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

18 IN RE GOOGLE ADWORDS LITIGATION

Case No. **08-cv-3369-EJD**

**DECLARATION OF KIMBERLY A.
KRALOWEC IN SUPPORT OF
PLAINTIFFS' MOTION FOR (1) AN
AWARD OF ATTORNEYS' FEES, (2)
REIMBURSEMENT OF COSTS AND
EXPENSES, AND (3) INCENTIVE
AWARDS**

Date: July 27, 2017
Time: 9:00 a.m.
Judge: Hon. Edward J. Davila
Courtroom: 4, 5th Floor

Action Filed: July 11, 2008

1 I, Kimberly A. Kralowec, hereby declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am the
3 principal of The Kralowec Law Group (“Kralowec Law”), one of the counsel for plaintiffs in this
4 action. I submit this declaration is support of Plaintiffs’ Motion for (1) An Award of Attorneys’
5 Fees, (2) Reimbursement of Costs and Expenses, and (3) Incentive Awards. I make this declaration
6 of my own personal knowledge, information, and belief and, and if called upon to do so, could and
7 would competently testify as set forth herein.

8 2. My firm is one of the counsel of record for plaintiffs in this case. Kralowec Law
9 and I are highly experienced in handling complex plaintiff-side litigation, including class actions.
10 A copy of our firm resume, summarizing its attorneys’ backgrounds and experience, is attached
11 hereto as Exhibit A.

12 3. Under the direction of Class Counsel, my firm has been involved in various key
13 tasks and activities on behalf of plaintiffs and the settlement class during the course of this
14 litigation. This work included work on discovery in anticipation of class certification; work on the
15 class certification briefing, including review of expert reports, meetings with experts, and
16 involvement in developing damages models; drafting portions of the third amended complaint and
17 opposing the motion to dismiss; developing arguments for and drafting portions of the class
18 certification motion; participating in the appeal of the class certification order, including providing
19 substantive comments on and revisions to drafts of the opening and reply appellate briefs; and
20 developing post-appeal discovery strategy in light of the Ninth Circuit’s rulings.

21 4. These litigation efforts discussed above on behalf of plaintiffs and the settlement
22 class can be allocated and categorized as follows:

Category	Hours
Investigations and Factual Research	0.1
Written Discovery	21.7
Depositions	0.2
Pleadings, Briefs, and Pretrial Motions	10.9
Experts	26.1

Litigation Strategy and Analysis	51.6
Class Certification	25.3
Case Management	6.8
Total	142.7

5. Throughout the course of this litigation, my firm maintained daily, contemporaneous billing records documenting all time spent in increments of one-tenth of an hour, including tasks performed and expenses incurred in this matter. Based upon my review of my firm's timekeeping records, Kralowec Law has expended **142.7 hours** prosecuting this litigation since its inception through February 28, 2017. Multiplied by current hourly billing rates, Kralowec Law has accrued a total lodestar of **\$113,920.50**. These figures do not include any time spent in connection with this motion for an award of attorneys' fees or any time that may still be incurred by my firm in connection with settlement approval and final resolution of this action. Expense items are billed separately and are not duplicated in my firm's lodestar.

6. Additionally, in connection with this motion—and in collaboration with Class Counsel, Schubert Jonckheer & Kolbe LLP—I have reviewed my firm's timekeeping records and removed entries for work performed that was not directly related to tasks specifically requested or assigned by Class Counsel, that was not otherwise directly necessary for the effective prosecution and resolution of the case, or that was potentially duplicative of work performed by others. For instance, time records in which attorneys generally read and reviewed court filings (when not tasked with a specific assignment in connection with those filings) are not included in my firm's total 142.7 hours discussed above. Additionally, all of the work my firm performed in this case occurred after the Court's February 25, 2009 Order consolidating the various related underlying actions (Dkt. 40). All of the time reported by my firm herein was incurred for the benefit of plaintiffs and the settlement class, and I believe it was reasonably necessary for the effective prosecution and resolution of this case. Those records have been provided to Class Counsel, and I have authorized Class Counsel to lodge them for inspection, if so ordered by the Court.

