

EXHIBIT D

1 FARMER, JAFFE, WEISSING,
2 EDWARDS, FISTOS & LEHRMAN, P.L.
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7 *Counsel for Plaintiff Stacy Milrot*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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13 In re APPLE iPHONE 4 PRODUCTS
14 LIABILITY LITIGATION

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

) CLASS ACTION

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15 This Document Relates To:

16 ALL ACTIONS.

) AMENDED DECLARATION OF SETH
LEHRMAN FILED ON BEHALF OF
FARMER JAFFE WEISSING IN SUPPORT
OF AN AWARD OF ATTORNEYS' FEES
AND EXPENSES TO NON-LEAD
COUNSEL

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

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1 I, SETH LEHRMAN, declare as follows:

2 1. I am a member of the firm of Farmer, Jaffe, Weissing, Edwards, Fistos &
3 Lehrman, P.L. ("Farmer Jaffe Weissing"). I am submitting this amended declaration in support
4 of my firm's application for an award of attorneys' fees and expenses in connection with services
5 rendered in the above-entitled action, pursuant to the Court's orders of August 10, 2012 [DE 29]
6 and September 13 [DE 79] respectively.

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

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

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

24 5. The total number of hours spent on this litigation by my firm's attorneys is 31.6.
25 More than 85% of the time expended by our firm (26.9 hours) was done before the January 14,
26 2011 appointment of lead counsel. Only 4.7 hours have been expended since the appointment of
27 lead counsel. The work that we performed after the appointment of lead counsel was principally
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1 to communicate with our client about the status of the case, to obtain settlement authority from
2 our client, and for work that was expressly assigned to our firm by lead counsel.

3 6. The total lodestar amount for attorney time based on the firm's current rates is
4 \$14,890. Our firm's contemporaneous time records are contained in the Billing Report attached
5 as Exhibit B. The hourly rates shown below are the usual and customary rates charged for each
6 individual. A summary of our attorneys' time and resulting lodestar is set forth in the table
7 below:

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Steven R. Jaffe	(P)	15.5	\$500	\$7,750
Seth M. Lehrman	(P)	16.1	\$450	\$7,245
	(A)			
	(A)			
<i>TOTAL</i>		<i>31.60</i>		<i>\$14,995</i>
(P) Partner				
(A) Associate				

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14 7. My firm seeks an award of \$1,380.06 in expenses which were reasonably and
15 necessarily committed to the prosecution of the litigation. They are broken down as follows:

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17 ***EXPENSES***

18 From Inception to May 21, 2012

<i>EXPENSE CATEGORY</i>	<i>TOTAL</i>
Out-of-Town Meals, Hotels & Transportation	0
Photocopies (in-house: 301 copies @ \$0.25 per page)	75.25
Postage & Delivery	0.88
Telephone, Facsimile	0
Filing, Witness & Other Fees	0
Lexis, Westlaw, Online Library Research	53.93
Consulting Expert	1,250.00
<i>TOTAL</i>	<i>\$1,380.06</i>

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

25 (a) Lexis, Westlaw, Online Library Research: \$53.93. These included
26 vendors such as Westlaw, and Pacer. These databases were used to obtain access to legal
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1 research and cite-checking of briefs. The charges for these vendors vary depending upon the
2 type of services requested.

3 (b) Expert witness: \$1,250. This includes fees paid to consult Phd engineers
4 regarding technical defects alleged in the complaint.

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

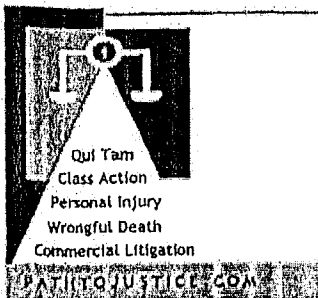
8 10. I submit that the time and expense submission included in this Declaration were
9 incurred in this litigation. I request that the Court award my firm \$14,995.00 in attorneys' fees
10 and \$1,380.06 in expenses reimbursement for a total of \$16,375.06.

11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct. Executed this 21st day of September, 2012, at Fort Lauderdale,
13 Florida.



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17 Seth M. Lehrman

EXHIBIT "A"



Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L.

COMPLEX LITIGATION RESUME

The attorneys of Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L., ("FJW") are litigators and trial attorneys, who have significant experience in prosecuting fraud, class actions, and consumer litigation.

