in such publications as *The Wall Street Journal*, *The New York Times* and *The Los Angeles Times*.

Appointed as Lead or Co-Lead Counsel by federal judges throughout the United States, Glancy Binkow & Goldberg has achieved significant recoveries for class members, including:

In re Mercury Interactive Corporation Securities Litigation, USDC Northern District of California, Case No. 05-3395, in which Glancy Binkow & Goldberg served as Co-Lead Counsel and achieved a settlement valued at over \$117 million.

In re Real Estate Associates Limited Partnership Litigation, USDC Central District of California, Case No. 98-7035 DDP, in which the firm served as local counsel and plaintiffs achieved a \$184 million jury verdict after a complex six week trial in Los Angeles, California and later settled the case for \$83 million.

In re Lumenis, Ltd. Securities Litigation, USDC Southern District of New York, Case No.02-CV-1989, in which Glancy Binkow & Goldberg served as Co-Lead Counsel and achieved a settlement valued at over \$20 million.

In re Heritage Bond Litigation, USDC Central District of California, Case No. 02-ML-1475-DT, where as Co-Lead Counsel, Glancy Binkow & Goldberg recovered in excess of \$28 million for defrauded investors and continues to pursue additional defendants.

In re ECI Telecom Ltd. Securities Litigation, USDC Eastern District of Virginia, Case No. 01-913-A, in which Glancy Binkow & Goldberg served as sole Lead Counsel and recovered almost \$22 million for defrauded ECI investors.

Jenson v. First Trust Corporation, USDC Central District of California, Case No. 05-cv-3124-ABC, in which the firm was appointed sole lead counsel and achieved an \$8.5 million settlement in a very difficult case involving a trustee's potential liability for losses incurred by investors in a Ponzi scheme. Kevin Ruf of the firm also successfully defended in the 9th Circuit Court of Appeals the trial court's granting of class certification in this case.

Yaldo v. Airtouch Communications, State of Michigan, Wayne County, Case No. 99-909694-CP, in which Glancy Binkow & Goldberg served as Co-Lead Counsel and achieved a settlement valued at over \$32 million for defrauded consumers.

In re Infonet Services Corporation Securities Litigation, USDC Central District of California, Case No. CV 01-10456 NM, in which as Co-Lead Counsel, Glancy Binkow & Goldberg achieved a settlement of \$18 million.

In re Musicmaker.com Securities Litigation, USDC Central District of California, Case No. 00-02018, a securities fraud class action in which Glancy Binkow & Goldberg was sole Lead Counsel for the Class and recovered in excess of \$13 million.

In re ESC Medical Systems, Ltd. Securities Litigation, USDC Southern District of New York, Case No. 98 Civ. 7530, a securities fraud class action in which Glancy Binkow & Goldberg served as sole Lead Counsel for the Class and achieved a settlement valued in excess of \$17 million.

In re Lason, Inc. Securities Litigation, USDC Eastern District of Michigan, Case No. 99 76079, in which Glancy Binkow & Goldberg was Co-Lead Counsel and recovered almost \$13 million for defrauded Lason stockholders.

In re Inso Corp. Securities Litigation, USDC District of Massachusetts, Case No. 99 10193, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement valued in excess of \$12 million.

In re National TechTeam Securities Litigation, USDC Eastern District of Michigan, Case No. 97-74587, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement valued in excess of \$11 million.

In re Ramp Networks, Inc. Securities Litigation, USDC Northern District of California, Case No. C-00-3645 JCS, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of nearly \$7 million.

In re Gilat Satellite Networks, Ltd. Securities Litigation, USDC Eastern District of New York, Case No. 02-1510 CPS, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of \$20 million.

Taft v. Ackermans (KPNQwest Securities Litigation), USDC Southern District of New York, Case No. 02-CV-07951, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement worth \$11 million.

Ree v. Procom Technologies, Inc., USDC Southern District of New York, Case No. 02CV7613, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of \$2.7 million.

Capri v. Comerica, Inc., USDC Eastern District of Michigan, Case No. 02CV60211 MOB, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of \$6.0 million.

Tatz v. Nanophase Technologies Corp., USDC Northern District of Illinois, Case No. 01C8440, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of \$2.5 million.

In re Livent, Inc. Noteholders Litigation, USDC Southern District of New York, Case No. 99 Civ 9425, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of over \$27 million.