7. The total hours and lodestar of the attorneys, paralegals, and other staff of my firm expended in pursuing the claims in this action, applying the framework discussed above, are summarized as follows¹:

Name	Title / Status	Hours	Rate	Lodestar
Kimberly A. Kralowec	Partner	139.4	\$810	\$112,914.00
Gary Gray	Senior Litigation Paralegal	3.3	\$305	\$1,006.50
Totals		142.7		\$113,920.50

8. Kralowec Law's hourly billing rates are fair, reasonable, and in line with comparable law firms. These rates are the usual and customary rates charged for each individual in all of our cases. Numerous other courts have approved Kralowec Law's rates in other class action matters, including the following illustrative examples:

a. On October 28, 2016, Los Angeles County Superior Court Judge John Shepard Wiley, one of the complex litigation judges of that Court, approved a fee application including my firm's historical hourly rates of \$745 for myself and \$295 for Mr. Gray. *Streit et al. v. Fire Insurance Exchange et al.*, case no. BC434852 (consumer class action).

b. On September 29, 2016, U.S. District Judge Haywood S. Gilliam, Jr. of the Northern District of California approved a fee application including my firm's historical hourly rates of \$745 for myself and \$295 for Mr. Gray. *Hendricks v. Starkist Co. et al.*, N.D. Cal. no. 3:13-cv-00729 HSG (consumer class action).

c. On August 4, 2015, Stanislaus County Superior Court Judge Barbara A. Kronlund approved a fee application including my firm's historical hourly rates of \$745 for myself and \$295 for Mr. Gray. *Cicairos et al. v. Summit Logistics, Inc.* and *Bluford et al. v. Safeway Stores, Inc.*, case nos. CV014837, CV028541 (wage and hour class actions).

¹ The hourly rate shown for any attorney or paralegal who: (a) is no longer employed by Kralowec Law or (b) has been promoted, reflects the last rate that applied at the time of their employment in that position.

1 d. On December 12, 2014, San Diego County Superior Court Judge Katherine
2 A. Bacal approved a fee application including my firm's historical hourly rates of \$725 for myself
3 and \$295 for Mr. Gray. *Hohnbaum et al. v. Brinker Restaurant Corp.*, case no. GIC834348 (wage
4 and hour class action).

5 e. On April 11, 2014, San Francisco Superior Court Judge John E. Munter,
6 who was at the time one of the two complex litigation judges of the San Francisco Superior Court,
7 approved a fee application including my firm's historical hourly rate of \$725 for myself and \$285
8 for Mr. Gray. *Ackerman v. Zynga, Inc.*, no. CGC-12-518829 (consumer class action).

9 f. On April 1, 2013, U.S. District Judge Susan Illston of the Northern District
10 of California approved a fee application including my firm's historical hourly rates of \$675 for
11 myself and \$265 for Mr. Gray. *In re: TFT-LCD (Flat Panel) Antitrust Litigation*, N.D. Cal. no.
12 307-md-01827-SI (antitrust class action).

13 g. On December 3, 2010, Sacramento County Superior Court Judge
14 Shelleyanne W.L. Chang approved a fee application including my firm's historical hourly rates of
15 \$675 for myself and \$265 for Mr. Gray. *Adler v. California Family Fitness*, no. 34-2009-
16 0035185-CU-CR-GDS (consumer class action).

17 h. On August 6, 2010, San Francisco Superior Court Judge Richard A. Kramer,
18 who was at the time one of the two complex litigation judges of the San Francisco Superior Court,
19 approved a fee application including the historical hourly rates of \$675 for myself and \$265 for
20 Mr. Gray. *In re Debit/Credit Card Tying Cases*, JCCP No. 4335 (antitrust class action).

21 9. The expenses my firm incurred in litigating this action are reflected in the books
22 and records of my firm. These books and records are prepared from expense vouchers, invoices,
23 receipts, check records, and other source materials, and accurately reflect the expenses incurred.
24 My firm's expense records are available for inspection by the Court if necessary.

25 10. My firm incurred a total of \$268.32 in unreimbursed expenses, all of which were
26 reasonable and necessary for the prosecution of this litigation. A summary of my firm's
27 unreimbursed expenses by category follows below:
28

Expense Category	Totals
In-House Copies / Reproduction	\$45.75
Legal Research (PACER, Lexis, Westlaw)	\$206.08
Postage / Courier	\$0.49
Travel-Related Expenses	\$16.00
Expense Totals	\$268.32

11. Prosecution of this action has involved significant financial risk for Kralowec Law. My firm undertook this matter solely on a contingent basis, with no assurance of any recovery, and devoted significant resources in terms of its time, energy, and efforts to the resolution of plaintiffs and the settlement class's claims. Class actions such as this are typically complex and protracted, and this case, filed in July 2008 and which involved extensive appellate practice, is not an exception. Additionally, Kralowec Law's litigation efforts in this matter prevented my firm from pursuing other work that might well have been as or more rewarding than this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 1st day of May, 2017 in San Francisco, California.

