

EXHIBIT 1

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE PLAID INC. PRIVACY
LITIGATION

Master Docket No.: 4:20-cv-03056-DMR

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**DECLARATION OF CHRISTOPHER J.
CORMIER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND PLAINTIFF
SERVICE AWARDS, AND IN RESPONSE
TO COURT'S ORDER (DKT. 177)**

1 I, Christopher J. Cormier, hereby declare as follows:

2 1. I am a member in good standing of the District of Columbia and Colorado Bars,
3 and am admitted *pro hac vice* in this matter to practice in the United States District Court for the
4 Northern District of California. I am a partner at the law firm of Burns Charest LLP (“Burns
5 Charest”), which was appointed Co-Lead Interim Class Counsel on July 29, 2020 (Dkt. 57) and
6 Co-Lead Class Counsel on November 19, 2021 (Dkt. 153). I am over 21 years of age and am not
7 a party to this action. I make this declaration based on my own personal knowledge. If called
8 upon to testify, I could and would testify competently to the truth of the matters stated herein.

9 2. I submit this declaration in further support of Plaintiffs’ Motion for Attorneys’
10 Fees, Reimbursement of Expenses, and Plaintiff Service Awards (Dkt. 157) and specifically in
11 response to the Court’s request for certain supplemental information at the Final Approval
12 Hearing on May 12, 2022 (*see* Dkts. 177, 180). The Court directed Burns Charest to submit
13 support for the hourly rates requested for “all timekeepers other than Chris Cormier and Warren
14 Burns.” Dkt. 177 at 1. This support for each requested timekeeper—Russ Herman, Brittney
15 Johnson, Jacob Gower, Mark Anderson, Andrew Bynum and Juliana Gravois—follows.

16 3. Russ Herman was an Associate at the firm until May 2021. Before joining the firm
17 in 2019, he was an associate at Lynn Pinker Cox & Hurst, LLP and Baker Botts LLP, and he
18 served as a law clerk for the Honorable George Kazen of the United States District Court for the
19 Southern District of Texas. He received his JD from Harvard Law School in 2012 and graduated
20 with a BA from Dartmouth College in 2006. Mr. Herman’s hourly rate was submitted and
21 approved in connection with class plaintiffs’ attorneys’ fees request in *In re Broiler Chicken*
22 *Grower Antitrust Litigation (No. II)*, Case No. 6:20-MD-02977-RJS-CMR (E.D. Ok. Feb. 18,
23 2022) (*see* Dkts. 488-13 and 531).

24 4. Mr. Herman joined the Burns Charest team on this case in April 2020, shortly
25 before the initial complaint was filed. He performed various tasks under my direction and
26 supervision on this case until his departure in May 2021, including: conducting legal research
27 and analysis regarding claims asserted in the consolidated amended complaint; drafting sections
28 of the consolidated amended complaint; conducting legal research and drafting parts of Plaintiffs’

1 responses to Defendant's motions to dismiss the consolidated amended complaint, to stay, and
2 other briefs; drafting Plaintiffs' initial disclosures; meeting and conferring, conducting legal
3 research, and drafting related memoranda and letters regarding the parties' ESI protocol and
4 Defendant's responses to Plaintiff's discovery requests; working with Plaintiff's ESI vendor and
5 with the named Plaintiffs and their respective counsel on Plaintiffs' electronic document
6 retention, collection and production efforts; and drafting responses and objections to Defendant's
7 discovery requests to Plaintiffs. In total, Mr. Herman recorded 227.50 hours of work, at a rate of
8 \$600 per hour, for a total lodestar of \$136,500.00. See Dkt. 157-1 Ex. C.

9 5. Brittney Johnson was an Associate at the firm until December 2021. Before
10 joining the firm in 2021, she was an associate at, among other firms, Faegre Drinker Biddle &
11 Reath LLP and Bowman and Brooke LLP. She received her JD from Baylor University Law
12 School in 2012 and graduated with a BS from Texas A&M University in 2008. Ms. Johnson's
13 hourly rate was submitted and approved in connection with class plaintiffs' attorneys' fees
14 request in *In re Broiler Chicken Grower Antitrust Litigation (No. II)*, Case No. 6:20-MD-02977-
15 RJS-CMR (E.D. Ok. Feb. 18, 2022) (see Dkts. 488-13 and 531).

16 6. Ms. Johnson joined the Burns Charest team on this case in May 2021. She
17 performed various tasks under my direction and supervision on this case until her departure in
18 December 2021, including: working with Plaintiff's ESI vendor and with the named Plaintiffs
19 and their respective counsel on Plaintiffs' electronic document retention, collection and
20 production efforts; drafting responses and objections to and meeting and conferring with
21 Defendants concerning Defendant's discovery requests to Plaintiffs; assisting in the preparation
22 of Plaintiff's motion for preliminary approval of the proposed class settlement and supporting
23 papers. In total, Ms. Johnson recorded 168.80 hours of work, at a rate of \$550 per hour, for a total
24 lodestar of \$92,840.00. See Dkt. 157-1 Ex. C.