Plumbing Solutions Inc. v. Plug Power, Inc., USDC Eastern District of New York, Case No. CV 00 5553 (ERK) (RML), a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of over \$5 million.

Schleicher v. Wendt, (Conseco Securities Litigation), USDC Southern District of Indiana, Case No. 02-1332 SEB, a securities fraud class action in which Glancy Binkow & Goldberg served as Lead Counsel for the Class and achieved a settlement of over \$41 million.

Lapin v. Goldman Sachs, USDC Southern District of New York, Case No. 03-0850-KJD, a securities fraud class action in which Glancy Binkow & Goldberg served as Co-Lead Counsel for the Class and achieved a settlement of \$29 million.

Senn v. Sealed Air Corporation, USDC New Jersey, Case No. 03-cv4372, a securities fraud class action, in which the firm acted as co-lead counsel for the Class and achieved a settlement of \$20 million.

Glancy Binkow & Goldberg filed the initial landmark antitrust lawsuit against all of the major NASDAQ market makers and served on Plaintiffs' Counsel's Executive Committee in In re Nasdaq Market-Makers Antitrust Litigation, USDC Southern District of New York, Case No. 94 C 3996 (RWS), MDL Docket No. 1023, which recovered \$900 million for investors in numerous heavily traded Nasdaq issues.

The firm has also previously acted as Class Counsel in obtaining substantial benefits for shareholders in a number of actions, including:

In re F & M Distributors Securities Litigation, Eastern District of Michigan, Case No. 95 CV 71778 DT (Executive Committee Member) (\$20.25 million settlement)

James F. Schofield v. McNeil Partners, L.P. Securities Litigation, California Superior Court, County of Los Angeles, Case No. BC 133799

Resources High Equity Securities Litigation, California Superior Court, County of Los Angeles, Case No. BC 080254

The firm has served and currently serves as Class Counsel in a number of antitrust class actions, including:

In re Nasdaq Market-Makers Antitrust Litigation, USDC Southern District of New York, Case No. 94 C 3996 (RWS), MDL Docket No. 1023

In re Brand Name Prescription Drug Antitrust Litigation, USDC Northern District of Illinois, Eastern Division, Case No. 94 C 897

Glancy Binkow & Goldberg LLP has been responsible for obtaining favorable appellate opinions which have broken new ground in the class action or securities fields, or which have promoted shareholder rights in prosecuting these actions. Glancy Binkow & Goldberg successfully argued the appeals in a number of cases.

In Smith v. L'Oreal, 39 Cal.4th 77 (2006), firm partner Kevin Ruf established ground-breaking law when the California Supreme Court agreed with the firm's position that waiting penalties under the California Labor Code are available to *any* employee after termination of employment, regardless of the reason for that termination.

Other notable firm cases are: Silber v. Mabon I, 957 F.2d 697 (9th Cir. 1992) and Silber v. Mabon II, 18 F.3d 1449 (9th Cir. 1994), which are the leading decisions in the Ninth Circuit regarding the rights of opt-outs in class action settlements. In Rothman v. Gregor, 220 F.3d 81 (2d Cir. 2000), Glancy Binkow & Goldberg won a seminal victory for investors before the Second Circuit Court of Appeals, which adopted a more favorable pleading standard for investors in reversing the District Court's dismissal of the investors' complaint. After this successful appeal, Glancy Binkow & Goldberg then recovered millions of dollars for defrauded investors of the GT Interactive Corporation. The firm also argued Falkowski v. Imation Corp., 309 F.3d 1123 (9th Cir. 2002), *as amended*, 320 F.3d 905 (9th Cir. 2003) and favorably obtained the substantial reversal of a lower court's dismissal of a cutting edge, complex class action initiated to seek redress for a group of employees whose stock options were improperly forfeited by a giant corporation in the course of its sale of the subsidiary at which they worked. The revived action is currently proceeding in the California state court system.

The firm is also involved in the representation of individual investors in court proceedings throughout the United States and in arbitrations before the American Arbitration Association, National Association of Securities Dealers, New York Stock Exchange, and Pacific Stock Exchange. Mr. Glancy has successfully represented litigants in proceedings against such major securities firms and insurance companies as A.G. Edwards & Sons, Bear Stearns, Merrill Lynch & Co., Morgan Stanley, PaineWebber, Prudential, and Shearson Lehman Brothers.