/s/ Kimberly A. Kralowec
Kimberly A. Kralowec

EXHIBIT A



THE KRALOWEC LAW GROUP
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The Kralowec Law Group was founded in 2010 by attorney Kimberly A. Kralowec. The firm's practice focuses on plaintiffs' class action litigation (antitrust, consumer fraud, wage and hour, and civil rights) in state and federal courts. A list of representative matters handled by attorneys of the firm appears below.

THE FIRM'S PROFESSIONALS

Kimberly A. Kralowec, Principal. During her 24-year career as a litigator, Ms. Kralowec has handled class action matters involving antitrust (price-fixing and monopolization), employment (wage and hour and misclassification), consumer finance (mortgage and auto), retail products (mislabeling and nondisclosure), and civil rights (Unruh Act). She has also handled numerous class actions alleging violations of California's Unfair Competition Law (Cal. Bus. & Prof. Code §§17200 *et seq.*) ("UCL") and Consumers Legal Remedies Act (Cal. Civ. Code §§1750 *et seq.*) ("CLRA").

Ms. Kralowec served as lead appellate counsel for the certified class in *Brinker Restaurant Corp. v. Superior Court*, 53 Cal.4th 1004 (2012), in which the California Supreme Court provided important clarifications of California class action law. Ms. Kralowec was named by the *Daily Journal* as one of the Top 100 Women Lawyers in California and one of the Top 100 Labor & Employment Lawyers in California, and received a 2013 *California Lawyer* Attorney of the Year ("CLAY") Award in recognition of her work on *Brinker*. She has been selected for inclusion in *Northern California Super Lawyers* each year from 2011 to 2016.

Ms. Kralowec publishes and lectures widely. Recent speaking engagements include "25th Anniversary Retrospective and Prospective Views on California Antitrust and Unfair Competition Law" (State Bar of California Antitrust and Unfair Competition Law Section, October 2015) (with the Hon. Susan Illston, moderator); "Aggregate Proof or 'Trial by Formula'" (The Impact Fund, February 2013); "The U.S. Supreme Court Redirects Class Action Defense" (American Bar Association, March 2012); "State Consumer Protection Laws: Enforcement and Litigation Trends in California" (American Bar Association, Section of Antitrust Law, May 11, 2011); "The Potential Impact of *Dukes* on Class Certification in Antitrust and UCL Cases in the Ninth Circuit" (State Bar of California Antitrust and Unfair Competition Law Section, July 22, 2010); and "Antitrust Institute 2010: Developments & Hot Topics" (Practising Law Institute, May 21, 2010).

Recent print articles include “Supreme Court probing ‘pay-for-delay,’” *Daily Journal* (March 17, 2015); “*Dukes* and Common Proof in California Class Actions,” *Competition* (Summer 2012); “Evidentiary Extrapolations in California Class Actions: Guidance from *Brinker*,” *California Litigation* (July 2012); and “UCL Class Actions After *In re Tobacco II*,” *CAOC Forum* (September/October 2009).

Ms. Kralowec is the author of *The UCL Practitioner* (<http://www.uclpractitioner.com>), the first and only weblog on California’s Unfair Competition Law and California class actions. Created in 2003, *The UCL Practitioner* is visited an average of 250 times per business day and is used as a research and reference tool by judges, research attorneys, and practicing lawyers. In 2008, Ms. Kralowec was recognized by *American Lawyer* as one of 20 “Strong Female Voices in the Legal Blogosphere.” She is regularly quoted in the press as an expert on the UCL, CLRA, and class action practice. See <http://www.uclpractitioner.com/press.html>.

In 1992, Ms. Kralowec graduated from the University of California, Davis, School of Law, where she served as Senior Articles Editor of the *U.C. Davis Law Review*. Her law review article, “Estoppel Claims Against ERISA Employee Benefit Plans,” 25 *U.C. Davis L. Rev.* 487 (1992), earned the Patrick J. Hopkins Memorial Writing Award for best student article of the year. In 1989, she graduated from Pomona College in Claremont, California with a B.A. in English (*cum laude*). While at Pomona College, she received the F.S. Jennings Prize in Expository Writing and was a three-time Pomona College Scholar. In 1992-1993, she served as a judicial clerk for Judge David Mannheimer of the Alaska Court of Appeals.

