

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREA SCHMITT; ELIZABETH
MOHUNDRO; and O.L. by and through her
parents, J.L. and K.L., each on their own
behalf, and on behalf of all similarly situated
individuals,

Plaintiffs,

v.

KAISER FOUNDATION HEALTH PLAN OF
WASHINGTON; KAISER FOUNDATION
HEALTH PLAN OF WASHINGTON
OPTIONS, INC.; KAISER FOUNDATION
HEALTH PLAN OF THE NORTHWEST; and
KAISER FOUNDATION HEALTH PLAN,
INC.,

Defendants.

NO. 2:17-cv-1611-RSL

DECLARATION OF
ELEANOR HAMBURGER IN
SUPPORT OF PLAINTIFFS' MOTION
FOR ATTORNEY FEES, COSTS, AND
CASE CONTRIBUTION AWARDS

**Note on Motion Calendar:
April 18, 2024 at 11:00 a.m.**

I, Eleanor Hamburger, declare under penalty of perjury and in accordance with
the laws of the State of Washington and the United States that:

1. I am a partner at the law firm of Sirianni Youtz Spoonemore Hamburger
PLLC and am one of the attorneys for Plaintiffs and the Class in this action. Unless
otherwise stated, the facts in this declaration are based upon my personal knowledge.

1 2. **Attorney Time Devoted to the Case.** A redacted copy of Class counsel’s fee
 2 ledger for the case is attached hereto as *Exhibit A*. To date, my firm and our co-counsel
 3 John Waldo have devoted more than 1,600 hours in attorney time advancing the interests
 4 of the Plaintiffs and the Class in a reasonable manner. The breakdown, to date, is as
 5 follows:

Attorney	Hours 2017 through 02/29/2024
Ele Hamburger	901.40
Rick Spoonemore	198.75
John Waldo	200.30
Daniel Gross	294.30
Ann Merryfield	14.45
Total	1,609.20

14 3. **Hourly rates.** The actual current hourly rates charged to new clients for
 15 partners Mr. Spoonemore (32 years of experience) and Ms. Hamburger (31 years of
 16 experience) are \$750/hour. Our co-counsel in this matter, John Waldo, passed away
 17 towards the end of the litigation. Because of Mr. Waldo’s extensive (36 years) experience
 18 as an attorney, the last 15 years of which were spent addressing legal issues arising out
 19 of hearing loss, Mr. Waldo merits a rate at least commensurate with Mr. Spoonemore
 20 and Ms. Hamburger, and we are thus charging his work at \$750/hour. Dkt. No. 91,
 21 ¶¶19-26. The actual currently hourly rate charged to new clients for Mr. Gross and Ms.
 22 Merryfield, both of whom have 30 years or more of experience as attorneys, is
 23 \$695/hour. *Id.*, ¶¶13-19. See generally www.symslaw.com (“Our Attorneys”).

24 4. Based on my experience, these rates are consistent with both local and
 25 national standards for experienced litigation counsel. See, e.g., *Lehman v. Nelson*, 2018 U.S.
 26

1 Dist. LEXIS 131954, at *3 (W.D. Wash. Aug. 6, 2018) (on remand, awarding \$665 for a
 2 partner in 2018).¹ They are also consistent with the “Real Rate Report” – an analysis of
 3 law firm rates, trends, and practices – compiled and published yearly by Wolters
 4 Kluwer. See [www.wolterskluwer.com/en/solutions/enterprise-legal-
 5 management/legalview-analytics/real-rate-report](http://www.wolterskluwer.com/en/solutions/enterprise-legal-management/legalview-analytics/real-rate-report). Due to its extensive database,
 6 Wolters Kluwer’s reports are recognized as being the best guideposts for legal rates.
 7 *Sarabia v. Ricoh United States, Inc.*, 2023 U.S. Dist. LEXIS 85742, at *23–24 (C.D. Cal. May 1,
 8 2023) (“To determine reasonable hourly rates for partners, associates, and paralegals,
 9 numerous courts in this Circuit and elsewhere have turned to the annual Real Rate
 10 Report as a helpful guide. Courts have consistently found that the Real Rate Report
 11 reflects true market rates more accurately than self-reported rates in various practice
 12 areas.”).

13 5. According to the Real Rate Report, the 2022 data (which would be expected
 14 to undershoot actual rates for 2023 due to inflation) is as follows:

City	Matter Type	N	1 st Quartile	Median	3 rd Quartile	2022 Mean	2021 Mean	2020 Mean
Seattle	Litigation - Partner	76	\$497	\$655	\$760	\$635	\$567	\$510

17 An excerpt of the 2022 Real Rate Report that includes these rates is attached as *Exhibit C*.
 18

19 6. **Total Lodestar.** The total lodestar based on our hourly rates through
 20 February 29, 2024 is **\$1,185,268.75**. As a result, compensation of \$1,000,000.00 in attorney
 21 fees represents a *reduction* in attorney fees of approximately 15%. This reduction does
 22 not take into account the additional time that Class counsel will spend assisting class
 23 members and the Claims Administrator throughout the claims process, drafting and
 24

25
 26 ¹ Adjusted for inflation, \$665 in 2018 had the same buying power as \$800.61 in 2023. See <https://www.finatopia.com/calculator/inflation/665/2018>.

1 filing the Motion for Final Approval, and submitting a report to the Court at the
2 conclusion of the litigation.

3 7. Class counsel believes that the claims for class members will be paid at or
4 near the full valid, approved claim amounts, without any significant *pro rata* reduction.
5 Class counsel will reconsider their fee request if, at the conclusion of the claims process,
6 the claims are not paid at or near the valid, approved amounts. Class counsel will inform
7 the Court regarding any proposed modification in the fee request, if any, with their reply
8 briefing.

9 8. ***Total Litigation Costs.*** Counsel in this case has so far incurred a total of
10 \$374,137.63 in out-of-pocket expenses in the lawsuit, a ledger for which is attached as
11 ***Exhibit B.*** This amount includes filing fees, cost of service of summons, expert witness
12 fees, deposition expenses, the cost of the mediator, and substantial notice costs advanced
13 to the Claims Administrator, among other costs. Each of these costs was necessary to
14 arrive at the common fund settlement and should be reimbursed from the common fund.

15 9. ***Case Contribution Award.*** The Settlement Agreement provides for a
16 \$15,000 Case Contribution Award for each of the three class representatives, O.L.,
17 Elizabeth Mohundro, and Andrea Schmitt, for a total of \$45,000, to be paid out of the
18 settlement fund and subject to the Court's review and approval. Dkt. No. 167-1, §10.3.
19 Plaintiffs ask the court to award each of the named Plaintiffs incentive awards of \$15,000.
20 Plaintiffs Mohundro and Schmitt, and O.L.'s parents K.L. and J.L. put an extraordinary
21 amount of work into representing the Class's interests and bringing this case to fruition
22 with a highly positive settlement. They each scoured their files, emails, and papers and
23 provided Class counsel with relevant documents and information to assist in the drafting
24 of various iterations of the complaint. They reviewed the complaints and briefing, and
25 provided feedback. Plaintiffs Schmitt, Mohundro and J.L. were each subjected to lengthy
26 depositions that required time off from work. The named Plaintiffs each provided

1 assistance in responding to and opposing the various dispositive motions. They each
2 were on call to participate in the mediation. They each carefully considered the proposed
3 settlement terms and executed the initial settlement term sheet and the final long form
4 Settlement Agreement with Kaiser.

5 Indeed, the Class Representatives went above and beyond what is typically
6 required in this kind of litigation. Plaintiffs called in from camping trips, overseas
7 vacations and took time off from work, repeatedly, in order to support the case. At all
8 relevant times, these named plaintiffs thought carefully and conscientiously about the
9 impact of the settlement on absent class members; they each did their best to alert their
10 own formal and informal networks about the settlement claims process, and were ideal
11 plaintiffs at every stage of the litigation.

12 Finally, Plaintiff Andrea Schmitt agreed to a broader release of claims against
13 Kaiser, different from that imposed on other named plaintiffs or the class, in order to get
14 a settlement finalized. *See* Dkt. No. 167-1, §1.16. Plaintiff Schmitt did what any of the
15 named plaintiffs would have done in order to get the best settlement for class members –
16 she and the other named plaintiffs repeatedly put the interests of absent class members
17 as a whole before their own. The named Plaintiffs, and particularly Schmitt and
18 Mohundro, have lived with this litigation for nearly seven years. Their dedication to this
19 litigation should be recognized and highly commended.

20 10. *Reactions of Class Members and Time Required to Address Claims.* I have
21 handled many of the calls and emails to my law firm in response to the Class Notice. All
22 of the calls I have taken have been supportive, with a number of callers expressing their
23 gratitude for the litigation. None of the calls I have taken were negative, and none of the
24 staff at my firm who fielded any calls or email report having received negative feedback
25 on the Settlement. I anticipate that additional time will need to be spent by Class counsel
26 on working to assure payment of class members' valid claims.

1 11. ***Additional Relevant Facts.***

2 (a) *Mediation and Negotiations.* The parties agreed to mediation once
3 class certification had been fully briefed and the briefing of cross-motions for summary
4 judgment was nearly complete. The mediation, facilitated by Judge Charlie Burdell (ret.)
5 took up a full day and extended into the night. Although the details of a short-form
6 settlement were not completed in the mediation, negotiations continued, resulting in a
7 “CR2A” agreed to by the parties on September 15, 2023 and a long form settlement fully
8 executed on December 5, 2023.

9 (b) *Risk Involved in Taking the Case.* Class counsel shouldered
10 substantial risk in filing and prosecuting this lawsuit. My law firm agreed to pursue the
11 case on a contingency basis, with no guarantee of success. We have paid sizable costs
12 and expenses out-of-pocket for which we would have received no reimbursement absent
13 a recovery for the Class. My law firm has litigated this case since 2017, including a
14 groundbreaking successful appeal to the Ninth Circuit – with no compensation.

15 Also, while Plaintiffs believe that they would ultimately prove that the
16 hearing loss exclusion was a form of discriminatory benefit design that violates state and
17 federal law, they knew that Defendants likely had the financial capacity to defend
18 vigorously against these claims and against any class treatment, and that, even after the
19 years of litigation that had already transpired, it might well take several more years
20 before any recovery could be made. By any measure, this was a highly risky case.

21 (c) *Unprecedented Nature of Claims.* For over 20 years, my practice has
22 focused on representing plaintiffs in cases challenging denials of coverage by health
23 plans. Based on my knowledge and experience and supplementary LEXIS searches I
24 performed, I concluded that, at the time this case was filed, there was no decision issued
25 by a Washington State or United States federal court holding that Sec. 1557 of the
26 Affordable Care Act or Washington State anti-discrimination law provides a claim and

1 private right of action to attack health plan benefit designs that discriminate on the basis
 2 of disability. This was a groundbreaking case both in our Circuit and across the country.

3 12. *Exhibits.* Attached are true and correct copies of the following documents,
 4 with underlining where appropriate for the Court’s convenience:

Exhibit	Description	Date
A	Attorney fees incurred by Sirianni Youtz Spoonemore Hamburger and John Waldo in this case, redacted to protect attorney-client and work product privilege.	Various
B	Litigation costs incurred by Sirianni Youtz Spoonemore Hamburger and John Waldo in this case.	Various
C	Excerpt from “Real Rate Report” for 2022, published by Wolters Kluwer.	Various

12 DATED: March 7, 2024, at Seattle, Washington.

14 /s/ Eleanor Hamburger

15 Eleanor Hamburger (WSBA #26478)
 16 SIRIANNI YOUTZ SPOONEMORE HAMBURGER PLLC
 17 3101 Western Avenue, Suite 350
 18 Seattle, WA 98121
 19 Tel. (206) 223-0303; Fax (206) 223-0303
 20 Email: ehamburger@sylaw.com

21 *Attorneys for Plaintiffs*

Exhibit A

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.
U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL
SYSH FEES

Date	Lwyr	Explanation	Hours
Dec 4/2017	RES	review and revise initial disclosures; update case status and tasks; update ██████████ research; review new cases under ██████████	2.90
Dec 5/2017	RES	Continue ██████████ research and link to disability law issues	3.90
Dec 6/2017	RES	review initial disclosures from defendant; spot research on ██████████ ██████████ issues	1.60
Dec 11/2017	RES	review and revise amended complaint	0.50
Dec 12/2017	RES	review revisions to Joint Status Report	0.10
Dec 13/2017	RES	review email from Ms. Hamburger to Mr. Turner concerning ██████████, conduct research on similar issues	0.80
Jan 5/2018	RES	read and review motion to dismiss; read and review cases; draft note to file re: same; email to Ms. Hamburger regarding ██████████ ██████████	2.60
Jan 6/2018	RES	continue to read and review motion and cases cited in motion; review declarations and exhibits to same	1.90
Jan 8/2018	RES	review status of case; read and analyze ██████████ authorities and prior decisions	1.90
Jan 31/2018	RES	read and edit second amended complaint; read and edit motion to file same	0.80
Jan 31/2018	RES	draft sections, edit and revise Plaintiff's Opposition to Defendants' Motion to Dismiss	3.20
Feb 2/2018	RES	continue to edit and revise response to motion to dismiss	4.20
Feb 13/2018	RES	read and analyze Defendant's reply in support of motion to dismiss; draft note regarding missed arguments and key admissions	2.10
Aug 1/2018	RES	moot oral argument with Ms. Hamburger; review oral argument outline and edit same	2.10
Aug 2/2018	RES	to court for oral argument	1.30
Sep 14/2018	RES	review decision and discuss same with Ms. Hamburger	0.50
Jan 1/2019	RES	read, review and edit draft of appellate brief; make comments and suggestions to same	3.10
Jan 7/2019	RES	extensive work on editing appellate brief; revise sections; make comments to Ms. Hamburger about sections of brief	7.10
Jan 11/2019	RES	review and comment on new version of brief; edits to same	2.60
Jan 20/2019	RES	review and comment on brief; edit same	3.10
Jan 22/2019	RES	final edits to brief	3.10
Mar 22/2019	RES	read, review and comment on opposition brief	2.10
Apr 11/2019	RES	review and revise proposed reply outline	1.20
May 1/2019	RES	read, review and edit reply brief draft	3.80

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.

U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL

SYSH FEES

Date	Lwyr	Explanation	Hours
May 10/2019	RES	review and edit near final version of reply brief; discuss same with Ms. Hamburger	3.70
Oct 26/2019	RES	detailed review of supplemental brief; edit and revise same; comments to same	2.70
Nov 4/2019	RES	review Ms. Hamburger's outline; make comments and suggestions; review briefs for additional suggestions; prepare questions for moot	4.90
Nov 4/2019	RES	moot Ms. Hamburger's argument	0.75
Nov 7/2019	RES	second moot of Ms. Hamburger	1.00
Jul 15/2020	RES	read and review decision; note to file re: same; outline issues necessary for amendment on remand	2.10
Nov 10/2020	RES	work on drafting and editing amended complaint	2.10
Oct 10/2022	RES	update on status of case and strategy going forward	0.50
Nov 16/2022	RES	review report on status of case, discovery, experts and anticipated motions	0.60
Jan 11/2023	RES	review, revise and edit motion for class certification	1.80
Mar 23/2023	RES	participate in strategy session and planning	1.00
May 9/2023	RES	review expert report drafts and make comments to same	1.40
May 30/2023	RES	edit, revise and comment on draft brief; revise introduction	1.50
Jul 3/2023	RES	prepare Dr. Lin for deposition; extensive editing and revising of 1557 motion; draft introduction; edits to arguments	5.80
Jul 13/2023	RES	draft mediation brief	5.80
Jul 14/2023	RES	continue to draft mediation brief; edits to same; forward to team for review; work in comments and edits	6.20
Jul 14/2023	RES	continue to draft mediation brief; edits to same; forward to team for review; work in comments and edits	6.20
Jul 17/2023	RES	Edit and revise mediation brief; read and review Kaiser's mediation brief; pull data from discovery and run potential damages analysis; run predictions on potential claims rates; review Fox data for potential ranges	3.60
Jul 18/2023	RES	Review and make comments to Daubert brief	0.70
Jul 20/2023	RES	Prepare for mediation; review damage data; participate in mediation; run damage and claims models; draft CR2A	10.00
Jul 21/2023	RES	Emails and call to C. Burdell	0.30
Jul 22/2023	RES	Email with C. Burdell	0.10
Jul 25/2023	RES	Work on settlement issues and attempts to revive the agreement	0.60

DECLARATION OF ELEANOR HAMBURGER

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U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL
SYSH FEES

Date	Lwyr	Explanation	Hours
Jul 26/2023	RES	Continue to work on potential ways to settle, calls regarding potential future coverage through legislation; email to claims administrators on cost of notice estimates	1.60
Jul 27/2023	RES	Meetings concerning potential settlement approaches; work on language for potential second CR2A	0.70
Aug 1/2023	RES	Run figures and projections for potential new proposal; discuss with team and clients, email to administrators concerning costs of notice; multiple emails with counsel for defense on OIC filing issues, extensions, filing penalties,	1.80
Aug 2/2023	RES	Call with claims administrator	0.70
Aug 3/2023	RES	Read, review and analyze Kaiser's counter-proposal; identify issues and problems with offer, call to interested parties; outline potential counter	3.10
Aug 4/2023	RES	Extensive work on settlement issues, including reviewing claims data, anticipated claims rates and notice costs; model same; emails to clients; begin to draft new proposal based on retrospective relief; review law for class revision and notice obligations	4.70
Aug 7/2023	RES	Finish counterproposal and review with team and clients; forward same to defense counsel with email; respond to email about meaning of certain terms and provisions	3.50
Aug 8/2023	RES	Respond to multiple emails concerning offer	0.50
Aug 16/2023	RES	Read and review new proposal from Kaiser; discuss same with team; run new figures and estimates; email about Kaiser claims; pull discovery on claims made and enter into model	2.60
Aug 17/2023	RES	Continue to work on settlement issues; formulate counter-proposal to settle	1.20
Aug 18/2023	RES	Continue to work on counterproposal, discuss with team, clients	2.60
Aug 21/2023	RES	Extensive work on settlement issues, draft new proposal, continue to work on sign offs, multiple meetings regarding same; send new proposal to defense counsel	4.10
Aug 25/2023	RES	Email to/from defense counsel on settlement amount	0.10
Aug 30/2023	RES	Review counter from Kaiser, made changes to proposal and return to defense counsel	0.60
Aug 31/2023	RES	Emails to/from counsel regarding definitions in CR2A; email to team; meeting with Ms. Hamburger	0.20
Sep 1/2023	RES	Review additional edits to the proposal on the scope of release; discuss with Ms. Hamburger	0.60

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.
U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL
SYSH FEES

Date	Lwyr	Explanation	Hours
Sep 5/2023	RES	Draft new language for agreement and forward to defense counsel	0.90
Sep 11/2023	RES	Continue to work on settlement; call to defense counsel	0.30
Sep 13/2023	RES	Review new language for agreement, confer with team, email acceptance	0.20
Sep 18/2023	RES	Email to Ms. Roberts on agreement, and request for time to finalize	0.10
Sep 20/2023	RES	Begin to work on long-form agreement	3.40
Sep 21/2023	RES	Call to potential claims administrators; create detailed RFP	2.80
Sep 22/2023	RES	Continue to work on long form agreement, spot research for same	4.10
Sep 25/2023	RES	Edits and revisions to agreement	1.20
Sep 26/2023	RES	Final edits and revision, circulate to team for comment	2.10
Sep 29/2023	RES	Email defense counsel with proposed long form settlement agreement	0.10
Oct 5/2023	RES	Review email on long form agreement from defense counsel	0.10
Oct 6/2023	RES	Respond to questions from defense counsel on proposed long form agreement	0.10
Oct 16/2023	RES	Email to defense counsel regarding status of agreement review	0.10
Oct 17/2023	RES	Revise and update RFP to claim administrator vendors for bids	0.60
Oct 20/2023	RES	Email defense counsel for mailed addresses for RFP	0.10
Oct 25/2023	RES	Careful review of Kaiser's edits to long form agreement; update RFP; email to potential administrator vendors; respond to call regarding scope	3.10
Oct 26/2023	RES	Comments and edits to Kaiser's version of long form agreement; email same to defense counsel	0.30
Nov 7/2023	RES	Review Kaiser's response, engage with defense counsel on advancement of notice costs, email regarding same; calls	0.80
Nov 13/2023	RES	Email to defense counsel	0.10
Nov 14/2023	RES	Email to defense counsel regarding key data necessary to move forward	0.10
Nov 15/2023	RES	Update RFP and send to Kroll, SSI, Epiq and RD2	0.70
Nov 16/2023	RES	Respond to multiple vendor questions; calls with vendors over scope for estimate	1.60
Nov 17/2023	RES	Revise long form agreement and send to defense counsel; email exchange about subscriber data; email updated data to vendors	1.50
Nov 20/2023	RES	Run new model using updated number of subscriber data and number of anticipated email addresses; review agreement; send approval	0.70
Nov 21/2023	RES	Work on drafting notices, both short form and long form	3.60

