

Declaration Attachment 15

1 Kane and Silverman P.C.
2 2401 Pennsylvania Ave Suite 1 A 5
3 Philadelphia Pa. 19130

4 *Counsel for Plaintiff(s) Jeffery Rodgers*

5
6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 In re APPLE iPHONE 4 PRODUCTS)
10 LIABILITY LITIGATION)

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

CLASS ACTION

11 This Document Relates To:)

12 ALL ACTIONS.)

DECLARATION OF HOWARD G.
SILVERMAN ,ESQ. FILED ON BEHALF
OF KANE AND SILVERMAN P.C. IN
SUPPORT OF AN AWARD OF
ATTORNEYS' FEES AND EXPENSES TO
NON-LEAD COUNSEL

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DATE: n/a
TIME: n/a
CTRM: The Honorable Ronald M. Whyte

1 I, HOWARD G. SILVERMAN ESQ., declare as follows:

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

6 2. The firm is counsel of record for plaintiffs Jeffery Rodgers. 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
17 committed to the litigation. As a result of these reviews, reductions were made to both time
18 and expenses either in the exercise of billing judgment or to conform to the firm's guidelines
19 and policies regarding certain expenses such as charges for hotels, meals, and transportation.
20 As a result of these reviews and adjustments, I believe that the time reflected in the firm's
21 lodestar calculation and the expenses for which payment is sought are reasonable in amount
22 and were necessary for the effective and efficient prosecution and resolution of the litigation.

23
24 The total number of hours spent on this litigation by my firm is 34.5*. The total lodestar amount
25 for attorney/paraprofessional time based on the firm's current rates is \$20,527.50. The hourly
rates shown below are the usual and customary rates charged for each individual.

26 A breakdown of the lodestar is as follows:

27 6/25/2010 4.3 confer with client, initial review of phone problems including internet
28 research into similar complaints and consult with proposed co counsel.

- 1 6/26/10 – 4.5 hours –legal and factual Research Causes of Action and decision to bring action
2 6/27/10 – 4.0 hours –strategy and conference with co counsel Jon Shub and begin joint
3 preparation of complaint; circulate same to co-counsel for discussion
4 6/28/10 – 5.5 hours – Edits to Complaint based on conference calls and discussions and e
5 mails with co counsel , circulate to client and co counsel , additional research on updates re cause
6 of action
7 6/29/10 – 3.0 hours - Final review with numerous discussions including exchange of e mails
8 with final edits to Complaint prepare for filing
9 7/6/10 – 1.5 hours – Calls regarding leadership
10 7/14/2010 2.2 coordination issues addressed in call with co counsel
11 7/15/10 – 3.5 hours – Review articles regarding Apple changes to I phone
12 7/16/10 – 4.5 hours determine status of Apple remedial action and position and impact on case
13 7/21/10 – 1.0 hour - Review Pleadings/Stipulation
14 8 12 2011 .5 review dockets and order

- .Actual time spent from inception of case to conclusion is greater than hour's that firm is seeking compensation

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<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Howard Silverman	(P)	34.5	595.00	\$ 20,527.50
	(P)			
	(A)			
	(A)			
	(A)			
TOTAL				\$ 20,527.50\$

(P) Partner
(A) Associate

5. My firm seeks an award of \$0 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

COMPLETE CHART

<i>EXPENSE CATEGORY</i>	<i>TOTAL</i>
Out-of-Town Meals, Hotels & Transportation	\$
Photocopies (in-house: ----- copies @ \$0.25 per page)	
Postage & Delivery	
Telephone, Facsimile	
Filing, Witness & Other Fees	
Lexis, Westlaw, Online Library Research	
Mediation Fees	
TOTAL	0 \$

6. The following is additional information regarding certain of these expenses:

(a) Out-of-town Meals, Hotels and Transportation: \$0

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<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>

(b) Filing, Witness and Other Fees: N/A


<i>DATE</i>	<i>VENDOR</i>

(c) Lexis, Westlaw, Online Library Research: \$ 0. These included vendors such as Westlaw, and Pacer. These databases were used to obtain access to legal research and cite-checking of briefs. The charges for these vendors vary depending upon the type of services requested.

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 \$20,527.50 in attorneys' fees and \$ 0 in expenses reimbursement for a total of \$ \$20,527.50.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 20th day of August 20,2012, at Philadelphia Pa.



 Howard G. Silverman Esquire

Kane and Silverman

Kane and Silverman P.C. was organized in 1988 and has continually operated as a law firm primarily providing representation on a contingent fee basis to victims of personal injury and insurance coverage or claim disputes including bad faith .The firm is also active in class action litigation including as lead plaintiff's counsel in various actions involving insurance claim and coverage disputes in the State and Federal Courts of Pennsylvania .

Howard G. Silverman ,Esquire

Howard G. Silverman is the founding partner and lead trial attorney of Philadelphia, PA based Kane & Silverman and Lancaster based Haggerty & Silverman which was founded in 2005. In 1983, Howard received his B.S. in Finance from the University of Florida and in 1986 he received his Juris Doctorate from Dickinson School of Law in Carlisle, Pennsylvania. He is licensed to practice law in Pennsylvania and New Jersey Howard Silverman is admitted to practice various Federal Courts including the Third Circuit Court of Appeals . He is a member of the American Bar Association and the Pennsylvania Bar Association, along with the American Trial Lawyers Association, Pennsylvania Trial Lawyers Association, and the Philadelphia Trial Lawyers Associations. Howard G. Silverman is listed in the Martindale-Hubbell Bar Register of Preeminent Lawyers for the highest level of legal ability and adherence to the professional standards of conduct, ethics, reliability and diligence. Mr. Silverman has resolved numerous individual cases in excess of one million dollars and has achieved Court approval as class counsel for settlements that have provided millions of dollars in insurance coverage to insured's that had been denied or would have been wrongfully denied coverage .