Representative Matters:

Ruderman v. Washington Nat. Ins. Co., --- F.R.D. ---, 2010 WL 62871 (SD Fla. 2010)(pending). Co-Lead Counsel; prevailing on a vigorously contested class certification motion recently granted for elderly long term care insurance policyholders. Case is proceeding to trial. Court rejected defendant's argument that extrinsic evidence was admissible to dispel a patent ambiguity in an insurance policy. Rule 23(f) petition filed.

Fresco et al., v. Auto Data Direct, et al., Case No. 07-cv-60695-JEM (SD Fla.)— Nationwide injunctive class settlement composed of over 200 million Americans whose personal information was allegedly brokered in violation of federal privacy laws. The settlement requires companies to implement extensive programs and policies to protect consumers' privacy, and to stop alleged misuse of their personal information.

Pro v. Hertz Equipment Rental Co. Case No. 06-CV-3830 (DNJ)(pending). Class certification granted for nationwide class of renters; Rule 23(f) petition rejected; case proceeding to trial.

Thomas J. Dolan v. Hewlett-Packard Company, Case No. 51-2002-CA-001245, in the Circuit Court for Pasco County, Florida, and *Melissa Dukes v. Hewlett-Packard Company*, Case No. CV-2002-270, in the Circuit Court for Phillips County, Arkansas—Winning nationwide class settlement including approximately 5 million class members and relief to the Class valued at over \$144,000,000.

Rios v. Direct Mail Express, Case No. 05-61689 (SD Fla.)—lead counsel; Wining injunctive class settlement prohibiting marketer of trading in personal information unlawfully.

Curry v. Fairbanks Capital Corporation, Case No. 03-10875-DPW (D. Mass.)— Winning \$55 million settlement on behalf of nationwide class of borrowers who were allegedly subject to predatory lending.

Yolanda M. Spund, et al. v. Associates Financial Services Case No. 3D01-2454 (3rd DCA Fla.)—Co-lead counsel; Achieving settlement of class case

consisting of 5000 members and a settlement fund of \$2.5 million.

Hernandez v. GE Capital Consumer Card Co., Case Nos. 00-4828-CIV-SEITZ and 01-23566 (S.D. Fla. and Fla. Cir. Ct.)-lead counsel; Winning \$67 million settlement of national payment posting class action against credit card banks.

Davis v. Bank of America, N.A., Case No. 05-80806 (SD FL.)--\$6 million class settlement on behalf of persons whose personal information was allegedly taken in violation of the federal Drivers Privacy Protection Act; settlement requires destruction of personal information allegedly obtained unlawfully.

Saltzman, et al., v. Pella Windows, Case No. No.: 06 C 4481 (ND Ill.)(Pending) Prevailing on highly contested class certification motion granted for a multi-state class. Rule 23(f) petition filed.

Collier, et al. v. Fred O. Dickinson, et al., Case No. 04-21351-CIV (SD FL.)-Class settlement valued at \$10-18 million for a class of drivers whose personal information was allegedly sold to private marketers by the state of Florida.

Pino v. Warranty Acceptance Corp., Case No. 05-61576 (SD FL.)--Co-lead counsel; Winning class settlement which provided that defendant was permanently enjoined from using certain personal information obtained from a state motor vehicle bureau.

PNR, Inc. v. Beacon Property Management, Inc. 842 So.2d 773 (Fla. 2003)--Landmark case from the Florida

Supreme Court establishing that a single act may violate Florida Deceptive and Unfair Trade Practices Act. FJW counsel appeared as amicus on behalf of the Florida Justice Association.

America Online, Inc. v. Pasioka 870 So.2d 170 (Fla. 1st DCA 2004)--Successful challenge to internet provider's use of a subscriber agreement which required all suits against the company to be brought in a state that didn't allow class actions.

Corder v. Ford Motor Co., Case No. 07-5533 (Court of Appeals, Sixth Circuit)--Winning reversal of a summary Judgment for defendant on deceptive trade practice claim allowing class case to continue.

GTE Communications Corporation (AG Case No. L99-3-1231); *Snyder Communications Inc.*; *Snyder Direct Services, Inc.* (AG Case No. L97-3-1301)-- Companion RICO/Theft matters involving "slamming" of long-distance telephone customers which yielded a \$3.1 million recovery. Consumers received redress and two of the Snyder-related entities agreed to surrender all licenses and cease all business operations in Florida (2001).

