

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
	:	
This document relates to:	:	MDL No. 2308
	:	
<i>Grabowski v. Skechers U.S.A., Inc.</i>	:	
3:12-cv-00204-TBR	:	AFFIDAVIT OF MELANIE S. BAILEY
	:	IN FURTHER SUPPORT OF
- And -	:	PLAINTIFFS' MOTION AND
	:	APPLICATION FOR AN AWARD OF
<i>Loss v. Skechers U.S.A., Inc.</i>	:	ATTORNEYS' FEES AND EXPENSES
3:12-cv-00078-TBR	:	
	:	

STATE OF OHIO :
: ss
COUNTY OF HAMILTON :

I, Melanie S. Bailey, being duly sworn, declare and state the following:

1. I am a United States citizen, over the age of 21, and competent to testify to the matters stated herein. I am an attorney licensed to practice in the Commonwealth of Kentucky and the State of Ohio. I am a partner at the law firm of Burg Simpson Eldredge Hersh & Jardine, P.C. ("Burg Simpson"). I submit this affidavit in further support of my firm's application for an award of attorneys' fees in connection with services rendered in this case, as well as the reimbursement of expenses incurred by my firm in connection with this litigation.

2. The total number of hours expended on this litigation by the firm is 91.7 hours. The total lodestar for the firm is \$49,885.00. This sum includes the total lodestar



amount of time for attorneys and paralegals, calculated at the firm's current complex litigation hourly rates.

3. The schedule attached hereto as exhibit A is a summary indicating the amount of time spent by each attorney and paralegal of the firm who were involved in this litigation, and the lodestar calculation based on the firm's current billing rates. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by the firm, and it includes time from February 2012 through December 2012.

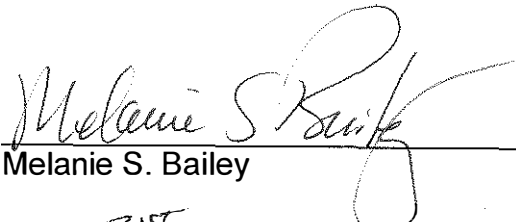
4. The tasks undertaken by the firm in this case include the following: draft, prepare and file pleadings with the Court; legal research; conferences with counsel; conferences with the Court; review proposed class action settlement.

5. The firm's compensation for services rendered in this case was wholly contingent on the success of this litigation and was at risk.

6. To date, the firm has expended a total of \$462.95 in non-reimbursed expenses in connection with the prosecution of this litigation, as shown on Exhibit A. The firm's expenses incurred in this action are reflected on the books and records of the firm.

7. Attached as exhibit B is a brief biography of the firm and the attorneys in the firm who were principally involved in this litigation.

Further affidavit sayeth naught.

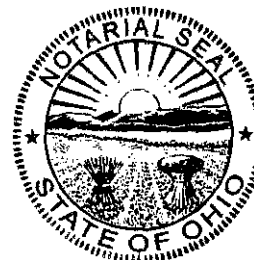


Melanie S. Bailey

Subscribed and sworn to before me on this 31st day of December 2012 by Melanie S. Bailey.



Notary Public



Erica Lynn Adams, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Loss et al v. Skechers, U.S.A.
205065.07

Name	Position	Hours	Rate	Total
Janet Abaray	Shareholder	17.6	\$650	\$11,440.00
Melanie Bailey	Shareholder	48.5	\$550	\$26,675.00
Calvin Tregre	Shareholder	5.5	\$550	\$3,025.00
David Harman	Associate	16.9	\$450	\$7,605.00
Erica Adams	Associate	2.2	\$450	\$990.00
Amy Warren	Paralegal	1	\$150	\$150.00
Total Time		91.7		\$49,885.00
Expenses				\$462.95
Total Time & Expenses				\$50,347.95



