

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY

IN RE: SKECHERS TONING SHOES
PRODUCTS LIABILITY
LITIGATION

Master File No. 3:11-MD-2308-TBR

MDL No. 2308

Honorable Thomas B. Russell

This document relates to:

Grabowski v. Skechers U.S.A., Inc.,
S.D. California, C.A. No. 3:10-01300

Case No.: 3:12-CV-00204-TBR

**DECLARATION OF JANINE L. POLLACK IN SUPPORT OF
MOTION FOR ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, Janine L. Pollack, hereby state, under penalty of perjury, as follows:

1. I am a partner of the law firm of Milberg LLP. I am submitting this declaration in support of my firm's application for an award of attorneys' fees in connection with services rendered to the Class and the reimbursement of expenses incurred by my firm in the course of this litigation.

2. As counsel for plaintiffs in this action, the attorneys and other professionals of my firm were involved in the following tasks and activities (summarized) during the course of the litigation: Case development, including investigation and research concerning the footwear at issue; drafting, editing, reviewing and analyzing pleadings; conducting research relating to consumer law claims, including causes of action, damages, and other legal issues; drafting,

editing, reviewing and analyzing documents relating to discovery; meeting and conferring with defendant on issues such as discovery; participating in settlement negotiations; drafting, editing, reviewing and analyzing documents relating to settlement, including negotiating terms of settlement agreement; and drafting, editing, reviewing and analyzing documents relating to the multi-district litigation.

3. The identification and background of Milberg LLP and its attorneys who predominantly worked on this case is attached hereto as Exhibit A.

4. The schedule attached hereto as Exhibit B is a summary indicating the amount of time spent by each attorney and other professional of my firm who worked on this litigation and the lodestar calculation based on my firm's current billing rates. For attorneys and other professionals who are no longer employed by my firm, but who worked on this litigation, the lodestar calculation is based upon the billing rates for such attorneys and professionals in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.


5. The hourly rates for the attorneys and other professionals in my firm listed in Exhibit B are the same as the regular current rates charged for their services in non-contingent matters and/or which have been accepted in other class action litigations.

6. The total number of hours expended on this litigation by my firm is 1,464.35 hours. The total lodestar for my firm is \$798,721.25, consisting of \$ 514,000 for attorneys' time and \$ 284,721.25 for other professionals' time.

7. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

8. As detailed in Exhibit C, my firm has incurred, or expects to incur, a total of \$27,887.41 in unreimbursed expenses in connection with the prosecution of this litigation. The expenses incurred in this action are reflected on the books and records of my firm, except for certain estimated expenses in connection with the final approval hearing as described herein.¹ These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred. I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

Executed this 20th day of December, 2012, at New York, New York.


Janine L. Pollack

¹ The meals/hotels/transportation category includes \$300.00 for the meal and cab expenses that I expect to incur in attending the final approval hearing.