One of firm's unique skills is the use of "group litigation" - the representation of groups of individuals who have been collectively victimized or defrauded by large institutions. This type of litigation brought on behalf of individuals who have been similarly damaged often provides an efficient and effective economic remedy that frequently has advantages over the class action or individual action devices. The firm has successfully achieved results for groups of individuals in cases against major corporations such as Metropolitan Life Insurance Company, and Occidental Petroleum Corporation.

Glancy Binkow & Goldberg LLP currently consists of the following attorneys:

THE FIRM'S PARTNERS

LIONEL Z. GLANCY, a graduate of the University of Michigan Law School, is the founding partner of the firm. After serving as a law clerk for United States District Judge Howard McKibben, he began his career as an associate at Patterson Belknap Webb & Tyler LLP, concentrating in securities litigation. Thereafter, he started a boutique law firm specializing in securities litigation, and other complex litigation, from the Plaintiff's perspective. Mr. Glancy has established a distinguished career in the field of securities litigation over the last fifteen years, appearing as lead counsel on behalf of aggrieved investors in securities class action cases throughout the country. He has appeared and argued before dozens of district courts and several appellate courts, and has recovered billions of dollars in settlement proceeds for large classes of shareholders. Well known in securities law, he has lectured on its developments and practice at CLE seminars and law schools.

PETER A. BINKOW, a partner in Glancy Binkow & Goldberg, was born in Detroit, Michigan on August 16, 1965. Mr. Binkow earned his degree in English Literature from the University of Michigan in 1988 and attended law school at the University of Southern California (J.D., 1994). Mr. Binkow joined the Law Offices of Lionel Z. Glancy upon graduation and became a partner in 2002.

Mr. Binkow has prosecuted lawsuits on behalf of consumers and investors in state and federal courts throughout the United States. He has served as Lead or Co-Lead Counsel in many class action cases, including In re Mercury Interactive Corp Securities Litigation (\$117.5 million recovery), In re Lumenis Ltd Securities Litigation (\$20.1 million recovery), In re Heritage Bond Litigation (\$28 million recovery), In re National Techteam Securities Litigation (\$11 million recovery), In re Credit Acceptance Corporation Securities Litigation (\$2.5 million recovery), In re Lason Inc. Securities Litigation (\$12.68 million recovery), In re ESC Medical Systems, Ltd. Securities Litigation (\$17 million recovery) In re GT Interactive Securities Litigation (\$3 million recovery) and many others. Mr. Binkow has prepared and/or argued appeals before the Ninth Circuit, Sixth Circuit and Second Circuit Courts of Appeals.

Mr. Binkow is admitted to practice before the state of California, the United States District Courts for the Central, Northern and Southern Districts of California, the United States District Court for the Eastern District of Michigan and the Ninth Circuit Court of Appeals. He is a member of the Los Angeles County Bar Association and the American Bar Association.

MICHAEL GOLDBERG, a partner in Glancy Binkow & Goldberg, specializes in federal securities, federal and state antitrust, and consumer fraud class action lawsuits. He has successfully litigated numerous cases which resulted in multi-million dollar recoveries for investors, consumers and businesses.

Mr. Goldberg was born in New York on April 27, 1966. He earned his B.A. degree in 1989 from Pitzer College - The Claremont Colleges, and his J.D. degree in 1996 from Thomas M. Cooley Law School. After graduation from law school, Mr. Goldberg joined the Law Offices of Lionel Z. Glancy and became a partner of Glancy Binkow & Goldberg in 2003. He was admitted to both the California and Florida bars in 1997 and is admitted to practice in numerous courts.

SUSAN G. KUPFER, a partner of Glancy Binkow & Goldberg LLP, joined the firm in 2003, where she established its antitrust practice. She is a native of New York City and received her A.B. degree from Mount Holyoke College in 1969 and her J.D. from Boston University School of Law in 1973. She did graduate work at Harvard Law School. In 1977, she was named Assistant Dean and Director of Clinical Programs at Harvard, where she supervised that program of legal practice and taught its related academic components: Introduction to Advocacy (a NITA-style workshop), Lawyering Process and Professional Responsibility.