Loss et al v. Skechers, U.S.A.
205065.07

Date	Name	Title	Hours	Narrative
3/14/2012	ABARAY, JANET	PARTNER	3.0	PREPARE FOR MEETING. ATTEND MEETING RE CONFERENCE WITH JUDGE.
3/15/2012	ABARAY, JANET	PARTNER	3.0	REVIEW FILE FOR CONFERENCE. EMAILS. ATTEND CONFERENCE CALL WITH COURT. CONFERENCE WITH R. SCHULTE.
3/22/2012	ABARAY, JANET	PARTNER	0.5	FOLLOW-UP RE MDL TAG-ALONG ISSUES.
4/10/2012	ABARAY, JANET	PARTNER	0.5	CONFERENCE CALL RE HEARING. CONFERENCE WITH R. SCHULTE.
4/12/2012	ABARAY, JANET	PARTNER	0.5	CONFERENCE WITH D. HARMAN RE HEARING PREPARATION.
4/13/2012	ABARAY, JANET	PARTNER	1.0	CONFERENCE WITH D. HARMAN RE UPCOMING HEARING AND RESEARCH RE SAME.
4/16/2012	ABARAY, JANET	PARTNER	0.5	REVIEW COURT ORDER AND CONFERENCE CALL WITH RICK SCHULTE.
4/20/2012	ABARAY, JANET	PARTNER	1.5	PREPARE FOR HEARING; MEET FOR CONFERENCE CALL; CONFERENCE CALL WITH COURT.
4/23/2012	ABARAY, JANET	PARTNER	0.4	CONFERENCE WITH ATTY. BAILEY RE: CLASS ISSUES; REVIEW CASES.
4/24/2012	ABARAY, JANET	PARTNER	1.0	TELEPHONE CONFERENCE WITH ATTY. BLOOD; FOLLOW-UP WITH CO-COUNSEL.
4/26/2012	ABARAY, JANET	PARTNER	1.0	REVIEW DOCUMENTS FOR CLASS COUNSEL MOTION; CONFERENCE CALL WITH MDL LAWYERS RE: CLASS; CONFERENCE WITH ATTY. MELANIE BAILEY RE: MOTION.
4/27/2012	ABARAY, JANET	PARTNER	0.5	FOLLOW-UP RE: STATUS ON CLASS ISSUES.
4/30/2012	ABARAY, JANET	PARTNER	1.5	TELEPHONE CONFERENCE WITH CO-COUNSEL; CONFERENCE CALL WITH CLASS. COUNSEL; REVIEW FILINGS.
5/2/2012	ABARAY, JANET	PARTNER	0.3	REVIEW BRIEF; CONFERENCE WITH M. BAILEY AND R. SCHULTE.
5/3/2012	ABARAY, JANET	PARTNER	1.0	REVISE AND EDIT RESPONSE BRIEF.
5/7/2012	ABARAY, JANET	PARTNER	0.3	CONFERENCE CALL AND RESPONSE BRIEFS
5/8/2012	ABARAY, JANET	PARTNER	0.3	REVIEW DRAFT AND CONFERENCE WITH M. BAILEY RE EDITS.
5/9/2012	ABARAY, JANET	PARTNER	0.3	FOLLOW-UP WITH R. SCHULTE RE CLASS ISSUES. SCHEDULE CONFERENCE CALL.
5/14/2012	ABARAY, JANET	PARTNER	0.5	TELEPHONE CALL WITH R. SCHULTE, R. JENNER AND R. JOHNSON RE CLASS ACTION.
Total	Janet Abaray		17.6	
3/30/2012	ADAMS, ERICA	ASSOCIATE	2.2	REVIEW CASE FILE AND DISCUSS WITH M. BAILEY.
Total	Erica Adams		2.2	
2/9/2012	BAILEY, MELANIE	PARTNER	0.1	CORRESPONDENCE EMAIL WITH ATTORNEYS SCHULTE AND ARTIM RE CLASS ACTION COMPLAINT.
2/10/2012	BAILEY, MELANIE	PARTNER	1.7	FINAL PREPARATION OF CLASS ACTION COMPLAINT. TELEPHONE CALL FROM ATTORNEY ARTIM. CORRESPONDENCE EMAIL TO CO-COUNSEL RE COMPLAINT.
2/14/2012	BAILEY, MELANIE	PARTNER	0.1	REVIEW KENTUCKY COURT OF APPEALS DECISION RE CLASS CERT ORDER.
2/20/2012	BAILEY, MELANIE	PARTNER	0.7	MOVE FILES AND DOCUMENTS TO LEGAL FILES. DRAFT BLOG FOR WEBSITE.
2/21/2012	BAILEY, MELANIE	PARTNER	0.5	CONFERENCE CALL WITH ATTORNEYS SCHULTZ, JOHNSON, JENNER AND ABARAY RE CLASS ACTION AND MDL PROCEEDINGS.
3/9/2012	BAILEY, MELANIE	PARTNER	0.7	TELEPHONE CALL FROM COURT. REVIEW AND REVISE PLEADINGS ON MOTION TO CONSOLIDATE.
3/13/2012	BAILEY, MELANIE	PARTNER	0.2	REVIEW ORDER FROM COURT. CORRESPONDENCE EMAIL TO CO-COUNSEL.
3/14/2012	BAILEY, MELANIE	PARTNER	3.5	PREPARE FOR MEETING WITH PLAINTIFFS' COUNSEL. MEETING AT R. JOHNSON'S OFFICE IN PREPARATION FOR PRETRIAL CONFERENCE WITH COURT.
3/15/2012	BAILEY, MELANIE	PARTNER	0.2	TELEPHONE CONFERENCE WITH R. SCHULTE. CORRESPONDENCE EMAIL TO R. SCHULTE RE OTHER FILED CLASS ACTIONS.