25 7. Jacob Gower was an Associate at the firm until late 2021. Before joining the firm
26 in 2016, he was an associate at Slattery, Marino & Roberts PLC, and he served as a law clerk for
27 the Honorable Magistrate Judge Kathleen Kay of the United States District Court for the Western
28 District of Louisiana. He received his JD from Louisiana State University Law School in 2012

(graduating *magna cum laude* and Order of the Coif) and obtained a BA from Louisiana State University in 2009. Mr. Gower served on the co-lead class counsel team in *In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, where the court awarded the requested attorney fees representing a specified multiplier of the hourly rates of the lawyers and paralegals of Burns Charest LLP and the other co-lead firms in connection with the Pfizer Defendants settlement. *See In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litig.*, MDL No. 2785, 2021 WL 5369798, at *4-5 (D. Kan. Nov. 17, 2021) and Dkt. 2435-2 at ¶¶ 63-65.

8. Mr. Gower joined the Burns Charest team on this case in April 2020, shortly before the initial complaint was filed. He performed various tasks under my direction and supervision on this case until his departure in December 2021, including: conducting legal research and analysis regarding claims asserted in the consolidated amended complaint; drafting sections of the consolidated amended complaint; conducting legal research and drafting parts of Plaintiffs' responses to Defendant's motions to dismiss the consolidated amended complaint, to stay, and other briefs; and assisting in drafting Plaintiffs' initial disclosures. In total, Mr. Gower recorded 52.70 hours of work, at a rate of \$500 per hour, for a total lodestar of \$26,350.00. *See* Dkt. 157-1 Ex. C.

9. Mark Anderson has been a senior Paralegal at the firm since its founding in 2015. Mr. Anderson's hourly rate was submitted and approved in connection with class plaintiffs' attorneys' fees requests in *In re Broiler Chicken Grower Antitrust Litigation (No. II)*, Case No. 6:20-MD-02977-RJS-CMR (E.D. Ok. Feb. 18, 2022) (*see* Dkts. 488-13 and 531), and *Bhatia v. 3M Co.*, Case No. 16-cv-01304-DWF-DTS (D. Minn. Sept. 11, 2019) (*see* Dkts. 149-1 (Ex. B) and 156).

10. Mr. Anderson joined the Burns Charest team on this case in May 2020. He has performed various tasks under my direction and supervision on this case, including: conducting discrete fact research; assisting with and preparing documents for filing and service; working with counsel and vendors regarding document productions and document housing; maintaining and updating attorney and client contact lists; maintaining and updating the case calendar containing

1 all internal and external deadlines; and maintaining and updating class counsel's time and
 2 expense report submissions and related correspondence. In total, Mr. Anderson recorded 100.30
 3 hours of work, at a rate of \$425 per hour, for a total lodestar of \$42,627.50. See Dkt. 157-1 Ex.
 4 C.

5 11. Andrew Bynum has been a senior Paralegal at the firm since its founding in 2015.
 6 Mr. Bynum's hourly rate was submitted and approved in connection with class plaintiffs'
 7 attorneys' fees requests in *In re Broiler Chicken Grower Antitrust Litigation (No. II)*, Case No.
 8 6:20-MD-02977-RJS-CMR (E.D. Ok. Feb. 18, 2022) (see Dkts. 488-13 and 531), *Bhatia v. 3M*
 9 *Co.*, Case No. 16-cv-01304-DWF-DTS (D. Minn. Sept. 11, 2019) (see Dkts. 149-1 (Ex. B) and
 10 156), and *Scola v. Facebook, Inc.*, Civ. No. 18CIV05135 (Cal. Sup. Ct., San Mateo County, July
 11 14, 2021) (see July 14, 2021 Order Granting Plaintiffs' Renewed and Unopposed Mot. for
 12 Attorneys' Fees, Reimbursement of Costs, and Service Awards and Oct. 9, 2020 Daniel Charest
 13 Decl. in Support of Mot. for Attorneys' Fees, Reimbursement of Costs, and Service Awards;
 14 accessible via https://www.sanmateocourt.org/online_services/odyssey_portals.php).

15 12. Mr. Bynum joined the Burns Charest team on this case in April 2021. He has
 16 performed tasks under my direction and supervision on this case primarily focused on Plaintiffs'
 17 ESI, including: assisting with the selection, engagement and scope of work of Plaintiff's ESI
 18 vendor and working with counsel and the ESI vendor on the preservation, collection and
 19 production of named Plaintiffs' ESI. In total, Mr. Bynum recorded 13.20 hours of work, at a rate
 20 of \$425 per hour, for a total lodestar of \$5,610.00. See Dkt. 157-1 Ex. C.

21 13. Juliana Gravois has been a Paralegal at the firm since early 2019. Ms. Gravois'
 22 hourly rate was submitted and approved in connection with class plaintiffs' attorneys' fees
 23 request in *Scola v. Facebook, Inc.*, Civ. No. 18CIV05135 (Cal. Sup. Ct., San Mateo County July
 24 14, 2021) (see July 14, 2021 Order Granting Plaintiffs' Renewed and Unopposed Mot. for
 25 Attorneys' Fees, Reimbursement of Costs, and Service Awards and Oct. 9, 2020 Daniel Charest
 26 Decl. in Support of Mot. for Attorneys' Fees, Reimbursement of Costs, and Service Awards;
 27 accessible via https://www.sanmateocourt.org/online_services/odyssey_portals.php).