Ms. Kralowec is a former partner of Severson & Werson, P.C., a 100-attorney San Francisco litigation firm, where she regularly defended class action and UCL matters (2000-2001; Associate, 1996-2000). From 2001 through the present, Ms. Kralowec’s practice has focused almost exclusively on plaintiff-side class action litigation, first as Of Counsel to The Furth Firm LLP in San Francisco, and later as a partner with Schubert Jonckheer Kolbe & Kralowec LLP, before founding her own firm in March 2010.

Ms. Kralowec served as a member of the Executive Committee of the Antitrust and Unfair Competition Law Section of the State Bar of California from 2008 through 2013, and currently serves as an advisor to the Section. She is an active member of the amicus curiae committee of Consumer Attorneys of California, on whose Board of Governors she served from 2007-2012. She drafted the amicus curiae brief of CAOC in *In re Cipro Cases I & II*, 61 Cal.4th 116 (2015), in which the California Supreme Court addressed the legality of “pay-for-delay” agreements under California antitrust law.

Ms. Kralowec is admitted to practice in California, the United States Courts of Appeals for the Ninth, Fifth, and Eleventh Circuits, the federal district courts in California, and the United States Supreme Court.



Kathleen Styles Rogers, Of Counsel. Ms. Rogers’ diverse legal career includes 30 years’ experience practicing antitrust and other complex business litigation, as well as 6 years’ experience as Senior Counsel for MCI Telecommunications Corp. Her litigation experience includes class action matters involving antitrust, employment and unfair competition law (California’s Unfair Competition Law (Cal. Bus. & Prof. Code §§17200 *et seq.*).

Ms. Rogers received her B.A. from the University of California, Santa Barbara, and her J.D. from the University of Santa Clara, School of Law, where she served as the first Articles Editor of Santa Clara’s *Computer & High-Technology Law Journal*. During law school, Ms. Rogers served as a judicial extern for Justice Edward A Panelli during his tenure on the California Court of Appeal, First Appellate District.

Ms. Rogers formerly was Of Counsel to San Francisco complex litigation firms including The Furth Firm LLP and Hausfeld LLP and was Partner in a general litigation firm with former Congressman Paul N. “Pete” McCloskey, Jr.

Ms. Rogers is admitted to practice in California, the United States Court of Appeals for the Ninth Circuit and federal district courts in California.

Gary M. Gray, Senior Paralegal and Administrator. Mr. Gray was educated at the University of California, Santa Cruz, and has over 20 years’ experience as a litigation paralegal, first with The Furth Firm LLP and its predecessors and more recently with the Chicago firm of Miller Law LLC. He has had intensive involvement, from pre-filing research through trial and post-trial settlement administration, in numerous antitrust and price-fixing cases, including *Kendall-Jackson v. Gallo* (trade dress), *Alakayak v. All Alaskan* (Bristol Bay Salmon Price-Fixing Litigation), *High Pressure Laminates Antitrust Litigation*, *Microcrystalline Cellulose Antitrust Litigation*, *Abid v. Grosvenor Bus Lines, Inc.*, Nurse Wages Cases (*Reed v. Advocate Healthcare, Inc.*), and *Apple iPhone/iPod Warranty Litigation*.

REPRESENTATIVE MATTERS

Antitrust Class Actions

In re TFT-LCD (Flat Panel) Antitrust Litigation (U.S. District Court, Northern District of California) (Judicial Panel on Multidistrict Litigation No. 1827). Co-counsel for nationwide and California classes of indirect purchasers of flat-panel displays (liquid crystal displays or “LCDs”) including computer monitors, laptops, and televisions. Plaintiffs allege that defendants, who are among the major manufactures of LCDs worldwide (including Samsung, Hitachi and LG Philips), engaged in a wide-ranging conspiracy to eliminate competition and to fix and inflate the prices of the displays, resulting in significant increased costs to consumers. Action settled for nearly \$1 billion.

3M Transparent Tape Cases (California Superior Court, City and County of San Francisco, Judicial Council Coordination Proceeding). While at a former firm, Ms. Kralowec served the functions of co-lead counsel for California indirect purchasers. Plaintiffs alleged that 3M unlawfully maintained a monopoly in the market for invisible and transparent home and office tape through various arrangements, contracts, agreements, trusts and combinations in restraint of trade designed primarily to restrict the availability of lower priced transparent tape products to consumers and to maintain high retail prices for its Scotch Brand retail products. Action settled for relief valued at approximately \$42 million.