Prime Succession, Inc., Prime Succession of Florida, Inc., Fred Hunter Memorial Services, Inc. (AG Case #: L97-3-1214) RICO/Deceptive Trade Practice and Funeral Services statute matter based on Chapter 497, Florida Statutes. Recovery of \$500,000 and agreed-upon extensive additional consumer redress (2000).

Promark Telecommunications, Inc.; One Step Billing, Inc. (AG No. L97-3-1300) Telephone "slamming" matter resulting in a \$1.3 million recovery. Consumers were reimbursed. The target companies surrendered their licenses and ceased operations in Florida (1999).

Mack v. Bristol-Myers Squibb Co. 673 So.2d 100, 101 (Fla. 1st DCA 1996)--Prevailing as amicus for the state of Florida against argument that the indirect purchaser rule applies to claims brought pursuant to the Florida Deceptive and Unfair Trade Practices Act.

Credit Life Corp. (AG #93-400162; 94-1015-CI-07)--First viatical settlement case handled by the Office of the Attorney General and was one of the first of such cases ever litigated in the country. Consumers received restitution and the principal operator was permanently enjoined from ever engaging in the viatical and insurance businesses. The case served as a primary impetus for passage of a Viatical Settlement Act in Florida. FJW attorney was lead counsel.

Appel v Liberty American Insur. Case No. 08-cv-20385 (SD Fl.) - Co-lead counsel in class action which produced \$50 million common fund settlement following two appeals and four years of intense litigation. 8,875 Florida mobile home owners obtained right to claim settlement monies from alleged systematic under payment of hurricane property damage claims.

Margolis v Continental Casualty. Case No. (SD Fl.) - Co-lead counsel in class action challenging insurer's alleged

company wide practice of discriminating against Florida nurse registries which results in the denial of home health claims. Tentative settlement reached which will result in subject denied claims being paid and defendant insurer agreeing to afford coverage for previously denied Florida nurse registry claims. Class is seeking preliminary approval of class action settlement.

Mowatt v Stern, DJSP Ent., et al. Case No. 10-cv-62302 (SD Fl.)--Co-lead counsel in mass layoff class action filed under the Warn Act. Over 700 employees were terminated without the required statutory notice. Court has granted preliminary approval of class action settlement that proposes to provide statutory benefits to class members without a claim process.

FJW attorneys who litigate complex and class actions, include:

Steven R. Jaffe, Esq.

Steven Jaffe is a founding member of FJW. Mr. Jaffe began his career in the State Attorney's office. There he gained a great deal of trial experience. For 25 years, he has tried cases from the Florida Keys to Port St. Lucie. He focuses his practice on exclusively on complex civil jury trial matters.

Mr. Jaffe has handled class action cases that have been certified in federal court and state courts involving fraud, false and deceptive trade practices and violations of the driver privacy protection act. He continues to serve

class clients in cases involving unsafe and hazardous products, unlawful consumer charges and assessments, and other consumer debt and consumer fraud class action cases.

Mr. Jaffe has been rated AV by his professional peers through the Martindale-Hubbell® Peer Review Rating system. Mr. Jaffe has assumed positions of leadership in the Broward County legal community, recently having been named the president of the Broward County Justice Association. He has also been recognized by the American Trial Lawyers Association as one of Florida's Top 100 Trial Lawyers.

Mr. Jaffe is a member of the Broward County Justice Association and 2010 President. He is a member of the Broward County Bar Association Professionalism Committee (1999-present) and is on the Board of Directors of the Stephen Booher Inns of Court (2000-present).

Mr. Jaffe is a member of the Florida Bar, the Colorado Bar, and the U.S. District Court, Southern District of Florida and the Northern District of Illinois. He is also a member of the United States Court of Appeals for the Eleventh Circuit.

Mark S. Fistos, Esq.

Mark S. Fistos is a founding member of FJW. Mr. Fistos concentrates his practice on complex civil litigation, including claims relating breach of contract, unjust enrichment, breach of warranty, fraud, trade practice violations and qui tam litigation. Mr.

Fistos has successfully litigated class action and consumer cases in various state and federal jurisdictions for more than 15 years.

Fueled by a passion for consumer law that began in law school and grew through the years, Mr. Fistos has dedicated his career to protecting consumers against fraud and unfair trade practices. After receiving his Juris Doctor degree from Florida State University, Mr. Fistos began his legal career as an Assistant Attorney General in the Florida Attorney General's Economic Crimes Litigation Unit in Tallahassee. While in that position, he drafted and presented several pieces of consumer legislation, including the major amendments to the Florida Deceptive and Unfair Trade Practices Act in Chapter 93-38, Laws of Florida. He has investigative and prosecuted numerous cases involving consumer fraud, unfair methods of competition, the Racketeer Influenced and Corrupt Organizations (RICO) Act, deceptive trade practices, and whistleblowers, recovering millions of dollars for the state and consumers from large telecommunications companies, marketing enterprises and corporate-owned funeral providers.

