

Declaration Attachment 12

1 R. Brent Irby
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5 Vestavia Hills, Alabama 35216
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9 *Counsel for Plaintiff(s) David C. Perdue*

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 In re APPLE iPHONE 4 PRODUCTS
14 LIABILITY LITIGATION

) Master File No. 5:10-md-02188-RMW

) CLASS ACTION

15 This Document Relates To:

16 ALL ACTIONS.

) DECLARATION OF R. BRENT IRBY
) FILED ON BEHALF OF MCCALLUM,
) HOAGLUND, COOK & IRBY, LLP IN
) SUPPORT OF AN AWARD OF
) ATTORNEYS' FEES AND EXPENSES TO
) NON-LEAD COUNSEL

17 DATE: n/a

18 TIME: n/a

19 CTRM: The Honorable Ronald M. Whyte

1 I, R. Brent Irby, declare as follows:

2 1. I am a member of the firm of McCallum, Hoaglund, Cook & Irby, LLP. I am
3 submitting this declaration in support of my firm's application for an award of attorneys' fees
4 and expenses in connection with services rendered in the above-entitled action, pursuant to the
5 Court's order of August 10, 2012.

6 2. The firm is counsel of record for plaintiff David C. Perdue. Our firm was not
7 appointed lead counsel in this consolidated MDL. I have not ever been paid or reimbursed any
8 fees or expenses in this case as of the filing of this document.

9 3. The identification and background of my firm and its partners is attached hereto
10 as Exhibit A.

11 4. The following information regarding the firm's time and expenses is taken from
12 time and expense printouts prepared and maintained by my firm in the ordinary course of
13 business. I am the attorney who oversaw and/or conducted the day-to-day activities in the
14 litigation and who reviewed these printouts (and backup documentation where necessary or
15 appropriate). The purpose of these reviews was to confirm both the accuracy of the entries on
16 the printouts as well as the necessity for and reasonableness of the time and expenses committed
17 to the litigation. As a result of these reviews, reductions were made to both time and expenses
18 either in the exercise of billing judgment or to conform to the firm's guidelines and policies
19 regarding certain expenses such as charges for hotels, meals, and transportation. As a result of
20 these reviews and adjustments, I believe that the time reflected in the firm's lodestar calculation
21 and the expenses for which payment is sought are reasonable in amount and were necessary for
22 the effective and efficient prosecution and resolution of the litigation.

23 5. The total number of hours spent on this litigation by my firm is 21.6. The total
24 lodestar amount for attorney/paraprofessional time based on the firm's current rates is \$9,720.00.
25 The hourly rates shown below are the usual and customary rates charged for each individual. A
26 breakdown of the lodestar is as follows:

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<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
R. Brent Irby	(P)	21.6	450.00	
	(P)			
	(A)			
	(A)			
	(A)			
TOTAL				\$

(P) Partner

(A) Associate

6. My firm seeks an award of \$578.62 in expenses which were reasonably and necessarily committed to the prosecution of the litigation. They are broken down as follows:

EXPENSES

From Inception to May 21, 2012

<i>EXPENSE CATEGORY</i>	<i>TOTAL</i>
Out-of-Town Meals, Hotels & Transportation	\$ 0.00
Photocopies (in-house: 677 copies @ \$0.25 per page)	\$169.25
Postage & Delivery	\$ 20.08
Telephone, Facsimile	\$ 0.00
Filing, Witness & Other Fees	\$350.00
Lexis, Westlaw, Online Library Research	\$ 0.00
Interest	\$ 39.29
TOTAL	\$578.62

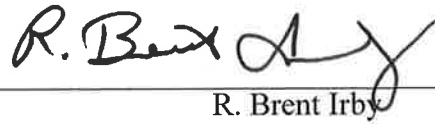
7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records and other documents and are an accurate record of the expenses.

8. I submit that the time and expense submission included in this Declaration were incurred in this litigation. I request that the Court award my firm \$9,720.00 in attorneys' fees and \$578.62 in expenses reimbursement for a total of \$10,298.62.

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

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Executed this 17th day of August, 2012, at Vestavia Hills, Alabama.



R. Brent Irby

EXHIBIT A

McCallum, Hoaglund, Cook & Irby, L.L.P.
905 Montgomery Highway, Suite 201, Vestavia Hills, Alabama 35216
Telephone: (205)824-7767 Facsimile: (205)824-7768
www.mhcilaw.com

Charles A. "Chip" McCallum, III founded McCallum Law Firm, LLC in February 2001. From 1996 to 2001, he was a partner with Campbell, Waller & McCallum, LLC, now Campbell, Waller & Poer, LLC. Prior to that time, Chip was a shareholder in the downtown law firm of Haskell, Slaughter & Young, LLC. Eric Hoaglund, Martha Cook and Brent Irby practiced with Chip at the firm of Campbell, Waller & McCallum, LLC. They became associated with McCallum Law Firm in June 2001, and became shareholders in McCallum, Hoaglund, Cook & Irby, LLP ("MHCI") in January 2005.