Loss et al v. Skechers, U.S.A.
205065.07

3/16/2012	BAILEY, MELANIE	PARTNER	0.1	DOWNLOAD PLEADINGS FROM ATTORNEY R. JOHNSON'S OFFICE. CORRESPONDENCE EMAIL TO ATTORNEY R. SCHULTE.
3/26/2012	BAILEY, MELANIE	PARTNER	0.1	CORRESPONDENCE EMAIL TO ATTORNEY R. SCHULTE.
3/28/2012	BAILEY, MELANIE	PARTNER	0.3	TELEPHONE CALL FROM ATTORNEY J. ENDICOTT RE MOTION TO CONSOLIDATE. CORRESPONDENCE EMAIL TO ATTORNE R. SCHULTE. REVIEW AGREED ORDER.
3/29/2012	BAILEY, MELANIE	PARTNER	0.5	REVIEW PLEADINGS IN BOATRIGHT CASE. MEET RE STATUS OF LITIGATION. MEET WITH ATTORNEY ADAMS.
4/16/2012	BAILEY, MELANIE	PARTNER	0.1	CALCULATE DUE DATE FOR RESPONSE TO MOTION TO DISMISS.
4/17/2012	BAILEY, MELANIE	PARTNER	0.6	MEET WITH ATTORNEY HARMAN RE RESPONSE BRIEF. REVIEW DEFENDANT'S MOTION TO DISMISS. REVIEW DRAFT OF RESPONSE BRIEF.
4/20/2012	BAILEY, MELANIE	PARTNER	1.7	REVIEW MOTION TO DISMISS FIELD BY DEFENDANTS. REVIEW PLEADINGS IN PREPARATION FOR STATUS CONFERENCE. STATUS CONFERENCE WITH COURT. WORK ON RESPONSE TO MOTION TO DISMISS.
4/23/2012	BAILEY, MELANIE	PARTNER	0.5	MEET WITH ATTORNEY ABARAY RE STATUS OF LITIGATION.
4/24/2012	BAILEY, MELANIE	PARTNER	2.7	REVIEW DOCKETS AND FILES FOR ALL PENDING CLASS ACTIONS. MEMO TO J. ABARAY WITH ALL PENDING CASES AND CONTACT INFORMATION FOR ALL LAWYERS WITH PENDING ACTIONS. MEET WITH ATTORNEY ABARAY. REVIEW DEFENDANT'S RESPONSE BRIEF ON MOTION TO CONSOLIDATE.
4/29/2012	BAILEY, MELANIE	PARTNER	2.2	WORK ON DRAFTING APPOINTMENT FOR INTERIM CLASS COUNSEL.
4/30/2012	BAILEY, MELANIE	PARTNER	3.1	FURTHER WORK ON MOTION TO APPOINT INTERIM CLASS COUNSEL.
5/1/2012	BAILEY, MELANIE	PARTNER	0.1	MEETING WITH ATTY. ABARAY RE: RESPONSE TO MOTION TO STAY OR DISMISS.