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.
U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL
SYSH FEES

Date	Lwyr	Explanation	Hours
Nov 22/2023	RES	Draft preliminary approval papers, review drafts from team, edit notice, update web page	6.90
Nov 27/2023	RES	Work on approval and notice material, review order	3.10
Nov 28/2023	RES	Edits to drafts of approval material, review and revise declaration	0.60
Nov 29/2023	RES	Edits to notices; email to Mr. Gross regarding tasks	0.30
Nov 30/2023	RES	Review drafts, draft and revise order, email proposed order to defense counsel, email proposed notice to defense counsel	2.10
Dec 1/2023	RES	Initial meeting with Epiq to review scope of work, tasks, deadlines, issues, FAQs, process and necessary documentation; email to defense counsel concerning deadline issues for notices; respond to email questions from defense counsel concerning language in the proposed preliminary approval order; email with defense counsel concerning extension to review; respond to defense counsel's comments and edits	2.80
Dec 5/2023	RES	Email to defense counsel on status; review updated numbers from Kaiser; review Kaiser's edits; respond to same; circulate final proposed order; review notices; circulate final notices; respond to questions about Kaiser's BAA agreement with Epiq; revise task list and circulate to team	1.70
Dec 8/2023	RES	Respond to issue raised by defense counsel; revise filing	0.50
Dec 11/2023	RES	Read and review orders, set schedule of tasks for team	0.40
Dec 21/2023	RES	Prepare for conference call with defense counsel and Epiq; participate in kick-off call with claims administrator; notes to file regarding same	0.80
Jan 5/2024	RES	Respond to question about BAA and Epiq	0.10
Jan 8/2024	RES	Review and edits to Epiq's proposed settlement class web page, email regarding same	0.50
Mar 4/2024	RES	Review fee brief and motion	0.80
Mar 5/2024	RES	Review proposed order	0.40
Mar 6/2024	RES	Review EH declaration	0.60
TOTAL RES TIME			198.75

Sep 18/2017	EH	email with client	0.10
Sep 18/2017	EH	draft complaint	2.10
Sep 22/2017	EH	research related to [REDACTED] claims	2.10
Sep 22/2017	EH	draft and edit complaint	1.80

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.

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SYSH FEES

Date	Lwyr	Explanation	Hours
Sep 22/2017	EH	email NHELP attorney	0.10
Sep 22/2017	EH	email with client	0.10
Sep 26/2017	EH	finalize Complaint and retainer letter for client review	1.10
Sep 27/2017	EH	email complaint to NHELP attorney	0.10
Sep 27/2017	EH	email potential Kaiser clients	0.10
Sep 28/2017	EH	email with potential client	0.10
Oct 4/2017	EH	review NHELP analysis; research related to [REDACTED]; email with NHELP's Wayne Turner	0.70
Oct 4/2017	EH	draft and send public records act request for Sunrise Review	0.10
Oct 4/2017	EH	draft and edit Complaint	0.90
Oct 4/2017	EH	email Emily Brice about cochlear implant exception	0.10
Oct 4/2017	EH	call with Sean Corry about cochlear implant exception	0.50
Oct 4/2017	EH	draft joint privilege agreement for NHELP; email to NHELP attorneys	0.60
Oct 4/2017	EH	research concise explanatory statement on Essential Health Benefit rulemaking	0.70
Oct 4/2017	EH	draft summary of research for file	0.50
Oct 4/2017	EH	email Regan Bailey re: assurances filed with HHS on Section 1557	0.10
Oct 4/2017	EH	research form for Section 1557 assurances; email with Rick Spoonemore	0.30
Oct 5/2017	EH	email with client re: [REDACTED]	0.20
Oct 6/2017	EH	email ASHA for letters regarding comments to OIC	0.20
Oct 6/2017	EH	email with NHELP's Wayne Turner about [REDACTED]	0.10
Oct 11/2017	EH	email with attorney for Enstad case to get Complaint	0.10
Oct 11/2017	EH	call with NHELP's Wayne Turner	0.60
Oct 11/2017	EH	research related to [REDACTED]	1.80
Oct 11/2017	EH	revise Complaint; draft retainer agreement; email client	0.50
Oct 11/2017	EH	email and leave voice message for Christina Buesch at AG's office	0.20
Oct 12/2017	EH	email with client re: case planning	0.10
Oct 20/2017	EH	email with client about case filing	0.10
Oct 20/2017	EH	call with client	0.40
Oct 20/2017	EH	email with NHELP attorney	0.10
Oct 23/2017	EH	left message for AG for the OIC	0.10
Oct 23/2017	EH	email with NHELP attorney re: 2016 payment parameters	0.20
Oct 23/2017	EH	call with Jane Beyer of the OIC regarding hearing loss litigation; email with Jane Beyer	0.50
Oct 23/2017	EH	call with Molly Rosback at Yakima Herald; send follow up email	0.40
Oct 30/2017	EH	email with client once Complaint is filed	0.20

DECLARATION OF ELEANOR HAMBURGER

Exhibit A - Page 6 of 59

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U.S. Dist. Court, Western Dist. of Wash. - Case No. 2:17-cv-1611-RSL
SYSH FEES

Date	Lwyr	Explanation	Hours
Oct 30/2017	EH	review and finalize Complaint	0.30
Oct 30/2017	EH	email interested parties and reporters	0.60
Oct 31/2017	EH	email interested parties and reporters	0.50
Oct 31/2017	EH	email client about [REDACTED]	0.10
Nov 1/2017	EH	email with reporters about case	0.20
Nov 3/2017	EH	review notice of appearance by Karr Tuttle; email client	0.20
Nov 16/2017	EH	email opposing counsel re: FRCP 26(f) conference	0.10
Nov 16/2017	EH	email client about [REDACTED]	0.10
Nov 17/2017	EH	multiple emails with opposing counsel re: briefing schedule on motion to dismiss	0.10
Nov 17/2017	EH	email with Wayne Turner at NHELP	0.10
Nov 20/2017	EH	email with opposing counsel re: briefing on MTD	0.20
Nov 27/2017	EH	call with potential client; draft and send follow up information	0.80
Nov 29/2017	EH	call with opposing counsel re: timing for motion to dismiss and case schedule and request for coverage in the past	0.40
Nov 29/2017	EH	forward Enstad Complaint to opposing counsel	0.10
Nov 29/2017	EH	email client	0.10
Nov 29/2017	EH	review past emails and notes of conversation with client	0.50
Nov 30/2017	EH	draft joint status report; email to opposing counsel	0.60
Nov 30/2017	EH	respond to emails from opposing counsel re: prior authorization	0.20
Dec 1/2017	EH	call with Disability Rights MD attorney about legal theory	1.00
Dec 4/2017	EH	draft Initial Disclosures, email to client for review	0.50
Dec 6/2017	EH	email with client re: [REDACTED]	0.10
Dec 6/2017	EH	email and call with client re: [REDACTED]	0.50
Dec 6/2017	EH	email with opposing counsel re: initial disclosures	0.10
Dec 6/2017	EH	draft amended complaint	0.60
Dec 6/2017	EH	email with opposing counsel re: amended complaint	0.10
Dec 6/2017	EH	draft Amended Initial Disclosures	0.50
Dec 7/2017	EH	email with potential class member about [REDACTED]	0.20
Dec 8/2017	EH	call with Sarah Steeg at Disability Rights Maryland about Section 1557 cases	1.00
Dec 8/2017	EH	forward Initial Disclosures to Denise Diskin	0.10
Dec 11/2017	EH	draft Stipulation re: Amended Complaint	1.80
Dec 11/2017	EH	multiple emails with opposing counsel re: Amended Complaint	0.50
Dec 11/2017	EH	multiple emails with client about [REDACTED]	0.40
Dec 12/2017	EH	email opposing counsel about Joint Status Report	0.10
Dec 12/2017	EH	draft amended complaint; email with client	0.50

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Date	Lwyr	Explanation	Hours
Dec 12/2017	EH	draft motion to amend complaint and proposed order	1.00
Dec 13/2017	EH	review Initial Disclosures and Joint Status Report; email with Wayne Turner at NHELP for consultation	0.50
Dec 13/2017	EH	multiple emails with opposing counsel about Joint Status Report; review draft Joint Status Report from opposing counsel	0.30
Dec 20/2017	EH	email and call with client re: [REDACTED]	0.50
Dec 20/2017	EH	multiple emails with opposing counsel re: breadth of subpoena duces tecum to Sokoloff	0.30
Dec 20/2017	EH	draft stipulated protective order; email to opposing counsel	0.60
Dec 22/2017	EH	emails with opposing counsel re: subpoena duces tecum overbreadth	0.20
Dec 22/2017	EH	review subpoena duces tecum served by Kaiser	0.10
Dec 26/2017	EH	email with opposing counsel re: subpoena duces tecum overbreadth	0.10
Dec 26/2017	EH	draft first discovery requests; spot research related to discovery requests	3.70
Dec 27/2017	EH	emails with opposing counsel re: overbroad subpoena duces tecum to Dr. Sokoloff	0.30
Dec 27/2017	EH	email with client	0.20
Dec 28/2017	EH	update research related to [REDACTED] and arguments referenced by defendant in Joint Status Report	1.30
Jan 3/2018	EH	email with Elizabeth Mohundro	0.10
Jan 3/2018	EH	draft and edit stipulated protective order with opposing counsel	0.60
Jan 3/2018	EH	review Section 1557 pleadings from other cases (Condry, Briscoe)	1.10
Jan 5/2018	EH	review Motion to Dismiss and proposed order	1.20
Jan 5/2018	EH	redact Dr. Vega chart; email to opposing counsel; email with opposing counsel re: filing with redaction	1.00
Jan 5/2018	EH	email with client	0.20
Jan 8/2018	EH	email with Sean Corry to arrange time to talk	0.10
Jan 8/2018	EH	email with Sarah Steeg re: opening brief	0.10
Jan 8/2018	EH	email Daneen Sekoni re: opening brief	0.10
Jan 8/2018	EH	email with client about [REDACTED]	0.10
Jan 9/2018	EH	email with Sarah Steeg re: opening brief	0.30
Jan 9/2018	EH	email with Elizabeth Mohundro re: [REDACTED]	0.10
Jan 9/2018	EH	call with Sean Corry and CLS account manager re: hearing aid rider	0.30
Jan 9/2018	EH	email with client	0.10
Jan 16/2018	EH	review SDT to Kaiser	0.30
Jan 17/2018	EH	call with Sarah Steeg at Disability Rights Maryland; send joint privilege agreement	0.50

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Date	Lwyr	Explanation	Hours
Jan 17/2018	EH	call with Sean Corry about Hearing Aid rider; email with Sean Corry about hearing aid rider	0.50
Jan 17/2018	EH	email with NHELP attorneys about [REDACTED]	0.20
Jan 17/2018	EH	research related to opening brief	2.20
Jan 18/2018	EH	review comments [REDACTED] from NHELP	0.20
Jan 19/2018	EH	email with opposing counsel re: extension for defendant's responses to discovery	0.10
Jan 19/2018	EH	research related to opposition brief; outline and draft opposition brief	3.30
Jan 22/2018	EH	draft response to motion to dismiss	2.20
Jan 23/2018	EH	email with Wayne Turner at NHELP re: [REDACTED]	0.20
Jan 23/2018	EH	draft response to motion to dismiss; conduct legal research in support	3.40
Jan 24/2018	EH	outline and draft responsive briefing	2.80
Jan 28/2018	EH	draft and edit opposition brief	6.20
Jan 28/2018	EH	email with potential new client	0.30
Jan 29/2018	EH	draft and edit opposition brief	4.40
Jan 29/2018	EH	email draft to NHELP to review	0.10
Jan 30/2018	EH	call with Valarie Blake re: [REDACTED]	0.50
Jan 30/2018	EH	email with potential additional client	0.10
Jan 31/2018	EH	multiple emails with potential new plaintiff	0.30
Jan 31/2018	EH	draft amended complaint	1.10
Jan 31/2018	EH	review documents from new potential plaintiff; draft retainer agreement	0.80
Jan 31/2018	EH	call with Sarah Steeg at Disability Rights Maryland	0.50
Jan 31/2018	EH	draft and edit opposition brief; incorporate comments from interested parties	3.10
Jan 31/2018	EH	call with Sean Corry re: coverage provided to potential new plaintiff	0.10
Feb 1/2018	EH	draft Motion to Amend Complaint; amended complaint and proposed Order; spot research in support of motion to amend complaint	5.40
Feb 1/2018	EH	draft opposition re: motion to dismiss	1.80
Feb 1/2018	EH	email with additional plaintiff (Mohundro)	0.20
Feb 1/2018	EH	email with plaintiff (Schmitt) re: [REDACTED]	0.10
Feb 1/2018	EH	call with client (Mohundro)	0.50
Feb 2/2018	EH	draft and edit motion to dismiss	6.90
Feb 4/2018	EH	draft and edit opposition to motion to dismiss	4.40
Feb 5/2018	EH	edit and finalize opposition brief; spot research for brief	4.70

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Date	Lwyr	Explanation	Hours
Feb 5/2018	EH	email brief to client and interested parties	0.30
Feb 13/2018	EH	review Kaiser's reply on the motion to dismiss	0.50
Feb 13/2018	EH	email clients	0.10
Feb 14/2018	EH	review comments from law professor on briefing	0.40
Feb 15/2018	EH	draft reply brief in support of motion to amend	1.70
Feb 16/2018	EH	draft, edit and finalize reply on motion to amend complaint	3.70
Feb 23/2018	EH	review defendants discovery responses	0.50
Feb 23/2018	EH	email client with [REDACTED]	0.10
Feb 27/2018	EH	review Order allowing amendment of complaint	0.20
Feb 27/2018	EH	emails with clients	0.10
Mar 2/2018	EH	email with NHELP attorney about Florida complaint	0.10
Mar 6/2018	EH	email with OIC re: consumer complaints	0.20
Apr 2/2018	EH	review of consumer complaints to OIC about hearing loss exclusions	1.50
Apr 16/2018	EH	draft and send email to opposing counsel re: discovery, class certification, etc.	0.10
Apr 16/2018	EH	email with potential class member	0.40
Apr 19/2018	EH	email opposing counsel re: case scheduling order	0.10
Apr 19/2018	EH	email opposing counsel re: discovery	0.10
Apr 20/2018	EH	email with clients about [REDACTED]	0.10
Apr 20/2018	EH	email with opposing counsel re: contacting the courtroom deputy about the motion	0.10
Apr 20/2018	EH	draft stipulation re: new case scheduling order once motion to dismiss is ruled on	0.40
May 3/2018	EH	email with opposing counsel re: stipulation	0.10
May 7/2018	EH	draft stipulation and proposed order re: case scheduling	0.60
May 7/2018	EH	email draft stipulation to opposing counsel	0.10
May 8/2018	EH	email with opposing counsel re: discovery and response to April 20 letter	0.10
May 10/2018	EH	review Court's scheduling order; email client	0.30
May 10/2018	EH	email NHELP re: [REDACTED]	0.10
May 11/2018	EH	email opposing counsel re: case scheduling conflict	0.20
May 14/2018	EH	email with NHELP attorney about [REDACTED]	0.30
May 14/2018	EH	email opposing counsel about trial date	0.10
May 14/2018	EH	call with opposing counsel and clerk re: trial date	0.20
May 15/2018	EH	email with potential client	0.10
Jun 19/2018	EH	meeting with parent advocate re: information about other persons with hearing impairment in Kaiser	1.00

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Date	Lwyr	Explanation	Hours
Jun 26/2018	EH	email clients about [REDACTED]	0.20
Jun 26/2018	EH	email opposing counsel re: class certification deadline	0.10
Jun 26/2018	EH	email interested parties about oral argument	0.10
Jun 27/2018	EH	multiple emails with clients and Court about oral argument	0.30
Jun 27/2018	EH	email interested party about argument	0.10
Jul 2/2018	EH	call with opposing counsel re: scheduling of class certification	0.30
Jul 30/2018	EH	prepare for oral argument; review briefing; conduct legal research	4.80
Jul 30/2018	EH	email opposing counsel re: case scheduling order	0.10
Jul 31/2018	EH	prepare for oral argument; conduct legal research; outline presentation	5.60
Jul 31/2018	EH	prepare supplemental authority	0.20
Jul 31/2018	EH	email with clients	0.10
Aug 1/2018	EH	prepare for oral argument; review briefing, conduct legal research	5.60
Aug 2/2018	EH	prepare for oral argument	4.20
Aug 2/2018	EH	participate in oral argument and travel to and from court	1.30
Aug 2/2018	EH	email with opposing counsel re: case scheduling order	0.10
Aug 6/2018	EH	review and update research	1.00
Aug 30/2018	EH	review case law; draft notice of supplemental authority	1.10
Sep 14/2018	EH	review decision	0.50
Sep 14/2018	EH	draft and send emails to clients about [REDACTED]	0.20
Sep 14/2018	EH	email decision to advocates and interested people	0.20
Sep 17/2018	EH	email with Bazelon Center about amicus brief	0.40
Sep 17/2018	EH	email with Sarah Steeg about amicus brief	0.10
Sep 17/2018	EH	email with Dan Unumb about amicus brief	0.20
Sep 18/2018	EH	email and call with reporter about case	0.10
Sep 19/2018	EH	email with Sarah Steeg at DRW	0.20
Oct 9/2018	EH	email with clients about [REDACTED]	0.20
Oct 11/2018	EH	draft notice of appeal	1.00
Oct 11/2018	EH	review rules related to appeals process	0.80
Oct 15/2018	EH	email with interested party about appeal	0.10
Oct 23/2018	EH	emails with clients about [REDACTED]	0.20
Oct 23/2018	EH	send email to federal mediator	0.10
Oct 31/2018	EH	email mediator re: case	0.10
Oct 31/2018	EH	email with Janet Varon about amicus brief	0.20
Nov 5/2018	EH	email with clients about [REDACTED]	0.10
Nov 7/2018	EH	email mediator re: settlement	0.10
Nov 7/2018	EH	email with client about [REDACTED]	0.10

