

EXHIBIT M

HIDEN, ROTT & OERTLE, LLP

A Limited Liability Partnership
Including Professional Corporations
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Attorneys for Plaintiff Arcelia Hurtado

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re APPLE iPhone 4 PRODUCTS
LIABILITY LITIGATION

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

) CLASS ACTION

This Document Relates To:

ALL ACTIONS.

) SUPPLEMENTAL DECLARATION OF
) MICHAEL I. ROTT FILED ON BEHALF OF
) HIDEN, ROTT & OERTLE, LLP IN
) SUPPORT OF AN AWARD OF
) ATTORNEYS' FEES AND EXPENSES TO
) NON-LEAD COUNSEL

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

1 I, MICHAEL I. ROTT, declare as follows:

2 1. I am a member of the firm of Hiden, Rott & Oertle, LLP. 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 Arcelia Hurtado. 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 47.7. The total
24 lodestar amount for attorney/paraprofessional time based on the firm's current rates is
25 \$17,520.00. I have attached a billing breakdown as Exhibit B. For the Court's convenience, I
26 have provided a summary below. The hourly rates shown below are the usual and customary
27 rates charged for each individual. A breakdown of the lodestar is as follows:

28 DECLARATION OF MICHAEL I. ROTT FILED ON BEHALF OF HIDEN, ROTT & OERTLE, LLP IN
SUPPORT OF AN AWARD OF ATTORNEYS' FEES AND EXPENSES

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Michael I. Rott	(P)	21.4	\$450.00	\$9,630.00
	(P)			
Eric M. Overholt	(A)	26.3	\$300.00	\$7,890.00
	(A)			
	(A)			
TOTAL		47.7		\$17,520.00

(P) Partner

(A) Associate

6. My firm seeks an award of \$905.00 in expenses, which were reasonably and necessarily committed to the prosecution of the litigation. The receipt is attached as **Exhibit C**.

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	\$
Photocopies (in-house: copies @ \$0.25 per page)	
Postage & Delivery	
Telephone, Facsimile	
Filing, Witness & Other Fees	\$905.00
Lexis, Westlaw, Online Library Research	
Mediation Fees	
TOTAL	\$905.00

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

(a) Filing, Witness and Other Fees: \$905.00

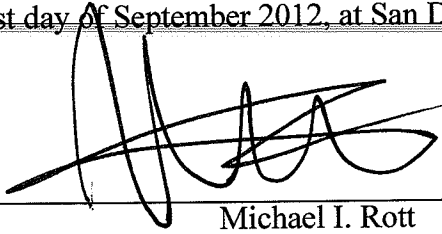
<i>DATE</i>	<i>VENDOR</i>
7/15/2010	Clerk of the Court – Filing Fee

8. 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.

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9. 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 \$17,520.00 in attorneys' fees and \$905.00 in expenses reimbursement for a total of \$18,425.00.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 21st day of September 2012, at San Diego, CA.



Michael I. Rott

EXHIBIT A

CV for Hiden, Rott & Oertle, LLP

We have extensive experience in Class Action litigation. We have been class counsel in a number of class actions that have received final approval for class action settlement before the San Diego Superior Court including *Moore and Ramirez v. The Check Cashing Place, et al.* and *Tormey v. The Vons Companies, Inc., et al.* We are also currently involved as one of the named counsel in the nationwide class action against Apple over the iPhone 3G in *Gillis v. Apple, Inc.* and *Keller v. Apple, Inc.* Michael Rott, David Hiden and Eric Overholt of this Firm were recently appointed to the Executive Committee on this nationwide class action lawsuit against Apple, Inc.

In addition we have served as co-counsel with Thorsnes, Bartolotta & McGuire several vehicle defect cases on *Gwen Eagle v. Mercedes USA*, *Walker v. BMW* and *Spoon v. Audi*. Additionally, we were co-counsel with Rosner & Mansfield, LLP on *Eric Bochert v. Papa John's USA* and *Chris Valdez v. Pizza Hut, Inc.*

EXHIBIT B

Billing: Hurtado v. Apple, Inc. (iPhone 4 Class Action)

<u>Date:</u>	<u>Work:</u>	<u>Hours:</u>
6/24/10:	Review Huffington Post re: iPhone 4 problems -	0.2
6/24/10:	T/C Eric Overholt re: Apple iPhone 4 issues -	0.2
7/14/10:	Review 7 complaints from other jurisdictions re: iPhone 4 to ascertain merit in filing in California -	2.0
7/15/10:	Conference with Associate E. Overholt re: Merit of other complaints-	1.0
7/15/10:	Research iPhone 4 antenna problems -	2.5
7/15/10:	Research bumper. Research re: Apple knew about the problem -	2.3
7/15/10:	Conference with Associate E. Overholt re: Discussion over research-	1.0
7/15/10:	Conference with Associate E. Overholt re: Filing in Federal Court v. State Court -	0.6
7/15/10:	Conference with Eric Overholt re: Erin Dougherty- Potential Class Rep -	0.2
7/15/10:	Discussion with E. Dougherty re: receipt -	0.2
7/15/10:	Review receipt emailed from E. Dougherty -	0.1
7/16/10:	Review Article re: Top Engineer Warned Jobs about Antenna Problems -	0.2
7/16/10:	Review CLRA letter drafted by Associate E. Overholt -	0.2
7/16/10:	Travel to Apple Store in Fashion Valley and discuss antenna problems with Apple Genius to include driving time -	1.1
7/16/10:	T/C with William Gillis, Jr. re: iPhone 4 problems -	0.2
7/16/10:	T/C with Gaura Tibbits re: iPhone 4 problems -	0.2
7/16/10:	Review Complaint -	1.0
7/16/10:	Review Apple on-line store website re: bumper -	0.2