For much of her legal career, Ms. Kupfer has been a professor of law. She subsequently taught at Hastings College of the Law, Boston University School of Law, Golden Gate University School of

Law and Northeastern University School of Law. From 1991 to 2002, she was a lecturer on law at University of California, Berkeley, Boalt Hall, teaching Civil Procedure and Conflict of Laws. Her areas of academic expertise are Civil Procedure, Federal Courts, Conflict of Laws, Constitutional Law, Legal Ethics and Jurisprudence. Her publications include articles on federal civil rights litigation, legal ethics and jurisprudence. She has also taught various aspects of practical legal and ethical training, including trial advocacy, negotiation and legal ethics, to both law students and practicing attorneys.

Ms. Kupfer previously served as corporate counsel to The Architects Collaborative in Cambridge and San Francisco and was the executive director of the Massachusetts Commission on Judicial Conduct. She returned to the practice of law in San Francisco with Morgenstein & Jubelirer and Berman DeValerio Pease Tabacco Burt & Pucillo before joining the Glancy Firm. Her practice is concentrated in antitrust, securities and consumer complex litigation. She has been a member of the lead counsel team which achieved significant settlements in the following cases: In re Sorbates Antitrust Litigation (\$96.5 million settlement), In re Pillar Point Partners Antitrust Litigation (\$50 million settlement), In re Critical Path Securities Litigation (\$17.5 million settlement).

Ms. Kupfer is a member of the Massachusetts and California State Bars and the United States District Courts for the Northern, Central and Southern districts of California, the District of Massachusetts, the First and Ninth Circuits Courts of Appeal and the U.S. Supreme Court. She was named one of Northern California's Super Lawyers of the Year in 2004, 2005, and 2006 in antitrust litigation.

Ms. Kupfer is currently serving in leadership positions in the following cases:

In re Korean Air Lines Co., Ltd. Antitrust Litigation, U.S.D.C., Central District of California, MDL 1891, No. 07-5107, Interim Co-Lead Counsel

In re: Urethane Antitrust Litigation, U.S.D.C., District of Kansas, No. 2:04-md-01616, Co-Lead Counsel.

In re: Western States Wholesale Natural Gas Antitrust Litigation, U.S.D.C., District of Nevada, No. 2:03-cv-01431, Co-Lead Counsel.

Sullivan et al v. DB Investments, Inc., et al., U.S.D.C, District of New Jersey, No. 3:04-cv-02819, Counsel for Reseller Subclass.

KEVIN F. RUF, a partner in Glancy Binkow & Goldberg LLP, was born in Wilmington, Delaware on December 7, 1961. Mr. Ruf graduated from the University of California at Berkeley in 1984 with a B.A. in Economics and earned his J.D. from the University of Michigan in 1987. Mr. Ruf was admitted to the State Bar of California in 1988. Mr. Ruf was an associate at the Los Angeles firm Manatt Phelps and Phillips from 1988 until 1992, where he specialized in commercial litigation and was a leading trial lawyer among the associates there. In 1993 he joined the firm Corbin & Fitzgerald

in order to gain experience in criminal law. There he specialized in white collar criminal defense work, including matters related to National Medical Enterprises, Cynergy Film Productions and the Estate of Doris Duke. Mr. Ruf joined Glancy Binkow & Goldberg in 2001 and has taken a lead trial lawyer role in many of the firm's cases. In 2006, Mr. Ruf argued before the California Supreme Court in the case *Smith v. L'Oreal* and achieved a unanimous reversal of the lower court rulings; the case established a fundamental right of all California workers to immediate payment of all earnings at the conclusion of employment. In 2007, Mr. Ruf took an important case before the Ninth Circuit Court of Appeals, convincing the Court to affirm the lower court's certification of a class action in a fraud case (fraud cases have traditionally faced difficulty as class actions because of the requirement of individual reliance). Mr. Ruf has extensive trial experience, including jury trials, and considers his courtroom and oral advocacy skills to be his strongest asset as a litigator. Mr. Ruf currently acts as the Head of the Firm's Labor and Consumer Practice, and has extensive experience in Securities cases as well. Mr. Ruf also has experience in real estate law and has been a Licensed California Real Estate Broker since 1999.