5/2/2012	BAILEY, MELANIE	PARTNER	4.5	LEGAL RESEARCH RE: FIRST TO FILE RULE; REVIEW OF CASES CITED BY DEFENSE IN MOTION TO DISMISS; WORK ON RESPONSE TO MOTION TO DISMISS.
5/3/2012	BAILEY, MELANIE	PARTNER	4.0	FURTHER WORK ON RESPONSE BRIEF TO MOTION TO DISMISS; MEETING WITH ATTY. ABARAY.
5/4/2012	BAILEY, MELANIE	PARTNER	2.0	FURTHER WORK ON RESPONSE TO MOTION TO DISMISS, STAY OR TRANSFER.
5/7/2012	BAILEY, MELANIE	PARTNER	2.3	WORK ON REPLY BRIEF FOR MOTION TO CONSOLIDATE.
5/8/2012	BAILEY, MELANIE	PARTNER	0.7	FINALIZE REPLY BRIEF FOR FILING ON MOTION TO CONSOLIDATE; DRAFT PROPOSED ORDER.
6/4/2012	BAILEY, MELANIE	PARTNER	2.2	REVIEW DOCKET. REVIEW SETTLEMENT AGREEMENT. DRAFT STATUS REPORT TO COURT ON CLASS ACTIONS. TELEPHONE CALL FROM ATTORNEY C. ATRIUM RE FILING. MEET WITH ATTORNEY ABARAY.
6/7/2012	BAILEY, MELANIE	PARTNER	0.1	REVIEW MEMO IN OPPOSITION TO APPROVAL OF CLASS SETTLEMENT.
6/14/2012	BAILEY, MELANIE	PARTNER	0.1	REVIEW ORDER AND CALENDAR.
7/3/2012	BAILEY, MELANIE	PARTNER	0.2	STATUS CONFERENCE WITH COURT.
7/23/2012	BAILEY, MELANIE	PARTNER	0.7	REVIEW PLEADINGS IN PREPARATION FOR HEARING FOR PRELIMINARY APPROVAL OF SETTLEMENT.
7/24/2012	BAILEY, MELANIE	PARTNER	5.5	TRAVEL TO LOUISVILLE. APPEAR AT HEARING ON MOTION FOR PRELIMINARY APPROVAL L OF CLASS ACTION. TRAVEL TIME TO CINCINNATI.
12/30/2012	BAILEY, MELANIE	PARTNER	3.5	DRAFT MOTION FOR AWARD OF ATTORNEY'S FEES & EXPENSES; CORRESPONDENCE VIA EMAIL TO ATTORNEYS SCHULTE & ABARAY.
12/31/2012	BAILEY, MELANIE	PARTNER	3.0	FINAL PREPARATION OF MOTION & APPLICATION FOR AWARD OF ATTORNEY'S FEES. DRAFT AFFIDAVIT IN SUPPORT OF APPLICATION.
Total	Melanie Bailey		48.5	
4/12/2012	HARMAN, DAVID	ASSOCIATE	3.0	PULL DOCUMENTS FOR J. ABARAY. REVIEW DOCKETS AND BRIEFS TO PREPARE FOR MONDAY'S HEARING. BRIEF J. ABARAY ON MATERIALS. PULL MORGAN DOCKET AND MOTION TO STAY.