MHCI specializes in general business and consumer litigation, products liability law (defense), real estate transactions, class action litigation and general civil litigation (plaintiff and defense).

CHARLES A. "CHIP" McCALLUM, III was born in Birmingham, Alabama. He attended the University of Alabama in Tuscaloosa, Alabama where he received a Bachelor's of Arts degree in 1983. In 1986 he received his Juris Doctorate from Cumberland School of Law in Birmingham, Alabama where he was a member of the American Journal of Trial Advocacy (1984-1986). From 1986 to 1996 Chip practiced with the law firm of Haskell, Slaughter & Young in Birmingham. In 1996, he joined the firm of Campbell, Waller & McCallum, LLC and, in 2001, began the firm of McCallum Law Firm, LLC in Vestavia Hills, Alabama. Chip is a member of the Birmingham and American Bar Associations, the Alabama State Bar and the Alabama Trial Lawyer's Association. His practice is devoted to complex business and commercial litigation, including business torts, unfair and deceptive trade practices, contract litigation, insurance bad faith, securities litigation and shareholder disputes. Chip's email address is cmccallum@mhcilaw.com.

ERIC D. HOAGLUND is a native of McComb, Mississippi and a 1992 (summa cum laude) graduate of Jacksonville State University where he received a Bachelor's of Arts degree. In 1995, Eric received his Juris Doctorate from Cumberland School of Law at Samford University in Birmingham, Alabama. Eric was admitted to the Alabama State Bar in 1995. He is also a member of the U.S. Court of Appeals for the Eleventh Circuit, the U.S. District Courts for the Northern, Middle and Southern Districts of Alabama, the Birmingham Bar Association, the Alabama State Bar and the Alabama Defense Lawyers Association. Prior to joining McCallum Law Firm, LLC, Eric practiced with Portfield, Harper & Mills and, later, Campbell, Waller & McCallum, LLC. Eric specializes in the areas of products liability law, construction defect litigation, premises liability law, automobile liability, general civil defense law, real estate transactions, and bad faith litigation. His email address is ehoaglund@mhcilaw.com

MARTHA REEVES COOK was born in Houston, Texas and raised in Selma, Alabama. Martha received a Bachelor of Arts degree in 1990 from Randolph-Macon Woman's College in Lynchburg, Virginia. In 1996 she received her Juris Doctorate from Cumberland School of Law in Birmingham, Alabama where she was a member of the Henry Upson Sims Moot Court Board (Chief Justice, 1995 to 1996). Martha was admitted to the Alabama State Bar in 1996. She also is admitted to practice in the U.S. Court of Appeals for the Eleventh Circuit and the U.S. District Courts for the Northern and Middle Districts of Alabama. Martha is a member of the Birmingham Bar Association, the Birmingham Inns of Court and the American Bar Association. She is an Ambassador with the Vestavia Hills Chamber of Commerce for which she served as Chairperson of the 2004 Mayor's Prayer Breakfast. Prior to joining McCallum Law Firm, LLC, she practiced with Campbell, Waller & McCallum, LLC. Martha practices in the areas of disability insurance law, real estate transactions, personal injury law and general civil defense law. Her email address is mcook@mhcilaw.com.

R. BRENT IRBY is a native of Eufaula, Alabama. Brent received his Bachelor's of Science degree (cum laude) from the University of Alabama in Tuscaloosa in 1995 and his Juris Doctorate (cum laude) from the University in 1998 where he was a member of the Farrah Law Society, Phi Delta Phi and the Journal of Legal Profession (1997 - 1998). Brent was admitted to the Alabama State Bar in 1998 and the Tennessee State Bar in 1999. He is admitted to practice in the U.S. Court of Appeals for the Eleventh Circuit and the U.S. District Courts for the Northern, Middle and Southern Districts of Alabama. Brent is also a member of the Birmingham Bar Association, the Young Lawyers Section of the Birmingham Bar Association, the Alabama Trial Lawyers Association (Board of Governors), the Association of Trial Lawyers of America, and the American Bar Association. Prior to joining McCallum Law Firm, LLC, Brent practiced with Campbell, Waller & McCallum, LLC. Brent specializes in the practice areas of consumer fraud litigation, insurance fraud litigation, mass torts, employment law and class action litigation. His email address is birby@mhcilaw.com.