In re Credit/Debit Card Tying Cases (California Superior Court, City and County of San Francisco, Judicial Council Coordination Proceeding). Co-counsel for plaintiffs in putative class action under California Unfair Competition Law alleging that credit card issuers (Visa and MasterCard) unlawfully tied their debit card services to their credit card services, resulting in inflated merchant exchange fees for debit card services that were passed on to the plaintiff retail customers. Action settled for \$31 million.

Abid v. Grosvenor Bus Lines, Inc., et al. (California Superior Court, City and County of San Francisco). While at a former firm, Ms. Kralowec served the functions of Lead Counsel for plaintiffs in antitrust class action on behalf of sales agents paid by commission for selling sightseeing bus tours of San Francisco and other nearby tourist destinations. Suit alleged that the three major San Francisco sightseeing tour operators agreed to price-fix the commissions they pay to the sales agents and to jointly lower the commissions to anticompetitive levels. Action settled for \$3.1 million and injunctive relief.

Mathews v. Bumble Bee Foods LLC, et al., Gore v. Bumble Bee Foods LLC, et al., and Moore v. Bumble Bee Foods LLC, et al. (U.S. District Court, Southern District of California). Co-counsel for nationwide and California class of indirect purchasers of canned tuna and other packaged seafood products. Plaintiff alleges that defendants, who are the top three U.S. producers of these products, entered into a price-fixing conspiracy. Action pending.

In re Dynamic Random Access Memory (DRAM) Antitrust Litigation (U.S. District Court, Northern District of California). Co-counsel for nationwide class of indirect purchasers of DRAM. Plaintiffs allege that the defendants, who are among the world's largest manufacturers of DRAM, conspired to illegally fix the price of DRAM sold in the United States. The firm represents a client who assembled and sold specially-configured, high-performance computers in California during the class period. Action settled for \$310 million in aggregate settlements.

In re Optical Disk Drives Antitrust Litigation (U.S. District Court, Northern District of California). Co-counsel for nationwide class of direct purchasers of optical disk drives, including those installed in laptop computers and CD players. Plaintiffs allege that defendants, who are among the major manufacturers of optical disk drives worldwide,

engaged in price-fixing and a conspiracy to eliminate competition. Settlements of over \$37.75 million approved to date.

In re Skelaxin (Metaxalone) Antitrust Litigation (U.S. District Court, Eastern District of Tennessee). Co-counsel for class of independent pharmacies who purchased branded Skelaxin, a muscle-relaxant drug, for resale. Plaintiffs allege that King Pharmaceuticals conspired with its competitors to delay market entry of a generic version of the drug. Action settled for \$2.1 million.

In re Fresh and Process Potatoes Antitrust Litig., (U.S. District Court, District of Idaho). Member of Executive Committee for direct purchasers of fresh and process potatoes. Plaintiffs allege that defendants engaged in a conspiracy to drive up prices of potatoes nationwide by diminishing output through agreements to reduce acreage and other anticompetitive means. Action settled for \$19.5 million.

In re Microcrystalline Cellulose Antitrust Litigation (U.S. District Court, Eastern District of Pennsylvania). While at a former firm, Ms. Rogers served as Class Counsel for the Food Purchasers Class in an action alleging a conspiracy to fix prices among the manufacturers of microcrystalline cellulose, a common additive in foods and pharmaceuticals. Action settled for \$50 million.

In re: Domestic Drywall Antitrust Litigation (U.S. District Court, Eastern District of Pennsylvania). Co-counsel for indirect purchasers in an action alleging a conspiracy to fix prices among manufacturers of gypsum wallboard. Action pending.

In re Domestic Airline Travel Antitrust Litigation (U.S. District Court, District of Columbia). Co-counsel for direct purchasers in an action alleging a conspiracy by major U.S. airlines to elevate prices of domestic airfares by keeping capacity artificially low. Action pending.

In re: Disposable Contact Lens Antitrust (U.S. District Court, Middle District of Florida). Co-counsel for indirect purchasers of disposable contact lenses in an action alleging a conspiracy by the manufacturers to raise prices to supracompetitive levels by imposing resale price maintenance agreements on online and big-box retailers. Action pending.