MARC L. GODINO has extensive experience successfully litigating complex, class action lawsuits as a plaintiffs' lawyer. Marc has played a primary role in cases resulting in settlements of more than \$100 million. He has prosecuted securities, derivative, merger & acquisition, and consumer cases throughout the country in both State and Federal court as well as represented defrauded investors at FINRA arbitrations. Marc supervises the firm's consumer class action department.

While an associate with Stull Stull & Brody, Marc was one of the two primary attorneys involved in *Small v. Fritz Co.*, 30 Cal. 4th 167 (April 7, 2003) in which the California Supreme Court created new law in the state of California for shareholders that held shares in detrimental reliance on false statements made by corporate officers. The decision was widely covered by national media including The National Law Journal, Los Angeles Times, New York Times, and the New York Law Journal, among others and was heralded as a significant victory for shareholders.

Recent successes with the firm include: *In re Magma Design Automation, Inc. Securities Litigation*, Case No. 05-2394 (N.D.Cal.) (\$13,500,000.00 cash settlement for shareholders); (*In re Hovnanian Enterprises, Inc. Securities Litigation*, Case No. 08-cv-0099 (D.N.J.) (\$4,000,000.00 cash settlement for shareholders); *In re Skilled Healthcare Group, Inc. Securities Litigation*, Case No. 09-5416 (C.D.Cal.) (\$3,000,000.00 cash settlement for shareholders); *In re Youbet.com, Inc. Shareholder Litigation*, Case No. BC426144 (L. A. Sup. Ct.) (settlement provided supplemental disclosures to shareholders in this merger action); *Burth v. MSC Software Corp., et al.*, Case No. 30-2009-00282743 (Orange Cty. Sup. Ct.) (settlement provided supplemental disclosures to shareholders in this merger action); *Shin et al., v. BMW of North America*, 2009 WL 2163509 (C.D.Cal. July 16, 2009) (after defeating a motion to dismiss, the case settled on very favorable terms for class members including free replacement of cracked wheels); *Payday Advance Plus, Inc. v. MIVA, Inc.*, Case No. 06-1923 (S.D.N.Y.) (\$3,936,812 cash settlement for class members); *Villefranche v. HSBC Bank Nevada, N.A.*, Case No. 09-3693 (C.D.Cal.) (after defeating a motion to dismiss, the case resulted in 100% recovery to class members).

Other published decisions include: *In re 2TheMart.com Securities Litigation*, 114 F.Supp 2d 955 (C.D.Ca 2002); *In re Irvine Sensors Securities Litigation*, 2003 U.S. Dist. LEXIS 18397 (C.D.Ca 2003).

The following represent just a few of the cases that Marc is currently litigating in a leadership position:

In re Toyota Motor Corp. Hybrid Brake Marketing, Sales Practices and Products Liability Litigation, MDL 02172 (C.D. Ca.), Co-Lead Counsel

In re Stec, Inc. Derivative Litigation, Case No. 10-00667 (C.D. Ca.), Co-Lead Counsel

Sabbag v. Akeena Solar, Inc., et al., Case No. 10-002735 (N.D. Ca.), Co-Lead Counsel

Conroy v. Citibank, N.A., et al., Case No. 10-4930 (C. D. Cal.), Co-Lead Counsel

Marc received his undergraduate degree from Susquehanna University with a bachelor of science degree in Business Management. He received his J.D from Whittier Law School in 1995.

Marc is admitted to practice before the state of California, the United States District Courts for the Central, Northern and Southern Districts of California, the District of Colorado, and the Ninth Circuit Court of Appeals.

OF COUNSEL

ROBIN BRONZAFT HOWALD, a native of Brooklyn, New York, returned home in 2001 to open the firm's New York City office. Ms. Howald graduated *magna cum laude* from Barnard College in 1980, with a B.A. in psychology. In 1983, she received her J.D. from Stanford Law School, where she served as an Articles Editor for the Stanford Law Review. In addition to her current focus on securities fraud and consumer class action matters, during her 20-year career Ms. Howald has handled cases in many different practice areas, including commercial disputes, professional malpractice, wrongful termination, bankruptcy, patent and construction matters. As outside counsel for the City of Torrance, California, she also handled a number of civil rights and land use matters, as well as a ground-breaking environmental action concerning Mobil Oil's Torrance refinery. Ms. Howald has experience in pre-trial and trial procedure and has successfully prosecuted post-trial motions and appeals.