Loss et al v. Skechers, U.S.A.
205065.07

4/16/2012	HARMAN, DAVID	ASSOCIATE	4.7	READING MOTIONS AND RESPONSES IN THE BOATRIGHT CLASS ACTION, THEN READING THE MOTION TO DISMISS IN THE LOSS ACTION; PULLING AND READING
4/17/2012	HARMAN, DAVID	ASSOCIATE	8.2	DRAFTING RESPONSE TO MOTION TO DISMISS STAY OR TRANSFER BASED ON FIRST TO FILE RULE.
4/18/2012	HARMAN, DAVID	ASSOCIATE	0.8	COMPILING/PULLING FROM DOCKETS ALL DOCUMENTS TO SEND TO ATTY. JANET ABARAY FOR HEARING ON FRIDAY RE: FIRST-TO-FILE ARGUMENT.
5/4/2012	HARMAN, DAVID	ASSOCIATE	0.2	CONFERENCE WITH M. BAILEY RE MOTION FOR SUMMARY JUDGMENT. PULL DOCUMENTS.
Total	David Harman		16.9	
3/15/2012	TREGRE, CALVIN	PARTNER	0.3	SEARCH FOR PROTECTIVE ORDER. EMAILS SAME TO SKETCHERS COUNSEL.
3/19/2012	TREGRE, CALVIN	PARTNER	0.5	EMAILS TO AND FROM R. SCHULTE RE REDACTION AND PRIVILEGE ISSUES. REVIEW OF FILES.
3/21/2012	TREGRE, CALVIN	PARTNER	1.0	PULLED REDACTION AND PRIVILEGE INFORMATION FROM ORTHO AND CIRCULATED VIA EMAIL TO SKETCHER'S GROUP.
3/27/2012	TREGRE, CALVIN	PARTNER	3.5	EMAIL TO AND FROM J. ABARAY RE MEMORANDUM IN SUPPORT OF CTO-1; TELEPHONE CALL WITH J. ABARAY. TELEPHONE CALL WITH S. BEHNKE. TELEPHONE CALL WITH R. SCHULTE. EDIT MEMORANDUM AND FILE VIA ECF WITH A. WARREN'S ASSISTANCE. EDITED CERTIFICATE OF SERVICE. DRAFTED SERVICE LETTER TO MDL COUNSEL. EMAILS TO AND FROM MDL COUNSEL.
3/28/2012	TREGRE, CALVIN	PARTNER	0.2	CONFERENCE WITH M. BAILEY RE MDL FILING. EMAIL TO GROUP WITH ATTORNEY INFORMATION.
Total	Calvin Tregre		5.5	
3/27/2012	WARREN, AMY	PARALEGAL	1.0	FILE PLEADINGS ONLINE IN ECF FOR ATTY. CALVIN TREGRE AND ATTY. JANET ABARAY.
Total	Amy Warren		1.0	

Loss et al v. Skechers, U.S.A.
205065.07

Date	Amount	Narrative
3/14/2012	\$350.00	USDC-KY MSB VISA/COURTS/-WP FILING FEE
4/18/2012	\$28.86	FEDEX SENDER'S NAME: DEBORAH KLAENE RECIPIENT'S NAME: JANET ABARAY
6/22/2012	\$84.09	LEXIS NEXIS ONLINE COMPUTER ASSISTED LEGAL RESEARCH
Total	\$462.95	

BURG SIMPSON ELDREDGE HERSH & JARDINE, P.C.

FIRM BIOGRAPHY

Burg Simpson Eldredge Hersh & Jardine, P.C. (Burg Simpson) is an Englewood, Colorado based law firm with a national practice and reputation. Burg Simpson is a leader in complex Multidistrict Litigation (“MDL”), and has been appointed as Lead and Liaison Counsel in several MDLs in the last five years alone. These leadership appointments demonstrate Burg Simpson’s ability to handle complex litigation on a mass scale, and are demonstrative of the judiciary’s recognition of Burg Simpson’s ability as lawyers and a law firm with the extensive resources necessary to handle complex and massive litigation involving numerous parties and law firms.

