

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

No. 12-cv-3419 (GBD)

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

No. 15-cv-5844 (GBD)

**DECLARATION OF BENJAMIN M. JACCARINO ESQ., IN SUPPORT OF CLASS
COUNSEL'S MOTION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES**

I, Benjamin M. Jaccarino, Esq., pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner with the law firm of Lovell Stewart Halebian Jacobson LLP (“Lovell Stewart” or “Firm”). The statements herein are true to the best of my personal knowledge, information and belief based on the books and records of Lovell Stewart and information from its attorneys and staff.

2. Lovell Stewart serves as additional Plaintiffs’ counsel for the putative class in these actions.

3. I respectfully submit this declaration in support of Class Counsel’s Motion for Award of Attorneys’ Fees and Expenses, and seek attorneys’ fees in these actions.

4. During the course of this litigation, and as detailed herein, Lovell Stewart worked on assignments that it was specifically directed to perform by Class Counsel Lowey Dannenberg, P.C.

5. Set forth below in ¶ 7 are the lodestar value of the attorneys and professional staff of Lovell Stewart from inception to April 30, 2018 and also from October 1, 2017 to April 30, 2018, describing the lodestar value of the hours worked since Class Counsel’s previous motion seeking an award of attorneys’ fees in these actions. The schedule in ¶ 7 was prepared using information from Lovell Stewart’s books and records, and the lodestar calculations are based on the firm’s current hourly billing rates. The schedule in ¶ 10 below reflects the expenses incurred by the firm in its representation of the putative class in this litigation since October 1, 2017.

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

- Strategized and planned with Class Counsel regarding the case.
- Helped Class Counsel draft and prepare the amended complaint.

- Drafted memos and participated in strategy calls with the clients regarding multiple issues, including litigation strategy and specific settlements.
- Prepared, formatted, and analyzed data for further use.
- Drafted memorandum of law regarding settlement approval and negotiated with Defendants on settlement approval.
- Communicated with clients regarding the status of the action, and numerous potential strategies and courses of action.
- Reviewed and analyzed transcripts from related actions.
- Reviewed and analyzed documents produced in this action.
- Reviewed and translated Japanese language documents.
- Worked on the antitrust, CEA, and the summary of allegation portions of the opposition to the motion to dismiss.
- Researched, prepared for, and argued the antitrust and RICO portions of the second motion to dismiss.
- Conducted legal research for and drafted portions of legal briefs regarding jurisdiction, 1292(b), and other matters.
- Received calls from Defendants inquiring about settlement.
- Prepared for, conducted and participated in settlement negotiations, conferences, communications, presentations, and mediation with Defendants.
- Communicated with the economist, Dr. Craig Pirrong, regarding numerous matters.
- Conducted extensive work and legal research on potential plan of allocation and allocation counsel.
- Retained Arthur Miller and worked with Lead Counsel and Arthur Miller on personal jurisdiction issues.
- Retained nationally recognized mediator, Ken Feinberg; worked with Mr. Feinberg and Class Counsel on plan of allocation issues.
- Researched, prepared for, and attended oral arguments.

7. Lovell Stewart's total fee compensable time for which it seeks an award of attorneys'

fees is summarized below.

NAME	POSITION	RATE	HOURS FROM INCEPTION TO 4/30/2018	LODESTAR FROM INCEPTION TO 4/30/2018	HOURS FROM 10/1/2017 TO 4/30/2018	LODESTAR FROM 10/1/2017 TO 4/30/2018
Christopher Lovell	Partner	\$1,045	867.55	906,589.75	12.75	\$13,323.75
Gary Jacobson	Partner	\$990	100.65	99,643.50	0.00	\$0.00
Victor Stewart	Partner	\$990	177.74	175,962.60	0.00	\$0.00
Jody Krisiloff	Partner	\$870	153.65	133,675.50	1.70	\$1,479.00
Christian Siebott	Partner	\$855	326.00	278,730.00	1.00	\$855.00
Ian Stoll	Partner	\$845	85.25	72,036.25	0.00	\$0.00

Craig Essenmacher	Partner	\$820	44.00	36,080.00	0.00	\$0.00
Misa Shimada	Partner	\$805	1396.60	1,124,263.00	369.90	\$297,769.50
Merrick Rayle	Of Counsel	\$790	176.80	139,672.00	0.00	\$0.00
Jason Eyster	Partner	\$770	517.75	398,667.50	0.00	\$0.00
Keith Essenmacher	Partner	\$760	97.00	73,720.00	0.00	\$0.00
Christopher McGrath	Partner	\$735	1.20	882.00	1.20	\$882.00
Robert Rodriguez	Partner	\$600	166.70	100,020.50	0.00	\$0.00
Rikiya Sakamoto	Of Counsel	\$510	1175.75	599,632.50	0.00	\$0.00
Benjamin Jaccarino	Partner	\$535	206.25	110,343.75	8.00	\$4,280.00
Amanda Miller	Partner	\$535	2.70	1,444.50	0.60	\$321.00
Fred Isquith	Partner	\$535	369.30	197,575.50	2.00	\$1,070.00
Michael Gallagher	Partner	\$520	161.00	83,720.00	0.00	\$0.00
Christopher Mooney	Associate	\$330	20.10	6,633.00	0.00	\$0.00
Tobias Fenton	Legal Assistant (J.D.)	\$285	0.80	228.00	0.80	\$228.00
Keith Andrews	Paralegal	\$215	67.80	14,577.00	0.00	\$0.00
James Payne	Staff Attorney	\$185	591.60	109,446.00	0.00	\$0.00
Matthew Kuipers	Staff Attorney	\$185	317.60	58,756.00	0.00	\$0.00
Chris Rodriguez	Staff Attorney	\$165	105.00	17,325.00	0.00	\$0.00
John Hudak	Staff Attorney	\$185	18.60	3,441.00	0.00	\$0.00
Lisa Claire	Legal Assistant	\$125	367.60	45,950.00	0.00	\$0.00
Bonnie Lockwood	Paralegal	\$180	11.10	1,998.00	0.00	\$0.00
Lotan Korenblit	Paralegal	\$175	13.75	2,406.25	0.00	\$0.00
TOTALS			7,539.84	\$4,793,418.60	397.95	\$320,208.25

8. Thus, the total time for which my firm is requesting an award of legal fees is 7,539.84 hours. The total lodestar value of these professional services is \$4,793,418.60.

9. The above hourly rates for Lovell Stewart’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. Further, expense items do not contain any general overhead costs and do not contain a surcharge over the amount paid to the corresponding vendor(s).

10. As detailed and categorized in the below schedule, Lovell Stewart has incurred a total of \$5,333.68 in expenses from October 1, 2017 through April 30, 2018 for which it will be reimbursed from the litigation expense fund created by this Court. *See Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*, No. 15-cv-5844 (GBD), ECF No. 297 ¶ 3.

Expense Categories	Cumulative Expenses
Computer Research, Databases & Docket	\$83.68
Professional, Consulting, or Expert Fees	\$5,250
TOTAL	\$5,333.68

11. The above schedule was prepared using information from Lovell Stewart’s books and records, including the firm’s expense records. These books and records are prepared from expense reports, receipts, check and bank records and other source materials.

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

Executed on May 31, 2018