Mrs. Howald is a member of the bar of both California (1983) and New York (1995), and is admitted to practice in all federal judicial districts in California, the Southern and Eastern Districts of New York, and the United States Supreme Court. She co-authored "Potential Tort Liability in Business Takeovers" (*California Lawyer*, September 1986), was a speaker and contributing author at the Eighth Annual Current Environmental and Natural Resources Issues Seminar at the University of Kentucky College of Law (April 1991), and served as a Judge Pro Tem for the Los Angeles County Small Claims Court (1996-1997). Married in 1985, Mrs. Howald and her husband have two sons. An avid runner, Mrs. Howald has completed six marathons.

EX KANO S. SAMS II earned his Bachelor of Arts degree in Political Science from the University of California Los Angeles in 1993. Mr. Sams earned his Juris Doctor degree from the University of California Los Angeles School of Law in 1996, where he served as a member of the UCLA Law Review. Since graduating from UCLA Law School, he has dedicated his entire career exclusively to representing plaintiffs in large-scale class action and complex civil litigation matters.

After law school, Mr. Sams practiced class action civil rights litigation on behalf of plaintiffs in cases involving employment discrimination, housing discrimination, and sexual harassment. Subsequently, Mr. Sams was a partner at Coughlin Stoia Geller Rudman & Robbins LLP (currently Robbins Geller Rudman & Dowd LLP), where his practice focused on securities and consumer class actions. While at Coughlin Stoia and its predecessor, he worked in the firm's San Diego, San Francisco, and Los Angeles offices.

Mr. Sams has served as lead counsel in dozens of securities class actions throughout the country. In one securities fraud class action that he actively litigated, Mr. Sams assisted in a successful appeal before a Fifth Circuit panel that included former United States Supreme Court Justice Sandra Day O'Connor sitting by designation, in which the court vacated the lower court's denial of class certification, reversed the lower court's grant of summary judgment, and issued an important decision on the issue of loss causation in securities litigation: *Alaska Electrical Pension Fund v. Flowserve Corp.*, 572 F.3d 221 (5th Cir. 2009). The case eventually settled for \$55 million. Mr. Sams also worked on a securities fraud class action where lead counsel obtained a settlement that represented approximately 78% of the likely recoverable damages in the case. He has also led large litigation teams in securities class actions and has prepared massive summary judgment oppositions, drafted and argued numerous motions, worked closely with expert witnesses, and has taken and defended dozens of depositions.

Mr. Sams has also successfully represented consumers in class action litigation. Mr. Sams worked on nationwide litigation and a trial against major tobacco companies and in statewide tobacco litigation that resulted in a \$12.5 billion recovery for California cities and counties in a landmark settlement. He also was a principal attorney in a consumer class action against one of the largest banks in the country that resulted in a recovery of over 80% of the compensatory damages and a change in the company's business practices. Additionally, Mr. Sams has also handled several complex environmental matters. Mr. Sams participated in settlement negotiations on behalf of national environmental organizations along with the United States Department of Justice and the Ohio Attorney General's Office that resulted in a consent decree requiring the company to conduct wide-ranging remediation measures to ameliorate the effects of air and water pollution and to pay civil penalties. He also participated in discovery and trial preparation in an unfair business practices action that led to a favorable settlement near the eve of trial providing for monetary relief for a public water provider against the threat of groundwater contamination.

Mr. Sams is admitted to practice law in the State of California. He is also admitted to practice before the United States Courts of Appeals for the Fifth, Sixth, Eighth, Ninth, Tenth, and Eleventh Circuits and before the district courts for the Northern, Southern, Eastern, and Central Districts of California,

the Northern District of Illinois, the Eastern District of Michigan, and the District of Colorado. Mr. Sams is a member of the Los Angeles County Bar Association, the John M. Langston Bar Association, and the Consumer Attorneys of California.

ASSOCIATES

DALE MacDIARMID is a native of Los Angeles, California. He holds a B.A. in Journalism (with Distinction) from the University of Hawaii, and a J.D. from Southwestern University School of Law, where he was a member of the Board of Governors of the Trial Advocacy Honors Program. He is admitted to practice in California, before the United States District Courts for the Southern, Central and Northern Districts of California and the District of Colorado. Dale is a member of Kappa Tau Alpha, the national journalism honor society, and before joining Glancy Binkow & Goldberg he was a writer and editor for newspapers and magazines in Honolulu and Los Angeles.