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Date	Lwyr	Explanation	Hours
Nov 16/2018	EH	email NoHLA and NJP with briefing before the trial court	0.10
Dec 17/2018	EH	review decision in case; update [REDACTED] research; review [REDACTED] [REDACTED]	1.50
Dec 18/2018	EH	call with advocates about 9th Cir appeal	0.50
Dec 18/2018	EH	call with NHELP counsel about [REDACTED]	0.30
Dec 19/2018	EH	review briefing before the trial court, update research; outline brief	5.20
Dec 20/2018	EH	research related to appellate brief	4.20
Dec 20/2018	EH	multiple emails with DREDF attorney about [REDACTED]	0.20
Dec 20/2018	EH	draft brief	2.20
Dec 21/2018	EH	email with John Waldo	0.30
Dec 21/2018	EH	draft brief	3.80
Dec 21/2018	EH	conduct legal research for the brief	3.40
Dec 24/2018	EH	legal research for brief	2.20
Dec 24/2018	EH	draft section of brief	1.10
Dec 26/2018	EH	draft and edit brief	4.70
Dec 26/2018	EH	conduct legal research related to brief; review [REDACTED]	2.10
Dec 27/2018	EH	legal research related to brief	2.30
Dec 28/2018	EH	research related to brief	3.10
Dec 28/2018	EH	draft section of brief	1.40
Dec 31/2018	EH	draft sections of brief	4.80
Dec 31/2018	EH	conduct legal research for the brief	2.70
Jan 2/2019	EH	draft and edit appellate briefing	5.60
Jan 2/2019	EH	email brief to advocates with questions	0.30
Jan 3/2019	EH	draft and edit appellate brief	8.70
Jan 4/2019	EH	call with amici attorneys about appellate briefing	1.00
Jan 4/2019	EH	draft and edit appellate briefing	4.70
Jan 7/2019	EH	draft appellate briefing	9.20
Jan 8/2019	EH	research, draft and edit appellate brief	6.60
Jan 9/2019	EH	draft and edit appellate brief	8.60
Jan 10/2019	EH	edit appellate brief; send to interested parties for comments	1.90
Jan 11/2019	EH	review comments from interested parties	1.80
Jan 11/2019	EH	draft and edit appellate brief	4.40
Jan 14/2019	EH	draft and edit appellate brief; spot research for brief	6.80
Jan 15/2019	EH	draft and edit brief; spot research	5.70
Jan 16/2019	EH	review edits and comments from interested parties; draft, edit and revise appellate brief	7.10

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Date	Lwyr	Explanation	Hours
Jan 18/2019	EH	draft and edit appellate brief; email to interested parties for review	4.70
Jan 18/2019	EH	email draft to clients for review	0.10
Jan 19/2019	EH	draft and edit appellate briefing	3.70
Jan 20/2019	EH	draft and edit appellate briefing; email to Rick Spoonemore and Daniel Gross for comment	3.10
Jan 21/2019	EH	draft and edit Appellate briefing; prepare appendices for appeal brief	3.50
Jan 22/2019	EH	email with DREDF attorneys about legal issue in appellate brief	0.50
Jan 22/2019	EH	edit, spot research and finalize appellate brief	4.70
Jan 23/2019	EH	forward opening brief to clients and interested parties	0.50
Jan 23/2019	EH	research related to [REDACTED]	0.80
Jan 24/2019	EH	call with Huma Zarif at NoHLA; provide materials to Huma to assist with amicus	1.00
Jan 24/2019	EH	email with clients about [REDACTED]	0.10
Jan 29/2019	EH	review amici briefs; forward to clients	1.00
Feb 11/2019	EH	review Kaiser's opposition to Amici; email to interested parties	0.50
Feb 11/2019	EH	email to interested parties	0.50
Feb 12/2019	EH	review legislative history of PEBB hearing aid expansion; email Sarah Steeg about cost estimate	0.40
Feb 13/2019	EH	email with Sarah Steeg about per person per month cost of hearing aid benefits	0.20
Mar 18/2019	EH	email with advocates about assistance with reply brief	0.10
Mar 22/2019	EH	review opposition brief filed by Kaiser	0.80
Mar 25/2019	EH	research related to [REDACTED]	0.80
Mar 25/2019	EH	draft and send response to Mark Bailey about judicial notice	0.20
Mar 26/2019	EH	research timeline for reply briefing	0.30
Mar 28/2019	EH	call with national advocates about Ninth Circuit reply	0.50
Apr 1/2019	EH	review briefing by Kaiser and cases cited	5.40
Apr 5/2019	EH	review briefing; outline reply	3.30
Apr 10/2019	EH	draft outline of reply brief; research related to reply brief	6.80
Apr 12/2019	EH	research related to reply brief; draft a section of reply brief	5.60
Apr 14/2019	EH	research related to reply brief; draft sections of reply brief	7.20
Apr 15/2019	EH	draft section of reply brief; research related to section	6.90
Apr 16/2019	EH	respond to question from national advocates	0.10
Apr 16/2019	EH	draft section of reply brief	3.30
Apr 17/2019	EH	draft section of reply brief	2.20
Apr 18/2019	EH	research related to reply brief; continue work on section of reply brief	1.70
Apr 19/2019	EH	draft sections of reply brief; research related to reply brief	6.20

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Date	Lwyr	Explanation	Hours
Apr 21/2019	EH	draft sections of reply brief	7.90
Apr 22/2019	EH	draft sections of reply brief	5.50
Apr 23/2019	EH	draft sections of reply brief; spot research in support of reply brief	5.30
Apr 24/2019	EH	draft sections of reply brief	5.40
Apr 25/2019	EH	draft sections of reply brief; spot research for reply brief	7.20
Apr 28/2019	EH	draft reply brief; spot research related to reply brief	7.30
Apr 29/2019	EH	draft and edit reply brief; spot research for brief	3.70
Apr 29/2019	EH	email draft of the brief to national advocates for review	0.10
Apr 30/2019	EH	revise and edit reply brief; spot research for reply brief	3.80
May 1/2019	EH	edit reply brief	1.20
May 2/2019	EH	edit and revise reply brief; spot research for reply brief	6.90
May 2/2019	EH	email to national advocates	0.10
May 7/2019	EH	edit reply briefing; spot research for reply briefing	6.80
May 8/2019	EH	edit reply brief; incorporate comments and edits from advocates; spot research related to reply brief	6.90
May 9/2019	EH	email DREDF attorneys for comments	0.10
May 9/2019	EH	review briefing from Doe v. CVS case in 6th Cir. And 9th Cir.	1.00
May 9/2019	EH	call with attorney from Doe v. CVS case about briefing	0.50
May 9/2019	EH	edit reply briefing; incorporate comments from DREDF attorneys	4.90
May 9/2019	EH	call with attorneys from DREDF about reply brief	0.30
May 9/2019	EH	research on legal issue raised by DREDF; email with DREDF attorneys	0.70
May 10/2019	EH	legal research for reply brief	2.00
May 10/2019	EH	edit reply brief; multiple reviews of brief before it is finalized	6.30
May 10/2019	EH	forward reply brief to clients for their review	0.10
May 12/2019	EH	edit reply brief; spot research for reply brief	2.50
May 13/2019	EH	edit reply brief; spot research for reply brief; review and edit final version of brief	2.90
May 15/2019	EH	email brief to clients; respond to questions	0.10
May 16/2019	EH	call with attorneys from Consumer Watchdog	0.50
Jun 4/2019	EH	review Doe v. BCBS Tenn. case	0.50
Jun 12/2019	EH	review Doe v. Blue Cross Blue Shield decision	0.50
Jun 18/2019	EH	review dates; confer with clients about dates	0.20
Jul 22/2019	EH	review notice from the court about scheduling	0.10
Aug 26/2019	EH	email client about [REDACTED]	0.10
Sep 3/2019	EH	email with counsel for Doe v. CVS	0.10
Sep 27/2019	EH	email with DREDF attorneys about moot for the oral argument	0.10
Oct 8/2019	EH	multiple emails to advocates for moot	0.20

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Date	Lwyr	Explanation	Hours
Oct 11/2019	EH	respond to OIC email with analysis of how the hearing loss exclusion violates state law	0.40
Oct 15/2019	EH	email clients about [REDACTED]	0.10
Oct 16/2019	EH	review Franciscan v. Azar	0.30
Oct 18/2019	EH	email advocates about participating in moot	0.10
Oct 22/2019	EH	email staff to gather all briefing	0.10
Oct 22/2019	EH	update legal research [REDACTED]	0.50
Oct 22/2019	EH	outline and draft supplemental briefing; email Danny Sternberg about Doe v. CVS briefing	2.60
Oct 22/2019	EH	legal research related to [REDACTED]	0.50
Oct 23/2019	EH	draft supplemental briefing	1.30
Oct 23/2019	EH	legal research related to [REDACTED]	0.50
Oct 24/2019	EH	draft supplemental briefing; spot research related to brief	1.10
Oct 26/2019	EH	review Ann Merryfield's insert; draft and edit supplemental brief; spot research for supplemental brief; email to Rick Spoonemore for review	3.30
Oct 27/2019	EH	draft and edit supplemental brief; spot research for supplemental brief	2.20
Oct 28/2019	EH	email clients about [REDACTED]	0.10
Oct 28/2019	EH	edit and finalize supplemental brief	2.40
Oct 29/2019	EH	email clients about [REDACTED]	0.10
Oct 31/2019	EH	review briefing and conduct legal research in preparation for oral argument	3.30
Nov 1/2019	EH	review caselaw and outline oral argument	1.70
Nov 3/2019	EH	review oral argument before Judge Lasnik; review pleadings and caselaw, modify outline of oral argument; review discovery received	2.20
Nov 4/2019	EH	review caselaw, briefing and prepare oral argument; identify likely questions and answers	2.80
Nov 5/2019	EH	prepare for and participate in moot argument with other advocates, continue to prepare for oral argument	2.10
Nov 6/2019	EH	prepare for oral argument; draft questions and likely answers; practice presentation	2.60
Nov 7/2019	EH	prepare for oral argument; practice presentation	3.60
Nov 8/2019	EH	prepare for and participate in oral argument	1.50
Nov 13/2019	EH	draft and send email to Laura Gramer about hearing loss case	0.20
Dec 9/2019	EH	call with Dorianne Mason at National Women's Legal Center; email briefing to Ms. Mason	0.50

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Date	Lwyr	Explanation	Hours
Nov 4/2020	EH	Call with potential clients [REDACTED]	1.00
Nov 6/2020	EH	draft Fourth Amended Complaint; review documents from clients; email with clients about [REDACTED]; draft and finalize retainer letter for clients	1.80
Nov 9/2020	EH	review documents from client; draft and edit Fourth Complaint; email clients with [REDACTED]	1.70
Nov 10/2020	EH	email with opposing counsel about additional plaintiff	0.10
Nov 13/2020	EH	revise and edit Complaint; email with clients for [REDACTED]	1.20
Nov 17/2020	EH	review, edit and finalize Fourth Amended Complaint; email to opposing counsel to review	0.80
Nov 19/2020	EH	draft proposed Order; Motion to file Fourth Amended Complaint and edit and finalize Fourth Amended Complaint and relate documents	3.20
Nov 23/2020	EH	call with client about [REDACTED]	0.50
Nov 23/2020	EH	email with co-counsel and clients about conversation with opposing counsel about settlement; respond to questions	0.50
Nov 24/2020	EH	Call with opposing counsel about possible settlement	0.60
Nov 24/2020	EH	Call with Frank Fox about case and analysis needed for settlement discussions	1.00
Nov 30/2020	EH	email with opposing counsel about possible settlement	0.10
Dec 1/2020	EH	Email with Frank Fox about expert analysis; provide copy of spreadsheet after receipt of Exhibit A document	0.20
Dec 3/2020	EH	respond to question from client	0.10
Dec 7/2020	EH	email opposing counsel re: possible settlement	0.10
Dec 15/2020	EH	call with opposing counsel about possible settlement	0.50
Dec 15/2020	EH	review order re: Motion to Amend Complaint; direct staff to file Fourth Amended Complaint	0.10
Dec 15/2020	EH	email with expert about status of settlement negotiations	0.10
Dec 15/2020	EH	email with co-counsel about [REDACTED]; respond to questions	0.50
Jan 4/2021	EH	email with legislator about hearing aid legislation; email with Janet Varon about legislation and Schmitt litigation	0.20
Jan 8/2021	EH	forward information about new plaintiff to opposing counsel	0.10
Jan 24/2021	EH	respond to question from Jane Beyer, OIC, regarding litigation	0.20

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Date	Lwyr	Explanation	Hours
Jan 28/2021	EH	email with opposing counsel about stipulation for extension of time to respond;	0.20
Jan 29/2021	EH	review discovery produced; email with Frank Fox about [REDACTED]	1.10
Jul 9/2021	EH	review discovery produced by Kaiser	1.40
Jul 9/2021	EH	draft and send follow up email to opposing counsel about outstanding discovery	0.10
Jul 23/2021	EH	email with opposing counsel about stipulation on case scheduling order	0.10
Jul 26/2021	EH	draft stipulation re: case scheduling order	0.50
Sep 7/2021	EH	email with opposing counsel about reaching Judge Lasnik's clerk on the MTD	0.10
Sep 8/2021	EH	email with Judge Lasnik's clerk about pending MTD	0.20
Sep 13/2021	EH	email with clients about pending MTD	0.10
Jan 21/2022	EH	email with clerk for Judge Lasnik about status of review	0.10
Feb 2/2022	EH	draft retainer agreements for Dr. Lin	0.20
Feb 4/2022	EH	email to clients [REDACTED]	0.10
Feb 18/2022	EH	call with legislative advocates about the impact of case on legislation and visa versa	0.50
Apr 25/2022	EH	email with opposing counsel about staff's call to chambers	0.10
May 25/2022	EH	draft and submit notice of supplemental authority	0.50
May 25/2022	EH	review [REDACTED]	0.30
Aug 4/2022	EH	review decision on Kaiser's MTD	0.50
Aug 4/2022	EH	email Dr. Lin about [REDACTED]	0.10
Aug 4/2022	EH	email clients about [REDACTED]	0.10
Aug 9/2022	EH	draft discovery requests	1.20
Aug 9/2022	EH	email opposing counsel about possible case scheduling order	0.30
Aug 9/2022	EH	email Dr. Lin about [REDACTED]	0.10
Aug 11/2022	EH	draft stipulation regarding case scheduling order; email to opposing counsel	0.50
Aug 16/2022	EH	draft and send email to clients about status of case and FDA rulemaking	0.50
Aug 18/2022	EH	draft and edit stipulation regarding case scheduling order	0.30
Aug 18/2022	EH	review unopposed motion by Kaiser for more time to file answer	0.10
Aug 19/2022	EH	finalize stipulation regarding case scheduling order	0.20
Aug 24/2022	EH	draft and finalize second discovery requests to Kaiser	1.80

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Sep 1/2022	EH	review Kaiser's Answer compared to Fourth Amended Complaint	0.50
Sep 23/2022	EH	email with opposing counsel about discovery responses	0.10
Oct 7/2022	EH	review discovery received	0.50
Oct 17/2022	EH	draft third discovery requests and send to opposing counsel	1.20
Oct 17/2022	EH	draft Rule 30(b)(6) deposition notice and topics	0.50
Oct 18/2022	EH	email opposing counsel about Rule 30(b)(6) discovery and document production	0.10
Oct 27/2022	EH	review discovery produced by defendant	1.10
Oct 27/2022	EH	email opposing counsel about outstanding discovery	0.10
Oct 28/2022	EH	email with opposing counsel about discovery responses	0.10
Nov 1/2022	EH	call with opposing counsel about discovery; provide link to assurance of complaint	0.50
Nov 1/2022	EH	email opposing counsel with list of issues for call	0.10
Nov 16/2022	EH	review Defendants' responses to third discovery requests	0.40
Nov 16/2022	EH	emails with opposing counsel about discovery	0.10
Nov 23/2022	EH	draft Rule 30(b)(6) notice; email to opposing counsel	0.50
Nov 29/2022	EH	draft and send amended Rule 30(b)(6) notice	0.20
Dec 9/2022	EH	legal research related to [REDACTED]	2.20
Dec 12/2022	EH	case planning call with co-counsel	1.00
Dec 13/2022	EH	multiple emails with Dr. Fox about [REDACTED]	0.20
Dec 14/2022	EH	draft and send email case planning update to clients	0.40
Dec 15/2022	EH	multiple emails to opposing counsel about outstanding discovery	0.20
Dec 21/2022	EH	review discovery produced by defendants and first supplemental response to discovery	4.30
Dec 22/2022	EH	prepare for deposition of Jessica Hamp; review discovery and prepare exhibits	4.40
Dec 23/2022	EH	prepare for and participate in deposition of Jessica Hamp; email co-counsel about deposition	6.70
Jan 4/2023	EH	review deposition transcript of Hamp for class certification brief	1.00
Jan 9/2023	EH	work with Dr. Fox to [REDACTED]	1.10
Jan 10/2023	EH	review and edit Hamburger decl with other counsels' experience	0.50
Jan 10/2023	EH	draft and edit class certification motion; conduct legal research related to class certification	2.70
Jan 10/2023	EH	work with clients to [REDACTED]; edit class certification motion	2.10

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Jan 11/2023	EH	draft and edit class certification motion; conduct legal research related to class certification; draft Hamburger Decl; gather exhibits to Hamburger declaration; send class certification draft to clients to review	7.30
Jan 11/2023	EH	email with opposing counsel about process to seal/redact exhibits, and which exhibits must be filed under seal	0.20
Jan 11/2023	EH	email opposing counsel about additional depositions required	0.10
Jan 12/2023	EH	draft, edit and finalize class certification motion, placeholder seal/redact motion, declarations, and proposed order	4.60
Jan 16/2023	EH	email with opposing counsel about briefing schedule	0.10
Jan 16/2023	EH	email with client about [REDACTED]	0.10
Jan 16/2023	EH	forward SDT to Frank Fox	0.10
Jan 19/2023	EH	email with opposing counsel re: SDT to Dr. Fox	0.10
Jan 19/2023	EH	draft letter in response to SDT for Dr. Fox; confer with co-counsel	1.10
Jan 19/2023	EH	call with opposing counsel about extension for class certification briefing; review motion; email opposing counsel to confirm	0.50
Jan 27/2023	EH	prepare Dr. Fox documents for disclosure; gather emails, review and redact for production	1.10
Jan 30/2023	EH	emails with clients about [REDACTED]	0.20
Jan 30/2023	EH	email with opposing counsel re: information regarding Dr. Fox's analysis for numerosity	0.10
Jan 30/2023	EH	gather emails, review and redact document for document production related to Dr. Fox's numerosity analysis	1.30
Feb 3/2023	EH	gather documents to produce related to SDT regarding Dr. Fox	2.80
Feb 21/2023	EH	email opposing counsel about deposition dates	0.20
Feb 21/2023	EH	forward sources of data to Dr. Fox	0.20
Feb 21/2023	EH	review Kaiser's opposition to class certification	0.50
Feb 21/2023	EH	email Dr. Lin to schedule call about [REDACTED]	0.10
Feb 21/2023	EH	call with Dr. Fox and Hunter Plummer [REDACTED]	1.00
Feb 22/2023	EH	email Dr. Fox with declaration of Jodi Russell	0.10
Feb 23/2023	EH	call with Frank Lin and co-counsel about [REDACTED]	1.00
Feb 23/2023	EH	email opposing counsel about issues with Rule 30(b)(6) testimony	0.30
Feb 27/2023	EH	draft and edit reply brief; conduct legal research related to reply brief	4.40
Feb 28/2023	EH	multiple emails with co-counsel regarding expert witnesses	0.20
Mar 1/2023	EH	draft and edit reply brief; conduct legal research related to reply brief	3.20
Mar 2/2023	EH	draft and edit reply brief; conduct legal research related to reply brief	5.80
Mar 2/2023	EH	gather and send background information to Dr. Lin	0.20