As a class action and trade practice lawyer, Mr. Fistos' work has led to large recoveries in state and federal class cases and qui tam cases involving national computer manufacturers, utilities, banks, and data mining companies, among others.

Mr. Fistos has published articles and training materials for the Florida Bar.

Mr. Fistos is a member of the Florida Justice Association. He is a member of the Tallahassee Bar Association and is a Board Member and General Counsel of the Leon County Chapter of CHADD.

Mr. Fistos is also a member of The Florida Bar, the Trial Lawyers Section of the Florida Bar and the U.S. District Courts in the Southern, Middle and Northern Districts of Florida and the Northern District of Illinois. He is also a member of the United States Court of Appeals for the Eleventh Circuit.

Seth Lehrman, Esq.

Mr. Lehrman is a founding member of FJW. He has served as plaintiff's class counsel for more than ten years in consumer class action cases around the country.

Aside from class action cases, Mr. Lehrman has other significant experience with complex civil litigation. He represented thirty-seven individuals who were innocent victims of the largest Ponzi scheme in South Florida.

The Legal Aid Society of Broward County has recognized Mr. Lehrman on several occasions for having performed significant pro bono work.

Mr. Lehrman is a member of the Florida Justice Association and the Broward County Justice Association. Through these affiliations, Mr. Lehrman seeks to protect access to the courts and to promote professionalism in the practice of law.

Mr. Lehrman is a member of the Florida Bar and the California Bar. He is a

member of the U.S. District Court, Southern District of Florida, Middle District of Florida, Northern District of California, and Central District of California. He is also a member of the United States Supreme Court.

EXHIBIT “B”

Farmer Jaffe Weissing

In re Apple iPhone 4 Products
Liability Litigation
Case #:5:10-md-2188 RMW

Date	Attorney/Staff	Description	Hours	HourlyRate	Total Amount
06/20/2010	Seth M. Lehrman	Exchanged multiple email with potential client Milrot re alleged defects associated with Apple iPhone 4.	0.6	\$450.00	\$270.00
06/26/2010	Seth M. Lehrman	Additional consultation with potential client Milrot re issues with alleged iPhone 4 signal defects and about procedure and responsibilities as a putative class representative. (.8 hrs billed as .6)	0.6	\$450.00	\$270.00
06/26/2010	Steven R. Jaffe	Conference with Seth Lehrman and Mark Fistos regarding filing class case related to alleged iPhone 4 signal issues.	0.5	\$500.00	\$250.00
06/26/2010	Seth M. Lehrman	Exchanged multiple email with Steve R. Jaffe (SRJ) re potential class claims re iPhone 4 signal defects Exchanged email with partner Fistos re theories of liability.	0.6	\$450.00	\$270.00
06/26/2010	Mark S. Fistos	Exchanged multiple email with partners and participated in phone conference with partners evaluating potential class action case against Apple related to alleged iPhone 4 defects. (.6 hrs NOT BILLED)		\$500.00	\$0.00
07/01/2010	Seth M. Lehrman	Exchanged 12 email with co-counsel re filing Florida case against Apple.	0.7	\$450.00	\$315.00
07/01/2010	Steven R. Jaffe	Exchanged multiple email with co-counsel re filing putative class action re alleged iPhone 4 defects, including email with draft complaint. (1.5 hrs billed as .7)	0.7	\$500.00	\$350.00
07/02/2010	Steven R. Jaffe	meeting with Stuart Davidson to discuss potential case. R and R draft complaint.	1.2	\$500.00	\$600.00
07/02/2010	Steven R. Jaffe	Reviewed and revised draft class action complaint.	1.3	\$500.00	\$650.00
07/07/2010	Seth M. Lehrman	Review and editing of motion for summary judgment and of statement of material facts.	1.3	\$450.00	\$585.00
07/07/2010	Steven R. Jaffe	Reviewed draft summary judgment motion and statement of material facts. (1.2 hrs billed as .7)	0.7	\$500.00	\$350.00
07/08/2010	Steven R. Jaffe	Reviewed docket entries of related cases.	1.4	\$500.00	\$700.00
07/08/2010	Steven R. Jaffe	Exchanged more than 10 email with co-counsel regarding MDL papers and briefing request to assign MDL to Southern District of Florida. (.7 hrs billed as .3)	0.3	\$500.00	\$150.00
07/08/2010	Steven R. Jaffe	Reviewed and revised draft MDL motion and brief.	0.5	\$500.00	\$250.00
07/23/2010	Beth Williamson	Preparation and filing of NOAs for MSF, SRJ and SML. (.8 hrs not billed)		\$150.00	\$0.00
07/26/2010	Seth M. Lehrman	Research MDL rules regarding supplementing opposition to motion to transfer. Reviewed response opposing motion to stay prepared by co-counsel Davidson. Email with co-counsel re same.	0.8	\$450.00	\$360.00
07/26/2010	Seth M. Lehrman	Drafted requests for production on behalf of plaintiff Milrot.	2.5	\$450.00	\$1,125.00
07/26/2010	Seth M. Lehrman	Reviewed state court complaint with Client. Revised state court complaint for client's facts.	1	\$450.00	\$450.00
07/26/2010	Steven R. Jaffe	Reviewed mdl assignmnet and Stuart Davidson's draft motion opposing stay. Provided suggested revisions to same.	2	\$500.00	\$1,000.00
07/27/2010	Seth M. Lehrman	Drafted interrogatories in state court action on behalf of Plaintiff Milrot.	2.5	\$450.00	\$1,125.00