In addition to extensive experience in MDL litigation, Burg Simpson also has experience in class action litigation. In July 2008, Burg Simpson was successful in achieving a jury verdict of more than \$1 million in damages in a class action dispute between the minority shareholders of Inverness-based Verex, Inc., a public company, and a Fort Collins-based private company PR Pharmaceuticals, Inc. In June of 2009, Burg Simpson successfully resolved a class action case pending in Hamilton County, Ohio, against the Cincinnati Bengals, Inc. regarding club seat licenses and season ticket holders. In November 2009, Burg Simpson successfully resolved a class action on behalf of Wal-Mart and Sam’s Club employees in the State of Kentucky who missed earned rest and meal breaks and were forced to work off the clock. The settlement resulted in \$19 million in monetary relief for class members.

Janet Gilligan Abaray acts as managing shareholder for the Cincinnati office of Burg Simpson Eldredge Hersh & Jardine, P.C. She received her Bachelor of Arts degree from the University of Cincinnati, graduating Phi Beta Kappa and summa cum laude. She graduated Order of the Coif from the University of Cincinnati School of Law where she was Business Manager of the Law Review. She is admitted to practice before the Supreme Court of Ohio, the United States Courts of Appeals for the Third, Sixth, Tenth and Eleventh Circuits and the United States Supreme Court.



Ms. Abaray is one of 20 public members of a Commission chosen from over 300 applicants that has been formed by the State of Ohio to consider modernization of the Ohio constitution. Ms. Abaray was selected to serve on the Commission by a 12-person, bipartisan group, of six Ohio State Representatives and six Ohio State Senators. Other public members of the Commission include former public office holders, including Governor Robert Taft, as well as judges, professors, attorneys and community leaders.

Ms. Abaray has litigated extensively in the area of pharmaceutical products liability, beginning her career as defense counsel for Merrell Dow Pharmaceuticals, Inc. in the Bendectin products liability class action and multi-district litigation (MDL), where she acted as third chair trial counsel. Since 1987, she has represented plaintiffs in many over-the-counter and prescription drug cases, including the L-Tryptophan MDL, the Copley Albuterol class action litigation, where she acted as co-lead trial counsel, and the Fen-Phen/Redux diet pill class action and MDL, where she acted as lead trial counsel for plaintiffs at the Interneuron class action fairness hearing. Currently, Ms. Abaray and Michael Burg are Co-Lead Counsel for Plaintiffs in the Ortho Evra Birth Control Patch Multidistrict Litigation pending in the Northern District of Ohio. In July 2008, Ms. Abaray was appointed to the Executive Committee for the Heparin Product Liability Multi-District Litigation. Ms. Abaray was appointed to this position by The Honorable James G. Carr, federal judge presiding over the Heparin Product Liability Multi-District Litigation in the Northern District of Ohio. The Executive Committee is charged with coordinating the responsibilities of the Plaintiffs' Steering Committee (PSC) including scheduling meetings of the PSC, keeping minutes or transcripts of those meetings, appearance at periodic court noticed status conferences, other necessary administrative or logistic functions of the PSC and any other duty as the Court may order. The PSC is responsible for the coordinated and consolidated conduct of all discovery on behalf of and for the benefit of all plaintiffs. Ms. Abaray has also been named to the Executive Committee in the Human Tissue Multidistrict Litigation, pending in the District of New Jersey, and she serves as Plaintiffs' Liaison Counsel and a member of the Plaintiffs' Coordinating Committee for the Ephedra Products Liability Multidistrict Litigation pending in the Southern District of New York. Ms. Abaray is a Co-chair of the Science Committee in the Yaz/Yasmin Products Liability Litigation, MDL 2100.

Ms. Abaray also represents plaintiffs in many insurance and contract disputes. She was the co-lead trial counsel on behalf of 8000 farmers in the Chubb drought insurance class action litigation, participated as trial counsel on behalf of 2000 Cincinnati area physicians in the ChoiceCare HMO litigation, and represented Cincinnati area newspaper carriers in consolidated actions against the Cincinnati Enquirer. She represented 40,000 season ticket holders of the Cincinnati Bengals football team in a successful class action concerning their seat licenses in Paul Brown Stadium. Ms. Abaray has established national precedent in the area of employment discrimination, successfully arguing in litigation against Ernst & Young to broaden the scope of persons protected by the federal age discrimination statute.