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Mar 3/2023	EH	draft, edit and finalize reply brief on class certification	4.60
Mar 3/2023	EH	multiple emails with opposing counsel about briefing schedule and expert witness deadlines	0.20
Mar 3/2023	EH	email with Dr. Lin for stipulated protective order Appendix A	0.20
Mar 6/2023	EH	multiple emails with clients to schedule meeting on discovery issues; forward first discovery requests to clients	0.30
Mar 6/2023	EH	email and call with opposing counsel about motion to seal/redact	0.40
Mar 8/2023	EH	review draft deposition notice	0.10
Mar 8/2023	EH	review draft stipulation re: pre-trial depositions	0.20
Mar 9/2023	EH	multiple emails with opposing counsel to schedule depositions	0.20
Mar 10/2023	EH	multiple emails with opposing counsel about document production	0.20
Mar 10/2023	EH	draft Plaintiffs' fourth discovery responses; finalize and send to opposing counsel	1.10
Mar 13/2023	EH	email with opposing counsel about topics on covered entities	0.20
Mar 14/2023	EH	multiple emails with co-counsel about [REDACTED]	0.30
Mar 14/2023	EH	call with co-counsel [REDACTED]	0.60
Mar 15/2023	EH	email opposing counsel about plan to amend complaint to include disparate impact	0.10
Mar 15/2023	EH	draft Fifth Amended Complaint to send to opposing counsel for review	0.50
Mar 22/2023	EH	multiple emails regarding potential experts	0.30
Mar 23/2023	EH	case planning call with co-counsel	1.00
Mar 29/2023	EH	draft and edit Fifth Amended Complaint in redline; email to staff	1.80
Mar 29/2023	EH	draft motion to amend, declaration of Hamburger and pull exhibits	4.60
Mar 29/2023	EH	email various professors re: expert witness testimony	0.20
Mar 30/2023	EH	multiple emails with various professors and attorneys from DREDF regarding expert witness testimony	0.50
Mar 31/2023	EH	draft, edit and finalize motion for leave to file fifth amended complaint and related documents	4.30
Mar 31/2023	EH	email opposing counsel for an extra week to respond to discovery	0.10
Mar 31/2023	EH	multiple emails with clients about [REDACTED]	0.20
Apr 3/2023	EH	call with Sara Rosenbaum re: expert testimony; email follow up about retaining her as a consulting expert	0.50
Apr 4/2023	EH	email with co-counsel regarding [REDACTED]	0.10
Apr 4/2023	EH	email with Dr. Fox about [REDACTED]	0.10
Apr 4/2023	EH	review discovery; draft notes and questions for Porter deposition	4.80

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Apr 4/2023	EH	call with Professor Blake about being an expert; email with co-counsel about Professor Blake	0.50
Apr 5/2023	EH	multiple emails to clients regarding [REDACTED]	0.50
Apr 5/2023	EH	prepare for and participate in Porter deposition	3.30
Apr 6/2023	EH	draft and edit discovery responses; circulate to co-counsel to review and edit; gather documents to produce in response to first discovery requests	2.20
Apr 6/2023	EH	email opposing counsel re: March 31, 2023 document production	0.10
Apr 6/2023	EH	email with Andrea Schmitt re: [REDACTED]	0.20
Apr 7/2023	EH	review discovery to be produced; redact discovery; draft, edit and finalize discovery responses to first discovery requests	5.20
Apr 7/2023	EH	email with Sara Rosenbaum	0.10
Apr 7/2023	EH	draft outline of Blake report; email to Professor Blake	0.50
Apr 10/2023	EH	review Kaiser's opposition to motion to amend; email with co-counsel about briefing	0.50
Apr 10/2023	EH	review discovery; prepare exhibits and questions for Russell deposition; circulate deposition notes to co-counsel	4.60
Apr 10/2023	EH	email with Professors Pendo, Blake and Rosenbaum to schedule time to talk together	0.10
Apr 11/2023	EH	call with opposing counsel; review and confirm follow up email re: postponing certain depositions	0.50
Apr 11/2023	EH	provide documents to Professor Pendo to review	0.10
Apr 11/2023	EH	prepare for and participate in Russell Deposition; draft summary of testimony to co-counsel	4.00
Apr 11/2023	EH	email with Dr. Fox about [REDACTED]	0.10
Apr 11/2023	EH	email with Dr. Lin about [REDACTED]	0.10
Apr 11/2023	EH	email with opposing counsel about SDTs to clients' audiologists and deposition dates	0.10
Apr 11/2023	EH	email Pendo to sign Appendix A to protective order	0.10
Apr 11/2023	EH	multiple emails with clients and opposing counsel to schedule depositions	0.30
Apr 12/2023	EH	draft and edit reply brief in support of motion to amend; draft Hamburger Decl. conduct legal research related to motion to amend	4.70
Apr 12/2023	EH	review initial disclosures; email opposing counsel to supplement	0.50
Apr 13/2023	EH	multiple emails with opposing counsel and clients to schedule depositions	0.20

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Apr 13/2023	EH	draft and send email to opposing counsel about documents to be filed with reply briefing and whether they are confidential	0.30
Apr 14/2023	EH	draft, edit and finalize reply in support of motion to amend Hamburger Decl and Stipulated motion to seal/redact	5.30
Apr 17/2023	EH	draft supplemental amended Initial Disclosures	0.80
Apr 17/2023	EH	forward to Frank Fox [REDACTED] [REDACTED]	0.20
Apr 17/2023	EH	forward deposition notices to clients	0.10
Apr 17/2023	EH	forward to experts various documents including the Appendix A to the Protective Order	0.20
Apr 17/2023	EH	email with opposing counsel re: population data for 2020	0.10
Apr 17/2023	EH	call with Professors Pendo, Blake and Rosenbaum about expert witness reports	1.00
Apr 18/2023	EH	multiple emails with clients regarding [REDACTED] [REDACTED]	0.30
Apr 18/2023	EH	email with staff to create chart of all expenses related to OL via claims history	0.10
Apr 18/2023	EH	email with Andrea Schmitt re: [REDACTED]	0.10
Apr 18/2023	EH	discovery conference with opposing counsel; email list of discovery issues to opposing counsel	0.50
Apr 19/2023	EH	multiple emails with clients [REDACTED] [REDACTED]	1.10
Apr 19/2023	EH	email with opposing counsel re: deposition of Michelle Eager and Benjamin Gilham	0.10
Apr 19/2023	EH	call with opposing counsel re: discovery dispute	1.00
Apr 19/2023	EH	respond to email from opposing counsel re: discovery dispute	0.10
Apr 20/2023	EH	draft supplemental answers to defendants'first Interrogatories; email to clients for their review	2.80
Apr 20/2023	EH	email with Dr. Fox to schedule time to meet on expert witness report	0.10
Apr 20/2023	EH	email with Dr. Lin to schedule time to meet on expert witness report	0.10
Apr 20/2023	EH	deposition prep for Andrea Schmitt deposition	1.50
Apr 21/2023	EH	email with opposing counsel about supplemental answers to discovery	0.50
Apr 21/2023	EH	draft and finalize fifth discovery to send to Kaiser	0.50
Apr 21/2023	EH	call with Dr. Lin about expert report; email information disclosures required by federal civil rules	1.00

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Apr 21/2023	EH	forward Susan Porter deposition to Dr. Lin	0.10
Apr 21/2023	EH	email with client about [REDACTED]	0.20
Apr 21/2023	EH	edit Dr. Lin outline to his expert report; provide additional discovery to Dr. Lin for his report	0.50
Apr 21/2023	EH	email opposing counsel about additional depositions	0.10
Apr 25/2023	EH	participation in deposition of Andrea Schmitt	3.70
Apr 25/2023	EH	review documents to be used in Schmitt deposition	0.30
Apr 26/2023	EH	forward audiological documents to Dr. Lin for review	0.20
Apr 26/2023	EH	email with Dr. Lin [REDACTED]	0.10
May 3/2023	EH	case planning with co-counsel	0.50
May 3/2023	EH	email with opposing counsel re: outstanding discovery	0.20
May 4/2023	EH	legal research related to EHB anti-discrimination regulations; forward findings to co-counsel	2.20
May 5/2023	EH	draft and edit MPSJ re 48.43.0128	4.40
May 5/2023	EH	forward [REDACTED] to expert	0.30
May 5/2023	EH	confer with experts Rosenbaum, Pendo and Blake about reports	1.00
May 8/2023	EH	deposition prep of Mohundro	1.50
May 8/2023	EH	forward [REDACTED] to Mohundro for her review	0.10
May 8/2023	EH	forward [REDACTED] to client for her review	0.10
May 9/2023	EH	review and edit Frank Fox draft report	1.30
May 9/2023	EH	review and edit reports of Pendo, Blake and Lin; email with co-counsel about reports	2.10
May 9/2023	EH	email with Dr. Lin about [REDACTED]	0.10
May 9/2023	EH	email with staff to provide [REDACTED] to clients to review	0.10
May 9/2023	EH	deposition prep for J.L.	2.00
May 9/2023	EH	meet with Dr. Lin about [REDACTED]	1.00
May 9/2023	EH	call with Professor Blake [REDACTED]	0.50
May 10/2023	EH	review and edit drafts of expert witness reports; email with co-counsel about [REDACTED]; multiple emails with experts about [REDACTED]	3.20
May 10/2023	EH	call with Elizabeth Pendo re: [REDACTED]	0.40
May 10/2023	EH	confer with clients; produce additional discovery to defendants about O.L.'s Kaiser enrollment	0.30
May 11/2023	EH	review edit and finalize expert witness reports and disclosure information; multiple emails with experts and staff about same	2.10
May 11/2023	EH	email with client re: [REDACTED]	0.10

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May 11/2023	EH	forward Kaiser's second supplemental response to Frank Fox	0.10
May 11/2023	EH	forward edits to Fox report to Frank Fox	0.10
May 11/2023	EH	prepare for and participate in deposition of J.L.	3.20
May 12/2023	EH	draft email to opposing counsel about expert disclosures	0.20
May 12/2023	EH	review, edit and finalize expert witness reports and disclosure information; multiple emails with experts and staff about same	4.30
May 12/2023	EH	prepare for and participate in deposition of Mohundro	3.00
May 15/2023	EH	email with co-counsel about [REDACTED]	0.20
May 15/2023	EH	email with Frank Lin and Frank Fox about [REDACTED]	0.10
May 15/2023	EH	forward to all experts a copy of their report and of Kaiser's expert report	0.10
May 16/2023	EH	work with staff to produce all documents cited by expert witnesses	0.30
May 17/2023	EH	review discovery; draft supplemental answers to first discovery requests; work with staff to finalize	2.20
May 17/2023	EH	review second discovery requests from defendants; forward to clients	0.10
May 17/2023	EH	review and prepare additional documents relied upon by experts for production	1.10
May 18/2023	EH	respond to questions about document production from opposing counsel	0.10
May 19/2023	EH	email clients [REDACTED]	0.10
May 19/2023	EH	email with co-counsel about MPSJs	0.10
May 19/2023	EH	call with Frank Fox and Frank Lin re: [REDACTED]	0.50
May 22/2023	EH	draft and edit MPSJ re 48.43.0128; email to co-counsel	4.40
May 22/2023	EH	email opposing counsel re: rescheduling Eager deposition	0.10
May 22/2023	EH	multiple mails with clients and staff about corrections to L [REDACTED] and Mohundro deposition transcripts	0.30
May 23/2023	EH	multiple emails with staff and opposing counsel to reschedule deposition of Michelle Eager	0.20
May 23/2023	EH	forward data analysis methodology from Dr. Fox to opposing counsel	0.30
May 23/2023	EH	review discovery responses from Kaiser; email Kaiser for discovery conference	0.50
May 23/2023	EH	review and forward for labelling document production from clients	0.50
May 23/2023	EH	call with clients about [REDACTED]	0.50
May 24/2023	EH	work with staff to finalize Dr. Lin's expert report	0.20
May 24/2023	EH	discovery conference with opposing counsel re: failure to respond about non-grandfathered plans	0.50

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May 25/2023	EH	draft Hamburger Declaration in support of MPSJ re 48.43.0128;gather exhibits for the declaration; email to staff about finalizing	3.20
May 26/2023	EH	review discovery produced by clients; work with staff on labelling	3.30
May 26/2023	EH	email with opposing counsel staff and current staff about inadvertently produced documents	0.20
May 26/2023	EH	draft and finalize declaration for Dr. Lin	0.20
May 26/2023	EH	draft and edit MPSJ re 48.43.0128; circulate to cocounsel for review	2.80
May 26/2023	EH	produce "R scripts" from Dr. Fox to opposing counsel	0.10
May 30/2023	EH	draft and edit MPSJ re RCW 48.43.0128; conduct legal research related to briefing; gather and mark exhibits for motion	5.70
May 30/2023	EH	email opposing counsel about use of documents labelled confidential	0.20
May 30/2023	EH	email with client re: [REDACTED]	0.20
May 31/2023	EH	draft and edit MPSJ re; RCW 48.43.0128; email draft to clients for review	7.70
May 31/2023	EH	draft and send multiple emails to opposing counsel re: motions to seal/redact and confidential documents	0.40
Jun 1/2023	EH	review, edit, finalize and file MPSJ, and proposed order re: RCW 48.43.0128; email to OIC staff and experts	6.10
Jun 1/2023	EH	multiple emails with opposing counsel regarding production of "R files" for Dr. Fox	0.30
Jun 5/2023	EH	multiple emails with opposing counsel re: mediation dates	0.10
Jun 6/2023	EH	call with Frank Lin re: [REDACTED]	0.50
Jun 6/2023	EH	email with clients about [REDACTED]	0.20
Jun 6/2023	EH	draft summary of conversation and notes from previously regarding Carr Rebuttal report	0.50
Jun 7/2023	EH	email with opposing counsel re: discovery	0.10
Jun 7/2023	EH	draft and send stipulation regarding settlement conference deadline	0.30
Jun 8/2023	EH	confer with clients [REDACTED]	0.60
Jun 8/2023	EH	email with opposing counsel about mediation	0.10
Jun 9/2023	EH	email with mediator's staff to confirm mediation	0.10
Jun 9/2023	EH	work with staff and Dr. Lin to edit and finalize his rebuttal report	1.10
Jun 12/2023	EH	review rebuttal reports from defendants; email with co-counsel about rebuttal reports; forward rebuttal reports to expert witnesses	0.60
Jun 12/2023	EH	finalize stipulation re: settlement conference deadline	0.20
Jun 15/2023	EH	multiple emails with client regarding [REDACTED]	0.20

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Jun 15/2023	EH	review and redact discovery production to defendants; draft and edit responses to discovery; email with clients about [REDACTED]; draft cover email to opposing counsel about discovery	3.20
Jun 15/2023	EH	email with opposing counsel re: outstanding discovery from defendants	0.20
Jun 16/2023	EH	call with co-counsel [REDACTED]	0.40
Jun 16/2023	EH	email opposing counsel about depositions of Scott and Carr	0.10
Jun 21/2023	EH	review notices of depositions and SDTs from staff	0.20
Jun 21/2023	EH	multiple emails with opposing counsel about depositions and briefing schedule	0.30
Jun 21/2023	EH	call with opposing counsel about expert depositions and briefing schedule	0.50
Jun 21/2023	EH	draft and send email to Frank Lin about [REDACTED]	0.10
Jun 21/2023	EH	draft stipulation and proposed briefing schedule; email to opposing counsel	0.40
Jun 22/2023	EH	multiple emails with opposing counsel re: expert witness depositions and scheduling	0.30
Jun 22/2023	EH	revise draft stipulation and briefing schedule; email to opposing counsel	0.20
Jun 22/2023	EH	multiple emails with Dr. Lin re: [REDACTED]	0.20
Jun 23/2023	EH	case planning with co-counsel; draft and send summary of next steps to co-counsel	0.60
Jun 23/2023	EH	forward notice of SDT and deposition to Dr. Lin	0.10
Jun 23/2023	EH	review and redact responsive documents to Defendants second discovery requests	1.80
Jun 23/2023	EH	email with opposing counsel re: Defendants' second discovery requests	0.20
Jun 23/2023	EH	email with client regarding [REDACTED]	0.10
Jun 23/2023	EH	research related to ERISA question regarding RCW 48.43.0128	1.10
Jun 23/2023	EH	email with opposing counsel to schedule Scott deposition	0.10
Jun 26/2023	EH	respond to questions from co-counsel about initial and supplemental disclosures and discovery	0.20
Jun 26/2023	EH	review response filed by Kaiser to MPSJ re: 48.43.0128; answer questions from co-counsel	0.50
Jun 26/2023	EH	review recently produced discovery from Kaiser	2.20
Jun 26/2023	EH	forward Zoom information for Lin deposition to Dr. Lin	0.10
Jun 26/2023	EH	email with opposing counsel about mediation	0.10

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Jun 27/2023	EH	email with opposing counsel re: Kirangi SDT	0.10
Jun 27/2023	EH	review 9th Circuit briefing for MPDJ re 1557	0.50
Jun 27/2023	EH	email opposing counsel re: Cheryl Miller deposition	0.10
Jun 27/2023	EH	email with Elizabeth Pendo	0.10
Jun 27/2023	EH	prepare for and participate in deposition of Michelle Eager; email co-counsel with [REDACTED] email additional exhibits to staff to distribute to opposing counsel and witness	4.80
Jun 28/2023	EH	email with co-counsel about [REDACTED]	0.10
Jun 28/2023	EH	review documents for Lin deposition prep; forward documents to Dr. Lin for deposition prep	0.50
Jun 28/2023	EH	email with client about [REDACTED]	0.20
Jun 29/2023	EH	review discovery and prepare for depositions of Kirangi and Scott; prepare exhibits for depositions	5.50
Jun 29/2023	EH	review email from opposing counsel re: mediation; email with co-counsel about mediation	0.10
Jun 30/2023	EH	prepare for and participate in deposition of Amanda Kirangi	3.30
Jun 30/2023	EH	prepare for and participate in deposition of Amanda Kirangi	2.20
Jun 30/2023	EH	gather and review documents responsive to Lin SDT	2.10
Jul 2/2023	EH	draft and edit motion for partial summary judgment re: 1557; conduct legal research related to briefing	5.50
Jul 3/2023	EH	prepare for and participate in deposition prep for Frank Lin	2.00
Jul 3/2023	EH	draft and edit motion for partial summary judgment re: 1557; conduct legal research related to briefing	5.60
Jul 3/2023	EH	review and redact production for Lin SDT; email with opposing counsel re: production	1.80
Jul 5/2023	EH	participate in deposition of Frank Lin	2.40
Jul 5/2023	EH	confer with Dr. Lin about [REDACTED]	0.50
Jul 5/2023	EH	prepare for Scott Carr deposition; review discovery related to Scott Carr	3.30
Jul 6/2023	EH	participate in Scott Carr deposition	2.70
Jul 6/2023	EH	prepare for Scott Carr deposition	1.10
Jul 6/2023	EH	draft and edit motion for partial summary judgment re: 1557; conduct legal research related to motion	9.10
Jul 7/2023	EH	participate in deposition of Benjamin Gilham	1.20
Jul 7/2023	EH	draft proposed order; draft and edit motion for partial summary judgment re: 1557; review and finalize motion for filing contemporaneous Summary Judgment briefs	5.70

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Jul 9/2023	EH	email with Andrea Schmitt about [REDACTED]	0.10
Jul 10/2023	EH	case planning emails with Daniel Gross and with staff; forward cross motions on summary judgment to experts and clients; confer with Daniel Gross about Daubert motions; review praecipe put together by staff; email with staff	1.20
Jul 11/2023	EH	draft response to summary judgment; conduct related legal research; review email from co-counsel and respond	5.00
Jul 12/2023	EH	draft opposition/reply brief; conduct related research; confer with co-counsel about briefing	6.50
Jul 13/2023	EH	email with clients about [REDACTED]; draft opposition/reply brief; conduct related research; respond to email from opposing counsel about mediation	6.30
Jul 14/2023	EH	draft opposition/reply brief; conduct legal research; draft Hamburger Declaration in support	6.30
Jul 14/2023	EH	draft and edit mediation letter; email opposing counsel about motion to seal/redact	1.50
Jul 16/2023	EH	draft and edit opposition/reply; complete all citations; email to co-counsel	8.20
Jul 16/2023	EH	draft and edit mediation letter; email to Rick Spoonemore	1.10
Jul 17/2023	EH	email clients about [REDACTED]; email expert Dr. Lin [REDACTED]; [REDACTED]; email with client about [REDACTED]; [REDACTED]; forward documents to staff to be labelled	0.90
Jul 17/2023	EH	review and finalize mediation brief; forward to clients; review, edit and finalize opposition/reply brief; forward to clients and experts; review Kaiser's mediation brief; forward to clients	3.20
Jul 18/2023	EH	email with staff; draft cover email for production of Schmitt discovery; respond to email from opposing counsel about discovery	0.40
Jul 19/2023	EH	forward signed mediation agreement to mediator; edit and draft opposition brief re Daubert motion; spot legal research related to brief; email Dr. Lin to schedule call for declaration	3.10
Jul 20/2023	EH	email with clients; participate in mediation and drafting CR 2A agreement	9.80
Jul 20/2023	EH	draft update to clients [REDACTED]	0.50
Jul 21/2023	EH	email mediator	0.10