Farmer Jaffe Weissing

In re Apple iPhone 4 Products
Liability Litigation
Case #:10-md-2188 RMW

07/27/2010	Steven R. Jaffe	Reviewed and revised discovery requests drafted by Lehrman.	0.5	\$500.00	\$250.00
07/28/2010	Seth M. Lehrman	Email and confer with co-counsel re dropping AT&T from case. (.3 hrs billed as .2)	0.2	\$450.00	\$90.00
08/03/2010	Seth M. Lehrman	Reviewed Def Opposition to Plaintiff's DE 6 MSJ.	0.4	\$450.00	\$180.00
08/17/2010	Steven R. Jaffe	Reviewed defense motion for extension to respond. Exchanged email with co-counsel Stuard Davidson regarding MDL.	0.6	\$500.00	\$300.00
08/20/2010	Steven R. Jaffe	Participated in conference call with co-counsel Stuart Davidson regarding motion for MDL. In preparation for conference call reviewed MDL No. 2188 -- Defendant Apple Inc. respectfully submits the attached documents: Apple Inc.'s letter to clerk of the Panel enclosing 1) Apple Inc.'s RJP 7.2(l) And 7.5(e) Notice of Actions Related To	0.7	\$500.00	\$350.00
09/08/2010	Seth M. Lehrman	Receipt and review and downloading of Plaintiff's notice of withdrawal of remand motion.	0.1	\$450.00	\$45.00
09/08/2010	Steven R. Jaffe	Conference with Stuart Davidson re motion to transfer to souther district. Reviewed motion to withdraw proposed transfer to so dist.	0.3	\$500.00	\$150.00
09/10/2010	Beth Williamson	Receipt and review of Joint Stip Transfer (.3 hrs NOT billed)		\$150.00	
02/03/2011	Seth M. Lehrman	Conference with client Milrot re facts for amended complaint.	0.5	\$450.00	\$225.00
02/05/2011	Seth M. Lehrman	Exchanged multiple email with clients to confirm facts.	0.8	\$450.00	\$360.00
08/03/2011	Seth M. Lehrman	Conference call with two engineer PhD experts regarding Apple's knowledge of nature of antenna system defects and mitigation approaches before bringing phone to market. (1.5 hrs billed as 1.0)	1	\$450.00	\$450.00
08/04/2011	Seth M. Lehrman	Exchanged multiple email with client re mediation and status of settlement discussions and terms.	0.5	\$450.00	\$225.00
04/30/2012	Seth M. Lehrman	Exchanged multiple email with Milrot re filing case in SDFL. Call with Milrot re filing case.	1.1	\$450.00	\$495.00
04/30/2012	Seth M. Lehrman	Exchanged multiple email with Milrot re receipt of bumper offer.	0.4	\$450.00	\$180.00
05/30/2012	Seth M. Lehrman	Call with client re settlement, final approval motion, and declaration supporting final approval.	0.5	\$450.00	\$225.00
			31.6		