Cincinnati Magazine recognized Ms. Abaray as one of Cincinnati's best litigation attorneys in 1995, and she has been named an Ohio Super Lawyer, 2005-2011. Ms. Abaray has achieved the highest rating from her peers for quality of legal work, professionalism, and ethics by receiving an "AV" rating by Martindale-Hubbell. Ms. Abaray is also listed in the Bar Register of Preeminent Women Lawyers. Ms. Abaray has also met the standard of excellence for selection as one of The National Trial Lawyer's Top 100 Lawyers. Ms. Abaray is recognized as a Fellow of the Litigation Counsel of America. The Litigation Counsel of America is a trial lawyer honorary society established to reflect the new face of the American bar. Membership is limited, representing less than one-half of one percent of American lawyers and is by invitation only. Membership includes placement of a maximum of 3,500 Fellows, who are selected and invited into Fellowship after being evaluated on effectiveness and accomplishment in litigation and trial work, along with ethical reputation.

Ms. Abaray has been selected by members of the national legal community as one of the Best Lawyers in America for Mass Tort Litigation for 2011. Best Lawyers publishes a book each year listing those individuals who are recognized as professionals who continue their education in an effort to stay current in their chosen profession and continue to distinguish themselves among their peers. The book is considered to be, professionally, the definitive guide to legal excellence in the United States. Ms. Abaray was chosen as a member of this distinguished group because she has displayed an exemplary commitment to her profession, her community and to her clients.

Ms. Abaray has served as a faculty member of the National Institute of Trial Advocacy and lectures frequently in the areas of products liability litigation, trial

techniques and epidemiology. She has published articles in journals of the American Bar Association, Litigation Section, the Ohio Academy of Trial Lawyers Association, the University of Cincinnati Law Review and the University of Dayton Law Review.

Melanie S. Bailey earned a Bachelor of Arts Degree from Northern Kentucky University, cum laude, and a Juris Doctorate Degree from Salmon P. Chase College of Law, cum laude.

Prior to joining Burg Simpson Eldredge Hersh & Jardine, P.C., Melanie worked for law firms in Kentucky and Ohio, practicing in the areas of complex civil litigation and class action litigation. Melanie is a member of the firm's Cincinnati office and practices in the areas of complex civil litigation, general products liability, and class action litigation. Ms. Bailey has worked on a number of mass tort multidistrict litigation including Ortho Evra, contaminated Heparin, Fosamax, Yaz/Yasmin.

Ms. Bailey was appointed Class Counsel in the *Nagy v. Wal-Mart* case, Boyd Circuit Court, Case No. 01-CI-00854, which resulted in a class action settlement of \$19 million in monetary relief for class members who claimed missed rest and work breaks and time spent working off the clock. In addition to the *Nagy* matter, Ms. Bailey has worked on a number of other class action lawsuits, including: *Duhaime, et al. v. John Hancock Mut. Life Ins. Co., et al.*, United States Dist. Ct., Dist. of Massachusetts; *In re Jackson Nat'l Life Ins. Co. Premium Litig.*, United States Dist. Ct., W.D. of Michigan; *Manners v. American General Life Ins. Co.*, United States Dist. Ct., M.D. of Tennessee; *Natal, et al. v. Transamerica Occidental Life Ins. Co.*, California Superior Court, San Diego County; *In re New England Mutual Life Ins. Co. Sales Practice Litig.*, United States Dist. Ct., Dist. of Massachusetts; *In re Lutheran Brotherhood Variable Ins. Products Co. Sales Practices Litig.*, United States Dist. Ct., Dist. of Minnesota; *Grove v. Principal Mutual Life Ins. Co.*, United States Dist. Ct., S.D. of Iowa; *Ireton, et al., v. American Family Life Ins. Co., et al.*, United States Dist. Ct., E.D. of Wisconsin; *In re Prudential Ins. Co. Sales Practice Litig.*, 148 F.2d 283 (3rd Cir. 1998).