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Date	Lwyr	Explanation	Hours
Jul 25/2023	EH	email with potential claims administrator about settlement; call with Jane Beyer about settlement and implementation; confer with Rick Spoonemore on revision to CR 2A; review and edit second CR 2A offer; email with clients about [REDACTED]	1.70
Aug 2/2023	EH	email with possible claims administrator	0.10
Aug 3/2023	EH	review counterproposal from Kaiser; confer with Rick Spoonemore: draft new proposal; email clients [REDACTED]; answer questions from clients	2.60
Aug 4/2023	EH	emails with clients about [REDACTED]	0.20
Aug 30/2023	EH	review Third CR 2 A agreement; email with Rick Spoonemore	0.50
Aug 31/2023	EH	confer with Rick Spoonemore about settlement negotiations	0.20
Sep 5/2023	EH	email with client about [REDACTED]; call with client about [REDACTED]; emails with remaining clients about [REDACTED]	1.10
Sep 11/2023	EH	emails with client about [REDACTED]	0.30
Sep 13/2023	EH	review edits to CR 2A; email with client about [REDACTED]	0.50
Sep 15/2023	EH	email clients with [REDACTED]	0.50
Sep 18/2023	EH	email clients and experts about [REDACTED]	0.50
Sep 25/2023	EH	email opposing counsel about co-counsel's death; review notice of withdrawal	0.30
Sep 27/2023	EH	draft long-form agreement; email to co-counsel	4.60
Oct 26/2023	EH	review and edit long-form agreement	1.70
Oct 26/2023	EH	call with Rick Spoonemore about long form agreement; confer with Daniel Gross about motion for preliminary approval	0.70
Oct 30/2023	EH	email opposing counsel about outreach to the court for additional time to file motion for preliminary approval; draft motion for settlement class certification and draft notice package	6.30
Oct 31/2023	EH	draft and edit Motion for Settlement Class Certification and proposed order; circulate to co-counsel	2.20
Oct 31/2023	EH	draft class notice package and circulate to co-counsel; email with WASH-CAP attorney	4.70
Nov 1/2023	EH	edit Motion for preliminary approval; conduct legal research related to motion	2.70
Nov 2/2023	EH	email with co-counsel and opposing counsel about cy pres designation; edit long-form agreement to modify cy pres designation	0.40
Nov 15/2023	EH	email with opposing counsel about finalizing the long-form settlement agreement; email with the Court regarding same	0.20

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Nov 21/2023	EH	email with Wash-CAP attorney about cy pres; send email to clients with long-form agreement for their signature; respond to question	0.70
Nov 27/2023	EH	send follow up emails to clients for signed agreement	0.30
Dec 5/2023	EH	review and edit motion for preliminary approval	2.60
Dec 6/2023	EH	compile signatures and email to opposing counsel	0.30
Dec 11/2023	EH	review order; email with co-counsel and opposing counsel; draft motion for clarification	2.80
Dec 12/2023	EH	legal research related to motion for clarification; draft and edit motion for clarification and proposed order; sent to opposing counsel for review	3.80
Jan 2/2024	EH	email opposing counsel about CAFA notice	0.10
Jan 9/2024	EH	email with claims administrator about website	0.10
Jan 12/2024	EH	email with claims administrator about notice package	0.20
Jan 18/2024	EH	forward medical records to client	0.20
Jan 31/2024	EH	respond to question from Claims Administrator	0.10
Feb 19/2024	EH	email with attorney from Wash-CAP	0.10
Feb 21/2024	EH	email with clients about class notice	0.10
Feb 22/2024	EH	respond to emails from class members	0.50
Feb 27/2024	EH	respond to emails from clients about claims process; outline motion for fees; confer with Daniel Gross about motion	1.70
Mar 1/2024	EH	review and edit Motion for fees	1.10
TOTAL EH TIME			901.40

Oct 22/2019	AM	review briefs and Doe v. BlueCross for supplemental briefing	1.70
Oct 23/2019	AM	review briefing and research on [REDACTED]	5.00
Oct 24/2019	AM	work on briefing regarding [REDACTED] and legal research re: [REDACTED]	2.75
Oct 25/2019	AM	draft section of Ninth Circuit brief re: [REDACTED]	3.35
Oct 28/2019	AM	revise brief re: [REDACTED]	0.90
Nov 5/2019	AM	participate in moot court	0.75
TOTAL AEM TIME			14.45

Dec 7/2022	DSG	Email with E. Hamburger re discovery review	0.10
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Date	Lwyr	Explanation	Hours
Dec 8/2022	DSG	Email exchange with E. Hamburger re [REDACTED] [REDACTED]. Review discovery and create spreadsheet re same.	1.80
Dec 12/2022	DSG	Review discovery and enter descriptions in spreadsheet	1.90
Dec 13/2022	DSG	Edit discovery spreadsheet; email to E. Hamburger with cover message	0.50
Dec 13/2022	DSG	Email with E. Hamburger re drafting class cert motion; research re same	0.90
Dec 14/2022	DSG	Talk with E. Hamburger briefly re [REDACTED] [REDACTED]. Review discovery to confirm. [REDACTED] [REDACTED]. Email exchange with E. Hamburger re [REDACTED]	1.40
Dec 14/2022	DSG	Email exchange between E. Hamburger and client A. Schmitt re case status and next steps [REDACTED]); email exchange between co-counsel E. Hamburger and J. Waldo re [REDACTED] [REDACTED]	0.20
Dec 15/2022	DSG	Email with E. Hamburger re partial response to discovery request. [REDACTED] [REDACTED] [REDACTED]	0.40
Dec 19/2022	DSG	Review supplemental discovery sent by Kaiser	0.20
Dec 30/2022	DSG	Brief review of Hamp dep. transcript	0.30
Jan 3/2023	DSG	Review and take notes on 30b6 J. Hamp deposition and associated exhibits	5.30
Jan 3/2023	DSG	Review filing of Stip. Motion in ECF and email from SYSH support staff with proposed order	0.10
Jan 3/2023	DSG	email exchange between court rep T. Campbell and counsel re Judge scheduling status conference following day; read ECF message re same	0.10
Jan 3/2023	DSG	email between. E. Hamburger and F. Fox re [REDACTED]	0.10
Jan 4/2023	DSG	Research and draft class certification motion	3.70
Jan 5/2023	DSG	Schedule call with E. Hamburger and F. Fox for following day; email exchange about nature of retention	0.10
Jan 5/2023	DSG	Draft declarations for named AM, EM, JL and KL; email to E. Hamburger	0.70
Jan 5/2023	DSG	Research and draft class certification motion; multiple emails and direct communication with E. Hamburger re same	2.90

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Jan 6/2023	DSG	Teams meeting with F. Fox and H. Plumer and E. Hamburger to discuss declaration	0.30
Jan 6/2023	DSG	Review and OK draft Fox declaration; email exchange with E. Hamburger re same	0.20
Jan 6/2023	DSG	research and draft class cert. motion	4.30
Jan 7/2023	DSG	research, draft and edit class cert. motion	0.80
Jan 8/2023	DSG	Research and draft class cert. motion	2.30
Jan 9/2023	DSG	Edit class cert. motion; send to E. Hamburger for review; Draft declaration for E. Hamburger iso class cert. motion	1.60
Jan 10/2023	DSG	Review Frank. Fox Decl. iso Class Cert. motion. and related email exchange between E. Hamburger and Frank. Fox; Edit E. Hamburger Decl. and send to her with notes; send two iterations, second with additional edits; Review and edit draft class cert. motion	1.60
Jan 11/2023	DSG	Review J. Waldo proposed edits to declaration; review J. Waldo proposed edits to Class Cert. Mtn.; review email exchange between E.H. and M.M. re motion to seal; review and research class cert. motion; share with co-counsel; review email between E.H. and Frank Fox with CV; review email between E.H. and M.M. re motion to seal	1.00
Jan 12/2023	DSG	Review email between E.H. and M.M. re motion to seal	0.10
Jan 12/2023	DSG	Review Notice of Appearance draft; review ECF filings as received	0.20
Jan 17/2023	DSG	Review email between M. Marisseau and E. Hamburger re rescheduling response on class cert motion; email to E. Hamburger re same	0.20
Jan 18/2023	DSG	Review email exchange between E.H. and opposing counsel re extension of deadline for payment of claims	0.20
Jan 19/2023	DSG	Review and edit draft motion for final approval; email exchange with E. Hamburger re same	0.70
Jan 19/2023	DSG	Draft Proposed Order for final approval; email exchange with E. Hamburger re same. Draft E. Hamburger Decl. iso motion for final approval; email exchange with E. hamburger re same. Note ECF filing of unopposed motion re extension of time and Notice of renoting motions; proposed orders sent by opposing counsel's legal assistant.	2.00
Jan 30/2023	DSG	Review P document production to Defendants	0.40
Jan 30/2023	DSG	Email exchange between co-counsel and M.M. re document production	0.10
Feb 1/2023	DSG	Research MSJ	2.30
Feb 3/2023	DSG	Review discovery production to opposing counsel	0.10

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Feb 10/2023	DSG	Research MSJ; email with co-counsel E. Hamburger re same	0.50
Feb 13/2023	DSG	Research MSJ	2.40
Feb 14/2023	DSG	Research MSJ; email with co-counsel E. Hamburger re same	1.30
Feb 15/2023	DSG	Prep for and call with E. Hamburger re MSJ; follow up email with E. Hamburger and research re same.	2.10
Feb 15/2023	DSG	Email exchange with co-counsel Waldo re [REDACTED].	0.20
Feb 16/2023	DSG	Review email between F. Fox and E. Hamburger re [REDACTED]	0.10
Feb 16/2023	DSG	Research MSJ; create outline for [REDACTED]; discuss same with E. Hamburger	2.90
Feb 17/2023	DSG	Research MSJ	0.30
Feb 20/2023	DSG	Research MSJ	0.50
Feb 21/2023	DSG	Teams meeting with co-counsel, F. Fox and H. Plumer	0.50
Feb 21/2023	DSG	Email exchange with co-counsel re [REDACTED]	0.20
Feb 21/2023	DSG	Email exchange between co-counsel and expert F. Lin	0.10
Feb 21/2023	DSG	Review email from E. Hamburger re fiscal [REDACTED]	0.20
Feb 22/2023	DSG	Review and respond to email re scheduling call with expert F. Lin	0.10
Feb 22/2023	DSG	Review co-counsel J. Waldo's notes on [REDACTED]	0.10
Feb 22/2023	DSG	Follow email between co-counsel and opposing counsel re discovery	0.10
Feb 23/2023	DSG	Email between co-counsel re [REDACTED]	0.10
Feb 23/2023	DSG	Follow email between co-counsel and opposing counsel re discovery issues	0.10
Feb 23/2023	DSG	Prep for and have Teams meeting with expert F. Lin and co-counsel; follow up email from same	0.70
Feb 23/2023	DSG	Review Nelner declaration pages	0.10
Feb 27/2023	DSG	Brief review of draft reply on class certification; email from co-counsel re same	0.20
Feb 28/2023	DSG	Email between co-counsel re [REDACTED]	0.10
Feb 28/2023	DSG	Research and edit reply on motion for class certification	4.50
Mar 3/2023	DSG	Research MPSJ - [REDACTED]	2.50
Mar 3/2023	DSG	Review email exchange between co-counsel and expert F. Lin and documents sent to Lin for review	0.20
Mar 3/2023	DSG	Email exchange between co-counsel and opposing counsel re deposition dates	0.10
Mar 3/2023	DSG	Note ECF filing of reply on class certification motion	0.10

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Mar 6/2023	DSG	Research MPSJ - [REDACTED]; email exchange with E. Hamburger re same	1.60
Mar 6/2023	DSG	Review Kaiser discovery requests; email from co-counsel to clients re same	0.50
Mar 6/2023	DSG	Email exchange between co-counsel and opposing counsel re sealing documents - agreement re sealing of class certification docs; receive and review filing re same from opposing counsel	0.50
Mar 7/2023	DSG	Email exchange with E. Hamburger re [REDACTED]	0.10
Mar 7/2023	DSG	Review, research and comment on [REDACTED] F. Lin; send to E. Hamburger	0.80
Mar 8/2023	DSG	Email exchange with E. Hamburger re [REDACTED]; follow email between E. Hamburger and M. Marisseau re dates for deponents and stipulated motion to extend dates; Email exchange with E. Hamburger re [REDACTED]; Email exchange between co-counsel re [REDACTED]	0.70
Mar 9/2023	DSG	Call and left voicemail for [REDACTED]; Research on [REDACTED] Email confirmation of dep dates from M.M.	0.90
Mar 10/2023	DSG	Note email between co-counsel and opposing counsel and ECF filing of stipulation re dates Review [REDACTED] case Email from E. Hamburger to experts discussing [REDACTED] email between E. Hamburger and M. Marisseau re 30b6 dep who can address issues that Hamp could not (e.g., re Kaiser NW and Kaiser Inc., Medical Policy Committee, and MedTech. Committee.) Review P's 4th Discovery request to Kaiser	0.90
Mar 13/2023	DSG	Consult with co-counsel [REDACTED] Prep for and have call with Diedesch attys and co-counsel re [REDACTED] Email exchange with E. Hamburger re [REDACTED] Email from J. Waldo re [REDACTED] Review email from co-counsel with [REDACTED] t Receive by ECF Order on motion to seal and amended Order	1.40

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Date	Lwyr	Explanation	Hours
Mar 14/2023	DSG	Email exchange between co-counsel re [REDACTED] [REDACTED] Email exchange with co-counsel and experts re [REDACTED] Review, research and edit draft 5th Amended Complaint; review comments from R. Spoonemore Research MPSJ - [REDACTED]; additional legal research re [REDACTED] Email exchange between co-counsel re [REDACTED] [REDACTED]; email between experts and counsel re [REDACTED]	3.90
Mar 14/2023	DSG	Check schedule for date of call with expert Franks; email between experts and counsel re [REDACTED]	0.10
Mar 15/2023	DSG	view email from E. Hamburger to M.M. asking if Kaiser will stipulate to amendment for disparate impact; email from J. Waldo re same 2nd call and voicemail to A. Diedesch re [REDACTED] Email from co-counsel J. Waldo re [REDACTED]	0.30
Mar 16/2023	DSG	Research MPSJ - [REDACTED]; edit outline for same	0.40
Mar 17/2023	DSG	Research MPSJ [REDACTED]; Email to Dr. A. Diedesch following up on voicemail re [REDACTED] [REDACTED] Review new decision in ES v. Regence case granting motion dismiss with leave to try to amend Email from M.M. to E.H. responding to inquiry re amendment Email from Co-counsel J. Waldo re [REDACTED]	1.10
Mar 17/2023	DSG	Receive by ECF Notice of Supp. Authority from Kaiser's counsel - M. Marisseau - E.S. v. Regence	0.10
Mar 20/2023	DSG	Research MPSJ - [REDACTED]	0.90
Mar 21/2023	DSG	Research MPSJ [REDACTED]	1.30
Mar 22/2023	DSG	Edit outline for MPSJ; research, edit and draft MPSJ	2.80
Mar 22/2023	DSG	Email exchange with E. Hamburger re next steps re [REDACTED] [REDACTED] [REDACTED]	0.80
Mar 22/2023	DSG	Email to E. Hamburger re [REDACTED]	0.10

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Date	Lwyr	Explanation	Hours
Mar 23/2023	DSG	Prep for, participate in litigation discussion with co-counsel re [REDACTED] [REDACTED] debrief afterwards with E. Hamburger. Prep for and participate in case discussion with E. Hamburger Legal research re MPSJ - [REDACTED]; email exchange with co-counsel re [REDACTED] [REDACTED]. Research [REDACTED] [REDACTED] email co-counsel prior to meeting with discussion of it and proposed course of action. Call [REDACTED]; leave voicemail with call back info and reason for call - [REDACTED] [REDACTED] Email exchange with E. Hamburger re [REDACTED] [REDACTED]	3.70
Mar 24/2023	DSG	Email response from professor at WWU - A.D. - [REDACTED] [REDACTED] Email exchange with E. Hamburger re [REDACTED] [REDACTED] email exchange with E. Hamburger re [REDACTED]	0.20
Mar 27/2023	DSG	Email exchange with E. Hamburger about [REDACTED] [REDACTED] Research possible contacts at AAA [REDACTED]; email exchange with E. Hamburger re same. Call AAA; busy; call different number and transferred to Advocacy Dir. line - no answers	0.50
Mar 28/2023	DSG	Prep for and participate in case discussion with Frank Fox, Frank Lin and co-counsel. Review follow-up email from J. Waldo. Follow up with research email [REDACTED] [REDACTED]. Email from staff re [REDACTED] Review J. Waldo notes [REDACTED]	3.30
Mar 29/2023	DSG	Research MPSJ Email from F. Lin [REDACTED] [REDACTED] Email exchange with E. Hamburger and R. Spoonemore re [REDACTED] [REDACTED]	1.30
Mar 30/2023	DSG	Review final draft of 5th AC; research same [REDACTED] [REDACTED] and provide edits to draft 5th AC. Research and draft MPSJ Email exchange with E. Hamburger re [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] Receive ECF copy of motion to amend and proposed 5th AC	4.30

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Date	Lwyr	Explanation	Hours
Mar 31/2023	DSG	Email exchange with E. Hamburger re [REDACTED] Email from E. Hamburger re [REDACTED]; background research re same. Draft MPSJ	1.30
Apr 3/2023	DSG	Discussion with co-counsel E. Hamburger and potential expert S.R.; review follow-up email re same	1.10
Apr 3/2023	DSG	Discuss with E. hamburger [REDACTED]	0.20
Apr 4/2023	DSG	Additional discussion re [REDACTED] with E. Hamburger Research [REDACTED]; email with J. Varon seeking contact info Email between co-counsel and S.R. re [REDACTED] - V. Blake Review E.H. dep. prep notes; call with E. Hamburger re same	1.50
Apr 4/2023	DSG	Draft MPSJ	0.80
Apr 5/2023	DSG	Debrief with E. Hamburger re [REDACTED].	0.30
Apr 5/2023	DSG	Email with E. Hamburger re [REDACTED]. Prep for call and call to same; edit notes and inform co-counsel of content of call	0.80
Apr 5/2023	DSG	E.H. email to client [REDACTED]	0.50
Apr 5/2023	DSG	Research [REDACTED]	0.50
Apr 5/2023	DSG	[REDACTED]	0.30
Apr 6/2023	DSG	Research [REDACTED]; email with E. Hamburger; [REDACTED] Research re [REDACTED]; email exchange with co-counsel re [REDACTED] Email exchange with Co-counsel re [REDACTED]	1.70
Apr 7/2023	DSG	Review, comment on and edit discovery responses	1.40
Apr 7/2023	DSG	Review and submit edits and comments on draft Blake expert report issues	1.00
Apr 7/2023	DSG	Email exchange with co-counsel and call with E. Hamburger [REDACTED]	0.20
Apr 7/2023	DSG	Discuss upcoming deps next week and which I might cover	0.20
Apr 7/2023	DSG	Review F. Fox draft analysis of Kaiser analysis and Kaiser comments on Fox declaration.	0.40
Apr 9/2023	DSG	Prepare questions for C. Tupling deposition; consult with E. Hamburger re same.	3.30

