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9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION
 13

14 IN RE HP PRINTER FIRMWARE UPDATE
 15 LITIGATION

Case No. 5:16-cv-05820-EJD-SVK

16 **DECLARATION OF DANIEL R. KARON**
 17 **IN SUPPORT OF PLAINTIFFS' MOTION**
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND MOTION
 18 **FOR ATTORNEYS' FEES AND COSTS**

19 Date: April 25, 2019
 Time: 9:00 a.m.
 Place: Courtroom 4
 Judge: Hon. Edward J. Davila

21 I, Daniel R. Karon, hereby declare, under penalty of perjury, as follows:
 22

23 1. I am a member in good standing of the Ohio bar and founder and partner of Karon LLC
 24 ("Karon"), counsel for Plaintiffs. I submit this Declaration in support of Plaintiffs' Motion for Final
 25 Approval of Class Action Settlement and Motion for Attorneys' Fees and Costs. I have personal
 26 knowledge of the facts set forth in this Declaration, and if called as a witness, I could and would be
 27 able to testify competently to them.
 28

1 2. Supplementing Elizabeth Kramer’s description of the work performed by co-lead class
2 counsel on behalf of the class in this litigation, the attorneys and professional staff at my firm were
3 responsible for the following:

- 4 a. Along with co-counsel Kyla Gibboney from the Saveri Law Firm, filing a complaint
5 on behalf of Plaintiff Christopher Ware against HP Inc. (“HP”) on November 9,
6 2016. *See Ware v. HP Inc.*, Case No. 5:16-cv-06519 (N.D. Cal. Nov. 9, 2016)
- 7 b. Coordinating with defense counsel and plaintiffs’ counsel from the related *San*
8 *Miguel* and *Doty* actions to consolidate the related cases by stipulation entered
9 March 15, 2017. Dkt. No. 59.
- 10 c. Drafting a consolidated complaint on behalf of all Plaintiffs;
- 11 d. Opposing Defendant’s Motion to Dismiss the consolidated complaint;
- 12 e. Drafting and propounding discovery on Defendant and third parties;
- 13 f. Responding to discovery served on Plaintiffs;
- 14 g. Preparing for and attending Plaintiff Ware’s deposition;
- 15 h. Reviewing HP’s discovery responses, including its substantial document production;
- 16 i. Researching and drafting Plaintiffs’ Motion for Class Certification;
- 17 j. Researching and drafting Plaintiffs’ Motions for Preliminary and Final Approval of
18 the Class Action Settlement.

19 3. My firm’s total hours spent on this litigation—broken down by type—is summarized in
20 chart attached hereto as **Exhibit A**. **Exhibit A** also provides the category or work performed, the billing
21 rate, and the total lodestar for each attorney at my firm.

22 4. Karon staffed this case with experienced class action attorneys and professional staff
23 who were assigned tasks based on their skills, expertise, and experience. In prosecuting this action to a
24 successful resolution, Karon attorneys and professional staff spent a total of 216 hours of professional
25 time, with a resulting lodestar of \$135,914.50. These figures reflect efficient staffing, work that the firm
26 reasonably expended given the nature of the case and hourly rates that have been approved by courts
27 and that are consistent with market rates.
28

1 5. The rates listed in **Exhibit A** have been approved by courts in the following class cases,
2 in which my firm serves or served as lead, co-lead or liaison class counsel:

- 3 a. *In re Capacitors Antitrust Litigation*, No. 3:14-cv-03264-JD (N.D. Cal.);
4 b. *Allen v. RealComp II, Ltd.*, 2:10-cv-14046 (E.D. Mich.);
5 c. *Martin v. Trott Law, P.C.*, 2:15-cv-12838 (E.D. Mich.); and
6 d. *Traxler v. PPG Industries, Inc.*, 1:15-cv-00912 (N.D. Ohio).

7 6. Based on my experience and my knowledge of the type and quality of work performed
8 on this case, I believe Karon's rates are commensurate with the rates charged by other firms with
9 similar experience and expertise in this market

10 7. My firm's billing rates do not reflect charges for litigation expenses. Expense items are
11 billed separately and are not duplicated in my firm's lodestar. Attached as **Exhibit B** is a chart showing
12 \$1,573.59 in unreimbursed expenses that my firm has incurred in connection with this case.

13 8. The expenses set forth in **Exhibit B** are reflected in my firm's books and records. I will
14 make these materials available to the Court upon request. These books and records are prepared using
15 invoices, receipts, check records, and other source materials and are an accurate record of the expenses
16 incurred.

17
18 I declare under the penalty of perjury that the foregoing is true and correct, and that this
19 Declaration is executed in Cleveland, Ohio on February 6, 2019.

20 By:



Daniel R. Karon

**KARON LLC
TIME SUMMARY**

Name	Title	Hours By Category of Work					Hourly Rate	Lodestar
		1	2	3	4	5		
Karon, Daniel	P	30.2	10.3	55.2	44.7	6.2	\$695	\$101,887.00
Karon, Daniel	P					.5	\$840	\$ 420.00
Hollowell, Beau	A		8.3				\$435	\$ 3,610.50
Hollowell, Beau	A				60.6		\$495	\$ 29,997.00
TOTAL		30.2	18.6	55.2	105.3	6.7		\$135,914.50

Titles:

- P Partner
- OC Of Counsel
- A Associate
- LC Law Clerk
- PL Paralegal

Category of Work:

- 1 – Case Investigation and Factual Research
- 2 – Pleadings
- 3 – Discovery and Document Review
- 4 – Pretrial Motions and Hearings
- 5 – Settlement Negotiations and Motions



**KARON LLC
EXPENSE SUMMARY**

Description	
Court Fees (filing, etc.)	
Court Reporters/Transcripts	
Computer Research (PACER)	12.80
Reproduction/Duplication/Copies	
Express Delivery/Messenger	
Professional Fees/Services (expert, investigator, accountant, etc.)	
Service of Process	
Telephone/Fax/Postage	1.44
Travel: Air Transportation, Ground Travel, Meals, Lodging, etc.	
Contributions to Litigation Fund for Expert Fees and Expenses	1,559.35
Miscellaneous: (Describe):	
TOTAL EXPENSES	1,573.59