Ms. Bailey is admitted to practice in the States of Kentucky and Ohio, the United States District Court for the Southern District of Ohio, and the United States District Court for the Eastern and Western Districts of Kentucky. She is a

member of the Kentucky Bar Association, The Northern Kentucky Bar Association, the Cincinnati Bar Associations, the Federal Bar Association and the American Association for Justice.

Calvin S. Tregre, Jr. concentrates his practice in the areas of pharmaceutical and general products liability, personal injury, wrongful death, consumer protection, and civil rights litigation. He has experience in individual, class action, and multi-district litigation. Mr. Tregre practices out the firm's Cincinnati, Ohio office and is currently involved in several pharmaceutical and consumer protection projects. Most recently, Mr. Tregre has devoted much of his time to the firm's Ortho Evra litigation, handling both case-specific issues as well as general discovery issues as a member of the PSC's Privilege Log and Redaction subcommittee.

Mr. Tregre earned his Bachelor of Science degree in Biology Pre-Med from Xavier University of Louisiana in his hometown New Orleans. He went on to earn his Juris Doctorate degree from the University of Cincinnati College of Law. There, Calvin was actively involved in the Black Law Students Association, was awarded Order of the Barristers as a member of the Moot Court Honors Board, and served as an extern to the Honorable Sandra S. Beckwith of the United States District Court for the Southern District of Ohio. Prior to joining Burg Simpson, Mr. Tregre spent five years as an Associate with the law firm Lopez, Hodes, Restaino, Milman & Skikos where he focused much of his attention on the firm's PPA and Ephedra litigation and consumer class actions.

Mr. Tregre is admitted to practice in the State of Ohio, the United States District Court for the Northern and Southern Districts of Ohio, and the United States Court of Appeals for the Sixth Circuit. He is a member of several bar associations, including the Cincinnati Bar Association, the Ohio State Bar Association, the American Bar Association, and the Federal Bar Association. He is also a member of the Ohio Academy of Trial Lawyers, the American Association for Justice, the National Bar Association and the Black Lawyers Association of Cincinnati.

Mr. Tregre was recognized as an exceptional attorney who attained a degree of professional achievement when he was selected as a Rising Star by Super Lawyers in 2009-2012. Rising Stars represent an elite group; no more than 2.5% of those eligible for consideration within the state are recognized.

Erica Adams earned her Bachelor of Arts Degree in Political Science from Xavier University in 2005, where she graduated *magna cum laude*. In 2009, Ms. Adams graduated *cum laude* from the University of Cincinnati College of Law. While in law school, Ms. Adams was an executive member of the College of Laws Moot Court Board, where she was responsible for recruiting and coordinating judges from around the nation to come to Cincinnati to judge the College of Laws Moot Court Competition. She was also a student representative for the Student Legal Education Committee.

In November of 2009, Ms. Adams was admitted to the practice of law in Ohio. As a new associate in the firm's Cincinnati office, Ms. Adams has concentrated her practice in the areas of pharmaceutical and medical device products liability and personal injury. She has worked on the Multidistrict Litigations involving Ortho Evra, contaminated Heparin, and Yaz/Yasmin.

David Harman earned his Bachelor of Arts Degree from Denison University in 2008, where he graduated *magna cum laude*. In 2011, David earned his Juris Doctorate from Case Western Reserve University School of Law, where he graduated *magna cum laude* and earned honors in his Litigation Concentration. While in law school, David externed for the Hon. Peter C. Economus, U.S. District Court, Northern District of Ohio. He was a member of the National Moot Court Team, and served on the Dunmore Moot Court Board.

In November of 2011, David was admitted to practice law in Ohio. As a new associate in the firm's Cincinnati office, David concentrates his practice in the areas of Pharmaceutical and Medical Device Products Liability, Personal Injury, and Employment Law. He has worked on the multi-district litigation cases involving Yaz/Yasmin, Fosamax, and contaminated Heparin.