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Date	Lwyr	Explanation	Hours
Apr 9/2023	DSG	Review J. Waldo email re [REDACTED]	0.10
Apr 10/2023	DSG	Prep for deposition with C. Tupling.	0.70
Apr 10/2023	DSG	C. Tupling deposition	1.90
Apr 10/2023	DSG	Follow-up email re [REDACTED] to co-counsel	0.10
Apr 10/2023	DSG	Discuss Nowack dep. with E. Hamburger; research [REDACTED]; email exchange with E. Hamburger re same.	1.20
Apr 10/2023	DSG	Email exchange between E. hamburger and J. Waldo re [REDACTED]	0.10
Apr 10/2023	DSG	Edit MPSJ	0.60
Apr 11/2023	DSG	Draft MPSJ re [REDACTED]	0.10
Apr 11/2023	DSG	Review email exchange between E. Hamburger and plaintiffs re [REDACTED]	0.10
Apr 11/2023	DSG	Email exchange with staff re [REDACTED]	0.10
Apr 11/2023	DSG	Email from [REDACTED]; responsive email from co-counsel E. Hamburger.	0.10
Apr 11/2023	DSG	Email exchange between co-counsel and putative expert V. Blake rescheduling call	0.10
Apr 11/2023	DSG	Email from E. Hamburger re [REDACTED]	0.10
Apr 11/2023	DSG	email exchange between F. Lin and E. Hamburger re [REDACTED]	0.10
Apr 12/2023	DSG	Review Kaiser discovery; email staff re [REDACTED]	0.20
Apr 12/2023	DSG	Email with E. Hamburger about [REDACTED]	0.10
Apr 12/2023	DSG	Email from S. Rosenbaum re availability [REDACTED]	0.10
Apr 12/2023	DSG	Review and annotate Porter Dep. transcript and associated exhibits; email to E. Hamburger	2.40
Apr 12/2023	DSG	E. Hamburger forwarded email from opposing counsel rescheduling remaining depositions scheduled that week.	0.10
Apr 12/2023	DSG	Brief review of draft reply re [REDACTED]	0.20
Apr 13/2023	DSG	Email from co-counsel J. Waldo re [REDACTED]	0.10
Apr 13/2023	DSG	Research and edit reply on motion to amend	2.80
Apr 13/2023	DSG	email from E. Hamburger with Plaintiff [REDACTED]. Responsive email from J. Waldo; and reply from E. Hamburger	0.20

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Date	Lwyr	Explanation	Hours
Apr 13/2023	DSG	email from E. Hamburger to M. Marisseau re Exh. 36.	0.10
Apr 13/2023	DSG	Receive notices of dep. of A. Schmitt and J. L. [REDACTED]	0.10
Apr 13/2023	DSG	email from E. Hamburger to M. Marisseau re motion to seal; review pleadings briefly	0.20
Apr 14/2023	DSG	Review, research and edit reply on motion to amend	5.00
Apr 14/2023	DSG	Email and call with E. Hamburger and staff to [REDACTED]	0.40
Apr 14/2023	DSG	email between E. Hamburger and Plaintiff A. Schmitt re [REDACTED]	0.10
Apr 17/2023	DSG	ECF - receive court's Order granting stipulated motion re sealing and redaction	0.10
Apr 17/2023	DSG	Review and accept calendar invitations re dep. preparation	0.10
Apr 17/2023	DSG	Receive and brief review of transcript of C. Tupling dep.	0.10
Apr 17/2023	DSG	Expert consultation with E. Pendo, V. , E. Hamburger and J. Waldo; discuss [REDACTED]	0.80
Apr 17/2023	DSG	Receive C. Tupling dep transcript	0.10
Apr 17/2023	DSG	Receive Order granting motion to seal/redact	0.10
Apr 17/2023	DSG	Email exchange between M. Marissa and E. Hamburger re E.H. inquiry concerning plan population numbers in 2020 (abnormally low)	0.10
Apr 17/2023	DSG	Receive and review Notice of Intent to File Surreply by Kaiser	0.10
Apr 17/2023	DSG	Receive notice of dep of E. Mohundro and amended dep notice of A. Schmitt	0.10
Apr 17/2023	DSG	Email exchange between E. Hamburger and M. Marisseau re dispute over response to Kaiser discovery requests and scheduling call to discuss.	0.10
Apr 18/2023	DSG	Research and draft Ps' 5th Discovery Requests	2.50
Apr 19/2023	DSG	Review E. Hamburger draft email to M.M. re response to Kaiser discovery requests; send brief suggested edit.	0.10
Apr 19/2023	DSG	Review Surreply from Kaiser on motion to amend	0.10
Apr 19/2023	DSG	At E. Hamburger request, send copies of draft MPSJ, legal research on same and outline for same.	0.10
Apr 20/2023	DSG	Teams meeting with co-counsel re [REDACTED]	0.80
Apr 20/2023	DSG	Email exchange with co-counsel and F. Fox re [REDACTED]	0.20
Apr 20/2023	DSG	Review and edit [REDACTED]	1.10

DECLARATION OF ELEANOR HAMBURGER

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Apr 20/2023	DSG	Receive Notice of M. Eager Dep.	0.10
Apr 20/2023	DSG	Email and brief consult with E. Hamburger re [REDACTED]	0.10
Apr 20/2023	DSG	CC on sending of P answers to Kaiser Interrogs	0.10
Apr 20/2023	DSG	Continued email exchange between. E. Hamburger and M. Marisseau re MM demand for additional info in response to Kaiser discovery requests	0.10
Apr 21/2023	DSG	Review and edit P's 5th Discovery requests	0.30
Apr 21/2023	DSG	Receive and review Order denying Motion to Amend; review response from co-counsel	0.10
Apr 21/2023	DSG	cc on E. Hamburger request for additional dep. dates sent to M. Marisseau	0.10
Apr 21/2023	DSG	Review new edit of MPSJ from E. Hamburger; discussion of upcoming case tasks and priorities	0.40
Apr 21/2023	DSG	Review Health Policies references to 48.43.0128	0.10
Apr 21/2023	DSG	Continued email exchange between. E. Hamburger and M. Marisseau re MM demand for additional info in response to Kaiser discovery requests	0.10
Apr 21/2023	DSG	Receive Kaiser Supp. Initial Disclosures	0.10
Apr 24/2023	DSG	Follow email exchange between F. Fox and E. Hamburger re [REDACTED]	0.10
Apr 25/2023	DSG	Research MPSJ; email with co-counsel re [REDACTED]	0.20
Apr 25/2023	DSG	Receive share file for exhibits to deposition with A. Schmitt.	0.10
Apr 25/2023	DSG	Email exchange with co-counsel re [REDACTED]	0.10
Apr 26/2023	DSG	Research/draft MPSJ; email exchange with co-counsel re [REDACTED]	2.80
Apr 26/2023	DSG	Email exchange with co-counsel re [REDACTED]; follow email exchange between co-counsel and Dr. Lin re same	0.10
Apr 27/2023	DSG	Email exchange with E. Hamburger re [REDACTED]; review depositions of Hamp and Porter re same	0.20
Apr 27/2023	DSG	Research MPSJ - [REDACTED]	0.20
Apr 28/2023	DSG	Request and review case deadline table from staff	0.10
Apr 28/2023	DSG	Research and draft MPSJ; email exchange with co-counsel re [REDACTED]	0.90

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Date	Lwyr	Explanation	Hours
Apr 28/2023	DSG	Follow email exchange between co-counsel re [REDACTED] [REDACTED]	0.10
Apr 30/2023	DSG	Draft MPSJ	2.30
May 1/2023	DSG	Video consultation with [REDACTED]	0.80
May 2/2023	DSG	Follow email exchange between co-counsel and experts re [REDACTED] [REDACTED]	0.20
May 2/2023	DSG	Research [REDACTED]; email with J. Waldo re same.	1.00
May 2/2023	DSG	Follow emails with E. Pendo, V. Blake and F. Lin re [REDACTED] [REDACTED]	0.10
May 2/2023	DSG	Email from J. Waldo [REDACTED] [REDACTED] [REDACTED]	0.10
May 2/2023	DSG	Receive response P's 4th discovery requests	0.10
May 3/2023	DSG	Review Porter and Tupling dep corrections	0.10
May 3/2023	DSG	Review email from E. Hamburger to opposing counsel re discovery conference.	0.10
May 3/2023	DSG	Email exchange between co-counsel re [REDACTED]	0.10
May 4/2023	DSG	Review info re [REDACTED]	0.10
May 5/2023	DSG	Review materials re [REDACTED], along with comments from E. Hamburger	0.40
May 5/2023	DSG	Review notice of supplemental authority re opposition to class cert, and supplemental authority.	0.30
May 5/2023	DSG	Review J. Waldo [REDACTED]	0.20
May 7/2023	DSG	Research MPSJ	1.80
May 8/2023	DSG	Review and edit remaining Draft MPSJ.	0.70
May 8/2023	DSG	Review MPSJ [REDACTED]	1.10
May 8/2023	DSG	Review J. Waldo email re [REDACTED]	0.10
May 8/2023	DSG	Review J. Waldo re [REDACTED]	0.30
May 8/2023	DSG	Review, edit and annotate Lin report	0.80
May 8/2023	DSG	Draft [REDACTED]; email to co-counsel	2.10
May 8/2023	DSG	Draft and send email to co-counsel re [REDACTED]	0.30
May 8/2023	DSG	Review V. Blake draft expert report	0.60
May 9/2023	DSG	Email from J. Waldo responding to my table of issues to address [REDACTED] [REDACTED]	0.10
May 9/2023	DSG	Email to co-counsel re [REDACTED]	0.10
May 9/2023	DSG	email to co-counsel re [REDACTED]	0.10

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Date	Lwyr	Explanation	Hours
May 9/2023	DSG	email to co-counsel to [REDACTED]	0.10
May 9/2023	DSG	Video meeting with co-counsel and F. Lin re [REDACTED]	0.70
May 9/2023	DSG	Notice of production of discovery and email from SYSH staff confirming its downloading	0.10
May 9/2023	DSG	Research [REDACTED]	0.50
May 9/2023	DSG	Review and edit Blake report; email co-counsel re same; send edited version to co-counsel	1.30
May 9/2023	DSG	Review and edit Lin report; send to co-counsel	0.70
May 9/2023	DSG	Review and edit Pendo report; discuss with co-counsel E. Hamburger; email to co-counsel	1.10
May 9/2023	DSG	Email from E. Hamburger re [REDACTED]	0.10
May 10/2023	DSG	Review [REDACTED]. On E.H. instructions, [REDACTED]	0.60
May 10/2023	DSG	Email exchange between E. Hamburger and F. Fox re [REDACTED]	0.10
May 10/2023	DSG	Email from E. Hamburger to opposing counsel re O.L.'s brief period of enrollment through father with attached discovery document	0.10
May 10/2023	DSG	email exchange between E. Hamburger and V. Blake re [REDACTED]	0.10
May 10/2023	DSG	Review edits to F. Lin report from R. Spoonemore and then from e. hamburger; review response from J. Waldo	0.40
May 10/2023	DSG	Receive 2nd Supp response to P's 2nd Dx request	0.10
May 11/2023	DSG	Review final draft Lin report; send [REDACTED] to E. Hamburger; email exchange with E. Hamburger re same.	1.20
May 11/2023	DSG	Email exchange with staff re [REDACTED]	0.10
May 11/2023	DSG	Review, research and make final edits of Blake report. Email to Prof. Blake; receive email re [REDACTED]	0.90
May 11/2023	DSG	Review, research and make final edits to Blake report; send to staff for formatting; request copies of CV; follow-up email to staff [REDACTED]. Addl. email exchange re [REDACTED]	0.80
May 11/2023	DSG	Email to Prof. Pendo re [REDACTED]	0.10
May 11/2023	DSG	Email exchange with E. Hamburger re [REDACTED]	0.10
May 11/2023	DSG	Review Pendo report; send [REDACTED] to E. Hamburger; request info re Exhibits.	0.60

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Date	Lwyr	Explanation	Hours
May 11/2023	DSG	[REDACTED] [REDACTED]. Email to E. Hamburger and staff re same. [REDACTED]	0.10
May 11/2023	DSG	Discuss [REDACTED] with E. Hamburger. Email Dr. Lin [REDACTED] [REDACTED]; send to staff to incorporate and format	1.30
May 11/2023	DSG	Email exchange with staff re [REDACTED]	0.10
May 11/2023	DSG	Email exchange with F. Lin and E. Hamburger re [REDACTED]	0.20
May 11/2023	DSG	Email exchange between J. Waldo [REDACTED] and E. hamburger [REDACTED]	0.10
May 11/2023	DSG	Call to V. Blake and to E. Pendo. Left voicemail re [REDACTED] [REDACTED]	0.10
May 11/2023	DSG	CC on email between E. Hamburger and V. Blake re [REDACTED] [REDACTED]	0.10
May 11/2023	DSG	Email exchange between J. Waldo and E. Hamburger re [REDACTED] [REDACTED]	0.10
May 11/2023	DSG	Email exchange with staff re [REDACTED] [REDACTED]	0.40
May 12/2023	DSG	Follow email exchange between E. Hamburger and E. Pendo; [REDACTED] [REDACTED]	0.10
May 12/2023	DSG	Follow email exchange between E. Hamburger and F. Lin [REDACTED] [REDACTED]	0.10
May 12/2023	DSG	Email from co-counsel re [REDACTED].	0.10
May 12/2023	DSG	Receive email from staff cc'ing e-delivery of expert disclosures to opposing counsel	0.10
May 15/2023	DSG	Review email exchange between E. Hamburger and all P experts re [REDACTED] [REDACTED]	0.20
May 15/2023	DSG	Read and annotate [REDACTED]	1.60
May 15/2023	DSG	Email exchange between co-counsel re [REDACTED] [REDACTED]	0.10
May 15/2023	DSG	Email between E. Hamburger and co-counsel re [REDACTED]	0.10
May 16/2023	DSG	Research and edit supplemental brief	1.20
May 17/2023	DSG	Review [REDACTED] and email from E. Hamburger re [REDACTED] [REDACTED]	0.40
May 18/2023	DSG	Receive cc of Blake resources produced to Kaiser	0.10

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Date	Lwyr	Explanation	Hours
May 19/2023	DSG	Follow email exchange between co-counsel re [REDACTED]	0.10
May 22/2023	DSG	Research and draft supplemental brief	2.10
May 22/2023	DSG	Research and draft supplemental brief	1.80
May 23/2023	DSG	Review and edit draft MPSJ from E. Hamburger	4.10
May 23/2023	DSG	Follow email exchange between co-counsel and opposing counsel re discovery issues - legal conclusions and production of Fox documents, reschedule dep and Kaiser production of docs	0.20
May 24/2023	DSG	Follow email exchange between staff re [REDACTED]	0.10
May 24/2023	DSG	Draft MPSJ - [REDACTED]	1.90
May 24/2023	DSG	Receive updated Fox report sent to opposing counsel	0.10
May 24/2023	DSG	Research, draft and send email to E. Hamburger re [REDACTED]; E. Hamburger responds by email	0.30
May 25/2023	DSG	At E. Hamburger request, draft Lin and L [REDACTED] declarations iso MPSJ; email with E. Hamburger and staff re same	0.60
May 25/2023	DSG	Review E. Hamburger decl. iso MPSJ state law claims	0.20
May 26/2023	DSG	Research MPSJ [REDACTED]	0.80
May 26/2023	DSG	Receive notice and link of discovery production from opposing counsel staff; email from opposing counsel staff indicating non-receipt of discovery	0.10
May 26/2023	DSG	Email exchange between staff and E. Hamburger re [REDACTED]	0.10
May 26/2023	DSG	Follow email by co-counsel to F. Lin [REDACTED]	0.10
May 30/2023	DSG	Receive signed Lin declaration	0.10
May 30/2023	DSG	Track email exchange between co-counsel and M. Marisseau re sealing of materials supporting MPSJ to be filed	0.10
May 30/2023	DSG	Review and edit MPSJ brief	2.70
May 31/2023	DSG	At E. Hamburger's request, [REDACTED]	0.10
Jun 1/2023	DSG	Receive new discovery responses	0.10
Jun 1/2023	DSG	Track email exchange between co-counsel and opposing counsel re production of additional materials; review materials	0.10
Jun 1/2023	DSG	Track email exchange between co-counsel and opposing counsel staff LB re response to defendant's discovery request	0.10
Jun 1/2023	DSG	Track ECF notices of filing of MPSJ and supporting documents	0.10

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Jun 5/2023	DSG	Check calendar for case; email exchange with E. Hamburger re [REDACTED]	0.10
Jun 5/2023	DSG	Schedule call with E. Hamburger re MPSJ 1557 outline and brief; conduct call and discuss next steps	0.20
Jun 5/2023	DSG	Track email exchange between co-counsel and M. Marisseau re settlement conference deadline and mediation	0.20
Jun 6/2023	DSG	Review questions from E. Hamburger and J. Waldo [REDACTED]; review [REDACTED] and send to co-counsel	0.30
Jun 6/2023	DSG	Review E. Hamburger stipulation re [REDACTED]	0.10
Jun 6/2023	DSG	Review Lin and Carr reports; prepare and share [REDACTED] conf. call with F. Lin re [REDACTED]	0.70
Jun 7/2023	DSG	Follow email from co-counsel and opposing counsel re settlement conference	0.10
Jun 7/2023	DSG	Review draft stipulation to extend deadline for settlement conference	0.10
Jun 7/2023	DSG	Read and review MPSJ re Sec. 1557 draft/outline by E. Hamburger	0.30
Jun 8/2023	DSG	Email between co-counsel and between co-counsel and opposing counsel re mediation	0.10
Jun 8/2023	DSG	follow email between co-counsel and opposing counsel and mediator's staff	0.10
Jun 9/2023	DSG	Review and make suggested edits to F. Lin rebuttal report and send to co-counsel. Review email responses from co-counsel. Review final edit to be sent to Dr. Lin.	0.40
Jun 12/2023	DSG	Brief research online re [REDACTED]. Draft email to M. Terry outlining research project re same. He confirms he can do it.	0.20
Jun 12/2023	DSG	Follow ECF re Stipulation re settlement conference and judge's copy of proposed order; email between co-counsel and opposing counsel re same	0.10
Jun 12/2023	DSG	Email from E. Hamburger re [REDACTED]	0.10
Jun 13/2023	DSG	Review research on [REDACTED]	0.10
Jun 13/2023	DSG	Read all Defendant Expert Rebuttal reports; annotate Carr and Gilham reports	1.70
Jun 13/2023	DSG	Receive ECF Order on Stipulated change to Settlement Conf. Deadline	0.10
Jun 13/2023	DSG	Email exchange with J. Waldo re [REDACTED]; review JW's written annotations of Gilham report	0.40

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Date	Lwyr	Explanation	Hours
Jun 13/2023	DSG	Email from J. Burdell staff re mediation	0.10
Jun 14/2023	DSG	Research MPSJ on 1557 claim	1.50
Jun 14/2023	DSG	Email exchange between E. Hamburger and J. Waldo re [REDACTED]	0.10
Jun 15/2023	DSG	Follow email from co-counsel to opposing counsel attached to additional discovery responses .	0.10
Jun 16/2023	DSG	Follow email between co-counsel and opposing counsel re scheduling deps of Kaiser experts	0.10
Jun 20/2023	DSG	Receive ECF notice and links re Kaiser Opposition/Cross-Motion on MPSJ state law claims	0.10
Jun 21/2023	DSG	Discuss briefing and deposition schedule with E. Hamburger and next steps	0.20
Jun 21/2023	DSG	Review email with supplemental discovery responses from Kaiser and additional materials supporting Opp to P MPSJ and cross-motion	0.10
Jun 21/2023	DSG	Follow email between co-counsel and to opposing counsel re meeting to adjust briefing dates and set deposition dates.	0.10
Jun 21/2023	DSG	Review and annotate Opp./Reply re State Law Claim and ancillary materials cited therein	1.50
Jun 21/2023	DSG	Research and outline MPSJ re 1557	1.50
Jun 22/2023	DSG	Edit and draft outline for MPSJ re 1557 claim; email with co-counsel re same	3.50
Jun 22/2023	DSG	Email with co-counsel re [REDACTED]	0.10
Jun 22/2023	DSG	Follow email exchange with F. Lin re [REDACTED]	0.10
Jun 23/2023	DSG	Note C. Scott Dep. notice	0.10
Jun 23/2023	DSG	email exchange with co-counsel re [REDACTED]	0.10
Jun 23/2023	DSG	Edit outline of MPSJ for Sec. 1557	0.50
Jun 23/2023	DSG	Teams meeting with co-counsel [REDACTED]; review notes from call distributed by E. Hamburger	0.30
Jun 27/2023	DSG	Review, research and annotate Kaiser Opp./Cross motion on state law claims; multiple email exchange with co-counsel re same	1.70
Jun 27/2023	DSG	Email with J. Waldo and E. Hamburger re [REDACTED]	0.30
Jun 28/2023	DSG	Email to co-counsel J. Waldo re [REDACTED] request info re [REDACTED]	0.10
Jun 28/2023	DSG	Call and email with E. Hamburger re [REDACTED]; call to [REDACTED] and left her voice mail.	0.20