In re Musical Instruments Antitrust Litigation (U.S. District Court, Southern District of California). Co-counsel for nationwide class of direct purchasers of guitars and other musical instruments from Guitar Center. Plaintiffs allege a scheme involving Guitar Center, the National Association of Music Merchants, and various retailers and manufacturers to eliminate competition in the market for musical instrument products. Action concluded.

Nurse Wages Cases: Reed, et al. v. Advocate Healthcare, Inc. et al. (U.S. District Court, Northern District of Illinois). While at a former firm, Ms. Kralowec served as co-



counsel for plaintiff RNs in a class action against healthcare providers for conspiring to fix and depress wages in violation of federal antitrust law. Action settled.

In re Static Random Access Memory (SRAM) Antitrust Litigation (U.S. District Court, Northern District of California). While at a former firm, Ms. Rogers served as co-counsel for nationwide class of indirect purchasers. Plaintiffs alleged that the defendants, who are among the world’s largest manufacturers of SRAM, conspired to illegally fix the price of SRAM sold in the United States. Action settled for \$41.3 million.

Natural Gas Anti-Trust Cases I, II, III & IV (California Superior Court, County of San Diego). While at a former firm, Ms. Rogers served as co-counsel for direct and indirect purchasers in an action alleging a conspiracy to fix prices and supplies of natural gas during the 2001 energy crisis. Action settled for \$160 million.

In re Western States Wholesale Natural Gas Antitrust Litigation (U.S. District Court, District of Nevada). While at a former firm, Ms. Rogers served the functions of co-lead counsel for direct purchasers. Plaintiffs alleged a conspiracy to fix prices and supplies of natural gas during the 2001 energy crisis. Action settled for \$25.95 million.

In re Korean Air Lines Co., Ltd. Antitrust Litigation (U.S. District Court, Central District of California). While at a former firm, Ms. Rogers served the functions of co-lead counsel for nationwide class of indirect purchasers of air travel services. Action settled for \$65 million.

Consumer Class Actions

In re Apple iPhone/iPod Warranty Litigation (U.S. District Court, Northern District of California). Co-counsel in consumer class action on behalf of owners of iPhone and iPod touch devices alleging that Apple fails to honor its warranty obligations and uses faulty Liquid Submersion Indicators as a basis for improper denial of warranty coverage. Action settled for \$53 million.

Streit v. Farmers Group, Inc. et al. (California Superior Court, County of Los Angeles). Co-Lead Counsel in class action on behalf of policyholders alleging that defendant insurance company violated the Insurance Code when it calculated the return of unearned premium for mid-term policy cancellations. On appeal, obtained reversal of order sustaining demurrer without leave to amend. Following remand, obtained class certification and judgment in favor of the class for \$25 million.

Minton v. Herbalife International, Inc. et al. (California Superior Court, County of Los Angeles). Co-counsel in class action alleging unlawful and fraudulent “endless chain” scheme. Ms. Kralowec assisted in the class certification, settlement, and settlement approval phases of the case while at a former firm. Action settled for \$1.75 million.

Robinson v. OnStar, LLC (U.S. District Court, Southern District of California). Co-counsel in class action alleging that OnStar charged customers' debit and credit cards for continuous OnStar service without the written and/or express authorization required by state and federal law, including the Electronic Funds Transfer Act, the Automatic Renewal Law, and the Unfair Competition Law. Action pending.

Ackerman v. Zynga Inc. (California Superior Court, City and County of San Francisco). Co-counsel in consumer UCL class action on behalf of purchasers of "Words With Friends" and other games. Plaintiff alleges that Zynga misrepresented in the Apple App Store that the paid versions of the games would be "ad-free" when they were not. As a result of lawsuit, the user interface of the games was changed to provide users with the "ad-free" gaming experience they paid for. Action concluded.

Levitte v. Google, Inc. (United States District Court, Northern District of California). Co-counsel in UCL class action alleging misrepresentations to AdWords customers regarding the types and quality of the websites on which advertisers' ads would be placed. Denial of class certification reversed by Ninth Circuit. Action pending.

Watts v. Allstate Indemnity Co. et al. (United States District Court, Eastern District of California). Co-counsel in UCL, breach of contract and fraud class action against insurance company alleging improper payment of policy benefits. Action concluded.

Kent v. Avis Rent A Car System LLC (California Court of Appeal, Fourth Appellate District, Division Three). Appellate consultant in UCL and CLRA class action alleging improper administrative fee charges. Retained to assist with oral argument preparation. Action concluded.