KARA M. WOLKE graduated summa cum laude with a B.S.B.A. in Economics from The Ohio State University in 2001. Kara earned her J.D. (with honors) from Ohio State in May, 2005, where she was active in Moot Court and received the Dean's Award for Excellence for each of her three years. In 2005, she was a finalist in a national writing competition co-sponsored by the American Bar Association and the Grammy® Foundation. (7 Vand. J. Ent. L. & Prac. 411). Kara joined Glancy Binkow & Goldberg in the fall of 2005 and was admitted to the State Bar of California in January, 2006.

ROBERT V. PRONGAY is an associate in the Firm's Los Angeles office, where he focuses on the investigation, initiation, and litigation, of complex securities cases brought on behalf of institutional and individual investors.

Mr. Prongay earned his Bachelor of Arts degree in Economics from the University of Southern California in 2005 and earned his Juris Doctor degree from Seton Hall University School of Law in 2008. While attending law school, Mr. Prongay worked as a summer associate at the Firm, and interned for a federal magistrate judge for the United States District Court for the District of New Jersey. Mr. Prongay is admitted to the State Bar of California, as well as the United States District Courts for the Central, Northern and Southern Districts of California, and the District of Colorado.

LOUIS BOYARSKY joined Glancy Binkow & Goldberg LLP in 2010. Louis received his JD/MBA from Loyola Law School, Los Angeles and Loyola Marymount University's Graduate School of Business. While in law school, Louis served as a staff writer for the *Loyola of Los Angeles Entertainment Law Review*. The *Law Review* published his article: *Stealth Celebrity Testimonials of Prescription Drugs: Placing the Consumer in Harm's Way and How the FDA has Dropped the Ball*. Additionally, while in law school, Louis externed for the Honorable Suzanne H. Segal, magistrate judge for the Central District of California.

Louis is a member of the St. Thomas More Legal Honor Society, the Alpha Sigma Nu National Jesuit Honor Society and the Beta Gamma Sigma Business Honor Society. Louis is admitted to practice before the state of California and the United States District Court for the Central District of California.

CASEY E. SADLER is a native of New York, New York. After graduating from the University of Southern California, Gould School of Law, Mr. Sadler joined Glancy Binkow & Goldberg LLP in 2010. While attending law school, Mr. Sadler externed for the Enforcement Division of the Securities and Exchange Commission, spent a summer working for P.H. Parekh & Co, one of the leading appellate law firms in New Delhi, India, and was a member of USC's Hale Moot Court Honors Program. Mr. Sadler holds a B.A. in Political Science from Emory University and was admitted to the State Bar of California in December 2010.

ELIZABETH M. GONSIOROWSKI graduated with honors from Vassar College, where she received a BA in Cognitive Science. As a student at Brooklyn Law School, she interned with the Honorable Ramon Reyes in the Eastern District of New York. After graduating from Brooklyn Law in 2008, she was awarded a fellowship to work with the World Intellectual Property Organization at the United Nations. She is admitted to practice in California, New York and New Jersey.

EXHIBIT E

Skechers Litigation
Taus, Cebulash & Landau, LLP
Reporting Period: Inception-present
Expense Report

Description	Cumulative Expenses
Commercial Copies	
Computerized Research (Westlaw, Lexis, etc.)	\$133.54
Court Reporters/Transcripts	\$16.20
Expert Services	
Facsimilie @ \$.50/page	
Filing & Service Fees	\$355.00
In-House Copies @ \$.25/page	\$218.00
Long Distance Telephone	
Postage/Express Delivery	\$95.21
Travel/Meals/Lodging	\$39.20
Miscellaneous (describe - Depositions)	
Total	\$857.15

EXHIBIT F

EXHIBIT
GLANCY BINKOW & GOLDBERG LLP
IN RE SKECHERS LITIGATION
EXPENSES
FROM INCEPTION THROUGH DECEMBER 21, 2012

ITEM	AMOUNT
FILING FEES	\$ 18.00
ATTORNEY SERVICES	\$ 205.50
UPS & FEDERAL EXPRESS	\$ 23.67
RESEARCH	\$ 187.65
TOTAL	\$ 434.82