

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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*Laydon v. Mizuho Bank, Ltd., et al.*

No. 12-cv-3419 (GBD)

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*Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*

No. 15-cv-5844 (GBD)

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**DECLARATION OF TODD A. SEAVER IN SUPPORT OF  
CLASS COUNSEL'S PETITION FOR AN AWARD OF ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES AND AN INCENTIVE AWARD**

I, Todd A. Seaver, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner with the law firm Berman DeValerio and admitted *pro hac vice* in this action. The statements herein are true to the best of my personal knowledge, information and belief based on the books and records of Berman DeValerio and information received from its attorneys and staff.

2. Berman DeValerio serves as additional Plaintiffs' counsel for the putative class in this action.

3. I respectfully submit this declaration in support of Class Counsel's Petition for an Award of Attorneys' Fees, Reimbursement of Expenses and an Incentive Award, and seek attorneys' fees and reimbursement for expenses my firm incurred in this action.

4. During the course of this litigation, and as detailed herein, Berman DeValerio worked on assignments that it was specifically directed to perform by Lead Counsel Lowey Dannenberg Cohen & Hart, P.C.

5. Set forth below are Berman DeValerio's legal services rendered in this litigation, the lodestar value of those services and the expenses reasonably incurred by the firm in connection with this litigation for which reimbursement is requested.

6. Among the services Berman DeValerio performed on behalf of the putative class in connection with the prosecution of the litigation include, but is not limited to, the following:

- Legal research and drafting pleadings
- Discovery / Investigative Work
- Litigation Strategy Work
- Mediation
- Court Appearances

7. The schedule in ¶ 8 below is a summary reflecting the amount of time spent by the attorneys and professional support staff of Berman DeValerio involved in this litigation, and the lodestar calculations based on the firm's current hourly billing rates. The schedule was prepared based upon daily, contemporaneous time records maintained by attorneys and professional support staff at Berman DeValerio. The schedule in ¶ 9 below reflects the expenses incurred by the firm in its representation of the putative class in this litigation thus far.

8. From the inception of this litigation through August 31, 2016, Berman DeValerio's total fee compensable time for which it seeks an award of attorneys' fees is summarized as follows:

<b>Attorneys</b>	<b>Rates</b>	<b>Hours</b>	<b>Charges</b>
Andrews, Daryl	\$500.00	1,158.50	\$579,250.00
Bastien, Mackline	370.00	2,093.01	774,413.70
Buttacavoli, Steven	610.00	74.80	45,628.00
Didrickson, Karen	395.00	488.50	192,957.50
Donovan-Maher, Kathleen	850.00	20.10	17,085.00
Drake, Brian	370.00	973.30	360,121.00
Egan, Patrick	725.00	426.50	309,212.50
Elias, Victor	420.00	31.20	13,104.00
Eng, Jay	615.00	24.90	15,313.50
Falardeau, Laura	390.00	895.00	349,050.00
Girard, Wyndham	350.00	2,194.25	767,987.50
Goffin, Glenn	395.00	93.20	36,814.00
Lavallee, Nicole	850.00	34.40	29,240.00
Lee, Berna	370.00	2,432.50	900,025.00
Lee, Thomas	360.00	1,000.00	360,000.00
McGrath, Sarah	410.00	1,292.70	530,007.00
McKim, Ellee	370.00	2,064.10	763,717.00
O'Berry, Anne	665.00	63.96	42,533.40
Poppler, Chowning	415.00	44.90	18,633.50
Seaver, Todd	725.00	552.30	400,417.50
Stern, Leslie	780.00	75.40	58,812.00
Tabacco, Joseph	890.00	156.10	138,929.00
<b>Attorney Totals</b>		<b>16,189.62</b>	<b>\$6,703,251.10</b>
<b>Paralegals and Legal Assistants</b>			
Bass, Will	210.00	67.50	14,175.00
Becker, Kathy	335.00	29.00	9,715.00
Bernardoni, Andrea	290.00	32.50	9,425.00
Scarsciotti, Jeannine	455.00	27.70	12,603.50
<b>Non-Attorney Totals</b>		<b>156.70</b>	<b>\$45,918.50</b>
<b>TOTALS</b>		<b>16,346.32</b>	<b>\$6,749,169.60</b>

9. Thus, the total time for which my firm is requesting an award of legal fees is 16,346.32 hours. The total lodestar value of these professional services is \$6,749,169.60.

10. The above hourly rates for Berman DeValerio’s attorneys and professional support staff are the firm’s current hourly rates. The firm’s lodestar figures do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in the firm’s current billing rates.

11. As detailed and categorized in the below schedule, Berman DeValerio has incurred a total of \$42,521.97 in expenses for which it is currently requesting reimbursement.

Expense Categories	Cumulative Expenses
Court Costs	\$27.00
Federal Express	34.71
Computer Research	11,111.64
Messenger/delivery	176.24
Photocopies – in house	15,188.34
Postage	3.32
Telephone/telecopier	270.91
Travel	15,709.81
<b>TOTAL</b>	<b>\$42,521.97</b>

12. The above schedule was prepared based upon expense records reflected in the books and records of Berman DeValerio. These books and records are prepared from expense vouchers, check records, receipts and other source materials.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 2016

Todd A. Seaver