7/17/10:	Meeting with William Gillis, Jr., re: phone issues without rubber case, to include driving time -	1.0
7/17/10:	Review CNN article re: 5 problems plaguing iPhone 4 -	0.1
7/19/10:	Research bumper fix -	0.8
7/21/10:	Review Consumer Reports re: Bumper -	0.2
7/21/10:	T/C with Gregory Skudlarick re: iPhone 4 issues -	0.3
7/21/10:	Email from Gregory Skudlarick re: iPhone 4 receipt -	0.1
7/21/10:	Conference with potential class representative - A. Hurtado -	1.5
7/21/10:	Review Motion to Transfer Action to ND of CA; Memorandum; Class action complaint by Tietze; 1 st Amended by Goodlick -	1.3
7/25/10:	Review Gizmodo article re: iPhone 4 problems -	0.1
7/27/10:	Review ITD 8 problems with iPhone 4 -	0.1
9/7/10:	Review Apple press release on iPhone -	0.2
9/7/10:	Conference with Eric Overholt re: Discussion on Proceeding with case -	0.3
9/7/10:	Email from Eric Overholt re: iPhone 4 announcement from Apple -	0.1
9/7/10:	Email to Eric Overholt re: iPhone 4 announcement -	0.1
10/12/10:	Review Defendant's Notice of Order Setting Hearing Date for Petition for Coordination -	0.2
2/3/11:	Review Apple Quarterly Revenue re: iPhone 4 -	0.5
2/10/11:	Review email from Stuart Plunkett re: state cases stipulation -	0.1
2/10/11:	Review email from Thomas Ferlauto re: state cases stipulation -	0.1
2/10/11:	Review email from Aaron Darsky re: state cases stipulation -	0.1

2/23/11:	Review email from William Audet-	0.1
2/24/11:	Review email from William Audet-	0.1
2/25/11:	Conference with Eric Overholt re: Conversation with Will Audet -	0.2
3/10/11:	Review Plaintiffs' Request for Production of Documents in Federal Action -	0.5
3/11/11:	Review email #1 from Eric Overholt-	0.1
3/11/11:	Review email #2 from Eric Overholt-	0.1
3/11/11:	Review email #3 from Eric Overholt-	0.1
3/18/11:	Review email #1 from William Audet-	0.1
3/18/11:	Review email #2 from William Audet-	0.1
3/22/11:	Review email from William Audet-	0.1
3/23/11:	Review email #1 from Eric Overholt-	0.1
3/23/11:	Review email #2 from Eric Overholt-	0.1
7/5/11:	Review Know your Mobile: iPhone 4 Top problems solved -	0.1
TOTAL:		21.4 Hours

Billing: Hurtado v. Apple, Inc. (iPhone 4 Class Action)

<u>Date:</u>	<u>Work:</u>	<u>Hours:</u>
6/24/10	Review iPhone 4 issues with MIR -	0.3
6/25/10	Review articles on antennae issue -	1.4
7/14/10	Meet with Class Rep. Discuss merits of her claim; sign up -	2.6
7/15/10	Begin to draft and edit Complaint for iPhone 4 antenna issue; addtl research into issue -	7.3
7/16/10	Finalize Complaint; Last research File Complaint; Begin Draft CLRA Ltr. -	6.5
7/19/10	Phone call with addtl possible class rep; schedule appointment -	0.2
7/21/10	Meet with addtl potential class Rep (Backup Rep). Sign up -	1.1
8/26/10	Review NOT of Submission of PET for Coordination for stay Of iPhone 4 actions, including 12 Exhibits containing 4 complaints. -	1.9
8/27/10	Research into merits of Pet to Coord and assess likelihood of success on Opposition -	1.4
	MDL petition & other PET Coord -	2.0
9/7/10	Meeting w/ MIR re merits and proceeding with Pet Coord; follow up with emails -	0.5

10/8/10	Receive and review copy of setting hearing date on PET coord	-	0.2
11/19/10	Review Order granting unopposed PET for Coord	-	0.2
2/14/11	Review and sign Joint Stip & Order to extend time to repond	-	0.2
3/11/11	Receive emails re: stip to extend MOT practice until post Fed Mediation	-	0.3
3/23/11	Review and sign STIP and Case Management Order No. 1. To appoint William Audet as Plaintiffs Liaison Counsel	-	0.2
	TOTAL:		26.3 Hours

EXHIBIT C

Clerk of the Court

Apple 4G - Filing Fee

7/15/2010

905.00

Bank of America Ch Apple 4G - Filing Fee

905.00

HIDEN, ROTT & OERTLE, LLP / ATTORNEYS AT LAW / GENERAL ACCOUNT

10262

Clerk of the Court

Apple 4G - Filing Fee

7/15/2010

905.00

PAYMENT RECORD

Bank of America Ch Apple 4G - Filing Fee

905.00