

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 JAMES C. SHAH IN SUPPORT OF
MOTION FOR ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, James C. Shah, hereby state, under penalty of perjury, as follows:

1. I am a partner of the law firm of Shepherd, Finkelman, Miller & Shah, LLP ("SFMS" or "Firm"). I am admitted to practice in California, Pennsylvania, New Jersey and Wisconsin, as well as multiple circuit and federal courts. I have personal knowledge of the matters discussed herein, and if called as a witness could testify competently thereto. 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. My law Firm was retained to work on this matter on a contingency fee basis, and has not received any compensation for the services rendered in this case. That work began prior

to the inception of this action. The resume of my law Firm is attached as Exhibit A to this Declaration.

3. As counsel for plaintiffs in this action, the attorneys and other professionals of my Firm were involved in the following activities during the course of the litigation: (1) performed factual and legal investigation of Plaintiffs' claims; (2) prepared and drafted the Complaint; (3) participated in motion practice; (4) consulted with expert witnesses; (5) reviewed and analyzed thousands of pages of documents produced by Skechers, U.S.A., Inc.; (6) interviewed numerous putative class members that have contacted our firm; (7) participated in settlement process; (8) participated in the drafting of settlement documents pertaining to preliminary and final approval; and (9) assisted, and will continue to assist, in the claims administration process.

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. 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 matters.

6. The total number of hours expended on this litigation by my Firm is 308.70 hours. The total lodestar for my firm is \$189,356.50.

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 a total of \$2,203.85 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. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

9. I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct.

Executed this 18th day of December, 2012, at Media, Pennsylvania.


JAMES C. SHAH