DECLARATION OF ELEANOR HAMBURGER

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Date	Lwyr	Explanation	Hours
Jun 28/2023	DSG	Draft ██████████ Decl.	0.20
Jun 28/2023	DSG	Research, Edit, and Draft MPSJ 1557	1.80
Jun 29/2023	DSG	Research, Edit and Draft MPSJ 1557	2.00
Jun 29/2023	DSG	Review emails with F. Lin for production; email with E. Hamburger re same	0.30
Jun 29/2023	DSG	Call to ██████████; left voice mail	0.10
Jun 29/2023	DSG	email with co-counsel re in-person v. zoom venue for mediation	0.10
Jun 30/2023	DSG	Research, Edit and Draft MPSJ 1557	2.00
Jun 30/2023	DSG	Email and discussion with E. Hamburger re ██████████	0.20
Jun 30/2023	DSG	Review Carr discovery	0.10
Jul 2/2023	DSG	Edit, save and send draft MPSJ 1557 to E. Hamburger	0.20
Jul 2/2023	DSG	Monitor email between E. Hamburger and declarants re ██████████	0.10
Jul 3/2023	DSG	Review and annotate Eager, Cross, and Kirangi deposition transcripts. Discuss briefly with E. Hamburger. Email annotation documents to co-counsel.	8.00
Jul 4/2023	DSG	Follow email between co-counsel re ██████████	0.10
Jul 4/2023	DSG	Communicate with R. Spoonemore re ██████████. Review RS edits to same	0.40
Jul 5/2023	DSG	Email exchange with co-counsel re ██████████	0.10
Jul 5/2023	DSG	Notice of Carr Deposition receive from staff	0.10
Jul 5/2023	DSG	Email exchange between E. Hamburger and J. Waldo re ██████████	0.10
Jul 5/2023	DSG	Email exchange with D. Walsh; edit informational email with FAQ and send to DW. Receive brief thanks email	0.20
Jul 5/2023	DSG	Research and edit MPSJ 1557	4.00
Jul 5/2023	DSG	Email with E. Hamburger re MPSJ 1557	0.10
Jul 5/2023	DSG	Research MPSJ - ██████████	1.60
Jul 5/2023	DSG	Review and edit ██████████; email to E.H.	0.40
Jul 5/2023	DSG	Review ██████████ MPSJ; draft and send list of ██████████ of the MPSJ	0.40
Jul 6/2023	DSG	email exchange with co-counsel re ██████████	0.10
Jul 6/2023	DSG	Review, edit and draft MPSJ 1557 brief	4.70
Jul 7/2023	DSG	Edit MPSJ 1557; email to colleagues with comments/questions	2.00

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Date	Lwyr	Explanation	Hours
Jul 7/2023	DSG	Review and edit/draft Motion for extra concurrent dispositive and Proposed Order motion; email with staff re changes; email to co-counsel re same	0.50
Jul 7/2023	DSG	Email exchange with co-counsel about [REDACTED]	0.10
Jul 7/2023	DSG	Review and edit Proposed Order re MPSJ re Sec. 1557	0.40
Jul 7/2023	DSG	Email exchange with staff re [REDACTED]; discuss same with E. Hamburger; check back with staff re same. - NB	0.10
Jul 7/2023	DSG	Note filing of MPSJ and cross-motion in ECF	0.10
Jul 7/2023	DSG	Note filing of Kaiser's Daubert motion in ECF	0.10
Jul 10/2023	DSG	Review Defendants' Daubert Motion	0.20
Jul 10/2023	DSG	NB - request that Matt send updated case event schedule/listing	0.10
Jul 10/2023	DSG	Check case records and communicate with co-counsel and staff re [REDACTED]	0.20
Jul 10/2023	DSG	Call with E. Hamburger re [REDACTED]	0.10
Jul 10/2023	DSG	Research and draft outline for response to Daubert motion	0.30
Jul 10/2023	DSG	Receive through ECF motion from Kaiser joining motion for concurrent dispositive motion filings	0.10
Jul 11/2023	DSG	Email exchange with staff and review docketed documents re [REDACTED] [REDACTED] email exchange with co-counsel re [REDACTED]	0.10
Jul 11/2023	DSG	Research and draft Daubert Motion opp. re Dr. Lin	3.80
Jul 11/2023	DSG	Email exchange with E. Hamburger re [REDACTED]	0.10
Jul 12/2023	DSG	Conversation and email exchange with E. Hamburger re [REDACTED] [REDACTED] [REDACTED]	0.30
Jul 12/2023	DSG	Receive and review Order granting leave to file concurrent dispositive motions	0.10
Jul 12/2023	DSG	Research, edit, draft Daubert opposition brief	1.50
Jul 12/2023	DSG	Review draft Reply and Opp re [REDACTED]	0.40
Jul 13/2023	DSG	Email re [REDACTED]	0.10
Jul 13/2023	DSG	Research, edit, draft Daubert opposition brief	2.00
Jul 13/2023	DSG	Email exchange between M. Marisseau and E. Hamburger re [REDACTED] [REDACTED]	0.10
Jul 14/2023	DSG	Review and edit Mediation letter/brief; review additional edits from E. Hamburger after my initial edits	0.60

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Date	Lwyr	Explanation	Hours
Jul 16/2023	DSG	Research, review and edit Opposition/Reply to MPSJ on state law claims; email with co-counsel re same	3.10
Jul 16/2023	DSG	Review Mediation letter/brief; send comments to co-counsel	0.30
Jul 16/2023	DSG	Email from J. Waldo re [REDACTED]	0.10
Jul 17/2023	DSG	Email re [REDACTED]	0.10
Jul 17/2023	DSG	Receive via ECF Motion to Seal/Redact	0.10
Jul 17/2023	DSG	Receive via ECF Opp and Reply re MPSJ	0.10
Jul 17/2023	DSG	Review Kaiser's mediation brief; email from E. Hamburger re same	0.20
Jul 17/2023	DSG	Research, edit, draft Daubert opposition brief	5.00
Jul 18/2023	DSG	email with co-counsel and F. Lin re discussion [REDACTED]	0.10
Jul 18/2023	DSG	Research, edit, draft Daubert opposition brief	6.00
Jul 18/2023	DSG	email with E. Hamburger about [REDACTED]	0.10
Jul 18/2023	DSG	Email exchange between M. Marisseau and E. Hamburger re [REDACTED]	0.10
Jul 19/2023	DSG	Follow emails between co-counsel re [REDACTED]	0.20
Jul 19/2023	DSG	Check signature page for mediation participation tomorrow	0.10
Jul 19/2023	DSG	FaceTime call with J. Waldo and E. Hamburger re [REDACTED]; email re same	0.20
Jul 19/2023	DSG	Research and fill in Daubert Opp brief citations	3.80
Jul 19/2023	DSG	Research, edit and draft Daubert Opp brief	1.10
Jul 20/2023	DSG	Mediation [REDACTED]	5.00
Jul 20/2023	DSG	Request and receive from staff template for DSG Decl. authenticating exhibits	0.10
Jul 20/2023	DSG	Request and receive from staff template for F. Lin Decl. Edit same	0.40
Jul 20/2023	DSG	Send latest draft Daubert Opp. brief to co-counsel for addl. review	0.10
Jul 20/2023	DSG	Review email from E. Hamburger to clients re [REDACTED]; review final CR2a	0.20
Jul 21/2023	DSG	Research and edit Opp to MtD 3rd AC; email with co-counsel re same	2.20
Jul 21/2023	DSG	Email with E. Hamburger re [REDACTED]	0.10
Jul 26/2023	DSG	Review email from R. Spoonemore re [REDACTED]	0.10
Jul 27/2023	DSG	Email exchange with E. hamburger re [REDACTED]	0.10
Aug 3/2023	DSG	Review email from E. Hamburger to Plaintiffs re [REDACTED]. Review responses from Plaintiffs	0.20

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Aug 6/2023	DSG	Email from co-counsel J. Waldo re [REDACTED].	0.10
Aug 14/2023	DSG	Email from J. Waldo re [REDACTED]	0.10
Aug 24/2023	DSG	Email from J. Waldo re [REDACTED]	0.10
Aug 30/2023	DSG	Review revised proposed CR2A agreement	0.20
Sep 15/2023	DSG	Review email from E. Hamburger to clients and co-counsel re [REDACTED]	0.30
Sep 18/2023	DSG	Email exchange between Judge's assistant and R. Spoonemore re status of settlement and next steps. Court will not issue 60 day dismissal.	0.10
Sep 26/2023	DSG	Note ECF filing of J. Waldo Notice of Withdrawal	0.10
Sep 26/2023	DSG	Email exchange with E. Hamburger regarding [REDACTED]	0.10
Sep 27/2023	DSG	Email exchange between E. Hamburger and [REDACTED]	0.10
Sep 27/2023	DSG	Review [REDACTED]	0.10
Sep 27/2023	DSG	Email with co-counsel about [REDACTED]	0.10
Sep 27/2023	DSG	Research FRCP 23b(2)(B); consult with R. Spoonemore regarding [REDACTED]	0.20
Sep 28/2023	DSG	Email with draft long form settlement agreement from E. Hamburger	0.10
Sep 29/2023	DSG	Read John Waldo obituary [no charge]	0.10
Oct 23/2023	DSG	Review [REDACTED]; questions to E. Hamburger re same	1.10
Oct 26/2023	DSG	NB - email with E. Hamburger about [REDACTED]	0.10
Oct 26/2023	DSG	Email with [REDACTED] E.H. review answers from E.H.	0.20
Oct 26/2023	DSG	Email with R. Spoonemore, [REDACTED]; review agreement	1.00
Oct 26/2023	DSG	Email exchange with E. Hamburger re [REDACTED]	0.10
Oct 26/2023	DSG	Review NR, DT and Reichert Mtns for Prelim Approval	1.00
Oct 30/2023	DSG	Email exchange with E. Hamburger [REDACTED]	0.10

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Date	Lwyr	Explanation	Hours
Oct 30/2023	DSG	Check pleadings file; email with staff and E. Hamburger re [REDACTED] [REDACTED]	0.20
Oct 30/2023	DSG	Edit and draft Motion for Preliminary approval	0.30
Oct 30/2023	DSG	Questions to E.H. and responses from same re [REDACTED] [REDACTED]	0.50
Oct 30/2023	DSG	Email exchange between E. Hamburger and M. Marisseau re [REDACTED] [REDACTED] [REDACTED] follow-up email between counsel and T. Roberts at court; court agrees	0.20
Oct 30/2023	DSG	Research, draft and edit Motion for Prelim approval.	3.60
Oct 31/2023	DSG	Email with E. Hamburger and R. Spoonemore re [REDACTED] [REDACTED]	0.30
Oct 31/2023	DSG	Question to E. Hamburger re [REDACTED] [REDACTED]	0.30
Oct 31/2023	DSG	Email exchange re [REDACTED] [REDACTED] [REDACTED]	0.30
Oct 31/2023	DSG	Research, draft and edit Motion for Prelim approval; send to E. Hamburger for review.	3.80
Nov 1/2023	DSG	Review draft motion to certify settlement class; send questions to E.H.	0.40
Nov 1/2023	DSG	Review and edit draft class notice; send edits to E. hamburger	1.00
Nov 2/2023	DSG	E.H. email to opposing counsel re long form agreement and proposed change re cy pres, to reflect that court will need to approve	0.10
Nov 3/2023	DSG	Email exchange between E.H. and M.M. re approval of terms by Defendants and potential issues with using WASHCAP as cy pres recipient.	0.10
Nov 8/2023	DSG	Review draft Motion for Cert of Settlement Class and send to R. Spoonemore.	0.10
Nov 8/2023	DSG	Send edited Motion for Prelim approval to R. Spoonemore	0.10
Nov 15/2023	DSG	Follow email exchange between E. Hamburger and T. Roberts resetting deadline for moving for settlement to 12/1/2023.	0.10
Nov 15/2023	DSG	Email exchange between E. Hamburger and Court - T. Roberts re extension of deadline to file motion for prelim approval and to certify settlement class	0.10

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Date	Lwyr	Explanation	Hours
Nov 16/2023	DSG	Email from E. Hamburger - [REDACTED]	0.10
Nov 21/2023	DSG	Review final settlement agreement and email from E. Hamburger to Plaintiffs and co-counsel [REDACTED]	0.30
Nov 21/2023	DSG	Review E.H. draft of unopposed motion for preliminary approval and App. 2a Notice draft	0.30
Nov 22/2023	DSG	Receive signature page for Agreement from J.L. and K.L.	0.10
Nov 22/2023	DSG	Follow email from A. Schmitt to co-counsel re [REDACTED]	0.10
Nov 27/2023	DSG	Follow email exchange between co-counsel and Plaintiff A. Schmitt re [REDACTED]	0.10
Nov 29/2023	DSG	Call with R. Spoonemore instructing me on work assignment on Schmitt settlement materials	0.20
Nov 30/2023	DSG	Follow cc'd email exchange between R. Spoonemore and M. Marisseau re finalization of settlement materials. [REDACTED]	0.50
Dec 5/2023	DSG	CC'd email exchange between M.M., R.S., E.H., and staff completing remaining tasks to finalize settlement pleadings and attached materials.	0.20
Dec 5/2023	DSG	Email to R.S. [REDACTED]	0.10
Dec 6/2023	DSG	Receive ccs of multiple emails from co-counsel, staff and clients re [REDACTED]	0.20
Dec 8/2023	DSG	Follow email exchange between staff, M. Marisseau, and co-counsel re [REDACTED]	0.20
Dec 8/2023	DSG	ECF notice of praecipe re unopposed motion for settlement class certification	0.10
Dec 8/2023	DSG	ECF Notice of filing of official transcript	0.10
Dec 11/2023	DSG	See posting of Law360 article on settlement class certification. Email to co-counsel re same	0.10
Dec 11/2023	DSG	Review Order Granting Settlement class certification	0.30
Dec 11/2023	DSG	Review Order Preliminarily approving settlement agreement, etc.	0.20
Dec 12/2023	DSG	Review calendared dates for court settlement process	0.10

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Date	Lwyr	Explanation	Hours
Dec 12/2023	DSG	Receive ECF Notice of Joint motion to amend Order Prelim approve settlement, setting dates, with proposed order	0.10
Dec 18/2023	DSG	NB - email exchange with co-counsel re [REDACTED]	0.10
Feb 14/2024	DSG	Review/research outline/skeletal draft of motion for atty fees, costs and case contribution	0.30
Feb 15/2024	DSG	Review [REDACTED]	0.20
Feb 15/2024	DSG	Review [REDACTED]	0.30
Feb 15/2024	DSG	Draft Motion for Atty fees, costs, and case contribution	0.20
Feb 16/2024	DSG	Research and draft Motion for Atty fees, costs, and case contribution	0.60
Feb 22/2024	DSG	Email from E. Hamburger re [REDACTED]	0.10
TOTAL DSG TIME			294.30

Jul 17/2020	JFW	Receive and review Ninth Circuit remand decision, discuss issues with Ele Hamburger, report to various constituents.	4.00
Jul 18/2020	JFW	Tentative outline to other attorneys/experts of [REDACTED]	1.50
Jul 19/2020	JFW	Email exchange with Cheri Perazzoli re [REDACTED]	0.50
Jul 20/2020	JFW	Lengthy communication with EH re [REDACTED]	1.00
Jul 24/2020	JFW	Emails connecting EH with Cheri Perazzoli.	0.20
Jul 29/2020	JFW	Receive and review Kaiser petition for rehearing, EH [REDACTED]	0.60
Aug 20/2020	JFW	Receive and review response to Kaiser petition for rehearing, respond to EH re same.	0.50
Aug 27/2020	JFW	Receive order denying Kaiser petition for rehearing, inform various advocacy groups, review feedback from same.	1.50
Aug 28/2020	JFW	Email exchange with Lise Hamlin at Hearing Loss Association of America, review [REDACTED], review EH email about [REDACTED]	3.00
Aug 29/2020	JFW	Review article forwarded by Tina Childress concerning [REDACTED]	0.60
Sep 4/2020	JFW	Email introduction to and exchanges with Chad Ruffin, [REDACTED], emails with EH re [REDACTED], Zoom conference with EH and Rick Spoonemore	1.30

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Date	Lwyr	Explanation	Hours
Sep 11/2020	JFW	Lengthy email to EH and RS outlining [REDACTED]	1.40
Sep 14/2020	JFW	Emails to Ruffin and Frank Lin re [REDACTED]	0.80
Sep 16/2020	JFW	Receive and review pre-dismissal discovery responses, [REDACTED]	2.00
Sep 17/2020	JFW	Begin drafting amended complaint, research [REDACTED]	4.00
Sep 18/2020	JFW	Continue drafting amended complaint.	2.00
Sep 20/2020	JFW	Quick review and calendar joint status report and stipulations.	0.20
Sep 21/2020	JFW	Further work on amended complaint.	3.00
Sep 22/2020	JFW	Edit and finalize draft of amended complaint.	2.00
Sep 23/2020	JFW	Email exchanges with potential audiology experts, [REDACTED] report same to EH and RS, forward draft amended complaint.	3.00
Sep 24/2020	JFW	Review and calendar scheduling order.	0.20
Oct 9/2020	JFW	Email exchange with EH about [REDACTED], fill out pro hac application, extensive correspondence with Schmitt about [REDACTED]	2.50
Oct 12/2020	JFW	Email exchange with clients concerning [REDACTED]	0.60
Oct 14/2020	JFW	Receive and review EH draft 3d amended complaint.	1.50
Oct 15/2020	JFW	Revise 3d amended complaint [REDACTED]	1.00
Oct 19/2020	JFW	Continue responding to questions and locating data for 3d amended complaint.	1.00
Oct 20/2020	JFW	Final work on 3d amended complaint, review as-filed version.	1.00
Oct 26/2020	JFW	Review email re [REDACTED].	0.20
Nov 10/2020	JFW	Review [REDACTED], respond to same.	0.80
Nov 25/2020	JFW	Review additional literature re [REDACTED] [REDACTED], Zoom conference with Fox, EH and RS.	2.60
Dec 1/2020	JFW	Receive and briefly review claims data from Kaiser.	0.40
Dec 15/2020	JFW	Review and respond to correspondence re [REDACTED]	0.30
Mar 8/2021	JFW	Email from EH [REDACTED], respond to same.	0.50
Mar 9/2021	JFW	Review Washington Medicaid hearing-aid coverage, respond [REDACTED]	0.60

