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12 *Counsel for Plaintiffs*

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION  
17

18 IN RE HP PRINTER FIRMWARE UPDATE  
19 LITIGATION

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

21 **DECLARATION OF JOSEPH R. SAVERI  
22 IN SUPPORT OF PLAINTIFFS'  
23 MOTION FOR FINAL APPROVAL OF  
24 CLASS ACTION SETTLEMENT AND  
25 MOTION FOR ATTORNEYS' FEES AND  
26 COSTS**

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

29 I, Joseph R. Saveri, hereby declare, under penalty of perjury, as follows:

30 1. I am a member in good standing of the California bar and founder and partner of the  
31 Joseph Saveri Law Firm, Inc. ("JSLF"), counsel for Plaintiffs. I submit this Declaration in support of  
32 Plaintiffs' Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees and  
33 Costs. I have personal knowledge of the facts set forth in this Declaration, and if called as a witness, I  
34 could and would be able to testify competently to them.

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 JSLF were  
3 responsible for the following:

4           a.       Along with co-counsel Dan Karon from Karon LLC, filing a complaint on behalf  
5 of Plaintiff Christopher Ware against HP Inc. (“HP”) on November 9, 2016. *See Ware v. HP Inc.*, Case  
6 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 March 15, 2017. Dkt. No.  
9 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.       Meeting and conferring with Defendant regarding the scope of discovery;

14          g.       Responding to discovery served on Plaintiffs;

15          h.       Preparing for and attending the 30(b)(6) deposition of HP’s lead Dynamic  
16 Security engineer;

17          i.       Preparing for Plaintiff Ware’s deposition;

18          j.       Reviewing HP’s discovery responses, including its substantial document  
19 production;

20          k.       Researching and drafting Plaintiffs’ Motion for Class Certification;

21          l.       Researching and drafting Plaintiffs’ Motions for Preliminary and Final Approval  
22 of the Class Action Settlement.

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

26       4.       JSLF staffed this case with a team of experienced class action attorneys and professional  
27 staff who were assigned tasks based on their skills, expertise, and experience. In prosecuting this action  
28 to a successful resolution, JSLF attorneys and professional staff spent a total of 450.9 hours of

1 professional time, with a resulting lodestar of \$246,209.50. These figures reflect efficient staffing, work  
2 that the firm reasonably expended given the nature of the case, and hourly rates that have been approved  
3 by courts and that are consistent with market rates.

4 5. JSLF's rates have been approved in class action cases throughout the country. The  
5 following is a sample of cases in which courts approved the firm's rates:

- 6 a. *In re Capacitors Antitrust Litigation*, No. 3:14-cv-03264-JD (N.D. Cal.);  
7 b. *In re Lidoderm Antitrust Litigation*, No. 3:14-md-02521-WHO (N.D. Cal); and  
8 c. *In re Cipro Cases I and II*, J.C.C.P. Nos. 4154, 4220 (San Diego County Sup. Ct.).

9 6. Based on my experience and my knowledge of the type and quality of work performed on  
10 this case, I believe JSLF's rates are commensurate with the rates charged by other firms with similar  
11 experience and expertise in this market and San Francisco in particular.

12 7. My firm's billing rates do not reflect charges for litigation expenses. Expense items are  
13 billed separately and are not duplicated in my firm's lodestar. Attached as **Exhibit B** is a chart showing  
14 \$28,020.83 in unreimbursed expenses that my firm has incurred in connection with this case.

15 8. The expenses set forth in **Exhibit B** are reflected in my firm's books and records and  
16 were incurred on a wholly contingent basis. I will make these materials available to the Court upon  
17 request. These books and records are prepared using invoices, receipts, check records, and other source  
18 materials and are a reliable and accurate record of the expenses incurred.

19 I declare under the penalty of perjury that the foregoing is true and correct, and that this  
20 Declaration is executed in Park City, Utah, on February 7, 2019.

21 By:           /s/ Joseph R. Saveri            
22 Joseph R. Saveri

**ATTESTATION STATEMENT**

I, Elizabeth A. Kramer, am the ECF User whose identification and password are being used to file this Declaration of Joseph R. Saveri in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Attorneys' Fees and Costs pursuant to Civil L.R. 5-1(i)(3). I attest under penalty of perjury that Joseph R. Saveri concurred in this filing.

DATED: February 7, 2019

/s/ Elizabeth A. Kramer

# Exhibit A

## Joseph Saveri Law Firm, Inc.

Name	Title	Hours By Category of Work					Hourly Rate	Lodestar
		1	2	3	4	5		
Saveri, Joseph	P	8.8		0.9	4.4	3.0	\$1050	\$17,955.00
Herrera, Nicomedes	A	13.7	5.9	22.9	51.5		\$635	\$59,690.00
Gibboney, Kyla	A	18.4	16.6	75.2	88.9	50.8	\$550	\$137,445.00
Dallal, James	A					0.6	\$550	\$330.00
Quackenbush, Kyle	A				1.2		\$400	\$480.00
Lowry, Brian	SA	16.9					\$395	\$6,675.50
Day, Jenel	PL				6.0		\$395	\$2,370.00
Lang, Benjamin	PL	1.6		4.3	0.1	0.1	\$375	\$2,287.50
Lall, Prem	PL	2.4	2.6	17.8	8.8		\$340	\$10,744.00
Aulkh, Gurjit	PL	8.0				2.5	\$375	\$3,937.50
VanDeMortel, Daniel	PL			2.2			\$375	\$825.00
Forthuber, Chelsea	PL		1.7	1.1			\$275	\$770.00
La, Monica	PL	12.0					\$225	\$2,700.00
<b>TOTAL</b>								\$246,209.50

**Titles:**

P Partner  
OC Of Counsel

A Associate  
SA Staff Attorney  
PL Paralegal

# Exhibit B

<b>Expenses</b>	
Court Fees (filing, etc.)	\$400.00
Court Reporters/Transcripts	
Computer Research	\$15,059.31
Reproduction/Duplication/Copies	\$355.25
Express Delivery/Messenger	\$37.95
Professional Fees/Services (expert, investigator, accountant, etc.)	
Service of Process	
Telephone/Fax/Postage	
Travel: Air Transportation, Ground Travel, Meals, Lodging, etc.	\$2,168.32
Contributions to Litigation Fund for Expert Fees and Expenses	\$10,000.00
<b>Total Expenses</b>	<b>\$28,020.83</b>