Clawson v. Automobile Club of Southern California (California Superior Court, County of Orange). Consultant in UCL action alleging violation of California statute governing commission rates for auto insurance sales agents. Retained to assist with opposing demurrer; demurrer overruled. Action concluded.

Compassion Over Killing v. Cal-Cruz Hatcheries (California Superior Court, County of Santa Cruz). Co-counsel in UCL action for violation of California animal cruelty laws. Retained as UCL expert to assist with standing arguments. Action concluded.

Cobb v. BSH Home Appliance Corp. (United States District Court, Central District of California). Consultant in UCL, CLRA and breach of warranty action against product manufacturer. Retained as UCL expert to assist with opposing motions to dismiss; motions denied. Action concluded.

Quacchia v. DaimlerChrysler Corporation (California Superior Court, County of Alameda). While with a former firm, Ms. Kralowec served as co-counsel in UCL and CLRA class action alleging failure to disclose known safety defect in seat belt design. Action concluded.



Securities Class Actions

In re AOL Time Warner Securities Litigation (U.S. District Court, Southern District of New York). Co-counsel in securities class action alleging falsification of advertising revenues in public filings, improperly inflating stock price. Ms. Kralowec participated in high-level document review and analysis while at a former firm. Action settled for \$2.5 billion.

Herron v. Lark Creek Investment Management Co. et al. (California Superior Court, City and County of San Francisco). Co-Lead counsel for plaintiffs in derivative and class action litigation on behalf of investors in Madoff feeder fund. Action settled for \$3.66 million.

Herron v. CARE Market et al. (California Superior Court, City and County of San Francisco). Co-Lead counsel for plaintiffs in derivative action seeking clawback of mistakenly-paid false profits for benefit of Madoff feeder fund. Action pending.

Wage & Hour and Employment Class Actions

Brinker Restaurant Corporation v. Superior Court (Hohnbaum) (California Superior Court, County of San Diego). Lead appellate counsel in class action alleging violations of California's meal period and rest break laws. Certified class consists of over 60,000 California employees of Brinker Restaurant Corporation, which operates Chili's, the Macaroni Grill, and other statewide restaurant chains. Action settled for \$56.5 million.

Bluford v. Safeway Stores, Inc. and Cicairos v. Summit Logistics, Inc. (California Superior Court, County of San Joaquin). Co-Lead counsel in class actions alleging violations of California's meal period and rest break laws. Actions settled for \$30 million.

Savaglio v. Wal-Mart Stores, Inc. (California Superior Court, County of Alameda). The Furth Firm LLP acted as lead counsel in this class action alleging failure to pay meal periods and rest breaks. Ms. Kralowec assisted with the briefing. Action resulted in jury verdict of \$172 million and settled while on appeal.

Thomas v. California State Automobile Association (California Superior Court, County of Alameda). While at a former firm, Ms. Kralowec served as co-counsel in wage and hour class action alleging misclassification of insurance adjusters as "exempt" employees in violation of the Labor Code. Action settled for \$8 million.

Salvas v. Wal-Mart Stores, Inc. (Supreme Judicial Court of Massachusetts). The Furth Firm LLP acted as lead counsel in this class action alleging failure to pay meal periods and rest breaks. Ms. Kralowec assisted with the appellate briefing. Action settled for \$40 million.



Frlekin v. Apple Inc. (U.S. District Court, Northern District of California). Co-counsel in certified class action seeking compensation for California retail workers' unpaid time spent engaging in employer-required security searches. Action pending.

In re AMR Wage & Hour Cases (California Superior Court, County of Alameda). Co-lead counsel in wage and hour class action on behalf of putative class of California ambulance drivers, paramedics and dispatchers improperly denied their meal periods and rest breaks. Action pending.

Civil Rights Class Actions

Adler v. California Family Health LLC dba California Family Fitness (California Superior Court, County of Sacramento). Lead counsel in civil rights class action alleging that chain of gyms provided unequal facilities to its members on the basis of gender, in violation of the Unruh Civil Rights Act and other laws. As a result of lawsuit, single-sex workout areas of gyms were opened up to all members. Action settled.

Candelore v. Tinder, Inc. (California Superior Court, County of Los Angeles). Co-lead counsel in civil rights class action alleging price discrimination based on age, in violation of the Unruh Civil Rights Act and other laws. Action pending.