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Date	Lwyr	Explanation	Hours
Mar 19/2021	JFW	Receive and initial review of Kaiser MTD.	1.00
Mar 22/2021	JFW	Begin work on [REDACTED].	2.50
Mar 23/2021	JFW	Continue work on section of memo opposing MTD.	3.00
Mar 26/2021	JFW	Additional work on memo section.	3.50
Mar 29/2021	JFW	Finalize and transmit memo section to EH and RS.	1.50
Apr 8/2021	JFW	Review and comment on EH draft of opposing memo.	1.00
Apr 13/2021	JFW	Receive and file final version of memo opposing MTD.	0.20
May 11/2021	JFW	Prepare for and participate in Zoom conference with EH and RS re [REDACTED].	1.20
May 18/2021	JFW	Receive and respond to EH query re [REDACTED].	1.00
May 19/2021	JFW	Query to Mary Vargas re [REDACTED] review response.	0.40
May 20/2021	JFW	Query to HLAA staff re [REDACTED].	0.50
May 25/2021	JFW	Watch HLAA webinar [REDACTED].	1.00
May 27/2021	JFW	Receive email from Lin [REDACTED].	0.20
Jun 3/2021	JFW	Zoom conference with Frank Lin, [REDACTED] report to EH and RS [REDACTED].	1.60
Jun 10/2021	JFW	Email from Lin [REDACTED] report to EH and RS.	0.20
Jun 17/2021	JFW	Zoom conference with Lin, EH and RS.	0.80
Jun 18/2021	JFW	Look at Frank Fox [REDACTED].	0.30
Jul 9/2021	JFW	Receive and review communication from client re [REDACTED], reply to same, receive and briefly review Kaiser discovery responses.	1.50
Nov 10/2021	JFW	Learn that CVS withdrew cert. petition in <i>Doe</i> case, alert EH, RS and clients.	0.30
Nov 12/2021	JFW	Forward stipulation of CVS case dismissal to EH.	0.10
Aug 4/2022	JFW	Receive and review Court order denying Kaiser MTD.	0.30
Aug 7/2022	JFW	Review operative complaint [REDACTED].	1.00
Aug 8/2022	JFW	Review Kaiser arguments in MTD, email to EH and RS [REDACTED].	2.50
Aug 9/2022	JFW	Review EH proposed stipulated scheduling order.	0.40
Aug 11/2022	JFW	Further email correspondence re [REDACTED].	0.30
Aug 12/2022	JFW	Report to advocacy groups on denial of MTD.	0.40
Aug 13/2022	JFW	Review HHS regulations re Over the Counter Hearing Aids, forward to EH, RS and Frank Lin.	1.20

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Date	Lwyr	Explanation	Hours
Aug 16/2022	JFW	Receive and review EH email re [REDACTED] [REDACTED]	0.60
Aug 17/2022	JFW	Email to Tina Childress asking about [REDACTED] [REDACTED]	0.30
Aug 18/2022	JFW	Receive and review motion for extension of time to answer.	0.10
Aug 19/2022	JFW	Receive and review various uncontested motions and orders.	0.10
Aug 24/2022	JFW	Receive and review discovery requests to Kaiser.	0.30
Sep 1/2022	JFW	Receive and review Kaiser Answer.	0.40
Sep 22/2022	JFW	Receive and review [REDACTED] [REDACTED]	0.80
Oct 17/2022	JFW	Receive and review further discovery requests and draft 30(b)(6) notice, [REDACTED] to EH and RS.	1.50
Oct 18/2022	JFW	Receive and initial review of Kaiser document production.	1.00
Nov 1/2022	JFW	Correspondence re [REDACTED] [REDACTED]	1.00
Nov 16/2022	JFW	Receive and review Kaiser discovery response.	1.00
Nov 23/2022	JFW	Receive and review 30(b)(6) notice.	0.10
Nov 29/2022	JFW	Review correspondence re 30(b)(6) deposition, email to Chad Ruffin inquiring about [REDACTED].	0.60
Dec 8/2022	JFW	Review and analyze Kaiser discovery [REDACTED] [REDACTED].	2.50
Dec 13/2022	JFW	Review Kaiser analysis of financial impact [REDACTED] [REDACTED], email to EH and RS re [REDACTED] [REDACTED]	3.00
Dec 14/2022	JFW	Email exchange with EH and RS re [REDACTED].	0.30
Dec 15/2022	JFW	Review further Kaiser document production re [REDACTED].	0.40
Dec 20/2022	JFW	Extensive review of Kaiser document production, [REDACTED] [REDACTED] [REDACTED]	4.50
Dec 21/2022	JFW	Email to EH and RS re [REDACTED].	0.50
Dec 22/2022	JFW	Review most recent batch of Kaiser documents, email correspondence with EH re [REDACTED]	4.00
Dec 23/2022	JFW	Final prep work, attend 30(b)(6) depo, emails to EH during breaks with thoughts.	5.50
Dec 30/2022	JFW	Receive and review 30(b)(6) depo transcript.	1.00

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Date	Lwyr	Explanation	Hours
Jan 9/2023	JFW	Receive and review Hamburger and Fox declarations.	0.40
Jan 10/2023	JFW	Provide ██████████ for Hamburger declaration, receive and review class-certification motion, suggest edits to same.	3.50
Jan 11/2023	JFW	Review discovery correspondence, final version of certification motion.	0.80
Feb 15/2023	JFW	Review scheduling order, email to co-counsel ██████████ ██████████.	1.00
Feb 16/2023	JFW	Exchange emails with EH re ██████████.	0.30
Feb 21/2023	JFW	Zoom call with Fox, further discussions with EH and DG re ██████████ ██████████, receive and review Kaiser opposition to class certification.	4.00
Feb 23/2023	JFW	Zoom conference with Frank Lin, email to EH re ██████████ ██████████.	1.20
Feb 28/2023	JFW	Review class certification reply, email to EH re same.	0.80
Mar 3/2023	JFW	Receive and briefly review Lin report.	0.40
Mar 6/2023	JFW	Receive and review Kaiser discovery requests.	0.50
Mar 9/2023	JFW	Zoom call with EH and clients.	1.00
Mar 12/2023	JFW	Email to EH re ██████████.	1.00
Mar 13/2023	JFW	Lengthy email to EH re ██████████.	1.60
Mar 17/2023	JFW	Receive and review Kaiser supplemental authority (E.S. v. Regence decision).	0.30
Mar 23/2023	JFW	TC w/ EH, RS and DG re ██████████.	0.50
Mar 28/2023	JFW	TC w/ Frank Lin, Frank Fox and EH re ██████████ ██████████.	2.50
Apr 4/2023	JFW	Receive EH ██████████ ██████████.	3.00
Apr 5/2023	JFW	Porter deposition.	2.50
Apr 6/2023	JFW	Follow-up email to EH re ██████████ respond to questions from EH and DG re ██████████.	1.00
Apr 11/2023	JFW	Jodie Russell depo.	1.50
Apr 13/2023	JFW	Review response to class-action opposition, brief email to EH re same.	0.30
Apr 20/2023	JFW	Depo prep session with Schmitt.	1.20
Apr 25/2023	JFW	Schmitt depo.	3.50
Apr 27/2023	JFW	Meeting with Frank Fox and associates.	1.50
Apr 27/2023	JFW	Email exchange with EH re ██████████.	2.50

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Date	Lwyr	Explanation	Hours
Apr 28/2023	JFW	Email exchange with Lisa Illich about [REDACTED]	0.80
May 1/2023	JFW	Teams call with Lisa Illich, [REDACTED].	3.00
May 3/2023	JFW	Review Mohundro and L [REDACTED], email to EH re same.	0.80
May 5/2023	JFW	Review Kaiser pleadings and relevant caselaw, lengthy email and analysis re [REDACTED]	4.50
May 6/2023	JFW	Review Motion for Partial Summary Judgment, reply re same.	0.80
May 8/2023	JFW	Quick review of Lin report, email exchanges with EH and DG re same.	1.00
May 9/2023	JFW	Detailed review of Lin report [REDACTED], Teams meeting with Lin, EH and DG, email re [REDACTED].	2.50
May 10/2023	JFW	Review Fox, Lin and Drake reports, email feedback to EH.	1.00
May 12/2023	JFW	Mohundro depo, final reviews of Fox and Lin reports, receive and review report from Kaiser expert Carr, email to EH, DG and RS re same.	4.50
May 15/2023	JFW	Email exchanges with EH and DG re Carr report.	0.50
May 19/2023	JFW	[REDACTED] w/ EH.	1.60
May 26/2023	JFW	Receive MPSJ draft, initial review of same.	1.50
May 30/2023	JFW	Detailed review of MPSJ, respond re same.	3.50
May 31/2023	JFW	Further suggestions re MPSJ.	1.20
Jun 6/2023	JFW	Review notes re [REDACTED], brief conversation with Frank Lin re [REDACTED].	1.20
Jun 9/2023	JFW	Review draft of Lin rebuttal report.	0.50
Jun 12/2023	JFW	Initial review of, Kaiser expert rebuttal reports, email to EH, DG and RS re same	0.60
Jun 13/2023	JFW	Annotate Gilham report, transmit to EH, DG and RS.	1.50
Jun 15/2023	JFW	In-depth comparison of [REDACTED].	1.20
Jun 23/2023	JFW	Lengthy huddle w/ Schmitt team, receive assignments.	3.00
Jun 29/2023	JFW	Scour files for Lin correspondence, forward to EL.	1.60
Jul 5/2023	JFW	Travel to Seattle (50% actual time)	3.50
Jul 5/2023	JFW	Begin Gilham depo prep.	3.00
Jul 5/2023	JFW	Prep session and Lin deposition.	4.00
Jul 6/2023	JFW	Carr depo, final prep for Gilham depo.	5.50
Jul 7/2023	JFW	Gilham depo.	3.50

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Date	Lwyr	Explanation	Hours
Jul 11/2023	JFW	Review motion to strike Lin declaration, memo to team re [REDACTED] [REDACTED]	3.50
TOTAL JFW TIME			200.30

TOTAL TIME FOR ALL SYSH ATTORNEYS			1609.20
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Lwyr	Rate	Time	Fees
RES	\$750	198.75	\$ 149,062.50
EH	\$750	901.40	\$ 676,050.00
AEM	\$695	14.45	\$ 10,042.75
DSG	\$695	294.30	\$ 204,538.50
JFW	\$750	200.30	\$ 150,225.00
TOTAL SYSH FEES			\$ 1,189,918.75

Exhibit B

Schmitt, et al. v. Kaiser Foundation Health Plan of Washington, et al.

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SYSH COSTS

Date	Disbursement	Amount
Nov/ 7/2017	Seattle Legal Messengers: Process Service on Kaiser 11-2-17	\$85.00
Nov/21/2017	Seattle Legal Messengers: Process Service on Defendants 11/1/17 and 11/2/17	\$285.00
Nov/21/2017	Court Filing Fee	\$400.00
Dec/31/2017	Expense Recovery: Photocopy Expense, 12 @ 0.10	\$1.20
Feb/14/2018	CourtTrax: Court File Copies	\$81.37
Feb/28/2018	Expense Recovery: Photocopy Expense, 66 @ 0.10	\$6.60
Apr/16/2018	PACER: Court File Documents	\$32.60
Aug/31/2018	Expense Recovery: Photocopy Expense, 40 @ 0.10	\$4.00
Oct/18/2018	Andrea Ramirez: Inv. 201800058, Transcript of 8/2/18 Hearing	\$37.80
Nov/26/2018	USDC-WDWA: Filing Fee, Appeal 10/11/18	\$505.00
Jan/28/2019	FedEx: Binding, Ninth Cir. Opening Brief	\$129.05
Feb/14/2019	FedEx: Shipping, Opening Brief to Ninth Cir.	\$110.57
May/15/2019	Zebra Print & Copy: Binding Judge's Copies 05/15/19	\$56.98
May/31/2019	Expense Recovery: Photocopy Expense, 556 @ 0.10	\$55.60
Jun/ 6/2019	FedEx: Shipping, Brief to Ninth Cir.	\$33.76
Oct/19/2019	FedEx: Printing/Binding, Ninth Cir. Brief	\$54.40
Nov/14/2019	FedEx: Shipping, Brief to Ninth Cir.	\$16.80
Dec/17/2019	Parking 11/8/19	\$12.00
Nov/27/2020	Pro Hac Vice fee for J. Waldo	\$231.00
Aug/10/2021	HealthTrends: Expert F. Fox, Ph.D., Nov. 2020-June 2021	\$11,196.25
Jan/22/2023	Seattle Deposition Reporters: Hamp Deposition	\$1,431.05
Feb/21/2023	AMA Journals	\$44.10
Mar/16/2023	HealthTrends: Expert F. Fox, Ph.D., Dec. 2022-Jan. 2023	\$16,431.25
Apr/12/2023	HealthTrends: Expert F. Fox, Ph.D., Feb. 2023	\$7,890.00
Apr/12/2023	Seattle Deposition Reporters: Video Deposition of 30(b)(6) Kaiser Representative	\$687.50
May/11/2023	Seattle Deposition Reporters: Porter Deposition	\$990.25
May/11/2023	Seattle Deposition Reporters: Tupling Deposition	\$477.20
May/11/2023	Seattle Deposition Reporters: Russell Deposition	\$819.00
May/11/2023	Word for Word Court Reporters: Schmitt Deposition	\$637.00
May/11/2023	HealthTrends: Expert F. Fox, Ph.D., Mar. 2023	\$23,143.75
May/22/2023	Frank Lin, M.D., Ph.D: Expert, Feb.-May 2023	\$17,637.50
Jun/15/2023	HealthTrends: Expert F. Fox, Ph.D., Apr. 2023	\$35,900.00

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SYSH COSTS

Date	Disbursement	Amount
Jun/19/2023	Parking for deposition	\$28.00
Jun/25/2023	Word for Word Court Reporters: L [REDACTED] Deposition	\$425.45
Jun/25/2023	Word for Word Court Reporters: Mohundro Deposition	\$247.35
Jun/27/2023	Elizabeth Pendo: Expert, April-May 2023	\$25,000.00
Jul/ 5/2023	Travel to Seattle (JFW)	\$782.80
Jul/ 7/2023	Seattle expenses (JFW)	\$2,574.25
Jul/18/2023	Mediation fee for July 20	\$3,293.75
Aug/ 7/2023	HealthTrends: Expert F. Fox, Ph.D., May 2023	\$27,012.50
Aug/23/2023	Seattle Deposition Reporters: Eager Deposition	\$902.44
Aug/23/2023	Seattle Deposition Reporters: Carr Deposition	\$1,050.16
Aug/23/2023	Seattle Deposition Reporters: Gilman Deposition	\$717.66
Aug/23/2023	Seattle Deposition Reporters: Kirange and Scott Depositions	\$1,748.24
Aug/23/2023	Word for Word Court Reporters: Lin Deposition	\$940.45
Sep/15/2023	Frank Lin, M.D., Ph.D: Expert, June 6-July 6, 2023	\$5,525.00
Jan/10/2024	Valerie Burke, JD, MA: Work on expert report	\$6,300.00
Jan/22/2024	Epiq, Claims Administrator: Advance for Notices	\$178,166.00
TOTAL SYSH DISBURSEMENTS		\$374,137.63

Exhibit C



ELM Solutions

2022 Real Rate Report[®]

The industry's leading
analysis of law firm rates,
trends, and practices



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A Letter to Our Readers

Welcome to the Wolters Kluwer ELM Solutions Real Rate Report®, the industry's leading data-driven benchmark report for lawyer rates.

Our Real Rate Report has been a relied upon data analytics resource to the legal industry since its inception in 2010 and continues to evolve. The Real Rate Report is powered by the Wolters Kluwer ELM Solutions LegalVIEW® data warehouse, which has grown to include \$155B+ in anonymized legal data.

Last year, we launched our LegalVIEW Insights report series, which presented the first-of-its-kind legal analysis of total outside spend, vendor counts, staffing ratios, and other matters. This year, LegalVIEW Insights has gone even deeper into these issues and, together with the Real Rate Report, is a great tool to benchmark performance and improve from there.

The legal services industry relies on internal analytics and the use of external data resources, such as the LegalVIEW data warehouse, to support legal management strategies. The depth and details of the data in the Real Rate Report enable you to better benchmark and make more informed investment and resourcing decisions for your organization.

As with past Real Rate Reports, all of the data analyzed are from corporations' and law firms' e-billing and time management solutions. We have included lawyer and paralegal rate data filtered by specific practice and sub-practice areas, metropolitan areas, and types of matters to give legal departments and law firms greater ability to pinpoint areas of opportunity. We strive to make the Real Rate Report a valuable and actionable reference tool for legal departments and law firms.

As always, we welcome your comments and suggestions on what information would make this publication more valuable to you. We thank our data contributors for participating in this program. And we thank you for making Wolters Kluwer ELM Solutions your trusted partner for legal industry domain expertise, data, and analytics and look forward to continuing to provide market-leading, expert solutions that deliver the best business outcomes for collaboration among legal departments and law firms.

Sincerely,



Barry Ader

Vice President, Product Management and Marketing
Wolters Kluwer ELM Solutions

Report Use Considerations

2022 Real Rate Report

- Examines law firm rates over time
- Identifies rates by location, experience, firm size, areas of expertise, industry, and timekeeper role (i.e., partner, associate, and paralegal)
- Itemizes variables that drive rates up or down

All the analyses included in the report derive from the actual rates charged by law firm professionals as recorded on invoices submitted and approved for payment.

Examining real, approved rate information, along with the ranges of those rates and their changes over time, highlights the role these variables play in driving aggregate legal cost and income. The analyses can energize questions for both corporate clients and law firm principals.

Clients might ask whether they are paying the right amount for different types of legal services, while law firm principals might ask whether they are charging the right amount for legal services and whether to modify their pricing approach.

Some key factors¹ that drive rates²:

Attorney location - Lawyers in urban and major metropolitan areas tend to charge more when compared with lawyers in rural areas or small towns.

Litigation complexity - The cost of representation will be higher if the case is particularly complex or time-consuming; for example, if there are a large number of documents to review, many witnesses to depose, and numerous procedural steps, the case is likely to cost more (regardless of other factors like the lawyer's level of experience).

Years of experience and reputation - A more experienced, higher-profile lawyer is often going to charge more, but absorbing this higher cost at the outset may make more sense than hiring a less expensive lawyer who will likely take time and billable hours to come up to speed on unfamiliar legal and procedural issues.

Overhead - The costs associated with the firm's support network (paralegals, clerks, and assistants), document preparation, consultants, research, and other expenses.

Firm size - The rates can increase if the firm is large and has various timekeeper roles at the firm. For example, the cost to work with an associate or partner at a larger firm will be higher compared to a firm that has one to two associates and a paralegal.

¹ David Goguen, J.D., University of San Francisco School of Law (2020) Guide to Legal Services Billing Retrieved from: <https://www.lawyers.com/legal-info/research/guide-to-legal-services-billing-rates.html>

² Source: 2018 RRR. Factor order validated in multiple analyses since 2010

Section I: High-Level Data Cuts**Cities**

By Years of Experience

2022 - Real Rates for Partner**Trend Analysis - Mean**

City	Years of Experience	n	First Quartile	Median	Third Quartile	2022	2021	2020
San Francisco CA	Fewer Than 21 Years	89	\$481	\$750	\$987	\$768	\$715	\$692
	21 or More Years	149	\$523	\$755	\$994	\$784	\$768	\$764
San Jose CA	Fewer Than 21 Years	13	\$661	\$945	\$1,382	\$1,016	\$970	\$851
	21 or More Years	51	\$665	\$864	\$1,251	\$963	\$982	\$910
Seattle WA	Fewer Than 21 Years	63	\$400	\$500	\$668	\$542	\$476	\$448
	21 or More Years	81	\$495	\$600	\$760	\$625	\$575	\$564
St. Louis MO	Fewer Than 21 Years	30	\$363	\$402	\$461	\$416	\$431	\$427
	21 or More Years	55	\$300	\$429	\$544	\$441	\$431	\$455
Tampa FL	Fewer Than 21 Years	22	\$312	\$372	\$510	\$409	\$402	\$376
	21 or More Years	37	\$375	\$498	\$570	\$495	\$514	\$486
Trenton NJ	21 or More Years	15	\$419	\$553	\$700	\$573	\$642	\$617
Washington DC	Fewer Than 21 Years	364	\$650	\$856	\$980	\$850	\$818	\$780
	21 or More Years	673	\$675	\$890	\$1,096	\$920	\$899	\$870
Wheeling WV	Fewer Than 21 Years	12	\$737	\$762	\$774	\$723	\$720	\$528